

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
July 14, 2008**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on July 14, 2008. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessler; Andrea Rode; Jim Bandura; John Braig; and Judy Juliana. Larry Zarletti was excused. Also in attendance were Mike Pollocoff, Village Administrator; and Peggy Herrick, Assistant Village Planner and Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CORRESPONDENCE.**
- 4. CITIZEN COMMENTS.**

Tom Terwall:

If you're here for Items A or B on the agenda, since those are matters for public hearing, we would ask that you hold your comments until the public hearing is held so your comments can be included as part of the official record. However, if you're here for Items C or D, or if you're here to discuss an item not on the agenda, now would be your opportunity to do so. We'd ask you step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens comments?

- 5. NEW BUSINESS**
 - A. PUBLIC HEARING AND CONSIDERATION OF A FLOODPLAIN BOUNDARY ADJUSTMENT for the request of Mark Eberle, P.E. with Nielsen, Madsen & Barber, S.C., agent to remove 3,606 cubic feet of floodplain and to create 4,057 cubic feet of floodplain to compensate for the floodplain proposed to be filled on the subject properties owned by Stanich Development Corporation, Stanich Builders, Inc., Stanich Investments, Inc. and Walter and Evangeline Bennage generally located west of 56th Avenue on 88th Street and 86th Place and the vacant property to the west of the Whittier Heights Subdivision.**

Peggy Herrick:

This is a request of Mark Eberle, with Nielsen, Madsen & Barber, agent, to remove 3,606 cubic feet of floodplain to create 4,057 cubic feet of floodplain to compensate for the floodplain proposed to be filled on properties owned by Stanich Development Corporation, Stanich Builders, Inc., Stanich Investments, and Walter and Evangeline Bennage generally located west of 56th

Avenue on 88th Street and 86th Place and the vacant property to the west of Whittier Heights Subdivision.

The petitioner is proposing to relocate the detention basins located on Lots 58 of the Whittier Heights First Addition Subdivision and Lots 76 and 77 of the Whittier Heights Third Addition Subdivision to land adjacent to the Whittier Heights Development so that said lots can be sold and single family homes can be constructed. The detention basins are proposed to be relocated to a new basin proposed to be constructed on vacant land to the west of Whittier Heights development. In order for the basins to be relocated and for single family homes to be constructed on these lots the location of the 100-year floodplain needs to be adjusted. In addition, this floodplain boundary adjustment will also accommodate the filling of the floodplain on the Lot 78 of Whittier Heights Subdivision owned by Walter and Evangeline Bennage that was done without first obtaining proper permits.

The floodplain boundary adjustment proposes to remove 3,606 cubic feet of floodplain and to create 4,057 cubic feet of floodplain to compensate for this floodplain being filled.

These properties are located within the shoreland jurisdictional area of the Jerome Creek which will require the Village to issue a Stipulated Shoreland Permit also prior to work commencing. The project will include: relocating approximately 470 linear feet of a tributary to Jerome Creek; creating a new detention basin north and east of Jerome Creek that will provide storm water storage for the relocation of the detention basin and the adjustment of the floodplain; tree clearing within the 80 foot wide ATC easement; abandoning the existing detention basins on Lots 58, 76 and 77 in the Whittier Heights Subdivisions which will include the excavation of organic materials and filling with structural clay; constructing storm sewers and overland flow paths to convey storm water from the existing basins to the proposed basin; installing a reinforced concrete outlet control weir north of Jerome Creek and west of the proposed basin; and installing a culvert for the maintenance access to the new detention basin from 88th Street.

It is estimated that there will be 6,650 cubic yards of excess material on the site west of the Whittier Heights Subdivision, and rather than the excess material being trucked off site, they are proposing to keep the material on site and spread it over the remainder of the parcel west of the Whittier Creek Subdivision outside of the floodplain. This excess material would cover approximately 8 acres of land at a 6 inch thickness. This will eliminate a great deal of truck traffic entering and leaving the site on Village roadways. It is estimated that there may be 10 to 20 loads of storm sewer pipe, stone bedding culvert removal etc., being trucked in and out of the site as a result of this project.

The construction access to and from the site for this project will be on Cooper Road on 87th Place, to 54th Avenue and west on either 88th Street or 86th Place to the site. The project once started will be completed in approximately three weeks. The project is proposed to commence this fall.

In addition to the Floodplain Boundary Adjustment and the Stipulated Shoreland Permit, the following will need to be finalized and approved by the Plan Commission and Village Board as specifically outlined in a memo that's attached to your staff comments that's dated September 4, 2007.

