

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
January 9, 2017**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on January 9, 2017. Those in attendance were Thomas Terwall; Michael Serpe; Deb Skarda; Jim Bandura; John Skalbeck (Alternative #1) and Brock Williamson (Alternate #2). Wayne Koessl, Judy Juliana and Bill Stoebig were excused. Also in attendance were Jean Werbie-Harris, Community Development Director; Peggy Herrick, Assistant Village Planner and Zoning Administrator; and Kristina Tranel, Community Development Department.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER APPROVAL OF THE DECEMBER 12, 2016 PLAN COMMISSION MEETING MINUTES.**

Jim Bandura:

So moved.

Deb Skarda:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY DEB SKARDA TO APPROVE THE MINUTES OF THE DECEMBER 12, 2016 PLAN COMMISSION MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- 4. CORRESPONDENCE.**
- 5. CITIZEN COMMENTS.**

Tom Terwall:

If you're here for an item that appears on the agenda that is not a public hearing, we would ask that you hold your comments -- if it's not a public hearing we would ask that you step to the microphone now and give us your name and address and then give us your issue. However, if you're here for a public hearing, we would ask that your comments be held until that hearing is held so we can incorporate your comments as part of the official record. Anybody wishing to speak under citizens' comments? Anybody?

6. NEW BUSINESS:

A. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #17-01 FOR COMPREHENSIVE PLAN AMENDMENTS for the request of Dan Szczap, Bear Development on behalf of the owner of the vacant property located at the northwest corner of STH 32 and 116th Street to amend the 2035 Comprehensive Land Use Plan Map 9.9 and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendment for the proposed development of a single family home. The amendment proposes to change the Park, Recreation and Other Space Open Space Lands land use designation to the Low-Medium Density Residential land use designation on said property.

Jean Werbie-Harris:

Mr. Chairman, I would ask that both Items A and B be taken up at the same time. The items are related and they'll be discussed at the same time but separate action will be required.

Jim Bandura:

So moved.

Michael Serpe:

Second.

Tom Terwall:

MOVED BY JIM BANDURA AND SECONDED BY MICHAEL SERPE TO COMBINE ITEMS A AND B FOR PURPOSES OF PRESENTATION BUT SEPARATE VOTES. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

B. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT for the request of Dan Szczap, Bear Development on behalf of the owner to rezone the vacant property at the northwest corner of STH 32 (Sheridan Road) and 116th Street from the B-1, Neighborhood Business District to the R-4.5, Urban Single Family Residential District, for the construction of a single family home.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, the first item is Item A, public hearing and consideration of Plan Commission Resolution #17-06 for comprehensive plan amendments for the request of Dan Szczap, Bear Development on behalf of the owner of the vacant property located at the northwest corner of State Highway 32 and 116th Street to amend the 2035 Comprehensive Land Use Plan Map 9.9 and to update Appendix 10-3 of the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan to include said amendment for the proposed development of a single family home. The amendment proposes to change the Park, Recreation and Other Open Space Lands land use designation to the Low-Medium Density Residential land use designation on said property.

The second item related to this is Item B, public hearing and consideration of a Zoning Map Amendment for the request of Dan Szczap, Bear Development on behalf of the owner to rezone the vacant property at the northwest corner of Highway 32 and 116th Street from the B-1, Neighborhood Business District, to the R-4.5, Urban Single Family Residential District, and this is for the construction of a single family home.

As I mentioned previously, these items are related and will be discussed at the same time, however separate action is required.

The property owners are requesting the following amendments for the property located at the northwest corner of Highway 32 and 116th Street. This property is identified as Tax Parcel Number 93-4-123-303-0223, and this is for the construction of a single family home:

- To amend the 2035 Comprehensive Land Use Plan Map 9.9 to change the Park, Recreation and Other Space Lands land use designation to the Low-Medium Density Residential land use designation; and secondly
- To rezone the property from the B-1, Neighborhood Business District, to the R-4.5, Urban Single Family Residential District, again, for the construction of one single family home.

This property known as Outlot 3 of the Tobin Creek Subdivision and was intended to be developed as a neighborhood commercial property; however, the owner is requesting to downzone this property to allow for one single family home to be constructed. A wetland staking was completed and no wetlands were found on the property.

Similar restrictions to the Tobin Creek Subdivision shall be placed on this property prior to selling the property or prior to issuance of a new single family home on the property, whichever

occurs first. A recorded copy of the restrictions shall be provided to the Village prior to issuance of the permits. The nearby adjacent subdivision, the Tobin Creek Subdivision, was developed by Bear Development. So they already have restrictions for that particular area.

