

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
July 22, 2013**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on July 22, 2013. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessler; Andrea Rode (Alternate #2); Jim Bandura; John Braig; and Judy Juliana (Alternate #1). Also in attendance were Mike Pollocoff, Village Administrator; Jean Werbie-Harris, Community Development Director; Tom Shircel, Assistant Village Administrator; and Peggy Herrick, Assistant Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER THE MINUTES OF THE JUNE 17, JUNE 24 AND JULY 8, 2013 PLAN COMMISSION MEETINGS.**

Don Hackbarth:

Move approval, Mr. Chairman.

John Braig:

Second.

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY JOHN BRAIG TO APPROVE THE MINUTES OF THE JUNE 17TH, JUNE 24TH AND JULY 8, 2013 PLAN COMMISSION MEETINGS AS PRESENTED. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- 4. CORRESPONDENCE.**

Jean Werbie-Harris:

At 4:30 on Thursday we have a public informational meeting. And this would be for the 39th Avenue just outside of here at the Village Hall the roundabout is proposed and the widening of the street or the reconstruction of 39th Avenue. And it's an information meeting, and we'd encourage the Plan Commissioners to come. Open house style, starts at 4:30.

Tom Terwall:

Thank you. Any other correspondence?

Jean Werbie-Harris:

I have none.

5. CITIZEN COMMENTS.

Tom Terwall:

If you're here for an item that appears on the agenda as a matter for public hearing we would ask that you hold your comments until the public hearing is held so that we can incorporate your comments into the official record. However, if you're here for an item that is not a matter for public hearing or you wish to raise an issue that's not on the agenda now would be your opportunity to speak. We would ask you to step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens' comments?

6. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT to consider the request of James and Linda Carpenter, owners of the property located at 11450 23rd Avenue to rezone the property from R-4 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District into the R-4 (AGO), Urban Single Family Residential District with a General Agricultural Overlay District.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is a public hearing and consideration of a zoning map amendment to consider the request of James and Linda Carpenter, owners of the property located at 11450 23rd Avenue to rezone the property from R-4 (UHO), Urban Single Family Residential District with an Urban Landholding Overlay District, into the R-4 (AGO) classification, which is Urban Single Family Residential District with a General Agricultural Overlay District.

Specifically, the petitioners are requesting to modify their zoning classification in order to have a General Agricultural District Overlay on their property, so to go from a UHO to an AGO. The petitioners are specifically requesting to rezone 12.4 acres of property so that the vacant land north of where they live, which is currently open space, that this area could be farmed.

A portion of the property is located within a shoreland jurisdictional area, and the Wisconsin DNR wetland inventory maps indicates that there may be some wetlands along the navigable waterway. That's not to say that this land cannot be farmed because it could. The waterway is not allowed to be filled or altered and farming activities shall not affect the drainage or affect downstream drainage on adjacent properties. The wetlands are allowed to be farmed, provided that they are not filled; when farming activities stop, the farmed-wetlands will likely revert back to wetlands and will need to be protected from future development.

The AGO District requires that the lots be a minimum of 10 acres with 300 feet of frontage on a public roadway. The property meets these minimum requirements. The proposed zoning map amendment is compliant with the Village's Comprehensive Land Plan Map 9.9. Specifically, 9.9 indicates that the property is within a Low-Medium Density Residential with an Urban Reserve land use designation. In addition, the northern portion of the property is located within a secondary environmental corridor which may include some wetlands.

This is a public hearing. The property owners, James and Linda Carpenter, are here in the audience and would be happy to answer any questions that you may have.

Tom Terwall:

Did you wish to add anything? Give us your name and address for the record.

Linda Carpenter:

The address is 11450 23rd Avenue. My name is Linda Carpenter, my husband James Carpenter. We're having a farmer Dan Kevic farm the land for us. And the reason we're wanting to have this changed from residential to agricultural is to generate income for our families and our children and for now and in the future. If you have any more questions I'd be happy to answer them.

