

**PLEASANT PRAIRIE PLAN COMMISSION MEETING  
VILLAGE HALL AUDITORIUM  
9915 39TH AVENUE  
PLEASANT PRAIRIE, WISCONSIN  
5:00 P.M.  
December 8, 2008**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on December 8, 2008. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessl; Jim Bandura; John Braig; Andrea Rode and Larry Zarletti. Judy Juliana was excused. Also in attendance were Mike Pollocoff, Village Administrator; Peggy Herrick, Assistant Village Planner and Zoning Administrator; and Tom Shircel, Assistant Village Planner

**1. CALL TO ORDER.**

**2. ROLL CALL.**

**3. CORRESPONDENCE.**

Tom Shircel:

We have none this evening.

**4. CITIZEN COMMENTS.**

Tom Terwall:

There are no public hearings on the agenda tonight, so if you wish to speak now would be your opportunity to do so. We'd ask that you step to the microphone and begin by giving us your name and address. Anybody wishing to speak?

**5. NEW BUSINESS.**

- A. Consider the request of Ben Clark of Panattoni Development, owner of the LakeView Prairie Center, located at 11170 (All Solutions) and 11200 (ZF) 88th Avenue, for a Sign Special Exception related to several signs on the 2 properties.**

Tom Shircel:

Thank you. This is the request of Ben Clark of Panattoni Development, owner of the LakeView Prairie Center, located at 11170 and 11200 88<sup>th</sup> Avenue, for a Sign Special Exception related to several signs on these two properties.

As some background information, on April 14, 2008, the Plan Commission approved site and operational plans for the LakeView Prairie Center which was an approximate 98,000 square foot addition to the Cherry Electric building. Then on August 25, 2008, the Plan Commission approved site and operational plans for All Solutions, Inc., to lease and occupy approximately

208,000 square feet of that LakeView Prairie Center building. All Solutions warehouses and distributes a variety of Ocean Spray-related products.

In reference to Tax Increment District No. 2, the LakeView Prairie Center building straddles two separate tax parcels. The southern parcel is a 14.6 acre Tax Parcel Number 92-4-122-294-0030 which is not located within TID 2. The northern parcel is a 5.48 acre parcel which is Tax Parcel 92-4-122-294-0025 which is located within TID 2.

At this time the two parcels cannot be combined because individual parcels cannot cross TID boundary lines. It is the intent of the Village to perform a future TID boundary adjustment. At that time when the adjustment is performed, pursuant to the Plan Commissions conditional approval of the LakeView Prairie Center, these two properties shall be legally combined.

As far as the sign special exception permit is concerned, because these two parcels are not presently combined, the zoning ordinance requires that modifications to signs related to multi-occupant buildings that straddle tax key parcel boundary lines requires a Plan Commission approved sign special exception permit. Specifically, Section 420-78L.(6) of the ordinance states in part that signs for buildings that straddle tax key boundaries without side setbacks shall require Plan Commission approved special exception permit for the installation, construction or modification of any commercial advertising sign on a property in which is located a building occupied by multiple businesses or other entities. That's what we have here. We have two businesses, that being All Solutions and the former Cherry business in this one building that straddles these two properties.

The purpose of requiring a sign special exception permit for signage related to situations like we're talking about is to allow off site advertising signs which are not allowed by the zoning ordinance whereby the end result is to not create an unnecessary proliferation of signs when shared signage for both properties containing one building with more than one tenant serves the purpose of the development as a whole. So, again, we're not looking to get more signage than we actually need.

Based the sign special exception permit application, all four signs related to this permit will be located on the southern parcel, which is the 294-0030 parcel. The following two signs are existing, those are the primary monument sign which you can see up on the screen and there's the on site information sign which is the next sign, that one right there. Then two additional new signs are proposed. The next one is an additional on site information sign as Peggy is showing on the screen and, finally, a wall sign which will be located facing 88<sup>th</sup> Avenue.

And with that staff recommends that the Plan Commission approve the sign special exception permit subject to the attached sign permit and the associated conditions. With that I'll turn it back to the Plan Commission. Ben Clark is here in the audience if you have any questions.