There is an existing substation on the western portion of this property. If this is not to be located within a separate easement, a separate easement document shall be recorded prior to selling the property or prior to the issuance a new single family home on the property, whichever occurs first. I believe it's an AT&T substation. And, again, at the time when this was going to be commercial property, it just made some sense that that easement would be allowed for that substation. But with it being converted to a single family home, I'm not sure if they're looking to create a separate outlot or just keep it in an easement on this particular property which is what the staff was recommending.

A separate driveway would be allowed to the property for the new single family home; however, no access would be allowed from this property to Highway 32 which is a state trunk highway, or within 150 feet from the centerline of State highway 32 and 116th Street along 116th. In addition the minimum distance between the existing driveway and a new driveway shall be minimum 55 feet. So there can be two separate driveways, one to the lift station which access is obtained very infrequently by the utility company and then the single family home.

This is a matter for public hearing. Dan Szczap is here from Bear Development. Didn't see him come in. And if you have any questions I think they just made a determination after doing some study of this particular area that commercial would not truly be suited for this particular property. But this is a matter of public hearing, and I'd like to request Dan to come to the microphone to answer any questions that you may have.

Tom Terwall:

Need your name and address, Dan, for the record.

Dan Szczap:

Dan Szczap, Bear Development, 4011 80th Street, Kenosha, Wisconsin.

Tom Terwall:

Anything you wish to add?

Dan Szczap:

No, I think Jean has summarized it pretty well. It's a remnant piece from Tobin Creek, the land use for business use didn't seem feasible in here. So we thought we would improve it with a single family home.

Tom Terwall:

Is it your plan to keep the substation on this lot or divide it into two separate parcels?

Dan Szczap:

No, I think what we would do is cover it with an easement. The driveway location seems to work for both the substation and the future home. So it's a little bit of an ordeal getting across that open ditch. So we'd use the improvements that are already existing and access the lot. It's 1.35 wooded acres. We did have a wetland delineation done so we're clear of that.

Tom Terwall:

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

Jim Bandura:

Just a quick one. Jean, what's the zoning just north of that property?

Jean Werbie-Harris:

That's primarily a wetland designation, C-1, Lowland Resources Conservancy. And the wetland symbol is shown on our Comprehensive Land Use Plan.

Tom Terwall:

Anybody else?

Deb Skarda:

I have a question. So what is the size comparison to the Tobin Creek plats?

Dan Szczap:

I don't have that exact information but I'm guessing they're half acre lots.

Jean Werbie-Harris:

Between a third and a half acre.

Deb Skarda:

Okay, so substantially bigger, though.

Jean Werbie-Harris:

It is.

Dan Szczap:

[Inaudible]

Deb Skarda:

Right, which is actually why I asked. Thanks.

Tom Terwall:

Anything else?

[Inaudible]

Tom Terwall:

Come to the microphone please. Need your name and address for the record, sir.

Ryan Liebke:

Ryan Liebke, 11536 14th Avenue. I just wanted to clarify if that was going to be part of the Tobin Creek Subdivision or not.

Tom Terwall:

Dan, can you answer that?

Jean Werbie-Harris:

What I can tell you is that it was platted as part of the Tobin Creek Subdivision, but I'd have to ask the owner's rep as to whether or not he is looking to amend the declarations so that when it becomes a residential lot if it's going to come under the restrictive covenants, or if he's just going to record separate covenants for architecture and other things on this particular lot.

Tom Terwall:

Come to the microphone, sir.

Dan Szczap:

I guess it would depend on the process. I haven't really vetted that out completely. Maybe it's just as easy to record it separate [inaudible] --

Michael Serpe:

Could you put the microphone closer to your mouth. Thank you.

Dan Szczap:

I'm sorry. I haven't vetted that particular issue out. I'm guessing that it may be just as easy for us to record a separate declaration just for this lot.

Tom Terwall:

Do the other lots in this subdivision have an association fee?

--:

Yes.

Tom Terwall:

So would that be included for this lot as well?

Dan Szczap:

Well, I think it's a little bit unique since it doesn't share the same -- I guess it's somewhat separated from Tobin Creek.

Michael Serpe:

A question, yes or no. Would you want them as a part of your association? Okay, that would help.

[Inaudible]

Michael Serpe:

Okay, that would help.

Tom Terwall:

Anything further? Come on up.

Regina Ciani:

Regina Ciani, 11597 14th Avenue. I just had a question. If this were to take place do you have any idea when the building would start?

Dan Szczap:

I have no time line on the construction of the single family home.

Regina Cianci:

Also, it was mentioned that it would follow like the covenants of Tobin Creek. Would that be the same as a minimum size house that's also allowed in Tobin Creek?

Dan Szczap:

So staff's recommendation is that we're consistent with the Tobin Creek declaration. We have no intent of deviating from that. I think it's perfectly buildable restrictions.

Jim Bandura:

Jean, do we have to put that in the conditions then?

Jean Werbie-Harris:

If that's the Plan Commission's desire, yes.

