

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
October 12, 2009**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on October 12, 2009. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessl; Andrea Rode (Alternate #2); Jim Bandura; John Braig; Larry Zarletti; and Judy Juliana (Alternate #1). 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.**
- 4. CONSIDER THE MINUTES OF THE SEPTEMBER 14, 2009 PLAN COMMISSION MEETING.**

Wayne Koessl:

Mr. Chairman, I move we move we approve the minutes as presented in written form.

Larry Zarletti:

Second.

Tom Terwall:

MOVED BY WAYNE KOESSL AND SECONDED BY LARRY ZARLETTI TO APPROVE THE MINUTES OF THE SEPTEMBER 14, 2009 PLAN COMMISSION MEETING AS PRESENTED 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 tonight for Items A or B which are public hearings, we would ask that you hold your comments until the public hearing is held so we can incorporate your comments as part of the official record of the hearing. However, if you're here for Items C through E or for an item that's not on the agenda or you just want to make a comment or a question, now would be your opportunity to do so. We would ask that you 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 CONCEPTUAL PLAN for the request of Mark Eberle, P.E. of Nielsen, Madsen & Barber, S.C. agent for the properties generally located on the west side of Sheridan Road at approximately the 12600 block for the proposed South Sheridan Road Self Storage facility.

Peggy Herrick:

Thank you. The petitioner is requesting approval of a conceptual plan for the proposed Sheridan Road Self Storage facility and a stand alone professional office building on the properties generally located on the west side of Sheridan Road at approximately the 12600 block. The facility includes an office building which is 2,089 square feet and 14 storage buildings for a total of 70,020 square feet, and the storage units have various sizes and I'll go into those as we get into the agenda.

The Village Comprehensive Land Use Plan designates these properties within the Community Commercial land use designation while preserving the environmental areas. The proposed professional building is a permitted use in the B-2, Community Business District and the storage facility is allowed in the B-2 District with approval of a conditional use permit.

The plans indicate that the wetlands on the site were field delineated by Dave Meyer of Wetland & Waterway Consulting, LLC on November 22, 2008. The Village records indicate that the wetlands on Tax Parcel Numbers 93-4-123-314-0040 through -0055 were field delineated by the Southeaster Regional Planning Commission on June 28, 2007 and approved by SEWRPC on September 11, 2007. The wetlands on Tax Parcel 93-4-123-314-0060, which is the southernmost lot, appear to have been staked by Wetland & Waterway Consulting, LLC on November 22, 2008. All the references on the appropriate sheets need to be corrected to reference these two wetlands stakings that were done on the properties. The wetlands shall be rezoned into the C-1, Lowland Resource Conservancy District. All trees within the wetland areas will remain and the trees outside of the wetland area will be cleared to allow for the driveway to align with the development on the east side of Sheridan Road, a future gas station, and to accommodate the site grading and future professional office building.

The conceptual plan proposes 14 storage buildings with multiple size storage units ranging in size from 5 feet x 10 feet to 15 feet x 40 feet units for a total of 70,200 square feet and a future 2,089 square foot professional office building all on approximately 6.74 acres. Approximately 40.5 or 2.73 acres of the site will remain in open space which includes approximately one acre of wetlands. The site is proposed to be developed in phases.

- Phase 1 includes storage buildings 1 through 6 or 26,560 square feet. Approximately 800 square feet of Building 1 will be used for offices for the storage facility. One access to State Trunk Highway 32 is proposed, and 14 parking spaces including 1 handicapped space is proposed to be constructed. Access to the storage units will be secured by a gate and an entry card system is proposed.
- Phase 2 includes buildings 7 through 14 or the remainder of 43,460 square feet and an additional exit on to State Trunk Highway 165 on the south side of the property.
- Phase 3 includes the proposed professional office building which is 2,089 square feet and three additional parking spaces. Detailed information would be submitted at the time this phase is proposed to be completed. The office building would need to comply with all Village ordinances and requirements at the time that the office is proposed to be constructed.

The existing five properties are proposed to be combined and reconfigured into two parcels. Since these parcels are not located within a platted subdivision, Village Plan Commission and Board approval is not required for the lot line adjustments as proposed. However, proper transfer documents shall be prepared, executed and recorded at the Register of Deeds office prior to requesting the zoning map and zoning text amendments as I'll discuss later in this memo.

Storm water facilities are proposed to be located underground under Buildings 5 and 7. The Village will require dedicated storm water drainage and access and maintenance easements over the underground facilities for the required ongoing inspections, and in the event the developers are not maintaining the system, the Village has the right to enter the property to maintain the underground tanks and assess the property owner for any costs incurred that would then be incurred and billed back to the developer.

The site and its buildings shall be serviced by public sanitary sewer and public water. The sanitary sewer within Sheridan Road will serve this development and the properties west of the development site. Based on a preliminary evaluation of the service area, a sanitary sewer and access and maintenance easement shall be provided to the Village in an area on the south side of the development for future extension of the sanitary sewer to the west. To avoid altering the proposed site plan, a dedicated 20-foot sanitary sewer and access and maintenance easement shall be provided along the south lot line as shown on the site plan.

Pursuant to the application, the storage facility, Phases 1 and 2, are proposed to be open from 8:00 am to 5:30 pm Monday thru Friday, 9:00 am to 2:00 pm on Saturdays and will be closed on Sundays. Digi-Gate access for storage unit tenants is proposed to be from 5:00 am to 12:00 mid-night every day of the week. The B-2 District allows for deliveries or any other activities outside the principal building that might cause a disturbance to neighboring residential areas, for example outside loading or unloading, the arrival of deliveries, idling of delivery trucks, beeping of backing vehicles and garbage pickup, the exception is snow removal from 6:00 a.m. to 10:00 p.m. maximum. Therefore, the storage unit tenants shall be restricted for entry/access from 10:00 p.m. to 6:00 a.m.

One full time employee will manage the storage facility and work in the office during office hours. It is anticipated that daily average number of automobile trips will range from 20-32.

Tenants will be required to sign a rental agreement. Attached is an example of this agreement. Vehicle storage, combustible or flammable liquids, ammunition and explosives are strictly prohibited and all outdoor storage will be prohibited. The agreement shall clearly state these requirements.

Tenants will have access to their storage units through a secured access gate, and the entire perimeter of the storage facility will be fenced with a six foot high black aluminum fence . The gates will be secured by a computerized keypad or card system and tenants will be required to enter their key code or swipe their card to enter the secured area of the site. As noted above, the B-2 District requires tenants to be allowed to access their units only between 6:00 am and 10:00 pm unless further restriction is provided by the owner. In addition to the fence and gated entrances with the key pad/card entry system, the perimeter of the property shall be monitored 24/7 by high resolution commercial grade security cameras mounted to the storage buildings obtain to coverage of each lane between the buildings. The office shall be wired to an alarm system that will monitor exterior entry threats such as the door and windows. 24/7 live monitoring of the alarm system shall be in place. A digital video recorder, located in the office in a secured room will record video 24/7 for all cameras. Network access shall be made possible.

The landscaping and berm along Sheridan Road shall be aesthetically pleasing but shall provide adequate visibility for police patrols from the street. The trees within the 20 foot sanitary sewer easement along south property line shall be removed and replaced with planting adjacent to the fence outside of the sanitary sewer easement. In addition, additional landscaping shall be provided along the west side of the property.