Tom Terwall:

Will these signs replace the Cherry signs or be in addition to the Cherry signs?

Tom Shircel:

As mentioned, the first two, the primary monument sign—the two existing signs are being rephased. So, as you can see, they'll show All Solutions as one tenant and ZF which is the former name for Cherry. That's also as you see on the wall is an existing sign being modified. That's a new sign. And, finally, a wall sign which is also a new sign.

Tom Terwall:

Thank you.

John Braig:

These signs are all existing in place already?

Tom Shircel:

No, the first two as mentioned as you see on the wall, that one there, the primary monument sign is existing, so they're just going to change the face. And the next one, that one there, is also existing and they're changing the face. And the final two are brand new signs.

Tom Terwall:

Under the current ordinance will they have to come back to the Plan Commission any time there was a change in tenancy with the new tenant?

Tom Shircel:

Yes, under this configuration. But Item C on the agenda tonight will somewhat address that.

Mike Serpe:

Move approval.

Jim Bandura:

Second.

Tom Terwall:

**MOVED BY MIKE SERPE AND SECONDED BY JIM BANDURA TO APPROVE THE SPECIAL SIGN EXCEPTION SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**B. Consider the request of the Community Development Authority to approve the Certified Survey Map for the properties located at the southwest corner of I-94 and CTH Q.**

Peggy Herrick:

This is a request of the Community Development Authority to approve a certified survey map for properties located at the southwest corner of I-94 and County Trunk Highway Q in the Village of Pleasant Prairie. The certified survey map will combine several properties, dedicate right of way from the relocated 120<sup>th</sup> Avenue West Frontage Road, and as a result will then divide the property into two parcels.

As you are aware, the Village has been reconstructing County Trunk Highway Q and 120<sup>th</sup> Avenue, the West Frontage Road south of Highway Q, to accommodate future development in the area. 120<sup>th</sup> Avenue West Frontage Road is being relocated a bit south and west to provide developable land for the Community Development Authority to sell for future development. The Wisconsin Department of Transportation will be transferring the jurisdiction of the existing portion of 128<sup>th</sup> Avenue, which is the West Frontage Road, to the Village Community Development Authority prior to recording the certified survey map. Upon recording the CSM, the CDA will dedicate right of way for the new frontage road to the Village. As you can see on the certified survey map, the location of that new West Frontage Road that will be dedicated. A portion of the right of way has been dedicated as a part of the Uline CSM, that's why the right of way at that upper corner looks a little strange. But there has been additional right of way dedicated when the Uline CSM was approved.

The properties are currently zoned B-4, Freeway Service Business District wherein the minimum lot size is 2.5 acres with a minimum frontage of 150 feet on a public street. Lot 1 and Outlot 1 of the CSM meet and exceed these minimum requirements. It is the intent of the petitioner to petition to rezone these properties and create a Planned Development District, and the small field delineated wetlands, which is approximately 1,158 square feet located within Lot 1 would be located in a Wetland Preservation Easement as shown on this certified survey map and then will be rezoned to the C-1, Lowland Resource Conservancy District. That wetland is, I can just show you, that is the location of the small wetland 1,000 or so square feet that will remain.

Lot 1 is 18.58 acres. Access for future development will be limited to the private street that is being installed by the Village. The private street will be maintained by the owner of Lot 1 of the commercial association if and when it is created. This is the private street right in here, so all access to Lot 1 will come off of that private street. There will be no access onto Q or the new frontage road or, obviously, I-94.

Outlot 1 is 5.586 acres. Outlot 1 will be used primarily for storm water management facilities and for the future development of Lot 1 and 120<sup>th</sup> Avenue West Frontage Road. These facilities are being installed as part of this road realignment project. The storm water facilities will be

maintained by the owner of Lot 1 or the commercial association if and when created. The private drive, which is shown through Outlot 1, is a private drive that could provide additional access to the owner of Lot 1 of CSM 2634 which is this land to the west which is currently being developed by Uline Corporation. If Uline wishes to install this driveway they'd be responsible for the installation and maintenance of this private driveway access.