Jim Bandura:

Well, I mean it's part of Tobin Creek, and the surrounding landowners would like to see it. And if there's no problem with you, Dan, I would recommend it.

Dan Szczap:

I don't think there's any problem. I'm just trying to think of the process in which we incorporate into a platted subdivision. So I guess that's the only hesitation. I don't see that there would be any issue unless it becomes a legal matter of how to incorporate this outlot into the subdivision.

Jim Bandura:

I mean I guess I would have the question to some of the owners there. Does that property butt up against any of yours? Okay.

Tom Terwall:

If there's nothing further I'll entertain a motion. And I would request that we include the statement that --

Michael Serpe:

Be a part of the association.

Jim Bandura:

Be a part of the association.

Michael Serpe:

I would make that motion to approve Resolution 17-01 with the stipulation that that parcel become a part of the Tobin Creek Homeowners Association.

Jim Bandura:

I second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JIM BANDURA TO OKAY RESOLUTION 17-01 AND INCLUDE THE PROVISION THAT THIS LOT THEN WOULD BE INCORPORATED INTO THE HOMEOWNERS ASSOCIATION FOR THE SUBDIVISION. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Dan Szczap:

Thank you.

Jean Werbie-Harris:

You want to cover B, or is there anymore you need to add?

Jean Werbie-Harris:

No, did you take action on both A and B?

Tom Terwall:

No, I'm going to take a motion right now on B to rezone the property.

Jim Bandura:

Mr. Chairman, I would move for approval for Item B.

Michael Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY MICHAEL SERPE TO APPROVE THE REZONING OF THIS PARCEL SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

C. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #17-02 FOR COMPREHENSIVE PLAN AMENDMENTS to consider the request of Attorney Piermario Bertolotto of Rizzo & Diersen, S.C. on behalf of the Gary Leindecker and John Pickerd, owners of the properties at 1100 and 1106 126th Street to amend the, 2035 Comprehensive Land Use Plan Map 9.9 and to update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to include said amendments to change the Community Commercial land use designation to the Low-Medium Density Residential land use designation on the properties.

Jean Werbie-Harris:

Mr. Chairman, I'd ask that both Items C and D be taken up by the Plan Commission at the same time. These matters are related, and I'd like to make one presentation with separate action by the Plan Commission.

Tom Terwall:

We need a motion to that effect.

Jim Bandura:

So moved.

Deb Skarda:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JIM BANDURA AND SECOND BY DEB SKARDA TO COMBINE ITEMS C AND D FOR PURPOSES OF PRESENTATION WITH SEPARATION MOTIONS. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

D. PUBLIC HEARING AND CONSIDERATION OF ZONING MAP AMENDMENTS for the request of Attorney Piermario Bertolotto of Rizzo & Diersen, S.C. on behalf of the Gary Leindecker and John Pickerd, owners of the properties at 1100 and 1106 126th Street to rezone the properties from the B-2, Neighborhood Business District to the R-6, Urban Single Family Residential District.

Jean Werbie-Harris:

The next item is Item C, public hearing and consideration of Plan Commission Resolution #17-02 for comprehensive plan amendments to consider the request of Attorney Piermario Bertolotto of Rizzo & Diersen, S.C. on behalf of the Gary Leindecker and John Pickerd, owners of the properties at 1100 and 1106 126th Street to amend the 2035 Comprehensive Land Use Plan Map 9.9 and to update Appendix 10-3 of the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan to include said amendments to change the Community Commercial land use designation to the Low-Medium Density Residential land use designation on the properties.

And Item D is public hearing and consideration of Zoning Map Amendments for the request of Attorney Bertolotto of Rizzo & Diersen, S.C. on behalf of the Gary Leindecker and John Pickerd, owners of the properties at 1100 and 1106 126th Street to rezone the properties from the B-2, Neighborhood Business District, to the R-6, Urban Single Family Residential District.

As I mentioned, these items are related and will be discussed at the same time. However, separate action is required by the Plan Commission.

The owners of the properties located at 1100 and 1106 126th Street known as Lots 3, 4 and 5 of the John Schmidt's 1st Addition Subdivision, Tax Parcel Numbers 93-4-123-314-0095 and 93-4-123-314-0100, are requesting the following amendments so that their existing homes will be considered legal conforming uses; therefore allowing the homes to be expanded or be rebuilt pursuant to the R-6 Single Family District.

- So they, therefore, are requesting to amend the 2035 Comprehensive Land Use Plan Map to change the Community Commercial land use designation to the Low-Medium Density Residential land use; and
- to rezone their properties from the B-2, Community Business District to the R-6, Urban Single Family Residential District.

