

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:30 P.M.
January 14, 2008**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on January 14, 2008. Those in attendance were Thomas Terwall; Wayne Koessl; Andrea Rode; Jim Bandura; John Braig; Larry Zarletti; and Judy Juliana. Michael Serpe and Donald Hackbarth were excused. Also in attendance were Mike Pollocoff, Village Administrator; and Jean Werbie, Community Development Director; Peggy Herrick-Asst. Planner/Zoning Administrator and Tom Shircel-Asst. Planner/Zoning Administrator.

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

Jean Werbie:

I have none this evening, other than I do want to mention as correspondence that an article has been in the paper and we've announced that we have our second Village Green Café this Thursday at the Village Hall and it starts at 5:15.

- 4. CONSIDER THE MINUTES OF THE DECEMBER 10, 2007 AND DECEMBER 19, 2007 PLAN COMMISSION MEETINGS.**

Judy Juliana:

Move to approve.

Andrea Rode:

Second.

Thomas Terwall:

IT'S BEEN MOVED BY JUDY JULIANA AND SECONDED BY ANDREA RODE TO APPROVE THE MINUTES OF THE DECEMBER 10TH AND DECEMBER 19, 2007 PLAN COMMISSION MEETINGS AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered.

5. CITIZEN COMMENTS.

Thomas Terwall:

If you're here tonight to discuss or make a comment about any of the items listed on the agenda as a matter of public hearing we would ask that you hold your comments until the public hearing is held so that your comments can be incorporated as part of the official record of that item. Or, if you're here for an item that's not a matter of public hearing, or if you're here to discuss a matter that's not on the agenda, now would be your opportunity to do so. We would ask that you step to the microphone by giving us your name and address. Is there anybody wishing to speak under citizens' comments? Hearing none, we'll move onto Item 6.

6. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT for the request of Mike Dilworth, agent for Paramount Ventures, LLC, owners to use Unit #12 at 5822 80th Street as a Model Unit & Sales Center for the Courtyard Junction condominium conversion development.

Jean Werbie:

Mr. Chairman, on January 4, 2008, the Village received a written request to withdraw their initial request by Mike Dilworth, agent for Paramount Ventures, LLC. This request was for a model unit and sales center in Unit 12 at 5822 80th Street. They've submitted a new application to use Unit 11 at 5812 80th Street as a model unit and sales center for the Courtyard Junction condominium conversion. So a new public hearing has been scheduled for this item on January 28, 2008. So we are requesting to have this item withdrawn.

Wayne Koessl:

So moved, Chairman.

Jim Bandura:

Second.

Thomas Terwall:

MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA TO REMOVE ITEM A FROM THE AGENDA AT THE PETITIONER'S REQUEST. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered. Jean, you want to take Items B through G together for discussion purposes and then separate votes, is that correct?

Jean Werbie:

Yes. Mr. Chairman and members of the Plan Commission and the audience, we are going to be taking up Items B through G. The first several items are public hearings and we will be making one presentation for all of the items.

- B. PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN for the request of Lance Skala of CenterPoint Properties, to develop three (3) industrial warehouse/distribution/office buildings and associated site improvements on an approximate 105 acres generally located in the southeast quadrant of the 116th Street and 88th Avenue intersection.**
- C. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT for the request of Lance Skala of CenterPoint Properties, on behalf of GAR Farms LLC, owner, to rezone the northern approximate 47 acres of the approximate 112 acre property located at 8215 116th Street from A-1, Agricultural Preservation District to M-1, Limited Manufacturing District. The rezoning includes a small approximate 0.65 acre field-delineated wetland area to be rezoned from A-1 to C-1, Lowland Resource Conservancy District.**
- D. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT for the request of Lance Skala of CenterPoint Properties to rezone the field-delineated wetland and Primary Environmental Corridor areas located on the southern portion of the approximate 58 acre CenterPoint WisPark Land Company LLC property, located at the southeast corner of 116th Street (CTH "ML") and 88th Avenue (CTH "H"), into the C-1 District, with the non-wetland/non-PEC areas being placed into the A-2, General Agricultural District.**
- E. Consider the request of Lance Skala of CenterPoint Properties, on behalf of GAR Farms LLC, owner, for a Certified Survey Map to subdivide the approximate 112 acre property located at 8215 116th Street into two (2) lots.**
- F. Consider the request of Lance Skala of CenterPoint Properties, owner, for a Certified Survey Map to subdivide the approximate 47 acre Lot 1 of the proposed GAR Farms LLC CSM, generally located at 8215 116th Street, into two (2) lots and one (1) outlot.**
- G. Consideration for the request of Lance Skala of CenterPoint Properties, on behalf of GAR Farms LLC, owner, for the approval of Site and Operation Plans for an**

approximate 453,000 square foot industrial warehouse/distribution/office speculative building and associated site improvements located on the northern approximate 47 acres of the approximate 112 acre property located at 8215 116th Street. An associated off-site storm water facility will be located along the south side of 116th Street, west of the proposed building.

Jean Werbie:

Again, as you mentioned, Items B through G will be discussed at the same time, however separate action on each of the items will be required. Items B through F do go onto the Village Board. Only Item G has the final authority with the Plan Commission, however it will be subject to the previous items.

The petitioner is requesting approval of a conceptual plan, two Zoning Map Amendments, two CSMs and site and operational plans pertaining to the potential overall development of three industrial warehouse/distribution/office buildings and associated site improvements on approximately 112 acres of land generally located at the southeast corner of 116th Street and 88th Avenue. The property is further identified as Tax Parcel Number 92-4-122-332-0251 and the northern approximate 47 acres of Tax Parcel Number 92-4-122-332-0100.

As some background information, I'd like to talk about the planning for this particular area. First of all the Comprehensive Plan. On May 12, 2003, the Plan Commission approved Resolution #03-11 to amend the Village Comprehensive Land Use Plan. As a part of the amendment, a portion of several of the tax parcels were legally combined due to some actions taken by the property owners. Specifically, that portion of the subject property that is generally located north of and including the WE Energies power line easement was removed from the lower medium density residential classification with an urban reserve land use designation, and it was placed into the industrial land use designation. The small portions of the property designated as primary environmental corridor located at the extreme southern portion of the property remained as did the lower medium density residential with an urban reserve land use designation for the remainder of the property south of the WE Energies power line easement.

The next step in the planning process was the neighborhood plan. On May 12, 2003, the Plan Commission approved Resolution 03-12 to amend the Green Hill Farms Neighborhood Plan to reflect the amendments made to the Village Comprehensive Land Use Plan as noted above. The Neighborhood Plan amendment changed the designation of this property from residential to light industrial for that portion of this property located north of the 150 foot wide WE Energies power line easement. The actual 150 foot wide easement is designated as utility and the remainder of the property located south of the easement is designated as open space with existing wetlands. The light industrial and open space designations conforms with the Village's Comprehensive Land Use Plan and with the Neighborhood Plan and also allows for future light industrial land uses for the property north of the WE Energies easement.

