

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
December 14, 2009**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on December 14, 2009. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessl; John Braig; Jim Bandura; 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-Harris, Community Development Director; Peggy Herrick, Assistant Village Planner and Zoning Administrator; and Tom Shircel, Assistant Village Planner.

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

Jean Werbie-Harris:

Mr. Chairman, the piece of correspondence I have this evening is the 2010 Village Plan Commission and Village Board meeting schedule. Please take note that the Plan Commission and the Board will be meeting on Tuesday evenings at 6 p.m., and the Plan Commission will be meeting the second Tuesdays of the month. Board will still meet first and third Tuesday.

Tom Terwall:

Thank you. Motion to receive and file.

John Braig:

So moved.

Judy Juliana:

Second.

Tom Terwall:

MOVED BY JOHN BRAIG AND A SECOND BY JUDY JULIANA TO RECEIVE AND FILE THE CORRESPONDENCE. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

4. CONSIDER THE MINUTES OF THE NOVEMBER 23, 2009 PLAN COMMISSION MEETING.

Mike Serpe:

Move approval.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY JIM BANDURA TO APPROVE THE MINUTES OF THE NOVEMBER 23, 2009 PLAN COMMISSION 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 for any of the items on the agenda tonight, since they're all public hearings, we would ask you to hold your comments until that public hearing is held so we can incorporate your comments as a part of the official record. However, if you're here for any item that's not on the agenda, or if you're here to raise a question, now would be your opportunity to do so. We'd ask that you step to the microphone and begin by giving us your name and address. Anybody wishing to speak under citizens' comments?

6. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATION PLANS for the request of Edward Polen, President of EMCO Chemical Distributors, Inc, agent on behalf of Hexion Specialty Chemicals Inc., owners of the property located at 8601 95th Street to occupy the building and site for an industrial chemical distribution business.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, this is a consideration of a conditional use permit including site and operational plans for the request of Edward Polen, President of EMCO Chemical Distributors, Inc., agent, on behalf of Hexion Specialty Chemicals, Inc., owners of the property located at 8601 95th Street. And this is to occupy the building and the site for an industrial chemical distribution business.

As a part of the hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request as presented and described in the staff comments.

Under findings of fact:

1. The petitioner is requesting a Conditional use permit including Site and operational plans, and this is to occupy the site and the building located at the 8601 95th Street in the LakeView Corporate Park. This would be for an industrial chemical distribution facility. Exhibit 1 attached is the application.
2. The subject property is known as Parcel 14 of CSM #1361 and is located in a part of the Northwest One-Quarter of U.S. Public Land Survey Section 21, Township 1 North, Range 22 East of the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie. It's identified as Tax Parcel Number 92-4-122-212-0354.
3. The operations of the industrial distribution business consists of receiving chemicals in bulk, typically via railcar or tanker truck, unloading these materials into dedicated storage tanks and then repackaging these materials into smaller containers, storing and distributing to their customers. Part of the distribution process also includes blending the chemicals per a customer's requirements and then packaging these blends into desired containers. These blends include both solvent-based and water-based formulas.

EMCO also buys a multitude of items in pre-packaged drums, bags, pails and other various containers. These items are unloaded and stored at the facility in appropriate storage areas and containers until required for shipment to the customers.

To insure prompt deliveries, EMCO utilizes a combination of their own fleet of tanker and box trailers as well as common carriers. On a typical day, EMCO will send out their fleet of 25 trucks to make deliveries in the area within a 100 mile radius of this facility. EMCO will utilize common carriers to deliver to points outside of this delivery zone. Shipment sizes range from a single pail of a product to a tank truck of chemical.

4. The current zoning of the property is M-2, Heavy Manufacturing District, and the distribution of chemicals is allowed with a conditional use in this district.
5. In addition, prior to EMCO purchasing the property, they are requesting to store raw chemical materials in up to six rail cars in the rail yard or building on the property. The cars will contain Methyl Alcohol/Acetate or Methanol. The need to store the rail cars is to secure raw material on an interim basis while the manufacturing facility has a shutdown.

Fire Chief Paul Guilbert has spoken and corresponded with Mr. Dale Tebbe of EMCO along with Brian Roper the Environmental Health and Safety Manager for EMCO. Both individuals responded to questions that the Chief had about the temporary storage and his comments are noted below in the staff comments.

- The methyl alcohol is in liquid form, not a gas and does not typically vaporize into a cloud.
- In the event of a large spill, an evacuation of 1,000 feet is recommended.
- In the event of fire, an evacuation of a half a mile is recommended.
- Very common solvent used throughout the United States.
- Very Flammable, not highly corrosive or poisonous.
- Health Hazard, on a scale of 0 - 4, is a 2
- Fire Hazard, on a scale of 0 - 4, is a 3
- Reactivity, on a scale of 0 - 4, is a 0
- Toxicity: In large quantities, you would have to ingest or drink approximately one gallon to produce ill effects.
- Is affected by temperature, vapor pressure increases with higher temperatures, decreases with lower temperatures.
- Colorless.
- Much like alcohol as an odor.
- Firefighting effort: Typical, in that water, foam, or dry chemical can be used to extinguish the fire. No extraordinary extinguishing agents are needed.

For security, EMCO will padlock all valves and other openings that could be tampered with at the point of receipt of the cars. This is a practical solution from both a safety and product integrity standpoint.

A rail car storage plan, EMCO will most likely use the north side of the rail yard to store the six cars. It is also possible that some of those cars will be stored inside the existing rail car building. In storing within the building, a higher degree of security is provided, as well as spill containment integral to the building. Of course, two or more cars would in fact have to be stored outside. In the event a spill would occur on the north side of the rail yard, it is felt the spill would flow back towards the property and contained by the asphalt covering. Although, EMCO does not intend to utilize the south side of the rail yard; using the south side would be more problematic because of the lack of paved surfaces.

In summary, after review of the data sheets provided by EMCO, the Fire Chief believes that the product does not bring an elevated degree of danger to the community. It's properties are similar to gasoline but less flammable. Methanol, like gasoline, when transported and handled properly will have little or no impact on our community. In the event of spill, the department has equipment and capability too manage any incident.

6. The petitioner has provided the information to illustrate compliance with the conditional use standards.
7. Notices were sent to adjacent property owners via regular mail on November 25, 2009 and notices were published in the *Kenosha News* on November 30 and December 7, 2009.

8. The petitioner was e-mailed a copy of this memo on December 11, 2009 including the comments from the Fire Chief dated December 9, 2009.
9. According to the zoning ordinance, the Plan Commission shall not approve a conditional use permit unless they find after viewing the findings of fact, the application and related information presented here at the public hearing this evening, that the project as planned will not violate the intent and purpose of all Village Ordinance and it meets all of the standards for granting a conditional use permit. Also, with respect to the site and operational plan, the Plan Commission must find in their decision that the application coupled with the satisfaction of any conditions that it will comply with all applicable Village ordinance requirements. With that, I would like to introduce representatives from EMCO to make a brief presentation regarding the company that is proposing to relocate to Pleasant Prairie.

Edward Polen:

Good evening, gentlemen. My name is Edward Polen. I'm the President of EMCO Chemical Distributors. You did an excellent job, by the way, of reading that. You basically touched on everything. We are an industrial chemical and solvents distributor. We buy and sell industrial chemicals and solvents. The majority of our business on the distribution side is in the greater Great Lake States. We do business in Minnesota, Wisconsin, Illinois, Indiana, Ohio, Michigan, a little bit in Kentucky, a little bit in St. Louis, Missouri. And as the description was quite accurate, we buy and sell chemicals. I founded the company in 1971, and have worked hard and grown it to where we are today, and we are the 15th largest chemical distributor in the United States. I'm not sure just how much—I can sit and talk all day about our business and I know time is of the essence.

Tom Terwall:

Can you tell us about who your major customers might be, just a few of them.

Edward Polen:

Okay. Let me just say one thing. A chemical distributor is like a grocery store for industry. No differently than you go to the grocery store when you want to bake a cake you go and you buy your flour and you buy sugar and you buy vanilla extract, and you might buy some butter and whatever else to mix a cake. Well, when you're making products and you are making products using chemicals, you need to be able to buy the raw materials. The people who make the products that we sell are typically your large oil companies and chemical companies, Dow Chemical and Exxon to name two, DuPont, and we represent the larger chemical companies that manufacture these products and we bring them into our facility. And then our customers call up and place orders for the different items and then we send them out in our trucks.

We probably have about 5,000 or 6,000 different products that we sell. The biggest user of industrial chemicals seems to be the coatings industry in the Midwest. Coatings are what you would think of when you paint a car, when you paint a boat, when you paint a railroad car, when you paint a truck, when you paint your house. Anything that's got a coating on it or that you paint is considered a coating. The coatings industries probably uses more than 50 percent of the products that we sell and they're our largest customers.

