

**PLEASANT PRAIRIE PLAN COMMISSION MEETING  
VILLAGE HALL AUDITORIUM  
9915 39TH AVENUE  
PLEASANT PRAIRIE, WISCONSIN  
5:00 P.M.  
January 28, 2008**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on January 28, 2008. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessler; Jim Bandura; John Braig; Larry Zarletti; and Judy Juliana. Andrea Rode was 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.**
4. **CONSIDER THE MINUTES OF THE JANUARY 14, 2008 PLAN COMMISSION MEETING.**

Thomas Terwall:

You've received copies in written form. What's your pleasure?

Wayne Koessler:

Move they be approved in their printed form, Mr. Chairman.

Jim Bandura:

Second.

Thomas Terwall:

**MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA TO APPROVE THE MINUTES OF THE JANUARY 14<sup>TH</sup> PLAN COMMISSION MEETING 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 for Items A, B or D, those are matters for public hearing. We would ask that you hold your comments until that public hearing is held so we can incorporate your comments as an official part of the record. However, if you're here for Items C or D through H, or if you're here for an item that's not on the agenda, now would be your opportunity to speak. We would ask that you step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens' comments? Anybody wishing to speak? Hearing none, then we'll move onto Item 6.

Wayne Koessl:

Mr. Chairman, on Items A, B, C and D we're going to discuss them all at one time and if you'll accept a motion.

Thomas Terwall:

Fine with me. That's your intention, Jean? Are you going to make one presentation on A through D?

Jean Werbie:

I believe that A, B and C are together but I think we might have put Item D separate. So we can talk about the first three together.

Thomas Terwall:

Go ahead.

- A. PUBLIC HEARING AND CONSIDERATION OF A FINAL CONDOMINIUM PLAT for the request of Mike Dilworth, agent for Paramount Ventures, LLC owners of the property generally located on the north side of 80th Street and east of 60th Avenue for the for conversion of Courtyard Junction Apartments to Condominiums.**
  
- B. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT PLAT for the request of Mike Dilworth, agent for Paramount Ventures, LLC owners of the property generally located on the north side of 80th Street and east of 60th Avenue to create the specific Planned Unit Development (PUD) District regulations for the conversion of the Courtyard Junction Apartments to Condominiums.**
  
- C. Consider the request of Mike Dilworth, agent for Paramount Ventures, LLC owners of the property generally located on the north side of 80th Street and east of 60th Avenue for a Certified Survey Map to dedicate easements for the proposed conversion of Courtyard Junction Apartments to Condominiums.**

Jean Werbie:

Mr. Chairman and members of the Plan Commission, the first item on the agenda, Item A, is a public hearing and consideration of a final condominium plat and this is at the request of Mike Dilworth, agent for Paramount Ventures who are the owners of the property. The property is generally located on the north side of 80th Street and east of 60th Avenue. Their request this evening is for the conversion of Courtyard Junction Apartments to condominiums.

The second item, Item B, on the agenda this evening is the consideration of a zoning text amendment for the request of Mike Dilworth from Paramount Ventures, again, the owners of the property. And this is for the same project but this is for the creation of a planned unit development or PUD district regulations, and this is also for the conversion of the apartment project to a condominium project.

And the third item on the agenda, not a public hearing, is the request of Mike Dilworth, agent for Paramount Ventures, LLC, owners of the property generally located on the north side of 80<sup>th</sup> Street and 60<sup>th</sup> Avenue, and this is for the certified survey map to dedicate the easements for the proposed conversion of the Courtyard Junction Apartments to condominiums. These items are all related and will be discussed at the same time, however separate action by the Plan Commission will be required.

The petitioner is requesting to convert Courtyard Junction Apartments to condominiums. The apartments and associated infrastructure were installed back in 1996 pursuant to a development agreement that was approved by the Village and entered into between the Village and Paramount Ventures, LLC.

Courtyard Junction consists of seven 12-unit buildings and two 6-unit buildings for a total of 96 units. They sit on 11.02 acres of property. The development has a net density of 8.71 units per net acre. All units have individual entrances and two bedrooms and one car attached garages. The buildings range in size, excuse me, the units range in size from 1,135 square feet to 1,193 square feet.