The existing single family homes on the properties are considered legal non-conforming uses since residential uses are not allowed in the B-2 District. Being a non-conforming use there are limitations as to the amount of structural alterations, additions or repairs which can be made to these non-conforming uses. With any non-conforming use, if the buildings are ever damaged or destroyed or the cumulative amount of structural alterations exceeds 50 percent of the assessed value then the residential buildings would need to revert to a conforming use or in this case according to the zoning a commercial use.

Pursuant to the attached August 16, 2016 email from the Village to the petitioner, the Village staff is recommending that the two properties be rezoned from the B-2, Community Business District into the R-6 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District which would allow the homes to be expanded or be rebuilt pursuant to the R-6 Urban Single Family District requirements.

In addition, the ultimate land use for this area, however, would be recommended by staff still to be Community Business; therefore, as the Land Use Plan is required to be compliant with the Zoning Map, the Land Use Plan Map is proposed to be amended by placing an Urban Reserve Designation on the properties with the Commercial land use designation remaining on the properties. In the future if these properties are developed as commercial uses, then a Zoning Map Amendment and a Comprehensive Plan Amendment would be required to place these properties back into that commercial designation.

Currently the lands to the west are conservancy, lands to the north were recently acquired by The Nature Conservancy, lands to the east and south are vacant and proposed to be developed as commercial with 126th Street being vacated. So with that I'd like to continue the public hearing. There are representatives here, and I would like them to add to this petition and explain their request before you.

Tom Terwall:

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

Pier Bertolotto:

Good evening. I'm Pier Bertolotto. I represent the owners of said parcels, the Pickerds and Mr. Gary Leindecker as well. I think that the report that was read into the record accurately depicts what we're asking the Commission to do. We certainly haven't heard any opposing that request. We want to be able to do any repairs or alterations to the property and leave that as is. We might be able to do that if we choose to do that, and also unfortunately the nonconforming status of the property does have an issue if we want to sell it [inaudible].

Tom Terwall:

Thank you. Is there anybody wishing to speak?

Jean Werbie-Harris:

I just also wanted to mention that we sent a notification to all abutting and adjacent property owners within 300 feet of this request, and we received no calls from anyone.

Tom Terwall:

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

Michael Serpe:

I have to agree that changing the zoning to regular --

Tom Terwall:

Residential.

Michael Serpe:

Yeah. Taking away the inability to rebuild if something were to happen is worthy of this. And I would move approval of 17-02.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JIM BANDURA TO APPROVE RESOLUTION 17-02 FOR THE COMPREHENSIVE PLAN AMENDMENT AS RECOMMENDED IN THE SAID MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Michael Serpe:

Move approval of the Zoning Map Amendment as well.

Jim Bandura:

Second.

Tom Terwall:

WE HAVE A MOTION BY MICHAEL SERPE AND A SECOND BY JIM BANDURA THEN TO APPROVE THE ZONING MAP AMENDMENT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Thank you.

E. Consider the request of John Doheny, agent for approval of Final Site and Operational Plans for the construction of a 195,000 square foot industrial building at 10441 80th Avenue in LakeView Corporate Park.

Jean Werbie-Harris:

Members of the Plan Commission and Commission Chairman, this is Item E which is to consider the request of John Doheny, agent for the approval of Final Site and Operational Plans. And I need to clarify that there was a modification. The industrial building at 10441 80th Avenue in the LakeView Corporate Park their request is for 212,489 square feet. So I just want to make that correction to the staff memo as well as to the agenda.

The petitioner is requesting to obtain Final Site and Operational Plans for the approval of the development of the property at the southeast corner of Highway 165 or 104th Street and 80th Avenue in the LakeView Corporate Park. And this is for the construction of a 212,489 square foot building and the associated site improvements.

There were some previous approvals to this project.

- On August 22, 2016 the Plan Commission conditionally approved Preliminary Site and Operational Plans for Doheny Enterprises, Inc. to begin mass grading, to install underground utilities and to construct footings and foundations for the construction of their industrial building on their vacant property located at the southeast corner of Highway 165 and 80th Avenue. This is identified as Tax Parcel Number 92-4-122-281-0258. As you can see, this fall as they continued to refine their plans they had made some minor adjustments with respect to the square footage and actually enlarged the building slightly.

- On September 6, 2016, the Village Board conditionally approved a Certified Survey Map for the development of the property. All conditions have been satisfied, and the Certified Survey Map was recorded at the Kenosha County Register of Deeds office.

So this evening they're requesting Final Site and Operational Plans: Doheny's is a leader in the swimming pool supply industry with ten distribution centers nationwide. Doheny's has been in the City of Kenosha for 20 years and currently occupies three warehouses there with plans to consolidate those locations into a single distribution center along with relocating its corporate headquarters to Pleasant Prairie. Doheny's sells swimming pool supplies to the consumer and commercial markets via catalogs, websites, outbound telemarketing and a local retail pool store.