The conceptual plan provides for 17 parking spaces and one handicapped space for the entire project. Pursuant to the Village Zoning Ordinance the number of parking spaces required for this self storage facility is one space for every ten storage units plus one space for each employee. Based on the proposed 365 storage units, 37 spaces are required plus one space for each employee. This number seems excessive and the Village staff is recommending that a minimum of seven parking spaces adjacent to the office be provided and no designated parking spaces within the storage area. Tenants would typically park adjacent to their storage unit and remove or add items and leave; therefore, the parking spaces on within the storage building areas are not required and may encourage vehicles to be parked or stored on the site and may impede circulation around this facility. Pursuant to the Zoning Ordinance the number of parking spaces required for the 2,089 square foot professional office building, which is Phase 3 is one space per 250 square feet of floor area. Therefore a minimum of eight regular parking spaces are required for this building. In addition to the required 15 parking spaces, the required handicapped parking requirements pursuant to the Building Code shall be provided.

The buildings shall be constructed of CMU, stone, decorative block, brick or a combination. EIFS is not allowed on one story commercial buildings including the professional office building. However, cement board is acceptable in the area of the professional office building where EIFS is shown. Metal siding on the storage units is not acceptable either. However, cement board on the gable ends is acceptable. All buildings have a pitched roof covered with an architectural asphalt shingle and they are proposed in green. There is a color sample board of some of the materials sitting right up here by the podium for your review.

The full stone walls proposed on the storage buildings shall provide more architectural detail. For example, a brick accent may be used to match the brick proposed on the professional office

building. The east elevations of the storage buildings shall provide more architectural details, and additional details shall be added to the north elevation of Building one and the west elevations of Buildings 6, 13 and 14 that will face future residential development to the west. The garbage enclosures are required to be attached to the buildings and shall be constructed of brick, stone or decorative block or CMU to match the storage and the professional office buildings.

The buildings and site are required to meet the requirements of Chapter 180 of the Village Municipal Code related to fire sprinkler system. There are specific comments from the Fire and Rescue Department that are attached to this memo and compliance is required from that memo as well.

Upon approval of the Conceptual Plan the following approvals are also required for this project:

- An application for a joint conditional use permit and site and operational plan
- A zoning map and text amendment

As noted before, the properties are currently zoned B-2, Community Business District, and C-1, Lowland Resource Conservancy District. The property will need to be rezoned for this proposed development and that the field delineated wetlands shall be only zoned C-1, Lowland Resource Conservancy District, and the nonwetlands areas would be rezoned and remain in the B-2, Community Business District. In addition, the site will need to be developed as a PUD, Planned Unit Development Overlay District since more than one building is proposed. The Village staff will draft the proposed PUD for review by the developer prior to consideration by the Plan Commission and Village Board at the same time the final site and operational plans are submitted for review. And then at one time there will be one public hearing to consider the conditional use permit, site and operational plan, zoning map and zoning text amendment.

Additionally, there are some pictures that were taken of the site. The first one in the upper left and corner is the northern end of the site. The bottom is looking northwest from State Trunk Highway 32 back towards the site. The south end of the site looking north is in the lower right hand corner, and the upper right hand corner is looking southwest to State Trunk Highway 32. This is the nearest house to the property. You can see the house in the foreground with the detached pole building to the south, and south of right where those trees are is the start of this property. So with that this is a public hearing and the petitioner is in the audience if you have further questions or would like to add anything else.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak on this matter? Anybody wishing to speak? Anything the developer wants to add? Mark?

Mark Eberle:

Mark Eberle, Nielsen, Madsen & Barber, Engineers, Racine. The owner is here tonight, too, and can answer any questions related to the buildings or the operation on the site. I can answer any questions you may have regarding the engineering or the storm water. Thank you.

Tom Terwall:

Don't sit down yet, Mark. Based on the comments that you heard read into the record, you've had a copy of those before tonight I assume?

Mark Eberle:

Yes.

Tom Terwall:

Any objections or comments? You can live up to the requirements?

Mark Eberle:

I don't believe there are any objections to the comments. Larry, do you have any questions? (inaudible).

Wayne Koessl:

Through the Chair, what kind of exterior lighting are you going to have on the property?

Tom Terwall:

Give us your name and address, sir.

Larry Holst:

Larry Holst, 8744 Lakeshore Drive. The lighting would consist of fluorescent style lighting (inaudible).

Wayne Koessl:

So basically (inaudible).

Larry Holst:

Yes.

Don Hackbarth:

Looking at page number 4 of the notes, on the top it says conceptual plan proposes for 17 parking spaces and one handicapped. And going on the plan it shows 15. And then a little later on down the paragraph it says 15 required spaces so what is it? Not that it's a big issue. I don't think it's a big issue.

Peggy Herrick:

There are 17 spaces on the plan. If you look on the north side of the plan there's three more spaces over there. I don't know if you counted those or not.

Don Hackbarth:

Oh, gotcha. Okay. The other thing is I find it kind of interesting to not have your name written in the documents. Obviously there's no confidentiality here, but I just thought that's unusual that we don't have the owner's name on here.

Peggy Herrick:

It's in the application. It's multiple owners. And Mark Eberle was their agent acting on behalf of the owners.

Don Hackbarth:

I just think it's always nice to at least know who the property owner is to get to know you.

John Braig:

I've got a number of items of concern. I'm reading at the top of page 3. Storm water facilities are proposed to be located underground under Buildings 5 and 7, and there will be an easement for it. Storm water facilities under a building or any kind of utility facilities under a building in my mind is very undesirable. Because if you come to a maintenance requirement or need I'm thinking that you're going to be biased by saying, gee, we've got to tear up the building to get at it, so there's going to be a reluctance to engage in the kind of maintenance that you might engage in more willingly if this was an open land or unencumbered by a building over it. Is there any other place for storm water facilities other than under the building?

Mark Eberle:

The storm water requirements for this site, obviously there are storm water retention requirements for this site. We originally looked at a wet detention basin. That would have eaten up probably a quarter of the property. So from there we looked at underground detention. There are a number of ways you can install underground storm water detention. One would be over sizing storm sewers. The other one would be large storm or culverts tied together. The way we looked at it on this site was to utilize almost a (inaudible) component of the structure itself. So the buildings would have a roughly four feet deep foundation. What we did is extend those foundations down eight feet and hollowed out that entire area as a basin as a storm water fault. Since these buildings are not being used for any type of being occupied at all, we didn't think there would be a problem with it.

The owner is a concrete contractor, so we thought it would be most economical for him to install these structures himself, and we're using the underground capacity for the basement capacity of those buildings. So when you say it's tough to get at the storm water structure itself—

John Braig:

I was envisioning pipe and conduit.

Mark Eberle:

Pretty much what it is is one large open space underneath that building that the water flows into. It drains out within 24 to 36 hours.

Tom Terwall:

Is it metered out?

Mark Eberle:

It is metered out, yes, like any retention basin is, correct.

Jim Bandura:

So it's all concrete?

Mark Eberle:

All concrete. Concrete walls, concrete floor.

John Braig:

Concrete ceiling?

Mark Eberle:

It's going to have a Spancrete—between the Spancrete and the actual units themselves there will be a rubber vapor barrier with another layer of concrete over a concrete floor to make sure we don't have any moisture (inaudible).

Jim Bandura:

Has there been any thought about using pervious pavement?