The sanitary sewer that was installed throughout the development will remain private. However, there will be a need for a sanitary sewer sampling manhole to be installed in the development for servicing and monitoring. The water system will remain private and the system is located within the Kenosha Water Utility District. The storm sewer facilities within the development will also remain private. The facilities will be owned and maintained by the Courtyard Junction Unit Owners Association, Inc. The certified survey map that you have before you dedicates all of the required easements and provides for the required dedication and easement provisions for the conversion of this project from apartments to condominiums.

The development includes 96 indoor parking spaces, 94 outdoor parking spaces and 7 handicapped parking spaces for a total of 197. Pursuant to the Village zoning ordinance two bedroom units require two spaces for each dwelling unit, and 75 percent of those spaces shall be within an enclosed garage structure plus one space for every eight units of guest parking. The location of parking spaces and garage locations were subject to the Plan Commission approval back in 1996.

Today their parking with respect to the number of spaces inside of the garage areas does not meet today's requirements. So the Plan Commission can make the determination since it's an existing project that 192 spaces are required of which 144 should be enclosed and 12 guest parking spaces are required pursuant to the ordinance. Again, at that time we did not require as many indoor parking spaces so the staff is recommending to grandfather in the number of indoor spaces based on what was constructed back in 1996.

On April 22, 1996, the property was rezoned from R-11, Multiple Family Residential District, and R-8, Two Family Residential District, to the R-11 (PUD) District. Specifically, the PUD ordinance that we are writing today will have very specific requirements contained within it because back then we didn't write very detailed regulations in the PUD. So some of the requirements that we are putting in the PUD ordinance as shown on the screen is that because there is multiple buildings for property we'll allow for nine buildings in the development, requires a minimum of 80 percent of the units to be owner occupied, that same provision that we have required with other condo projects in the Village; requires a minimum of 50 percent open space; specifies for the following minimum building setbacks, 40 feet from the public road right of way of 80<sup>th</sup> Street, 25 feet from the private street which loops through the development, 36 feet between the buildings and 30 feet from side and rear property lines. In addition it requires to parking spaces for each dwelling unit plus five for each guest parking space, again, for a total of 197 parking spaces.

The Village staff does recommend approval of the zoning text and map amendment based on these PUD regulations and the ordinance that you have before you. So, again, this is a matter for public hearing this evening. We have the final condominium plat which is in order. There are condominium declarations, articles of incorporation and bylaws that the staff has reviewed. All of the easements and dedications of easements have been reflected on the certified survey map as well as the condominium plat and all the other documents are in order. Again, there will essentially be no public improvements that will be a part of this conversion project. And the staff is also recommending approval, again, of the zoning text amendment and the CSM this evening subject to the comments and conditions as outlined in the staff memorandum.

Thomas Terwall:

This is a matter for public hearing. Is there anybody wishing to speak on this matter? Anybody wishing to speak? Anybody wishing to speak? Hearing none, I'm going to open it up to comments and questions from Commissioners and staff.

Mike Serpe:

Jean, is there a time frame here when the apartments are going to be terminated totally and turned into sales for condos?

Jean Werbie:

My understanding is that the developer would like to record the new condominium plat sometime in February. And I would believe that by March 1<sup>st</sup> they will start contacting, if they haven't already, the existing apartment dwellers to find out if they would like to purchase their units. I'm not sure if there's an exact time frame in mind as to when the entire conversion would take place,

but if they're as successful with this development as they were Lexington, it took just over a year and they're over 90 percent converted.

Mike Serpe:

And the reason I'm asking that is the 80 percent rule. There's no way as long as these are occupied as rental units could anybody enforce the 80 percent rule. That's why I'm asking if there's a sunset provision here.

Jean Werbie:

No, we have not. Off the record we had talked about two to three years, that it could take that long, especially with the market conditions the way they are today depending on whether or not interest rates drop, but we have been pretty flexible with the conversion projects.

