

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
August 9, 2010**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on August 9, 2010. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessler; John Braig; Jim Bandura; Larry Zarletti and Judy Juliana (Alternate #1). Andrea Rode (Alternate #2) was excused. Also in attendance were Jean Werbie-Harris, Community Development Director; Tom Shircel, Assistant to the Village Administrator; and Peggy Herrick, Assistant Village Planner and Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CORRESPONDENCE.**
- 4. CONSIDER THE MINUTES OF THE JULY 12, 2010 PLAN COMMISSION MEETING.**

Larry Zarletti:

Mr. Chairman, move approval.

Wayne Koessler:

Second, Mr. Chairman.

Tom Terwall:

**MOVED BY LARRY ZARLETTI AND SECONDED BY WAYNE KOESSL TO
APPROVE THE MINUTES OF THE JULY 12, 2010 PLAN COMMISSION MEETING
AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- 5. CITIZEN COMMENTS.**

Tom Terwall:

If you're here tonight for an item that appears on almost every item as a matter for public hearing, we would ask that you hold your comments until the public hearing is held so we can include your comments as part of the official record. However, if you're for an item that's not on the agenda, or if you'd like to raise a question now would be your opportunity to do so. We'd ask you to step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens' comments?

6. UNFINISHED BUSINESS

Tom Terwall:

We need a motion to remove that from the table.

John Braig:

So moved.

Jim Bandura:

Second.

Tom Terwall:

MOTION BY JOHN BRAIG AND A SECOND BY JIM BANDURA TO REMOVE ITEM A OFF THE TABLE. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed?

A. TABLED PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLAN for the request of Pamela Stuckman of Three Threads Consulting, agent for Open Range Communications, Inc, for a WIMAX Broadband Internet Coverage site to be installed on the existing tower owned by TowerCo at 10415 Sheridan Road.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is a consideration of a conditional use permit and site and operational plan that was tabled at our last two Plan Commission meetings. It's at the request of Pamela Stuckman of Three Threads Consulting, agent for Open Range Communications, Inc. for a WIMAX Broadband Internet Coverage site to be installed on the existing cellular tower owned by TowerCo on land owned by the Village at 10415 Sheridan Road.

As you know, this is a matter that has been part of the public hearing record for the last two Plan Commission meetings, so I am not going to re-read all of the findings of fact. The situation is that just to remind everyone what's happening here is that Open Range provides simple SM broadband service, high speed internet, Wi-Fi and unlimited local and long distance digital phone service to the U.S., Canada and Puerto Rico. The following equipment will be installed within an existing six foot high chainlink fence at the base of the existing tower and on the existing tower. And there's a detailed listing of all the equipment and antennas that are intended to be installed on the tower as prepared in the staff comments.

Specifically the existing tower is owned by TowerCo It's located on property owned by the Village. And prior to obtaining required permits and this approval becoming effective, Open Range will need to enter into a ground lease access agreement with the Village or the existing lease with TowerCo shall be amended. The Village staff has met now with the petitioner on two occasions, and we intend to meet with her again this week. In conversations with both the Village Administrator and Tom Shircel, the Assistant to the Administrator, we are very close with respect to reaching an agreement.

And so as part of the public hearing record the staff is recommending that we conditionally approve this request of Open Range based on the comments and conditions as outlined in the staff memorandum. Specifically one that we added, number two, or we bolded I should say, prior to the Village executing the conditional use grant document and issuance of the required permits, a new lease or an amendment to the existing 2004 lease agreement shall be approved by the Village Board and executed by all applicable parties.

The situation is it's been a very busy summer for the staff and the Administrator and others, and calendars just didn't get us together at the right time. There have been conference calls and, again, we hope to resolve all of this this week. So with that I'd like to continue the public hearing, and I'd like to introduce Pamela Stuckman. I'm not sure if she has any additional comments to add.

Tom Terwall:

Welcome again.

Pamela Stuckman:

Thank you . . . (inaudible) . . .

Jean Werbie-Harris:

If you could hang on for just a minute. I'm not sure if your microphone is on.

Pamela Stuckman:

Hi, good to see you all again. Nothing has really changed on our part other than the fact that we've been working hard to hopefully get the issue resolved with TowerCo and move forward on this so we can get this equipment installed.

Tom Terwall:

Do you concur with Jean that this will be completed this week?

Pamela Stuckman:

Yes, we have a meeting tomorrow morning at 9 a.m.

Tom Terwall:

Anybody wishing to speak on this matter? This is a matter for public hearing. Anybody else? Hearing none, I'll open it up to comments from Co3mmissioners and staff. Mike?

Michael Serpe:

Tom, I would move approval of the conditional use permit contingent upon favorable negotiations between staff and the petitioner.

Wayne Koessl:

Second, Mr. Chairman.

Tom Terwall:

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

Pamela Stuckman:

Thank you very much.

7. NEW BUSINESS

- A. PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN for the request of Tom Kelly, agent for St Catherine's Hospital, Inc., owners of the property located at 9555 76th Street for the medical office building development proposed to be located south of the existing St. Catherine's Hospital.**

B. Consider the request of Tom Kelly, agent for St Catherine's Hospital, Inc., owners of the property located at 9555 76th Street for Site and Operational Plan approval of an approximate 32,000 square foot Medical Office Building proposed to be located south of the existing St. Catherine's Hospital.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, there are two items that are interrelated and we'll be discussing them at the same time. However, separate action will be required by the Plan Commission.

The first item is the request of Tom Kelly, agent for St. Catherine's Hospital, Inc., owners of the property located at 9555 76th Street for the medical office building development proposed to be located south of the existing St. Catherine's Hospital in Pleasant Prairie. And the second item is to consider the request of Tom Kelly, agent for St. Catherine's Hospital, Inc., owners of the property for a site and operational plan approval for an approximate 32,000 square foot medical office building proposed to be located south of the existing St. Catherine's Hospital.

What I'm planning to do is follow the PowerPoint presentation and read most of the comments from the staff's memo into the record. And then I'll be introduce representatives from the hospital to continue to provide additional details and answer any questions that the Village Plan Commission may have.

In June 2001, construction commenced on a 226,000 square foot St. Catherine's Hospital facility on an approximate 50-acre property in the Prairie Ridge development located at 9555 76th Street, Tax Parcel Number 91-4-122-082-0117 and 91-4-122-082-0113. The original construction was for the development of a two-story hospital which would eventually be developed into a four-story hospital. In late October 2002, the hospital opened as St. Catherine's Medical Center Campus. Since October 2002, the hospital has undergone further interior build-outs with Village approvals to include the addition of a cardiac catheterization laboratory and cardiac surgery suite, additional physician office space and additional inpatient hospital beds. In 2008, site and operational plans were approved and permits were issued for the construction of both ground level and 3rd and 4th floor and 5th floor mechanical penthouse additions totaling 240,000 square feet. This expansion doubled the size of the existing hospital.

The existing services provided at the Medical Center Campus include general acute care medical services, surgical and intensive care services, as well as dialysis services, cancer care, emergency medical services, imaging services, rehabilitation services and education services. United Medical Group employed physicians as well as independent physicians that also treat patients, on an outpatient basis, in physician office space located throughout the hospital.

As part of the original planning process of the Campus, the southern portion of the property was anticipated to be the future location of a medical office building development. Toward that end, United Hospital System is now proposing to develop free-standing medical office buildings south of the hospital. The medical office buildings would allow for physician office space that could be used for either United Medical Group employed physician office space or independent non-employed physician office space under a landlord-tenant relationship.

First we have the concept plan or the conceptual plan for the medical office building development. The conceptual plan proposes the potential development of two 4-story 102,000 square foot buildings and a three-level parking structure that could accommodate approximately 700 parking spaces. In addition, there are approximately 323 surface parking spaces proposed. All site access for the medical office development will be obtained from the existing internal access driveways and private roadways within the development. There will be no new direct driveway access at this time to 94th Avenue or Prairie Ridge Blvd.

The addition of the free-standing medical office building to the campus is part of the overall master planning development for this site that was originally proposed when the project was introduced in 2001. The exterior of the proposed medical office buildings will blend seamlessly into the campus by using the same aesthetically pleasing natural materials of brick, stone and window glazing used on the original campus. The medical office buildings are intended to be free-standing and independent of the main building. The proposed medical office buildings will have separate parking, which will allow patients easy access and the ability to enter the building close to the respective service they may require.

Consistent with the mission, vision and values of United Hospital System and consistent with what patients, guests and employees have come to expect from St. Catherine's Medical Center Campus, the atmosphere will provide a warm and welcoming environment for patient seeking service provided in the medical office building as well as guests and employees. As with the development of the hospital, this medical office building development will also occur in phases.

Additional information regarding the time frame for the medical office development will be presented by the developers and is contained within some additional information that they has just recently submitted, and I'll let them address some of those points to the Plan Commission and the audience.

The second part of their request is the site and operational plan. Again, this is for them to obtain building permits for the new two story medical office building and the related parking. The plans being considered at this time are for the building at the southwestern portion of the site. Again, proposed as a two story building consisting of approximately 16,000 square feet per floor or a total of 32,000 square feet. The first floor of the proposed medical office building will include approximately 10,000 square feet of space, which will be designated as an ambulatory center and will be occupied by Advanced Pain Management under a landlord-tenant relationship for the provision of outpatient chronic pain management services, while 4,000 feet of first floor space will be occupied by United Hospital System and designated for outpatient rehabilitation services. The remaining 2,000 square feet of floor space will be designated as common open space area within the building.