Tom Terwall:

Thank you.

Michael Serpe:

While she's here, Tom, if I could ask what crops are you going to be raising out there?

Linda Carpenter:

Dan said he could put in one crop this year already. He's hoping to plant towards the end of August. And I'm not sure exactly what it is but it's some sort of a corn plant that he can mix with his feed. And then he says beans and corn, stuff like that.

John Braig:

Isn't this parcel fairly wooded?

Linda Carpenter:

Not anymore.

Jean Werbie-Harris:

It was a lot of scrub brush on this property.

John Braig:

Okay, with the illustration here it appears to be wooded.

Linda Carpenter:

Dan is going to clear all that off to farm it.

Tom Terwall:

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

Don Hackbarth:

Move approval, Mr. Chairman.

Michael Serpe:

Second.

Tom Terwall:

MOVED BY DON HACKBARTH AND SECONDED BY MIKE SERPE TO APPROVE THE ZONING MAP AMENDMENT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. THIS MOTION IS A RECOMMENDATION TO THE VILLAGE SO THE MOTION IS TO RECOMMEND APPROVAL TO THE VILLAGE BOARD. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Thank you.

B. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT INCLUDING SITE AND OPERATIONAL PLANS for the request of Barbara Newman, of Ramaker & Associates for Sprint Nextel to upgrade and replace the antenna on the existing water tower located at 10300 57th Avenue and to construct a new building for the ground equipment associated with the Sprint antennas.

Jean Werbie-Harris:

Item B, public hearing and consideration of a conditional use permit including site and operational plans for the request of Barbara Newman, of Ramaker & Associates for Sprint Nextel to upgrade and replace the antenna on the existing water tower located at 10300 57th Avenue and to construct a new building for the ground equipment associated with the Sprint antennas.

As a part of the public hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request, and they are described in your staff comments and I'll describe them now.

Findings of Fact

1. The petitioner is requesting approval of a Conditional Use Permit including Site and Operational Plans to upgrade and replace the antenna on the existing water tower located at 10300 57th Avenue and to construct a new building for the ground equipment associated with the Sprint antennas. This project also includes regrading a portion of the property where the existing Sprint equipment is located. (See Exhibit 1 for a copy of the application materials.)
2. The subject property is known as Lot 1 of CSM 1795 located in a part of the U.S. Public Land Survey Section 22, Township 1 North, Range 22 East of the Fourth Principal Meridian, lying and being in the Village of Pleasant Prairie, County of Kenosha, State of Wisconsin and further identified as Tax Parcel Number 92-4-122-224-0111.
3. The current zoning of the property is I-1, Institutional District, and pursuant to Section 420-126 D of the Village Zoning Ordinance, a commercial communication structure and associated equipment is allowed within the I-1 District with approval of a Conditional Use Permit as granted by the Plan Commission.
4. On November 12, 2001, the Plan Commission approved a Conditional Use Permit for Sprint to construct and operate a cellular telephone facility consisting of 10 foot high antennas mounted to the top of the existing Village water tower and accompanying electronic equipment cabinets located at the base of the water tower. See Exhibit 2 for a copy of Conditional Use Grant Document #01-17. These antennas and the equipment is being removed and upgraded as part of their request.
5. The current zoning of the property is I-1, Institutional District, and the commercial communication structure does require that permit even for a modification from Section 420-89 of the Village Zoning Ordinance.