John Braig:

I'm looking at the draft for the amendment to the development agreement between the Village and Courtyard Junction. I think there's an error or a typo on page 2. About a third down on the page, paragraph 1, the developer shall complete the inspection, inspection or installation?

Jean Werbie:

No, inspection. All of the public improvements and private improvements are completely finished in this development. But what we have asked is that the developer, as well as the Village, go back through before they complete the conversion to inspect all the private improvements to make sure everything is up to speed and everything is in good condition before they make that conversion and transfer over to the homeowners association. So we've asked them to inspect all of the improvements before they make that transfer.

John Braig:

Thank you.

Mike Serpe:

Jean, I don't know if you know how this formula works, but with reference to the homeowners association paying their monthly dues, whatever that amount may be, now Dilworth is going to be responsible for all those units that are not turned into condos until that time comes that they are sold, is that correct?

Jean Werbie:

That's correct. And I've also asked Mr. Dilworth to put together a detailed budget so that before he gets into this whole process and since they've owned these units for so many years, they have a pretty good understanding what it's going to cost to continue the maintenance. But they are 12 years old and so they need to put together a good budget so that when they start to close with each of these units they immediately are starting to put money into escrow to make any repairs or updates to any of the units out there.

Mike Serpe:

That brings up another question. The detailed budgeting that they put in is that reviewed by you and administration?

Jean Werbie:

It does not need to be because these are all private improvements. I'm sure that they would share it with us if we asked them to.

Mike Serpe:

I would recommend that you do that and only because I think in the past there's been evidence in some areas, whether it be the City or Pleasant Prairie, where the homeowner's monthly fees were a little bit low as an enticement for sale, and after they've been there a while they realize that they can't cover the expenses with the costs. So what I'm getting to is if we know what garbage pickup is going to cost and what the services that Pleasant Prairie provides and then some estimate on what yard work and grass cutting and detention basins if there are any, that should be all in there and I think we should kind of maybe review that with the owners.

Jean Werbie:

I actually did review that with Mike and their attorney when they were drafting their declaration of condominium as well as their bylaws and the dedication and easement provisions for the plat and the CSM. We wanted to make sure that specifically common elements, common facilities were very clearly spelled out in their declarations so that they understood as property owners that they have the responsibility for the sanitary sewer, the water, the storm sewer, the gazebo, the driveways, the parking, the paving, the snowplowing, the Clean Water Utility fees, any fire protection fee. So I did go through all those things with them and that's all reflected in their condominium declaration. Like I said I have not seen a budget but it is in their condominium declaration. And we're hoping that the homeowners at closing in working with their title companies do read those before they purchase the property.

Thomas Terwall:

Jean, under their current rental situation, is each renter responsible now for sewer and water or is that one bill that goes to the owner? Are there separate water meters for each unit? And, if not, are they going to be installing them?

Jean Werbie:

There's a representative here that would be happy to speak.

Thomas Terwall:

Could you step to the microphone please?

Jean Werbie:

We did write that into the declaration but I just can't recall. I don't want to confuse it with another project.

Thomas Terwall:

Give us your name and address.

Paulanne Phillips:

Paulanne Phillips.

Thomas Terwall:

Can you answer that question? How is water being addressed?

Paulanne Phillips:

Sewer and water will be included in the condo fee and it would be part of Courtyard Junction's responsibility until each individual unit is sold. And in reference to your comment we do have a budget put together just like we did with Lexington, and at the first time for every unit that closes each buyer is aware according to the condo docs they have to put in two months worth of working capital which is equal to two months of their condo dues.

Thomas Terwall:

Thank you.

Mike Serpe:

My statement was more to the point that to make sure that the monthly fees adequately cover what the actual expenses are.

Paulanne Phillips:

We did very well with Lexington Village and it will be just as well planned with Courtyard.

Thomas Terwall:

Any questions? If not, the first item then is a motion on the final condominium plat. We need a motion to send a favorable recommendation to the Village Board.

Larry Zarletti:

So moved.

Wayne Koessl:

Mr. Chairman, I'll second the motion to send that to Village Board for approval of the final condominium plat subject to the comments by staff.