- Certified Survey Map.

- Development Agreement for the public storm sewer proposed to be constructed.
- Documents required to correct/amend the Final Plats of Whittier Heights First Addition and Third Addition.
- Zoning Map Amendment to rezone the new pond area from A-2, General Agricultural to PR-1, Park and Recreational District.

According to the Village's Floodplain Ordinance the Village shall not permit amendments to the floodplain boundary that are inconsistent with the purposes of Section 420-131 of the Village's Floodplain Ordinance, or in conflict with the applicable rules of the Wisconsin Department of Natural Resources and the Federal Emergency Management Agency.

Prior to work commencing on the site, approval from the DNR and a Conditional Letter of Map Amendment, a CLOMA, from FEMA shall be obtained. As part of the conditional approval from FEMA, a community acknowledgment letter is required from the Village in order to verify compliance with the Village Floodplain Ordinance as well as to comply with FEMA's requirements. The Village Board will consider adopting a resolution indicating community compliance at their next meeting on July 21, 2008.

Upon the petitioner receiving the conditional approval from FEMA, the work shall commence pursuant to the approved plans. Upon completion of the work, an as-built survey and calculations shall be submitted by the petitioner to verify that they are in compliance with the design and approved plans. The as-built survey and calculations shall be reviewed by the Village and the DNR prior to being submitted to FEMA for their final review and obtaining the required Letter of Map Amendment. Once the Letter of Map Amendment is issued, the petitioner shall submit an application to then amend the Village's official zoning map and zoning text as a result of this floodplain boundary adjustment being completed.

With that, this is a public hearing and the petitioner is in the audience if there are further questions. But this is a public hearing.

Tom Terwall:

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

Mark Eberle:

Hi, Mark Eberle, Nielsen, Madsen & Barber Engineers, 1339 Washington Avenue. I'm just here to answer any questions that you or the public may have.

Tom Terwall:

Thank you.

Bob Bernhardt:

I'm Bob Bernhardt, 5419 87th Place. I have the property just northeast of the two lots that are being filled in. Previously to the north of the two spots there I okayed having two houses built there previously. They were built three feet higher than ours and the water runs toward our house. I want to make sure if you okay this that their lot is at least as low or lower than ours so we don't have more runoff.

Tom Terwall:

Thank you.

Peggy Herrick:

Can you give me your address again so we can verify that.

Eric Meyers:

Hi, I'm Eric Meyers. I live at 5420 88th Street. I'm immediately east of the retention pond there off 88th Street. Just for the record I enjoy not having any house there right now but I understand it's probably going to move ahead if it gets approved. My concern is currently my sump pump drains into that. I just purchased my house last year so it was existing, so that will probably have to be re-routed. I also note his concern with the houses being built too high. I'd like to make sure, again, I don't have the same issue or water that's running to my property.

And I don't know if it's possible since there's going to be a lot of construction and heavy equipment there if the proposed builders and contractors if they could survey my foundation beforehand so if something does happen we have a record before construction and after in case I do end up with any issues with my foundation and the basement water. Thank you.

Tom Terwall:

Anybody else wishing to speak? Anybody else? Hearing none, I'm going to open it up to comments from Commissioners and staff.

Mike Serpe:

Right now are those ponds that are there aerated?

Peggy Herrick:

They're detention basins.

Mike Serpe:

They're just detention basins. There's no aeration. And they're maintained by the homeowners association?

Peggy Herrick:

Those ponds are maintained by the association?

Mike Pollocoff:

No, there is no association.

John Braig:

Are they actually ponds are these just dry basins?

Peggy Herrick:

They're dry basins.

Mike Pollocoff:

They're dry basins. They're maintained by the Village and billed back to the developer.

Don Hackbarth:

I would like Mark to come up and address the issues.

John Braig:

Specifically can you honor that man's request?

Mark Eberle:

Which one was that, Peggy?

Peggy Herrick:

Both of them apparently are adjacent to.

Mark Eberle:

The first resident that was up, which home is that?

Peggy Herrick:

5419 87th Place, northeast. This lot right here, sir?

—:

To the right of that.

Mark Eberle:

I guess what we can state is, and I don't know if you can see from the map, but the blue or green line that we have on there is existing floodplain. The red line is proposed floodplain. As you can see, those two or three fingers that kind of reach up into the subdivision those are hundred year overland flood paths. That way we can ensure that the low points in the road which those fingers come up to the water can get from the subdivision to the detention basin. So we are providing an overland flood path in excess of capacity of the storm sewers to get any excess water to the floodplain. Did you say that your house was three feet higher or the neighbor's house was three feet higher?