The second floor of the proposed medical office building will include 16,000 square feet that is designated for physician office space. If and when the potential vertical expansion for the medical office building is required, and is subsequently approved by the Village, it is anticipated that the two additional floors will also be designated as physician office space. It is further anticipated that each of these areas designated as physician office space may be subdivided into smaller areas for either United Medical Group employed physician office space or independent non-employed physicians under a landlord-tenant relationship.

Site access and parking: The medical office building will have access through an existing private drive and access roads, as I mentioned before, that are internal to the property. There will be no direct driveway access to Prairie Ridge Blvd or 94th Avenue.

The parking on the campus was initially designed with future expansion in mind. There are currently 702 parking spaces at the campus. As part of the proposed development of this office building approximately 159 additional parking spaces will be developed as part of a new parking lot, which will be added to the property specifically for the patients, guests and employees. This free-standing medical office building will have their parking site area as well as the spaces meeting all the requirements of the Village ordinance. Based on the calculations it would appear they're going to have more than adequate parking space available. And there's a chart in the staff comments that addresses exactly how they came up with the total number of parking spaces. The distances from the parking areas to the medical office building are recommended not to exceed 400 feet from any one parking space to the front entry of the building. In addition, the number of parking spaces includes the required handicap parking spaces as identified in the IBC which is our State Building Code.

With respect to open space on this site, the calculation for green space for the office building is based upon a 50-acre parcel that includes 76th Street and the existing campus parking lots, as well as the addition of the horizontal expansion to the base of the existing main campus. The green space calculation is shown in the chart that's contained in the staff comments as well. As you can see, these numbers need to be revised to include the 76th street right of way, and I think they did that already, and they will address that as part of their comments.

Hours of operation: The hours of operation for the various services that will be provided within the office building and by the various tenants who may be located within the building will be from approximately 6:00 in the morning to approximately 8 p.m., Monday through Friday with the potential for Saturday hours by appointment.

The number of total full-time and part-time employees, the office building initially as it's being developed as a two story building with approximately 16,000 square feet per floor, once it's fully occupied the number of full-time and part-time will be approximately 82 employees on a daily basis.

Estimated daily truck and automobile trips to and from the building: The estimated passenger and truck activity will be approximately 350 trips per day, with peak traffic times being relatively even and stable throughout the course of the work day. Truck traffic is anticipated to be minimal with occasional traffic to deliver medical supplies and office supplies to the tenants within the building.

Type of materials and equipment to be stored on-site: At this time there is no external storage of materials planned at the office building. Materials necessary to support its daily operation will be located within the building. They include medical supplies, office supplies and anything else that they need for the office operations.

Equipment necessary to support the daily operation of the various providers and tenants who may be located within the building such as weight sets and other related rehabilitation equipment shall

be stored internally within the building to be used as part of their operations. There is one exception to the above with respect to the free standing emergency electrical generator which is going to be needed by Advanced Pain Management in their ambulatory center, and it will be located within an enclosure to ensure protection from the elements.

All grounds maintenance equipment is now stored within the garage that is attached to the main campus. The equipment within that area includes snow removal equipment, lawn maintenance equipment and other related equipment. Again, none of this equipment will be stored in or around this medical office building.

Methods of handling and storing solid and liquid waste: Waste management to be used for the proposed medical office building will be accomplished through various mechanisms with general and recyclable wastes handled through third-party providers and through the use of on-site dumpsters and recycling bins. Pursuant to the application, the garbage dumpster and enclosure will need to be located within an enclosed exterior garbage dumpster enclosure structure and will be located within an exterior holding area near the proposed medical office building. The trash area will be screened from public view. The trash area will only be used for general waste and recycling refuse. Medical waste generated within the proposed office building will be handled independently and located in the proposed medical office building until picked up or an arrangement can be made with a third party.

For site and building security other than the police department, consistent with their system policies and with the St. Catherine's Campus, security will be performed predominantly through the guest relations department of United Hospital System. The guest relations staff will patrol the proposed medical office building both internally and externally in addition to patrolling the main campus and the property. Additional security measure that are also planned, especially for security sensitive areas such as the ambulatory care area, include a video surveillance system and an alarm system.

Pursuant to the petitioner, the Village's police officers have consistently been very helpful and supportive under the wide variety of situations in which their assistance has been requested in the past for this campus. And it's anticipated that this assistance and relationship will continue in a positive way into the future.

With respect to exterior site and structure maintenance, maintenance of the exterior site and structure of the medical office building will continue to be provided by a buildings and grounds department of United Hospital System with support from outside contractors as necessary. Maintenance of proposed office building will be in accordance with products used to construct the facility which will be selected in accordance with the planned unit development for the building materials.

Under air quality permits, according to the application and based on the information from the Wisconsin DNR, there is no need for a modification to the air operating permit for this site as a direct result of the proposed development of the office building. With respect to the airport approval required, the petitioner has sought and has obtained the City of Kenosha Airport overlay approval and permit.

According to the Village's ordinance, the Plan Commission shall not approve a site and operational plan application without finding in the decision that the application, coupled with satisfaction of all conditions of approval, will comply with all applicable Village ordinance requirements and all other applicable federal, State or local requirements.

With that, there are a number of recommendations of approval. And United Hospital System has gone through and actually has submitted a document to us that has responded to all of our concerns and questions, and possibly they can address some of those concerns as part of their presentation as well. I'd like to continue the public hearing and introduce representatives of the hospital.

Tom Kelly:

Hello and good evening. My name is Tom Kelly. I'm Vice President of Finance and Strategic Planning for United Hospital Systems. As Jean had pointed out I'm here as agent for St. Catherine's Hospital, a company doing business as United Hospital System, owners of the property located at 9555 76th Street, Pleasant Prairie, Wisconsin, which is the address commonly known as St. Catherine's Medical Center Campus.

I'm here to request consideration of a conceptual plan for a medical office building development proposed to be located along the southern perimeter of the existing St. Catherine's Campus and request consideration for site and operational plan approval an approximate 32,000 square foot medical office building proposed to be located on the southwest corner of the existing St. Catherine's Campus and a portion of the development being considered as part of the conceptual plan.

I'd like to first take a moment to thank the Village of Pleasant Prairie Plan Commission and those Village community members who are in attendance this evening for consideration of this request. I'd also like to introduce a few individuals from our team that are here to also answer any questions that you might have that I might not be able to answer during the presentation or just after. I'd first like to introduce Linda Wohlgemuth, Vice President and Chief Operating Officer of United Hospital System. We have Peter Molter, Vice President of Facilities of United Hospital System. And we have Ed Ross. Ed Ross is a project manager with Eppstein Uhen Architects. Eppstein Uhen is the architectural firm that we partnered with for this project, and they have offices out of Milwaukee and Madison. In terms of the general contractor for the project, we'll be working with Riley Construction presuming that this is approved by the Village.

Jean had an opportunity to go through a little bit of the historical information in terms of how we've gotten to where we're at, so I'll take from the original conceptual plan that was submitted and approved in 2001 had the southern perimeter of the St. Catherine's Campus targeted as a future location of a medical office building development. Now the conceptual plan that's being presented tonight is intended to provide the Village with more details yet still a high level example of what the future might bring in terms of a future medical office development on the St. Catherine's Medical Center Campus.

What I'd like to do is bring your attention to document AS100. This document here that you'll see, the conceptual plan includes the area running between Prairie Ridge Boulevard on the south, 94th Avenue on the east. For purposes of this presentation we've identified this inner road as St.

Catherine's Drive and the west road to the west. So this entire area is the conceptual plan that we're looking at.

Jean Werbie-Harris:

Tom, if it's convenient for the Plan Commission, maybe if we use the same ones on the PowerPoint screen and we'll make sure we match the ones you're talking about. That way the audience can see, too.

Tom Kelly:

That's perfect. I appreciate it. Thank you. In terms of the time frame for the actual construction of the potential future development indicated within the dashed boundary, it may be a little difficult to see, but what I'll do is the area that's in the dashed boundary that I'm trying to outline with the red pointer is considered future development. And as such it's not anticipated to be constructed for at least five to ten years. Additionally, this time frame may be subject to change as several variables become clearer in the future including but certainly not limited to future demand for additional healthcare within Kenosha County and surrounding communities, the anticipated impact resulting from the recently approved healthcare reform as well as general market conditions. As a result, the conceptual design and the time frame of such construction may potentially change over the next several years.

At this time we're requesting the Village's consideration to develop a freestanding medical office building on the southwest corner of the St. Catherine's Campus. As you'll see on the slide here, this is the southwest corner. You have the West Drive coming along here and Prairie Ridge Boulevard on the south end. The proposed medical office building will initially be developed as a two story building consisting of approximately 16,000 square feet per floor for a total of approximately 32,000 square feet.

The first floor of the building will include approximately 10,000 square feet of space which will be designated as an ambulatory surgery center and will be occupied by Advanced Pain Management under a landlord-tenant relationship for the provision of outpatient chronic pain management services. For those of you not familiar with Advanced Pain Management, they are a firm that was established in 1998 and it's the largest pain management group in the United States. They have 26 physicians, 20 mid level providers and over 400 total employees, and they offer patients advanced minimally invasive diagnostic and therapeutic services to enable patients suffering from pain to restore function, relieve pain and renewed hope.

