

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
May 11, 2009**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on May 11, 2009. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessl; Jim Bandura; John Braig; and Judy Juliana (Alternate #1, voting member). Andrea Rode (Alternate #2) and Larry Zarletti were excused. Also in attendance were Mike Pollocoff, Village Administrator; Jean Werbie, Community Development Director; Peggy Herrick, Assistant Village Planner and Zoning Administrator and Tom Shircel, Assistant Village Planner and Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CORRESPONDENCE.**

Jean Werbie:

Mr. Chairman, we don't have any correspondence. However, I did want to mention that the second Plan Commission meeting of May will be cancelled as it does fall on Memorial Day, and so we are not meeting the day after, that Tuesday, so we will only have one Plan Commission meeting in the month of May.

Tom Terwall:

Thank you. I suppose with the increased price of postage correspondence is probably going to decrease anyhow I would imagine.

- 4. CONSIDER THE MINUTES OF THE APRIL 27, 2009 PLAN COMMISSION MEETING.**

Judy Juliana:

Move to approve.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JUDY JULIANA AND SECONDED BY JIM BANDURA TO APPROVE THE MINUTES OF THE APRIL 27, 2009 PLAN COMMISSION AS RECEIVED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

5. CITIZEN COMMENTS.

Tom Terwall:

If you're here for items A through C on tonight's agenda, since those are public hearings, we would ask that you hold your comments until the public hearing is held so your comments can be incorporated as a part of the official record. However, if you're here for Item D or an item that's not on the agenda now would be your opportunity to speak. We would ask you to step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens' comments?

6. NEW BUSINESS.

A. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT to correct the Village Zoning Map as a result of a wetland staking completed by Wetland and Waterway Consulting, LLC and approved by the Wisconsin Department of Natural Resources for the property located at 5672 Springbrook Road and owned by BHT LLC.

Jean Werbie:

Mr. Chairman and members of the Plan Commission, this is a consideration of a zoning map amendment to correct the Village zoning map as a result of a wetland staking completed by Wetland and Waterway Consulting, LLC, and approved by the Wisconsin Department of Natural Resources for the property located at 5672 Springbrook Road. It's owned by BHT LLC.

Specifically, the petitioner is requesting a zoning map amendment to correct the Village zoning map as the result of a wetland staking. Again, this was completed by Wetland and Waterway Consulting on June 6, 2007 and approved by the Wisconsin DNR on August 23, 2007. The property is located at 5672 Springbrook Road, and it's identified as Tax parcel Number 92-4-122-274-0153.

The zoning map amendment proposed to correct the zoning map and rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District, and the non-wetland portions of the property will be placed into the A-2, General Agricultural District. Any portions of the properties located within the FPO, Floodplain Overlay District, and within a shoreland jurisdictional will remain unchanged on the property. This is a matter for public hearing.

Tom Terwall:

Is there anybody wishing to speak on this matter? Anybody wishing to speak? Anybody wishing to speak? Hearing none, I'll open it up to comments and questions from Commissioners and staff.

Don Hackbarth:

I move approval.

Mike Serpe:

Second.

Tom Terwall:

Before I take a vote, Jean, is this is the property that's currently being used as the deer form?

Jean Werbie:

No, that is actually property to the north. No, this is south of the deer farm property.

Tom Terwall:

THANK YOU. THERE'S BEEN A MOTION BY DON HACKBARTH AND A SECOND BY MIKE SERPE TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD 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. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT to amend Specific Development Plan #11 entitled "118th Avenue and STH 50 Planned Unit Development" in Chapter 420 Attachment 3 Appendix C of the Village Zoning Ordinance.

Jean Werbie:

Mr. Chairman and members of the Plan Commission, this is a public hearing and consideration of a zoning text amendment, and this is to amend Specific Development Plan #11 entitled 118th Avenue and State Trunk Highway 50 Planned United Development in Chapter 420, Attachment 3, Appendix C of the Village zoning ordinance.