Thomas Terwall:

**THANK YOU. MOVED BY LARRY ZARLETTI AND SECONDED BY WAYNE KOESSL TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE FINAL CONDOMINIUM PLAT 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 B then is consideration of the zoning text amendment.

Mike Serpe:

Move approval.

Jim Bandura:

Second.

Thomas Terwall:

**MOVED BY MIKE SERPE AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING TEXT AMENDMENT PLAT FOR THIS PROJECT 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. And Item C is a motion then to approve the CSM.

Wayne Koessl:

So moved, Mr. Chairman.



Larry Zarletti:

Second.

Thomas Terwall:

**MOVED BY WAYNE KOESSL AND SECONDED BY LARRY ZARLETTI TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CSM FOR THIS PROJECT 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.

**D. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT for the request of Mike Dilworth, agent for Paramount Ventures LLC, owners to use Unit #11 at 5812 80th Street as a Model Unit & Sales Center for the Courtyard Junction condominium conversion development.**

Jean Werbie:

Mr. Chairman, this is a request for a conditional use permit at the request of Mike Dilworth, agent for Paramount Ventures, LLC, the owners to use Unit 11 at 5812 80<sup>th</sup> Street at a model unit and sales center for the Courtyard Junction condominium conversion development.

As part of the public hearing record this evening, the staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request to use the unit as a model unit and sales center for the Courtyard Junction condominium conversion. The facts of finding are described below and are in your staff comments.

Under finding of facts:

1. Courtyard Junction Apartments and associated infrastructure were installed in 1996 pursuant to the development agreement approved by the Village and entered into between the Village and Paramount Ventures, LLC. Courtyard Junction consists of seven 12-unit buildings and two 6-unit buildings for a total of 96 units on the 11.02 acres of property. The development has a net density of 8.71 units per net acre. All units have individual entrances, two bedrooms and a one car attached garage. The units range in size from 1,135 square feet to 1,193 square feet.
2. On December 17, 2007 the Village Board approved the preliminary condominium plat for the conversion of the apartments to condominiums. A public hearing is being held

tonight which has now been held to consider the final condominium plat to convert the apartments to condominiums.

3. The petitioner is requesting a conditional use permit to use Unit #11 at 5812 80th Street as a model unit and sales center for the Courtyard Junction condominium conversion. This is identified as Exhibit 1.
4. Unit #11 at 5812 80th Street is a two bedroom lower level unit that is 1,157 square feet with a 290 square foot attached garage. The slide is a nice pictorial of the aerial photograph of this particular project and where the conditional use would be located.
5. The petitioner is proposing the following hours: Monday through Friday from 12:00 pm to 4:00 pm, Saturday from 11:00 am to 2:00 pm and Sunday 12:00 pm to 3:00 pm.
6. Parking shall be restricted to the units' driveway, in any guest parking space and legally parked on 80th Street. No parking is allowed within the private roadway in the development, since this is a fire lane. Again, no public parking is allowed on their private roadway.
7. The current zoning of the property is R-11 (PUD) which is a Multi-Family Residential District with a Planned Unit Development Overlay District. Model units and related temporary real estate sales offices or marketing centers are allowed in this district but only with a conditional use permit.
8. Notices were sent to adjacent property owners via regular mail on January 9, 2008 and notices were published in the *Kenosha News* on January 14 and 21, 2008.
9. The petitioner was e-mailed a copy of this memo on January 25, 2008.
10. According to Article XVIII of the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials and information presented at the public hearing that the project as planned will not violate the intent and purpose of the ordinance and meets the minimum standards for the granting of a conditional use permit. And, again, this is a matter for public hearing.

Thomas Terwall:

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

Mike Serpe:

Move approval.

Jim Bandura:

Second.

Thomas Terwall:

**IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY JIM BANDURA TO APPROVE THE CONDITIONAL USE PERMIT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM AFTER FINDING THAT THE STATEMENTS IN THE FINDINGS OF FACT ARE CORRECT. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered.