What you have on the PowerPoint presentation is the first floor floor plan. It may be a little difficult to see, but 10,000 square feet of space for Advanced Pain Management is identified on the west end of the building outlined with the red pen that I'm identifying right now. In addition to the ambulatory surgery center, 4,000 square feet of first floor space will be occupied by United and designated for outpatient rehabilitation services. That area is, again, being outlined right now. And then the remaining 2,000 square feet of first floor space will be common area space which is identified at the top on the east side of the building.

In terms of the second floor of the proposed medical office building, that will eventually include approximately 16,000 square feet of space designated for physician office space. However, at this time we anticipate that area being shelf space until specific tenants are identified.

Again, this building is being proposed as a two story facility. However, with the capability of being expanded vertically, an additional two stories could eventually become a four story medical office building. In addition to the potential of vertical expansion, the building will also have the capability of horizontal expansion resulting in the potential of a four story building with approximately 102,000 square feet of space.

In terms of the exterior of the proposed building, as Jean pointed out earlier, that will be blended seamlessly into the St. Catherine's Campus by using the same aesthetically pleasing natural materials of brick, stone and window glazing incorporated into the existing St. Catherine's Medical Center building. The covered entryway will also be similar to what is incorporated in the St. Catherine's Medical Center building.

In terms of the proposed medical office building parking, there will be, in fact, 163 parking stalls which will allow patients easy access and the ability to enter the building closer to the respective area of service required. The distance from the parking area to the building will not exceed 400 feet from any one parking space to the front of the entry. And the number of parking spaces includes the required handicapped parking spaces as identified by the State building code.

In terms of hours of operation, the hours of operation of the building will be from approximately 6 a.m. to approximately 8 p.m. Monday through Friday with the potential for Saturday hours by appointment as the need arrives.

Eventually as both floors become fully occupied, the total number of full-time and part-time employees working within the building is anticipated to be approximately 82 employees. And at the present time there's no external storage of materials planned for the proposed medical office building. All materials necessary to support the daily operation shall be stored internally within the proposed medical office building.

This concludes the formal presentation. At this point I along with the members of my team would be happy to answer any questions that you might have. And if I may, before the first question comes up, Jean did point out two items that I'd like to make sure we speak to. The first is the green space calculation. We did, in fact, include the 76th Street right of way, and the green space calculation now has 57.5 percent green space compared to 56.3 under the calculation in the Village staff report.

Additionally, in a few of the slides that you had seen, the trash dumpster was not a component of the building but rather freestanding near the rear of the building. At the request of the Village staff we were asked to attach that to the building which we have now done and provided updated plans Friday of last week which haven't had a chance to get into the minutes that you have. But, again, we have made those adjustments. In addition, there were a number of questions that came to us that we had responded to in the affirmative and provided that to Jean early Friday morning as well. With that, I'd be happy to answer any questions you might have.

Tom Terwall:

Before we take questions, because this is a public hearing, I'm going to open it up to anybody in the audience that wishes to speak. This is a matter for public hearing. Is there anybody in the audience wishing to address this issue? Anybody wishing to speak? Anybody wishing to speak? Hearing none, I'll open it up to comments and questions from Commissioners and staff.

Jim Bandura:

I see Item 17 on page 7 that you moved the trash enclosure. One other one on the top of the page, Item 3, where is the parking structure that you're proposing?

Tom Kelly:

In terms of the location the parking structure is located in this area here in between the two buildings that we're looking to potentially construct. Now, I would like to remind you that this area is a potential future development, not part of the initial area. One question that had come up from the staff was is there the potential for this to be incorporated into use by the existing hospital. And the response that we gave is with this being something that's five to ten years out we haven't given a great amount of thought as to the precise location primarily because of the variables that may come up with healthcare reform as well as some of the other variables. That being said, if and when the time comes that we are looking to add that, we would certainly be looking to work with the Village to find a proper location for that.

Jim Bandura:

One other question. On A101, what's the reason on the first floor plan that you don't have access to the stairwell on the west side of the building from the first floor?

Ed Ross:

Ed Ross from Eppstein Uhen Architects. The suite or the tenants on that floor have direct exit outside so they don't require exits through that stair. That stair just serves the second for future third and fourth floors.

Jim Bandura:

I'm just curious because if somebody is in I guess this is room 1242, I think that's what that is, but if somebody wanted to make a quick run up to the second floor when you finish it, they're going to have to go all the way down to the opposite end almost to access the second floor.

Ed Ross:

Right. Generally we'd expect they'd probably take the elevator. We don't expect that there will be a lot of cross-pollination between this office and the physician offices. They'd be fully separate.

John Braig:

You indicated that in some distant future there could possibly be construction between the main hospital building and the parking ramp, is that correct?

Tom Kelly:

Just to clarify that, there may be the future need for a parking structure that could be used for the hospital and/or the parking for the medical office buildings on the southern perimeter, not necessarily a connection that would connect the two.

John Braig:

What I'm leading up to is years from now in its final fruition it's going to be quite a complex. Is there consideration to connecting these buildings with enclosed walkways or subterranean walkways so that it would be easy to move from parking ramp to building or wherever without being exposed to the elements?

Tom Kelly:

I think that's certainly something that when we look to construct it, if and when that time comes, that will certainly be considered. Because it's so far out we haven't put a lot of thought into how that would look and whether that will occur. One of the primary reasons is because of the current location where it's at it would make it very difficult to get it to the existing hospital. But I think if and when the time comes that we look to construct something of that nature we will be looking to see how that would work, what we could do to make it convenient for patients and guests and trying to do something that would be convenient for everyone.

Wayne Koessl:

Mr. Chairman, thank you. As we know this is a conceptual plan and there probably will be some tweaking before the final plan. I see nothing wrong with it. I think it's a good basic conceptual plan and well designed for the future that the whole campus may need. But the question I'm going to ask you is probably you can't answer tonight or the staff. This is free standing. Is there going to be a different tax element like that for the Village on property taxes, or is it still going to be all nonprofit?

Tom Kelly:

Well, we do recognize that the statute requires tax for medical office space, so we do recognize the additional office space that would be on that would be taxable.

Wayne Koessl:

I just wanted that information for the Commission. Thank you.

Tom Terwall:

Anything further? If not, a motion to sent a favorable recommendation to the Village Board to approve the conceptual plan would be in order.

Michael Serpe:

So moved.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CONCEPTUAL PLAN.

Wayne Koessl:

Is that subject to the conditions and recommendations by the staff?

Michael Serpe:

Yes.

Jim Bandura:

Yes.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Now, we need a motion to approve the—

Wayne Koessl:

Mr. Chairman, I would move we approve the site and operational plan subject to the conditions and recommendations by the staff.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA TO APPROVE THE SITE AND OPERATIONAL PLANS 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. Welcome.

Tom Kelly:

Thank you. Items C and D are also related so we'll take them up together but need two separate votes. Jean, go ahead.

- C. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #10-12 to correct and amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to correctly identify the field delineated wetlands on the vacant property owned by the Daniel B. Johnson Trust generally located on the west side of Lakeshore Drive at the 9900 block and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. The entire property will remain in the Primary Environmental Corridor land use designation.**

- D. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT to correct the Zoning Map as a result of a wetland staking being completed on the vacant property owned by the Daniel B. Johnson Trust generally located on the west side of Lakeshore Drive at the 9900 block. Specifically the field delineated wetlands will be rezoned into the C-1, Lowland Resource Conservancy District and the non-wetland areas of the property will remain in the R-5, Urban Single Family Residential District. In addition, the entire property will remain in the LUSA, Limited Urban Service Area Overlay District.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, the next two items, the first of which is the consideration of Plan Commission Resolution 10-12 to correct and to amend the Village of Pleasant Prairie Comprehensive Plan Map 9.9 to correctly identify the field delineated wetlands on the vacant property owned by the Daniel B. Johnson Trust generally located on the west side

of Lakeshore Drive at the 9900 block and to update Appendix 10-3 of the Village of Pleasant Prairie 2035 Comprehensive Plan to include the amendment. The entire property will remain in the Primary Environmental Corridor land use designation.

The second public hearing and consideration is for a zoning map amendment to correct the zoning map as a result of a wetland staking being completed on the vacant property owned by the Daniel B. Johnson Trust generally located on the west side of Lakeshore Drive at the 9900 block. The field delineated wetlands will be rezoned into the C-1, Lowland Resource Conservancy District, and the non-wetland areas of the property will remain in the R-5, Urban Single Family Residential District. In addition, the entire property will remain in the LUSA, Limited Urban Service Area Overlay District.

These items are related and will be discussed together but separate actions will be required. On May 27, 2008 the Village received an application from Dan Johnson, owner, for a wetland staking to be completed on the vacant property located on the west side of Lakeshore Drive in the Village on Tax Parcel Number 93-4-123-203-0185 known as Lot 12, Block 34 in Carol Beach Estates Unit #4 Subdivision. The wetlands were field delineated on September 9, 2008 by the Southeastern Wisconsin Regional Planning Commission also known as SEWRPC. As indicated in a letter dated December 8, 2009 from the SEWRPC, the Plat of Survey correctly identified the wetlands on the property as field staked on September 9, 2008.