The next step was the conceptual plan and the zoning map amendment. On November 8, 2004, the Village Board conditionally approved a conceptual plan for three industrial warehouse/distribution/ office buildings and associated site improvements. During the same meeting the Village Board also approved a zoning map amendment to rezone the land from A-4 to M-1 for the northern portion of the property, and from A-4 to A-2 and C-1 for the southern

portion of the property, and this is pertaining to the approximate 55 acre property generally located at the southeast corner of 116th Street and 88th Avenue. The 2004 Village conceptual plan and that conditional approval has since expired. So it's their obligation at this point to move forward and present another conceptual plan. They're only valid for one year.

So the conceptual plan being presented this evening for 2008 it is also a master grading plan. It was prepared by Jenkins Survey & Design with a latest revision date of October 12, 2007. It does depict three warehouse/distribution/office-type buildings and related site improvements. The three buildings are located on a portion of the property, again, located north of the We Energies easement. According to the written operational plan as submitted by the petitioner, the proposed building sizes are as follows. There is a western building which is proposed at 404,800 square feet; a center building or the middle building at 500,000 square feet; and an eastern building at 452,769 square feet. The approximately 112 acre conceptual plan as 2,481.98 feet of frontage on 116th Street and 1,844.55 feet of frontage on 88th Avenue. There is an additional 152.38 feet of angled frontage on the corner at the intersection.

The zoning for the properties, in general the conceptual plan is currently zoned M-1, Limited Manufacturing District; A-2, General Agricultural District; and C-1, Lowland Resource Conservancy District. The CenterPoint WisPark property was the first tax parcel that was just identified. A-1, the second tax parcel which is 92-4-122-332-0100 that property which is the GAR Farms property is zoned A-1, Agricultural Preservation District. Surrounding properties, uses and zonings are as follows as shown on the slide as well.

To the north across 116th Street there are three M-2, Heavy Manufacturing District zoned properties which include VW-Audi, Rentsys and Sonopress. So the south there are several large properties improved with single family residences zoned R-3, Urban Single Family Residential District, C-1 and C-1, Upland Resource Conservancy District. And the remaining 65 acres of the GAR Farms property is zoned A-1. It's cultivated for agricultural crop production. There's also a portion that's zoned C-2 which is the extreme southern portion of the property. This also contains some 100 year floodplain, wetlands and shoreland.

To the east of the properties is a 95.5 acre property known as the Christian Tobias Jensen property. It's primarily zoned A-1. It's improved with a farmstead and is mainly cultivated for agricultural crop production. And to the west across 88th Avenue an approximate 55 acre vacant property owned by CenterPoint WisPark Land Company, LLC. In addition, to the north/northwest Uline has a warehouse and distribution facility. This area is zoned M-2 and also has some C-1 and FPO Floodplain Overlay District.

The conceptual plan depicts the southernmost portion of the property generally south of the 150 foot wide easement as being improved with a storm water management pond and screening and a landscaped berm. Also located in the southern portion of the property is an area of primary environmental corridor and field delineated wetlands. These wetlands were field delineated by Dave Meyer of Wetland & Waterway Consulting on September 22, 2004 and field surveyed by Jenkins Survey & Design on September 23, 2004. In a May 10, 2005 Wisconsin DNR letter, Ms. Heidi Hopkins stated the Wisconsin DNR's concurrence with the wetland delineation.

And then additionally on December 10, 2004, Thompson Associates Wetland Services field delineated the primary environmental corridor. In a September 29, 2005 SEWRPC letter, Phil

Evenson who is the Executive Director at SEWRPC stated concurrence with the primary environmental corridor delineation. So pursuant to the conceptual plan no grading, berming, land disturbance or improvements will be encroaching into any of the wetland areas or the primary environmental corridors.

This approximate 520 foot wide area of A-2 zoning, primary environmental corridor and wetland along with an approximate 5290 foot long, 12 foot high berm extending eastward from 88th Avenue will serve as an effective buffer area between the existing single family residences to the south and the proposed industrial warehouse/distribution development to the north.

If and when this development occurs the Village will review a planned unit development overlay zoning. it may be possible that if these properties aren't all on individual properties that multiple buildings can be on one single property with a PUD. Each of the projects will have to move forward through certified survey maps, site and operational plan and conditional use if, in fact, that is necessary.

Now, the existing zoning map amendments, the GAR Farms, LLC property, the non wetland area, in conjunction with the conceptual plan the petitioner has submitted a zoning map amendment to rezone the northern portion of the GAR Farms, LLC property, that's about 47 acres, from A-1 to M-1. The M-1 District requires lots to be a minimum of 10,000 square feet with a minimum frontage of 75 feet. This parcel and this land area will greatly exceed those minimums.

Pursuant to the Village Zoning ordinance, any rezoning of any parcel of land within the A-1, Ag Preservation District, shall be in accordance with § 91.77 of the Wisconsin Statutes. We don't have too many of these, but the Village Board will need to approve the petition that comes forth to them—if they approve it, it has to meet with the following findings or conditions. First of all, adequate public facilities to accommodate development either exist or will be provided within a reasonable time. Second, the provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them. And, three, the land proposed for rezoning is suitable for development, and development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural resource areas. So land which is rezoned from the A-1 District is also subject to a lien pursuant to the statutes for the amount of tax credits that may be paid on the land rezoned. Upon adoption by the Village Board, the Zoning Administrator shall promptly notify the Department of Ag, Trade and Consumer Protection of any amendment that is made pursuant to the State Statutes.

Currently, the proposed M-1 rezoning area is improved with a farmstead, house and several farm related structures and the land is agriculturally cultivated. The proposed M-1 zoning complies with both the industrial comprehensive land use map designation and the light industrial designation on the Green Hill Farms Neighborhood Plan designation.

The GAR Farms, LLC wetland, additionally a small approximate .67 acre field delineated wetland within the southeastern portion of the northern portion of the site is intended to be preserved and protected. In addition, on November 15, 2004, the Village Board approved an ordinance which rezoned the approximate 58 acre property which is located to the west; the northern portion of the property as measured from 116th Street southward to the south line of the easement from A-4 to the M-1 District; and the southern portion of the property as mentioned is what's rezoned from the A-4 to the A-2 General Agricultural District.

As mentioned previously, both the wetland area and the primary environmental corridor area have now been delineated, surveyed and approved by Wisconsin DNR and SEWRPC. The primary environmental corridor area is slightly larger than the wetland area, but the area being preserved is the primary environmental corridor area.