**E. Consideration for the request of Lance Skala of CenterPoint Properties, owner, on behalf of Coleman Cable, Inc., lessee, for the approval of Site and Operational Plans to occupy and use the existing approximate 502,000 square foot industrial warehouse/distribution/office LakeView XI building and associated site improvements for the warehousing and distribution of wire and cable products located at 11290 80th Avenue in the LakeView Corporate Park.**

Jean Werbie:

Mr. Chairman and members of the Plan Commission, this is a consideration of Lance Skala of CenterPoint Properties, owner, on behalf of Coleman Cable, Inc., lessee, for the approval of a site and operational plan to occupy and use the existing approximately 502,000 industrial warehouse and distribution and office building. It's identified as LakeView XI building and the associated site improvements, and this is for warehousing and distribution of wire and cable products. The building is located at 11290 80<sup>th</sup> Avenue in the LakeView Corporate Park.

Coleman Cable is a leading manufacturer and innovator of wire and cable products servicing the electronic and automotive markets. Coleman Cable's design and production capabilities serves cable and wire users throughout the world. The company has over 1 million square feet of manufacturing space within six facilities in the U.S. Coleman Cable serves the voice and data, communications, electronic, industrial, building construction, HVAC, automotive and government market segments. Coleman Cable has several trademarked brands such as Signal, Baron, Seoprene, Polar Solar and Road Power that you may recognize in the industry.

As some site background information, on October 9, 2006, the Plan Commission conditionally approved a site and operational plan as well as a certified survey map related to the development of this 500,000 square foot LakeView Spec XI building. At that time, the shell of the spec building was started construction and it is now completed, and the majority of the site improvements have been installed.

Under site and operational plans and the general information, the petitioner on behalf of Coleman Cable is requesting approval of site and operational plans to occupy and use the existing

LakeView XI building. The 28.13 acre site is generally located between 80<sup>th</sup> Avenue and 88<sup>th</sup> Avenue which is south of 109<sup>th</sup> Street. It's further identified as Tax Parcel Number 92-4-122-283-0306. It's also known as Lot 106 of CSM #2558.

The existing 502,000 square foot LakeView XI building will be used to warehouse and distribute wire and cable products. Coleman Cable plans to begin operations at this site by the end of March of 2008 within the eastern 250,000 square foot portion of the building. And that's referred to as Phase 1. Subsequently, Coleman plans to expand its operations into the remainder of the building by October of 2008 which will be Phase 2.

With respect to manufacturing, although the plans indicate a future production area in the westernmost portion of the building, no manufacturing is planned for this facility at this time.

Under the zoning for the property, the property is currently zoned M-2, Heavy Manufacturing District, and pursuant to the M-2 District regulations the proposed wire and cable products warehouse and distribution use is a permitted principal use in the M-2 District.

Under employment and hours, according to the operational plan the initial hours of operation will be from 5 a.m. to 11 p.m. Monday through Friday. The number of anticipated full-time employees at start up will be 40 with an increase to 75 employees by the end of 2008. Initially the facility will operate 25 first shift employees and 15 second shift employees. The employment will increase to 50 first shift employees and 25 second shift employees upon the use of the entire building.

With respect to parking and traffic for this site, in accordance with ongoing construction and development of the building and the site, many of the site improvements have already been installed. Given the proposed use and the maximum number of employees on the site which is 75 proposed, Coleman Cable will require 38 parking spaces with an additional eight handicapped accessible spaces pursuant to the zoning ordinance. According to the plans, there is ample automobile parking provided along the north, south and west sides of the building. Specifically, according to the plans, there will be a total of 349 standard spaces plus 14 handicapped accessible spaces. So as you can see, based on the slide that's up on the screen at this time, there is more than ample parking for future expansion at this site. If and when it occurs, prior to any parking lot expansions, permits from the Village will be required so they have the opportunity to expand a great deal at this site with respect to parking.