On February 8, 2010 the Village Plan Commission adopted Resolution #10-01 to initiate the amendment of the Comprehensive Plan and the zoning map as a result of a wetland staking being completed. Specifically as a result of the staking being completed the following amendments are proposed:

1. To correct and amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to correctly identify the field delineated wetlands on said property in the wetland land use designation and the entire property will remain in the Primary Environmental Corridor land use designation.
2. To update Appendix 10-3 of the Village of Pleasant Prairie, Wisconsin, 2035 Comprehensive Plan to include said amendment.
3. To correct the Village Zoning Map to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District. The non-wetland areas of the property will remain in the R-5, Urban Single Family Residential District, and the entire property will remain in the LUSA, Limited Urban Service Area Overlay District.

With that, I'd like to continue the public hearing. As you know, based on the new requirements of the Comprehensive Plan, whenever there is a modification now in the Comprehensive Plan we have to do a three step plan where we're amending the Comprehensive Plan and we're amending the zoning map and we have to do introductory resolutions when we do those things. So with that I'd like to continue the public hearing.

Tom Terwall:

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

Dan Johnson:

Good evening. Thank you for inviting me to this meeting. My name is Dan Johnson, 9917 Lakeshore Drive. And the implication that I receive from this is that there was a staking that something was the matter with it, it was wrong and it has to be redelineated. Is that correct?

Jean Werbie-Harris:

No. Well, the situation is that the original wetlands down in Chiwaukee Prairie were primarily done by air photo interpretation and soils analysis a number of years ago. So in order to correct them to actual field conditions a wetland staking is requested, and a biologist goes out and actually flags specifically how the wetlands exist today. And then the maps through a plat of survey then allow us to update and correct not only our comprehensive plan but also our zoning map. So it's accurate exactly as it was delineated by the biologist in the field.

Dan Johnson:

Right. And so most of the property was not closely measured out and staked, is that correct?

Jean Werbie-Harris:

Initially it was not done that way back in 1985. It was done more by interpretation.

Dan Johnson:

Then how did the staked wetlands change from your previous map?

Jean Werbie-Harris:

I'd have to look at the previous map. But in many cases if we've had a significantly wet year or a series of wet years leading up to that time, a lot of times wetlands have a tendency to migrate and to continue to pollinate and change on the property and wetlands have a tendency to grow. In very significant dry years, periods of dry time, wetlands have a tendency to shrink. And so as a result whether it's ground water or it's surface water, the presence of that can help move that line a little bit. A wetland staking is only valid for five years. So after that time period if somebody wants to do something different with the land then they would have to have it redelineated. A lot of times property owners sell or convey their land when they find that they have very little buildable land left.

Dan Johnson:

Right, I understand that.

Jean Werbie-Harris:

They sell it to a conservancy group or preservation purposes.

Dan Johnson:

If they're buying.

Jean Werbie-Harris:

If they're buying. You'd have to contact them and we can give you some names.

Dan Johnson:

I know there was a survey many years ago when we bought that lot, and then I just had to have it redone. So let me ask this question then. Are the wetlands expanding or are they shrinking according to this?

Jean Werbie-Harris:

I would have to look at the previous survey. I'll take a look at it.

Michael Serpe:

While Jean is looking, Mr. Johnson, can I ask a question? Do you have any plans for that parcel?

Dan Johnson:

Yes.

Michael Serpe:

Can I ask?

Dan Johnson:

Sure. I'd like to offer it for sale.

Michael Serpe:

It appears to be nonbuildable.

Dan Johnson:

It does. I have an architect who is making a plan that I haven't presented yet that will probably need variance for small piers. I have not brought that before you yet.

Michael Serpe:

Is that lot able to support a home?

Jean Werbie-Harris:

Well, based on the setbacks of a 30 foot setback from the road and 25 setback from the wetland area you've got a very limited building pad area that varies from 10.95 to 26 feet to 38 feet in depth. so it's very, very limited. I'm not sure if you'd be able to place a home of reasonable size and design that meets the minimum code requirements on this lot with this delineation. And the answer to his question, the last time that this property was delineated officially by a biologist was in 1991, and the configuration of the wetland area has changed. There are more wetlands in the northwest corner of the site than was originally delineated. And it looks pretty similar in the other areas, but it looks like it has expanded slightly and the shape is a little different than it was back then.

Dan Johnson:

At one time the Village was offering property owners a consideration to convey our property. However, my understanding is that's no longer the case along Lakeshore Drive.

Jean Werbie-Harris:

This lot is not in a Village acquisition area but it's in a Wisconsin DNR acquisition area. We can put the property owner in touch with representatives from the Wisconsin DNR if he's interested in conveying that property or selling it to them. Then they would appraise the property. But we can at least make the connection for the two of them.

Michael Serpe:

Just a question. If that were to take place. Let's say Mr. Johnson were to sell it to the DNR, would the DNR then put that in the entire C-1 Conservancy?

Jean Werbie-Harris:

No, they'd probably put it into the C-3 because it would be a Natural and Scientific Conservancy area. They put all of their lands and public landholdings into the C-3. It's a little bit higher level of protection.

Dan Johnson:

I think that answers my question.

Tom Terwall:

Thank you. Is there anybody else wishing to speak? Jean, the issue before the Plan Commission is the item has been field delineated, and the Plan Commission is now obligated by law to change the map as well as the 2035 Plan, is that correct?

Jean Werbie-Harris:

That's correct.

Tom Terwall:

I mean there's no ambiguity. This is what we have to do. That being the case—

John Braig:

I think I'm looking for just a clarification. With the changes in the actual wetlands as they're delineated, I was under the impression that it would be improper for a landowner to someone use his property in a way that would cause the wetlands to diminish or disappear. It seems to me I remember a case on Lakeshore Drive where there was an attempt at cutting the vegetation and burning it and so and the guy was apparently trying to minimize or diminish the wetlands. And yet I'm under the impression that if a farmer wants to farm wetlands that that's his privilege if he wants to plow it and work it up. So in my mind there's a conflict between the two ideas that I have in mind. So what is correct?

Jean Werbie-Harris:

Well, the Wisconsin Administrative Code established by the DNR and the rules that they promulgated indicate that farmers have certain rights with respect to being able to till their land. And even though they may be farming areas that are wetlands they're still considered farmed wetlands until development occurs. And it is treated differently than in development areas where property owners, first of all, can't farm those areas because it's not allowed as a permitted use within that single family district or that C-1 District. And Mr. Johnson has not done any of those things with his property. But there are different rules for different classifications of wetlands in the State of Wisconsin.

John Braig:

So what I was thinking then is probably correct given those applications, and it's because the one is a farming application that's permitted. Thank you.

Jean Werbie-Harris:

That's correct.

Tom Terwall:

I'll close the public hearing at this point and ask for a motion to approve Resolution 10-12.

Larry Zarletti:

Mr. Chairman, I'd move Resolution 10-12 subject to the terms and conditions outlined by staff.

Michael Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY LARRY ZARLETTI AND SECONDED BY MIKE SERPE TO ADOPT RESOLUTION 10-12 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. Now I need a motion to send a favorable recommendation to the Village Board to approve the zoning map amendment subject to the terms and conditions outlined.

Larry Zarletti:

Mr. Chairman, so moved.

Michael Serpe:

Second.

Tom Terwall:

MOVED BY LARRY ZARLETTI AND SECONDED BY MIKE SERPE TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO ADOPT THE ZONING MAP AMENDMENT AS PROPOSED. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

E. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #10-13 to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to remove the wetland land use designation for the wetlands approved by the WI DNR to be filled on property owned by Jeffrey and Elizabeth Crabtree generally located on the east side of 47th Avenue at the

11500 block and update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment. The underlying secondary environmental corridor designation will remain on this portion of the property.

F. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT to amend the Zoning Map to rezone 0.022 acre of wetlands approved to be filled by the WI DNR on property owned by Jeffrey and Elizabeth Crabtree generally located on the east side of 47th Avenue at the 11500 block from the C-1, Lowland Resource Conservancy District to R-3, Urban Single Family Residential District.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, again we have two items that we're going to be taking together, Items E and F. The first is consideration of Plan Commission Resolution 10-13 to amend the Village of Pleasant Prairie 2035 Comprehensive Land Use Plan Map 9.9 to remove the wetland land use designation for the wetlands approved by the Wisconsin DNR to be filled on property owned by Jeffrey and Elizabeth Crabtree generally located on the east side of 47th Avenue at the 11500 block and update Appendix 10-3 of the Village of Pleasant Prairie 2035 Comprehensive Plan to include said amendment. The underlying secondary environmental corridor designation will remain on this portion of the property.

The second public hearing is a consideration of the zoning map amendment to amend the Zoning Map to rezone 0.022 acre of wetlands approved to be filled by the Wisconsin DNR on property owned by Jeffrey and Elizabeth Crabtree generally located on the east side of 47th Avenue at the 11500 block from the C-1, Lowland Resource Conservancy District, to R-3, Urban Single Family Residential District.

These items are related and will be discussed at the same time but separate action will be required by the Plan Commissioners.