Under the certified survey maps, there will be two certified survey maps that are being proposed this evening in order to accomplish this proposed three building warehouse/distribution development. They are seeking first the approval of the GAR Farms, LLC CSM. The initial CSM is to subdivide the 112 acre property into two lots. As previously noted, the property is currently zoned A-1, and the District requires that the parcel that's created meet the minimum requirements of the M-1 District. Lot 1 is currently improved with a farmstead, and a majority of the unimproved land is cultivated. Razing permits are required to be applied for and obtained from the Village prior to the demolition of the structures on the site.

Lot 1 is proposed to be sold to CenterPoint Properties for the development of the proposed warehouse/ distribution speculative building. The lot is proposed to be 46.8926 acres with over 1,300 feet of frontage on 116th Street. The lot depth will be over 1,500 feet. WEPCo easements associated with the high tension power lines encompass the eastern and southern portions of the lot. Additionally, a proposed 20 foot wide access easement is shown to allow GAR Farms, LLC access to Lot 2 through Lot 1.

Lot 2 on this CSM is currently unimproved and a majority of the land is being cultivated. At this time Lot 2 will remain under the ownership of GAR Farms, LLC. The lot is proposed to be just over 65 acres with no frontage on an improved public roadway. In this case the stub end of 122nd Street as it stubs into this property is not considered frontage. So as noted a proposed 20 foot wide access easement is being shown to go through Lot 1 to get to Lot 2. There is also a proposed 20 foot wide Village dedicated sanitary sewer access and maintenance easement that traverses the property of Lot 2 from east to west.

Since Lot 2 has no frontage on a public road, this parcel can remain in agricultural designation, however no structures will be allowed to be built on this parcel until such time as it has the required frontage. On the certified survey map a note will need to be placed that basically states that this lot is going to be considered unbuildable until the parcel has the required frontage on a public road and it is serviced by municipal improvements such as sanitary sewer, water, public street frontage and so on.

Under municipal sanitary sewer, a 15 inch municipal sanitary sewer is located along the north side of 116th Street right of way, and a 10 inch municipal sanitary sewer main is located along the east side of 88th Avenue. Additionally, an east/west Village dedicated easement traverses Lot 2. This easement shall be relabeled, as I mentioned previously, as a 20 foot dedicated sanitary sewer access and maintenance easement. In addition, there will need to be a temporary construction easement that's also on this CSM which is not noted in the staff comments.

Under municipal water, a 16 inch municipal water main is located along the south side of 116th Street right of way and along the east side a portion of 88th Avenue. Any new lateral connections to the public sewer and water shall be bored underneath roadway pavement. There shall be no open cutting of the roadways unless approved by either the Village and/or the County. The

applicant should contact the utility department to verify locations of the existing main as well as any laterals that may be on the site.

Under the environmental section for this certified survey map, Lot 1 is not located within the 100 year floodplain. There's a small field delineated wetland in the corner that does need to be preserved and protected that's been field delineated and verified. And, again, pursuant to the conceptual plan no grading, berming, land disturbance or improvements shall encroach within the farm's wetland areas or the primary environmental corridor areas on either of the lots.

Pursuant to the submitted CSM, an additional seven feet of 116th Street southern one-half right of way is being dedicated with this CSM. What the Village staff is recommending is that there be a 50 foot wide dedication from center as opposed to a 40 that's currently shown on the CSM. Lots 1 and 2 meet and exceed the minimum lot size and area requirements of the M-1 and A-2 Districts respectively. And the land division conforms to the Land Division and Development Control Ordinance, the Village Zoning Ordinance and other relevant ordinances of the Village.

The second certified survey map is the CenterPoint Properties Trust CSM. After recording the GAR Farms, LLC CSM, CenterPoint Properties will then subsequently subdivide Lot 1 of the GAR Farms, LLC CSM into two lots and one outlot. The result of this CSM will be that the proposed 452,769 square foot east warehouse/distribution and office building will be located entirely on its own parcel, that being Lot 4 of the CenterPoint CSM. The zoning as previously noted is currently A-1, and they have applied to rezone the property to M-1 which is the Manufacturing District.

Lot 3, a majority of the proposed area of Lot 3 is agriculturally cultivated, and Lot 3 is proposed to be just over 13.89 acres with 414 plus feet of frontage on 116th Street and over 1,400 feet of lot depth. Again, there is a WEPCo easement of 150 foot wide by 60 foot wide on a portion of Lot 3.

Lot 4 is currently improved with a farmstead. A majority of the land is cultivated. The lot is proposed to be 30.26 acres with over 906 feet of frontage on 116th Street and a depth, again, of over 1,400 feet. Again, the WEPCo easements exist on Lot 4.

Access, the shared western driveway will require a dedicated driveway, access and maintenance easement and shall be labeled as such.

Pursuant to the CSM the storm water retention basin will be located within an easement on Lot 4. With respect to right of way, pursuant to the CSM an additional amount of right of way is to be dedicated for a full 50 feet from center.

Outlot 1 is located immediately south of Lots 3 and 4 and is proposed to be 2.73 acres with no public street frontage. The purpose of this outlot is to accommodate an approximately 1,100 foot long, 10 to 15 foot high landscape berm to serve as a visual screen between existing single family residences to the south and the proposed industrial use to the north. Specific easement language will be placed on the CSM to reflect this landscape berm and the responsibilities for its maintenance.

Both Lots 3 and 4 meet and exceed the minimum lot size and area requirements of the M-1 District. The land division conforms to the Land Division and Development Control Ordinance, Village Zoning Ordinance and all other relevant ordinances or requirements of the Village.

Now, finally, the site and operational plans for the east building. This is part of the Phase I development. The applicant, CenterPoint WisPark Land Company, LLC, is seeking site and operational plan approval for the proposed approximately 453,000 square foot industrial warehouse/ distribution/office building and associated site improvements. An associated off-site storm water facility will be located on the south side of 116th Street west of the proposed building, as Tom is showing you on the slide, to service this property.

Pursuant to the conceptual plan, this building which is proposed to be 37 feet high is the easternmost speculative building and it's the first of the three buildings to be constructed by CenterPoint. The initial spec building will be constructed on the proposed Lot 4. If the property owner wishes to pursue the development of the remaining two buildings shown on the conceptual plan, the development review process shall begin anew. Basically the conceptual plan will be in place for a year, and if more than a year passes we have to go through the conceptual plan process again.

With respect to parking and truck docks, according to the plans, employee and customer parking is provided along the north side of the building. Proposed are 121 standard parking spaces plus five handicapped accessible parking spaces. The plans depict potential future lots that would be on the south side of the building. If and when any parking lot expansion occurs, prior to the expansion permits would be required from the Village. If the expansion parking areas are development, the parking areas as well as maneuvering lanes shall all incorporate vertical concrete curb and gutter and storm sewer.