The ten largest paint companies in the world are our customers of ours. PPG Industries, DuPont, Sherwin Williams, Rustoleum, BASF, Felspar, Benjamin Moore to name some of the companies we do business with. We are also big in the adhesive business. Our customers manufacture adhesives. Adhesives are used like--this is a Formica counter here, there's an adhesive that's used to apply this. When you're building houses there's adhesives used when you put the paneling up and the plywood up and the drywall up adhesives are used all over. They're used in the automotive industry. They used to put the floor tile down here on the floor so people make all kinds of adhesives.

We sell a lot to the personal care industry. When you buy shampoo, hand lotion, when you buy aftershave lotion, those are all industrial chemicals that are purchased by the companies who manufacture those types of products. They buy them from distributors and then they make their products. The pharmaceutical companies, Abbott Laboratories and some of the other pharmaceutical companies that are local in the area here use industrial chemicals to make their products. They are customers. In the graphics arts industry, printers use chemicals, people who make printing ink use chemicals. I can go on and on and on. There's nothing in your lives that isn't touched by chemicals. Everything you see in this room here, somewhere or other, a chemical was used in order to make it happen.

Tom Terwall:

Thank you very much.

Edward Polen:

You're welcome. Do you have any questions?

Tom Terwall:

Let me finish the public hearing, and if any questions come up we will leave those to you. 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 to comments and questions from Commissioners and staff. Mike?

Mike Serpe:

Mr. Polen, since 1971 with all your distribution facilities that you had, did you ever have any major events as far as an explosion, a fire, a spill?

Edward Polen:

Yes. We have had I think one fire in one of our explosion proof fill rooms, and I think we've had a few spills. Nothing significant.

Mike Serpe:

What happened? The fire was not a major—

Edward Polen:

The fire was that somebody didn't properly ground a five gallon pail and it flashed. We had that fire. Can you think of anything else?

—:

The sprinkler system put it out.

Edward Polen:

Yeah, the sprinkler system put it out. And then spills once in a while a hose will break and you'll get a spill. But knock on wood we've not had anything that I would say has been a horrific event.

Mike Serpe:

Thank you.

Don Hackbarth:

Carpentersville, that's where headquarters is?

Edward Polen:

No, North Chicago, Illinois.

Don Hackbarth:

Are you moving some facility here or how is this taking place?

Edward Polen:

We're going to probably split the company up. As part of our business, I mentioned all the paint companies, we do packaging for them. The packaging is the same chemicals only we do blending for them and then we put it into smaller containers. And that utilizes a lot of special equipment and machinery that's in place now in North Chicago. We're going to leave that down there. Right now we operate out of three buildings down in North Chicago, and we have about 450,000 square feet of space that we utilize. We'll take the distribution business, that portion of the business, and bring it up to Pleasant Prairie and run that up here, and we'll leave the small packaging business down there and we'll split it up.

Don Hackbarth:

Is that where this is now?

Edward Polen:

It's all in North Chicago, yes, sir.

Tom Terwall:

Anybody else?

Wayne Koessl:

Mr. Chairman, if there aren't any more questions or comments I would move approval of the conditional use permit including the site and operational plan for EMCO Chemical Distributors subject to the conditions by staff.

Mike Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY MIKE SERPE 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.

Mike Serpe:

One last comment. We do have plenty of room for corporate headquarters as well.

John Braig:

But welcome.

Edward Polen:

Thank you.

Wayne Koessl:

And in addition welcome to Pleasant Prairie.

Edward Polen:

Thank you, looking forward to it. We're excited about it.

Tom Terwall:

So are we.

B. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATION PLANS for the request of Tony Phillips of SAC Wireless, agent representing AT&T; to install 6 new antennas on the existing 120 foot tall cell tower and an associated 240 square foot equipment shelter located at the Village Hall.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, this is a public hearing and consideration of a conditional use permit including site and operational plans for the request of Tony Phillips of SAC Wireless, agent representing AT&T. It's to install six new antennas on the existing 120 foot tall cell tower and an associated 240 square foot equipment shelter located here at the Village Hall.

As part of the hearing record, the staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request, and I will present them below.

Under findings of fact:

1. AT&T is requesting conditional use permit including site and operation plans to install six new antennas on the existing 120 foot tall cell tower at the 108 foot height and an associated 240 square foot equipment shelter which would be within a 20 x 30 lease area on a portion of Tax Parcel Number 92-4-122-243-0025.
2. Under background information:
 - On June 24, 2002, the Village Plan Commission conditionally-approved a Conditional Use Grant No. 02-13 and site and operational plans for US Cellular to construct a 100 foot monopole cell tower with nine antennas and associated 20 by 12 foot equipment shelter.
 - On March 8, 2004, Village Plan Commission conditionally-approved a Conditional Use Grant No. 04-03 and site and operational plans for T-Mobile to construct a 20-foot high extension atop the existing 100 foot cell tower and to install nine antennas and an associated 20 x 12 foot equipment shelter.
 - The existing tower also accommodates police and fire and rescue department radio communications, the US Cellular and T-Mobile antennas and a Kenosha County civil defense siren.

3. The 20 foot by 12 foot AT&T equipment shelter is proposed to be located directly north of the existing cellular tower. The AT&T equipment building will be constructed with the same exterior building materials as the Village Hall building and the existing equipment shelters. The exterior walls shall be constructed of lannon stone and the roof shall be pitched and shingled. There shall be no fence enclosing the leased area.
4. In order to lower the height of the equipment shelter and to create a greater separation distance between the Village Hall, AT&T has agreed to move the entire equipment shelter and related improvements further south, towards the monopole tower.
5. The interior of the lease area shall be either concrete or asphalt paved. The Village does not typically allow gravel or stone to be used as the surface material. Likewise, the walkway to the AT&T facility from the existing parking lot shall be either asphalt or concrete paved.
6. In lieu of the proposed seven foot tall arborvitae trees, the perimeter landscaping around the equipment shelter and retaining wall shall consist of lower growing ornamental bushes and other perennial plantings. On the very south side of the Village Hall outside of Mike, Vesna's and my office, there's actually a stairway that goes downstairs to the basement, plus there's some existing ornamental plantings. So we want whatever plantings are put there by AT&T to complement what we have, not that they overgrow and they crowd over what we have existing for landscaping.
7. The Village staff is working with AT&T on a Lease Agreement to allow AT&T, New Cingular Wireless, to lease the Village-owned property. The eventual Lease Agreement would be approved by the Village Board and would need to be executed and recorded at the Kenosha County Register of Deeds office.
8. The current zoning of the property is I-1, Institutional District, and pursuant to the District the commercial communication facility requires a conditional use permit.
9. AT&T states that the communication facility is necessary in order to provide an uninterrupted, seamless wireless network providing cellular telephone service, voice paging and wireless data transmission service to this area of Pleasant Prairie.
10. The co-location of this facility will avoid the proliferation of cell towers within the Village area.
11. The Communication Act of 1934 is the Federal regulation, which governs the telecommunications industry; Section 322 of the Act as amended provides guidelines to state and local governments regarding the siting of these antennas. And one such guideline governs what information can be considered during the zoning approval process. And as long as the antenna facility complies with the emission standards established by the FCC it's considered that there are no health or safety risks posed by the equipment.
12. Section 704 of the 1996 Telecommunications Act does prohibit the government from denying a wireless communication company's request for local zoning approval based upon environmental or health effect or concern.

13. The petitioner and all of the abutting and adjacent property owners within 300 feet of the site were notified via regular mail on November 30, 2009. Notices were published in the *Kenosha News* on November 30th and December 7, 2009.
14. The Village emailed and/or faxed the petitioner a copy of this staff report on or about December 11, 2009.
15. Additional information regarding the petitioner's request is included in the application and the associated attachments.
16. According to the Village ordinance, the Plan Commission shall not approve a conditional use permit unless they find after viewing the findings of fact, the application and related materials that the project as planned, will not violate the intent or purpose of all Village zoning ordinance and will not violate any federal, State or County or local regulations, and it shall meet the minimum standards for the granting of a conditional use permit.

With that I'd like to introduce a representative of the company to make any additional comments or presentation.

Tony Phillips:

I'm Tony Phillips, SAC Wireless representing AT&T, 635 East Remington Road, Schaumburg, Illinois. I'm happy to answer any questions you might have. I couldn't explain it any better. A pretty detailed report. You guys are pretty to have a staff that's so detailed.

Tom Terwall:

We know that.