The petitioners, who own the vacant property have property that is located on the east side of 47th Avenue at the 11500 block are requesting the following amendments as a result of the Wisconsin Department of Natural Resources and the U.S. Army Corps of Engineering actions to approve the filling of an approximate 0.022 acre of wetlands on the vacant property so that a driveway can be installed to provide access to the non-wetland portions of the property for the development of a single family house:

1. To amend the Village's 2035 Comprehensive Land Use Plan Map 9.9 to remove the wetland land use designation for the wetlands approved by the Wisconsin DNR to be filled and to remove and update Appendix 10-3 of the Village of Pleasant Prairie 2035 Comprehensive Plan to include said amendment. The underlying secondary environmental corridor designation will remain on this portion of the property.
2. To amend the Village Zoning Map to rezone 0.022 acre of wetlands approved to be filled by the DNR from the C-1, Lowland Resource Conservancy District, to R-3, Urban Single Family Residential District.

Upon Village Board approval of the aforementioned amendments the petitioners shall apply and obtain an erosion control permit prior to the wetlands being filled. In addition, the owners will need to submit a culvert application and a driveway permit for the installation of the driveway. These permits can be obtained prior to, or at the time the new home is proposed to be constructed, provided the wetlands are filled in the time frame prescribed in the attached permits from the Wisconsin DNR and Army Corps of Engineers.

With that, I'd like to continue the public hearing for these items.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak? Yes, sir?

Jeff Crabtree:

Good evening. Jeff Crabtree, 10211 48th Avenue. I just want to acknowledge I'm the applicant so I'm here to answer any questions that you may have.

Tom Terwall:

Thank you. Anybody else wishing to speak? Hearing none, I'll open it up to--yes, Mike?

Michael Serpe:

Jeff, I guess to you or our engineer, is that area prone to some flooding?

Jeff Crabtree:

There is some--this property is a property that I purchased earlier this year. There is some--my neighbor actually would probably be better off discussing it, but there is some water that retains in the early spring, but I think it dries up fast and then it's a dry wetland area. But if there's a heavy rain I believe there's a bigger pond across the street that flows into that. When that overflows it flows into this area and then it will become obviously damp. So, yes.

Jean Werbie-Harris:

If I could just add to that. There is a tributary. There's kind of a northern tributary that continues through the Mission Hills Subdivision, and then there's a southern tributary as well. So there are two areas that the lands to the west do drain to this particular area not on top of the home but a distance from the home. And the home has to maintain a setback to that tributary which eventually leads to the east and then leads us down to the Tobin Creek and then eventually takes us all the way to Lake Michigan. 47th Avenue is pretty much our dividing line, very close to that, with the subcontinental divide. So there's just a small area that contributes to this area, and then the rest goes to the east and the rest will go to the west.

Michael Serpe:

And what was the size of that lot, that parcel?

Jeff Crabtree:

Acre and a half. It's quite large.

Jean Werbie-Harris:

There's a lot of trees and some other things on that property. I don't believe they intend to clear all those trees down or anything like that.

John Braig:

Am I correct is the DNR approved filling in .022 acres with no other remediation?

Jean Werbie-Harris:

They do that occasionally for a driveway as long as there's enough upland area to build a home of sufficient size.

John Braig:

So they're not quite the basti nastards that they have been. Move approval.

Michael Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JOHN BRAIG AND SECONDED BY MIKE SERPE TO APPROVE RESOLUTION 10-13 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. Now we need a motion to send a favorable recommendation to the Village Board for the zoning map.

Wayne Koessl:

So moved, Mr. Chairman, that we send a favorable recommendation to the Board on the zoning map amendment.

Tom Terwall:

Is there a second?

Michael Serpe:

Second.

Tom Terwall:

MOVED BY WAYNE KOESSL AND SECONDED BY MIKE SERPE TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP AMENDMENT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? Thank you.

G. Consider the request of Lloyd Culbertson, agent for Rolf's Patisserie, Inc., for Site and Operational Plan approval to occupy the building located at 10100 88th Avenue as a commercial bakery.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, this is a request of Lloyd Culbertson, agent for Rolf's Patisserie, Inc., for site and operational plan approval to occupy the building located at 10100 88th Avenue as a commercial bakery.

Rolf's Patisserie, Inc. proposes to operate a commercial bakery within the 56,642 square foot building at 10100 88th Avenue in LakeView Corporate Park. The facility will manufacture high quality cakes, tortes, pies, pastries and other baked goods. The company distributes its products throughout the contiguous United States to major grocery store chains, foodservice management providers, foodservice distributors, mail order catalogs and numerous hotel and restaurant facilities. Future plans for the site include opening a retail factory outlet store and addition of a loading dock and a building expansion up to 30,000 square feet.

Rolf's Patisserie currently operates a manufacturing facility in Lincolnwood, IL which is producing at full capacity at this time. To accommodate continued growth the company seeks to expand production capacity and the building at 10100 88th Avenue is well suited for their needs. In addition, the company finds that the business climate in Pleasant Prairie to be attractive and welcoming.

Anticipated hours of operation will be Monday to Friday, 7:00 a.m. to 6:00 p.m. in the beginning. The hours of operation may expand as business grows. The Lincolnwood facility currently operates 24/7. Hours for deliveries and shipments in Pleasant Prairie are anticipated to be Monday to Friday 7:00 a.m. to 6:00 p.m. Hours open to the public are yet to be determined pending future plans to open a retail outlet store.

At start up, the Company estimates one shift per day with 30 employees and anticipates up to 150 employees at full capacity.

This property is currently zoned M-2, General Manufacturing District. The proposed commercial bakery is classified as a Factory Group F-2 low-hazard pursuant to the 2006 International Building Code and is a permitted use. If the company opens a retail factory outlet store, a combined conditional use permit/site and operational plan would be required to be approved by the Plan Commission. For any other change of use or building additions site and operational plan approval is required.

The site currently has 203 parking spaces including 7 handicapped accessible spaces. Pursuant to the operational plan, at full capacity up to 150 employees are anticipated. Pursuant to the Zoning Ordinance minimum parking requirements include the following:

- Manufacturing: 5 spaces plus 1 space per employee on the largest shift
- Warehouse/distribution centers: 1 space for every 2 employees during any 12-hour work period

The number of parking spaces at the facility are sufficient to cover the anticipated 150 employees.

According to the Village Ordinance, the Plan Commission shall not approve a site and operational plan application without finding in the decision that the application, coupled with satisfaction of any conditions of approval, will comply with applicable Village ordinance requirements and all other applicable federal, State or local requirements. With that, I'd like to continue the meeting, and we do have a representative from the company here to answer any questions. He will come up to add any additional information and answer your questions.

Lloyd Culbertson:

Good evening ladies and gentlemen. My name is Lloyd Culbertson. I'm the President of Rolf's Patisserie. I really didn't expect to have any formal remarks. We want to open a bakery in Pleasant Prairie. But I am more than happy to talk about our business. It's one of my favorite subjects, so if there are any questions I can answer for you I'd be pleased to do so.

Tom Terwall:

You didn't happen to bring any samples with you tonight?

Lloyd Culbertson:

I did not. I think it might violate some--

Tom Terwall:

I think it would but I can still ask. Comments or questions?

Jean Werbie-Harris:

Why don't you tell them a little bit about how unique your bakery is and the things that you offer.

Lloyd Culbertson:

I'll give you a little history to start with. We started in 1984 in 250 square feet at the corner of Clark and Diversy in Chicago, Illinois. My brother wanted to open his own bakery and I helped him. My reward for that was by 1989 I had to leave my other job and join the bakery, at which time we had developed in addition to our retail presence a substantial wholesale following for fresh baked product to hotels and restaurants in the Chicago area. In '89 we expanded into a 3,000 square foot facility which at the time we thought was enormous. In fact, we shared half of it with a catering operation for about six months. But we outgrew that space eventually. And by the year 2000 we moved to Lincolnwood, Illinois where we have a 20,000 square foot facility and our business continued to thrive.

We had on our last payroll 134 employees. We are, as Jean indicated, working 24/7. We are at capacity. We are cramped. And my sales director really wants to get some new accounts so we need space. We spent about six months looking for a facility. We landed upon 88th Avenue in Pleasant Prairie. It's a beautiful building, really suits our purposes. We've also found a very hospital business climate in your community.

Speaking to the product we made very fine cakes, tortes, pies, pastries, individual desserts. We have two distinct markets. One is the fresh bake delivered to the hotels and restaurants and food service operations, again, in the Chicago Metropolitan area. And then we also have developed a frozen cake and pastry line that is now distributed through Broadline Distributors, grocery chains and the like. As a result of that we have now reached out beyond the Midwest, and we have customers all over the contiguous United States. So we see a very bright future for our enterprise. We just need some space to keep going. We find the opportunity here in Pleasant Prairie to be quite exciting for us.

Tom Terwall:

Is your plan to keep the existing facility?

Lloyd Culbertson:

It is, yes. We will probably retain the fresh backed delivered function out of Lincolnwood and service the Chicago metro region on our own trucks there. In Pleasant Prairie we intend to satisfy the frozen distributed business and trucks will come to us and take the product away.

Tom Terwall:

Does your current plan include an exhaust system that will waft out into the area?

Lloyd Culbertson:

It does happily. We have to stack our ovens and we will have HVAC systems that will also probably exhaust some of that.

Tom Terwall:

It's going to be very close to the RecPlex.

Michael Serpe:

Is that site serviced by a rail spur?