Initially, the building will have 50 truck loading docks, 25 on the east side and 25 on the west side. There is the potential to expand the number of truck loading docks with an additional 27 docks on both the east and west sides. Finally the building will have four drive-in overhead doors, two on both the east and west sides of the building. 52 semi truck parking spaces are proposed along the east property line.

Access to this site will be from two driveways from 116th Street. The easternmost driveway will align with 80th Avenue and there will be a medianed entranceway. The western driveway will be centered on the proposed west property line and will serve this site as well as the middle building or the 500,000 square foot building to the west. There will need to be a shared access driveway easement in order to service both lots. The plan shall show the location of all existing drives on the north side as well as center line to center line space and separations.

The Village and the County are currently evaluating the widening and extension of 116th Street from 88th Avenue to Green Bay Road. We will need to complete a traffic study. Additional right of way may be needed but at this point we're looking at just a 100 foot wide right of way. It's the staff's recommendation that 116th Street be widened to a full urban profile that will allow for four travel lanes.

Access permits currently would need to be obtained from Kenosha County as well as by-pass and acceleration and deceleration approvals as 116th Street is a County Trunk Highway. There is a

letter that is attached to this packet from Gary Sipsma that talks about the specifics with respect to shoulders and regrading. Again, we have added the additional right of way that does need to be provided.

Under municipal water, pursuant to the Village's Land Division and Development Control Ordinance developments are required to install public improvements such as sewer, water, storm sewer, paving, curb and gutter along the full length of the street frontages. In this case, this third building conceptual development site at the corner of 116th Street and 88th Avenue fronts on two public roads and should have municipal water on both sides of both 88th Avenue and 116th Street. At this time the municipal water main is in 88th Avenue but it does not extend all the way south to the end of their property limits.

The extension of the 88th water main is currently not part of the Tax Incremental District No. 2 project plan, however TID 2 is proposed to be amended in the future, and as part of the proposed amendment the Village staff is proposing to include the 88th Avenue water main extension in the TID project plan. Therefore, the developer as recommended by staff is not required to extend the 88th Avenue water main as part of the overall development for this project.

Under the Village's Land Division and Development Control Ordinance, Chapter 395-12, this section is entitled miscellaneous discretionary exemptions. The Village Board does have the authority in unusual circumstances where a certified survey map or other development proposal is being advanced to the Village to waive a requirement or extend a requirement knowing that that requirement will be met at a later date with some other type of performance or approval of the Village. The Board must make an express finding that water is not needed at this time but is intended to be looked at as a future plan and extension as part of the TIF District.

With respect to the second water regarding the water main, and that's the east building water main, a public water main with a dedicated public water, access and maintenance easement shall be extended from 116th Street all the way south to the property boundary on either the east side or the west side of this building to service future development to the south. The installation of this public water main shall be concurrent with the development of the east building. The diameter of the water main and the width of the easement shall be determined yet. To avoid redundancy the private water service for the building may connect to the public water main provided that sufficient fire flows are being met.

In addition, as part of the extension of this water main south to the south property line, the developer may be entitled to a 10 year right of recovery if, after this matter has gone before the Village Board and a special assessment hearing has been held, that the developer may be entitled to recover or capture of a portion of this water main extension from the easternmost building's southern limits to the south property line as it will directly benefit the property to the south when and if that does develop.

The adjacent property owners will be required to pay the water special assessment costs only if they choose to connect to the municipal water system and/or if any new home building is constructed or if a land division or development is approved on that southern property. That, again, is being retained by GAR Farms at this time.

With respect to storm water ponds, in addition to the storm water pond that is to be constructed immediately south of this building and to serve the site, the storm water pond at the extreme northwest corner of the conceptual plan site, which is as shown on the slide at 116th Street and 88th Avenue, will also be constructed with the development of this initial building. Although storm water for this initial spec building will not drain to the pond, the pond is being constructed at this time because of the site earthwork balancing that's associated with this first building. The southernmost storm water pond will be constructed in the second development phase when either the west or the center building is constructed. That's the one on the slide at this time. That's the very south pond.

With respect to curb and gutter, pursuant to the plans, concrete vertical curb and gutter shall be installed where required. However, additional concrete vertical curb and gutter shall be installed around the grass peninsula areas at both the southeast and southwest corners of the building areas. Additionally, according to the applicant and the plans, there will be a 41 foot wide landscape peninsula separating the truck court/dock area along the west side of the east building from the truck court/dock area along the east side of the subsequent center building. This landscaped island is required to incorporate concrete vertical curb and gutter.

With respect to berming, screen and landscaping, in addition to the proposed and required landscaping along the front of the building and in the east parking lot, additional interspersed landscaping trees and other plantings shall be planted within the long 40 foot wide landscape peninsula along the west property line of the east building, the grass area south of the building and the low level landscape plantings within the medianed entrance south of 80th Avenue. Additionally, the southern, lengthy landscaped earth berm shall be graded to be undulating and not just the monolithic dike.

Because this is a phased development plan, only the east berm will be constructed with the initial east building. The developer will keep the land in as much of an undisturbed state as possible during the construction process. The Phase I plans entail for the grading of the east building pad site and related site improvements; the east storm water detention pond and the east berm; and the northwest pond and grading adjacent to that pond.

If mass grading of the non wetland and non primary environmental corridor areas of the western CenterPoint parcel occurs within the initial phase, then the westernmost berm adjacent to 88th Avenue shall be constructed. So if they're going to be doing grading on the west side of the site, mass grading, then the western southern berm needs to be constructed.

According to Mr. Skala with CenterPoint, only Phase I associated grading is to occur on this parcel for the storm water pond and for the earth balancing work immediately south of the storm water pond. The remainder of the parcel is to remain undisturbed after the grading earth balance work is completed just south of the storm pond. The area to be replanted will be replanted with agricultural crops.

With respect to open space, approximately 30 acres of the site is proposed to have 34 percent open impervious space or green space. The initial spec building Phase I development site is proposed to be rezoned from the M-1 District. There is no areas of the 100 year floodplain or shorelands on this site. The only wetland on the site is intended to be preserved and that, again, would be placed into the C-1 District.

Some other slides that Tom has had up on the wall for you are some of the elevations as proposed by CenterPoint for this first building. With that, we do have several items that are open for public hearing, and the petitioner is here in the audience to address any concerns or questions that you may have.

Thomas Terwall:

Before I open it up to public hearing, Lance is there anything you wanted to add?