(Inaudible)

Mark Eberle:

Well, obviously higher helps, but we will be during construction coming across any sump pump lines that are active and in the area and tying them into the storm sewer system.

Peggy Herrick:

And the other gentleman? You live right here?

(Inaudible)

Mark Eberle:

And you had mentioned that your sump pump does currently drain directly into the basin?

(Inaudible)

Mark Eberle:

We'll definitely be searching for that and tying that into the storm sewer. There is a brand new storm sewer being installed between Lots 76 and 77. So we will have to route that to the storm sewer. Again, the red line on there is the 100-year flow path so we are providing capacity or a path for storm water to get out of the cul-de-sac in a large storm even to the Did I hopefully answer your questions?

(Inaudible)

Mark Eberle:

I would think that's something you could possibly do on your own, to have somebody verify

(Inaudible)

Mike Pollocoff:

I guess there's a couple things. One is you can have a survey done of your basement wall. As far as the survey of your foundation—

Mark Eberle:

Are you concerned about settlement or cracking?

(Inaudible)

Mark Eberle:

I can tell you that the construction that's going to be going on on the lot next door is no different than any other single family home construction. So it's no greater than that.

John Braig:

Mark, did you address the grade you're going to have on the new site?

Peggy Herrick:

Top of foundation.

Mark Eberle:

Yes, we do have top of foundation finished yard grades shown for the three new residential lots. And we have set those sufficiently above the floodplain elevation, and they do blend in with the three homes surrounding or the four homes surrounding them.

John Braig:

Thank you. There is mention of a Lot 78 which was improperly filled, and yet it doesn't seem to be part of the discussion here. Can you elaborate on that or can the staff elaborate?

Peggy Herrick:

I can elaborate a little bit. Probably about a year and a half ago or maybe two years ago we received a complaint that someone was doing was filling on this property. The person that called to make the complaint called after it was all done, not while they were doing it. So when staff went out there, myself, Jean Werbie, Bob Martin at the time as Village Engineer, Dave Goff at the time was his assistant, didn't know that there was substantial filling. Two things or a few things could have happened to correct that. Either he pulled the fill that he put in the floodplain pull that out to reconstruct what was there, or he could go through a floodplain boundary adjustment by himself, or we've been working with Doug Stanich and Mark Eberle on this project for two years and he could see if he could work with Doug Stanich to have that be compensated into the work they were doing, and Mark looking at the work they are providing more storage in the pond they were creating to compensate for the floodplain, so they were able

to work with Doug Stanich, the Bennages were able to work with Doug Stanich to compensate for the floodplain that they filled and accompany that in this pond that's being created. So that will eliminate that violation and they will be able to keep their fill that they did and he won't have to pull that out.

Don Hackbarth:

Did he increase his property size?

Peggy Herrick:

No, he filled in the floodplain.

Don Hackbarth:

But I mean if there's a floodplain you're actually giving yourself more—

Peggy Herrick:

More area outside of the floodplain.

John Braig:

Lot 78 who owns that?

Peggy Herrick:

Walter and Evangeline Bennage.

John Braig:

Is it a buildable lot now or were they just enhancing—

Peggy Herrick:

No, there's a house on it.

Mark Eberle:

There's a current home on that lot.

John Braig:

But a portion of it was in the floodplain?

Peggy Herrick:

Correct.

Mike Pollocoff:

The back yard was in the floodplain.

Peggy Herrick:

The back yard was in the floodplain and they flattened it out so they had flatter land and better access to the rear.

Mark Eberle:

I guess what it came down to is he did some landscaping filling in the backyard. He wasn't aware he needed a permit. It just happened that we have a project next door and worked with him and corrected the violation.

John Braig:

Good enough, thank you.

Wayne Koessl:

If there aren't any further questions, Mr. Chairman, I'll make a motion that the Plan Commission send a favorable recommendation to the Village Board to approve the floodplain boundary adjustment subject to the comments and conditions of the July 14th Village staff report.

Mike Serpe:

Second.

Tom Terwall:

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

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

B. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT for the request of Brad Lorenz, of Lorenz Excavating and Top-Soil Inc.

for a Conditional Use Permit to stockpile top soil on approximately 5 acres of land owned by Kevek Holdings LLC located at 9100 88th Avenue. The top soil is proposed to be pulverized and then sold from the site.

