

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
March 26, 2018**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on March 26, 2018. Those in attendance were Thomas Terwall; Michael Serpe; Wayne Koessl; Jim Bandura; Judy Juliana; Bill Stoebig; and Brock Williamson (Alternate #2). Deb Skarda and John Skalbeck (Alternate #1) were excused. Also in attendance were Tom Shircel, Interim Village Administrator; Jean Werbie-Harris, Community Development Director; and Kristina Tranel, Community Development Department.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER APPROVAL OF THE FEBRUARY 26, 2018 PLAN COMMISSION MEETING MINUTES.**

Judy Juliana:

So moved.

Bill Stoebig:

Second.

Michael Serpe:

**MOTION BY JUDY JULIANA AND A SECOND BY BILL STOEBIG FOR APPROVAL.
ALL THOSE IN FAVOR SAY AYE.**

Voices:

Aye.

Michael Serpe:

The ayes have it.

- 4. CORRESPONDENCE.**

Jean Werbie-Harris:

I just wanted to mention for the Plan Commission and the audience that there are some items on the agenda that are going to be tabled this evening. In other words, we are not going to bring them up for discussion, that they will just be tabled to some dates certain. And at this point Items

C, D and E are all requests by Brian Dunn of Mead & Hunt, and this is for the Haribo project. And all three of those are going to be tabled until April 17th at 6:00 p.m. That's a Tuesday night for the Plan Commission. And then the next items on the agenda are F, G and H. And at this time those will be tabled until 5:30 on April 16th. If there's anything different from any of those dates or times new notices will be sent out to all the residents and affected property owners.

Wayne Koessler:

Mr. Chairman, I move that those items be tabled as stated by the Director of --

Jean Werbie-Harris:

Let me just clarify. Items F, G and H is Main Street Market. I just mentioned the letters. That's the Main Street Market Project. So I just wanted to let you know, again, if there's any changes to what's on this agenda for the dates we're not going to table them yet, not until these items come up on the agenda, but that's part of the correspondence of the emails that we received from those developers. So that's it just for correspondence.

5. CITIZEN COMMENTS.

Michael Serpe:

We have a number of items on the agenda that are scheduled for a public hearing. If you have a comment on any of those items that are scheduled for a public hearing you can hold your comments until that item is called. If there's anything else that anybody would like to address the Plan Commission on now is your opportunity to talk. And we ask if you come forward to give your name and address. Judy?

Judy Royce:

Thank you for allowing me to comment. I understand that the rezoning and the conceptual plans for our new neighbors Haribo is going to be postponed until April. But my comments are more of a general nature. Just a little background. For those of you who don't remember me I am a neighbor to the property that's known as Prairie Highlands Corporate Park for the last 30 years. And I was delighted to hear last April 17th that Pleasant Prairie was going to develop this corporate park. As Mr. Pollocoff state, quote, "It would a product that everybody's happy with and comfortable living by." And Mr. Serpe commented, I have all the faith in the world on this being beautiful.

So I'm still hoping that the park-like setting that you spoke of for the Prairie Highlands Corporate Park will be integrated into your overall Phase 1, Phase 2 of Haribo, for the Aurora development. You know, the plan in light of, you know, a kindergarten now happening and a museum and a helipad and a multi-story parking garage, you know, I see all of those kind of depicted on your conceptual drawings. It's a whole lot of concrete for a park-like setting. So as a resident I just wanted to let you know my feeling there.

I also see that Aurora plan is calling right now for 2,500 anticipated automobile trips per day and hours of operation between 5:30 a.m. and 7:30 p.m. A whole lot of traffic, almost a million cars a year going in and out and lighting for a park-like setting.

My comments this evening also center on Lot 2 of the Prairie Highlands Corporate Park which is located directly behind my home. If you could address at some point the timing of the infrastructure for that whole property. Is it going to be done in conjunction with Haribo's development, Aurora's development? Our home and our deck are being stained this year. You know, we have a wedding planned the first week in August in our backyard this year. And so needless to say I'm trying to understand as well the timing of everything. And I think whatever you can share with us would be appreciated.

I would ask that you please take into consideration the drainage for this property that's key for all the properties that abut up to it. And I'm sure that your engineering team has done a great job indicating how that flows.

I would also like to make a request that in keeping with your goal of a park-like setting, regardless if you change the zoning from professional office to manufacturing to institutional that you consider placing a screening berm and plantings just kind of adjacent to the residential properties which can serve as a buffer for sight line, sound, lighting, all those things that are done in conjunction with the initial grading of the property.

Because we know like you do that once the property is sold and those infrastructure things are not put in place then we have a harder time dealing with the individual companies and requesting that as good neighbors would do. You know, I go knocking on my neighbor's door and say I'm having a wedding in August, you know, do you have any problems with that? You know, are you having any parties or anything?

So, anyway, from a lighting standpoint, too, I'm not sure, I don't know all of your idiosyncrasies for your comprehensive plan, but two candlelight power at the property line with lights that shine down versus up, lights that shine, you know, away from our property, those kind of things would be appreciated. I know you have several projects on your plate. I went through the 450 pages that accompany the meeting minutes for tonight, and so I ask that you just give your utmost consideration as we are the neighbors of these people. And we'd like to be good neighbors and we hope that they are, too. Thank you.

Michael Serpe:

Thank you, Judy. Anybody else?

Jane Snell:

Excuse me, I need a name and address please.

Judy Royce:

Oh, I'm sorry. Judy Royce, 13023 Wilmot Road, Kenosha, Wisconsin.

Michael Serpe:

Thank you, Judy. Anyone else wishing to speak? Yes, sir?

Patrick Perlman:

Patrick Perlman, 9430 128th Avenue, Kenosha. I agree with Judy that the park-like setting is a great plan. A park-like setting to me means berms and greenery to reduce the effects of noise and light pollution. And that should be considered not just for the Haribo property but for Lot 2 and outlots as well because there is a residential neighborhood adjacent to these properties. I also ask that 128th Avenue which is maintained by the Village of Bristol be not used for construction as it's not designed for that kind of traffic.

Water mains I understand there will be a water tower on Outlot 2. And obviously water mains have to be brought to that. It's supposedly going to go down 128th Avenue so obviously they're buried, but we don't know whether they'll be on the north or south side. So if you have any insight to that we'd appreciate that if you'd address that. And there's power lines now and I'm assuming they're going to be buried. It would be nice to know where those will be buried as well.

And then last but not least if it's going to be a park-like setting and there's going to be a water tower there, unsightly cell phone towers put on top of water towers makes it a little unsightly and not really a park-like setting. So that's all I have. Thank you very much.

Michael Serpe:

Thank you. Yes, ma'am?

Abigail Ferguson:

My name is Abigail Ferguson, 9311 136th Avenue, Kenosha. I just have a question on the zoning districts that you have listed in your memo. You said its current zoned B-6 and also into M-5 Production. I could not find that under the Kenosha County website. So if you could -- I would like to see the description of those zoning district. That would be great since they're not on the Kenosha County website.

Jean Werbie-Harris:

So you need to go to the Village of Pleasant Prairie website which is pleasantprairieonline.com. The old website is still up, the new one is up as well. Ordinances which is in the upper right hand corner, click on that, and that will bring all of our ordinances, and 420 is the zoning ordinances.

Abigail Ferguson:

Okay, so I didn't know if that had to also be aligned with the Kenosha County --

Jean Werbie-Harris:

No, not at all. We're not under county zoning. We haven't been since '89, so we have all our own zoning and all our own districts. And if you go to the county's website through interactive mapping and you go to Pleasant Prairie our zoning maps are out there as well.

Abigail Ferguson:

Okay, thanks.

Michael Serpe:

Let the record reflect that Commissioner Terwall is here as well. Anybody else wishing to speak? Anybody else wishing to speak? We'll close citizens' comments and move onto unfinished business tabled and continue the public hearing in consideration of a preliminary plat. Jean?

Jean Werbie-Harris:

You need to remove it from the table please.

Michael Serpe:

We need a motion to remove it.

Jim Bandura:

So moved.

Wayne Koessl:

Second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND SECONDED BY WAYNE KOESSL TO REMOVE IT FROM THE TABLE. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

6. UNFINISHED BUSINESS

A. TABLED AND CONTINUED PUBLIC HEARING AND CONSIDERATION OF A PRELIMINARY PLAT for the request of John Sorenson, agent for US Shelter Companies, LLC, owners of the vacant properties generally located south of 89th Place at 106th Avenue (south of the Heritage Valley Subdivision) for the development of 45 single family lots to be known as River Run at Heritage Valley.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, at the February 26, 2018 Plan Commission meeting, the Plan Commission tabled the Preliminary Plat request for the request of John Sorenson for US Shelter Companies. Again, they were requesting approval of a preliminary plat for River Run at Heritage Valley. This request was tabled in order to have the Village staff contact Kenosha County to discuss County Trunk Highway C and the impact that County Trunk Highway C had on this new subdivision and the people traveling in and out of this new particular area of this new subdivision. And, again, this is just an extension of the existing Heritage Valley Subdivision.

The Plan Commission at that time indicated that they were concerned about the safety of left turn movements, and they'd like to have the engineers re-examine the dedicated turn lanes or bypass lanes as well as any potential for some flashing signage in order to help reduce potential rear end collisions.

On February 28, 2018, the Village staff discussed the issues with the Kenosha County Executive. We also discussed them with the Kenosha County Public Works Department. The Village Engineer then emailed the developer's traffic engineer on March 2, 2018 with possible solutions to investigate regarding traffic safety on Highway C. On March 13, 2018, the developers engineer then emailed the Village with possible solutions.

The Village staff has reviewed and discussed the information. The staff recommends that the developer add advanced warning signs and also improve the intersection street lighting. The Village will look into the existing intersection lights and see if they can be upgraded and/or if additional street light are warranted. The exact advance warning signs type, location and lighting improvements will be finalized as we continue to move through the engineering process for the subdivision design, and we will continue to coordinate it with Kenosha County.