Mark Eberle:

I haven't looked at using pervious pavement. I think there's still pervious pavement (inaudible) so we have not (inaudible).

John Braig:

To finish, also it states that the tenants would have access from 5 to 12 p.m. Of course, that can't be met so that could be struck from this. The final question I have is the video recorder will

record video 24/7 for all cameras. What is the length of retention proposed for the information that is recorded?

Mike Pollocoff:

Seventeen days.

John Braig:

And would that meet the requirements of the police department?

Peggy Herrick:

I would have to confer with the police department, but I would think within 17 days they would have known if they had had an incident out there. The intent is that the incident would be reported immediately and they would have that tape backup to see if there's anything that was going on.

John Braig:

But you will have 17 days on hand?

Mike Pollocoff:

Typically there's 17 days on the DVR and then it can be copied down to a disc. It's really just the time on the DVR which is the fastest way to get at it. But there should be a backup of a file on it.

Tom Terwall:

Can that card access system be programmed so that the cards are inactive during the times that it's not supposed to be entered?

Larry Holst

Yes (inaudible) the pad and it's all set on computer that we know who entered and when they leave (inaudible).

Tom Terwall:

Thank you. Mike, you had a question?

Mike Serpe:

The codes that are going to be used for the entry gate are going to be provided to the police department, is that correct, and the fire department?

Larry Holst

They will have their own access codes.

Mike Serpe:

But that code could change? You could change that code at any time, is that right?

Larry Holst

Yes.

Mike Serpe:

So we have to ensure that those changes and updates are provided regularly to the police department and fire department?

Larry Holst

That's correct. Our gates at the south end of the property (inaudible) but our gates at the south property (inaudible).

Mike Pollocoff:

That would be the Knox box to access it.

Tom Terwall:

Any other comments or questions? If not, I'll entertain a motion to approve the preliminary--

Peggy Herrick:

I'm sorry, did you close the public hearing? I don't know if anybody in the audience wanted to speak or not.

Tom Terwall:

I'm sorry. I asked. Is there anybody else wishing to speak? Hearing none, I'll now close the public hearing. Thank you for that. Now I'll entertain a motion for a favorable recommendation to the Village Board of the conceptual plan.

Wayne Koessl:

So moved.

John Braig:

Subject to comments and conditions of staff, second.

Tom Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JOHN BRAIG TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CONCEPTUAL PLAN 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 Section 420-48 L. of the Village Zoning Ordinance related to setbacks for parking spaces and parking lots.

Tom Shircel:

Thank you. This is a public hearing and consideration of a zoning text amendment to amend Section 420-48 L. of the Village Zoning Ordinance related to setbacks for parking spaces and parking lots.

On September 14, 2009, the Village Plan Commission adopted Resolution #09-06 to have the Village staff evaluate and initiate a zoning text amendment related to setbacks for parking spaces and parking lots.

A portion of Section 420-48 L. entitled setbacks for parking spaces and parking lots of the Village Zoning Ordinance sets forth that parking spaces and parking lots shall be set back a minimum of 20 feet from all adjoining street rights-of-way, private roadways and lot lines.

Based upon Village staff reviews of recent development plans and applying the existing 20 foot parking space regulation from property lines, the staff is proposing to amend that section of the ordinance.

In general, the proposed amendment to the Ordinance inserts language in order to allow a reduction of the required 20 foot setback to internal, non-street property lines between abutting commercial, manufacturing, institutional, park and recreational and multi-family residential district between those parking spaces and parking lots.

The staff believes that dual 20 foot setbacks for parking spaces and parking lots to internal, non-street property lines is excessive for abutting, similar use properties, which actually results in an unnecessary and redundant 40 foot separation distance. If you look at the slide I created on the wall, you can see if you have two abutting commercial uses and you have that internal shared property line, those top two arrows show what we feel is an unnecessary 40 foot parking separation, and this amendment would propose to put it down to that green shaded area which is a

20 foot separation. That would only be to a shared internal abutting commercial, multi-family and so on and so forth property line. The purpose of the 20 foot wide parking space and parking lot setback is to create a physical separation between paved surfaces to allow for landscaping, snow storage, storm water infiltration and aesthetics. A 20 foot wide parking space and parking lot setback to street property lines would remain in effect.

Again, this slide just shows a general example. You can see along the streets you have that 20 foot setback from the streets of that green space area. Then when you get further to the bottom left hand side, the two arrows where Peggy is pointing, you have that narrower, in this case that 20 foot overall green space instead of the required 40, that being 20 on one site and 20 feet on another site.

So the propose amendment language, I'll read the part that we're proposing to insert, that second bold area that reads, "However, for parking areas on abutting properties, the parking area setback to internal, non-street lot lines may be reduced to a minimum of 10 feet in order to achieve a minimum 20 foot wide separation between parking areas upon the development of both properties. In no case shall the distance between abutting parking areas be less than 20 feet. Parking areas shall not encroach into easement areas without written approval." This is a public hearing and I'll turn it back to the Plan Commission.

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'm going to open it up to comments and questions from Commissioners to staff.

John Braig:

I'm picturing Pershing Plaza after a good snowstorm. They've got snow piles that must be 30 or 40 feet wide at least. Granted, that's a big or unusual situation because they scrape everything from the buildings all the way out to the roadway. But looking at what you're proposing, if you've got parking lots on both sides of the road, and all you've got is ten feet of space between the roadway and the parking lot, I don't think you've got enough room to store snow from removal on the roadway and what would be removed from the parking lot.

Tom Shircel:

So you're saying along the roadway? Remember that's not changing. We're not proposing to change the 20 foot setback along the roadways. This is to internal shared parking lots.

John Braig:

But there is a roadway between them?

Tom Shircel:

You're saying a maneuvering lane within the parking lot is what you're saying?

John Braig:

Yeah, I guess so. Well, let me put it this way. If it's just a maneuvering lane within the parking lot then the snow removal of that lane in effect is part of the snow removal of the parking lot. So all the snow is going to get pushed to one end or the other of the parking lot, whether it's from the roadway or the parking. And you think that there won't be a problem on that?

Tom Shircel:

I don't believe so. I think there's enough green area on most of these sites to push that snow out. I think if you're looking at a restaurant use that may be potentially busy they do clear their parking lots to account for having enough parking space for their patrons. So if you look at the example of the slide on the board right now, you're thinking that the reduction down to that green area which is 20 feet wide, 10 feet on one property and 10 feet on the other, you're thinking that's too narrow, not enough?

John Braig:

If you're directing snow storage to that site, 10 feet is not very wide. If they're going past that site and pushing snow to a side rectangular or at right angles to that site then it wouldn't be a problem. But if they're pushing snow there 10 feet is not much. Looking at that cork board over there my guess is that's approximately 10 feet. Maybe it's a four by eight.

Tom Shircel:

Each one of these ceiling tiles is two feet.

Don Hackbarth:

Tom, in the event there was a big snow event, would the manufacturer haul snow off the property to some other location?

Mike Pollocoff:

That's typically what happens. I think in most of your typical snows the 10 feet might be enough. But even when we get some of the big ones we've had now most of the commercial businesses have resorted to trucking the snow off or isolating some part of their parking lot and just using that to push the snow to until they can load it out.

John Braig:

I notice if there's really a big—Pershing Plaza is a good example. It's almost half empty as far as tenant space, so obviously there's never the demand for parking so snow storage is not a problem. Pick 'N Save area piles up snow pretty high.