The primary function of the proposed distribution center is to house the contact center and for the warehousing functions of pick, pack and shipping via FedEx, UPS, and common carrier. The company will not manufacture or assemble any items at this facility, and it will act solely as storage of dry finished goods that include swimming pool chemicals, pool equipment, and accessories. The company is seasonal with peak employment and inbound/outbound shipping traffic during the warmer months of the year.

The anticipated hours of operation are from 8 to 5 and 6 to 10 during peak season. The contact center will run Monday through Friday from 8 a.m. to 6 p.m. for non-seasonal months, October-February, and Monday through Friday from 6 a.m. to 10 p.m. and Saturday and Sunday from 8 to 5 for peak season which is March through September. The warehouse will operate Monday through Friday from 8 to 6 for non-seasonal months, and Monday through Friday 6 to 8 p.m. Saturday and Sunday and 8 to 1 p.m. for its peak season, again, March through September.

Approval of the Final Site and Operational Plans will allow the petitioner to obtain all necessary permits for the construction and all associated site improvements for their 212,489 square foot industrial building. The plans, so you know, have been modified slightly so that the office area is now about 25,757 square feet which is dedicated to the office functions. And their mezzanine which is included in that amount will be 17,074 square feet.

There are setbacks in the M-2 District that requires the building to meet the following minimum setbacks: 65 feet from Highway 165 for a street setback; 45 feet minimum for a side and rear setback. Setbacks for parking areas which includes parking spaces, maneuvering lanes and fire lanes as measured from the back of the curb a minimum of 20 feet setback from the front Highway 165 and 80th Avenue right of ways; a minimum of 20 feet setback from other private roadways or drives to the side and rear lot lines. The exception is to the south since it will be a shared truck court entrance. And, in addition, parking areas shall not be located within any easements unless express written approval is provided by the easement holder.

Site access and parking: Employee, client, visitor vehicular and truck access to the site will be from a northern driveway on 80th Avenue for passenger vehicles and a shared drive with Pfizer to the south on 80th Avenue for truck traffic. Pursuant to the Village Zoning Ordinance the minimum on-site parking spaces for a warehouse/distribution center is based on one space for every two employees during any 12 hour period and the required number of handicapped accessible parking spaces pursuant to the state code.

Doheny employs 55 fulltime employees and 140 seasonal employees on its peak day. Pursuant to the Zoning Ordinance, the minimum number of parking spaces would be 70, not including handicapped accessible spaces. And the plan does include for 208 automobile spaces which greatly exceeds the Village requirements.

Public sewer and water: The development shall be served by public sanitary sewer and water. Public water and sewer are located and would be extended from 80th Avenue. Open space, storm water retention and landscaping in the M-2 District requires that at a minimum 25 percent of the site must be open space. And their plans provide for 52 percent open space. We do have representatives here for this project. So if there are any questions you may have they can answer those questions for us.

Tom Terwall:

Does the petitioner wish to add anything? Is the petitioner present?

Jean Werbie-Harris:

I talked to him about an hour ago and they were supposed to be here.

Tom Terwall:

Is there anybody in the audience wishing to make a comment or a question? Any comment? Seeing none, I'll open it up to Commissioners and staff.

Brock Williamson:

This is showing it can be expanded eventually to the east, the building can go to the east more?

Jean Werbie-Harris:

Yes. If you look at the Final Site and Operational Plans they actually decided to shift and create an additional bay or two. So actually that whole area eventually could be expanded. They decided to do a little bit more up front and then a smaller expansion later.

Brock Williamson:

And it shows the one retention pond to the north is the business park, and then they're responsible for the ones to the south?

Jean Werbie-Harris:

At this time that is correct.

Brock Williamson:

And they're connected?

Jean Werbie-Harris:

Well, the pond to the south is part of this particular property. And should they choose to split off that pond to the south they will have to do some type of certified survey map or some type of document in order to provide that parcel off.

Tom Terwall:

Jean, has the Fire Chief seen this request?

Jean Werbie-Harris:

Yes.

Tom Terwall:

And he's fine as far as storage of chemicals?

Jean Werbie-Harris:

Yes. He has a number of comments and conditions as to the fire protection plan and the sprinkler plan.

Deb Skarda:

Should we get anything specific on their security? Remember in here before I asked about security. I just remember us talking about that. I just wanted to make sure that you've got appropriate security coverage from camera. And they were going to have maybe onsite one individual personnel.

Jean Werbie-Harris:

I did not receive anything with respect to that. But that can certainly be a condition of approval. Are you speaking of a security guard or locking? Are you talking about the building or more security on the site?

Deb Skarda:

Potentially more security on the site just knowing what some of those chemicals could be used for if they got in the wrong hands.

Michael Serpe:

Jean, right now it's the handling and distribution of dry chemicals, is that correct?

Jean Werbie-Harris:

Correct.

Michael Serpe:

If this company were to want to start handling liquid would they have to come back here for that approval?