Now, again, that was the primary issue and concern and the reason that it was tabled by the Plan Commission. Again, this is a preliminary plat, just to recap, for two vacant properties located south of the Heritage Valley Subdivision generally located south of 89th Place at 106th Avenue. The developer is proposing 45 single family lots to be known as River Run at Heritage Valley.

At the last Plan Commission meeting where we had the public hearing we talked about all the previous approvals that have been granted to this subdivision in previous years. That the new developer, US Shelter Companies, LLC, is the new developer that is requesting to do these new 45 single family lots. We indicated that there was a preliminary plat that had been presented. We went through all of the comments with respect to it. The developer at that time indicated that he was going to be developing their 45 lots in three phases. Phase 1 would be 13 single family lots; Phase 2 would be 23 single family lots; and Phase 3 would be 9 single family lots. So by doing it

in phases, again, we can continue to work through this process as to what improvements would need to be made to Highway C and when they should go in.

The staff also talked about basically the single family development that's out there today. We talked about the four outlots that are being created within the development. Again, the different outlots for stormwater management, for wetlands and floodplain as well as the land that's going to be retained by the developer for future lots, as well as the area that's going to be dedicated to the association.

The other things we talked about at the last meeting would be that the Village would be needing to grant a temporary sanitary sewer lift station access and maintenance easement to the association and to the developer for them to construct. And then to maintain the grounds, that area immediately around the lift station until it gets completed. We indicated and we talked about the population projections. We talked about the floodplain boundary adjustment and the wetlands on the property.

And, again, the biggest thing that we had some concern about at that last meeting was that site access. We talked about that 106th Avenue is the only entrance and access to this subdivision, and that if there were any new strategies, signage, lighting, whatever could be done in order to make it a safer entrance for people going in and coming out it was something that the Plan Commission wanted to be able to look at.

Again, Kenosha County as discussed had reviewed the TIA. We reviewed it again with the developer. We talked to their traffic design engineer, our engineer. We looked at the configuration of the Highway C intersection, how much land area was there, if safe turning lane movements could be put in by restriping. We looked at all of those different options. Basically based on the traffic warrants no new complete intersection reconstruction is needed or would be warranted. But, again, there could be a few things, whether it's lighting or some new signage and even lighted signage that could help the traffic coming to and from that subdivision in order to identify things a little bit more clearly at night especially with more traffic coming to that area.

And all of this is set forth in the staff memorandum, again, that we had talked about. With respect to the construction access the same access to the subdivision is the main entrance of the subdivision at 106th Avenue. At the last meeting we talked about the municipal roadways, the municipal sanitary sewer, sewer and water, the lift station as well as the pedestrian path connection.

We also indicated that the property would need to be rezoned into the R-4.5 Urban Single Family Residential District. The wetlands that are to remain in the property would be zoned into the C-1, Lowland Resource Conservancy District. Certain areas, non-wetland areas in the outlots would be put into the Park and Recreational District. And the 100 year floodplain that of which is not being adjusted will remain on the property.

So there were a number of items with respect to their request. And the staff was recommending approval of the preliminary plat. The developer is here this evening. Our engineer would be happy to discuss any further. But I think that the one main concern and the only thing we didn't discuss at length at our last meeting was that we needed to get some additional information with

respect to the access at Highway C. So with that I'd like to continue the public hearing. Again, the developer is here, our engineer is here if you have any very specific questions.

Again, this whole Heritage Valley Subdivision was actually platted out back in the early '90s. And this was just a subsequent phase. It's outlined in that aqua color blue. It's that subsequent or the next phase with a different developer that they are seeking approval for this evening.

Michael Serpe:

This is a matter for public hearing. Anybody wishing to speak? Anybody wishing to speak? Yes, sir?

Eric Zenner:

My name is Eric Zenner, 8951 106th Avenue. Denise and I have lived at this Heritage Valley Subdivision for the last 23 years, and I don't think you're listening to us as a group. It's not lighting, it's not a problem at that intersection, it's traffic. At 5:30 in the morning, 7:30 at night it doesn't matter. There's too much traffic. It was built in the '90s. Twenty three years later there's a lot more traffic. We need a simple four-way stop sign. That's all I'm going to say.

Michael Serpe:

Anybody else wishing to speak? Anybody else wishing to speak? We'll close the public hearings. Comments and questions from the Commission. I just want to make one comment before we start. I want to thank our Engineer Matt Finour, County Executive Jim Kreuser, and the County Highway Department for at least looking at this intersection for any possible improvements that we could have put in. And right now it just doesn't warrant except some warning signals that we're looking at.

Jean Werbie-Harris:

I don't know if Matt might want to comment. We've talked about everything from a four-way stop to widening to striping. We looked at every option, and I don't know if Matt wants to address it with respect to what the county had told us.

Matt Fineour:

As Jean indicated we did look at a wide array of options. And really there just is not anything warranted or another good option other than advanced warning signs. And that doesn't take care of the amount of traffic out there, it just helps try to make it a little bit safer. But that's the best that can be done without some other kind of major project going on in the area that reconstructs the roadway or intersections.

Michael Serpe:

Thanks for taking the time. Any comments or questions?

Wayne Koessl:

Mr. Chairman, if there aren't any more comments I would -- and I also thank Matt and the county and the developer for working together on this. And I would move that the Plan Commission send a favorable recommendation to the Village Board to conditionally approve the preliminary plat subject to the comments and conditions of the March 26, 2018 Village staff report.

Jim Bandura:

Second.

Michael Serpe:

MOTION MADE BY WAYNE KOESSL AND SECONDED BY JIM BANDURA FOR APPROVAL OF A PRELIMINARY PLAT. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

Wayne Koessl:

And one thing further. Traffic is going to continue to increase out there. And I think it should be incumbent upon the Village to keep an eye on it along with the county to see what can be done in the future.

7. NEW BUSINESS

B. PUBLIC HEARING AND CONSIDERATION OF A MASTER CONCEPTUAL PLAN for the request of John Huggett of the Boldt Company for approval of a Master Conceptual Plan for the development of a 64 acre property located at the northwest corner of CTH Q (104th Avenue) and 120th Avenue (West Frontage Road) for the construction of the Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building.

Jean Werbie-Harris:

Item B, public hearing and consideration of a Master Conceptual Plan for the request of John Huggett of the Boldt Company for approval of a Master Conceptual Plan for the development of a 64 acre property located at the northwest corner of County Trunk Highway Q or 104th Street and 120th Avenue, West Frontage Road, for the construction of the Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building. And that should say 104th Street, not 104th Avenue.

The petitioner is proposing to purchase approximately 64 acres of vacant property generally located at the northwest corner of 120th Avenue, West Frontage Road, and 104th Street within the Prairie Highlands Corporate Park for the development of construction of the Aurora Health Center-Pleasant Prairie Ambulatory Care Center and Medical Office Building located in Pleasant Prairie.

The proposed \$130 million development would include an approximate 100,000 square foot ambulatory care center, a three story, 100,000 square foot professional office building, and associated surface parking and open space. The building would be situated on the site to accommodate future expansion as the health care needs of the community evolve. The planning and design of the proposed facility would preserve the site's woodlands and natural wetlands providing care in a natural and healing environment.

The proposed health care facility would offer new and expanded services in an ambulatory care center and professional office building. The facility is intended to meet the rapidly growing healthcare needs of individuals residing in the Village and surrounding communities ensuring access to high quality, cost effective care in a convenient location. The hours of operation have not yet been established, but it is estimated that the hours would be 5:30 a.m. to 7:30 p.m. with expanded hours based on demand. Services offered on site would include primary care, outpatient surgery, rehabilitation services, imaging, laboratory services, occupational health, and a variety of specialty care services and a pharmacy.

Within the facility there will be operating rooms, imaging rooms, rehabilitation equipment, prep recovery rooms, clinic exams, food service, a laboratory, pharmacy, and sterilization equipment. The equipment used within the facility will support the previously identified departments and rooms. A generic listing of the equipment that will be within this facility will include, but won't be limited to CT, MRI, x-ray, bone densitometer, mammography, ultrasound, operating rooms, steam sterilizers, disinfectors, crash cart, centrifuge, stretchers, exam tables, kitchen hoods, grills, freezers and refrigerators. A screened mechanical service area will be located on the building.

It is estimated that the facility will provide for 260 full-time and 28 part-time employees working two shifts; 140 of those will be new full-time employees. A total of 713 parking spaces including 24 handicapped accessible parking spaces are being provided with a separate entry, and two dock service court areas are also being shown on the west side of the building. It is anticipated that the average daily automobile trips would be 2,565 per day with an average of four daily truck trips per day.

Access to this development will be from an internal roadway that connects a boulevard entrance at 120th Avenue which is the West Frontage Road to a boulevard entrance at 128th. So as you can see it crosses through the property from 120th to 128th Avenue. There will be no access to 104th Street direct to the site, and that's County Trunk Highway Q. Two additional access points are being proposed from 128th Avenue to the site. One access intended for more the mechanical and the loading dock purposes.

The Village, as the current land owner, is working on a drafts Certified Survey Map for the creation of the Lot 2 for Aurora, along with dedication and easement provisions and restrictive covenant language. In addition, the Village will be drafting a development agreement for the project.

The CSM will also create an Outlot 1 north of the Aurora site. As you can see on the screen the Outlot 1 will be owned by the Prairie Highlands Commercial Owners Association, and it will include regional stormwater drainage and retention basin facilities for that southern portion of the corporate park, as well as some dedication and easement language will also be added which includes language for the preservation and protection of the wetlands and floodplain areas, as well as the future multi-use path and other open space purposes. The remainder of the vacant area west of 128th Avenue will be created as Lot 1, and that will be for a further subdivision in the future.

All public roadway improvements and public utilities serving the Aurora site are being designed and are intended to be installed by the Village beginning in fall 2018. A wetland staking was completed on the property in 2017 by RA Smith which does not affect the development of the site. At this time, the existing wetlands, and there's a small pocketed wetland area, Peggy's going to circle that on the screen at the northwestern side of the property, those wetlands are intended to be preserved, protected and incorporated into the development.