Ted Czyzewski, representing the owner, BRE/LQ Properties LLC, which is LaQuinta Inn & Suites, is requesting an amendment to the 118th Avenue and State Trunk Highway 50 planned unit development which pertains to the overall development of the site. Originally this consisted of

three properties, Walgreens, LaQuinta and a future restaurant, as a unified commercial development. The properties are located in the southwest quadrant of 75th Street/118th Avenue intersection. It consists of Tax Parcel Number 91-4-122-072-0032 which is Walgreens, 91-4-122-072-0033 a future restaurant site, and 92-4-122-072-0034 which is the LaQuinta site. The PUD site is zoned B-4 (PUD, Freeway Business District with a Planned Unit Development Overlay. This proposed amendment to the PUD specifically pertains to the exterior building colors of the existing LaQuinta Hotel.

Just as some brief background information, the zoning text amendment was considered by the Village Board and approved on April 19, 2004 to create the Specific Development Plan #11 PUD in order to accommodate these three uses on the particular property. At that time as shown in the staff comments, specific Section 11.c.v(1) states that LaQuinta shall consist of the following exterior building materials and colors. As you can see listed, the specific colors for the siding, the columns, the awning and another reference that if for some reason that this hotel is razed that a new hotel on this site would have to be reconstructed using similar or same colors as the Walgreens site.

There were some issues that, as you can see in the staff comments, we had with respect to some code violations. The summary is set forth in the staff comments as presented by Tom Shircel. The situation I think that there was some misunderstanding initially when the corporate offices contacted the community believing that they were actually in the City of Kenosha, not the Village of Pleasant Prairie, and when given direction by the City of Kenosha that they did not need to seek any approvals I believe they did not. So they went forward and refaced the outside with the unique colors which are their corporate colors.

Specifically, I am going to introduce a representative from the hotel so that they can further explain and then show you on their board what they have proposed to do and actually what they did do out there, then the staff can add some additional comments after that.

Ted Czyzewski:

Good evening.

Tom Terwall:

In your presentation would you delineate what's already occurred and what's planned to occur, or is it all done already?

Ted Czyzewski:

It's all done already.

Tom Terwall:

Give us your name and address.

Ted Czyzewski:

Ted Czyzewski, EVP Design Services, LaQuinta Corporation, 909 Hidden Ridge, Irving, Texas, 75038. I want to hit on that first with the Kenosha miscue a little bit. The architects that we worked with called them first thinking that that was the building in that jurisdiction so I apologize to Pleasant Prairie on that and appreciate Tom's help to kind of get back on track with where we are today basically.

What I wanted to show you is basically our branding colors, corporate colors right now are the torchlight and compatible cream. Torchlight is this and compatible cream is off to the side. And what we've done throughout the corporation both in franchise as well as our corporate properties, over 700 properties, that is the new color scheme that we're using for our branding effort throughout the country and in Mexico and Canada basically. This was the before shot, a little dull obviously in the sense of the color itself, so what we've done it just brought it up to this date of colors, the torchlight and compatible cream, tried to highlight the main emphasis on entry points and other points of interest of the building with the torchlight and then compatible cream becomes more the background color, portico share entry point.

Don Hackbarth:

Quick question, is that brick? Is the building basically brickwork?

Ted Czyzewski:

No, it's a stucco material . . . again before and then the after shot what is out there today basically as it's painted. Another angled view of the portico share. Then basically a side view again of the building, two story, the torchlight and compatible cream throughout. And so that's basically our story for tonight, basically going with the branding colors throughout the corporate and franchise brands that we have out there today. Any questions you'd like me to answer?

Tom Terwall:

Thank you. Since this is a matter for public hearing is there anybody wishing to speak on this issue? Anybody wishing to speak? Hearing none, I'll open it up. Yes, Mike.

Mike Serpe:

Just a couple comments. A little misunderstanding totally. If the corporate would have sent a letter saying we were going to paint this color you would have had to approve the color scheme, is that correct?

Jean Werbie:

That's correct.

Mike Serpe:

And where are the court proceedings at right now? Did you pay that fine?

Ted Czyzewski:

Oh, yes.

Mike Serpe:

That fine has been paid?

Ted Czyzewski:

Yes, and I guess there was a date that was set up and we got the notice to show up for one of the meetings, and again I apologize for that as well. Somehow it did not get to me or it might have got to the corporate office, it could have gone to tax or somebody else. Again, it was one of those miscues on our part that I never personally got that letter.

Tom Terwall:

Probably ended up with one of the attorneys. That happens.

Mike Serpe:

So what we're looking for tonight is just approval on a new color scheme?