According to the applicant there will be approximately 115 automobile daily trips to and from this site. Truck traffic will consist of approximately 25 trips during the day both inbound and outbound. The building has 56 truck loading docks, 28 on the north side and 28 on the south side. There is the potential to expand the number of truck loading docks to a total of 124 docks on the north and south sides of the building. 28 semi truck parking spaces are proposed along the north property line. The building can accommodate an additional 68 semi truck parking spaces, 34 on the north side and 34 on the south side of the building between the truck loading docks.

Access to the site is from two driveways at 80<sup>th</sup> Avenue which align with Iris USA driveways located on the opposite or the east side of 80<sup>th</sup> Avenue, and they will also align with the median cuts.

With respect to fencing, for security purposes, the site essentially from the front of the building to the rear of the westernmost parking lot will be enclosed with an eight foot high black vinyl coated chain link fence. There are other similar facilities in the LakeView Corporate Park that do have this type of fencing such as Exelm, SC Johnson, Rentsys and Hexion. A gate will be provided for access for emergency vehicles and personnel at the entrance. The fenced gate emergency access shall be coordinated with the fire and rescue department and the police department prior to the installation of the gate.

With respect to open space the development has 25 percent green space or open space. Wetland, shoreland and 100 year floodplain do not exist on this property. Minor exterior site alterations, there are few. The northern driveway will be modified to include a curbed and guttered median island. A parking landscaped peninsula along the front of the building will be increased in width to accommodate a future landscaped screened generation.

With respect to interior building improvements, as part of the Coleman Cable tenancy, the following interior build outs are proposed to be constructed, and possibly one of the owner's reps can go into detail on some of these. There is an approximate 3,100 square foot office, lunchroom and restroom area along the north-central building wall as shown on the slide; an approximate 800 square foot office, maintenance room and restroom area, and this is located along the south-central building wall that Tom is identifying for you; an approximately 5,150 square foot conference, lab and high bay work area in the southwest corner of the building. The required permits shall be obtained from the Village prior to the construction of any of these final interior build outs or any new ones that they are proposing.

Other additional information regarding the site and operational plan is contained within their application materials that have been on file with the Village. The Village e-mailed the petitioner a copy of the staff report on or about January 25, 2008. And with that I'd like to introduce Lance Skala from CenterPoint Properties and he will introduce you to a representative of Coleman Cable.

Lance Skala:

Lance Skala, CenterPoint Properties, 1808 Swift Drive, Oakbrook. CenterPoint Properties has had an ongoing relationship with Coleman Cable now for many years. They're currently our tenant down at one of our buildings in Waukegan. And over the course of the last several months we've had a dialogue going with Coleman Cable to see if there was any way that we could help them with their future growth plan. And that led us to focus in on the LakeView XI spec building which was just being completed at the time. They've been a great company to work with and we're very pleased that they chose LakeView Corporate Park for the new distribution center. So I'd like to introduce Mike Dubois, Vice President of Project Management for Coleman Cable who would like to make a few remarks to the Commission.

Mike Dubois:

Good evening.

Thomas Terwall:

Just give us your name and address first.

Mike Dubois:

Mike Dubois, 1530 Shields Drive, Waukegan, Illinois. This location is needed in order to meet growing demands due to the company's increasing sales and continued growth. This will mark another important milestone for Coleman. It should enable us to be more efficient in our distribution operations to take advantage of recent developments and supply chain systems and ultimately and most importantly better serve our customers.

At the same time, the Pleasant Prairie location will allow the company to consolidate distribution facilities and reduce costs, while simultaneously establishing a platform to continue our track record of providing first new class logistics delivery and customer service. The transition of the current distribution centers at Indianapolis, Gurnee and Waukegan will take place over the next three to six months.

Thomas Terwall:

The 40 jobs initially, are those going to be relocating?

Mike Dubois:

Correct, pretty much, from Gurnee and Waukegan, yes.

Thomas Terwall:

And then the 35 additional will be new hires or will they be relocations?

Mike Dubois:

They will be new hires, yes.

Thomas Terwall:

Okay, thank you. Comments or questions? This site does not have rail siting does it, and it's not required either, correct?

Wayne Koessl:

Mr. Chairman, if there are no questions I'd move approval of the site and operational plan subject to the comments and conditions of the Village staff report of January 28, 2008.