6. Pursuant to Section 420-89 B (5) of the Village Zoning Ordinance, "Antennas, whips, panels, or satellite or digital dishes attached to an existing structure, such as water towers, transmission towers, silos or other utility poles, shall not extend more than 10 feet above the existing height of said structure, and no setbacks are applicable."
7. Pursuant to Section 420-89 B (11) of the Village Zoning Ordinance, "Any building associated with a commercial communication structure shall be set back a minimum of five feet from property lines and the separation distance between buildings shall be at least 10 feet."
8. The antenna apparatus placed on top of the water tower shall be painted Pleasant Prairie Blue Code # 1852 to match the top color of the water tower.
9. The Village has contracted with L & T Painting Company, Inc. to repaint the interior and exterior of the water tower. To accommodate the painting process, all cell carriers, Sprint, Verizon and Cricket, were required to remove their respective equipment off of the water tower. In order to provide continued cellular service during the painting, the cell carriers have installed temporary cellular towers on-site. It is anticipated the water tower painting will be completed by September 3, 2013. At that point, provided Sprint has all of it necessary permits, Sprint will be allowed to commence: 1) the demolition and removal of the existing equipment platform and fencing; 2) construction of the new equipment shelter and associated equipment including the cables, multimodal antennas, H-frame, etc.; and 3) grading to address the on-site storm water drainage problem.
10. SprintCom, Inc. or Sprint and the Village will need to enter into an amended Lease Agreement for the proposed facility. Sprint shall submit a draft of the Agreement to the Village for review. Once the Agreement is in an acceptable form for both parties, it will be placed on an upcoming Village Board agenda for review and approval.
11. The Communication Act of 1934 is the Federal regulation, which governs the telecommunications industry. Basically this act prohibits the State and local units of government from denying a wireless communication company's request for local zoning approval based on any environment or health concerns or effects. If the wireless communication company complies with the regulations on RF emissions set by the FCC.
12. The petitioner and all of the abutting and adjacent property owners within 300 feet of the site were notified via U.S. Mail on June 28, 2013 of this public hearing. Notices were published in the *Kenosha News* on July 8 and July 15, 2013.
13. The Village emailed the petitioner a copy of this staff report on July 19, 2013.
14. According to the Village Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit or site and operational plans until after they review the findings of fact, the application and related materials that the project as planned, will not violate the intent or purpose of the Village Zoning Ordinance. In addition, it must comply with all federal, State, County or Village requirements relating to land use, buildings, development control, land division, environmental protection, sewer and water and storm service, noise, storm water management, streets and highways and fire protection.

And finally I just wanted to mention that the staff did not receive any calls regarding this petition or request. With that I'd like to continue the public hearing.

Tom Terwall:

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

Terry McMahon:

Good evening. My name is Terry McMahon. I live at 6407 107th Street. Recently the Village did approve for repainting and conditioning of the water tower and work is in progress. I live right by there, I go by there daily. Is the work from Nextel Sprint going to interfere, or are we going to have to go back and do any other work after the fact or is the contract that's installing from Sprint doing their work going to be responsible for the restoration of the work they do after the paint work is done?

Tom Terwall:

Thank you. Anybody else?

Barbara Newman:

I'm Barbara Newman and [inaudible] any questions that you have [inaudible].

Tom Terwall:

Please step to the microphone.

Barbara Newman:

I'm Barbara Newman representing Sprint Nextel regarding the network upgrade for this project. And I work with Ramaker & Associates.

Tom Terwall:

Could you respond to that question?

Barbara Newman:

I didn't hear entirely what his question was. Will we be responsible for the restoration of the property when the construction is completed?

Tom Terwall:

Yes, including who is responsible for the reinstallation of the towers.

Barbara Newman:

For the reinstallation of the antennas that will be the responsibility of Sprint Nextel, their contractor. And they will be just as Verizon and Cricket will be removing their antennas from the temporary poles they will be placing them onto the water tank and then removing at such time -- and then they will remove the temporary facilities. And in Sprint's case they will be constructing the building and taking down the existing platform, regrading to remove the ponding of water issue that has occurred over the years with their existing site.

Tom Terwall:

Thank you. Anybody else wishing to speak? Anybody else? Seeing none I'll open it up to comments and questions.

Michael Serpe:

To Mike there's been a recent State law changing concerning cell towers. Does anything in this law change affect what we're doing here tonight?