Tony Phillips:

Basically we're just adding some antennas to increase the coverage in this area. AT&T ever since they brought out that iPhone has had all kinds of problems keeping customers happy. There's not just voice anymore. It's the data, the e-mails, the pictures, the videos, and all that takes up room on these antennas and they can only handle so much capacity. And when you increase the capacity to that extent, everybody on the phone at the same time, you get busy signals or dropped calls or whatever. So given that, AT&T is expanding their presence in this area plus your increased population and all the factors involved. Your new industries that are coming up here they all use AT&T for their internet and all that kind of stuff.

Tom Terwall:

Thank you. This is a public hearing. Is anybody wishing to speak on this matter? Anybody wishing to speak? Hearing none, I'll open it up to comments from Commissioners and staff and I'll start off. Does AT&T have a backup power supply in case power goes down?

Tony Phillips:

Not at this location, no. That's not something they do generally right away. Depending on where it's at, sometimes in more rural outlying areas they may have generators. Verizon right now, my company works with all the companies, and Verizon is one that does put in a larger shelter, they put an extra ten feet long shelter and they have a diesel powered generator usually inside these shelters. But they're the only ones right now that make it standard practice. AT&T doesn't usually do it.

Don Hackbarth:

How far are we from having that tower full?

Tony Phillips:

Well, I would think you have a little bit more room but not much. You might be able to get one more carrier on there. It's pretty much based on structural integrity. You could also extend the tower. Mostly towers can be extended. We do it all the time. We throw an extra 20 feet on a tower.

Don Hackbarth:

The reason I say that is because if that thing is getting to capacity, you're saying it right here, there's more and more demand for space on these towers.

Tony Phillips:

Correct.

Don Hackbarth:

Then what do we do?

Tony Phillips:

I'm here for another tower actually, the next case is to bring another new tower in that will have more carriers and increase AT&T's presence even more.

Don Hackbarth:

Because I think our thought was to limit towers in this area to begin with.

Tony Phillips:

It's hard to do.

Don Hackbarth:

With all the increased use they're growing pretty quick.

Tony Phillips:

It's difficult because everything is getting rid of their hard lines, their wired phones, and going to the cell phones because they're never home. They're out here or out there or wherever and you can be reached wherever you're at.

Tom Terwall:

Anybody else?

Mike Serpe:

Move approval.

Wayne Koessl:

Second.

Tom Terwall:

MOVED BY MIKE SERPE AND SECONDED BY WAYNE KOESSL TO APPROVE THE SITE AND OPERATIONAL PLAN AND THE CONDITIONAL USE PERMIT 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.

C. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS for the request of Tony Phillips of SAC Wireless, agent representing AT&T; to install a new 150 foot tall multi-carrier monopole cell tower facility with 6 attached antennas atop the tower and an associated 730 square foot multi-carrier equipment shelter, within a 1,620 square foot lease area. The AT&T communication facility site is located within the Village-owned Prairie Springs Park, just east of the South Ball Fields.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, next we have a public hearing and consideration of a conditional use permit including site and operational plans, and this is also for the request of Tony Phillips of SAC Wireless, agent representing AT&T. And this is to install a new 150 foot tall multi-carrier monopole cell tower facility with six attached antennas atop the tower and an associated 730 square foot multi-carrier equipment shelter within

a 1,620 square foot leased area. The AT&T communication facility site is located within the Village-owned Prairie Springs Park just east of the south ball fields.

As a part of the public hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions and will present them to you below in the staff comments.

Under findings of fact:

1. AT&T is requesting conditional use permit including site and operation plans. This is to construct a 150-foot high monopole commercial communications structure including an attached antennae array or six antennas atop the tower and an associated equipment shelter within a 60 by 20 foot lease area within Prairie Springs Park, just east of the south ball fields. This would be located on Tax Parcel Number 92-4-122-204-0200.
2. The AT&T equipment shelter is proposed at 730 square feet. It's intended to house the AT&T equipment along with other future co-locators of the tower. The multi-carrier shelter will negate the need for separate multiple equipment shelters on the site.
3. Pursuant to the Village zoning ordinance 40-89B. (11), any building associated with a commercial communications structure shall not exceed 600 square feet. The AT&T multi-carrier equipment building is proposed to be 730 square feet. However, the zoning ordinance also states that there is no maximum or minimum building area within the PR-3 District. Therefore, given the multi-carrier character of the building, the Village staff approves the equipment shelter or the building size, and that will negate the need for multiple individual equipment shelters. However, an amendment to the zoning text will be required to allow for the 730 square foot AT&T equipment shelter.

This is actually referenced as Item H on the agenda this evening where we're requesting the Plan Commission to enter into approval of a resolution to initiate a zoning text amendment to allow this larger structure size. So any conditional approval this evening would be subject to that amendment.

4. As proposed, the AT&T equipment building shall be constructed with the same exterior building materials as the existing ball fields pavilion that is located about 350 feet just to the west. The exterior walls of the shelter shall be constructed of the same tan colored stone, and the roof shall be a green standing seam metal roof with a 4:12 pitch.
5. All references to this AT&T facility being enclosed with a six foot high chain-link fence topped with barbed wire shall be removed from the plans. No other structures within the park are fenced. Therefore, in order to maintain a consistent pleasant park-like ambiance, the Village staff recommends that there will be no fencing around this site.
6. The interior of the lease area shall be either concrete or asphalt paved. No exposed gravel or stone shall be used as the final surface material or the access drive to the facility or site.
7. The 150 foot monopole shall be painted white.

8. A detailed landscape plan shall be provided in the revised plan set. The perimeter landscaping around the facility shall consist of decorative evergreen trees and shrubs that complement the existing adjacent vegetation. The landscape plans shall include foundation plantings around the equipment shelter. The landscaping shall be the responsibility of AT&T and shall be maintained at AT&T's expense. The Village will grant a landscaping access and maintenance easement to AT&T in order to allow access to the perimeter landscaping area for maintenance purposes.
9. The proposed location of the facility is in proximity to the 100-year floodplain, and according to the floodplain mapping sources the 100-year floodplain elevation associated with this site is at 676 feet above sea level. According to the plans, the floor elevation, or the first floor elevation of the equipment shelter is proposed at 683. Therefore, the facility is going to be located outside of the limits of the 100-year floodplain.
10. The Village staff is working with AT&T on a lease agreement to allow AT&T to lease the Village-owned property. The eventual lease agreement shall be approved by the Board and will need to be executed and recorded at the Kenosha County Register of Deeds office.
11. The current zoning of the property is PR-3, Regional Park-Recreation District, and pursuant to the District the communication structure and associated equipment requires a conditional use permit.
12. AT&T states that the communication facility is necessary in order to offer an uninterrupted, seamless wireless network providing cellular telephone service, voice paging and wireless data transmission services to this area of Pleasant Prairie.
13. The multi-carrier design and the size of the equipment shelter and tower will help to avoid the proliferation of additional facilities in this area of the Village.
14. The Communication Act of 1934 is the Federal regulation, which governs the telecommunications industry. It provides guidelines to State and local governments regarding the siting of facilities. And one such guideline governs what information that the Plan Commission can consider during the zoning approval process. As long as the antenna facility complies with the mission standards and there's no health or safety risk posed by the equipment, the local zoning authority may not directly or indirectly consider health or safety issues during the zoning process when considering this application.
15. According to Village counsel, the Telecommunications Act does prohibit denying a wireless communication company's request for approval based on environmental or health effects.
16. The petitioner and all of the abutting and adjacent property owners within 300 feet of the site were notified via U.S. Mail on November 30, 2009. Notices were published in the *Kenosha News* on November 30th and December 7, 2009.
17. The Village emailed the petitioner a copy of this staff report on or about December 11, 2009.

18. For additional information their application is on file with the Village.
19. Under the Article XVIII of the Village zoning ordinance, the Plan Commission shall not approve a conditional use permit unless they find after viewing the findings of fact, the application and related materials that the project as planned will not violate the purpose or intent of the Village ordinance and will not violate any federal, State, County or local regulation.

Tom Shircel:

And one more thing if you can look at the slide on the screen. I did talk to Mr. Phillips earlier today, and their staff put together a new drawing. They're proposing now to locate this facility just a few feet to the north, as you can see, and that is to avoid the removal of an existing storm sewer pipe and outfall where they were going to put the building originally. So they're looking to put it a few feet to the north.

Tom Terwall:

How many is a few, Tom?

Tom Shircel:

Maybe Mr. Phillips could answer that.

Tony Phillips:

I believe it's 11 feet.

Tom Shircel:

Eleven feet, there you go.

(Inaudible)

Tom Shircel:

I did have a conversation with our Village Engineer and they're okay with that relocation. In fact, it makes sense just to avoid relocating that storm sewer pipe. Thank you.

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. Yes, Don?