If in the future that isolated pocket of wetlands is proposed to be filled, then they would have to go through a process to amend the Comprehensive Plan and the Zoning Map. But, again, at this point they've indicated to us that they intend to preserve and protect that particular area. Again, if that area is filled or adjusted in any way, not only Village approval would be required, but Wisconsin DNR and Army Corps of Engineers approval would also be needed.

At this time they are requested a Master Conceptual Plan approval from the Village, and their next steps would be preliminary and final site and operational plans that are intended to be submitted incrementally to the Village as we continue to go through the review and approval process. This will all occur between the spring and summer of this year. They would like to begin mass grading of the site by July with building construction later this summer with an anticipated completion in summer of 2020, so approximately two years to construct.

We have representatives here with us this evening from Aurora. What they have up on the screen right now are some perspectives of the site from a view that's looking to the northwest, one that's looking to the northeast and then one that's also looking to the southwest. And the staff has been working with them quite a bit lately in order to kind of continue to work through all of their needs on their site from an engineering perspective, civil perspective as well as the infrastructure that's needed for them.

And we are continuing to work with them to help them evolve their architecture for an acceptable look for the Village of Pleasant Prairie. And they have brought with them a lot of their materials to get the Plan Commission comfortable with some of the site materials that they are proposing to use. They brought with them four people to do some additional presentations this evening. So I know from their list Brian Esswein is here, he's their Construction Project Manager, and Jason Nitzel, Director of Construction Management, Tracy Wimelonburg, she's the Director of Government and Community relations, Nick Burris, Project Manager and Associate Vice President with HGA Architects and Engineers. And then I believe that Lisa is also here, and I believe she is going to be the one that's going to be making the presentation and presenting additional information and testimony for and on behalf of Aurora, and that is Lisa Just.

Michael Serpe:

Everybody but the surgery team, right?

Jean Werbie-Harris:

So I'm not sure who they've delegated to actually come up to do an initial presentation, but I'll introduce them to start. And if there's any questions I'm sure they'd be happy to answer them.

Lisa Just:

Thank you, Jean. Good evening. As Jean said I am Lisa Just, and I serve as the Interim President of the Racine, Kenosha, Northern Illinois patient service area, as well as the President of the Burlington Walworth patient service area for Aurora Healthcare. On behalf of Aurora Healthcare I appreciate the opportunity share with you additional information about Aurora and our proposal before the Plan Commission this evening.

Aurora is an integrated not for profit healthcare provider serving more than 30 counties throughout eastern Wisconsin and northern Illinois. Our system first established in 1984 with two hospitals in the Milwaukee area, and has since grown to provide top quality care to the residents of eastern Wisconsin and northern Illinois through 16 hospitals, more than 150 clinics, more than 70 pharmacies, and the state's largest home visiting nurse program. We strive to offer services that are close to home and help to make the whole community healthier.

Aurora is proposing to build an ambulatory surgery center and medical office building within the Village of Pleasant Prairie. This \$130 million investment will offer new and expanded services intended to meet the rapidly growing healthcare needs of individuals residing in Pleasant Prairie and the surrounding communities in southeastern Wisconsin. Services offered at the site will include general surgery, orthopedics and [inaudible] as well as primary care, rehabilitation, imaging, occupational health, pharmacy, laboratory, a variety of other specialty care services and Aurora's Children Health Services. The latest state of the art technology will be offered in everything from our operating rooms to imaging technology.

The ambulatory surgery center and medical office building will be open to the public between the hours of 5:30 a.m. and 7:30 p.m. We're anticipating that there will be 260 full-time and 28 part-time staff employed at the new ambulatory surgery center and medical office building. This includes 140 new full-time professional healthcare center and healthcare jobs that are being created as a part of this project. Additionally, the construction of this project is expected to create up to 400 direct plus 300 indirect temporary construction and trade jobs.

Aurora's pleased to be part of the Prairie Highlands Corporate Park development. We very much appreciate the aesthetics of the neighborhood in which our property is located as well as the care that our neighbors are taking to preserve the natural beauty of the area. As noted by the images shared during tonight's meeting this development features Aurora's new contemporary design aesthetic which is lighter and more natural in appearance than our traditional design. Additionally, the planning preserves the area's woodlands and natural wetlands. Combined these features provide a natural, scenic and healing environment for our patients.

Aurora is looking forward to providing high quality, cost effective healthcare for residents of the Village of Pleasant Prairie and surrounding southeastern Wisconsin geographies. We hope to be a strong community partner and valuable healthcare resources for many years to come. I'm here tonight with Aurora design team members, my full team that I brought me, Brian Esswein, Construction Project Manager, Jason Netzel, Director of Construction Management, Tracy Wimelonburg, Director of Community and Government Relations, and Nick Burris, Project Manager and Associate Vice President with HGA Architects and Engineers so that we can be happy to answer any additional questions you may have about the project. Thank you again for your consideration of the project.

Michael Serpe:

Thank you. Any other representatives from Aurora wishing to speak? And this is a public hearing. We'll open it up for comments. Anybody wishing to speak? Anybody wishing to speak? Hearing none we'll close it. I'm sorry, yes, ma'am?

Jane Perlman:

Jane Perlman, 9430 128th Avenue. I'm wondering if there will be a heliport connected with this facility.

Lisa Just:

This facility will not have any emergency department and, therefore, no heliport.

Michael Serpe:

Thank you. Anybody else wishing to speak? We'll close the public hearing. Comments and questions from the Commission? Jim?

Jim Bandura:

I've got a question to Matt. There was drawings preliminarily submitted, and are you comfortable with the distance from like the parking lot to the retention pond for drainage with the storm sewers?

Matt Fineour:

So for the parking lots and the stormwater ponds, the storm water ponds are located by the creek on the downstream end of the property. They will be storm sewer their parking lots to those detention facilities. So the drainage from the parking lots will be going to the stormwater drainage facility. The drainage facilities are located within an outlot. Again, they're at the lowest point of the property. So if anything else were to ever happen to the property you still have a downstream stormwater management facility for the overall development of the park.

Jim Bandura:

It just seemed like it was kind of a long distance between the parking lot and the two retention ponds.

Matt Fineour:

Understood. But, again, the detention facilities are regional facilities so they're there to service not only this site but areas west of the proposed road there. So they're located, like I say, on the downstream end. So everything will eventually go to it whether it gets developed or not.

Jim Bandura:

And, Jean, you mentioned architecture. The drawings that were submitted preliminarily they're a lot different than what's shown here, correct?

Jean Werbie-Harris:

They are. It's a work in progress. Maybe we could have Brian Esswein come up and address, or the architect could come up and address the work in progress with respect to the skin on this building.

Brian Esswein:

I'm Brian Esswein, I'm the construction manager for Aurora. Nick Burris is behind me, he's the consultant from HGA and project manager. So what you see are two different views. So the two images that you have in the pallets on your left are representative of a facility that's already built. It's in Burlington. It is the Southern Lakes facility. And a lot of those details, a lot of those building materials will be integrated. We wanted to give you a flavor of what is actually already existing and already built in services as well as materials. That facility exists. So what we wanted to do is provide a comparable. Because the conceptual plans that you have on the screen right now are a little bit hard to read, maybe understand from conceptual plan submission. So we wanted to give you something real that was already built with materials with the feel of the entrance, the feel of the landscape, overall of what that integration will be as our plans get developed from a preliminary site operational packages.

Jim Bandura:

So this is quite a bit of difference from the old design?

Brian Esswein:

It is. It's a very, very different perspective. It's more contrary like Lisa brought forth. It's not the old standing seam green roof decks that you might have seen in the past. There is something that is represented in the hospital on 50th in Kenosha. It's something much, much different. The landscape to the approach to the sites is much different to be more receptive, to be more of a collaborative care kind of model to provide that healing environment. It will be more

contemporary in design with an array of different mixtures of materials to be represented. You'll see stone, you'll see glass, you'll see a number of different styles and material mix.

Jim Bandura:

It's good to see that moving forward as something different.

Michael Serpe:

Thank you. Anybody else wishing to speak? Anybody else? I think we closed the public hearing already. Any other comments from the Commission?

Jim Bandura:

If no other comments I would recommend --

Jean Werbie-Harris:

Conditional approval subject to all the staff comments.

Jim Bandura:

Yes.

Michael Serpe:

Is there a second?

Wayne Koessl:

I'll second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF THE MASTER CONCEPTUAL PLAN. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you and welcome. Items C, D and E relating to the Haribo property will be tabled. That will be Item C, consideration of Plan Commission Resolution 18-07. And Item D is public hearing and consideration of a master conceptual plan. And Item E is the zoning text amendment on Haribo.