Jean Werbie-Harris:

There is a rail line adjacent, but I don't think there's any intent because I don't think there's enough room to link into a spur.

Michael Serpe:

There's not enough room?

Lloyd Culbertson:

I don't know.

Michael Serpe:

I was just curious if you're going to get your flour by bulk rail deliver or probably truck?

Lloyd Culbertson:

Probably by truck for now anyway. If there is the opportunity–

Jean Werbie-Harris:

It looks like there is an opportunity if you wanted to. The building has got–there's parking or something, they'd have to do some things.

Lloyd Culbertson:

That's a gracious thought. I hadn't thought of it.

Jean Werbie-Harris:

If you want to add how your business has grown since you've been on the Internet with respect to your product?

Lloyd Culbertson:

Well, the Internet has certainly helped.

Jean Werbie-Harris:

Is it word of mouth or how do you—

Lloyd Culbertson:

We're big believers in direct sale. We like to go and meet and greet the customer and most importantly put the product in front of them and get them to taste it. From there it happily tends to sell itself. We throw in very attractive pricing and total dedication to servicing the accounts. It's not a new invention but it's one that works.

Tom Terwall:

I think there's room for synergy there between this facility and the RecPlex. Anything further? If not, I'll entertain a motion.

John Braig:

Move approval for the site and operational plan for Rolf's Patisserie.

Wayne Koessl:

Second.

Tom Terwall:

MOVED BY JOHN BRAIG AND SECONDED BY WAYNE KOESSL 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.

Wayne Koessl:

Welcome to Pleasant Prairie. Very happy to have you.

Lloyd Culbertson:

Thank you very much. If I may add a word to that point. I have to tell you how pleased we are to be coming to Pleasant Prairie. And I would like to take a moment to thank you for the gracious welcome we've received. The Village Administrator, the Director of Community Development, the Police Chief, the Fire Chief we've met with them all, and they've been most helpful in giving us the benefit of their guidance so that we can undertake and complete this project the right way. So I want to thank you for your approval of this site and operational plan.

Tom Terwall:

Any time line put together yet?

Lloyd Culbertson:

Yes. We're hopeful to be operational by the first quarter of 2011.

Tom Terwall:

Thank you very much.

H. PUBLIC HEARING AND CONSIDERATION OF AMENDMENTS to Sections 395-29 F, 395-31 H and 395-31 I of the Village Land Division and Development Control Ordinance related to time frames associated with Preliminary and Final Plats that were recently revised by the State of Wisconsin.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, before you are amendments to Sections 395-29 F, 395-31 H and 395-31 I of the Village Land Division and Development Control Ordinance related to time frames associated with Preliminary and Final Plats that were recently revised by the State of Wisconsin.

2009 Wisconsin Acts 376 and 399 were signed by the Governor Doyle on May 18, 2010 and published on June 1, 2010 that make significant revisions to Chapter 236 of the Wisconsin Statutes, and they became effective on June 2, 2010. It requires that local ordinances be modified in accordance with the acts by January 2, 2011.

Specific changes in the law that apply to all plats as of June 2, 2010 include the following:

- The submittal time limit for final plat following preliminary plat approval has been extended from 24 months to 36 months.

- The process for determining if a final plat conforms substantially to the preliminary plat shall be done by the Village Planner by a recommendation to the Plan Commission and Village Board. This requirement is already in our ordinance.
- A final plat needs to comply with the Village Ordinances as it existed the date the preliminary plat was submitted. Therefore, if a new Village Ordinance is adopted while the plat is moving through the process, the new Village requirements cannot be applied to the plat.
- The plat may be developed in phases or stages as referenced to in our Ordinance; and the required financial security provided by the developer shall be limited to the phase or stage being constructed. Again, this is how it's set forth in our Ordinance currently.
- The time limit for recording subdivision plats has been extended from 12 months after the last approval and 36 months from the first approval. Note these recording time limits for CSMs have not changed.
- The Village Ordinance may not have more restrictive time limits, deadlines, notice requirements or be more restrictive than other provisions of Chapter 236 of the Wisconsin Statutes that provide protections to the subdivider.

All preliminary plats in the Village that are still valid which means they have not yet expired are not subject to these requirements unless the Village Board grants another extension to their approval. Just as a point of discussion, Peggy has listed there the five developments currently in the Village, how many units or lots that have been pending that have been approved and when their preliminary plat expiration dates are. So, as you can see, we have five of them outstanding right now. And with these new changes we need to decide as a Village and the Village Board whether or not these plats are going to be extended and they're going to be afforded these new protections under the new statutes. The statutes really didn't address whether or not the Village has to extend a preliminary plat, but if it is extended we need to comply with all these new requirements.

So the staff does recommend approval of these amendments to the Village Land Division and Development Control Ordinance as presented. But, again, this is a matter of public hearing, and if there is any questions I'd be happy to continue the hearing and answer them at this time.

Tom Terwall:

Anybody wishing to speak on this matter? Anybody wishing to speak? Hearing none, I'll open it up to comments from Commissioners and staff. What's your pleasure?

John Braig:

Move approval recommending adoption by the Village Board of these amendments.

Wayne Koessl:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JOHN BRAIG AND SECONDED BY WAYNE KOESSL TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE AMENDMENTS AS INDICATED. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- I. PUBLIC HEARING AND CONSIDERATION OF A MASTER CONCEPTUAL PLAN for the request of the Village Community Development Authority for the Southeastern Wisconsin Innovation Center project generally located at the 9900 block of 39th Avenue within Village Green Center.**
- J. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AND TEXT AMENDMENT for the request of the Village Community Development Authority to rezone approximately 5.5 acres from A-2, General Agricultural District and R-4, Urban Single Family Residential District to B-2 (PUD), Community Business District with a Planned Unit Development Overlay District and to create the specific PUD requirements for the proposed Southeastern Wisconsin Innovation Center project generally located at the 9900 block of 39th Avenue.**
- K. Consideration of the request of the Village Community Development Authority, agent on behalf of Prairie Place LLC owners for a Certified Survey Map to subdivide the property generally located at the 9900 block of 39th Avenue for the proposed Southeastern Wisconsin Innovation Center project.**

Jean Werbie-Harris:

If I could take I, J and K all together.

Tom Terwall:

Please.

Jean Werbie-Harris:

Item I is the public hearing and consideration of a mater conceptual plan for the request of the Village's Community Development Authority for the Southeastern Wisconsin Innovation Center project generally located at the 9900 block of 39th Avenue within Village Green Center.

J is a public hearing and consideration of a zoning map and text amendment for the request of the Village Community Development Authority to rezone approximately 5.5 acres of land from A-2, General Agricultural District, and R-4, Urban Single Family Residential District, to B-2 (PUD), Community Business District with a Planned Unit Development Overlay District, and to create the specific PUD requirements for the proposed Southeastern Wisconsin Innovation Center project generally located at the 9900 block of 39th Avenue.

K is consideration of the request of the Village Community Development Authority, agent on behalf of Prairie Place LLC owners, for a Certified Survey Map to subdivide the property generally located at the 9900 block of 39th Avenue for the proposed Southeastern Wisconsin Innovation Center project.

Again, all three of these items are interrelated. I will be talking about them at one time in one presentation, but separate actions will be required by the Plan Commission.

The Village of Pleasant Prairie has consistently promoted an economic policy that the Village's resources and efforts should be directed toward facilitating the creation of jobs and economic value in our community. Traditionally the Village has focused its efforts and resources towards the location of businesses to LakeView Corporate Park. The Village has created two Tax Incremental Districts to facilitate the construction of the infrastructure in the Corporate Park along with providing direct assistance to prospective companies by loans administered by the Kenosha Area Business Alliance or KABA. Over the last ten years the Village has endeavored to create an economic environment that would bring higher quality and better paying jobs to the community.

While the efforts to date have been very positive and successful, the current economic crisis has made a significant impact on the existing employment base of Kenosha County. The current economic climate intensifies the necessity to vary the type of business and manufacturing enterprises that can locate here. As the Village participated in KABA's strategic plan update which resulted in Kenosha First: An Economic Development Strategy for Kenosha County: the Next Phase, three of the priority strategies in the plan emerged as opportunities for our Village.

The first priority identified was to bring the business, workforce training, and education communities closer together to facilitate greater partnerships. The second priority was to place greater emphasis on entrepreneurship and small business development by establishing a creative approach to start-up funding. Finally, the last, but not least important priority was to continue to make investments in economic development infrastructure in order to compete for new private investment and talent over the long term. One of the targeted industries recommended in the KABA study was the biomedical and life sciences field.

In the spring of 2009, prior to the adoption of the 2010-2011 State of Wisconsin Budget, Village President John Steinbrink directed staff to prepare a proposal to provide initial funding for the creation of a bio-medical incubator facility. The proposal was well received by the Wisconsin Department of Commerce and \$70,000 was granted to the Village to start the project. The State connected the staff with the U.S. Department of Commerce - EDA, which is the Economic Development Administration, to submit a grant application to construct such a facility. In December 2009, the Community Development Authority or the CDA authorized the staff to prepare and submit an application to the U.S. Department of Commerce - EDA. The CDA staff in

partnership with KABA has prepared a proposal to create the Southeastern Wisconsin Innovation Center.