Mike Pollocoff:

And a lot of times most of the contractors that are plowing these lots they will talk to the user or the owner and say rather than us piling it up on your green space let's find some lots to pile up

there and then load it out, because it's a lot harder to load the snow into a truck when you're going up over a curb and you've got landscaping or whatever in there. They're going to want to keep that snow somewhere in the lot and just pile it up there where it's easy to get in and load it up and get the trucks out of there.

Don Hackbarth:

What does the manufacturers think about this in regard to snow? Do they see a problem there?

Mike Pollocoff:

In the Corporate Park?

Don Hackbarth:

Yes. Let's say we have two adjoining businesses, have you solicited them to see if this would be a problem with snow?

Mike Pollocoff:

I don't know if we have. I think in the Corporate Park what they've done is just what I talked about. They've found an area in their parking lot where they can push it for now and then load it out when they can.

John Braig:

What prompted this to come up for consideration?

Tom Shircel:

I think as a staff we just saw it, as I said earlier, as just being redundant. I mean if you look at it does it pay to have a 40 foot wide green space between two similar uses? If you think about it that's an awfully wide area.

John Braig:

That's valid.

Tom Terwall:

Anything further?

Mike Serpe:

Why did this come forward in the first place, I'm curious?

Tom Shircel:

Why did this come forward? Just the staff reviewing the site plans. Like I said, in our recent review of some site plans we saw that now we're starting to get more commercial development and they're starting to abut one another, and we just saw that maybe this is too excessive.

Mike Serpe:

So it wasn't a couple of owners coming forward and saying--

Tom Shircel:

No, it was not.

Tom Terwall:

Anything further? What's your pleasure?

Wayne Koessl:

Mr. Chairman, I see nothing wrong with the zoning text amendment. I would move that we send a favorable recommendation to the Village Board to approve the zoning text amendment as presented.

Jim Bandura:

Second.

Tom Terwall:

It's been moved and seconded to send a favorable recommendation to the Village Board to approve the zoning text amendment as presented. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

C. Consideration of the request of Mark Molinaro, Jr., Partners in Design Architects, agent, for Prairie Ridge Investors, LLC, property owner, for Site and Operational Plan review for the proposed 9,003 square foot Building #3 of the Prairie Ridge Commons multi-tenant commercial development located at the southeast corner of 75th Street and 99th Avenue in the Prairie Ridge Development.

Tom Shircel:

Thank you. This is a consideration of the request of Mark Molinaro, Jr., Partners in Design Architects, agent, for Prairie Ridge Investors, LLC, property owner, for site and operational plan review for the proposed 9,003 square foot Building #3 of the Prairie Ridge Commons multi-tenant commercial development located at the southeast corner of 75th Street and 99th Avenue in the Prairie Ridge Development.

This site as many previous approvals. I'll briefly touch on them.

- On May 15, 2000, there was a zoning text amendment to place a PUD over a good portion of the Prairie Ridge area, and that pertained mostly to the signage.
- On November 20, 2006, a certified survey map was approved by the Village Board which essentially split the Prairie Ridge Commons property into two parcels.
- On November 20, 2006, the Village Board approved a Prairie Ridge Commons PUD which is Ordinance 06-56 which set forth some regulations specifically for that development.
- On November 13, 2006, there was a conditional use permit and site and operational plans approved for the initial construction of those first two existing Prairie Ridge Commons Buildings.
- On June 11, 2007, the Plan Commission approved plans for a 5,000 square foot TGI Friday's restaurant on Lot 2 which is the site we're talking about tonight as well. However, that Friday's decided not to build obviously.
- On June 23, 2008, the Plan Commission approved Zoning Text Amendment 08-38 to repeal and re-create the Prairie Ridge Commons PUD in order to allow a multi-tenant commercial use on that site rather than a restaurant, the TGI Fridays.
- And, finally, on June 23, 2008, the Plan Commission approved site and operational plans and a conditional use permit for a 12,000 square foot Building #3 on this same property we're talking about tonight. Of course, that Building #3 was never constructed I think due to the downswing in the economy.

The Prairie Ridge Commons is being developed as a speculative commercial retail development consisting of three multi-tenant buildings.

- Buildings 1 and 2 are already constructed, and you can see on the slide on the wall they consist of two approximate 9,000 square foot multi-tenant buildings on 2.41 acres.
- Building #3 is proposed to be a 9,000 square foot building located on 1.76 acres and is addressed as 9800 76th Street.

To date, the following tenants are located within Buildings #1 and #2: Starbucks, FedEx/Kinkos, Cost Cutters, Kay Jewelers, Verizon Wireless, Portrait Innovations and Games Workshop. The entire approximate four acre property is zoned B-2 (PUD), Community Business District with a Planned Unit Development (PUD).

Mark Molinaro, Jr., the applicant, agent for Prairie Ridge Investors, the owner, is seeing a site and operational plan for this 9,000 square foot Building #3. The building will be designed and constructed in the same blend of exterior building materials, the same architectural theme, and it will have the same appearance and character as the existing Prairie Ridge Commons Buildings #1 and #2. Building #3 will also be similar in appearance to The Shoppes at Prairie Ridge development which contains the Target Store, to the immediately south to create a unified, cohesive development project.

Building #3 having triple street frontage, the building will incorporate aesthetically interesting architectural elements not only the front elevation of the store, but also on the sides and the rear. The incorporation of a recessed trash and recycling container enclosure and the use of decorative spandrel glass are elements that make the development more visually and architecturally pleasing from all sides.

As far as off street parking is concerned, the existing Buildings 1 and 2 has 114 spaces plus 5 handicapped accessible for 119 spaces; the proposed Building 3 site will have 74 spaces plus 3 handicapped for 77 spaces total; and the result will be 196 spaces total on both the Buildings 1, 2 and 3 sites.

All paved areas throughout the site will incorporate concrete vertical curbing. The applicant notes for the Building #3 site that 56 parking spaces are required pursuant to the zoning ordinance. Not all of the tenant spaces within Building #3 are under contract. Therefore, the 56 parking spaces are based on the applicant making some assumptions of the future tenant mix within Building 3. However, it is important to note that pursuant to the Village Zoning Ordinance, on-site parking is calculated on a per tenant basis. For instance, restaurant uses require more parking, which will reduce the amount of available parking for other uses on the site. As a result, Prairie Ridge Commons tenant uses will be limited to the amount of parking provided on the site. When considering leases for particular uses, the owner shall take into consideration the amount of parking required for all of the Prairie Ridge Commons uses to ensure sufficient parking. Whenever a newly proposed tenant applies to the Village for a new occupancy, the Village will calculate the parking requirements. If the tenant mix within Prairie Ridge Commons cannot parking-wise accommodate the proposed tenant, then the application for that tenant will need to be denied.

As far as access is concerned to the site, there is already a recorded cross-access easement and use agreement between Parcel A, which is Buildings 1 and 2, and Parcel B, which is the site for Building #3. It is in place to allow joint use and maintenance of the lots as it pertains to vehicular and pedestrian access between the two sites as well as parking and maintenance.