Don Hackbarth:

Why was this particular site chosen, because that's a pretty heavily populated area with baseball and all the activities?

Tony Phillips:

I don't know. They do drive tests and they can tell where the signal strength is and how weak it is and how strong it is. And we need to be in this area to fill the gap in the coverage. This site is Village owned so we'd like to help the Village and bring income into the Village if that's a preferred site—

Don Hackbarth:

No, I'm not saying—what I'm saying is on that property why was that high traffic area selected?

Tony Phillips:

I believe because of the wetland issue, because of the floodplain. We need to be high and dry and also have to have access to it from the road. We could go further off but we have to bring power to it, we have to bring Telco or telephone lines.

Don Hackbarth:

I was thinking more in terms of the other side of the lake to be a little bit farther out of the traffic, maybe along the drive there where's there no pedestrian area. The other thing, too, is you're not going to have a fence there?

Tony Phillips:

No.

Don Hackbarth:

Okay, third question is how close is that in proximity to the baseball diamonds? Because if somebody hits a foul ball or you start knocking foul balls in there I don't know if that's going to damage any equipment.

Tony Phillips:

Right, I was thinking that myself. We've actually moved it further from the diamonds. The new location is a little bit further I believe.

Don Hackbarth:

Do you know how far it is from—

Tony Phillips:

No, I can't tell you. Personally if it was around a ball field I would have a fence around it just for safety so balls aren't going up next to it and things like that. But I know you have a policy to not have—

Don Hackbarth:

The other thing, too, is if you hit a ball and it goes into a fenced area then you've got 50 balls in there.

Tony Phillips:

Right, so you can't win on that one.

Don Hackbarth:

That's why I'm saying why that area.

Tony Phillips:

I don't know. I mean I'm sure we could look at another site. I believe that our leasing people walked the site with public works or with someone in the Village and determined it to be a feasible site. I don't know. I would have to ask the leasing agent. He works the whole Wisconsin area. He had two other hearings tonight at the same time so I'm here actually by myself on an island unfortunately.

Mike Serpe:

Maybe I'm overreacting but I question the no fence provision on here. We have a lot of kids and a lot of people using this park all during the day and then softball playing at night. Then there's the archery lanes just a little bit east of there or southeast as well.

Don Hackbarth:

I don't like the whole location.

Mike Serpe:

You just don't know what kids are going to try and do. If you're making it more difficult to get into the site with a fence I think that's to everybody's advantage. I understand that we don't allow fencing in the park but we do have fencing in the park. We have fencing around the ball diamonds, we have fencing up and down the road to the Wruck Pavilion. I think a fence on this particular site would be appropriate. I don't agree with the barbed wire portion, but I think a six foot fence would be appropriate here just for the safety when you have young kids running around at night while their brothers or sisters or parents are playing baseball or doing whatever.

Tom Terwall:

I think of the number of kids that are out there on Prairie Family Day weekend and you keep the cops busy just keeping them out of there. Anybody else? John?

John Braig:

There's a different view on a fence, too. If you've got a simple building there without a fence or anything around it why would a kid be interested in going into it or fooling around with it? If you fence it in now you're making it a temptation. So there's two views on this thing. But if we didn't have a fence, if you just had a good solid structure, the building and, of course, the monopole you can't climb because it's a smooth surface at the lower level, the only concern I would have would be the bridge of cabling between the building and the tower. Is that—

Tony Phillips:

It's usually at about 10 or 12 feet, the ice bridge. It can be located as high as they can come out of the building. Being as high as the building it has to come into the building at some point, the cable, so they can come in at the highest point.

John Braig:

So if you had the cabling at ten feet and the pole is smooth and the building is solid, I could do without the fence.

Tony Phillips:

Probably by the ball diamond with the balls going in there if you don't have a ten foot fence or a six foot fence they're going to maybe going bouncing in. If you have a higher fence they might not get in.

John Braig:

Even if nobody goes after the ball a day or two later if some kid sees a ball inside the fence—when I was a kid I'd have that ball.

Mike Pollocoff:

I might add in my initial discussions with representatives from AT&T, we had indicated that we wanted it away from the field as much as possible. We indicated at that time we didn't want a fence by it for two reasons. One is that our experience is a fence is there to climb and to get into. Just looking at our structures here at Village Hall, and there's kids that are playing on the grass back there and we haven't had any issues with it. They can see what it is. They can't get in it. They can't get on the tower. We have had people climbing the fence at 165 to get into it because we have that whole site fenced there. We figured if there was a fence there, given the location of it, and we really wanted it to be someplace where it would be easy for AT&T to get into it and make maintenance and the police department could monitor it and make sure there's nothing going on, this was the most preferred site.

On the other side of the park where the other ball fields are we close those down and we gate those very night. So if there was a fence there that fence is going to—our concern is not so much holding balls but it's just a convenience place to throw garbage. You've got the parking lot there and if somebody doesn't want anything in their car it's going over the fence. So if the

Commission really feels strongly about a fence we could do it, but from our experience the fence becomes an attractive nuisance.

Don Hackbarth:

They're a little more expensive but you can get those vertical fences, too, where they're technically not climbable.

Wayne Koessl:

Mr. Chairman, I can do without a fence. I think the fence just offers more of a challenge to children to try climbing it. And as long as the building is secure I don't see a need for a fence there.

Tom Terwall:

How many feet off the ground is the first stepping peg to climb?

Tony Phillips:

It's not climbable. It will be up at 20 feet or higher. They come in with climbing equipment, they come in with bucket trucks or whatever they need to do, cranes. There's very, very little work that usually is done up on top. Usually when they come for maintenance it's in the cabinet itself in the shelter. That's where all the radio equipment is. That's usually where there's issues. Very seldom are they up on the tower. Once it's installed and locked down and tightened up there's not much they do up there.

Tom Terwall:

Where will the power come from to the little building?

Tony Phillips:

I believe from the park somewhere. There's got to be a transformer in there somewhere.

Tom Terwall:

Underground, Mike?

Mike Pollocoff:

Yeah. Everything has to be underground.

Tony Phillips:

They'll pull it underground.

John Braig:

Is lighting required at the top of the tower for aircraft flying?

Tony Phillips:

Not at this height I don't believe so.

John Braig:

Oh, it doesn't need it, okay.

Tony Phillips:

Usually 200 feet the FAA is automatic. Anything under 200 feet unless you're near an airport.

Tom Terwall:

Anything further.

Jean Werbie-Harris:

In addition, one of the questions that was raised as why it couldn't be located further to the east, and one of the concerns is that there's wetland and floodplain further to the east and the tower and the facility cannot be located in those environmental features.

Wayne Koessl:

Mr. Chairman, unless there's more comments or questions I would move approval of the conditional use permit including site and operational plan subject to the conditions and comments by staff.

John Braig:

I will second that.

Tom Terwall:

IT'S BEEN MOVED WAYNE KOESSL AND SECONDED JOHN BRAIG TO APPROVE THE SITE AND OPERATIONAL PLAN ALONG WITH THE CONDITIONAL USE PERMIT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM AND ALSO SUBJECT TO THE REVISION OF THE SIZE OF THAT BUILDING. THAT ORDINANCE IS COMING BEFORE THE VILLAGE BOARD NEXT WEEK?

Mike Pollocoff:

Right.

Tom Terwall:

So that's included, too, right?

Wayne Koessl:

Yes, it is.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Tony Phillips:

Thank you very much.

(Inaudible)

Tom Terwall:

We need a motion to that effect.

Mike Serpe:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY WAYNE KOESSL TO CONSIDER ITEMS D, E, F AND G TOGETHER. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- D. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #09-08 to adopt the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan.**
- E. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AMENDMENT to create Chapter 390 of the Village Municipal Code entitled, "Comprehensive Plan" including an Ordinance to create Attachment 1, Appendix A in Chapter 390 for future amendments to the Comprehensive Plan.**
- F. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT to amend the definition of "net density, residential" as specified in Section 420-152 of the Village Zoning Ordinance.**
- G. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AMENDMENT to amend Section 395-26 D of the Village Land Division and Development Control Ordinance as related to approving neighborhood plans.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience. We have four public hearings this evening. We're going to be talking about all four items at the same time. Primarily I'm going to be doing a presentation of the Comprehensive Plan. As part of our public participation requirements we've had to document this entire process from the beginning and to the end. So Peggy is going to be going around taking photos of the Plan Commission and our official public hearing that we're hosting for this ordinance and so we can be including them as documentation.

The first Item is the Plan Commission Resolution 09-08 to adopt the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan. The next is to consider an ordinance amendment to actually create Chapter 390 of the Municipal Code entitled Comprehensive Plan as well as the Appendix A. The third public hearing as part of this is to consider an amendment to our definition of net density residential in Section 420-152 of our ordinance. And then finally to consider an amendment to Section 395-26 D of the Village's Land Division and Development Control Ordinance. And this is related to approving neighborhood plans.