Peggy Herrick:

This is a Conditional Use Permit for the request of Brad Lorenz, of Lorenz Excavating and Top-Soil Inc. They are requesting a Conditional Use Permit to stockpile top soil on approximately five acres of land owned by Kevek Holdings LLC located at 9100 88th Avenue. The top soil is proposed to be pulverized and then sold from the site.

As a part of the hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request as presented and described below:

Findings of Fact

1. The petitioner is requesting a Conditional Use Permit to stockpile top soil on approximately five acres of land owned by Kevek Holdings LLC located at 9100 88th Avenue. The top soil is proposed to be pulverized and then sold from the site. The subject property is located in a part of the U.S. Public Land Survey Section 20, Township 1 North, Range 22 East in the Village of Pleasant Prairie and further identified as Tax Parcel Number 92-4-122-202-0106.
2. Pursuant to the application, approximately five to ten trucks per day will haul in and out topsoil from April to November from 7:00 a.m. to 5:30 p.m. Monday thru Saturday weather permitting for approximately 2.5 years. It is proposed that two to three employees will be on the job site at all times. The trucks will utilize an existing gravel farm road connecting to 88th Avenue. A 4 by 8 sign is proposed at the entrance of the site. It is unclear from the application if only Lorenz Excavating will be hauling in and out of the site or if others will be hauling in and out of the site. This needs to be further explained by the petitioner at the hearing tonight.
3. The eastern portion of the property is zoned, A-4, Agricultural Landholding Overlay District; a wooded portion of the property is zoned C-2, Upland Resource Conservancy District; and the western portion of the property is zoned M-3, Mineral Extraction and Landfill District. In addition, the eastern portion of the property is located within the shoreland jurisdictional area of Jerome Creek and a portion of the property may be located within the 100-year floodplain. Furthermore, according to the Village's interpolated wetland map there appears to be no wetlands on the property where the activities are proposed.
4. The current zoning of the property where the petitioner is proposing to stockpile, pulverize and sell the top soil is zoned M-3, Mineral Extraction and Landfill District, and the storage of top soil or related machinery is allowed within the district only with approval of a Conditional Use Permit. The access is proposed to be located in the A-4 District. Verification shall be provided that the proposed activities will not be located within the 100-year floodplain and that no wetlands will be affected by the project.

5. Pursuant to Section 420-125 G (2) of the Village Zoning Ordinance, incinerators, sewage treatment facilities, utilities, and accessory uses, such as offices, parking areas and/or stockpiles, shall be set back a minimum of 100 feet from the right-of-way of all highways or roads and from all property lines.
6. The M-3 zoned portion of the property is currently being farmed and is being taxed as farm land. The farming activities on this property are currently classified as a legal but non-conforming use. However, once the land is taken out of farming activities as proposed, the farming activities on this portion of the property cannot be resumed legally.
7. With this project, the petitioner proposes to remove approximately five acres of land from the current farming activities; therefore, property owner will be subject to paying the statutory conversion charge that will be approximately \$4,000 which will be due during the middle of 2009. This charge is a per acre charge and is determined each year by the Department of Revenue and the current charge for less than 10 acres is \$790 per acre. It is also estimated, by the Village Assessing Department that the market value of non-agricultural land would be approximately \$75,000 per acre or \$375,000 for a five acre parcel resulting in a property tax obligation of about \$6,000 per year.
8. In addition to the M-3 District regulations listed in the M-3 District, Section 420-148 B (111) of the Village Zoning Ordinance provides for additional specific requirements for the storage of mineral products or machinery in the M-3 District, including:
 - (a) The site shall be securely fenced as deemed appropriate by the Village. The Village staff recommends that the site and the area that they're going to be doing these activities, this five acre area, be secured with a locked gate at the entrance and that the five acre area used for the stock piling, pulverizing, truck loading and unloading activities shall be enclosed with a six foot high chain link fence. The gated entrance will be required to have fire and rescue padlocks ordered from the Knox Company to place on the gates for the fire and rescue to have access to the area at all times.
 - (b) A stormwater drainage plan prepared by a certified engineer shall be submitted. The detailed stormwater drainage plan shall be prepared to verify that the proposed project is not located in the 100-year floodplain, within any wetlands, and does not block or redirect the flow of stormwater from the adjacent property or cause drainage issues on-site and off-site. At a minimum, the plan shall include a list of items that are listed below in the staff memo. There are eight different things. Basically we need to verify location of the 100-year floodplain; we need to see the topography on the site of the area being disturbed; we need to see the location of the access road, the access road should be a minimum of 12 feet wide. Gravel access is allowed, however the entrance needs to be wide enough to accommodate turning of trucks coming in and out of the site so that needs to be examined as to the existing farm access if that's adequate or not. If improvements need to be made at that entrance and permits from Kenosha County will be required, we need to verify the location of the existing fence at the entrance. Again, this fence will also need to have a padlock ordered by Knox Company at the gate for fire and rescue to have access to the area.