- C. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #18-07 TO AMEND THE COMPREHENSIVE PLAN** for the request of Brian Dunn of Mead & Hunt, agent on behalf of HARIBO of America Manufacturing, LLC for the development of a 136.8 acre property generally located at the southwest corner of 120th Avenue (West Frontage Road) and CTH C (Wilmot Road) to amend the Village of Pleasant Prairie, 2035 Comprehensive Land Use Plan Map 9.9 to change the Freeway Oriented Business Center commercial land use designation to the Production Manufacturing Industrial land use designation; to correctly show the location of the field delineated wetlands within the Park, Recreation and Other Open Space lands with the field verified wetland land use designations; and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendments. **AT THE REQUEST OF THE PETITIONER THIS ITEM IS BEING TABLED UNTIL A 6:00 PM APRIL 17, 2017 PLAN COMMISSION MEETING.**
- D. PUBLIC HEARING AND CONSIDERATION OF A MASTER CONCEPTUAL PLAN AND DEVELOPMENT AGREEMENT** for the request of Brian Dunn of Mead & Hunt, agent on behalf of HARIBO of America Manufacturing, LLC for the development of a 136.8 acre property generally located at the southwest corner of 120th Avenue (West Frontage Road) and CTH C (Wilmot Road) for the construction of a new manufacturing facility to produce Gummy Bears and other HARIBO products. **AT THE REQUEST OF THE PETITIONER THIS ITEM IS BEING TABLED UNTIL A 6:00 PM APRIL 17, 2017 PLAN COMMISSION MEETING.**
- E. PUBLIC HEARING AND CONSIDERATION OF ZONING MAP AND TEXT AMENDMENTS** for the request of Brian Dunn of Mead & Hunt, agent on behalf of HARIBO of America Manufacturing, LLC for the development of a 136.8 acre property generally located at the southwest corner of 120th Avenue (West Frontage Road) and CTH C (Wilmot Road) to rezone the portion of the property that is currently zoned B-6, Freeway Oriented Business Center District into the M-5, Production and Manufacturing District and to rezone the field verified wetlands into the C-1, Lowland Resource Conservancy District. All non-wetlands areas will be rezoned into the M-5 District and the entire property will be rezoned to a Planned Unit Development Overlay District (PUD) and to create the specific PUD ordinance for said development. **AT THE REQUEST OF THE PETITIONER THIS ITEM IS BEING TABLED UNTIL A 6:00 PM APRIL 17, 2017 PLAN COMMISSION MEETING.**

Jean Werbie-Harris:

The staff recommends that the public hearings be tabled for Item C which is the PC Resolution 18-07 to amend the Comprehensive Plan, Item D for the master conceptual plan and the development agreement, and Item E, public hearing and consideration of the zoning map and text amendments. We have been diligently working, but we're not quite ready for the formal presentations, so we are asking that all three of these items be tabled until a special Plan Commission meeting set for April 17th which is a Tuesday at 6:00 p.m. here at the Village Hall.

Tom Terwall:

So moved.

Jim Bandura:

Second.

Michael Serpe:

**MOTION MADE BY TOM TERWALL AND SECONDED BY JIM BANDURA TO
TABLE ITEMS --**

Jean Werbie-Harris:

C, D and E.

Michael Serpe:

Yes. All those in favor say aye.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Now Items F, G, H will also be tabled, and those are considering the Main Street Market. Jean?

Jean Werbie-Harris:

That's correct.

F. PUBLIC HEARING AND CONSIDERATION OF A PLAN COMMISSION RESOLUTION #18-08 FOR A COMPREHENSIVE PLAN AMENDMENT for the request of Dan Szczap, agent, on behalf of Main Street Development, LLC to amend the 2035 Comprehensive Land Use Plan Map 9.9 to remove the Urban Reserve land use designation from the vacant properties generally located at the northeast corner of STH 31 and STH 165 for the proposed Main Street Market commercial development and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendments. AT THE REQUEST OF THE PETITIONER THIS ITEM IS BEING TABLED UNTIL A 5:30 PM APRIL 16, 2017 PLAN COMMISSION MEETING.

G. PUBLIC HEARING AND CONSIDERATION OF ZONING MAP AND TEXT AMENDMENTS for the request of Dan Szczap, agent on behalf of Main Street

Development, LLC related to the proposed Main Street Market commercial development to be located at the northeast corner of STH 31 and STH 165. The properties are proposed to be rezoned from the B-2 (AGO), Community Business District with a General Agricultural Overlay District into the B-2 (PUD), Community Business District with a Planned Unit Development Overlay District. In addition, for a Zoning Text Amendment to create the specific PUD ordinance for said development. AT THE REQUEST OF THE PETITIONER THIS ITEM IS BEING TABLED UNTIL A 5:30 PM APRIL 16, 2017 PLAN COMMISSION MEETING.

- H. Consider the request of Dan Szczap on behalf of Main Street Development, LLC for approval of a Certified Survey Map and Development Agreement and related documents for Main Street Market related to the proposed Main Street Market commercial development to be located at the northeast corner of STH 31 and STH 165. AT THE REQUEST OF THE PETITIONER THIS ITEM IS BEING TABLED UNTIL A 5:30 PM APRIL 16, 2017 PLAN COMMISSION MEETING.**

Jean Werbie-Harris:

Item F is the public hearing and consideration for Plan Commission Resolution 18-08, and that would be for a Comprehensive Plan Amendment. And then Item G is for consideration of zoning map and text amendments. And Item H would be for the certified survey map and the development agreement and related documents. We're requesting at this time that all three of those items be tabled until 5:30 on April 16th, 2017. That is a Monday night. If for some reason that that date is adjusted new notices would be sent out to all the abutting and adjacent property owners just to let them know that it would be tabled to another Plan Commission meeting. So right now Items F, G and H are proposed to be tabled until April 16th.

Jim Bandura:

Mr. Chairman, I would recommend tabling F, G and H until that meeting is established.

Brock Williamson:

Second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND SECONDED BY BROCK WILLIAMSON TO TABLE ITEMS F, G AND I. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

- I. Consider the request of David Carbol of Partners In Design Architects on behalf of Froedtert South Inc., for approval of Preliminary Site and Operational Plans for site grading, underground utilities, and footing and foundation permits for the proposed Medical Office Building to be located west of Old Green Bay Road north of STH 165 in the Main Street Market development.**

Jean Werbie-Harris:

I would ask that Items I and J be taken up at the same time. They're for the same petitioner, and we will discuss both of those.

Tom Terwall:

So moved.

Judy Juliana:

Second.

Michael Serpe:

MOTION MADE BY TOM TERWALL AND SECONDED BY JUDY JULIANA TO TAKE ITEMS I AND J TOGETHER. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

- J. Consider approval of Tax Payment Shortfall Agreement between the Village of Pleasant Prairie and Froedtert South Inc., regarding the TID #6 Increment repayment requirements for the life of the bonds (20 years).**

Jean Werbie-Harris:

Item I is consider the request of David Carbol of Partners In Design Architects on behalf of Froedtert South, Inc., for approval of Preliminary Site and Operational Plans for site grading, underground utilities and footing and foundation permits for the proposed Medical Office Building proposed to be located west of Old Green Bay Road north of STH 165 in the Main Street Market development. And a second item related to Froedtert is to consider approval of Tax Payment Shortfall Agreement between the Village of Pleasant Prairie and Froedtert South, Inc., regarding the TID #6 Increment repayment requirements for the life of the bonds. These items are related and can be discussed at the same time, however separate actions are required.

On January 15, 2018, the Village Board conditionally approved a Master Conceptual Plan for the proposed 50,000 square foot Froedtert South Medical Office Building in Pleasant Prairie to be constructed within the Main Street Market development. This is at the northeast corner of Highway 31 which is Green Bay Road and Highway 165 or 104th Street.

At this time the petitioner is requesting approval of Preliminary Site and Operational Plans to begin the mass grading, underground utilities and early footing and foundation construction for the Medical Office Building. Their next steps after this after a number of other numbers will be final site and operational plans. And those will need to come back to the Plan Commission for final approval as well.

The Froedtert medical office building is proposed to be consisting of four floors, at approximately 12,500 square feet each, totaling about 50,000 square feet of buildable space. The building will have multiple entrances on two levels. The west side of the building will be four stories with a covered entry facing Highway 31. The topography rises to the east so the east side of the building will have a three story elevation and a covered entry facing Old Green Bay Road. The building's exterior materials will consist of brick, stone and window glazing in the same architectural, prairie style and colors as the Froedtert South/St. Catherine's Medical Center Campus on Highway 50 in the Prairie Ridge development.

The first floor will contain rehab services that provide physical therapy, occupational therapy, imaging services and support functions for each of those services. Previously an aquatic therapy pool was a part of the Master Conceptual Plan, but that service is no longer planned for this site. In addition, the CT scan and MRI units are being planned for the imaging suite but would be installed at a later date.

Entry into the lower level would include an at-grade covered pick-up and drop-off door to protect patients from the weather. This floor would have individual private treatment areas for patients as well as a centralized gym area for the patients and related support areas.

The second level will also include an at-grade covered pick-up and drop-off door to protect patients from the weather. Initially the second floor will be built out to include primary care and walk-in service for those who do not have an appointment. The second through fourth floors will be used for physician offices that will provide primary and specialty care.

The hours of operation for the various services will be Monday through Friday from approximately 6:00 a.m. to 8:00 p.m. and Saturdays from approximately 7:00 a.m. to 5:00 p.m. Sunday operations may occur based on patient demand but would be for limited hours. It is intended that the first two floors will be built initially, and the remaining two floors of the building will have a shelled-in condition. At full build-out it is anticipated that there would be 60 full-time equivalent jobs created.

Parking and sidewalk/pedestrian interconnections and cross-access driveway and parking easements shall be provided to the abutting Main Street Market development users. There are 247 parking spaces including 16 handicapped accessible spaces that are being provided within 400 feet of either entrance to the building.

Under signage, only one primary monument sign will be allowed for the development at the southeast corner of their lot that they're looking to build on. The sign shall not exceed six feet in height as restricted by the Main Street Market Declarations, Covenants and Restrictions as reflected in the Main Street Market PUD. Again, that PUD is in draft form, and it's not being presented to you this evening but will be in a couple of weeks.

The Main Street Market Development will have a development entry monument sign for the entire development, and that will be located in an easement at the northwest corner of the site at the private driveway entrance. That should be the northeast, sorry about that. The northeast corner of the site at the private driveway entrance. The on-site informational/directional signs are allowed but the total number will be limited. The sign height shall not exceed the requirements as set forth in the Zoning Ordinance at four feet high and 32 square feet of display area per side. Further discussion is warranted related to the on-site informational signs with the applicant, the Main Street Market developer and the Village. Wall signage and the secondary monument signage will also be allowed on the site.

The next area of discussion I wanted to talk about was the traffic impact analysis. We did learn of a couple of tweaks to the TIA this afternoon. But in essence these comments still hold true. As required by Wisconsin DOT, the Main Street Market developer has prepared an updated TIA based upon the proposed Main Street Market land uses. All required Old Green Bay Road, State Highway 165 and State Highway 31 roadway and intersection improvements required as a result of this development and the timing for their construction was analyzed by Traffic Analysis and Design known as TADI. The TIA was submitted to the Village and the Wisconsin DOT for traffic forecasting review and approval and again by TADI, and then it was given back to the Village and to the Wisconsin DOT for a scenario one and scenario two modifications to the adjacent roadway systems.