As you know, this has been a process that we've been undertaking over the last several years, and this is all due to the fact that in 1999 Wisconsin adopted a Smart Growth law. This requires that all zoning, subdivision and official mapping shall be consistent with the Comprehensive Plan of the community by January 1, 2010.

Our Comprehensive Plan contains the following nine elements as I had presented or Peggy had presented over the last three years to you: Issues and Opportunities, Housing, Transportation, Utilities and Community Facilities, Agricultural, Natural and Cultural Resources, Economic Development, Intergovernmental Cooperation, Land Use and Implementation.

There are a number of chapters that I'm briefly going to be going through each of the chapters just with one slide or two. You do have the staff comments which are about 25 pages in length, so if you're looking for a longer executive summary you certainly can refer to that narrative in the staff comments.

Chapter 1, Introduction and Background. This chapter provides background information including the Smart Growth laws, explains the nine required elements, the 14 state planning goals, discusses the multi-jurisdictional partnership with Kenosha County and the other communities in Kenosha County, and it outlines, again, our public participation activities used to gather input from the residents throughout our planning process. There are a couple of photos that we've included in this slide. First of all, when the grant award was presented to Kenosha County, the Pleasant Prairie Café that we held in 2007, and in 2009 one of our open houses that we held.

Chapter 2, Issues and Opportunities. This chapter provides an overview of the important demographic trends and background information necessary to have a complete understanding of the Village of Pleasant Prairie and our projections into the future. We established a vision for our community. This plan promotes the Village of Pleasant Prairie as a great place to live, work and place, that's a motto that we've been using over the last several years, by promoting a high quality of life for our community. Protecting the Village's natural and cultural resources while providing quality and affordable housing and opportunities for employment, commercial services, education, recreational activities and other community services will ensure that our Village will continue to be a well planned, balanced community both now and into the future.

There's a great deal of discussion regarding the history of Pleasant Prairie, and in particular what we've shown here are three of the various photos that were included in the Comprehensive Plan, one of which is the Dexter Farmstead back in 1900. We've got the Pleasant Prairie Fire Department in 1950 with the old facility that we had just west of Highway 31. And then a very famous picture that we have hanging here at the Village Hall, it's the night before our incorporation with our Trustees.

Planning through the years has been essential as part of our development here in Pleasant Prairie. A couple of the planning maps that are shown and detailed on the slide are the Carol Beach Land Use Management Plan for the Chiwaukee Prairie/Carol Beach area. That slide was from 1937. As you know, the plan was completed back in the 1980s and completed in 1987. There was a 1990 Land Use Plan that was done with SEWRPC and Harlon Bartholomew back in 1967, and that actually brought us to the 1990 Comprehensive Plan. And then we updated that plan with a detailed Comprehensive Plan for design year of 2010, and that plan was adopted by this Commission in 1996. Again, there are many other plans and they're all referenced in the document, and there's some historical information regarding those plans.

Now, again, this is the chapter that talks about demographics, population trends and projections. And the Pleasant Prairie historical population between 1850 and 2000 can be shown on the graph on the left. As you can see our population was well under 500 when we started, and in 2000 we were just over 16,000. We do have a population close to 20,000 now coming into 2010, but a lot of the information that you'll find in the chapter in the document was based on census information. Our last decennial census was in 2000. When we could update the information we did to 2008 or 2009. Between 2000 until 2035 the Village's population is expected to nearly

double from 16,136 to 31,204. This represents just under a ten percent growth rate for every five year increment which is about a little less than two percent of growth per year.

Household trends and projections, again, what we're looking at of some significance is the historical number of households in the Village and the household size and how it has changed between 1960 and 2005. As you can see, house size is shrinking. Household population is increasing. Number of households is also increasing. From 2000 until 2035 households are expected to more than double from 5,819 to 11,889. This represents a 10.8 percent growth rate every five years or 2.2 percent growth rate per year to accommodate the increase in our population. We have a projected population in 2035 of 31,205 persons.

Employment trends are also covered in this chapter, actual and projected number of jobs between 1970 and 2035. The actual employment information from 1970 through 2000 is provided by the U.S. Bureau of Economic Analysis and SEWRPC. And then we did some trend data analysis in order to continue to project it to 2035. As you can see, the number of jobs in 1970 and then significant increases to almost 28,000 by 2035 based on, again, a number of things that we have put in motion between the LakeView Corporate Park East and West, the Prairie Wood Corporate Park, the future pharmaceutical development north of Highway Q west of the Interstate, and just the overall growth in the community due to commercial development.

The next chapter is Chapter 3, the Housing Element. Historical information and an inventory of the existing housing information was put together, and the chapter is very detailed with respect to its tables and charts and graphs. It talks about total housing units, vacancy rates, values of housing units, median sale prices, monthly housing costs, number of bedrooms per house, structure type, year built and condition of existing housing stock.

Housing demand inventory data includes affordable housing needs assessment that was actually done for the County, income, specialized housing facilities, household size and projections. And, again, that takes us to 2035. Our housing goal that we developed for the community is to provide a diverse housing supply that meets the Village's future population needs. This includes homes for new residents without prejudice as well as for long time residents whose housing requirements might have changed because of age, household growth or decline, income or disability.

Chapter 4 is our Transportation Element chapter. Inventories of our existing transportation system include public transit, transportation systems management, travel demand management, bicycle and pedestrian facilities, arterial streets and highways, railways and airport services. And, again, even though some of these transportation facilities are not located directly in Pleasant Prairie, we do have them in nearby communities that service Pleasant Prairie so they were included in the chapter.

Our transportation goal as a community is to provide an accessible interconnected network of highways, streets and bicycle and pedestrian trails within the Village in order to present a safe, affordable and efficient transportation system that meets the needs of multiple users; to assure functionality of the network within Pleasant Prairie and surrounding region, while minimizing the impacts upon the transportation system.

The next chapter is Chapter 5, Utilities and Community Facilities Element. The utility inventories include utility districts, sewage disposal, water supply, storm water management,

electric power and natural gas facilities and services, telecommunication services, street lighting, solid waste disposal facilities and emergency management.

Utility and community facilities elements and services include government and public institutional buildings, parks, fire and rescue department and services, police department, public works department and services, other Village departments, public and private schools, universities and colleges, cemeteries, healthcare facilities and childcare facilities. So what you'll find is that this document is a wealth of information for inventory information as well as just category of gathering of information not only in Pleasant Prairie, again, but those areas that service Pleasant Prairie.

Our goal then for utilities and community facilities is to provide efficient and cost effective services, utilities and community facilities necessary to improve the quality of life of Pleasant Prairie's residents, businesses and property owners and our guests while maintaining or improving the level and quality of services and maintaining the Village's image and character. Supply and the coordination of the location of public utilities and facilities consistent with our projected growth, expectations and development patterns are presented in this plan.

The next chapter is Chapter 6, and this is the Agricultural, Natural and Cultural Resources Element. An inventory of the resources include soil types and limitations, existing farmland and farming operations, topography, geology, non-metallic mining resources, water resources, woodland resources, natural and critical habitat sites, environmental corridors and isolated natural areas, park and open space sites, climate and air quality and other cultural resources including historical and archeological resources. And we have quite a few in Pleasant Prairie and there's an extensive inventory in the chapter.

Our goal then is to protect the many natural, historical, archeological and cultural resources of the Village that contribute to our history and its quality of life. To promote a healthy environment including land and water that promotes the health, safety and welfare of the Village residents. We intend to preserve and enhance the Village's natural resources, park and open space sites. To provide a comprehensive system of parks and open spaces to enhance the quality of the environment and the life and to allow residents with adequate opportunities to participate in resource and non-resource oriented outdoor recreation activities.

The next chapter is 7, Economic Development Element Chapter, the inventory and analysis of the labor force and the economic base. This includes the approximate employment and unemployment in the community, employment by job type, largest employers, wage information, household income, existing and planned business and industrial parks, and identifies some environmentally contaminated lands within the community.

Desired businesses to consider attracting, retaining and expanding in our community include data and information technology, advanced technology manufacturing and engineering, bio-fuel technology and bio-technology, recreation, hospitality and tourism industries, professional and technical services, business and corporate management, healthcare-related businesses including assisted living and senior care. Again, some of this information with respect to the types of businesses we would like to have in the community came out in the cafés that we held here in Pleasant Prairie and the ones that were held by Kenosha County on behalf of the entire committee and the County.