Ted Czyzewski:

Yes.

Don Hackbarth:

If somebody came to Pleasant Prairie thinking that their building was in Pleasant Prairie and it was in Kenosha what would we do?

Mike Serpe:

Fine them another \$671.

Jean Werbie:

We would specifically ask for an address and we'd look it up in the system. That miscommunication has happened in the past with respect to single family homes and other types of inspections so it's not entirely unusual. I just wanted to say that the staff does recommend approval of the new LaQuinta Corporate Colors for the reason that the hotel was already a pre-existing building, keeping in mind that this structure has been there for a number of years, and we did put some provisions in the PUD ordinance so that if it ever does get moved or razed at this particular location we would like it to try to incorporate more similar colors to the existing Walgreens building that's on the corner since we did this as more of a unified development.

But we did specifically list all of the siding colors and the columns and the awnings, all the different colors to fit exactly what they've done out here. I'm sure that there won't be a

miscommunications in the future with respect to this being in Pleasant Prairie versus the City. So the staff does recommend approval, and that the ordinance be amended to reflect this new language, the PUD be amended.

Mike Serpe:

A while back there was disagreement in the City of Kenosha with a building owner and the City. And this building owner was so upset that he took and painted his building a very objectionable color. But that wasn't a PUD, but I can understand wanting to have some control in areas such as this where your focal point coming into Pleasant Prairie or Kenosha County and I understand it's unfortunate it had to get to a fine but I'd move approval.

Mike Pollocoff:

Do you refer to this as your Kenosha Hotel?

Ted Czyzewski:

That's the way it shows up in our directory.

Jean Werbie:

That's probably the problem.

Ted Czyzewski:

That may have been part of it. It says Kenosha but the address says Pleasant Prairie as well.

Tom Terwall:

Give us your name and address, sir.

Robert Wood:

Robert Wood, LaQuinta Inns, 7540 118th Avenue, Pleasant Prairie, 53158. In all of our listings it says Kenosha/Pleasant Prairie, and the reason is for sales. Many people that come here don't know that Pleasant Prairie is right next to Kenosha but people do know the name Kenosha.

Tom Terwall:

Thank you. Anything further?

Mike Serpe:

I'd move approval of the zoning text amendment.

Don Hackbarth:

I'll second.

Tom Terwall:

I just have one final question. How frequently does the corporate color scheme change, or has this been in effect for some time?

Ted Czyzewski:

This has been in effect probably for about two years right now, and it's probably been the last 15 years that we have the original colors which was more the whites and green colors if you will. So if you're all still here in 15 years I might be back, but hopefully it's a long-term endeavor since we did do 700 hotels basically in this color.

Tom Terwall:

THANK YOU. IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY DON HACKBARTH TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP AMENDMENT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF-

Jean Werbie:

Text amendment.

Tom Terwall:

Excuse me, text amendment, it's only text amendment, subject to the terms outlined in the staff memorandum. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Thank you.

C. PUBLIC HEARING AND CONSIDERATION OF THE FOLLOWING AMENDMENTS TO THE ZONING ORDINANCE AND THE LAND DIVISION AND DEVELOPMENT CONTROL ORDINANCE: 1) Section 420-57 G of the Village Zoning Ordinance to include a reference to Chapter 298, Storm Water Management and Storm Water Drainage System Facilities within the Site and Operational Plan requirements; 2) Section 395-73 of the Village Land Division and Development Control Ordinance related to storm sewer and drainage system requirements; and 3) Sections 395-19, 395-24, 395-69, 395-72, 395-74, 395-82 and 395-85 of the Village Land Division and Development Control Ordinance related to as-built plans and record drawings.

Jean Werbie:

Mr. Chairman and members of the Plan Commission, this is consideration of the following amendments to the zoning ordinance and the Land Division and Development Control Ordinance, the first of which is to Section 420-57 G of the Village zoning ordinance to include a reference to Chapter 298, Storm Water Management and Storm Water Drainage System Facilities within the site and operational plan requirements. Number two is to Section 395-73 of the Village Land Division Ordinance related to storm sewer and drainage system requirements. Number three is to Sections 395-19, -24, -69, -72, -74, -82 and -85 of the Village's Land Division and Development Control Ordinance related to as-built plans and record drawings.