Based upon staff and developer discussions at a March 13, 2018 meeting with the DOT, the DOT review and the final TIA letter is anticipated to be completed by the DOT by mid-April, maybe a few weeks after that now we learned. The Wisconsin DOT will require that the Village shall enter into a Memorandum of Understanding Agreement known as an MOU) with the DOT which provides the DOT with assurances as to the completion of the phased TIA off-street and on-street proposed public/private improvements. Again, the TIA is with the -- the MOU, excuse me, is with the Village.

A Development Agreement, which addresses these and other matters, is being prepared by the Village and shall be entered into between the developer and the Village. This agreement shall provide a guarantee to the developer's obligations to construct the required TIA proposed public and private improvements. So our agreement is with the developer, and then our agreement is also with the DOT.

As noted above, the TIA confirmed and the DOT concurred that there should be no direct private driveway access to the development from Highway 165 or from State Highway 31 between 165 and the north property line. The Wisconsin DOT has agreed, however, that the existing legal access right from Highway 165 to Lot 3 which is mid way between Old and New Green Bay Road on 165, that that access should be removed with a transfer of access rights as a public street connection to Main Street on Highway 31. So the intent is to move the private access from 165 to be a public access from Main Street on Highway 31.

They further noted that due to the limited length of the future Main Street roadway, which extends between Old Green Bay Road and New Green Bay Road, there shall be no private driveway connections to Main Street. This was something that was discussed by the Plan Commission at their last meeting. So there's going to be no access to the north or south from Main Street between Old and New Green Bay Road. They further noted that due to the limited length of -- excuse me. As a part of the roadway improvements, there are four adequately spaced private driveways proposed to be constructed on Old Green Bay Road, again, as set forth in the TIA, gas driveway to the north, the north driveway, the center driveway which is 102nd Street and the south driveway. And there would be one public road connection at Main Street.

The scenario two modifications as shown, draft exhibit 1-2B as prepared by TADI identifies the Main Street Market modifications, Phase 1 in green and the Main Street Market full buildout modifications in blue. Required off-site modifications are also shown in purple. It's possible that there could be an accelerated timing of some of the Phase 1 and 2 improvements due to market conditions and other factors.

Detailed plans for the widening of Green Bay Road and Highway 165 and 165/Old Green Bay Road intersection and Main Street shall be finalized and provided to the Village and Wisconsin DOT for review and approval, all of which said timing is outlined and discussed or will be in the Development Agreement. The acquisition of additional right-of-way from adjacent landowners on the south side of 165 and the east side of Old Green Bay Road shall be finalized and approved by the Village. And, adequate right-of-way for Main Street shall also be identified and dedicated to the Village by the developer with the next Certified Survey Map prior to that further land division of Lot 1.

Old Green Bay Road will be required to be reconstructed with an urban cross section with curb and gutter and public multi-use path and public sidewalks. As the traffic warrants, traffic signals are proposed to be installed at Old Green Bay Road and 165 and at Green Bay Road and the Main Street intersections. Roadway cross section requirements have been defined and they also include bike and pedestrian accommodations.

Pursuant to the attached draft example of the off-site improvements for a Village and Wisconsin DOT MOU for the Main Street Market development, several off-site improvements are required to be made by the developer as a condition of the Phase 1 development of Main Street Market. The Wisconsin DOT did agree and the Village staff recommends, based upon the traffic being generated and the timing of the improvements however, to allow the Froedtert South medical office building work to begin subject to the developer executing the Development Agreement with the Village, recording of the Certified Survey Map and the Memorandum for the Main Street Market Development and the Village entering into an MOU with the DOT for the Phase 1 and Phase 2 off-site improvements. Again, these documents are all anticipated to be presented at this point to the Village Plan Commission and the Board on April 16th.

The off-site Phase 1 TIA improvements as referenced in the TID 6 documents and which will be shown in more detailed engineering plans being prepared by the developer are anticipated to be submitted and completed in 2018, but they should be constructed by November 1, 2019. The timing of the completion of the off-site improvements required specifically for the Froedtert

South Clinic occupancy will be set forth in the TIA MOU, the Development Agreement and conditions of the Site and Operational Plan approval. So that will all be tied up together.

With respect to water, sanitary sewer and storm sewer, the public water main along Old Green Bay Road will be extended to the north property line and private water and sewer mains will be extended within the development to service this property. The Main Street Market development will include retention basins to service the entire development. The sanitary sewer, water and storm sewer mains and stormwater basins and will be maintained by the Main Street Market Commercial Owners' Association. Note the detailed civil plans, showing grading, sanitary sewer, water, storm sewer and retention facilities plans shall all be approved prior to the preconstruction meeting and the issuance of permits.

The TID project plan impact, this development will need to be in compliance with the overall development plans and TID 6 project plan for the Main Street Market Development, including the execution of the attached Tax Shortfall Agreement. The Froedtert project shall be in compliance with Main Street Market Declaration of Covenants, Conditions and Restrictions. And an approval letter from the Main Street Market Owners' Association for all site and operational plans for their development will need to also be provided to the Village. Froedtert South is planning to begin grading work this spring. They would like to begin by April or early May for the medical office building as they would like to be completed and operational in spring of 2019.

So with that this is not a public hearing, but if there are any comments, Peter Molter is here representing Froedtert South, and the staff would be happy to answer any questions that you may have regarding this project.

Michael Serpe:

Before we get into that, Jean, I have a question. 122nd Street is anticipated to go across and across to open up the road north and south on Highway 31, is that correct?

Jean Werbie-Harris:

No, 122nd Street --

Michael Serpe:

What's the road that's going to service that that's going to have a cross-over, isn't that 102nd?

Jean Werbie-Harris:

Main Street Market -- I'm sorry, Main Street. So 165 is at the south, and then as you go north the first public street is only going to the east, and that goes into the Meadowlands development, that's 122nd Street. Across from that will be a private driveway connection into Main Street Market, okay? So they will have private across from the public road. And then the next public road that goes from Old Green Bay Road to New Green Bay Road is Main Street.

Michael Serpe:

And that will be a cross-over across Highway 31?

Jean Werbie-Harris:

That will be a cross-over all the way.

Michael Serpe:

Okay, that's the one I'm referring to. In the event that at some point in time that intersection requires a controlled intersection, lighting, who is going to pay for that infrastructure?

Jean Werbie-Harris:

So that's what I was talking about as part of this development. As part of the development agreement, as part of the off site and on site improvements, the developer is responsible, and it's identified as a Phase 2 improvement to make Main Street and Green Bay Road a signalized intersection.

Michael Serpe:

Okay, all right.

Jean Werbie-Harris:

I can't see that it would get expedited, but it's really driven by the traffic volumes. So that road won't be constructed until we get to that point.

Michael Serpe:

So that infrastructure, the wiring and everything, will be not on the back of the Village?

Jean Werbie-Harris:

Nope.

Michael Serpe:

Okay, all right. Comments or questions from the Commission?

Brock Williamson:

My question is you guys kind of have that laid out alphabetically. Is there flexibility depending on demand, like some of those things might get moved up to be developed sooner? Or is it kind of that's kind of how it's going to follow?

Jean Werbie-Harris:

No, the intention is that there would be some flexibility. The key is that they are really developing from the south to the north. So it's ideal that, for example, on this particular drawing behind you that A, B and C, the medical office building is intended to be the first user. Ideally A and B would be the next two users, and then they'd continue to the north. The whole TID project plan that we put together for TID 6 is based on these uses, these sizes and certain values. So if they choose to do something that's more intensive, that is a few more stories or is modified, they will need to present that back to us because we need to make sure.

Again, this is a developer funded TID, and the Village is cooperating as well. But the Village gets reimbursed and paid back first. So if they want to make some modifications as they're going because of market demands or some type of modification to what is going on out there, they have to vet that through the Village to make sure. And obviously we want to make sure that all the uses are still very complementary and everything works. Their declarations that have not been finalized yet, they also list uses that they want to prohibit in this particular area. And they encourage those uses that will be good, tax paying commercial entities for the Village, again, and complementary to the uses that are there.

Brock Williamson:

Thank you.

Michael Serpe:

Any other questions?

Jim Bandura:

Mr. Chairman, if there are no other comments or questions I would recommend approval of the preliminary site and operational plan.

Wayne Koessl:

Second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF A PRELIMINARY SITE AND OPERATIONAL. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. What's your pleasure on Item J? Comments or questions on Item J?

Jim Bandura:

Mr. Chairman, I would recommend approval of the tax payment shortfall agreement.

Brock Williamson:

Second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND SECONDED BY BROCK WILLIAMSON FOR TAX PAYMENT SHORTFALL AGREEMENT. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

K. PUBLIC HEARING AND CONSIDERATION OF A PLAN COMMISSION RESOLUTION #18-08 FOR A COMPREHENSIVE PLAN AMENDMENT to amend a portion of the Barnes Creek Neighborhood Plan for the request of Dan Szczap, agent for Bear Development, for the proposed residential development of the vacant land at the southeast corner of 91st Street and Springbrook Road to be known as Eva Manor. The development includes a 42-unit senior housing apartment building and an 8-unit family townhome building.

Jean Werbie-Harris:

Trustee Serpe, I'd ask that Items K and L be taken up at the same time. I'll make one presentation but separate actions are needed.

Tom Terwall:

So moved.

Judy Juliana:

Second.

Michael Serpe:

MOTION MADE BY TOM TERWALL AND SECONDED BY JUDY JULIANA TO COMBINE ITEMS K AND L, SEPARATE VOTES ON EACH. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

L. PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN for the request of Dan Szczap, of agent for Bear Development for the proposed residential development of the vacant land at the southeast corner of 91st Street and Springbrook Road to be known as Eva Manor. The development includes a 42-unit senior housing apartment building and an 8-unit family townhome building.