Our economic goal is to diversify the property tax base, to continue to do that, and to relieve the residential property tax burdens, to provide more local shopping and employment opportunities, to establish memorable community images that build on the Village's natural amenities, improve the overall climate for economic development through public outreach, business development programming, and to protect and improve the quality of life by balancing sound fiscal and environmental management.

The next chapter is Chapter 8, and that's entitled Intergovernmental Cooperation Element. This chapter includes the benefits of intergovernmental cooperation, an analysis of our relationships with other governments, describes existing intergovernmental agreements, identifies existing and potential shared services and agreements, and identifies existing or potential land use conflicts and describes processes to resolve those conflicts.

Our intergovernmental cooperation goal is as follows: To support further evaluation of consolidating and coordinating services only where the consolidation makes economic sense, while not reducing the level or the quality of services currently provided to the residents of our Village. The Village shall have the ability to decide what level of services they are willing to fund and who is best suited to provide those services. Language that identifies consolidation as a goal should only be considered if desired and requested by the Village and if the consolidated service is cost effective, that the level and quality of services is not reduced, and that consolidation services do not negatively impact the Village's image or character.

The next chapter is Chapter 9, the Land Use Chapter. This chapter includes an analysis of the historical and existing land use conditions and trends, provides information on land supply and demand, identifies our proposed 2035 Land Use Plan map, and identifies potential conflicts with adjacent communities and the 2035 Land Use Plan map.

Historical urban growth in Pleasant Prairie between 1830 and the year 2000 is shown on the slide. As you can see, a great deal of new growth occurred between 1995 and 2000, and those areas are identified in red on the slide. We did have some considerable growth between 1975 and 1985 as well. The basis in order to put the 2035 plan together is to identify what the existing land uses are currently. We updated the SEWRPC map to 2009.

On the board just to the right of the screen that reflects what's on the screen. These are the existing land use indicators within the Village of Pleasant Prairie. We've broken it down by low, medium, high residential classifications, manufactured or mobile home parks, commercial lands which are identified in red, industrial lands which are identified in gray. Other transportation and governmental uses are in like a peachy-pink color. Governmental and institutional are in blue. Park and recreational lands are generally in the green colors. Current agricultural lands are in the light yellow-ish peach color. We have woodlands, surface waters, wetlands identified. What we've done in this 2009 existing Land Use Plan is really take a look at every existing land use by parcel. So it's very accurate information that was put together on our GIS system.

As of June 1, 2009, the existing urban land uses within our community, 28.9 percent consisted of transportation, utilities and communities; 15 percent industrial; 4.2 percent commercial; the largest by far is 44.2 percent which is residential; 4.4 percent recreational; and 3.3 percent which is government and institutional. The non-urban existing land uses the largest percentage are open lands at 34 percent; 31 percent agricultural; 24 percent wetlands; 7 percent woodlands; and then surface water is 4 percent.

The current 2010 Land Use Plan, this is the adopted plan that's being used by the Village, again, it was originally prepared in 1996. This is our current plan. It's also shown on the first easel over on the other side of the room. A little bit more general in nature. We are actually a little bit more specific with our categories with the 2035 plan. But the current 2010 plan is a projection into the 2035 plan. There are many, many things that are shown on this plan that are similar in the 2035 plan. We have not started all over. We started with a good basis of what we had put together.

One of the things that the plan requires us to do is to identify specific neighborhoods like we did in 1996 and special planning districts. What we've done here is I've identified all the neighborhoods, and you know we do more detailed neighborhood planning in these particular areas, but there are two locations that are new to the 2035 plan, and one is located at the Village Green which is almost at the demographic center of the Village which is a special planning district; and a second district is located just off of Sheridan Road south of 116th Street, and that's the Chiwaukee Transit Center sub neighborhood district.

Existing and proposed community facilities and reflected in the chapter, this slide identifies where, for example, existing fire and rescue stations are located, where future fire/rescue stations would be located, where the existing police station is located, the existing Village administration. It's identified each of the neighborhoods within the community. We have existing and future elementary schools, future middle schools, future high schools and existing public high school. When it comes to the educational facilities with respect to the public schools this information was gathered by a series of meetings not only with our technical advisory committee but also with Kenosha Unified School District in identifying where these future facilities would be located.

Smart Growth and redevelopment areas, as you know we've been very successful in working towards our redevelopment areas in Pleasant Prairie. There's Planned Development District #1, which is located just west of I-94, just north of Highway Q, between C and Q; we have the Village Green Center, again, which is located north of Highway 165 at approximately 39th Avenue and Springbrook Road; the Chiwaukee Transit Center located east of Sheridan Road south of 116th Street; we have the Prairie Ridge Development Area, quite a bit under construction at this location right now; the LakeView Corporate Park area, we have LakeView Corporate Park East and then LakeView Corporate West both off of 165 east of the Interstate; Main Street Market which is that area just to the east of Highway 31 north of 165; Village Community Development Authority lands, there are a number of those lands, Prairie Springs Point and other areas just west of I-94, south of Highway Q; and then one other redevelopment property a little hard to see located in the south Kenosha area, this is the former Manutronics Manufacturing buildings that our CDA is going to be working with this next year.

So up on the slide we have the 2035 Land Use Plan Map for the Village of Pleasant Prairie. I'm briefly going to just go over the colors. I know that many of you have seen this many times before, but just to put it back in perspective for you. The 2035 Land Use Plan does identify a full build out of urban area by 2035. That does not mean that it necessarily will happen by that point. What we're trying to relay to the community is that if and when it does happen that these are the development patterns that we would like to see occur.

With respect to the residential development of the community, the low density residential areas, again, these are by neighborhood, are identified in the yellow color. This is where we envision that the average lot area would be at least 19,000 square feet or more. The low medium density

residential, which is more of the peach area surrounding the yellow, we envision to be between 12,000 and just under 19,000 square feet per lot area. The upper medium density residential between 6,200 and 12,000 square feet, these are the orange areas primarily to the northern end of Pleasant Prairie adjacent to the City of Kenosha. And then the high density residential would be the brown areas and we have maybe one or two of those areas, one of which is near south Kenosha in this particular area. Mixed use lands on the Land Use Plan are located along Highway EZ and Springbrook which is the Village Green area. It's in the fuchsia color, the fuchsia pink, and then the second location for our Chiwaukee Transit Center is located, again, just east of Sheridan Road south of 116th.

Those areas that are identified in red on the Land Use Plan Map are the commercial lands of the Village. As you can see, they're up there sparingly. We wanted to make sure that we concentrated commercial development at high profile areas at major intersections of the community, not to strip it along major highways or roadways, and to really protect that value of the residential development within the community. It's hard to see on the map, but there are neighborhood retail and service areas that are identified with an N in the red, community retail and service areas identified with a C, freeway-oriented service centers, freeway office centers, freeway-oriented regional retail centers, and then we have some unique categories over here to the west of the Interstate north of Q and that's within the PDD 1 area and those are business areas subdistricts 1 and 2 and 3.

The areas that are identified in the purple color are other transportation, communications and utilities. These include the Pleasant Prairie Power Plant, active landfills, railroads, way stations and overhead high tension wires. The areas that are identified in blue on the map are government and institutional lands, and these might be municipal administrative offices, fire stations, police stations, hospitals, public elementary, middle and senior high school.

The green areas on the map include park and recreation and other open space lands. We actually have a regional park in the Village. There are some community park locations as well as neighborhood parks. The gray areas on the map mostly in the central portion of the Village are identified as industrial lands. They are either limited industrial or general industrial or, in the case of the area west of the Interstate, we have some CA PPD 1 or core area sub district industrial lands.

The next categories on the map are those that are shown as environmentally significant areas. They include primary environmental corridors which are in the darkest green, secondary environmental corridors and isolated natural areas. In addition we have surface water in the light blue. On this Land Use Plan we actually have two sets of wetland areas identified. It's a little hard to see unless you have the blown up maps, but we have both field verified wetlands as well as interpolated wetlands shown on these maps.

Also within the Land Use Plan Map are those areas that are shown in black are the right of ways, existing right of ways, and these are as of September 2009. We have some roads that are existing roads that are dedicated, not constructed down in Chiwaukee Prairie and also up in the Chateau Eau Plaines area. We also have an urban reserve overlay similar to what we had back in the 2010 plan. Linear features are also, again, shown on this map if you've got a blown up version and they include the very detailed property boundaries throughout the entire community.

Our 2035 land uses have been broken down and are shown on the slide. As you can see, we have some pretty remarkable numbers for the size of our community. The park, recreational, environmentally significant areas and other open space areas of this community comprise 34.2 percent of our total land uses. The next biggest land use is residential at 30.1 percent. Then we bounce over to transportation, utilities and communications at 17.5 percent. Then industrial, which is in the purple, at 9.5 percent. Commercial and mixed use is at 5.5 percent. Government and institutional at 3.1 percent. And agricultural at .1 percent. Again, as a reminder, this is how the community envisions the plan and how the development of this community will occur when and if it does occur. It's not to say that all of this development will have to happen by 2035, but this is the pattern and the framework that we intend to use in order for it to develop.