In addition, Uline or the owner of Lot 1 of CSM 2634 has agreed to install and maintain the required landscaping within this outlot. A landscaping plan will be provided by Uline for review by the Village prior to the installation of this landscaping. Landscaping on this outlot will be similar to the landscaping provided on the Uline site.

The public sewer and water within Lot 1 and Outlot 1 and the dedicated public and private streets have been installed by the Village and will be maintained by the Village. Public street lights will be installed by the Village within the right of ways of County Trunk Highway Q and 120<sup>th</sup> Avenue adjacent to Lot 1 and Outlot 1 and within the private street easement on Lot 1. The maintenance and electrical costs shall be paid by the owner of Lot 1 or the commercial association if and when created.

Street trees will be installed by the Village within the right of ways of County Trunk Highway Q and 128<sup>th</sup> Avenue, the West Frontage Road, and within a ten foot landscape easement on Lot 1. That landscape easement is right in this location. That easement is being provided because there is not enough room in the existing dedicated right of way for those street trees so they'll be planted in that easement. The owners of Lot 1 or the commercial association is and when created will be responsible for maintaining and replacing any street trees.

Easements will be dedicated by separate document to We Energies after the certified survey map is recorded. According to the Village finance department there are no outstanding taxes or special assessments due on these properties. Village staff recommends approval of the certified survey map subject to the comments on the certified survey map. And just for a point of clarification the Village Attorney has reviewed the certified survey maps and there are no additional changes other than what's marked on the certified survey map. So with that we recommend approval.

Tom Terwall:

What's your pleasure?

Don Hackbarth:

This is a little unrelated. I think that Q was supposed to be done sometime in fall. Do you know when Q is going to be open, when they're going to get that thing done?

Mike Pollocoff:

Right now we're waiting on the traffic signs to go in, the stop signs. Mike can address that.

Mike Spence:

Mike Spence, 8600 Green Bay Road. Just as of about an hour ago we found out that we're trying to open up Q actually tomorrow. It's been problematic in getting all the signs up. We've got to move some barricades around, but it is looking like if not tomorrow it will be Wednesday.

Tom Terwall:

Before the snow comes, Mike, or after?

Mike Pollocoff:

During.

Tom Terwall:

Any other comments or questions? If not, a motion is in order.

Wayne Koessl:

Mr. Chairman, move approval.

Jim Bandura:

I second.

Tom Terwall:

**IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CSM SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**C. Consider Plan Commission Resolution #08-22 to initiate a Zoning Text Amendment related to Sign Special Exceptions.**

Tom Shircel:

Thank you. As you know, the Plan Commission may initiate a petition for an amendment of a zoning ordinance which may include rezoning of a property, change in the zoning district

boundaries or changes of the text of the zoning ordinance. Sections of Article X which is commonly known as the sign ordinance of the Village zoning ordinance related to sign special exceptions are proposed to be re-evaluated. If the Plan Commission goes ahead and approves this resolution tonight the Plan Commission will hereby initiate and petition to amend certain sections of Article X of the Village zoning ordinance related to sign special exceptions. In addition, as a result of any proposed changes, other sections of the ordinance may need to be clarified. These proposed changes in the zoning text are hereby referred to the Village staff for further study and recommendation. And, finally, the Plan Commission is not by this resolution if they approve it tonight making any determination regarding the merits of the proposed changes of the zoning text but rather is only initiating the process by which the proposed changes in the zoning text can be promptly evaluated. With that, I'll turn it back to the Plan Commission.

Don Hackbarth:

Move approval.

Larry Zarletti:

Second.

Tom Terwall:

**MOVED BY DON HACKBARTH AND SECONDED BY LARRY ZARLETTI TO ADOPT RESOLUTION 08-22. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

## **6. ADJOURN.**

John Braig:

Move adjournment.

Wayne Koessl:

Second.

Tom Shircel:

Mr. Chairman, just for the Plan Commission's knowledge, the next meeting is January 12<sup>th</sup>. There is no meeting on December 22<sup>nd</sup>. Take that off your calendars.

Voices:

Merry Christmas everybody.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? We stand adjourned

**Adjourned: 5:17 p.m.**