Jean Werbie-Harris:

We don't require Conditional Use -- right, if it becomes a high hazard use then it would have to come back to us for --

Michael Serpe:

Chlorine.

Jean Werbie-Harris:

So if they changed the usage I will have to speak with the fire department if that concerns them greatly. But typically any type of pool supply related chlorine and things like that whether they're liquid or powder, but if it does transfer and make this use a high hazard use then that changes things with respect to how it gets protected and how much can be stored in one location and so on and so forth.

Michael Serpe:

The reason I ask that if they elected to go to a liquid form of distribution they would probably want a holding tank outside of the building, and I think that's something that we should have say so or at least a precaution in there --

Jean Werbie-Harris:

And we would. If there's any type of outside storage we would have in that case.

Tom Terwall:

Anything further?

Jean Werbie-Harris:

There's your representative. Werner, if you could come up to the microphone. There were at least two or three questions. We just read the staff memorandum, and now we've got some questions.

Werner Briske:

Werner Briske, Partners in Design Architects, 600 52nd Street, Kenosha.

Tom Terwall:

One of the issues was whether or not there's going to be storage of liquid chlorine, pool chemicals.

Werner Briske:

No, no it's only powder.

Tom Terwall:

Powder only, granules?

Werner Briske:

I don't believe there's liquid. And I can actually -- John Doheny was planning on attending also, and he had something else come up other than the traffic and the weather. But if need be I can call him and clarify the answer. I was hoping he would be here in this specific type of instance. Liquid chlorine I don't believe so. I believe it's just bags, solid. I can confirm that before I leave here.

Tom Terwall:

Can you speak to the provision of security, DSIS system? Is there plans or provisions to provide any onsite security?

Werner Briske:

No. Other than their normal controls no.

Jean Werbie-Harris:

Actually I can. I just read through the Site and Operational Plan again, and it says that offsite or onsite monitoring security system with camera.

Werner Briske:

I mean they do have cameras, yeah, but it wouldn't be any manned or anything like that.

Jean Werbie-Harris:

And it's not a DSIS. It's not live back to the PD. It's privately monitored and maintained and operated.

Tom Terwall:

Anything further you wanted to add? How are the roads?

Werner Briske:

They're better here. Terrible down in Illinois.

Tom Terwall:

That's typical.

Werner Briske:

Yes, it is. Everybody forgets how to drive unfortunately when there's a dusting and every time for some reason. No, I don't really think I have anything to add. I know John is excited to get his operations consolidated here. He's very excited about being in the Village. The process has evolved a little bit from the initial. We added another bay, we added an additional office from what we were originally intending. So his vision of this has been expanding. And, yeah, he's very excited to keep moving forward on this and getting in here.

Tom Terwall:

Any plans as to when you're going to break ground?

Werner Briske:

Well, they've moved dirt already. They've started off of the Preliminary Site and Operational. We are in for the State review right now. And it will be just entirely weather dependent.

Tom Terwall:

Thank you. Anything further from the staff or Commissioners? If not I'll entertain a motion. We need a motion to approve the Final Site and Operational Plan.

Jim Bandura:

So moved.

Tom Terwall:

As amended, correct, Jean?

Jean Werbie-Harris:

Correct.

Jim Bandura:

Correct.

Tom Terwall:

Is there a second?

Michael Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED JIM BANDURA AND SECONDED MICHAEL SERPE TO APPROVE THE FINAL SITE AND OPERATIONAL PLAN AS AMENDED SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

F. Consider the request of Mark Grosshans of Gold Standard Baking Inc. for approval of Final Site and Operational Plans to occupy to building at 10490 88th Avenue (Lot 52 in LakeView Corporate Park) for a 204,387 square foot building baking facility.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, Item F is consider the request of Mark Grosshans of Gold Standard Baking, Inc. for approval of Final Site and Operational Plans to occupy to building at 10490 88th Avenue. This has also been referred to as Lot 52 in LakeView Corporate Park for a 204,387 square foot building. This is a baking facility.

On July 27, 2015, the Village Plan Commission conditionally approved Site and Operational Plans for the development of a 204,387 square foot speculative industrial building on the 12 acre property located 10490 88th Avenue which is at the southwest corner of Highway 165 and Highway H in Corporate Park. This is LakeView XVII. On December 12, 2016, the Plan Commission conditionally approved Preliminary Site and Operational Plans for their interior modifications to the building for a future manufacturing tenant. At this time the petitioner, Gold Standard Bakery, is requesting approval of Final Site and Operational Plans to occupy the entire building.

The tenant, Gold Standard Baking, Inc., is a large bakery that will utilize the space for the production of food products. The facility will receive ingredients and packaging items, process them via mixing, production, proofing, baking, cooling and freezing and packaging equipment to produce finished, ready-to-eat bakery items for shipment to customers and offsite warehousing. Initially, one very large production line will be installed in the facility with space for up to four to

six lines total when facility is fully utilized. No potential adverse impacts on neighboring properties have been identified.