Kevin Breslin:

Mr. Chairman, my name is Kevin Breslin on behalf of CenterPoint properties. I'm here merely to introduce several witnesses that will present before you this evening. Mr. Chairman and members of the Commission, I think we'll begin with Werner Briske from Partners in Design. He'll talk a little bit about the architectural and the site design issues, how we resolved the planning issues and we think favorably so. He'll be followed, Mr. Chairman, by Rich Wagner from Jenkins Survey & Design. He'll talk to you in a little greater detail concerning some of the hydrology and, again, how we've addressed the existing conditions and the proposed improvements to have property site drainage and related engineering issues. Then Lance Skala will come up and talk to you a little bit about some of the planning issues again and some of the ways in which we've made the development as physically compatible as possible.

But before those three witnesses I just want to turn it over very briefly to Michael Murphy, Senior Vice President, CenterPoint Properties. Michael will talk to you very quickly we promise concerning what the business plan of CenterPoint is with the three building design that's being presented to you this evening. So without further delay, Mr. Chairman and members of the Commission, I ask Michael Murphy of CenterPoint Properties to approach the witness stand.

Thomas Terwall:

Thank you.

Michael Murphy:

Good evening and thank you. Really we've looked at--

Thomas Terwall:

Give us your name and address.

Michael Murphy:

I'm sorry. Michael Murphy, CenterPoint Properties, 1130 Turicum Road, Lake Forest, Illinois. We have looked at the southern area, what we call LakeView South, as an opportunity to do a loaded high through put distribution center very similar to the Uline facility, LakeView 11 facility we've done in the park. Within LakeView we're kind of running out of land that would support this level of development. The demand side for these type of distribution, manufacturing and

office buildings has been significant, and we really view this as a real opportunity to bring new development and new businesses to LakeView. Thank you. I'll turn it over to Werner Briske.

Thomas Terwall:

Thank you.

Werner Briske:

Werner Briske, Partners In Design Architects, 600 52nd Street, Kenosha. I had planned a whole half hour but Jean, you know, she covered everything. I don't know what I have to say other than just to cover a couple of quick points again that we feel are important. One, I'm sure you understand where this is, but just to cover it, this is ML, H. To the north Volkswagen rents this and Sonopress and Uline here. We have some other large facilities in the area. As Mike said, this building, Phase I, is similar in orientation, similar in concept to the LakeView 11 project. It's in a very similar way to the road although in a different orientation, east/west versus north/south, but it's very similar in terms of what it's intention is.

Again, just a couple of high points to point out. We are dealing with three different pond areas that address the various drainage aspects of the site, the natural drainage areas of the site. We are providing 10 to 12 foot berms to the south here, here, here. The initial building, again, approximately 453,000 square feet, overall dimensions of about 500 feet by 900 feet, docking east and west with trailer storage on the east side within the WEPCo under the power lines. Parking on the north, future parking to the south.

Just to throw a couple other exhibits up here, the building is planned to be 32 foot clear, again, similar to LakeView 11 as far as size and everything. That's really the closest model we have to this facility out here. Materials are consistent with that. It's painted precast. A decent amount of glazing at the entry points, initial docks, as Jean said, 25 per side with the ability to expand that in the future should a tenant require. The hope is that it would be a single tenant building but it's possible it would break down into multi-tenant.

Rich Wagner:

Rich Wagner, Jenkins Survey & Design, Waukesha, Wisconsin. I'd like to talk a little bit about the existing and the proposed conditions. First I'm going to refer to the existing topography. The site is made up of three distinct watershed areas. The first going to the northwest is roughly 24 acres. The watershed going to the east and southeast is approximately 40 acres, and there's an area that drains partially southwest and partially southeast that's roughly about 28 acres.

Jean Werbie:

Excuse me, Rich. Could I have you do what you're doing but on the wall here so that everyone can see.

Rich Wagner:

Yes, that's good. Thank you. Is this okay? Can everybody see okay? These are the three distinct watershed areas. This shaded area down below is the primary environmental corridor of which there is a wetland complex made up of wooded and farmed wetlands. This shaded area here is a portion of this watershed that now drains to the southeast that sends water to the existing wetland and then some of the ponds that are in the residential area down below here.

Can we go to the proposed conditions then, Tom? Thank you. Under the proposed conditions these heavy lines here are—I just want to make sure. This is kind of hard to read because of the overlay. These heavy lines here are the new watershed areas. They mimic the existing watershed areas. The acreage is the same or very, very close to the same. The three ponds correspond to those three watershed areas. As Werner mentioned the northwest pond will be constructed during the Phase I part of the project mainly to excavate dirt to provide an earthwork balance for Phase I.

Additionally, this pond at the southeast will also be constructed during the first phase. That outfall continues in the same direction as the drainage now mostly to the east, partially southeast, but most of this goes eventually east. The northwest pond drains to the northwest under a culvert under H. The southwest pond constructed in the future as Phases II and III are constructed. The southeast pond is designed in accordance with the ordinance and also exceeding the safety requirements for DNR by widening a safety shelf by about 25 percent over what's required.

For purposes of not putting an impact on adjacent properties currently our discharge is designed so that it goes to the southwest. However, we also want to make sure that the wetland and these ponds below are also fed with water similar to a situation we have at the game farm where WisPark put in additional piping to make sure that the game farm and those wetlands were also fed. So in our storm water management plan the outlet structure, the release rate remains the same. However, in our meetings with the Matsons and to assure them that we wouldn't negatively impact wetlands and the ponds down here a simple modification can be made to the outlet structure to make sure that those wetlands and those ponds are continued to be fed by the runoff that goes in this direction naturally and by the release of the pond. The main part of that would be to make sure that we don't impose any burden on these properties with that future storm water. So to feed this wetland and the ponds down here is a very simple alteration of the outlet structure.

We front on County Trunk ML to the north, County Trunk H on the west. We've met with Gary Sipsma to discuss the ponds and also the vision triangles at the northwest, and we also discussed some improvements to the ditch that we'll be making along with this plan as this pond is constructed during Phase I.

We also have permission from ATC. We did sag surveys along the high tension wires to make sure that any of the grading that occurred or the parking that occurred under those towers wouldn't impact the easement and we would have permission to do that construction in those zones. And we've submitted these plans to ATC and they've also given us approval for that work. With that I'll turn it over to Lance Skala. Thank you.

Lance Skala:

Hi, Lance Skala, CenterPoint Properties, 1808 Swift Drive. As Rich mentioned, we have had some dialogue with Larry and Mary Matson regarding some concerns that they expressed to us and sent us a letter regarding those. We met with them last Wednesday just to review our site plan in detail, and mainly we touched on three issues here. One was the maintenance and safety of our south retention pond, the hydrology of their existing pond, along with noise and light perhaps coming off of our site.