Security, the developer shall enter into and comply with a specific security agreement for the Prairie Ridge Commons development. The developer and owner shall agree that the Prairie Ridge Commons development shall be in compliance with Chapter 410 which is a security ordinance of the Municipal Code. The Village and Mr. Molinaro, a few months back, did have a meeting and as the property owner's representative Mr. Molinaro have commenced positive discussions regarding security on his property. The Village staff together with the property owner and the owner's security consultant shall formulate a security agreement for the Prairie Ridge Commons development. There is a note that the Prairie Ridge Commons security agreement shall be finalized and executed prior to the Village issuing certificates of occupancy for tenants within Building 3. The required security equipment for the entire development, that

would be all three buildings, will be located within a utility room in the yet to be constructed Building 3.

Exterior site lighting, the entire parking lot and the exterior building lighting shall be the same type and style of lighting that is currently installed on Buildings 1 and 2.

Landscaping will be provided as required by the zoning ordinance and setback areas and within parking lot islands and peninsulas. All lawn areas shall be in a manicured lawn. All on site lawn and landscaped areas shall be irrigated. Pursuant to the B-2 zoning district regulations, the development site shall have a minimum of 30 percent open space. The Building 3 site of this development will have 36 percent open space, thus will comply with that requirement.

As for access, no new access drives are proposed for Building 3. Public road access to the entire Prairie Ridge Commons development site is from two driveways which exist from 76th Street and are lined with The Shoppes at Prairie Ridge development on the opposite side of 76th. There shall be no direct access to Prairie Ridge Commons from 75th Street or from 99th Avenue. With that, I'll turn it back to the Plan Commission, and Mr. Molinaro is in the audience to address any questions.

Tom Terwall:

Mark, anything you wanted to add please?

Mark Molinaro:

Mark Molinaro, Partners in Design Architects, 600 52nd Street. First and foremost, I want to apologize that we're even here. As we hear over and over again it's the economy, it's the economy, it's the economy and I get tired of hearing it myself. The truth of the matter is we're here asking to downsize this building for a couple of reasons. First and foremost we're committed to getting the two tenants that we have on board right now which, as you know, is Aspen Dental and Panda Express. We have signed leases for the building (inaudible).

The lending market, first of all, the tenant mix out there, the number of tenants (inaudible) certainly significantly lighter, fewer than there has been in the past. The lending market has really changed significantly than I think on any other building that we've done (inaudible). But we've probably done six buildings in this 50/94 corridor or more. One we did without having closed on the land, we broke ground, the next we struck it with nothing more than a letter of intent for the building. The lending market is now that they want 100 percent leases for all square footage, and they're combining both or all three buildings into one requirement for him, which is what puts us into a difficult situation.

So it's our feeling right now that if we downsized to 9,000 square feet between the two current tenants we have over 5,000 square foot to lease. It allows us a much smaller nut to solve with the remaining square footage in the building. We think it still gives us an appropriate development. It allows us on what would be the west end where we left some green space to potentially put in a bank drive through down the road if you wanted to. I think there's some opportunity for that end cap of the building in the future should we end up with a tenant that should require that. It's probably difficult to add onto the building because you take what was an end cap and you

eliminate that. Although if what would be the current tenant moved out you may have an opportunity as well.

Ideally I'd like to be before you asking you to give us an approval of either one, and then depending on how things shake and we're ready to go we'll go with the building, but I recognize you can't do that. That kind of in a nutshell is what it amounts to. We're asking you here for the smaller building with the hope that we're able to get the lease into place. It is an extremely difficult lending market in addition. If we find the tenant ultimately it wouldn't be a concern (inaudible). They're not giving you 100 percent value on the buildings any longer. They're not giving you okays to proceed with letters of intent, and it's just a tougher market to deal with.

A couple things I'd like to comment on very quickly. In the comments and conditions, changes to be made to the plan set. I'm looking at page 4. Label the outdoor seating area is not a concern for us. One way pavement marking certainly we can do. Indicate amount of opening or green space. Why we pulled it off of this drawing (inaudible) I don't know. I believe we sent it to you and it's just a matter of getting it back on the drawings.

Tom Shircel:

Yes.

Mark Molinaro:

We'll make sure we do that. We've narrowed this access point down right here because this is a one way around the building, and we didn't want to conflict with the drive across the way. That was actually a recommendation of the Village the last go around. Now they're asking us to get rid of it. We'll do whatever you'd like us to do. I'm only bringing that up. It's not an issue for us. We'll do whatever you'd like us to do.

Tom Shircel:

I think to clear that up I think from a planning perspective, yes, we asked you to narrow that down. But then the fire department took a greater look at it, and in order to get their larger vehicles they would like that opened up to 24 feet to get rid of that little nob there.

Mark Molinaro:

We'll do it. I see where you're looking for some additional landscaping. That, again, was the request the last go around and this is what we ended up with. So you're looking for a little more on top of that.

Tom Shircel:

We always like landscaping.

Mark Molinaro:

We'll take care of that. Then I don't understand this monument signage because that came up last time and I thought we addressed it. I'll look at it again and we'll make sure that we're outside of that easement. I thought we had done it.

Tom Shircel:

From my talks with the engineering department the existing sign I don't think the easement is there for the existing buildings one and two sign. I thought that—

Mark Molinaro:

I'm referring to Building 3 because this point came up as well, and I thought we agreed on what that solution was. But somehow we don't have the—

Tom Shircel:

They must have taken a more detailed look at it and came up with those comments.

Mark Molinaro:

We will solve that. That won't be a problem. If we've got to relocated it, I think there was a suggestion here where we may put it and we'll go ahead and do it. Other than that I would appreciate your support.

Tom Terwall:

Thanks, Mark. Is there anybody else wishing to comment on this matter?

Wayne Koessl:

I do, Mr. Chairman. Mark, there is 58 zoning comments. Did you have time to review them and concur with them?

Mark Molinaro:

I think 57 of them were matched up with the last go around so we're good.

Larry Zarletti:

I don't have a question for Mark but to the staff. With regards to the way the traffic comes through the parking lot out there, and not necessarily this project, but when you're coming into that project going past Famous Dave's, you know where I'm at? You can drive straight through there without stopping. The people east and west have to stop. But the problem is that people slow down going past Famous Dave's because there's actually a dip there. I don't know how that was put together at the time, but it makes the person going east and west believe reasonably that the person could be stopping and that maybe that's a four way stop. It's really kind of dangerous and somebody really ought to take a look at it.

Tom Shircel:

I think that will be cleared up once VK Development, they have to redo that 76th/77th/99th Avenue street pavement. That's why that dip is there because that street needs to be redone. So that's why as you're going south on 99th Avenue into the Target/JC Penney development that's why that dip is there because the street needs to be redone.

Larry Zarletti:

Again, it slows people down so that—

Tom Shircel:

Sure. I think when that street is redone that dip won't be there and that slow down won't occur.

Larry Zarletti:

Do you know when that will be?

Mike Pollocoff:

Next summer.

Larry Zarletti:

I just think it's too long. We're going to anticipate having some problems out there with people either thinking they're stopping. Somebody should at least take a look at it. Again, I don't want to take time from this project, but someone should at least take a look at that. Thank you.

Tom Terwall:

Anything further?

Don Hackbarth:

Move approval.

Mike Serpe:

Second.

Tom Terwall:

It's been moved and seconded to approve the site and operational plan 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 the request of Art Maurer, owner of the property located at 410 90th Street to install street lights on 5th Avenue north of 90th Street within the Carol Beach Estates Unit W Subdivision.