Our land use goal then is a synthesis of goals from the previous elements in the plan. Each element plays an important role in assuring a balanced community and each element directly influences the future desires of the land use in this plan. Pleasant Prairie intends to maintain a land use plan and a map that reflects current community values and establishes the Village as a vibrant community, destination and regional focal point, while providing efficient and effective government services. Pleasant Prairie intends to promote economic growth and the development of the community in a way that allows for change while preserving the overall community beauty and community while providing our Village as a great place to live, work and play.

The last chapter of this document is the Implementation Chapter. The chapter discusses issues related to plan review and adoption, planned amendment procedures, consistency between elements of the Comprehensive Plan. consistency between the Comprehensive Plan and the Village's Zoning and Land Division and Development Control Ordinance, and also includes specific changes to each of these ordinances to ensure that the ordinances are consistent with the Comprehensive Plan.

Again, some of the next items that are on the agenda include not only the adoption of the resolution and the ordinance amendment, but then to consider a zoning text amendment to modify our net density requirement, and then finally to set forth an amendment to amend 395-26 of the Land Division and Development Control Ordinance related to approving neighborhood plans.

With that, that covers the public hearing for all four items related to the Comprehensive Plan. This has been a very long effort. It has been a very difficult project since we just needed to move things rather quickly to make sure we had the plan completed before the end of the year. The efforts of Peggy Herrick in my department in putting this plan together to make sure that the details and the documents and the photographs she took and working with the GIS department and putting all these maps together so they reflected only Pleasant Prairie were outstanding. This is an unbelievable plan. It's one of the best ones that I've ever seen. With that I'd like to continue the public hearing for any additional comments.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak on this issue? Yes, sir? Begin by giving us your name and address please.

Pete Emer:

My name is Pete Emer. I'm a resident of Pleasant Prairie. I live at 10742 79th Street in the Chateau Eau Plaines neighborhood. I hope you can afford me a minute or two to comment on the 2035 Village Comprehensive Plan, but you have to just allow me a minute or two to backtrack and talk about the June storm because I feel it ties in with what I want to say about the Comprehensive Plan.

What I'm going to speak about really has to do with just one small segment of land in the Chateau area. Just to backtrack, in our home during that storm we had two feet of water in our basement. We strongly feel we had some sanitary sewer backup because my wife and I were really sickened for a day or two, dehydration, just really sick from it. When we were trying to drain the basement that evening around three in the morning we noticed that despite having a fire hose discharging water out of our basement the water level wasn't going down. We realized finally our garbage can had fallen into our ditch and it was blocking the flow of water downstream. So we had to pull that out at three in the morning and realize we probably would have had a lot of trouble draining the basement if it wasn't for finding that out. So the open ditch was kind of a liability in that case. Water wasn't going downstream.

I feel that the chances of having sanitary sewer backup again and during a storm, or the changes of problems with like our garbage can in the ditch would be greatly reduced, and again I'm going to tie this in with the plan in a minute, but if Pleasant Prairie did all that they could do to facilitate efficient storm water drainage in our neighborhood. I hope you feel the responsibility to the Chateau residents to insist that this be done whether some residents want it to be done or not because of the cost.

Now this is now a tie in to the 2035 development plan. I know that the June storm was freakish. I know that it was complicated by the power outage. But I really do feel from living in this neighborhood for 15 plus years that the area has just become more delicate with its ability to handle storm water runoff. In the last year, for example, I've noticed that even like a half inch rainfall it just seems that the darn ditch is filling up higher than it used to. My sump pump is definitely running more often. Why? I'm guessing but I think part of it has to do with the recent development to our east, Target, JC Penney, the Prairie Ridge Development, replacing prairie land with asphalt and concrete. It looks to be built so much higher than our subdivision, and maybe that has nothing to do with why we have a problem or why it seems different to me with the water drainage, but it just seems that that would have something to do with it.

And so now I finally with this 2035 plan I see two Chateau's north between us and Highway 50 a potential subdivision is slated to be developed. More prairie land gone, more asphalt, concrete, poor Chateau. Now, I trust that the Village engineers will do the very best they can do to allow for the proper rainfall and the proper surface runoff. Your engineer was very patient with me at the open house and he explained how that's their responsibility to do that. But you can tell me this until you're blue in the face, and my comments would be, one, that past development, the Target and Prairie Ridge and just potential future development that they're going to be built higher than poor Chateau, number one. Number two, you're replacing prairie with concrete. And, number three, Chateau already seems very delicate and changing with its ability to handle rain the way it is.

So I guess in summary I would say to the Village Board or whoever is in charge just having the intestinal fortitude to insist that an efficient engineered storm water sewer system is put into Chateau. That's one thing I would say. I know that has nothing to do with the 2035 plan, but just have the wisdom to see that any further development in the Chateau area is a disservice to us residents. You live in a Village called Pleasant Prairie, and I see a lot of prairie land being taken away. You in the past have prided yourself with careful development that I think has been very awesome, and I hope you continue to do that in the future.

Tom Terwall:

Thank you. Anybody else? Yes, sir, you were next.

Isadore Ryzak:

My name is Isadore Ryzak from 12000 Sheridan Road. I'd like to ask if there was no mention about railroad stops in Pleasant Prairie. Was there any talk on that or not? I'm traveling between Kenosha and Chicago. There was no consideration for that?

Mike Pollocoff:

There was a consideration. That's what was identified as the Chiwaukee Transit Center that would be roughly at 122nd in the Metra Line.

Jean Werbie-Harris:

In fact, if you look at the slide it's right here. It's right on the Metra Line between 116th and 128th at about 122nd Street. And that's what specifically we were looking at is the potential for a Metra stop at that location.

(Inaudible)

Jean Werbie-Harris:

We're proposing it.

Tom Terwall:

Thank you. anybody else? Anybody else? Before I open it to Commissioners and staff I just want to comment and second what Jean said about the amount of work that went into this thing. For those of you that aren't familiar, she gave you a 25 page summary and these two books are the plan. And all of that work was done with Peggy and her staff and with the assistance of other departments as well. That's what's making this all possible. I want to commend you and I'm sure the Plan Commission does, too, at what's been accomplished here.

Don Hackbarth:

I want to say it's great, too, because they even went so far as to get the birth dates of every resident in this community. I just was wondering what's the next step on this is? Do we submit this to State or some agency?

Jean Werbie-Harris:

The implementation element basically requires that the Village Plan Commission needs to approve by resolution this document this evening as well as recommend approval of the ordinance changes. It then needs to go forward to the Village Board because they will have the final official action on the Comprehensive Plan and to create this as part of our core of ordinances for the Village. After that point then we will forward our adopted plan both to Kenosha County as well as to the State. And then this will be our official plan in meeting the requirements for the 2010 Smart Growth law.

Don Hackbarth:

Then do they read this through and then approve it or—

Jean Werbie-Harris:

They don't need to technically approve it or deny it, but they accept it, categorize it and identify that Pleasant Prairie has met the requirements as set forth in the State law.

Don Hackbarth:

Do you know are there any Village's or townships or whatever, cities that have submitted their Smart plan?

Jean Werbie-Harris:

Sure, throughout the State, yes.

Don Hackbarth:

That have already submitted them?

Jean Werbie-Harris:

Several have, correct. Some have been submitted earlier in Kenosha County, Twin Lakes, Paddock Lake. I mean there were some others that had finished the process sooner because they were awarded the grant and an earlier time frame.

Mike Pollocoff:

Plus there have been communities that haven't had a very dynamic growth and change and it's an easier document to put together. When Jean and Peggy are working on this you think about our Plan Commission meetings we're on the fly using the current Land Use Plan looking at how we want to adopt the new Land Use Plan. That's probably the most difficult environment you can imagine to create a new Comprehensive Master Plan when you've really got a lot of things that are in flux.

Don Hackbarth:

What does this look like compared to others? I'm curious.

Jean Werbie-Harris:

Every community has a different plan. What I can tell you is ours took a great deal of time and effort, and due to technology you've got a real good plan that has good inventory information, it has good graphs, charts, pictures, and a lot of thought was put into this not only by the staff but the Plan Commission and the Board and the department heads and the Administrator. It's one of those documents that we intend to use and we're required to use by law, and we will intend to use it to bring forth any decision making on our land use in our community.