Rich touched on the pond issues, but I do want to take a minute here just to talk about light and noise issues coming off of our site. As was mentioned earlier in the introduction here, we have roughly a 500 foot buffer of both wetlands and primary environmental corridor and woods. If you add the distance that's underneath the ATC easement along with some green space on our individual sites, the range of the buildings or south face of our buildings to our south property line really range from anywhere from 800 feet upwards to 1,400 feet on the east building itself. We feel this is going to be a very effective buffer for any effect that possibly light or noise could have on adjacent properties.

We've agreed that these trees, which are outside the primarily environmental corridor will remain intact. We do not plan on touching them. In regards to light, the photometrics that we've submitted shows, and we have a slide here, the photometrics that we submitted shows that the foot candles of the light fixtures that we'll be using on our south wall of our building are effectively at zero 60 feet out from the building meaning that there's not a very large distance that these fixtures cover.

In regards to noise, all the truck traffic, I should clarify that, the majority of the truck traffic whether coming to our site or leaving the site would take Springbrook Road to H, travel up H and then out using 165. We feel very little truck traffic will head south along H.. I think that's the items that I wanted to cover here.

Just in closing, though, I think that the meeting with the Matsons was very productive, and we do want to keep good lines of communication as well as their neighbors, so we're trying to be good neighbors and we hope the Matsons have gotten that impression when we sat down with them last week. Thank you.

Kevin Breslin:

Mr. Chairman, excuse me, I forgot to give my address when I first approached the podium. That's Kevin Breslin, B-R-E-S-L-I-N, 1953 Spruce Drive, Glenview, Illinois. Mr. Chairman, in summary I believe both the staff's report as well as the CenterPoint testimony indicates that the project obviously is consistent with your comprehensive plan as it has been rewritten. It's consistent with the neighborhood plan. Obviously we are requesting a partial rezoning on one of the sites to become consistent with the comprehensive plan, but in that respect we believe that the proposals that we put before you this evening are certainly consistent with the long range planning documents that the Village presently has in place for this site. We think it's a logical extension of the existing development that has been so successful in the WisPark development to date, and this is a logical extension of that. This is kind of the capstone, if you will, of the

development. As Mr. Murphy indicated, it fills out a certain market niche that we believe will be well served by meeting those needs and constructing the structures as we've indicated.

As the post development drainage plan clearly indicates, and Mr. Skala has testified, there's a tremendous amount of separation, if you will, just geographic separation between the primary development and the nearest residential areas. I think some of the witnesses also have touched on the fact, and staff indicated, that in addition to the physical separation the geography and the existing environmental protection area we are proposing to construct a lengthy berm across the entire southern end of the property, at least to the extent physically feasible. And as Ms. Werbie has indicated it will be undulating and will be attractive in landscape, again, to provide a visual barrier in addition to the geographic barrier.

As staff has indicated, there's existing utilities to the site so I think we can adequately meet statutory standards in terms of available public services to the site. Mr. Skala has indicated that both in terms of noise, traffic impacts and sound we don't believe this will put any undue burden either on the environmental quality in the vicinity of the property. With that, Mr. Chairman, we're happy to answer any questions that you or the Commissioners may have or the staff may have for the CenterPoint witnesses. Other than that we have no more formal comments to make at this time, Mr. Chairman.

Thomas Terwall:

Thank you. This is a matter for public hearing. Is there anybody wishing to speak on this matter?

Larry Matson:

Good evening. Larry Matson, 8550 122nd Street. On November 13, 2007 I did send a letter to CenterPoint Properties. I carbon copied Mr. Pollocoff with a certified letter. I hope the letter was shared with the Commissioners. I have copies here. Much of the concerns that we do have about the upcoming project have been discussed last week with Lance, Rich and Adam, and we were very pleased with a lot of the outcome of that meeting. So we're going to continue our dialogue with them. I hope you read the letter and work in our behalf on this as well. Thank you.

Thomas Terwall:

Is there anybody else wishing--yes, sir?

David Vecchitto:

Hi, David Vecchitto from 8552 122nd Street. My property is the one at the southwest corner of that development. I'm glad for all the things that have been taken care of in this development and concern for the residences down there. But my main concern at this point is just the safety and aesthetics of the retention pond at the southwest corner. I have four children who play on our property and just want to make sure that that retention pond is safe. And, also, second concern just the aesthetics of the pond itself. Some of the storm water ponds that the Village has put in are better than others. For instance, the one near the Jelly Belly factory looks like a very commercial storm water pond. There are other storm water ponds that fit into the environment, especially this environment with the wetlands and conservancy and the neighborhood there. A

couple that we have noticed that are better than others is the one that's in Prairie Ridge Boulevard on the south side. It fits into the residential area and keeping with the neighborhood. And some of the ponds that are north on Highway H north of 165 east of the RecPlex there's those two storm water ponds there. So I'd just ask that you would do everything possible to both keep the area safe and beautiful in keeping with the area. Thank you.

Thomas Terwall:

Thank you. Before I take any other comments either Mike or Rich would either of you care to comment on the safety of the retention basin and what our requirements are to make sure it's safe.

Mike Pollocoff:

I'll defer to Rich Wagner since he's already made some comments and commitments. These are ponds, before he speaks, these are not ponds that will be owned by the Village or maintained or constructed by the Village. These are going to be private ponds for CenterPoint's use so they will not be Village ponds. So how they're constructed is going to be CenterPoint's.

Rich Wagner:

One thing to just address ponds in general is that ponds are required in industrial areas, they're required in residential areas, in commercial areas, and the main thing we want to do is make sure we've constructed the pond in accordance with the safety factors outlined by the DNR which requires a safety shelf so that the water within this safety shelf is about six inches to a foot high I believe, which means that if anybody would walk in there they'd realize that they can get out. If they'd roll down the hill they can still get out of the pond without falling into a deeper portion of the pond. We've exceeded the width of that safety shelf by about 25 percent. We've gone to a ten foot safety shelf on the pond. The one thing I don't think anyone is ever in favor of and we discussed this with the Matsons would be anything really restricted like a fence or chain link fence or anything.

So there's always safety issues with any development whether it's public or private. There's a County highway adjacent to the homes. Everybody is concerned about safety and certainly we would never take that for granted, but we're exceeding the minimum safety requirements for the safety shelf. In addition to that the pond will be landscaped around the sides. We're talking about prairie grasses to help prevent geese from nesting.

In addition, regarding the aesthetics of the pond itself, when we talked to the Matsons every time you start undulating the borders of the pond you lose capacity, and in an effort to keep this pond to a minimum and not enlarge it and disturb additional area it needs to take on somewhat of linear shape. However, in the construction it certainly can be undulated somewhat so it doesn't look like a big swimming pool as it were. So between the tall grasses, the safety shelf and the undulating part of the pond we feel we've addressed the aesthetics and also the safety issues of the pond.