Mike Serpe:

Second.

Thomas Terwall:

Just for correction, this is a conditional use permit—

Jean Werbie:

No, conditional use—

Thomas Terwall:

**I'M SORRY, I'M NOT READING RIGHT, THANK YOU. IT'S MOVED BY WAYNE KOESSL AND SECONDED BY MIKE SERPE THEN TO APPROVE THE SITE AND OPERATIONAL PLAN SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered.

John Braig:

Welcome aboard.

Thomas Terwall:

Welcome aboard.

**F. Consider Plan Commission Resolution #08-02 to initiate a Zoning Text Amendment(s) related to "lot widths at the building setback line" for platted lots.**

Jean Werbie:

Mr. Chairman and members of the Plan Commission, Plan Commission Resolution 08-02 is a resolution to initiate a zoning text amendment. The Plan Commission may initiate a petition for an amendment of the zoning ordinance which may include the rezoning of property, change in zoning district boundaries or changes in the text of the ordinance. The Village staff recognizes that there are certain situations within certain single family subdivisions that where lots and subdivisions were platted a number of years ago and yet over the years property owners have combined some of these properties so that instead of two lots it's one. The legal description still identifies it as two lots, but they have, in fact, combined for one reason or another, whether it was the situation of the extension of municipal service or taxing situation or a situation where they wanted to just have one property tax parcel number.

What has occurred in some areas down on Carol Beach and some other areas of the Village where we have these older, platted subdivisions and where people have combined these properties, is that when they split them back apart they now have to comply with today's regulations as it pertains to width of lot, building setback and a number of other provisions. And what we've uncovered in a couple of subdivisions down in Chiwaukee Prairie and elsewhere in the Village is that where these lots have been combined and now people want to split them back apart they

don't meet today's regulations, even though they were existing legal platted lots back in the '30s, '40s and '50s.

So the staff would like the opportunity to re-examine these subdivisions and the wording of the ordinance so as to create some flexibility so that if it existed that the subdivision had so many platted lots on an existing single family street that they could re-subdivide and not change those original boundaries of those lots that were platted but recreate so that there are once again two lots where there is now one.

Thomas Terwall:

This would only apply to situations where lots are being re-subdivided having previously been combined?

Jean Werbie:

That was one of the things that we were looking at as a staff is to make it as narrow as possible so that it really just pertains to lot areas or subdivision areas that, for example, were platted prior to a certain date and time. Maybe it's July 1, 1980 because that happens to be a trigger date with respect to sanitary sewer, needing to have sanitary sewer permits from the County's perspective. So we'd like to examine this, take a look at it and bring something back to you at a later date. Again, we're not asking for any determinations to be made by the Plan Commission at this time, but rather just to refer it back to staff for study and to present something back to you at a public hearing at a later date.

Thomas Terwall:

My concern, Jean, and I hope you would take this into consideration as you're reviewing this, is it's okay then to, let's say if this is approved, we say to the guy who is now separating his lots again, okay, a 60 foot right of way is acceptable. But to the guy who has never split his property before you don't have that right. I think you're going to have a problem getting my vote on this one.

Jean Werbie:

I think we need to review the matter and present the information.

Thomas Terwall:

We didn't force anybody to combine these lots. They did that with their eyes wide open and we changed the ordinance for a reason. We decided as a Board and as a Plan Commission that lots that narrow probably weren't acceptable. So just because it existed at one time I'm not so sure I'm ready to say we go back there unless we're ready to say everybody can do that.

John Braig:

I'm in agreement with Tom. This might be a bigger problem than we're aware of. I know in our subdivision, and I'm sure you know that, too, Jean, we've got a number of homes that are on multi-lot parcels. Of course, they'll never go back because they straddle the lot lines. But I agree



with you, Tom, I think when somebody elects to combine them into one parcel for tax purposes there's a gain. There's a benefit to them and they do it with a risk in my mind. They're not guaranteed the right to revert back to what it was. So keep that in mind I guess.