The proposed project involves the development of an approximate 40,352 square foot business incubator. The primary function of the Innovation Center facility would be to accommodate start-up and early stage technology firms concentrating in the life science, bio-technology and bio-medical industries. The initial design of the facility is a three-story structure and includes office, lab, and flexible research and development space as well as administrative and support resource space. The Innovation Center is proposed to be a major component of the Village Green Center commercial downtown.

The Innovation Center, and its supporting resources, will concentrate on the life science and bio-technology industries. The region possesses significant concentrations of private industry talent, research and commercial success in this sector. The Kenosha County and Lake County, Illinois region is home to several notable pharmaceutical, technology-based and medical-related firms. The Innovation Center would provide a state-of-the-art facility that would house entrepreneurs, bio-scientists, and bio-mechanical scientists that are in the process of developing new companies that would be based upon technological developments and innovations. This would be the predominant use of the facility. The types of innovations and entrepreneur efforts would be dependent upon the mix of tenants that occupy the facility. There have also been preliminary discussions regarding collaborative projects between area universities and private industry. It is conceivable that the innovation center could also accommodate those initiatives and projects focused on connecting faculty, staff and students from area universities with relevant private industry programs.

The Innovation Center facility is planned to be developed on a 0.95 acre parcel. The building will front 39th Avenue and will be situated close to the 39th Avenue right-of-way, which will initiate the creation of a downtown Village Center area through reduced building setbacks.

The proposed Innovation Center building is proposed to be located just southwest of the Village Municipal Building, along the west side of 39th Avenue south of Springbrook Road on a portion of Tax Parcel Number 92-4-122-234-0104.

The initial interior floor plans of the facility include office, lab, and flexible R&D, research and development space as well as administrative and support resource space.

The current Innovation Center floor plans are designed as follows and are shown on the overhead:

FIRST FLOOR: Gross Area = 13,510 sq. ft.

- 3,710 sq. ft. R&D flex space
- 4,840 sq. ft. tenant/client offices
- 435 sq. ft. support (reception/clerical management office)
- 572 sq. ft. lunch/lounge
- Restrooms, janitor closet, electrical/mechanical closet, vending

SECOND FLOOR: Gross Area = 13,421 sq. ft.

- 3,383 sq. ft. R&D flex space
- 4,840 sq. ft. tenant/client offices

- 572 sq. ft. support/common (classroom/conference room)
- Restrooms, janitor closet, electrical/mechanical closet

THIRD FLOOR: Gross Area = 13,421 sq. ft.

- 3,383 sq. ft. laboratory
- 4,840 sq. ft. tenant/client offices
- 572 sq. ft. support/common (classroom/conference room)
- Restrooms, janitor closet, electrical/mechanical closet

With respect to the EDA grant and funding, in December 2009, the KABA and the CDA jointly applied for a \$3,500,000 grant through the U.S. Department of Commerce - EDA for the construction of the Innovation Center. The goal of the project is that the CDA would own the building and KABA would operate the Innovation Center. The Innovation Center will be located in the proposed Village Green Center.

In past few months, CDA staff and KABA have worked with architectural, engineering and construction consultants to respond to continued requests from the EDA seeking additional, more detailed information pertaining to the \$3.5 million grant. The latest EDA grant-related request was on July 1, 2010, whereby the EDA sent a letter informing KABA and the CDA that the grant application for the construction of the Innovation Center merited further consideration. CDA staff and KABA view this EDA communication as a positive response concerning the grant. If the EDA grant is awarded, the Innovation Center is aligned to be a major component, employer and development catalyst of Village Green Center.

In addition to the pending EDA grant, both KABA and the CDA would commit to contributing \$2 million each to assist in the funding of the Innovation Center. The State of Wisconsin Department of Commerce has also contributed \$70,000 towards the project.

As the conceptual designs evolved, a full basement in the Innovation Center would permit space for mechanical equipment, saving floor space for tenant businesses. Given the timing of the grant application with EDA additional expenses beyond \$3.5 million it would have to be funded locally.

Village Green Center overview: As the CDA is aware, as well as the Village staff and other Commissions are aware, the proposed Village Green Center, is located within the demographic center of the Village at 104th Street, Springbrook Road and 39th Avenue as shown on the overhead. This development will be a mixed-use commercial/residential development incorporating not only commercial, civic and park uses, but a variety of higher density residential uses. In the winter of 2004, nearly 15 years since the Village's first discussions emerged regarding the creation of a community center or our downtown, the owner and developer of a large portion of the area to be developed as the Village Green Center contracted with a planning and architectural firm to jump-start the process again to vision and to plan with the community and to prepare plans for the Village Green Center.

As a part of the Village Green Center planning effort, the Board reappointed a Village Green Technical Advisory Committee comprised of residents; select members of the Village Board, Plan Commission, Park Commission, and a Kenosha County Highway official. The Village staff assisted the Committee to develop a Village Green Neighborhood Plan, an integral part of the

mixed-use commercial area. In 2006, a new developer, Land and Lakes Development Company, purchased a large portion of land within the Center and created a marketing and design team to continue the planning and the development of the property. By 2009, the company owned over 81 acres within the Village Green Neighborhood, all west of 39th Avenue.

In 2007 and 2008, the Village held Cafés to assist in the conceptual planning of the Village Green Center downtown. The first Café was held on November 15, 2007 to provide information about the Village Green planning process, to form a vision of the Village Green Center, to provide information about what makes village centers successful, to discuss other places people have visited that they liked and what they did not like, and what issues and opportunities need to be further explored.

A second Café was held on January 17, 2008 to discuss concepts for future development of the Village Green Center. A third Café will present and discuss the final Master Plan for the Center.

During 2009, Land and Lakes and its consultants hosted a series of workshops with Village staff and members of the Technical Advisory Committee to discuss various aspects of the design including issues related to transportation, building types and architecture styles and landscaping standards that would all assist in preparing the master plan and design guidelines for the Village Green development. As progress is made, a third Café will be planned for 2010/2011 to present the Village Green Center Master Plan. Once the Master Plan is prepared, a detailed planned development ordinance and final design guidelines will be completed for the development of the Village Green Center.

Additionally during 2009 in an effort to make the future Village Green Center a somewhat unique development, the Village staff introduced the concept of planning the Village Green Center as a sustainable, green development. The possible inclusion of such green concepts as geothermal heating of portions of roadways and sidewalks for snow and ice melt, geothermal heating and cooling of buildings, solar and wind energy use, use of recycled materials for construction, and electric car hook-ups, etc., are all being considered as a means of reducing energy costs for businesses, decreasing the carbon footprint of the development and attracting new businesses to the Village Green Center.

On April 28, 2010, the CDA awarded a contract to S.B. Friedman & Company in the amount of \$25,000 to prepare the Village Green Center Retail/Commercial Analysis & Marketing Study. In a recent discussion with S.B. Friedman, they are still in the data gathering phase of the study and estimate the delivery of this report and an initial memorandum by mid-late August of this year.

The Friedman Report is a vital part of the Village Green Center development planning process. It will recommend, identify and specify numerous commercial development issues and parameters and will also set the stage for what developer/land owner and the Village can expect with regards to a number of points. I'm not going to go through all those points, but as you can see it's very important that we have a very specific land use recommendation and strategy and to make sure that everything that we've been doing up to this point really meets with a marketing strategy for this downtown in order for it to be successful.

The Study is also expected to provide answers to a number of very specific questions as the Village Green Center develops, the viability, the viability of the Innovation Center, what

commercial businesses can be supported by the center by local or national retailers, by the community. It talks about the grocery store, sustainability. It talks about what makes our Village Center unique such as this green sustainability, how will other existing and proposed commercial developments affect the Village Green Center throughout the Village. Do we have the demographics and lifestyles to support the center and so on and so forth.

The last item on the agenda is the certified survey map. In order to keep the process moving forward, the CDA staff has created and recommended approval of a certified survey map. The property owner, Prairie Place LLC doing business as Land and Lakes Development, has agreed to donate the .95 acre parcel to the CDA. Upon approval of the Plan Commission and Village Board, their approval of the CSM, the CSM will legally describe the Innovation Center parcel which is Lot 1 on the overhead of the CSM, and its remnant 16.3 acre parcel is Lot 2 which the developer will retain ownership of. The forthcoming execution of the CSM and eventual transfer of title of Lot 1 to the CDA will place Lot 1 eventually under the ownership of the Village of Pleasant Prairie.

The CSM not only includes the 0.95 acre site for the Innovation Center development, but there will also be an arrangement or an agreement whether it's going to be an easement or some other legal means for the access and parking for the Innovation Center, for storm water management as well as the plaza and the geothermal workings for the innovation center. So there does need to be some final detail working with respect to some of the additional elements that are going to be needed for the Innovation Center to be constructed.

Specifically, the Innovation Center is planned to come with their access off of 39th Avenue through the Chase Bank driveway which is located directly across from the Village Hall as shown by Peggy on the screen. The Village has had initial conversations with Chase Bank representatives about obtaining this cross-access easement to gain access to the site without putting another new access point on 39th Avenue.

With respect to site amenities, the site will include a landscaped public plaza which will surround the Innovation Center on the north, south and west sides. The east side of the building will directly abut 39th Avenue. Again, we're coming up very tight with respect to the setbacks. Additionally, in future years when 39th Avenue is widened to a full profile, it will accommodate and be improved with additional travel lanes up to four, a median, angled on-street parking and pedestrian sidewalks on both sides of 39th Avenue.