Jean Werbie-Harris:

Item K is consideration of a Plan Commission Resolution 18-09 for a Comprehensive Plan Amendment to amend a portion of the Barnes Creek Neighborhood Plan at the request of Dan Szczap, agent for Bear Development, for the proposed residential development of the vacant land at the southeast corner of 91st Street and Springbrook Road to be known as Eva Manor. The development includes a 42-unit senior housing apartment building as well as an 8-unit family townhome building.

Consideration of a Conceptual Plan is Item L, and this is at the request of Dan Szczap, agent for Bear Development for the proposed residential development of the vacant land at the southeast corner of 91st Street and Springbrook Road to be known as Eva Manor. The development includes a 42-unit senior housing apartment building and an 8-unit family townhome building.

Again, these items will be discussed at the same time, separate action will be needed.

The petitioner is requesting the Village to amend the Village 2035 Comprehensive Plan to approve a Conceptual Plan for the proposed redevelopment of the property located at the southeast corner of 22nd Avenue also known as Springbrook Road and 91st Street with a 42-unit senior housing apartment building and an 8-unit family townhome building to be known as Eva Manor.

As some background information, in December of 2007 the Village approved a Final Condominium Plat for the Springbrook Place condominium development, four 7-unit buildings, and the developer entered into a Development Agreement and submitted an Irrevocable Letter of Credit for the public and private improvements on the site. In 2007, the developer funded Pau-Go TID, Tax Increment District #4 was created by the Village to assist the developer in the reimbursement of site remediation costs as tax increment is generated from the new development

on the site. Under the TID, the Village agreed to reimburse the developer for certain eligible costs incurred by the developer in connection with the demolition of an existing dilapidated structure and the remediation of the site contaminated soils as an incentive to the developer to redevelop the property in accordance with an approved TID Project Plan.

The Village believes that unless the Village had provided the financial incentive to the developer, the developer would not have undertaken the purchase of the blighted site and the remediation and redevelopment of the property. Since the TID was created, the developer has demolished the existing commercial structure, remediated the known soil contamination and has monitored the ground water. Between 2007 and 2017, unfortunately there was a general decline in the condominium housing market and has made the construction schedule for the proposed condominium buildings economically challenging, and the developer has requested several time extensions through the TID Development Agreement amendments related to the new development construction time line.

On August 16, 2010, the Board approved a Third Amendment to the Development Agreement related to extending the time frame to start the project. The developer vacated the Springbrook Place Condominium Plat, but reserved the right to bring back the Preliminary Plat at a later date. The Board granted the developer's request for the TID to remain in place as long as the developer took the necessary steps to comply with the conditions to fill in the stormwater basins, to spread the large stock pile of top soil on the site and to remove it and to stabilize the site. The Village then released the developer's LOC as the project was put on hold.

The developer indicated that he did not intend to develop the property until market conditions improved; however in order to fulfill his commitment to the redevelopment the property, the developer requested and the Village Board approved a Preliminary Condominium Plat for Springbrook Place II Condominium that was identical to the previous plat of the Village Board with Resolution #10-34. The approval was valid for three years until September 20, 2013.

On January 30, 2012, the Village Board conditionally approved a Comprehensive Plan, Ordinance 12-03, and a Conceptual Plan to develop the property with a 46-unit, affordable, independent senior-only apartment complex. In addition, a Zoning Text and Zoning Map Amendments, Ordinance 12-04 and 12-05 were approved to amend the Zoning Map to remove the PUD District from the property and to amend the Zoning Text to delete the Springbrook Place Condominium Planned Unit Development as a result of the proposed senior housing development.

On February 28, 2017, the Village provided the attached letter to the Wisconsin Housing Economic Development Authority that outlined the extent of the financial participation including the funds spent to date, future financial contributions and a waiver of a portion of the impact fees by the Village for the senior apartment building.

The Conceptual Plan is now being presented for proposed senior housing project. At this time the developer is proposing to develop the property with 42-unit senior housing apartment units and an 8-unit multi-family townhome component.

Senior Housing: A four story senior apartment building with 42 units of affordable, independent senior apartments is being proposed. There will be a variety of 25 one-bedroom units and 17

two- bedroom units with amenities including a community room, fitness facilities and outdoor patio gather space. Trees and landscaping will remain on the south side of the site, and attractive landscaping will be provided though out the development. The building will include seven unique floor plans as identified below.

So as you can see they've got Units A through G, and they vary with the number of beds and baths, and the square footage ranges from approximately 679 square feet to 1,098. And, again, you see how many different number of units based on the size. Average two bedroom 1,011 square feet, average one bedroom 691 square feet. Multi-Family Townhomes: A two-story townhome building with 8 three bedroom units will include individual entrances and the attached one car garage for each unit with direct entry from the garage into the unit. The 8 unit townhome units will average 1,312 square feet in area.

The site will also include 12 detached garage units that will be available for any of the units on the site and 66 surface parking spaces including four handicapped accessible parking spaces. The site will also include storm water detention facility at the northeast corner of the site adjacent to 91st Street. The garbage dumpster enclosure will be attached to the south end of the garage units.

With respect to the WHEDA Tax Credit Program, the developer has received approval from the Wisconsin Housing Economic Development Authority for tax credits. To the extent consistent with applicable laws of the State of Wisconsin and the United States concerning fair housing, the senior housing component of the development shall be age restricted to individuals who are 55 years and older. In addition, 40 units within the senior building shall be income restricted for a period of 15 years commencing on the date of the facility and when it's being placed into service.

Subsequent to the foregoing time period, the developer may, at its option, charge market rents for any or all of the units within the building. The developer has agreed to place a written commitment or a restrictive covenant that the senior independent apartment building will remain as housing for seniors after the WHEDA tax credits are paid off in 15 years for another 15 years or a total of 30 years. The 8-unit buildings will have a similar 30 year income restriction.

The monies raised via the sale of the tax credits will be used as equity for the development. In addition to the tax credit equity, the developer will also be seeking a traditional construction and permanent loan and AHP grant from the Federal Home Loan Bank of New York and deferred developer fees to finance the balance of the project costs. In exchange for the tax credits, the developer agrees to lease 96 percent of the units to seniors making at or below 60 percent of the median county income. All 8 of the three-bedroom units will be lease to households earning less than 50 percent of the county median income.

The following presents the proposed monthly rental rates for each unit type under the requirements of the WHEDA tax credit programs. So as you can see based on the number of bedrooms and the type for the senior, the rents will range from \$356 to \$975. So depending on the income of the senior. And the three bedroom 8-unit family rent will be \$757, just under \$800. With respect to wetlands on the property, a detailed wetland delineation was completed on the site by RA Smith in September of 2017. Two small wetland pockets were delineated. The petitioner obtained the attached permit dated January 5, 2018 to fill a portion of the wetlands from the DNR and is working with the Army Corps of Engineers to obtain the required permit from them.

The Wisconsin DNR will require that 175 square feet of wetland as shown on the exhibit that Peggy's got on the screen to remain on the property adjacent to 22nd Avenue since the DNR requires applicants to avoid and minimize to the greatest extent. The townhomes are proposed to be at least 15 feet from wetland area to remain, and it's intended to create a flat area west of the townhome building and slope down at four to one to the preserved that 175 square foot wetland. So it's not allowed to be filled. Copies of the Corps of Engineers' fill permit shall be also provided to the Village. The wetland area that is not being allowed to be filled is required to be shown on the Comprehensive Land Use Map and the Zoning Map.

Onsite Parking: Pursuant to the Village Zoning Ordinance, the minimum number of parking spaces for senior housing is one space per two bedrooms; and the minimum number of parking spaces for three bedroom multi-family units is 2.5 spaces for each dwelling unit; 75percent of the spaces shall be within an enclosed garage plus one space for every eight units for guest parking wherein the location of parking spaces and garage location is subject to Plan Commission approval. In addition, to these minimum requirements the required handicapped accessible parking spaces per the State code shall be provided.

The senior housing component of the development will have 59 bedrooms; therefore, at least 30 parking spaces are required. The three bedroom townhomes require a minimum of 20 parking spaces, and 15 spaces shall be enclosed, plus one space for guest parking. In addition, the required handicapped accessible parking spaces is required. Based on the foregoing, 51 parking spaces of which 15 are enclosed is required plus the required handicapped accessible parking. The development includes 66 surface parking spaces and 20 enclosed garages of which eight are attached to the buildings. The parking spaces will need to be reconfigured at the entrance. There needs to be a longer throat or neck as it comes in, so a couple of spaces will be lost, and they're going to need to shift those islands a little bit further to the south.

Municipal Services/Public Improvements:

- Municipal Water will be extended within 22nd Avenue to service the two buildings.
- The buildings will connect to the existing sanitary sewer within 22nd Avenue.
- The 91st Street right-of-way is located in the City of Kenosha. Springbrook Road or 22nd Avenue is located in the Village. At this time no sidewalks are being proposed in either 91st Street or 22nd Avenue at this time.
- Street trees will be required to be installed every 50 feet along 22nd Avenue and 91st Street.
- Approximately 6,754 square feet of land was already dedicated for a future widening of 22nd Avenue by CSM 2616 so no additional right-of-way is intended to be dedicated by the developer. Some easements dedicated by CSM 2616 will need to be vacated, and some new easements for stormwater, utility and other purposes will need to be dedicated on the new or revised CSM.

With respect to the Comprehensive Plan Amendment, Resolution 18-08, the proposed development is located within the northern portion of the Barnes Creek Neighborhood. The Barnes Creek Neighborhood is generally bounded by 89th and 91st Streets on the north, Sheridan Road on the east, Highway 165 on the south and 30th Avenue on the west. The 2035 Land Use Plan indicates that this property is located in the Lower-Medium Residential land use designation.

Neighborhood Plans are a component of the Comprehensive Plan and are essential to the orderly growth of the community because they establish a framework as to how development should occur and, if and when it does occur.