We need to know the proposed location of erosion control measures. South of this property and possibly on this site there are environmental features, wetlands and floodplain that need to be protected. We need to make sure that the storm water will not be blocked or redirected as a result of this project. The plan needs to make sure that the required 100-foot setback can be met from where this activity is occurring. And also a restoration plan needs to be provided indicating how the site will be restored after the topsoil activities are completed to ensure that this site is restored and proper drainage is provided.

9. Notices were sent to adjacent property owners via regular mail on June 20, 2008 and notices were published in the *Kenosha News* on June 30th and July 7, 2008.
10. The property owner and the petitioner were mailed a copy of this memo on July 11, 2008. In addition, the petitioner was faxed a copy of this memo on July 11, 2008.
11. 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 tonight that the project as planned, will not violate the intent and purpose of all Village Ordinances and meets the minimum standards for granting of a Conditional Use Permit.

With that, I'm going to stop right there and this is a public hearing. I would like to read our findings and our recommendation after the hearing.

Tom Terwall:

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

Brad Lorenz:

I'm Brad Lorenz of Lorenz Excavating and Topsoil. I have a couple questions. I can answer questions from you.

Tom Terwall:

Anybody else? Anybody else? Hearing none, I'll open it up. Peggy?

Peggy Herrick:

I just have a question for Mr. Lorenz. Will Lorenz Trucking be the only one hauling in and out or will other people be able to come in and haul and drop off topsoil and/or purchase topsoil? Will that all be done through your trucking company?

Brad Lorenz:

No, there will be other people that will be allowed to come and get topsoil, all trucks.

Peggy Herrick:

But dropping off just through you?

Brad Lorenz:

Dropping off there might be some other trucks there rented from another company. It may not necessarily be all our trucks.

Tom Terwall:

I'll open it up to comments and questions from Commissioners and staff. Don?

Don Hackbarth:

I've got a couple questions here. Is there going to be any processing of the topsoil or is it just stockpiled? Processing running through the machinery?

Brad Lorenz:

Yes, it will be processed through a pulverizer.

Don Hackbarth:

I don't know. Is there going to be some kind of a berm to protect this from lake Andrea and the Conservancy areas to the south?

Brad Lorenz:

Basically Lake Andrea . . . a big tree barrier.

Don Hackbarth:

I'm just saying if you get a heavy rain I don't know what's going to happen with that stuff. Is it going to flow towards the conservancy area north of Lake Andrea?

Peggy Herrick:

That's part of the reason why we need a detailed plan by an engineer to see how that's all going to work to make sure that that doesn't cause a problem.

Don Hackbarth:

The other question I have is why are we so close bumping it up against the Conservancy area and Lake Andrea? Why don't we push it further north to give enough of a buffer again.

Peggy Herrick:

This use is only allowed in an M-3 District, and the only portion of this property that's zoned M-3 is this portion.

Don Hackbarth:

I feel very uncomfortable with this. I really do.

Mike Serpe:

Brad, where's your operation out of being handled right now?

Brad Lorenz:

Here in Kenosha at various sites, construction sites and stuff. One is up by Kohl's on Highway 50. We've got another one on the north side of Kenosha at 30th Avenue and 21st Street.

Mike Serpe:

And how long do these sites usually—how long are they up and running as a rule?

Brad Lorenz:

This one we would like to see about two years.

Mike Serpe:

Two years?

Brad Lorenz:

Yeah.

Mike Serpe:

The one that you're proposing.

Brad Lorenz:

Two and a half years we're requesting.

Mike Serpe:

The one that you're proposing now?

Brad Lorenz:

Yes.

John Braig:

The proposed site doesn't contain any trees now does it?

Brad Lorenz:

No, it does not.

John Braig:

And this is just north of Lake Andrea?

Brad Lorenz:

Correct.

Peggy Herrick:

It's right here.

Tom Terwall:

Is that the area where there's all kinds of tree limbs and farm equipment sitting now?