With respect to parking serving the Innovation Centers, as I mentioned, there will be a surface parking lot that will be constructed north and west of the Innovation Center building. The parking lot will provide for 154 off-street parking stalls. As the concept plan layout depicts, 46 of these spaces are really going to be temporary in nature, as a future commercial building is planned to be located in this area. We're looking towards there's going to be expansions and eventually there could be actually even a parking structure located in this area.

As I mentioned previously we are temporarily doing a Planned Unit Development under the B-2 District for the Innovation Center site. This Planned Unit Development which will be included to your information will address all the zoning-related setback issues that will be needed because of the reduced setbacks, parking and a number of other things, height of the building, all sorts of things that we're going to be looking at. Eventually we'll be drafting a planned development

ordinance that will not only incorporate and bring in this Innovation Center but will address all of the commercial and other residential areas in the downtown.

Under storm water and park, a storm water detention basin, located south of the Innovation Center within a public park area, will collect the storm water from the Innovation Center and will also serve as the storm water basin for other areas of the Village Green Center. The storm water facility will also serve as an amenity to the future public park and plaza areas and to the development of the Innovation Center and the downtown. The storm water facility is proposed to be located entirely, again, either within that storm water management easement or some other type of legal mechanism on the Land and Lakes property.

The CSM is a very important step in the development process for the Innovation Center, in that as a part of the grant, the EDA administration requires that the CDA has clear title to the property prior to advertising for bids to construct the Innovation Center project.

As mentioned above, the Village Green Center will be developed as a Planned Development that is being drafted as part of the Master Conceptual Plans are being prepared for the entire Center. Again, in order to keep the process moving forward, Lot 1 of the CSM in the easement areas are going to be rezoned into the B-2 (PUD), Community Business District with a Planned Unit Development Overlay District, again, to allow the Innovation Center and the associated improvements to comply with the current ordinance requirements or the PUD requirements and allow us to keep moving through the process.

With that I'd like to continue the public hearing. Tom Shircel, Assistant to the Village Administrator, is here to answer any additional questions that you may have regarding the Innovation Center.

Tom Terwall:

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

Don Hackbarth:

In regard to that shared access driveway with the bank, the flow of traffic on their outside deposit thing goes from the north to the south. So would there be opposing traffic flow if people were coming in? Or, where would they be accessed? Looking at the sheet right here.

Jean Werbie-Harris:

At this point there's an in and out for Chase Bank across from the Village Hall just like the Village Hall has. You are correct that there is an internal site circulation system through Chase Bank. They might need to put a yield sign up, or on the Innovation property it will have to be a stop or yield situation so that they allow that traffic from the bank to route up to their exit and go out. I guess I envisioned while there might be multiple shifts or multiple times of the day that staff and employees will come in and out, I guess I envisioned that the start time will probably be between 8 and 9 in the morning before the bank is open. The bank is open later at night but,

again, for traffic circulation purposes there's going to have to be a stop or yield condition on one or both sides to accommodate the traffic coming and going.

Don Hackbarth:

Well, there's a sharp, and I don't know how to say this, where you have the curvature of the drive for the bank coming down, there's kind of a sharp jet that goes up in there. Maybe you could round that off a little bit better to make it a wider area for the people to get into the center.

Tom Shircel:

I'm sure this plan will be tweaked as we go through the process.

Don Hackbarth:

The last question I have is this sounds kind of neat but give me a scenario. Is this a company that comes in and wants to start up, or is it some guy that has an idea? Run me through the process.

Tom Shircel:

The second point you made is probably the most likely scenario. It would a person or persons who would come in and go through a screening process and application process to get into this building. And the idea is to take persons or a group of people who have an innovative idea in a bio-medical field or life sciences field, have them come in with a proposal to the CDA and, like I said, there would be an application process and a screening process. And the idea was to rent space to these persons in this innovation center probably at a low rent rate to get them started. The idea was to have them be in this building for one, two, three, however many years and then to graduate them from this building and hopefully they graduate from the building and open up a new business somewhere in the Village or within the region and create even more jobs.

Don Hackbarth:

An offshoot of that question or comment, west of the I we're talking about the Abbott property, and there was all kinds of thought about is Abbott going to use it for their whole facility or is it going to be broken up into little tech areas or little medical areas or businesses. Is that kind of the idea there that these people might just wind up buying into Abbott property there to run their business or build their business?

Jean Werbie-Harris:

We don't know at this time.

John Braig:

Jean, could you go back to the earlier artists rendition of the total building, or Peggy? The walkway alongside the building follows the depression of the topography there. Then you have handicapped access ramp going back up to the building. It looks like a very steep ramp for one thing. But what I'm suggesting is rather than going downhill and then turn and push the

wheelchair uphill again, there should be some way that the handicapped access ramp terminates on a higher level of that walkway.

Tom Shircel:

Again, that's a point well taken. Take into consideration that this drawing that you see up on the screen, this prospective drawing, was probably developed within a couple days as a response to the Federal Economic Administration Department. So, again, this design just like the site plan will probably change as we go through this process. But that is definitely a point well taken that we will address.

Jim Bandura:

Question to staff. KABA is going to manage this property and who is going to market it just to bring in new businesses?

Tom Shircel:

I think that would be a combination KABA and CDA.

Wayne Koessl:

I think that we have to remember that this is a conceptual plan and there will be a lot of changes made to it. As far as the overall function of this plan it's going to be an incubator building to create other facilities in the community. I think it's well conceived.

Tom Terwall:

If there's nothing further I'll entertain a motion to send a favorable recommendation to the Village Board to approve the master conceptual plan.

Michael Serpe:

So moved.

Jim Bandura:

Second.

Tom Terwall:

MOVED BY MIKE SERPE AND SECONDED BY JIM BANDURA TO SUBDIVIDE THE PROPERTY GENERALLY LOCATED AT THE 9900 BLOCK OF 39TH AVENUE FOR THE PROPOSED SOUTHEASTERN WISCONSIN INNOVATION CENTER PROJECT. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Next we need a motion to send a favorable recommendation to the Village Board to approve the zoning map and text amendments.

Michael Serpe:

So moved.

Jim Bandura:

Second.

Tom Terwall:

MOTION BY MIKE SERPE AND A SECOND BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP AND TEXT AMENDMENTS. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Then finally a motion to send a favorable recommendation to the Village Board to approve the CSM subject to the terms and conditions outlined in the staff memorandum.

Wayne Koessl:

So moved, Mr. Chairman.

Jim Bandura:

Second.

Tom Terwall:

MOTION BY WAYNE KOESSL AND A SECOND BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CSM SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Michael Serpe:

This is going to be the start of something great, I'm telling you, when this thing gets up and running. It's going to change the whole landscape of this area.

L. Consider Plan Commission Resolution #10-14 to initiate a zoning text amendment related to zoning fees.

Jean Werbie-Harris:

Members of the Plan Commission, this is a Resolution 10-14 to initiate a zoning text amendment. The Plan Commission may initiate a petition for an amendment to the zoning ordinance which may include rezoning of property, change in zoning district boundaries or changes in the text of the ordinance. The Village staff is recommending that the Plan Commission consider a zoning text change related to zoning fees specifically for items requiring a pre-development agreement. We've had a number of situations where we're working with banks and other types of entities that are acquiring properties from current landowners and developers, and we're spending literally hundreds of hours working with all of these entities. And so we are looking to put a mid year requirement in the zoning text that would require pre-development agreements for certain types of situations, not necessarily for an exact application, but for all the time that we're spending in order to bring developers' financial institutions up to speed and to work through the process to get it to an eventual developer to get it to an eventual project.

So the Plan Commission is not by this resolution making any determination regarding the merits of the proposed change in the zoning text, but is rather only initiating the process by which the proposed changes in the text can be promptly evaluated and a public hearing can be scheduled. The staff recommends approval to the Plan Commission.

Michael Serpe:

Move approval of Resolution 10-14.

John Braig:

Second.

Tom Terwall:

MOVED BY MIKE SERPE AND SECONDED BY JOHN BRAIG TO APPROVE RESOLUTION 10-14. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

M. Consider Plan Commission Resolution #10-15 to initiate a zoning text amendment related to smoking ban.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is Resolution 10-15, and it's related to a resolution to initiate a zoning text amendment. The Plan Commission may initiate a petition for an amendment to the zoning ordinance which may include rezoning of property, change in zoning district boundaries or changes in the text of the ordinance. As a result of the recent Wisconsin law changes related to smoking, the Village ordinances are proposed to be amended to be consistent with the State law.

The Village Plan Commission is not by this resolution making any determination regarding the merits of the proposed changes in the zoning text, but is rather only initiating the process by which the proposed changes in the text can be promptly evaluated and a public hearing can be set to consider those changes. The staff recommends approval as presented.

John Braig:

Move approval of Amendment 10-15.

Larry Zarletti:

Second.

Tom Terwall:

MOTION BY JOHN BRAIG AND A SECOND BY LARRY ZARLETTI TO APPROVE AMENDMENT 10-15. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? I would recommend you not put those changes in ink because I see in the gubernatorial debate last Sunday both the Republican candidates say that that's one of the first things they're going to do is repeal the smoking ban. So you better put it in pencil.

8. ADJOURN.

John Braig:

Move adjournment.

Michael Serpe:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

We stand adjourned.