Jean Werbie:

I think one of the things that you're going to find is in many situations it could have been another property owner, a preceding or two preceding property owners that may have done the combination and the new property owner is coming in that purchased the lots for any reason and are looking to subdivide. But, again, we'll be looking at a couple of different scenarios. In this particular case there was a new regulation that was developed since the lots were originally platted, and that is the width of the lot has to be a certain distance at the building setback line, not just at the road right of way.

John Braig:

For the new buyer caveat emptor.

Thomas Terwall:

Not only that, but if I bought the lot next door and I built a house on the lot next door, assuming that the lot next door to me was going to remain 120 feet, and now somebody comes in and wants to make it two 60 foot lots, I'm not so sure I'm going to like that. I mean I'd have built that house on that lot if I knew I was going to have two 60 foot wide lots next to me. But, I'm in favor of the resolution so that I can vote on it at a later time.

John Braig:

Move approval.

Jim Bandura:

Second.

Thomas Terwall:

**MOVED BY JOHN BRAIG AND SECONDED BY JIM BANDURA TO ADOPT RESOLUTION 08-02. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered.

**G. Consider Plan Commission Resolution #08-03 to initiate a Zoning Text Amendment related to a clarification of setback requirements in the B-2 District.**

Jean Werbie:

Mr. Chairman and members of the Plan Commission. Resolution 08-03 is a resolution to initiate a zoning text 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 the ordinance.

The staff is requesting to go back and take a look at the B-2, Community Business District regulations and set forth a clarification related to setback distances to zoning district boundaries. There has been some confusion with respect to the staff's interpretation over this, and we want to make sure that the wording in the district is very clear so that the same interpretation can be carried through depending on who brings the ordinance forward or the modification or the request forward.

So the request you have before you is for the staff to take a look at the district regulations and bring back any clarifications to the setback distances to you. The Plan Commission is not by this resolution making any determination regarding the merits of the proposed change but is rather only initiating the process by which the proposed change in the zoning text can be promptly evaluated.

John Braig:

Move approval of Resolution 08-03.

Jim Bandura:

Second.

Thomas Terwall:

**MOVED BY JOHN BRAIG AND SECONDED BY JIM BANDURA TO ADOPT RESOLUTION 08-03. ALL IN FAVOR SAY AYE.**

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered.

**H. Consider Plan Commission Resolution #08-04 to initiate a Zoning Text Amendment related to the size and setbacks of Primary and Secondary Monument Signs.**

Jean Werbie:

Mr. Chairman and members of the Plan Commission, this is a resolution to initiate a zoning text amendment. The Plan Commission may initiate a petition for an amendment of the zoning

ordinance which may include the rezoning of property, change in zoning district boundaries and the changes in the text of the ordinance.

The staff, again, is requesting the Village Plan Commission and the staff to relook at some area and size requirements with respect to primary and secondary primary monument signs. One of the things that we are uncovering is that most if not all of our commercial developments and multi-building projects are all coming in as part of planned unit developments. And what we would like to do is we'd like to take a look at those standalone businesses and take a look at the sizing of primary and secondary monument signs to see if after we've had this for so many years if it makes sense, are we looking at this the right way, or should we make any modifications. So we're going to look at it and do some study and then bring back some possible suggestions to the Plan Commission.

The Village Plan Commission by adopting this resolution is not making any changes to the text or any recommendations but is only initiating the process by which the proposed changes can be promptly evaluated by the Village through the public hearing process.

Mike Serpe:

Move approval of 08-04.

Wayne Koessl:

Second.

Thomas Terwall:

**MOVED BY MIKE SERPE AND SECONDED BY WAYNE KOESSL TO ADOPT RESOLUTION 08-04. ALL IN FAVOR SAY AYE.**

Voices:

Aye.

Thomas Terwall:

Opposed? So ordered. Motion to adjourn is in order.

**7. ADJOURN.**

Larry Zarletti:

Motion to adjourn.

Mike Serpe:

Second.

Thomas Terwall:

All in favor say aye.

Voices:

Aye.

Thomas Terwall:

Opposed? We stand adjourned.

**Meeting Adjourned at: 5:43 p.m.**