The facility is proposed to operate 24 hours a day, 7 days per week with employees working and deliveries and shipments taking place during those hours. They do not plan to be open to the public. We had asked about whether it would be a retail store. It is anticipated that the building will have about 90 employees during year one, and eventually when facility is at full utilization, about 300 employees. The facility plans to operate three shifts per day. Employees will be divided evenly per shift during year one and, again, at full utilization. It is anticipated that there could be as many as 170 people onsite during a shift change.

The site has approximately 210 parking spaces which includes seven handicapped accessible parking spaces which are more than sufficient parking spaces for the employee levels outlined. It is anticipated that year one daily average automobile trips to and from the site to be about 120, 90 employees plus about 30 visitors, customers, vendors. Eventually at full facility utilization about 360 auto trips per day. It is anticipated that during year one about 25 truck trips or deliveries or pickups per day to or from the site. Eventually at full facility utilization about 100 truck trips per day.

And they've also indicated to us that by later summer is when they would anticipate that they would be at occupancy for this facility. With that if there is any questions I believe there's a representative here from CenterPoint properties to answer any additional questions that you may have with respect to Gold Standard Baking.

Tom Terwall:

Thank you and welcome. Give us your name and address for the record.

Paul Schmitter:

Yes, Paul Schmitter, CenterPoint Properties, 1808 Swift Drive, Oakbrook, Illinois.

Michael Serpe:

Where are they coming from, Paul?

Paul Schmitter:

Their current facility, and it will stay there, but it's down by Midway Airport so it's the south side of Chicago.

Michael Serpe:

And that's going to continue to operate?

Paul Schmitter:

Yes, and that's one of the reasons they're not here with me. They're also caught in the snow. So I apologize for that.

John Skalbeck:

The existing building space is around 200,900 square feet. And so this would be a slightly bigger expansion of that. The number are just slightly different.

Paul Schmitter:

I think it's 204, 387.

[Inaudible]

Jean Werbie-Harris:

I have 204,387.

--:

Okay, that's the shell. Yeah, that's the building itself.

Jean Werbie-Harris:

So what number are we -- 204,387.

Paul Schmitter:

Yeah, the plan right now would be to make accommodations for a future mezzanine. And it wouldn't be put in at this point in time, but we would put an elevator pit in and [inaudible] so that at some time in the future it would be much easier to put that mezzanine in. It's pretty difficult to do some heavy construction inside a [inaudible] facility. So we're trying to look to the future for that.

Michael Serpe:

Are most of these products baked, frozen and shipped, or are they shipped fresh?

Paul Schmitter:

I'm going to turn it over to some of my support.

Tom Terwall:

Give us your name and address, sir.

Mike Tenuta:

Mike Tenuta, I'm with Avison Young. I'm the project manager for the project for Gold Standard Baking. On behalf of Gold Standard there was issue that came up, personal issue where somebody couldn't make it so I'm representing them. I apologize for that. The products will be basically processed, put together and shipped to a freezer for distribution in the area. There's a plan for a future freezer which we discussed with staff down the road that is being planned. Right now it will be frozen eventually, stored here and then distributed.

Tom Terwall:

Private label?

Mike Tenuta:

Gold Standard Baking basically bakes for different brands. So as different clients come and want the products. So this line will be diverse in what they can do, but they want to be flexible with this because this is part of an expansion of their business line.

Tom Terwall:

Thank you.

Deb Skarda:

Of the jobs are there going to be people relocating, or are they all going to be hired locally?

Mike Tenuta:

I really couldn't answer that. But since it is an expansion I highly doubt that people will be relocating. They'll probably be hiring locally because this is truly an expansion.

Tom Terwall:

Anything further? If not, I'll entertain a motion.

Jean Werbie-Harris:

Just a couple quick questions. Just to confirm that they anticipate occupancy summer of 2017?

Mike Tenuta:

Yes.

Jean Werbie-Harris:

And at this time their headquarters are going to remain in Chicago?

Mike Tenuta:

Correct.

Tom Terwall:

That's it? Then I'll entertain a motion to approve the Final Site and Operation. Is there a motion to that effect?

Jim Bandura:

So moved.

Michael Serpe:

Second.

Tom Terwall:

IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY MICHAEL SERPE TO APPROVE THE FINAL SITE AND OPERATIONAL PLAN TO OCCUPY THE BUILDING AT 10490 88TH AVENUE SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Thank you. Welcome.

Mike Tenuta:

Thank you.