This plan needs to be reviewed and updated every ten years. It's recommended that by the year 2025 we should be looking at the next Comprehensive Plan. But we will review this information with every decennial census, that we get more current updated information. For a plan to work for a community it needs to be dynamic and it needs to work with the current economic forecast, the current demographic situation in the Village, and it has to work with the current philosophies of the Village and how we promote our community in making it a great place to live. So I mean every community has a different outlook in how they treat their Comprehensive Plan and how they use it.

Mike Serpe:

I don't know if everybody knows the process for which a change could be made to the plan once it's adopted, but as I understand it it's pretty involved to make a change. I don't know if you're aware of what needs to take place, but if Mike or Jean or Peggy could give a—

Peggy Herrick:

Briefly, to make a change to the plan it either could be initiated by a resident of the Village, or it can be initiated by the Plan Commission or the Village Board by adopting a resolution similar to how we make amendments to our zoning ordinance. That resolution has to explain how we're going to have public participation throughout the change that's being proposed to make. With this plan a 30 day public notice is required to be published in the newspaper, class 1, 30 days prior to the hearing. The Planning Commission will hold a hearing and has to adopt any amendments by a resolution by a majority of the Plan Commission.

And then after making a recommendation by a resolution the Village Board will then have to adopt by ordinance. Any time we make a change we have to send the approved ordinance to several different entities including the DOA, the State, SEWRPC and whatnot. So basically it's the same procedure we followed to adopt this plan. So it is a little bit more involved than it has been in the past. But we will work that into our schedules and make sure we comply with the State law which is also part of our new Chapter 390, the Comprehensive Plan, that explains how amendments are made.

Mike Serpe:

One other thing. The gentleman from Chateau your concerns are legitimate. I think there may be some answers to your statements. But if you want to meet with Mike and Mike Spence afterwards I think they can probably explain that to you. You're right, it doesn't tie in with the 2035 plan but it's a legitimate concern you have in the area.

Wayne Koessl:

Mr. Chairman, I just believe this is an awesome plan and it's a plan for the future and a vision. And I for one think everyone on the Village staff that had a part of that should get a hand of applause tonight. An unreal amount of work. Thank you.

Mike Serpe:

(Inaudible)

Jean Werbie-Harris:

Yes, but I just wanted to also indicate that, again, part of this is there needs to be a consistency provision with the zoning ordinance, and there are three different areas on this slide that need to be amended and as part of our public hearing process this evening. One is to amend the definition of net density, residential, to read that the total number of units or lots divided by the lands within the neighborhood, including floodplains, wetlands and lands within primary environmental corridors, lands with steep slopes greater than 20 percent, public road right of ways and lands proposed for businesses, manufacturing, institutional and public park and recreational uses. We do have to amend that definition this evening. We intend to amend the existing manufacturing regulations and will be bringing those forth to you, and we intend to amend the existing agricultural district regulations as well.

Finally, again, so that there is that consistency between the zoning map and the Comprehensive Plan, behind me and up on the screen there's a number of areas that do need to have their zoning amended to reflect the Comprehensive Plan. Some of these involve removing overlay districts or making some minor modifications. Again, I don't feel that these are drastic changes in the zoning ordinance, but just to remain consistent so that the Comprehensive Plan and the zoning ordinance are in line with one another. We intend to bring all of these changes that we've just talked about back to you in the spring. Within 90 days is what our implementation chapter suggests so that we can then continue to be in compliance.

Again, we've got the same consistency with the Land Division and Development Control Ordinance, that's one of the ordinances that's going to be considered at the meeting this evening. And, finally, you had asked about implementation. Our goal, while planning provides many important public benefits, it's important to recognize that this adopted Comprehensive Plan is not an end result but rather a means to provide direction for our future action. Plan recommendations will be fulfilled over time in generally small incremental steps. None of this happens overnight. The Comprehensive Plan provides a foundation and a guide for many implementing tools which may include the zoning ordinance, maps, subdivision ordinances, capital improvement programming, detailed facility planning and other Village ordinances, programs and policies.

Our priorities, as Peggy was going over them for you, are proposed to be examined every five years beginning in 2015. We need to prepare a list of amendments that are made to the plan over the last five years, a list of major changes to Village ordinances, a list of recommendations for changes to the plan's goals and objectives and policies, and a prioritized list of recommendations to be achieved in the next five year increments. Again, it has to be a living document in order to work for this community. As I indicated, every ten years the plan should be reviewed and updated, and someone will be doing it in the year 2025.

And, what we are looking for this evening are considerations of approval for the four items that are on the agenda. The first is Plan Commission Resolution 09-08 to adopt the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan subject to the changes and corrections listed in the staff report. And, in addition, there were a few documents that were added and you have up at the dias. We received a letter from SEWRPC dated December 11, 2009 with some modifications to former landfills and solid waste disposal sites, as well as we have some additional changes, typos and corrections which we have identified. So I just wanted to let you know that we are recommending those to be inserted and included as part of this approval. Resolution 09-08 needs a roll call vote of the Village Plan Commission.

Don Hackbarth:

I move that the Plan Commission approve Resolution 09-08.

Mike Serpe:

Second.

Tom Terwall:

It's been moved by Don Hackbarth and seconded by Mike Serpe that the Plan Commission send a favorable recommendation to the Village Board to adopt this Resolution 09-08 subject to the terms and conditions outlined in the staff memorandum and the modifications that Ms. Werbie here has just pointed out. We need a roll call vote. Aye.

Mike Serpe:

Aye.

Don Hackbarth:

Aye.

Wayne Koessl:

Aye.

Jim Bandura:

Aye.

John Braig:

Aye.

Judy Juliana:

Aye.

Tom Terwall:

Move ahead then to public hearing and consideration of the municipal code amendments to create Chapter 390. We need a motion to recommend that.

Mike Serpe:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY WAYNE KOESSL TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD FOR THE CREATION OF ATTACHMENT 1, APPENDIX A OF CHAPTER 390 FOR FUTURE AMENDMENTS OF THE COMPREHENSIVE PLAN. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? A public hearing and consideration of a zoning text amendment. We need a motion to recommend the definition of net density for Section 420-152 of the Village Zoning Ordinance.

Judy Juliana:

So moved.

Mike Serpe:

Second.

Tom Terwall:

MOVED BY JUDY JULIANA AND SECONDED BY MIKE SERPE TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO MODIFY THE DEFINITION OF NET DENSITY, RESIDENTIAL AS SPECIFIED IN SECTION 420-152. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? Then, finally, a public hearing and consideration of an ordinance amendment to amend Section 395-26 D. We need a motion to send a favorable recommendation to the Village Board.

Wayne Koessl:

So moved.

Jim Bandura:

Second.

Tom Terwall:

MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD FOR THE ORDINANCE AMENDMENT TO AMEND SECTION 395-26 D OF THE VILLAGE LAND DIVISION AND CONTROL ORDINANCE. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. One last item, but I'm curious, I've got to ask a question before I even take that item. Is the new lighting in here an effort to reduce costs or to improve productivity by making sure that the employees keep moving at all times?

Mike Pollocoff:

Supposed to save some money.

H. Consider Plan Commission Resolution #09-09 to initiate a Zoning Text Amendment related to building size for commercial communication structures.

Jean Werbie-Harris:

Mr. Chairman, Resolution #09-09 is a resolution to initiate a zoning text amendment. The Plan Commission may initiate a petition for an amendment to the zoning ordinance which includes the rezoning of property, change in zoning district boundaries or just changes in the text of the ordinance which is what is requested this evening. The zoning ordinance requires that buildings associated with a commercial communications structure shall not exceed 600 feet. Whereas typically cellular users at a tower facility require a separate shelter to house the associated equipment, in order to avoid the proliferation of separate equipment shelters for each company at each site, the Village wants to encourage the construction of a single structure, a multi carrier equipment shelter. The maximum 600 square foot commercial communication structure parameter prohibits the construction of a single structure.

So the purpose of this resolution is to initiate a change to the ordinance to increase that size or multiple carriers. The Plan Commission is hereby initiating and petitioning to amend the building size regulations, but your action this evening is not making any final determination regarding the merits of the proposed change of the zoning text, but rather is initiating the process for us to bring it forth back to you as part of a public hearing. The staff recommends that the Plan Commission approve Resolution 09-09.

John Braig:

Move approval of Resolution 09-09.

Judy Juliana:

Second.

Tom Terwall:

MOVED BY JOHN BRAIG AND SECONDED BY JUDY JULIANA TO ADOPT PLAN COMMISSION RESOLUTION 09-09. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

7. ADJOURN.

John Braig:

Move adjournment.

Wayne Koessl:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Jean Werbie-Harris:

The final adopted Comprehensive Plan will be on line available for viewing in individuals' homes and we'll have copies here at the Village Hall or at the local libraries.

Meeting adjourned: 6:40