On December 15, 2008, the Village Board adopted Resolution 08-50 to initiate a zoning text amendment related to the storm water management and storm water drainage facilities that may result from updating Chapter 298, Storm Water Management and Storm Water Drainage System Facilities and Chapter 381, Construction Site Maintenance and Erosion Control Ordinances for the Village.

Attached for your reference are additional ordinance amendments in the Village code referenced in the proposed zoning and land division ordinances that do not require Plan Commission recommendations but will be considered by the Village Board. So, as you can see, there's six additional amendments that will be made, however the Plan Commission is not required to make a recommendation on those.

The proposed amendments to the Village zoning ordinance and the Land Division and Development Control Ordinance: Again, the first are amendments to Section 420-57 G of the ordinance to include a reference to Chapter 298, Storm Water Management and Storm Water Drainage System Facilities within the site and operational plan requirements. And these amendments relate to the required site and operational plan drainage and grading requirements which are being amended to reference compliance with 298.

Number two, to amend Section 395-75 of the Village's Land Division and Development Control Ordinance, and this is related to storm sewer and drainage system requirements. These specific amendments include Sections 395-73 A (1) and 395-73 C reference that compliance Chapter 298 of the Village code as required. The next is Sections 395-73 A(2)(a) and (b) and this is related to drain tiles and down spout connections to be deleted since this is covered in revisions to Chapters 298 and 381 of the Village code.

The next is Sections 395-73 A (4) related to storm sewer sump pump laterals, and it's being amended to reference Chapter 298 of the code. The next is Section 395-73 E entitled Stormwater Management Plan Contents is being deleted since these requirements have been updated and moved to Chapter 298 of the Village Code. Next is Section 395-73 F entitled Specific Design Requirements. This is being deleted since these requirements have been updated and moved to Chapter 298 of the Village Code.

Next is Section 395-73 G entitled Runoff Quality Performance Standards. It's being deleted since these requirements have been updated and moved to Chapter 298 of the Code. Section 395-73 H entitled Ditches and Drainageways is being deleted since these requirements have been updated and moved to Chapter 298 of the Village code. And, finally, Section 395-73 I entitled

Shoreland Facilities is being deleted since these requirements have been updated and moved to Chapter 298 of the Village code.

Before I go on I just wanted to bring it to your attention that we're not eliminating anything with respect to our authority to review and approve storm water management plans and facilities for future sites and existing sites in the Village, but what we're trying to do is clean up the codes so that anything that is related to a particular subject that it's in a specific chapter. So it makes it a lot easier when people are looking for information on line or when the staff is reviewing certain sections and doing reviews of projects.

Don Hackbarth:

Jean, a quick question. Does this streamline anything or does it make it easier to reference?

Jean Werbie:

Both. It makes it easier to reference but it also streamlines the process. So an engineer reviewing the Village codes in order to design a project in the Village he doesn't have to go to the zoning ordinance and then to the land division ordinance. He doesn't have to search for all these different pieces that might make up a storm water management review process in the Village. He can go to one source and basically that's where it's going to tell him all the specifications and all the things that need to be done. It will be much easier for the Village Engineer to work with these developers and their engineers.

And number three for the amendments is to amend Sections 395-19, -24, -69, -72, -74, -82 and -85 of the Village's Land Division and Development Control Ordinance related to as-built and record drawings. These specific amendments include Sections 395-19 D and F related to public improvements, and it's being amended to clarify that as-built plans and record drawings as prepared by the Village or the Village's consulting engineer are required to be completed for all public improvements.

Sections 395-24 D and F is related to private improvements, and it's being amended to clarify that as-built plans and record drawings are prepared by the Village or the Village's consulting engineers and are required to be completed for all private improvements. Section 395-69 H (9) is related to as-built grading plans to be amended to reference Section 395-82 C for specific requirements for as-built plans. Section 395-72 J (3) is related to as-built sanitary sewer plans and is being created to clarify that as-built sanitary sewer plans are required to be prepared at the divider or developer's cost pursuant to Section 395-82 C of the chapter.

Section 395-74 I (3) is related to as-built water plans. Again, this is also being created to clarify that as-built water plans are required to be prepared at the divider or the developer's cost pursuant to 395-82 C of the Chapter. Section 395-81 related to building, zoning and occupancy permits is being amended to clarify that the required as-built plans shall be completed, reviewed and accepted by the Village prior to submitting for permits.