Mike Pollocoff:

The Village is prohibited from exercising its zoning authority on the siting of a new tower. So cell tower operators and the representatives such as Barb can basically find a place where they want to put it up and put it up. There's a review period. I think it's 30 days. If you don't respond it can go up anyway. So this is an area where we have an existing infrastructure that they're using. And we have a contract with Sprint and Verizon and Cricket on this site that we're using to make sure that everybody can work together, that the public asset that's owned which in this case is the water tower isn't damaged and we can still provide our services. But if any of these companies come out in the future and want to put it on a private site the Village no longer has any ability to regulate that.

John Braig:

Along with that, Mike, can the Village control the appearance of the structure on the site, the building?

Mike Pollocoff:

No, we have no control over any of it.

John Braig:

They can put up any dumb shack they want?

Mike Pollocoff:

It's really up to what the best business model is for the cell carrier or what fits their business plan.

Wayne Koessl:

Through the chair to Mike they still have to get a conditional use permit from the Plan Commission, don't they?

Mike Pollocoff:

No.

Jean Werbie-Harris:

I don't think so.

Mike Pollocoff:

Nope.

Jean Werbie-Harris:

They still have to get building permits and a zoning permit. But that would be issued by staff.

Michael Serpe:

For the longest time we wanted to keep these things as close together as possible, multi heads on one tower on existing structures that are in the Village which help the Village out with a little bit of money with the rent. And now the State comes through and zero levy increase and now they're taking away the ability for us to even charge a monthly rental from any new tower that somebody may want to put up on a private property. It's again Madison knowing better what's best for the rest of the State of Wisconsin including Pleasant Prairie. They're doing a fine job, they're doing a fine job. I think they're doing an outstanding job. Continue on.

Wayne Koessl:

I think the ones that are doing the good job are the lobbyists up there.

Michael Serpe:

What's that?

Wayne Koessl:

I think the lobbyists are doing a good job in Madison.

Michael Serpe:

We've got the best government money could buy.

John Braig:

Did we get any notification that this was being considered in any way?

Mike Pollocoff:

Pardon me?

John Braig:

Did we get notification that this bill was under consideration.

Mike Pollocoff:

It was in the budget bill. It came in as they work towards the end. And the League of Municipalities which is our interest organization represented they filed some alternative proposals and some things where there would still be some level of municipal review. Because even if you're going to say the Village doesn't -- because I think that's prevailing in Madison is that the local government shouldn't be making any more money than they make today. And even if you were to buy into all that, and there's even been a case as recent as last week where someone siting a cell tower in Menomonee Falls right behind a subdivision it's virtually right on the edge of single family lots and there is no local review. It's just there. If they've secured the land to put it up there and the property owner who owns it is granting them an easement or selling them a parcel of land or whatever then they can install it. It's kind of like a federal project, a post office, when we had this post office. There's no local review. It's whatever they want to do is they do.

Tom Terwall:

Mike, Verizon and Cricket where is their ground equipment located, in their own shack?

Mike Pollocoff:

The Verizon and Sprint ground equipment is on the site. Cricket's is on the tower.

Tom Terwall:

Is Verizon's in the Sprint building or do they have their own?

Mike Pollocoff:

No, they have that separate building.

Tom Terwall:

And that's not changing.

Mike Pollocoff:

No. And I think to the extent that the Village has worked, I would hope Sprint and Verizon and U.S. Cellular I think we've been working with them cooperatively to get these things put together and provide towers that they haven't had to construct in a lot of cases. We have a good working relationship with them, and I think that will continue. I don't see a reason why it shouldn't. Again as their business plan determines that they need to site another tower someplace that will just be a decision that's made of the radar. And if local citizens have a problem with that siting there really is no recourse other than to talk to the company that's siting the cell tower.

Tom Terwall:

It's interesting that the State has got so much time on their hands to interfere in these matters, but they don't have time to approval the radio tower for the County which has been in progress for over a year.

Don Hackbarth:

Now we have ordinances that say that a tower has to be so many feet away from the property line?

Mike Pollocoff:

Yes.

Don Hackbarth:

Is that out the window now?

Mike Pollocoff:

Right.