Peggy Herrick:

On the Kevek property?

Tom Terwall:

Right. How close is this site to H?

Peggy Herrick:

Oh, H is probably a 1,000 feet maybe, 800 feet, quarter mile.

Mike Pollocoff:

Remember where that house used to be in the woods?

Peggy Herrick:

That house used to be right here.

Mike Serpe:

I realize that there appears to be a lot of unanswered things presently, but if this were to go forward is it possible to put a sunset clause in here that this should not operate longer than—

Peggy Herrick:

The Village staff is recommending that it not operate longer than June 1, 2011, and that by June 1, 2011 the restoration plan be implemented by that date. So they have to spread the topsoil, remove the topsoil, whatever they need to do.

Mike Serpe:

And how long is it going to take the Village or whoever to determine the number of outstanding conditions here that we're looking at?

Peggy Herrick:

Village staff recommends that this be tabled until a survey can be submitted to Village staff, then that gets evaluated and then brought back for a hearing when we have all these questions answered.

Mike Serpe:

I understand. You don't know how long that's going to take?

Peggy Herrick:

I don't know. They would have to hire an engineer to lay something out and get their plans pulled together and submit it back to us, so however quickly they can do that and get it to us we'd get it reviewed as soon as possible and get it back on an agenda.

Brad Lorenz:

I've got a question on it. Do we have to go through another hearing on this, or can we get the engineered part of it and get it okayed without having to go through a hearing to answer these questions, to address them? He said one question was worried about the erosion to the wetlands, which is a concern, but we can make a buffer zone of whatever it takes and address that so that ain't a problem.

Mike Serpe:

If it's tabled it's going to come back to us, is that correct?

Mike Pollocoff:

Right. The Commission has the authority to continue the hearing to a certain date. But I guess in a way it would depend on how fast you can have an engineer get this surveyed and designed out.

Brad Lorenz:

As we are we're moving into the year and it's getting later and later. It's going to be harder for me for the sale of the soil later and later as it is.

Peggy Herrick:

We can continue it until the first meeting in August which would be the 11th of August, and if things aren't in at that date we could then postpone it again until we get the information in. Then we'd have a date certain. Right now anybody in the audience would know we're going to talk about this the first meeting in August.

Mike Serpe:

As we wait for the final hearing on this depending on when it comes, whether it be one month or three months or six months is that going to have an effect on the termination date that you're recommending here?

Peggy Herrick:

It may.

Tom Terwall:

I'm going to entertain a motion to continue the hearing to August 11th.

Mike Serpe:

I'd make that motion.

Jim Bandura:

I'd second.

Tom Terwall:

MOVED BY MIKE SERPE AND SECONDED BY JIM BANDURA TO CONTINUE THE HEARING UNTIL AUGUST 11TH. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- C. Consider the request of Chad Navis, Director of Industrial Development for Towne Investments, property owner, for a Certified Survey Map to adjust the shared lot line between the Towne Industrial I & II Building sites, located at 10790 Green Bay Road and 10795 72nd Avenue, respectively.**
- D. Consider the request of Chad Navis, Director of Industrial Development for Towne Investments, property owner, on behalf of K & K Screw Products, for Site and Operational Plan approval for K & K Screw Products, LLC to fully occupy the Towne Industrial II building located at 10790 Green Bay Road in the LakeView Corporate Park.**

Tom Terwall:

It's my understanding we're going to discuss C and D together but take two separate motions, is that correct?

Tom Shircel:

That is correct. This is to consider the request of Chad Navis, Director of Industrial Development for Towne Investments, property owner, for a Certified Survey Map to adjust the shared lot line between the Towne Industrial I & II Building sites, located at 10790 Green Bay Road and 10795 72nd Avenue, respectively.

The second thing we'll consider is the request of Chad Navis on behalf of K & K Screw Products, LLC, for Site and Operational Plan approval for K & K Screw Products to fully occupy the Towne Industrial I building located at 10790 Green Bay Road in the LakeView Corporate Park.

First we'll discuss the Certified Survey Map. As some background information, on May 7, 2007, the Village Board of Trustees conditionally-approved a Certified Survey Map to re-divide Tax Parcel Number 92-4-122-272-0513, generally located on 108th Street, between 72nd Avenue and Green Bay Road, into two parcels to accommodate the Towne Industrial I & II speculative buildings. Upon recording of the CSM, new Tax Parcel Numbers were assigned to the two pieces of property.