Peggy Herrick:

The Village has received a request from Art Maurer who resides at 410 90th Street within the Carol Beach Estates Unit W Subdivision. They are requesting the installation of two street lights on 5th Avenue north of 90th Street. The slide on the overhead is on 90th Street looking north down 5th Avenue.

The petitioner has indicated that there are five existing residences on the east side of 5th Avenue north of 90th Street and four new utility poles were installed this past summer. Mr. Maurer and his neighbors are requesting the Village install one new streetlight on the second pole from the south and another on the fourth pole from the south. The petitioner indicates that the street has been used by people who do not belong in the area due to the dead end of the road and the lack of public lights. The petitioner requests that these lights be installed at the expense of the Village.

The criteria the Village uses for installing a public street light in existing subdivisions include:

- At entrances to subdivisions from heavily traveled State Highways, County Highways or Village Roads.
- At hazardous Village street intersections that would present a danger to life and property without a street light.
- At such other locations that would mutually benefit Pleasant Prairie and the property owners.

Currently there is no street lights at the intersection of 5th Avenue and 90th Street. Also, at the end of 5th Avenue there is a large barricade across the entrance of the vacant land which is at the end of this street. At the north end of 5th Avenue there is a sign—excuse me. On the south end of 5th Avenue there is a sign that says no outlet. This overhead is the barricade that leads to the old Town Club property at the end of 5th Avenue.

Based on the criteria noted above, one streetlight at the corner of 5th Avenue and 90th Street may be warranted. If additional lighting is desired by the property owners, the property owners could install private yard lights on their property and/or request a private area light from WE Energies which is a metered light that is installed on private property or in the Village's right of way on a

utility pole and is paid for by the property owner. If any yard light or any area lights are proposed proper permits shall be obtained from the Village prior to the installation of said lights.

So, again, the Village staff recommends that the Plan Commission and the street lighting committee send a recommendation to the Village Board to deny the street lights as requested; however, approve the installation of a street light at the intersection of 5th Avenue and 90th Street. This information was sent to our street light committee which are two members of the Plan Commission. I'm not sure if they both had a chance to take a look at it or not.

Mike Serpe:

Tom, I would concur with staff's recommendation for the one light on the corner of 90th and 5th.

Wayne Koessl:

Mr. Chairman, I also had time to review it and I have some reservations about giving a light there on 5th and 90th Street, but I will go along with the Village's recommendation on that one.

John Braig:

I hate to be in opposition to the street lighting committee, but as I see it this is a dead end street with four residences on it, and you're proposing a street light out at the entrance to this area? I bet you I could find at least 100 places in the Village with similar circumstances. I don't think this light is warranted, and I strongly endorse—people are looking for lighting in the area, and there's nothing better than a post light on your property which lights your property instead of the street.

Don Hackbarth:

Why are we so tough on putting lights in?

John Braig:

Because it costs money.

Mike Pollocoff:

They're expensive.

Wayne Koessl:

Expense.

Mike Pollocoff:

Our street lighting bill is upwards of about \$160,000 a year.

Tom Terwall:

Is there a dead end sign at the entrance right at 90th?

Peggy Herrick:

Yes, there is.

Tom Terwall:

Is that visible?

Wayne Koessl:

Yes.

Tom Terwall:

Will a street light help make it more visible?

Mike Pollocoff:

I guess. It's reflective so at night once your car lights hit it it will reflect.

Mike Serpe:

I had an opportunity to talk to Mr. Mauer. He called me for the advice on the procedure on how to get this brought forward. For the longest time the Town Club property was used as a party place for kids. But now it was cleaned up a little bit and barricaded. That portion has been reduced. There are still people going down there doing whatever, and every now and then there's debris that's left in the area by whoever is down there doing whatever. I don't want to be too specific here. And they really wanted two to light up, and I said, Art, it's going to be difficult for us to support two. I says we might be able to give you one. My thought was maybe we can put the light somewhere in the middle of this block. After talking to staff that's not the best idea and best way to go because start putting lights where they normally are not is not a good practice. All the neighbors are concerned with it. They felt that it would help restrict some of the activity going on on the north end of 5th Avenue. That's why I'm supporting it.

Wayne Koessl:

Mr. Chairman, as I keep thinking about it I'm going to vote no on this issue. I think John's comments brought to mind, again, that there are hundreds of places in the Village that are in the same situation that we've denied lights in the past. Once we do this I think we're setting up a precedent on light. I guess if I had inclination that I was a young stud and go down that road I would look for someplace because I sure as hell won't want to go to a dead end and have to come out of it again. That's my feeling. But I'm going to vote no on it.

Tom Terwall:

Maybe we should put a sign with directions to the outdoor theater and they'll go there. Is there a motion then?

Larry Zarletti:

Knowing that there's hundreds of places in the same situation those 100 people aren't before us. I'm hard pressed to believe that it's going to create some kind of precedent where we're going to have people lined up to the door every Commission meeting because they want light. And if they did we would look at it as an as need basis. Anybody who has been down that way, and it's been a number of years since I've had occasion to be down there for official business, but the fact of the matter is dead end streets sometimes bad things happen there. As far as I'm concerned you can't get enough light. And if we had another half a dozen people that came and asked for a light I'd probably vote to do that, too. So I will be supporting this.

Tom Terwall:

In order to measure the support or denial I need somebody to make a motion.

Mike Serpe:

I move to grant the one street light on the corner of 90th and 5th.

Larry Zarletti:

I second that.

Tom Terwall:

It's been moved and seconded to send a favorable recommendation to the Village Board to approve one light at the intersection of 90th Street and 5th Avenue. I'm going to ask for a hand raising vote. All in favor raise your hands. Four. Opposed? Five to two it passed. Thank you. I also want to thank the street lighting committee on behalf of these issues.

E. Consider Plan Commission Resolution #09-07 to change the meeting time for the Plan Commission meetings.

Peggy Herrick:

Thank you, Mr. Chairman. The Village Board has established the current meeting times of the Plan Commission as the 2nd and the 4th Monday of each month with the meetings beginning at five p.m. The meeting times are proposed to be changed to Tuesday evenings to avoid conflicts with holidays occurring on Monday evenings. In addition, the time is proposed to be moved from five o'clock to six p.m. This resolution if approved would be effective as of January 1, 2010. Village staff recommends approval.

Tom Terwall:

Comments? John?

John Braig:

I guess first of all the second Tuesday of the month isn't that the meeting of the Recreation Commission? Isn't it inappropriate to schedule two different meetings at the same time?

Mike Pollocoff:

We have a meeting of the Rec Commission tomorrow night, and we've met with the Parks Commission and the Parks Commission has moved their meetings to Thursday. And we're going to be asking that the Rec Commission consider really Tuesday, Monday or Thursday, but Monday gets you into the same soup that the Board is in now. So we're going to be asking them to do that so that the primary Commissions, the Plan Commission and the Board, would be meeting on Tuesdays, and the other ones would be meeting on off days. It's really up to those Commissions if there's another day they'd like. Members of the Board have also requested that the Commissions look at getting their time starting at the same time so that anybody that knows that there's a meeting at the Village it's going to be at six o'clock.

I guess there's really nothing—possibly if the Plan Commission wanted to choose a different day that would be fine. We just want to have a week or close to a week cycle between meetings because you're going to make a recommendation on certain items that are going to come to the Board, so we have time to integrate that into the Board docket for the final meeting and get that done. But I guess if you felt really strongly about a Wednesday I guess that wouldn't be out of line either.