And Section 395-82 is related to engineering plans and specification. It's being amended to clarify that paper prints are acceptable and that they do not necessarily need to be in blueprint or Mylar prints. A reference is being made to Chapter 298, to Chapter 381, and a new section is being added to clarify the requirements for as-built plans and record drawings. Finally, Section

395-85 is related to staking, inspection and related services, and it's being amended to clarify that record drawings are required.

Let me explain a little bit more with respect to all of those amendments. Sometimes when we read our ordinance we make some assumptions that it's common sense that certain things need to be provided to the Village, that it's the intent that when a project is completed that as-built drawings need to be prepared, they need to be in a certain format, they need to come to the Village for review and they need to be made permanent records of the Village. And all of this language is really clarifying those points because we have at times had developers and engineers kind of pick apart the ordinance and want to read things into some of the narrative with respect to it doesn't exactly say this, or it doesn't say this. And we just want to make sure that it's very clear exactly what the requirements are and where the plans have to go and who is responsible for paying for them and so on and so forth. So this is really a cleanup and a clarification for those reviewing our ordinances and getting information from them.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak on this matter? Anybody wishing to speak? Hearing none, I'll open it up.

Mike Serpe:

Jean, the items in red with the line through them those aren't necessarily eliminated?

Jean Werbie:

Correct, they're just moved someplace else.

Jim Bandura:

Just a couple of other questions. Throughout the ordinances you make mention of the Village Engineer or a designee. Who is going to make that determination?

Jean Werbie:

The Village Engineer.

Jim Bandura:

The Village Engineer?

Jean Werbie:

Correct. For example, if the Village Engineer is not here he may designate the assistant engineer or he may designate somebody else in the department to perform a service or to issue a stop work order or to review a set of plans. Ultimately it's the department head that's responsible, but they may very well designate someone in their place.

Jim Bandura:

If he's unavailable you can do it?

Jean Werbie:

It depends if he designates me to do it. But if it's a project that specifically requires a civil engineer to review we have another civil engineer in the Village that could review. We have two civil engineers that could review them.

Jim Bandura:

Then I did notice there were some typos or some little things.

Jean Werbie:

I found three of them. In the staff memo or in the ordinance itself?

Jim Bandura:

Ordinance.

Jean Werbie:

Could you point those out to us please?

Jim Bandura:

Yes, page 5 it says Village on the top second line. It should be Village comma Village.

Jean Werbie:

Which ordinance, Jim?

Jim Bandura:

Oh, I'm sorry, 305, page 5.

Jean Werbie:

The good thing is that those are still in draft form. On page 5, yes, that is correct, we have that.

Jim Bandura:

And I've got another question on Section H on page 4. You've got it designated in blue. It says do we want to include private improvements, too. Should we? I'm in favor of throwing them in there just to protect us.

Jean Werbie:

The ordinances that you're looking at have gone through the community development department's review and they still need the Village Engineer and the Public Works Director to bless off on them. And so sometime between now and these ordinances going to the Village Board we hope that they will answer all of our questions that we highlighted in either blue or green. So those comments in blue and green will not stay. Those are just our questions to them. But if you're agreeing with that statement we can forward that on.

Jim Bandura:

Yes. On Section P on page 7 are we going to have them—is it okay for seven days a week as far as noise, debris and dust goes?

Jean Werbie:

The Village municipal code right now does not prohibit construction activity on Saturday and Sunday right now. It allows for that activity from 7 in the morning until 10 at night. On a case-by-case basis the Plan Commission and the Board have set specific hours depending on whether or not a project was close to a residential subdivision or other sensitive area. But at this point the noise, dust and debris unless we're going to make some changes to the municipal code we're following what the code says right now.

Mike Pollocoff:

Plus, you can have noise, dust and debris that occurs if they're not working there so you want to have the ability to go out and enforce an action then.

Jim Bandura:

Just one other question then. How does this address, and this might be a little strange, but where does the tear downs and rebuilds fall into this? Should you have an older building and somebody wants to tear it down and rebuild it this still have to go through all of this, correct?

Jean Werbie:

Yes.

Tom Terwall:

Anybody else? What's your pleasure?

Jim Bandura:

I would move for approval.

Wayne Koessl:

Second, Chairman.