With this proposed CSM, the petitioner is requesting approval of a new CSM to slightly adjust the shared lot line between the Towne I & II Building sites in order to accommodate a westerly Towne I Building expansion consisting of three enclosed truck docks to serve the proposed K & K Screw Products tenant in this building.

The properties are zoned M-1, Limited Manufacturing District. The M-1 District requires minimum rear and side principal building setbacks of 45 feet. The CSM ever-so-slightly shifts the shared property line between the Towne I & II site further west. The result of this CSM will be that the K & K Screw Products building dock building expansion will then meet that minimum 45 foot rear or side setback. And you'll note that when the Plan Commission initially approved the Towne I and II buildings, that was last year in 2007, that at that time the principal building setbacks were 25 feet only so there was an amendment to the text of the ordinance that put that from 25 feet to now 45 feet just so you know. So when you look at the site plan it looks like

those buildings, if you look at the buildings here you can see that those setbacks are not 45 feet, they're 25 feet. But now it's required to be 45 feet.

With regard to the open space on these two properties, even with this CSM the two properties will still meet the minimum 25 percent open space. The Towne I site will have a 29.1 percent open space, and the Towne II site will have a 33.1 percent open space. The land division conforms with the Village Comprehensive Plan and all applicable Village Ordinances.

I'll now talk about the Site and Operational Plan. The property owner is seeking Site and Operational Plan approval on behalf of K & K for K & K to fully occupy the Towne Industrial I building located at 10790 Green Bay Road.

As some background information, on April 23, 2007, the Village of Pleasant Prairie Plan Commission conditionally approved the Site and Operational Plans for Towne I Building which is an approximate 82,000 square foot spec building and for Towne II as well which is an approximately 51,000 square foot spec building in the LakeView Corporate Park. The construction of both the Towne I & II building shells are complete, yet there a few outstanding building inspection items that need to be addresses prior to any Final Certificates of Occupancy being granted for either of these buildings.

As far as the K & K site goes, at this time, K & K is seeking Site and Operational Plan approval to fully occupy the approximate 82,000 square foot Towne Industrial I building with a manufacturing and office facility. The Towne I building is currently vacant and to this date has not yet had any occupants.

Pursuant to the applicant-submitted Operational Plan, K & K was founded in 1969 and is the leading manufacturer of custom, precision metal components for use in a wide range of end markets, including electronics, automotive, residential and commercial construction, consumer appliances and fire equipment. K & K manufactures thousands of unique precision components consisting primarily of brass, steel, aluminum and bronze and has a broad base of blue-chip international customers. K & K currently has operations in Carol Stream, IL; Bristol, WI; East China, MI; and Monterrey, Mexico.

For hours of operation and employment it is anticipated that K & K will operate two staggered working shifts from approximately 4:00 a.m. to 2:00 a.m., which is 22 hours per day, five days per week. The number of employees will be approximately 100 full-time and approximately 25 part-time employees.

To accommodate the K & K business operations, the following interior and exterior improvements need to be completed:

A. Interior Build-Outs:

- a. A floor-to-ceiling interior demising wall to separate the manufacturing area from the non-manufacturing areas.
- b. Offices facilities consisting of: restrooms, locker rooms, conference rooms, break room, training room, etc.

- c. Racking area, shipping/staging area, product staging area, product cleaning area, warehouse, etc.
- B. As for exterior improvements a couple minor ones. The major one is that three dock truck enclosure on the west side of the building, and secondly a new employee entrance door and associated sidewalk on the east side of the building.

As far as performance standards compliance plan, pursuant to the applicant-submitted performance standards and compliance plan, K & K will be in compliance with all aspects of Chapter 420-38 of the Village Zoning Ordinance entitled Performance Standards

As for parking according to the plans, there are 95 employee, client and visitor parking spaces on this site. The Zoning Ordinance requires one space per 250 square feet of floor area for an office use, and requires five spaces plus one space per employee on the largest working shift for a manufacturing use. Based on the plans that you have, this site which has 95 total spaces, will adequately meet the parking needs in that the number of offices spaces required is 18 and the number of manufacturing-related spaces is 55 for a total of 73. So they're well within the parking range.

The Village e-mail the petitioner a copy of the staff report on or about July 11th. With that, I'll turn it back over to the Plan Commission, and I know that the K & K reps are here.

Tom Terwall:

Is there anything you wanted to add at this time from K & K?