These things are difficult. Whenever you bring up a different day it kind of rumbles through the whole organization. Mondays have been a conflict for quite a while now, and this really appears to be the way to handle it. The only time we'll have another conflict which if it did go to Tuesday would be that one time in one year and three times in other years where you have an election, then on those days we'd go back to Monday for just that one meeting. But right now we're in the process of putting out the calendar that gets mailed out to all the residents, and we want to be able to identify the dates, the days and times that the Commission is meeting.

Tom Terwall:

You're able to tell me with a straight face that Brett Favre coming to Green Bay on a Monday night did not enter into this recommendation at all, is that correct?

Larry Zarletti:

What does this do to the staff with regards to six p.m. versus five p.m.?

Mike Pollocoff:

The bulk of the staff we're already used to six and six thirty. Five would be from a staff perspective that would be nice. But I've got to be honest with you, we do hear from residents

who are dealing with learning about the issues that are on the agenda or what's coming up, the biggest complaint we hear is I have to take off work to get to the meeting and why can't you start a little bit later?

Larry Zarletti:

What are the normal staff hours if there's any such thing? I'm serious, what is the normal—

Mike Pollocoff:

The Village Hall is open from eight to five.

Larry Zarletti:

So continuing on from five o'clock would make the most sense rather than have this hour in between of what are you going to do then? You can't really go home and come back so you've kind of got to be here, it makes a longer day for staff. Is there more cost to that as well or is it salaries?

Mike Pollocoff:

Salaries. Basically I do a lot of six o'clock meetings and six thirty meetings. That's time for me to get out of the day's work and get my agenda and everything ready for the meeting. It is convenient for the staff, but we're here to serve you guys and the public so it's really—I think that's a minor consideration. It really works for when can we get a group of Commissioners together and get the work done.

Larry Zarletti:

Do you get a lot of complaints about five o'clock versus a later time for Plan Commission?

Mike Pollocoff:

It depends on how busy our agenda is and what's going on. Recently I haven't had any complaints, but recently we haven't really been considering anything.

John Braig:

I was under the impression that all the Commissions meet at five with the exception of the Village Board itself and that was brought about by the change by two Trustees who are no longer on the Board.

Mike Pollocoff:

The Plan Commission is the only committee that meets at five with the exception of the Community Development Authority meets at four thirty. We're also going to be asking them to go to six as well.

John Braig:

I thought the Rec Commission and the Parks—

Mike Pollocoff:

I'm sorry, the Board of Appeals. The Board of Appeals also meets early but they meet on request. They don't have a standard meeting.

Jim Bandura:

Mike, how long has this Plan Commission been on the five o'clock schedule?

Mike Pollocoff:

At least eight years.

John Braig:

Longer than that. As long as I've been on it.

Peggy Herrick:

When I first started in 1993 we met at seven and it was seven o'clock for quite some time as I recall.

Tom Shircel:

I've been here 11 years and it's been five o'clock since I've been here.

Mike Pollocoff:

And one of the reasons it's at five, to be honest with you, think back to what we were reviewing 11 years ago. We were having meetings that were starting at seven and we were going until eleven or twelve midnight. I think that's a consideration. The people that complain about I can't get here from work, and we had this with the Board saying I can't get here from work, but a lot of people don't stay through even the entire meeting. There's are people who bring their kids with them because they don't have childcare and there's a zoning issue in their neighborhood or a subdivision plat, and you've all seen it that there's a bunch of people in here that need to be here and they've got some kids with them and they're uncomfortable and they're tired and they want to get home and get ready for the next day. So given the—it kind of goes with the flow of work, but it's a source of consternation with somebody when they have an issue before this Commission and they can't get here or they have to take off work to get here.

Jim Bandura:

One of the issues I have, and it doesn't happen all that often, but we do come together prior to a Village Board meeting, and if the Village Board meeting is at six and we normally come together at five, I am kind of still leaning towards staying with the five o'clock hour just for that being a

partial reason. If anybody has any concerns or something like that, people of the Village, I would think that they should be able to take the time to support their cause and meet at five o'clock or try to get here at five o'clock. I still have a tendency to stay with the five o'clock.

Wayne Koessl:

I have to agree with the other Commissioner that I think five o'clock work better. I hate to come home from work, go have dinner, and then have to rush out when it's 20 below zero to come here for a six o'clock meeting in the snow. Maybe it's a selfish reason but it's handy on the way home from work to come here, have a meeting and then go home for dinner.

Tom Terwall:

A couple of comments. First of all, if we go to six o'clock we're going to lose one Plan Commissioner. I realize that we don't meet for the benefit of the Plan Commission or for their convenience, but understand that you will definitely lose one of our members if we go to six o'clock because it's impossible for him to attend meetings at that time. The second point I want to make is I called the City today. Their Plan Commission meets at four o'clock. Their point I guess is, you're right, right now our meetings aren't that long. It's my sincere hope that before too long we'll be here until eleven o'clock again, but the later we start the later those meetings are going to last, too. That's why I'm leaning towards five p.m. My last comment is this. Remember, whatever action we take tonight is only a recommendation. The Village Board will ultimately set the time that the Plan Commission will meet, not the Plan Commission.

John Braig:

I guess I'm in agreement with the whole Commission. But the one thing for everyone here tonight, the one thing that kind of runs in the opposite direction, though, is I see a dog gone good reason for every meeting being at the same time. Unless in the calendar when it's published we not only indicate the night that the various commissions and committees meet but also the time of the meeting. That hasn't been in the calendars as they've been printed to date.

Larry Zarletti:

I just want to reiterate for continuity of staff I would support five o'clock. And also people with a conflict could have their items put at the end of the agenda. We wait now and we do resolutions toward the end. Put all your resolutions at the front if that's been a problem. I don't recall any issues brought to this Commission over the last number of years where people have had conflict with coming. Maybe the staff hears that more than we do, and I think we could address that on an as need basis. Even if you had your resolution and a few other things and you had to wait a few minutes for somebody to get here, I would rather take a five minute recess than to just move the meetings to six o'clock. Although I would support moving it to another day that's more conducive to business here, I would not support six o'clock.

Mike Serpe:

Two things. I'm retired and I don't care when we meet. The amount of agenda items on the Plan Commission agenda is getting less and less, and I don't see these getting increased any time soon in the future. I know we've talked about this with staff and I've talked about this at length with

Peggy and a little bit with Mike is it necessary that we have two meetings a month, and right now I don't see that that's a necessity.

What John brought up earlier about one of the Commissions meeting on the second Tuesday of every month, maybe this Plan Commission could meet on the fourth Tuesday of every month and still be ahead of the Board meeting which meets on the first Tuesday. Whether it be five o'clock or six o'clock personally it makes no difference to me because I'm available any time. I do have to agree with Mike, sometimes you get large agendas with a lot of public interest and it makes it difficult for some people to attend. Right now that's not happening, and I don't see that happening with a whole lot of large developments and a lot of controversy coming up in the future.

I know it's going to be discussed at length at the Board meeting and we'll make a decision, and I understand if I can count correctly I would say that the majority of this committee is in favor of keeping it at five o'clock. And I will certainly do whatever we can to keep Don Hackbarth on this Board.

Wayne Koessler:

Mr. Chairman, could we take a roll call of those that favor five o'clock versus six o'clock so Mike has a count?