Tom Terwall:

IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY WAYNE KOESSL TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE TEXT AMENDMENTS AS INDICATED 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.

D. Consider Plan Commission Resolution #09-03 related to the Wisconsin Department of Transportation Draft I-94 Frontage Roads Access Management Vision.

Jean Werbie:

Mr. Chairman, Plan Commission Resolution 09-03 is related to the Wisconsin Department of Transportation Draft I-94 Frontage Roads Access Management Vision.

On April 13, 2009, the Village received the final draft version, the report and the maps, of the I-94 Frontage Road Access Management Plan. Over the past two months, the plan has been adjusted to conform to the changes requested by the Village staff. One change was that the DOT made in its final version was a change to the title from plan to their vision. This change signifies that it should be used as a guideline when making future land use and access decisions along I-94. The Village staff has reviewed the final version and recommends the following corrections and additions to the document:

1. On page 8 of the document, the last sentence shall be amended and the following shall be added at the end of the second paragraph in Section 2.3 related to Improved Intergovernmental Coordination

"WisDot will also have the ability to remove, relocate or adjust any access or median opening if deemed unsafe to the transportation facility as supported by a Traffic Impact Analysis. In addition, WisDot shall also continue to support existing access points to lands that have advanced through the development approval process in the Village of Pleasant Prairie."

We find that to be of particular significance since we are working with some major landowners on the east and west sides of the Interstate particularly in the vicinity of County Trunk Highway Q and C, and we don't want to have any major issues or problems once there's jurisdictional transfers made back to the DOT, specifically since we've been working literally for years with some of these property owners for future development. So it's very important for us that we have that statement placed in there.

2. On the Map for the Frontage Roads between STH 50 and CTH C, and Peggy is going to do some pointing for us:

- Village is concerned with removing all access to the existing development at on the East Frontage Road south of Highway 50. Exhibit A-1 in your packets and as shown up on the screen provides adequate access to the existing development. Right in and right-out access points are proposed for three locations and full access is proposed for a location on the Frontage Road and one on Highway 50.

As you can see, a couple of the concerns that we did have is there's a gas station that is located right at that southeast corner, and if their access to 118th Avenue is totally eliminated the only way to get to that site would be off of Highway 50 from that Frontage Road system. So we're requesting that the DOT consider a right-in/right-out only at that location. And then similarly our full access point is the one that brings us into Walgreens and to LaQuinta right there. And then they were looking at possibly doing some elimination of these access points on the east side where that Super 8 Motel is. We're requesting, again, a right-in/right-out there and then for the hotel a right-in/right-out. So we are asking for them to remain, whether or not they looked at it with that detail or not, we're asking to not eliminate those accesses but maybe to restrict those accesses.

3. On the Map for the Frontage Roads between County Trunk Highway C and State Trunk Highway 165, Exhibit B and B-1 that we're going to be talking about.

- On the West Frontage Road, the first public access on the old aligned Frontage Road shall be removed since this portion of the Frontage Road will be removed, so there's no need to have a point of connection when there's not going to be a road there, and the two private access roads shown on the new alignment of the West Frontage Road shall conform to the locations as shown.

Again, we have spent almost two and a half or three years working with PDD LLC with respect to locating where future connections or access roads could be located, as well as access to the KABA property, and our traffic impact study reflects these access point connections. We do not want to see them removed or adjusted or relocated.

4. On the map for the Frontage Roads between Highway 165 and the Wisconsin/Illinois state line, this is shown as Exhibit C and C-1 on the slide. I have six points related to this mile stretch.

- The realignment of the West Frontage Road shall be shown to conform with the roadway configuration constructed by the Village in 2008 and access as shown on the attached CSM. Again, we just completed a great deal of work on the West Frontage Road just east of the Uline Corporation site, and we would like their drawings to reflect in their aerial maps to actually reflect what's been built out by the Village of Pleasant Prairie.
- The proposed realignment of the East Frontage Road shall be revised at the north end to abut the Village water tower site to allow a larger developable property to

the east of the proposed East Frontage Road. We've always recognized that that intersection was a little awkward as you'd come down from 165 and turn going west in front of the Prime Outlets facility. And that intersection has always been kind of quirky. And what we were proposing is working with the DOT to do an alignment to try to redefine that intersection pushing it a little further to the east. Their original plan kind of showed it going right through that vacant property north of the water tower. We feel that if we kind of pull it in a little tighter and make it a little bit tighter of a curvature it makes that site to be a little bit more buildable and not taking up so much room with respect to a road cutting through it.