Chad Navis:

I'll just jump in here. Chad Navis, Towne Investments, 10411 Corporate Drive, Pleasant Prairie, Wisconsin. We're certainly excited to be here today. Any time we can play a role in attracting such a high quality company like K & K that represents so many fantastic jobs we're very pleased. I'm here, of course, to answer any questions you might have about the physical aspects of the building. We've got our friends from K & K here as well. I believe they want to take a few moments to tell you a little bit about their operations and their company. Before I turn over I also wanted to make one comment to commend the Village staff. We worked on a number of issues during the long courtship process of K & K, and their responsiveness really helped play a fantastic role in successfully getting K & K to select Pleasant Prairie for their new home.

Tom Terwall:

Thank you. K & K representatives? First of all, welcome.

Larry Florey:

Larry Florey, I'm the President of K & K Screw Products. I think the explanation that they put on the board was done well. We manufacture precision machine components, and I brought a bag in case anybody wants to see what we do. We make those components that end up in the

agricultural equipment, the home building industry, through the automotive industry and the appliance industry. We make them out of long 12 foot bars of raw material. And the key to our success with making those parts and competing on a world scale is the craftsmen that make those parts. We're excited to be here to grow our manufacturing operation in your town.

Tom Terwall:

Are automatic screw machines part of your operation then?

Larry Florey:

They are. We run specifically automatic screw machines. There's about 300 of them in total. We're the largest operator of automatic screw machines in the world in the job shop.

Tom Terwall:

Where will the employees come from?

Larry Florey:

The general area here.

Tom Terwall:

All new people?

Larry Florey:

We're going to take our operation from Bristol, Wisconsin and we're going to move that here. Currently we're in about 25,000 square feet in Bristol, so we're going to move into 80,000 square feet which will allow us to expand that manufacturing base. The plan is to grow and to offer more jobs.

Tom Terwall:

Comments or questions?

Wayne Koessl:

I'd move approval, Chairman, for the first one, the CSM subject to the conditions outlined by staff.

Mike Serpe:

Second.

Tom Terwall:

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

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. And, finally a motion to approve the site and operational plan.

John Braig:

So moved.

Mike Serpe:

Second.

Tom Terwall:

MOVED BY JOHN BRAIG AND SECONDED BY MIKE SERPE TO APPROVE THE SITE AND OPERATIONAL PLANS SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? We want to welcome you guys. This is good news. When do you expect to be in operation?

Larry Florey:

We'd like to start moving equipment in by November 1st, some of the heavier equipment. We'd like to get some other equipment in earlier. We're on a pretty tight time line to get it going as soon as we possibly can.

(Inaudible)

Larry Florey:

Well, we are somewhat dependent on the automotive industry. What we've seen is a consolidation in the industry where some of the automotive companies who go into the better companies that are out there we've actually been able to grow our business in spite of what's going on in the economy. But, yeah, we face some of the headwinds as the automotive industry does.

Tom Terwall:

What makes you competitive against off shore, is it precisioness?

Larry Florey:

It's the skilled craftsmen that we have. Our guys operate these machines literally better than anybody in the world can operate them.

Tom Terwall:

Thank you. Anything further?

Mike Serpe:

Just a comment on K & K and what's happening in Pleasant Prairie and Kenosha. There's a lot of activity industrial-wise that's bringing a whole lot of jobs to the area whether it be Pleasant Prairie or the City. It's good for the whole region. We're sure glad you're a part of it.

Larry Florey:

Thank you very much. I'd also like to say we found the employees in Wisconsin and in Bristol and in the area to be great craftsmen. Guys who turn wrenches, guys and girls who get up to work and show up to work and that's what really allows us to compete on this scale.

Tom Terwall:

Where is Corporate Headquarters?

Larry Florey:

Carol Stream, Illinois, just outside of O'Hare Airport about 30 minutes.

Mike Serpe:

Any chance of that coming forward?

Larry Florey:

There's a question about consolidation and perhaps that would play out but I certainly couldn't say for sure.

Tom Terwall:

Because I'm sure Chad could expand that building again for you if that ever became necessary. Thanks again. That's good news for all of us.

John Braig:

Five weeks ago I wanted to talk about signs. Of course, I was reminded it wasn't on the agenda. So three weeks ago I ask that it be on tonight's agenda. We missed the boat. So, again, I request it to be on the next agenda.

Tom Terwall:

Okay.

6. ADJOURN.

John Braig:

Now I move for adjournment.

Mike Serpe:

Second.

Tom Terwall:

Moved and seconded to adjourn. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.