Tom Terwall:

Sure. Before we vote I want to ask you ladies if either one of you have a comment. You're here every meeting. You should have some input on this as well. What are your thoughts?

Judy Juliana:

I really don't see much of a conflict for myself. I think Mike's idea of having the Plan meeting once a month on the fourth Tuesday of the month seems like a great win/win all the way around, because lately we've basically been meeting about once a month through the summer. I don't foresee any huge developments and any problems coming down the pike in the next year or two. I feel five o'clock is fine. I don't really remember anybody having any major problems starting at five o'clock. Six o'clock, I'm retired so it's a wash either way. Sorry, don't mean to rub it in. But I think if we look at it going to once a month and starting at five, I think we could still get a lot of the work done. It would I think probably help staff, too, if we meet once a month. If the time comes and we start having a lot more to review and to vote on we can readdress going back to twice a month.

Andrea Rode:

Okay, I'm not retired and I won't be for a long time. Obviously I work at Abbott and my drive is sometimes 45 minutes. But I signed up and this is a priority in my life so I arrange my work hours so I work through my lunch so I can get here on time at five o'clock. I'm willing to do that because I believe in what we're doing. So I will adjust my schedule to whatever we decide. I just can't get here before five. I agree with let's go down to one day a month for a while. Then I think as things change then let's talk about it. Even if you get some feedback from the public,

again, you guys know more than we do. You're the ones that deal with the public. I still do believe we're here to serve the public.

John Braig:

A follow up on the one meeting a month. I like that idea. Because the activities or the items that come before this Commission are usually published in the paper, in the event something was urgent and we didn't want to wait or the staff saw justification in trying to bring it to a vote or a decision before the next regularly scheduled meeting, it would be easy enough to schedule an interim meeting and, of course, it would be noticed in the paper so we'd meet all the legal requirements. I kind of like that once a month.

Jim Bandura:

I, too, am a member of the workforce, and I do have the ability to adjust my work schedule and I do have a flexible employer. I'm still able to do the five o'clock so that's why I still have a tendency to prefer the five o'clock hour.

Wayne Koessl:

Mr. Chairman, the fourth Tuesday is going to be bad for me because I have another meeting that night if we go to one a month.

Don Hackbarth:

I think it's obvious that I would be the one that would have to step down. I have a class, and I've taught this class for 32 years at six thirty on a Monday night. Our church meetings are generally Tuesday nights at six thirty. And Wednesday is advent and lent. We have soup supper at six. So five o'clock works for me. If it works for six o'clock for everybody else then by January—I've served long enough. Maybe it's time for somebody else to take over.

John Braig:

I would like to move that the Plan Commission meetings be scheduled once a month on a Monday evening at five o'clock.

Tom Terwall:

Or a Tuesday meeting?

John Braig:

I kind of like Monday. Let's try Monday. You can choose now and we'll go for Tuesday next, which this would be the second or the fourth Monday in your opinion one way or the other.

Mike Pollocoff:

It doesn't really matter whether it's the second or fourth. Right now I think the ordinance should read, to be honest with you, the second and fourth Mondays, and then as far as reducing it that's

one of the department budget requests to save some money is just for this fiscal year drop off one meeting. It would still be allowed in the ordinance, we just wouldn't fund it.

Tom Terwall:

Mike, for the benefit of the commission, what's your recommendation to go to Tuesday rather than Monday again?

Mike Pollocoff:

There are two major holidays. And then when you talk about facilitating the work for staff, it enables us to be able to get the agendas together. A lot of that stuff happens, and we have to get our agenda out on Friday. If there's more time needed we don't have that weekend or we don't have Monday to get it out. So if it goes to Tuesday then we have all the way through until Monday at five to post the agenda and have it released. So given some of the reductions that we're looking at we're trying to look at some ways to ease that up on staff, too. But really if the Plan Commission is looking to stay at Monday one meeting a month, I don't think you'll have that many holiday conflicts. At least for a year or so I think given the light workload I think having that Monday for staff won't be as burdensome as it has been.

Jim Bandura:

My recommendation would be to accommodate staff's comments and their concerns would be to move it to the--have the ordinance say the second and fourth Tuesday of the month at five o'clock. So my recommendation would be to that effect.

Tom Terwall:

John, did you make a motion?

John Braig:

I made a motion. Apparently it's going to die for lack of a second. Five p.m. on Monday, second Monday of the month.

Larry Zarletti:

Would it be reasonable to table any action on this tonight now that staff has all of this input and reconsider bringing another proposal forward?

Tom Terwall:

Just remember, Larry, we're only making a recommendation anyhow. Ultimately this is going to the Village Board for final decision.

John Braig:

Don't duck the issue.

Larry Zarletti:

It's not about ducking the issue, because if we vote tonight I'm going to vote not to do it because six o'clock does not—I don't see the justification for moving it to six. If Tuesday works for the staff that's terrific. I know you're saying five, but you're saying Monday at five and they want to move it to Tuesday.

Tom Terwall:

And that motion died for a lack of second. Are you going to put that in the form of a motion?

Larry Zarletti:

Sure, yes.

Judy Juliana:

Was it, Wayne, you can't do it on Tuesday or you can't do it late on Tuesday.

Wayne Koessl:

I can't do it on the fourth Tuesday.

Judy Juliana:

So the second Tuesday you could do it? So then we could all do it the second Tuesday at five o'clock.

Peggy Herrick:

Then remember the following year we're going to go back (inaudible).

Larry Zarletti:

And when that happens we have alternates.

Tom Terwall:

We'll cross that bridge when we get to it.

Peggy Herrick:

But it would be effective—the ordinance states Plan Commission is to meet twice a month.

Tom Terwall:

And we don't have to change the ordinance except for the date and time, but just only meet once a month.

Peggy Herrick:

The date and the time is not specified in the ordinance.

Mike Pollocoff:

But we need to put that in the ordinance because that's what we'd be doing with this. But as far as whether or not we from a budgetary standpoint we can go to one meeting we can do that from budget but still leave the ordinance the way it is.

Larry Zarletti:

Mr. Chairman, I would make a motion that we approve Resolution 09-07 with one change being five o'clock instead of six o'clock.

Tom Terwall:

Is there a second to that motion?

Jim Bandura:

Second.

Tom Terwall:

You want a roll call vote? No? The motion is to send a favorable recommendation to the Village Board to move Plan Commission meetings to Tuesdays, the second and fourth Tuesday at five p.m., with the understanding that until business picks up we're only going to meet the second Tuesday.

Mike Serpe:

I'm going to refrain from voting only to get the input from other Board members at the Board meeting.

Tom Terwall:

Okay. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed?

Don Hackbarth:

Abstain.

Tom Terwall:

Two abstentions.

Peggy Herrick:

So let me get this correct. You want the resolution to stay the same except (inaudible)

Tom Terwall:

Five p.m., right, and preferably on the second Tuesday for the period that we're only going to have one meeting a month rather than the fourth.

Peggy Herrick:

We'll look at the schedule for the elections (inaudible).

Tom Terwall:

Because an election never falls on the second Tuesday, correct? It's either the first Tuesday or third Tuesday?

Mike Pollocoff:

First or third, right.

Tom Terwall:

That's going to affect the Board, not us.

7. ADJOURN.

Don Hackbarth:

So moved.

Mike Serpe:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed?

Meeting Adjourned: 6:24 p.m.