Don Hackbarth:

So they could put it right up against their property line.

Michael Serpe:

This is probably going to be approved tonight I'm sure. But I hope that Sprint wasn't a part of the lobby effort that got these laws changed.

Barbara Newman:

I don't know, but I do know that in this case it's good that we started this process early when we did because how it would have affected this project specifically is that the Village asked us that Sprint come in alignment with Cricket and Verizon with putting their -- currently their equipment is out on a platform. And they asked that Sprint put their equipment in a building of similar

structure. And Sprint wanting to be a good citizen is complying with that. But at this point on the way we interpret the bill is that from a modification standpoint that we would not have come through the Village necessarily and could have just notified that we were exchanging out the antennas, and you would not have had the opportunity for either the regrading or the bringing us in alignment with the building. Sprint wants to be a good neighbor so it doesn't affect this project, but it could have affected this project had it started after July 1st.

Tom Terwall:

Thank you. Anything else?

Mike Pollocoff:

One question Mr. McMahon brought up was the interrelationship between the maintenance work that's occurring on the tower and the work that Sprint and everybody else is doing. When we advertise that project out one of the requirements of specification was that we notified all the carriers that we had anticipated some much needed maintenance, we were cleaning the inside of the tower, repainting the inside and the outside. And also that over time there became some OSHA violations with the way the cabling was coming up through the tower. It was making it hard for the guys climbing the ladder to the top to get their feet on the rungs.

So this specification gave everybody an opportunity to take a look at what they had and come up with an alternative plan for getting their equipment off the tower in time so that they could not have any interruption of service. And we're out there now cleaning the inside as we speak now, and we'll paint it and paint the outside. And then once all that work is completed any additional iron work or steel work that they're going to do is going to be painted by the requirements of the Village specs for paint. They'll put it back on, and then we'll go back and inspect that. If there's some touch up work that needs to be done when they put their equipment back on the tower the plan calls for and our contracts with them call for them to make those changes or make those improvements or modifications so that the thing is totally done. We haven't had any push back from the companies at all on that because we anticipated when we gave out those contracts at some point we had to paint this tower. If we're going to blast it or we're just going to be able to roll it in place or whatever. So that part of the contract between us and the carriers has worked well, and the carriers have been very supportive and cooperative of it.

Don Hackbarth:

To work on the inside, Mike, do we have to drain the water out of that?

Mike Pollocoff:

Oh, yeah.

Don Hackbarth:

So then where do we get pressure?

Mike Pollocoff:

Our system is big enough that we can float off of the tower at 165 and Ladish and Timer Ridge in the interim. And we have enough ground water storage that we can supply the system even through a very hot summer. You'd hope you have a cooler summer and this hasn't been bad. We had that really hot week when we drained it. It was like Murphy's law, but we were still able to maintain pressures and do what we have to do.

Jean Werbie-Harris:

I would just also like to add one additional condition of approval which would be comment number 27. We did receive an email from our public works director, John Steinbrink, Jr., and he wants to confirm that any new trenches through the Village's roadway which is 57th that they're backfilled with granular material to prevent settling. So that will be one of the additional comments.

Tom Terwall:

Did you wish to add anything else, ma'am?

Barbara Newman:

No. I just would like to answer any questions if anyone has any questions.

Wayne Koessler:

Mr. Chairman, if the Commissioners don't have any further questions I would like to move approval subject to the conditional use permit and site and operational plan subject to the attached comments and conditions of staff including number 27 today.

Tom Terwall:

Is there a second?

Judy Juliana:

Second.

Tom Terwall:

IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JUDY JULIANA TO APPROVE THE CONDITIONAL USE PERMIT INCLUDING 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.

Tom Terwall:

Opposed? So ordered. How did you set up in the budget bill?

Mike Pollocoff:

Well, you know policy is made at the auction block and that's what happens.