Thomas Terwall:

Thank you. Is there anybody else wishing to speak? Anybody else wishing to speak? Anybody else? Hearing none, I'm going to open it up to comments and questions from Commissioners and staff.

John Braig:

I've got a number of questions and concerns. First one I'll direct to the staff. It has to do with subdividing a parcel of land without a frontage road. I had a neighbor that was interested in purchasing a parcel of land which would have been broken off of another existing parcel, and he was told that subdivision or that breaking off of the land could not be executed unless a frontage road was in front of the parcel that was to be broken off. And yet it seems as though in this situation we are proposing to create a subdivision without a frontage road. What's the difference between the two circumstances?

Jean Werbie:

John, I don't know the very specific facts of that other circumstance, but in this particular situation we've got a southern lot two that is currently being farmed, and the proposed use at least into the near future is farming. So with respect to the property from the north getting access through an easement to the south and an access at the extension of 122nd Street for the farmer to be able to farm this continued property, the Village Board has approved variances in the past when there has not been a desired change in land use, but it was essentially a vacant piece on the CSM of land that has been farmed or is going to remain vacant. Again, with a note or a provision that it's not considered buildable you can't put a home on it, you can't do any further subdividing of it, you can't do any new development on that property until such time as public improvements are brought forth and extended throughout that property.

It's on a case-by-case basis that we evaluate these, and in this particular one the staff is recommending that the division be approved but, again, with restrictions placed on the lot basically that says it's not buildable until such time as those improvements are brought forth.

John Braig:

To go back to that first instance, I will allow that because this information is probably second, third or fourth hand that there could be some distortion in my perception and in the telling of it. But just for sake of clarification, if this party were willing to accept a restriction on that separated parcel recognizing that it could not be developed in any way until sometime in the future that a frontage road was developed serving it, wouldn't it be possible that that separation and that sale transaction could have been executed?

Jean Werbie:

Again, I'd have to look at the specific circumstances. I'd have to see if the zoning would allow it. Typically we do not allow land locked parcels to be created in a residentially zoned area. In an area, again, where there's large tracts of vacant farmland that's a different circumstance or situation as long as the farmer can still get access to the property. So we'd have to look at the

specific circumstance but typically we've not permitted that in a residential area with small residential lots because it is a situation where we have typical weed complaints and other problems that start to develop when you've got unaccessed property to back portions of lots.

John Braig:

Okay, another one. ON one of the slides you indicated that the site would have 34 percent impervious land. As I look at the outline of the building and the parking lot I wonder if you meant 66 percent of it would be impervious? Oh, it's 34 percent impervious space. What is the correct term of impervious? Are you telling me that only 34 percent of the site is going to be hard surface? That's counting ten acres of roof and how many acres of parking?

Tom Shircel:

No, it's pervious

John Braig:

Okay, that's correct there. I must comment looking at that site there's a fair amount of grading that will be done when the development is complete on all three parcels. There's some trees there. I have to assume they're all gone? And I'm not looking for firewood.

Rich Wagner:

The existing topography is somewhat drastic in the sense that it rises quite a bit above the adjacent roads and then drops down again as it goes to the south. And with buildings of this nature obviously the higher parts have to be cut down to balance the earthwork in the lower areas. Additionally, if you would by any chance find enough dirt to minimize the amount of grading it would probably make this building really obtrusive in the sense that it would be much higher than the roads, much higher than you'd want it to be.

So in balancing the aesthetics of the adjacent roads we need to cut down the high point, fill in the lower points, so what we're doing is we're trying to identify in the areas—there are scattered trees around the existing parcel there to the northwest, and we're looking at areas where we can minimize that grading and save those trees if we can. Additionally, everything south of those grading limits that you see almost immediately south of the driveways that's all been preserved. There's no intrusion into the primary environmental corridor, and we've got a significant separation in addition to landscaping and other plantings that we'll be doing.

There are some trees along ML which we can only grade up to the right of way if those trees are in the right of way because of public improvements in the future and the widening of that road. The Village will probably want to look at those, but our grading is pretty much other than ditch improvements, our grading is pretty much confined to this site. But we are looking at areas where we can minimize, where we can match existing slopes and hopefully preserve some trees. But, again, it's a case where there's significant relief there, and rather than sticking a building way up in the air we need to balance the low points and the high points.

John Braig:

Thank you. I will admit the existing site while it's attractive with trees and foliage, the improvements on this site are not really an attribute to anything in the area. In that regard, the letter that we received here from Mr. Matson was referred to in the minutes or in the record but the detail is not in it. I do take exception to suggestions that are made and I want to clarify very much that this Board is highly independent. Village official, elected officials don't influence us in any way. There was a request before this group on one occasion to put a cell tower on one of the elected official's land, and this Board turned it down simply because it was not the right application. The fact that the man was an elected official of this Village had nothing to do with it, and I resent the accusation or the insinuation that this Board is in any way influenced by elected officials.

(Inaudible)

John Braig:

One last comment to Mr. Skala. I own light meters and I can measure 60 feet away from a building. And you said zero foot candles. I'm going to check it out.

Jean Werbie:

Tom, I have two questions. What is the status of the property owners association? The Village staff would like to bring that document forward for approval as well.

Rich Wagner:

The property will most certainly be submitted to a property owners association. Frankly, at this time we have not made a final determination as to whether we want to incorporate it within the existing LakeView Property Owners Association to have it be part of the whole, or whether it would be a stand alone association of the three lot owners. Clearly we do understand that we do have pond and berm maintenance that must be accommodated, so either through an incorporation in existing LakeView Park or the creation of a separate stand alone association we will provide for a vehicle for maintenance of the onsite amenities and functional areas that need to be preserved and maintained in perpetuity.

Jean Werbie:

And do you have an estimated value for building one?

Michael Murphy:

Plus or minus, Jean, about \$20 million.

Thomas Terwall:

That it, Jean?

Jean Werbie:

Yes.

Thomas Terwall:

Anything further?

Wayne Koessl:

Mr. Chairman, if there's no more questions or comments from the staff I would move that Item B, the conceptual plan, be approved as presented and sent to the Village Board.

Judy Juliana:

Second.

Thomas Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CONCEPTUAL PLAN SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered. Item C is consideration of the zoning map amendment. We need a motion to send a favorable recommendation.

Andrea Rode:

So made.

Larry Zarletti:

Second.

Thomas Terwall:

MOVED BY ANDREA RODE AND SECONDED BY LARRY ZARLETTI TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP AMENDMENT SUBJECT TO THE TERMS AND CONDITIONS

OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered. Item D we need a motion to approve the zoning map amendment for the wetlands.