Mike Pollocoff:

I might want to add we might want to have that road out far enough so that we can paint that water tower. What's shown there is every car that went by would be green or blue depending on which color they're putting up. It's land that we don't own, but it really should be outside of that fall zone and being able to paint the tower. The existing Frontage Road actually is too close to it right now.

Jean Werbie:

We'll make an adjustment on the sketch that we send to the DOT. Would you want a footnote with respect to our ability?

Mike Pollocoff:

We can give you dimensions, provide dimensions on how close it should be.

Jean Werbie:

Then we'll actually add that to our comments.

- The next point is on the existing East Frontage Road, the existing private driveway access points shall be shown as shown on Exhibit C-2. As you can see there's a number of points of connection, and if this is going to be eventually a Village Road, Prime Outlets has five points of connection to Prime Outlets and then one at the corner that takes you to the Radisson and The Chancery Hotel. That would be pretty problematic if we eliminated all those points with the amount of traffic that can come in and out of that Outlet Mall during the peak times.
- The existing East Frontage Road shall be realigned to meet the new East Frontage Road at a right angle and a signal shall be added to this new intersection. Again, this is something at that same intersection we were just talking about, but to create a more signalized approach at this location and to be able to move the traffic and to control the traffic in this particular area would make it a lot easier for the DOT as well as the Village especially since the Frontage Road that's going to be used as the scape road or the access road for the Interstate is going to be behind or to the east of Prime Outlets. It's not longer

going to be in front of Prime Outlets right there. Kind of the southeast corner of that intersection where the water tower is.

- A private access road shall be added to the proposed realignment of the existing East Frontage Road. I think it's the one to the north right there, so we can get a point of connection. Those land uses change in the future, that we'll have one point of connection there that will connect you to the Frontage Road going north or an access road going to the south or to the east I should say.
- A private access road shall be added on ML between the Interstate and the East Frontage Road, again, to get access into a potentially changed land use condition.

The Village staff recommends that the Plan Commission approve Plan Commission Resolution 09-03 and send a favorable recommendation to the Village Board to approve the Wisconsin DOT Draft Frontage Roads Access Management Vision subject to the staff report dated today, May 11, 2009 and Plan Commission Resolution 09-03. And you do have the Plan Commission Resolution before you that states that.

Tom Terwall:

Comments or questions?

Wayne Koessl:

To the staff, I think these are all great recommendations to that alignment.

Jim Bandura:

I agree with Mr. Koessl. Some of the changes that we're looking for what's really our chance of it happening?

Mike Pollocoff:

You mean some of the more futuristic ones?

Jim Bandura:

Yes.

Mike Pollocoff:

I would assume the DOT is going to not do it if at all possible and let it happen as part of a land division or development and then require the developer to do that. So it would probably be developer driven. Some of ones that are under way now, of course, the Village is the driving force since the roads right now are Village roads. So I think that area, especially the one that's on the map now, DOT is going to be looking at anybody but them to pay for it.

Wayne Koessl:

Mike, at least we're on record of what we want done.

Mike Pollocoff:

Yes.

Mike Serpe:

Mike, is the State that concerned with the East Frontage Road between 50 and C being that busy that they would look at removing all the access points? Or, do they anticipate this is just going to be during the construction? Is this permanent?

Mike Pollocoff:

You've got to remember the State is taking the frontage roads back under the Homeland Security Act. The premise is if something happens on the highway the frontage roads are going to be the new highway for some unknown period of time. So they're looking to limit them as much as possible which is exactly opposite of what they were doing previously. They were unloading the frontage roads to get off of them. Now they're having to meet some other requirements so now they're wanting them back. We agreed with a lot of the eliminations. It just kind of fit because there really isn't too much developable land that should have access points. The original ones had even more. But we're happy with what we've carved out that we kind of follow with our development pattern.