[Inaudible]

- C. Consider the request of Michael L. Kinstle, Vice President of Real Estate for Meijer Distribution, Inc owners of the property located at 7400 95th Street for Site and Operational Plan approval for an addition to the existing warehouse, addition to the existing Energy Center and truck wash, new access to 95th Street and new guard houses at the STH 31 and 95th Street entrances.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is a request of Michael Kinstle, Vice President of Real Estate for Meijer Distribution, Inc., owners of the property located at 7400 95th Street for Site and Operational Plan approval for an addition to the existing warehouse, addition to the existing Energy Center and truck wash, new access to 95th Street and new guard houses at the entrances of Highway 31 and 95th Street entrances.

The petitioner is requesting approval of the following additions and renovations to the Meijer Western Distribution Center. Specifically, the petitioner is requesting to construct a 5,091 square foot dock addition to the existing cooler/freezer warehouse and 9,876 square foot of accessory buildings. In addition, renovations include modifications to the existing dry grocery warehouse to provide a cooler/freezer of 364,450 square feet, modifications to the existing cooler/freezer of 167,000 square feet, modifications to the existing energy center, 4,700 square feet, and modifications to the existing office, 22,000 square feet. In addition, the Meijer is requesting a new truck access to 95th Street.

Just a little bit of background information, again, regarding the site. The site was previously developed as a wholesale grocery distribution center, supporting retail grocery stores in the southern Wisconsin and northern Illinois by SuperValu. Packaged dry groceries, frozen food, meat dairy and produce were shipped to the facility from suppliers throughout the country and temporarily stored in non-refrigerated and refrigerated warehouse buildings until such time as they are selected and loaded onto trucks and shipped to retail stores. The site was originally planned to be developed in phases with various types of building and pavement additions.

The property was purchased in December of 2012 by Meijer Distribution, Inc., for the property to be used for their wholesale grocery distribution center. Operation and use of the facility, referred to as the Meijer Western Distribution Center, will not be significantly different from the previous owner's operations within the exception of the increases in volume due to the proposed additions and the installation of an Automated Storage Recovery System and future conversion of a portion

of the freezer storage to refrigerated storage. Actually it's the other way around. It's actually they're converting refrigerated storage to freezer storage.

The property is currently zoned M-2, General Manufacturing District and there are no wetlands, shoreland areas or 100-year floodplain on the property. On January 14, 2013, the Village Plan Commission conditionally approved Preliminary Site and Operational Plans for mass grading and early footings and foundations for the construction of a distribution building for Meijer Distribution. On April 3, 2013, permit #13-03-017 was issued and work commenced on the mass grading and footing and foundations.

On May 28, 2013, the Plan Commission approved Final Site and Operational Plans for the petitioner to construct a 245,792 square foot distribution center building which includes the ASRS system, the welfare areas and the associated docks. On June 14, 2013, a permit was issued for the construction of the ASRS building and associated site improvements. With respect to their proposed project, they are requesting approval of a number of renovations and additions for the distribution facility as I indicated previously.

The hours of operation for the facility will be 24 hours per day seven days per week in varying degrees of activity. The office will operate daily in conjunction with the distribution business flow. The facility will not be open to the general public. Meijer trucks making deliveries to retail stores will depart throughout the day, seven days a week via a new truck entrance and exit to 95th Street. These loads will depart over a 24 hour period, with peaks being from 10:00 at night until 3:00 in the morning. These trucks and third party trucks will return throughout the 24 hour period seven days a week. And I think that there's been a slight modification because actually the Meijer trucks will be coming in and out of 95th Street, is that correct? And then the third party vendor trucks will be coming in and out of Highway 31.

With respect to the anticipated startup date and employee count, well, the facility is well under construction at this point. It's technically been closed since May of 2013. Operations are expected to restart by March 31, 2014. Full-time employees are estimated at 522 including third party labor, and part-time employees are estimated at 42 including the third party labor. Each area will operate with two planned 10 to 12 hour shifts six days per week with seasonal requirements to seven days.