Larry Zarletti:

Mr. Chairman so moved Item D to follow the comments and conditions outlined by staff.

Judy Juliana:

Second.

Thomas Terwall:

MOVED BY LARRY ZARLETTI AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP AMENDMENT FOR THE WETLANDS SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered. Item E, a motion to send a favorable recommendation to the Village Board to approve the CSM.

Judy Juliana:

So moved.

Jim Bandura:

Second.

Thomas Terwall:

MOVED BY JUDY JULIANA AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CSM SUBJECT TO THE TERMS AND CONDITIONS AS OULINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered. Item F then is a motion to send a favorable recommendation to the Village Board to approve the CSM for the 47 acre lot.

Andrea Rode:

So moved.

John Braig:

Second.

Thomas Terwall:

MOVED BY ANDREA RODE AND SECONDED BY JOHN BRAIT TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CSM OR THE 47 ACRE LOT SUBJECT TO THE TERMS AND CONDITIONS AS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered. Item G consider operation plans. A motion to approve?

John Braig:

So moved.

Jim Bandura:

Second.

Thomas Terwall:

MOTION BY JOHN BRAIG AND A SECOND BY JIM BANDURA THEN TO APPROVE THE SITE AND OPERATIONAL PLAN AS PRESENTED SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered.

Wayne Koessl:

Mr. Chairman, I'd like to congratulate our staff and the staff of CenterPoint for working together on a piece of property that needed a lot of extra work and vision to get it accomplished and I thank you both for doing that.

Thomas Terwall:

Just as a followup with that I agree, Wayne, wholeheartedly. And, Lance, I commend you for your efforts to work with Mr. and Mrs. Matson. I would encourage that dialogue to continue. It makes this project much easier to move forward. I think you guys to get the testimony that we got from him tonight is certainly a feather in your guys' cap as to what's already gone forward because that's not the way he's felt all along so keep up the good work.

H. PUBLIC HEARING AND CONSIDERATION OF THE FOLLOWING ZONING TEXT AMENDMENTS: Sections 420-119 I (4) (a) and (b) related to principal building standards for hotels in the B-2 District and Sections 420-120 C (4), 420-120 D (2) (d) and 420-120 I (4) (a) and (b) related to hotels in the B-3 District.

Jean Werbie:

Mr. Chairman and members of the Plan Commission and the audience, the following zoning text amendments are being considered this evening. They are from Sections 420-119 I (4) (a) and (b) related to principal building standards for hotels in the B-2 District and Sections 420-120 C (4), 420-120 D (2) (d) and 420-120 I (4) (a) and (b) related to hotels in the B-3 District.

On December 10, 2007, the Village Plan Commission adopted Resolution #07-31 to evaluate regulations related hotels in the B-2 and B-3 zoning district. Currently hotels are allowed as a permitted use in the B-2 and B-4 Business Districts as follows: In the B-2 District, which is the Community Business District, Section 420-119, it allows for hotels as a permitted use; however, the B-2 District does not allow for buildings to be larger than 25,000 square feet and cannot exceed a height limit of 35 feet.

The B-4 District, which is the Freeway Service Business District or Section 420-120, it allows for hotels as permitted uses provided that the hotel is at least three floors above grade, a minimum of 15,000 square feet per floor, a minimum of 80 guest rooms and shall not exceed 90 feet in height.

The staff is proposing the following modifications to the Business Districts: The staff is proposing that hotels in the B-2 District be allowed to be no larger than 100,000 square feet and that the height shall not exceed 60 feet. In addition, the staff is recommending that hotels be allowed in the B-3 District. The B-3 District is the Regional Retail Business District with approval of a conditional use permit. The staff also proposes that the same standards for hotels in the B-4 District be included for hotels in the B-3 District wherein a hotel in the B-3 District shall have at least three floors above grade, a minimum of 15,000 square feet per floor, a minimum of 80 guest rooms and shall not exceed 90 feet in height.

Just to put things in perspective again for you, the B-2 areas are the Community Business Districts. For example, the VK development property along Highway 50 that's a B-2 area. The B-3 area, for example, is where Prime Outlets is located along the Interstate. And the B-4 areas are gas, food and lodging areas along the Interstate. So the B-3 and the B-4 we're recommending consistent height between the B-3 and B-4, 90 feet in height, that is adjacent to the Interstate. With that, I'd like to continue the public hearing.

Thomas Terwall:

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

Jim Bandura:

I move for approval.

Wayne Koessl:

Second.

Thomas Terwall:

DOES THIS GO TO THE VILLAGE BOARD? IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY WAYNE KOESSL TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING TEXT AMENDMENTS AS PRESENTED. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered.

I. Consider Plan Commission Resolution #08-01 to initiate a zoning map amendment as a result of a wetland staking being completed.

Jean Werbie:

Mr. Chairman and members of the Plan Commission and the audience, Resolution 08-01 is a resolution to initiate a zoning map amendment. The Village Plan Commission may initiate a petition for an amendment to the zoning ordinance which may include the rezoning of property, change in zoning district boundaries or changes in the text of said ordinance.

On September 11, 2007, the Village received an application from Mary Lampman and Sherry Kroger, owners, for a wetland staking to be completed on the property located at 11510 Lakeshore Drive in the Village. The property is further identified as Tax Parcel Number 93-4-123-293-0101. This is Lots 26 and 27 of Block 12, Carol Beach Estates Subdivision, Unit 2.

The Village received a letter dated September 10, 2007 from SEWRPC that indicated that the plat of survey correctly surveyed and correctly identified the wetlands on the property as field staked on October 4, 2007.

In accordance with the Village zoning ordinance requirements, the C-1, Lowland Resource Conservancy District requirements in effect, the Plan Commission shall initiate the process to change the zoning map to conform to the wetland delineated plat of survey.

The Village Plan Commission by this resolution initiates and petitions to amend the official zoning map. The proposed changes in the zoning map are being referred to the Village staff for further study and recommendation and the setting of a hearing. The Plan Commission is not by this resolution making any determination regarding the merits of the proposed zoning map but is only initiating the process by which the zoning map can be properly evaluated by the Plan Commission and the Village Board. The staff recommends approval of the resolution as presented.

John Braig:

Move approval.

Andrea Rode:

Second.

Thomas Terwall:

MOVED BY JOHN BRAIG AND SECONDED BY ANDREA RODE TO ADOPT RESOLUTION 08-01. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered.

7. ADJOURN.

Judy Juliana:

So moved.

Wayne Koessl:

Second.

Thomas Terwall:

All in favor say aye.

Voices:

Aye.

Thomas Terwall:

We stand adjourned.

Meeting Adjourned at 6:20 p.m.