John Braig:

I was taken a little bit aback. I can understand limited access highway and the expressway with limited access and that's the reason why you put in a frontage road to grant that access. Now we're limiting access on the frontage road? And what you suggested is limited access in case something ever happens on the expressway which would force traffic on that. In my mind that's rather remote and certainly very infrequent in which case you could block or limit access during that emergency but the rest of the time—I mean if we're limiting access to some of these commercial establishments with right-in and right-out you're actually generating more traffic so people can maneuver to get in a position to turn right to get in.

Mike Pollocoff:

Right. I think the area by 50 is a perfect example of really the growth of the development process in the Village. One of the reasons it's so tight up here is you would never approve under today's planning standards developments which are this close to the road, especially to the frontage road and pack that tight together. Because what it does it is begs you to take and put your access points that close together. So that's why this is kind of a mess right here. The right-in and right-out really enables the fire department to be able to get in and out when they need to if the primary access is blocked up. Ideally we just don't do things like this anymore, but this is a late '70s vintage development, so what DOT is trying to do, and I don't say I really disagree with them, you want to have the two major access points but we're saying you still need a couple of the ways to get in and out of these businesses, at least right-in and right-out. We need to be able to do business with those guys on a daily basis, and people can still use these access points rather than coming out to here.

John Braig:

Could you run the frontage road behind the Super 8 and leave the road between the LaQuinta and the Super 8 as–

Mike Pollocoff:

If we make this a local road. But the problem is the City's side is the frontage road on the other side. So this frontage road system there's been enough land use decisions made over the years that this is in place. So we kind of have to live with this one. With that one we talked about following Prime Outlets we think that's a perfect candidate to say put the frontage road behind Prime and behind those and then make the current frontage road the local access road. But those decisions are too far ahead of us on this one.

And I think the other example would be Bristol. That's a mess. There are so many land use decisions that weren't made at all, they just happened, and the taxpayers have spent a fortune trying to work around that issue there. So these really I think in the scheme of things aren't too bad. But given of what we're allowed to develop I think that's the best we're going to hope for.

Jean Werbie:

In addition, they're not intensive land uses on the Pleasant Prairie side. With the median that's going to be constructed down 118th Avenue south of Highway 50 you're not going to have the complications because you're not going to be able to cross back and forth. That's why the only right-in and right-out. And the frontage road could not shift any further to the east because of all the conservation lands, the floodplain, wetland, primary corridor we can't push it any further to the east. In fact, I think this frontage road moved once before about 20 years ago. So I don't think we can move it anymore.

Tom Terwall:

Mike, if the County takes over the frontage roads, I mean if the State takes over the frontage roads will the County then be responsible for snow removal and maintenance?

Mike Pollocoff:

Right.

Tom Terwall:

How many miles will that take off of our plate?

Mike Pollocoff:

We'd lose about three miles.

Mike Serpe:

Mike, how would the State control right-in/right-out? How would they prevent somebody from coming out of a driveway and turning left.

Mike Pollocoff:

There's going to be a median there.

Jean Werbie:

That's the median that I just talked about.

Mike Serpe:

There's not a median there now.

Jean Werbie:

Not now but the way it's going to be reconstructed.

John Braig:

So you're going to have more traffic jockeying around if they want to get in and they can't.

Mike Serpe:

The first cut through they're going to try and do u-turns.

John Braig:

It's going to be a mess.

Mike Serpe:

That's not always the best thing.

Jim Bandura:

They do it now right up here.

Mike Pollocoff:

Yes. It's always interesting to watch, though, to see if somebody really can make it without getting clipped.

Wayne Koessl:

To the staff, that Super 8 area we've kind of got to work with the hand we're dealt out there. If it was a scratch one we'd make it a lot different. I would move we send a favorable recommendation to the Village Board to approve the DOT Draft I-94 Frontage Roads Access Management Vision subject to the Village staff report of May 11, 2009 and Plan Commission Resolution 09-03.

Mike Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY MIKE SERPE. I'M NOT GOING TO REPEAT THE MOTION BUT IT'S BASICALLY TO APPROVE RESOLUTION 09-03 AND SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE STATE I-94 ACCESS MANAGEMENT PLAN. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Before I entertain a motion to adjourn, first of all I want to commend Peggy and Tom for their efforts during Jean's absence. I thought they did an outstanding job. And not as an affront to either one of them, I just want to say, Jean, it's sure good to have you back in that chair. Welcome back.

7. ADJOURN.

John Braig:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

All in favor say aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.