In support of this development, several of the housing element goals in the Village's Comprehensive Plan are being met to encourage the provision of a diverse housing supply that meets the Village's future population needs. Some of plan's housing recommendation objectives include: to promote a range of affordable housing choices for Village residents; to promote a range of affordable housing choices for the Village's aging and disabled population; to promote the use of design that allows access and livability for disabled and elderly people in new construction; to continue to support reducing or waiving a portion of impact fees for proposed senior housing development; and to encourage the location of senior developments in areas where public transportation and other transit services for the elderly and disabled are offered.

On January 30, 2012, the Village Board had approved an amendment to the Barnes Creek Neighborhood Plan to develop the property with 46-units of affordable, independent, senior-only apartment buildings on the property. Again, in this case we're looking at 42.

At this time the petitioner is requesting an amendment to the Barnes Creek Neighborhood Plan for the proposed residential development of this Conceptual P. And, again, what we're looking at are 42 units of senior housing apartment building and an 8-unit family townhome building.

With respect to the Zoning Text and Map Amendments, the current zoning of the property is R-11, Multi-Family Residential District. A portion of the property is located within the shoreland boundary and tributary to Barnes Creek. At the time that the final plans are submitted, a specific PUD Ordinance will be written for this development, and the property will be rezoned with a new PUD Overlay. Developing as a PUD does allow for some flexibility with some requirements of the Ordinance provided there is a defined benefit to the community.

The following modifications from the Zoning Ordinance are being proposed:

- To allow more than one multi-family building on the property.
- To increase the number of apartment units allowed per building from 24 to 42 for senior-only apartments.
- To increase the net density allowed in the R-11 from 9.6 to 15.6 per net acre, again, primarily of the senior housing building. The 3.2 net-acre property will provide a net density of 15.6 units per acre. A total of 1.8 acres or 56 percent of the site will remain as open space. The open space areas will include the storm water basin at the northeast corner of the site, a woodland area on the south portion of the site and setback open space.
- To allow for the senior apartment to have one bedroom units to be reduced from the minimum of 700 square feet to 675 square feet per unit.
- To allow for senior apartment two bedroom units to be reduced from a minimum of 1,000 square feet to 980 square feet per unit.
- To increase the building height of the senior building from 35 to 53 feet.
- To allow for the setbacks of the building to be reduced from 25 feet to 15 feet from the wetlands. Again, that's on that west side where we're preserving 175 square feet of wetlands.

- To reduce the minimum building setback to the 91st Street from 65 feet to a 50 feet.
- To reduce the minimum building setback to the 22nd Avenue from 65 feet to a 28 feet.

In consideration of these modifications to the Ordinance, the following shall be required:

- The senior apartment units shall be restricted for seniors 55 years of age and over. The developer has also agreed to place a written commitment/restrictive covenant that the senior independent apartment building will remain as housing for seniors after the WHEDA tax credits are all paid off in 15 years for another 15 years for a total of 30 years. The developer needs to provide that wording related to this restrictive covenant provision for the staff's review.
- Although there is no C-2 woodland conservancy zoning on the property, the wooded area along the southern boundary shall continue to be preserved and located within a preservation access easement area. In addition, additional evergreen trees and other landscaping will be planted as an additional buffer. This will be next to their outdoor patio seating area.
- Both the senior apartment building and the townhome style building shall be fully sprinklered.
- And the DSIS or the Digital Security Imaging System will be required for the entire site to monitor the exterior of the entrances, exits on the site for this property.

A PUD Ordinance will be drafted and considered by the Plan Commission and the Board at the time that the final plans are being submitted for review. The required public hearing for the PUD will be held at the same time that a new corrected CSM and a Development Agreement for the installation of any public improvements is presented. The developer anticipates commencing construction, would like to in July of 2018 with completion in July of 2019. Again, this is another project similar to the others where we have multiple steps. And they are looking for the Plan Commission Resolution to amend the Comprehensive Plan this evening as a recommendation, and a recommendation also for the Conceptual Plan. With that I'd like to continue the public hearing.

Michael Serpe:

This is a matter for public hearing. Anybody wishing to speak? S.R.?

S.R. Mills:

S.R. Mills, Bear Development. Thank you for the time. Thanks to staff and elected officials and also the neighbors. We've been at this site for a long time back when it was a pizza parlor and laundromat. So we're very appreciative. As Jean had mentioned it has been a long process. The site has been tough, but it is remediated, and I'm very pleased to say that we did receive necessary tax credits. We did receive their home loan bank grants and secured the debt, secured the equity. Very excited to move it forward.

There's a lot of pieces of the puzzle to still work through. I think this is the first step, but we're very pleased to be here and very -- we really like the end product. And we know it's a process. It doesn't just happen in our office or the Village. It's in conjunction with the neighbors and with really everybody to come up with something that we think works. And we'll try and make the

neighborhood better and be a real attribute. So we're confident this will be a success and appreciate your support. And we're here to answer any questions you might have.

Michael Serpe:

Thanks. Anybody else wishing to speak? Yes, ma'am.

Virginia Mullins:

Hi, I'm Virginia Mullins, and we own the property on the southern border of these Barnes Creek plan here. There's a couple items I'd like to address. The first one is the lot drainage of the south border of that property. We have a horrible problem with lot drainage from the empty lot. And we've spoken to the representatives from Bear about this issue. They're assuring us that they will have the drainage going towards 91st Street.

Part of, and this is really for the Village here, part of the problem with the lot line if you go to the bottom and towards 22nd it's because it's almost constantly damp and wet. The trees that are under this conservatory area are rotting, and they're constantly falling and they're landing on our property. We have trees there -- we have the same problem on our side. So it's actually an unmanageable, overgrown mess at this point. It kind of deviated from the original thought that was had at the time to keep the wooded area there. And that's something I'd like to Village to reconsider that we can just have that cleared out and put something, landscaping in that's more manageable.

Another item is that these buildings are allowing for dogs. And while we have built a partial fence along the property line, I'm asking that Bear Realty as part of this project extend that fence. Because with 50 units there and everyone is allowed to have a dog, I mean conceptually it could be there's 50 dogs there. And we have a dog, and I'm really not motivated to clean up after 50 other dogs on top of mine. So that's something that we are asking for Bear to put that up for us.

But the biggest issues, and I've been trying to for the last week and a half since I found out about this I've been trying to wrap my brain around having a four story apartment building 50 yards from my property line. The other plans which for the two other projects that they had there everything was a two story. And we were fine with that because there's a lot that can be done with trees and stuff. And we had already started putting some evergreens on that property line there thinking that at some point in the future there's going to be a two story building there. I was really surprised to find out that they're planning a four story Froedtert South building right on our property line which is not very far away from where our house is. So that's a huge issue for us with the plan.

The two previous plans that Bear had, again, they were two story buildings. We were fine with that, but four stories is double the height. And in my opinion it's excessive in a residential area. I've spoken to a member of the Bear team, I've asked them to consider moving -- if they can amend the plan to move the four story building to be on 22nd. And the information I was given is because of the wetland and the nature conservatory there they're unable to do that. So I don't want a four story building right out my front door which is what we're having here.

The last item I have here is the amount of traffic that's going on 91st Street and onto 22nd. I mean even though the majority of these residence are senior, they're 57 and older, some of them are going to be working. So it's a lot of traffic on an intersection in the morning and in the early evening for the rush hour. It's already really bad there. So I don't know what we can do to remediate that. So that's what I have. Those are my issues.

Michael Serpe:

Thank you. Anybody else wishing to speak? Anybody else wishing to speak? We'll close the public hearing and open it up to comments and questions.

Tom Terwall:

Jean, has the Fire Chief --

Marianne Blust:

I have a problem understanding --

Michael Serpe:

Name and address please. Name and address please.

Marianne Blust:

Oh, my name?

Michael Serpe:

Yes, and your address.

Marianne Blust:

Okay, my name is Marianne Blust, 2221 Springbrook Road only two doors down from the proposed property. Could you put the picture about the building. It's mainly there. I hope and pray you will not allow to put a box up like this so dark, so unattractive, no architectural details. It looks, I don't know. In about ten years I don't think you would recognize it anymore. So something should be put up there more pleasing. Then I would like to know the parking lot. Is there landscaping planned in between or just a bunch of cars like 51 or plus cars? But this building, the coloring, I don't know, is it stone and siding, I'm not sure. But it looks so cheap, so unattractive. And I hope something will be change.

And, by the way, I wasn't able to understand anybody, no acoustics. I don't know. I mean I can talk one-to-one to anybody, and I'm not even sure if this microphone is on. People are talking next to it, and I've been watching the panel here, the microphone here and the mount over there. So if somebody please could put the microphone in front of their mouth maybe that would help amplify the speech. There is definitely a problem. I've been looking around and kind of wondering I'm the only one that hears just whispering? That's it. Okay? Thank you. Okay. I

didn't come to the meeting at the other hall because there was a problem understanding the panel, but this is even worse today. So I don't know if you guys have the microphone on. Thank you.

Michael Serpe:

Thank you. Anybody else wishing to speak? Okay, we'll close the public hearing. Comments and questions? Tom, you had a question.

Tom Terwall:

Jean, has the Fire Chief seen the 53 foot height?

Jean Werbie-Harris:

Absolutely, and he's attached all his comments as well.

Tom Terwall:

And he's in agreement?

Jean Werbie-Harris:

Yes. But maybe some of the other question that you had the developer can come up and address some of those from the architecture, the landscaping, the setback and things like that. I'd ask S.R. or Dan to come up as part of the public hearing if that's okay?

Michael Serpe:

Anybody else wishing to speak? Go ahead, S.R.

S.R. Mills:

Thank you. I'll make sure I speak into the microphone, too. For architecturally just even to address some of Mrs. Mullins' comments about the drainage, I agree I think there was a drainage issue when they pulled out some of the impervious surface, whether they were sheet draining it in various directions in years past, it seems now to collect on the back side on the southern most border of that property. And we are seeing some of the damage in the trees where seven, eight years ago there was a lot more validity to the tree line back there. And today it isn't so great. So that's something, too, that we look to address and enhance where we'd actually come back in within that easement area and actually plant some trees and plant some trees that are good. They're going to last, they're going to look great and mitigating a few issues, height concerns, we think we can do that with a very beefed up landscaping package there and really planting some meaningful trees, not saplings and something that's meaningful there.