G. Consider Plan Commission Resolution #17-03 to initiate Comprehensive Plan, Zoning Text and Zoning Map Amendments as a result of new FEMA FIRM Maps for a portion of the Village and Flood Insurance Study issued by FEMA related to the We Energies Ash Landfill site Levee constructed in 2000.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, Plan Commission Resolution 17-03 is a resolution to initiate Comprehensive Plan, zoning map and zoning text amendments related to the revised floodplain map prepared by FEMA affecting the Village of Pleasant Prairie. The Plan Commission may initiate a petition for amendments of the Comprehensive Plan and Zoning

Ordinance which may include rezoning of property, change in zoning district boundaries or changes in the text of the Zoning Ordinance.

On December 5, 1996, the Department of Homeland Security's Federal Emergency Management Agency or FEMA issued a flood insurance rate map or FIRM map that identified the special flood hazard areas for the areas subject to inundation by the base or base flood in the Village. On July 6, 1998, the Board of Trustees of the Village adopted the 100 year floodplain and floodway maps and profiles for the Des Plaines River Watershed, the areas located within the Village as prepared by the Southeastern Wisconsin Regional Planning Commission.

On June 4, 2012, the Board of Trustees adopted new flood insurance rate maps or FIRMs prepared by FEMA for Kenosha County and the incorporated areas which included a series of panels. I'm not going to read every single one of the panels there in the resolution before you. They were effective June 19, 2012 whereas since 2012 several floodplain boundary adjustments have been made and adopted by the Village Board.

But in 2010 We Energies had requested approval from FEMA for an earthen berm levy constructed in 2000 by We Energies on their property located west of the Union Pacific Railway and north of Bain Station Road in the Village of Pleasant Prairie. We Energies agreed to maintain the levy for the protection of the Pleasant Prairie Power Plant ash landfill site from the back water flooding of the Jerome Creek which has kept it from being considered part of the flood zone pursuant to Village Board Resolution 10-37.

As indicated in that resolution, the 2010 FEMA had begun to undertake this nationwide levy review as part of remapping of the flood zones. And We Energies has successfully managed the maintenance of this ash land floodplain levy as necessary infrastructure to continue it's maintenance, and has completed a review of the design, construction, operating procedure, maintenance program with FEMA for the levy.

In order to secure the levy approval from FEMA, however, for the ash landfill, all future maintenance activities with regard to the levy must be under the jurisdiction of the federal or state agency, an agency created by federal or state law in the National Flood Insurance Program. The Village as a community participating in the National Flood Insurance Program in accordance with 44 CFR 6510, must require that We Energies assume the ultimate responsibility for the ongoing maintenance of the ash landfill floodplain levy. And in order to meet these certification requirements, it must allow FEMA to move forward to finalize the floodplain mapping for Pleasant Prairie and Kenosha County which relates to this project.

On February 4, 2016, FEMA provided the Village with preliminary copies of the modified flood hazard area, the FIRM maps and the FIS or the flood insurance study for review and comment. The Village received a letter dated September 7, 2016 indicating that there is a statutory 90 day appeal period that had ended, and FEMA did not receive any valid requests for any other changes for the proposed flood hazard determination. Therefore, the determination of the agency is now considered final.

Whereas on November 26, 2016 the Village received the following documents for final approval including the FIRM map numbers as noted in the resolution. And with respect to this all of these revisions need to be adopted and have revision date of March 7, 2017 as prepared by FEMA. The

Village is required then as a condition of continued eligibility in the National Flood Insurance Program to show evidence of the adoption of the revised floodplain management regulations to meet the standards of the NFIP. And this has to be completed before the effective firm date of March 7, 2017.

Therefore, be it resolved the Plan Commission hereby petitions the Board of Trustees to amend the floodplain ordinance and the floodplain zoning maps to adopt the revised FIRM and flood insurance study to update and correct the Village of Pleasant Prairie Comprehensive Plan. That these various changes are referred to the staff for further study and recommendation. That a public participation plan for the proposed Comprehensive Plan amendments is going to be held and is part of our Comprehensive Plan Requirements.

The Plan Commission is not by this resolution making any determinations regarding this change at this time, but is merely referring this matter to staff to schedule a public hearing and for the staff to review this matter to bring it back for a public hearing before the Plan Commission and the final action by the Village Board. The staff recommends approval of Resolution 17-03. Again, this is to initiate the Comprehensive Plan, zoning text and zoning map amendments as a result of the new FEMA FIRM maps as a result of the We Energies ash landfill levy work that was completed previously.

Tom Terwall:

What's your pleasure?

Michael Serpe:

Move approval.

Jim Bandura:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JIM BANDURA FOR THE PLAN COMMISSION TO ADOPT RESOLUTION 17-03 SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

7. ADJOURN.

Jim Bandura:

Move to adjourn.

Deb Skarda:

Second.

Tom Terwall:

It's been moved and seconded to adjourn. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Meeting Adjourned: 6:51 p.m.