As far as the drainage I am 100 percent confident that we will make the situation better. We've seen this in lots of other developments like this where something happens over time, whether it's tiles break, some impervious surface is taken up, we will be able to redirect most of that water and do everything we can to solve it. I'm confident given the amount of surface area that we're

talking about at least with sheet draining to the south right now we can mitigate that and, again, redirect that.

Aesthetically, again, the goal is to nestle the senior structure within the tree line around it. It's to somewhat sky plane and mitigate any impacts when we think about height and think about that density and how we try and mitigate it so it's not a negative. But at the same point we have something that works economically, that looks good. As Jean knows we went through a lot of different iterations on flat roofs, trying to bring that down. And at the end of the day we felt that this looked the best. We think it looks the most aesthetically pleasing and blends in with the surrounding community. It is a very high quality structure between the stone, the brick, 100 percent masonry siding and whether it's hardy board or an LP kind of product.

Specific to the senior side of it one of the things that we like to do is to make sure we have great amenity packages. We've learned over the years what's important to our seniors and how do we retain and keep great tenants. Our median age is upper 70s for a product like this. While there are some federally mandated restrictions and things about the 55 and older, I can just tell you from our experience it's about 78 is usually our average. The townhome component, the two story along Springbrook there, again, we tried to design that where we didn't want a lot of front doors looking out. We want it to fit there, we want it to look great. So from that western exposure that faces 22nd Avenue there you can tell from the materials we didn't skimp on the materials. We know that's the face as anybody's traveling up and down the road there. We wanted to make it look great and make it look meaningful.

We've had discussion on the fences. Generally we don't like fences much. They're probably cheaper than doing really nice big landscape packages frankly, but just aesthetically sometimes we think we can do a better job if we highlight the look of the building and do great landscape packages. On that southern border a fence if you think that really will make a big difference and help that's something we're certainly willing to entertain. We have set them up in the past where it doesn't have to be a stockade fence so you can do some things that make it aesthetically pleasing. We, too, we've got a lot of residents here, and we want to make sure it's like a park back there. We want it to be really nice and enhance it. We have very big vested interest in making sure that it looks great and it stays great back there.

Michael Serpe:

S.R., will you have any onsite management living there?

S.R. Mills:

We will. Typically we've found that we can't attract the best managers if they're actually living in the units. We will have a full-time office. We have 24 hour on-call emergency staff. We will have somebody who staffs this as their typical nine to five and then working weekends and things of that nature. So it's professional management. It's part of our umbrella here. But in the event of an emergency there's always somebody available 24 hours.

Jean Werbie-Harris:

S.R., you intend to restrict the size of the dogs and the maximum number that they could have would be one per unit, correct?

S.R. Mills:

Correct, yup. And it has varied. We've found that very rarely have we ever had a request for two dogs. If it has been especially from a senior standpoint they're usually up to the size of this podium. They're typically very small. But we don't have a problem with restricting it to the one dog at all. A lot of it goes back to the types of units that we design today are very different than the types of units we designed and constructed ten years ago. A lot of the product is what we're standing here where it's a laminate vinyl plank. But we don't do as much of the LVP product in senior buildings. Seniors also like some carpet in the living room areas. Certainly in the townhome units we find this is a great product, it's something that people really like. It's really, really pet resistant, it stands the test of time. So we'll ensure that we're going to have a great product both inside and out. And from a pet standpoint we'll ensure that isn't a nuisance. If there's dogs running down on the property to the south we will handle that and make sure that that does not happen, and that would be on us.

Michael Serpe:

Do you have in the application process in the event of a nuisance dog?

S.R. Mills:

We do. We actually have gone so far in some communities we'll evict first and foremost. And we have to make sure that that problem doesn't exist. But we actually have some larger communities where we have a lot of different animals. If we have an issue with an animal that defecates whether it's a sidewalk or it's a problem and you get a bad owner, we find that usually its bad owners, not bad pets. There's a group that we have that DNA samples, and so we take DNA samples of dogs beforehand. So we know that if some dog's always doing their business right in front of the front door we can figure out whose it is. Go figure, that's the business. But for whatever reason it's something that we're also a buyer of that product. We don't do it in all of the communities. We usually wait to see if we have an issue. But we have gone down that path as well.

Wayne Koessl:

S.R., do you have a percentage of how many [inaudible] actually have dogs?

S.R. Mills:

In typical family developments we use Market Square in Somers right now, 280 units, combination of studios, ones, twos and threes, I think we're about 20 percent have pets. So that's probably about the average. Sometimes it can be a little bit higher. Typically in seniors we don't see as many dogs. Oftentimes you'll see cats. And maybe in certain communities 30 percent on the senior side, but the majority is not dogs in that instance.

Wayne Koessl:

Thank you.

Michael Serpe:

Any other questions? Brock?

Brock Williamson:

How do you guys decide on the tenants? Because it is a fixed income how do you kind of decipher?

S.R. Mills:

What we've found is that there's certain restrictions on what an applicant can make. In many instances it's higher than the market even when we think -- oftentimes seniors on fixed income they might have a nest egg, they might have funds, but because they don't have that ongoing income that it really isn't an issue in the vast majority of seniors especially around that 78 year mark quality. So we go through a typical vetting process. So that's the same no matter what product we have between the criminal background checks and all of those steps. We're also very careful that we always do things the same, that we adhere to all federal guidelines, state guidelines. We try and keep -- as long as we're consistent, we keep the high guidelines consistent everywhere. If you go to the minimums and then you pick and choose who does what that becomes really problematic. So I can assure you, too, that we find that especially during lease up sometimes you get bad tenants. And it happens, and we evict, and it happens in the senior buildings, it happens in the family buildings. And so we are very, very strict in our rules and procedures. And the if we have [inaudible] it's like a poison in the rest of the community. And there's nobody more vested than we are in having really happy tenants there. And if something goes awry we're going to do everything we can in short order to rectify it.

Michael Serpe:

Any other questions? Thank you, sir.

Jean Werbie-Harris:

I have a quick question. So in the conservancy area that lies to the south, is it possible for your landscapers or yourself, somebody to go through that, remove any dead trees, to do an investigation if there's any trees that are diseased or decayed, or if those all can be taken down so that we don't have any of those issues with respect to rotting trees or falling limbs and things like that.

S.R. Mills:

We would very much like to do that.

Jean Werbie-Harris:

Clean it up as much as possible.

S.R. Mills:

We need to clean it up. We need to take down the dead stuff. And we'd like to go back in there and replant it. We also recognize, though, that if there's a drainage issue we need to be very conscious. But immediately going in and planting trees that might not take because it might get too wet in the spring. But at least the drainage issues that are coming from the north going to the south we will solve those here once that site work commences. So we would look to go back in and really make that a park-like feature and create some density. Where there's concerns about view and height I think we can beef that area up pretty significantly to achieve everybody's objectives and make it work.

Michael Serpe:

Thank you. Any other questions? What's your pleasure? Before we start, Jean, what is the proper number? We have the agenda is 18-09 or 18-08, which one is it?

Jean Werbie-Harris:

18-09.

Michael Serpe:

18-09, okay. Gentlemen and Judy?

Wayne Koessl:

I move approval, Chairman.

Judy Juliana:

Second.

Michael Serpe:

Motion made by Wayne Koessl and seconded by Judy Juliana for approval of the Plan Commission Resolution 18-09. All those in favor say aye.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. And Item L, hearing and consideration of the Conceptual Plan.

Judy Juliana:

Move to approve.

Brock Williamson:

Second.

Michael Serpe:

MOTION MADE BY JUDY JULIANA AND SECOND BY BROCK WILLIAMSON FOR APPROVAL OF THE CONCEPTUAL PLAN. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

M. Consider the request of Troy Hewitt of Robert E, Lee & Associates on behalf of Fountain Ridge LLC for approval of a Certified Survey Map to adjust the lot line of Lot 1 of CSM 2817 to include the gap property that existed to the west of said lot and to adjust the lot lines between Lots 1 and 2 with the Fountain Ridge Development generally located north of Bain Station Road and west of 90th Avenue.

Jean Werbie-Harris:

Item M is consider the request of Troy Hewitt of Robert E. Lee & Associates on behalf of Fountain Ridge LLC for approval of a Certified Survey Map to adjust the lot line of Lot 1 of CSM 2817 to include the gap property that existed to the west of said lot and to adjust the lot lines between Lots 1 and 2 with the Fountain Ridge Development generally located north of Bain Station Road and west of 90th Avenue.

The petitioner is requesting approval of a Certified Survey Map to adjust the lot lines for Lots 1 and 2 of CSM 2817 for the Fountain Ridge development generally located north of Bain Station Road and west of 90th Avenue.

At the time CSM 2817 was prepared a small gap of approximately 20 feet in the legal description along the western property boundary of Lot 1 was in question. This legal description discrepancy have been resolved, and this area is now being included as part of Lot 1 of the proposed CSM. In addition, the lots lines between Lots 1 and 2 are being adjusted to slightly to ensure that the 10-unit condominium buildings meet the required setback to the property lines. The Village staff recommends approval of the Certified Survey Map subject to the above comments and the conditions as listed below. And we have a few changes to the CSM. Staff recommends approval.

Michael Serpe:

Comments or questions? What's your pleasure?

Wayne Koessler:

Move approval.

Judy Juliana:

Second.

Michael Serpe:

**MOTION MADE BY WAYNE KOESSL AND SECONDED BY JUDY JULIANA FOR
APPROVAL OF THE CERTIFIED SURVEY MAP. ALL THOSE IN FAVOR SAY AYE.**

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

8. ADJOURN.

Judy Juliana:

Move to adjourn.

Jim Bandura:

Second.

Michael Serpe:

Motion made and seconded to adjourn. All those in favor say aye.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you.

Meeting Adjourned: 7:45 p.m.