With respect to site access and parking, the facility is being designed for incoming and outgoing trucks through the main entrance on 31 with Meijer outbound and inbound delivery trucks using 95th Street. So I'm not sure if you can see that on your information. 95th Street is along the south end on the slide, and the gray line right here that is the new inbound/outbound truck entrance and departure location for the Meijer trucks. I'm going to talk a little bit more about that in a few minutes, but I'll just get through some of the other comments.

A lot of this information you have received and seen before as with the original proposal back in January and then in April and May, so those things are not changing. They are following all the State codes and the Village local codes with respect to parking and access, and they're meeting all of those requirements. The parking areas, maneuvering lanes, fire lanes including the truck courts are all improved with concrete vertical curb and gutter. Location of parking lots, maneuvering lanes and fire access lanes including curb and gutter shall not be located within any easements. We've taken care of that. And they all need to meet the required setbacks of 20 feet.

This new access to 95th Street, as I indicated, aligns directly with the SCJ entrance to the south. They're going to have a little bit wider entrance, flared entrance, to allow for the incoming and outgoing trucks. There's actually a guard station that's going to be located in this vicinity. There's going to be a new one constructed at the north end as trucks come in from Highway 31, and there's one that's going to be constructed at this location. So all of the trucks that go down to 95th Street or enter from 95th Street these are Meijer trucks, and they're under the complete control of Meijer. And they have GPS tracking, and I can introduce the representative from Meijer can go into some of the details.

There were a couple of concerns raised with respect to the impact of additional traffic on 95th Street. As you know we are working on a TIA. Our Village engineer has been working on that with the consultants, and it looks like hopefully at the end of next month, August, we'll have that completed. And they are taking a look at this Meijer entrance. But Meijer has taken a number of the concerns that we've had early on into account. And, again, by putting a guard station further back it allows for the vehicles to come in off of 95th and to queue on this long entrance road. And, again, as the trucks come around and they come to the south they check in here before they can come down. So there's plenty of opportunity for queuing in both directions.

In addition, they have agreed to put a sign here that says basically no right turn. They also have indicated to us that, and I will introduce them to talk a little bit about this, but there is a GPS monitoring system where they can monitor every single truck wherever they go. It's a visual monitoring system and they track their miles that way and they get paid that way. So I mean it's a good system in order to track where the trucks are going.

If a problem develops we did mention to Meijer that a couple of different things. One might be a bullpen on the south end or staggering more of the time frames for the trucks coming in. Worse case scenario would be some type of decel lane. We really don't envision there to be a problem. But we will put it through the traffic study and have them do the analysis. I think that we determined that based on the number of trucks on the 24 hour period every five to seven minutes, something like that, a truck would be coming in and out. So, again, we intend to work with Meijer to make sure that there aren't any concerns or backlogs on 95th because we do rely on all four lanes of 95th Street in order to move the traffic.

A couple of the other details on page 5 talk about that anticipated traffic that we've been talking about since January. Average daily automobile traffic is projected to be approximately 564 cars per day, roughly 213 will enter through the truck entrance, actually at the north end. Future estimated totals average daily automobile traffic is projected to be approximately 480 per day and 624 on peak. Maximum truck traffic average is projected to average 320 per day, 416 on peak. Future estimated totals with full build out again their plans are to do subsequent expansions at this location could range from 480 per day and 624 on peak.

A couple of the other things that I had talked about, especially on the north end, is that they have widened the entrance. They have created a bullpen area for the staging of trucks. They're pushing the guard station further back to allow more trucks to queue on the property. Again, as part of the TIA we're also examining that intersection at Highway 31 at their main entrance as well.

A couple other minor modifications that they're making, they are making some adjustments to the stormwater basin that is located just to the west of the future entrance. We need to shift that over a little bit and consolidate it in order to get that access road through. And, again, the parking lot for their employees on the south end is not interconnected. It's not intended that employees here will go out this entrance. There is a separate entrance to the east that the office employees will be using at that location. I guess with that I'd like to just introduce the representatives from Meijer to answer any questions and maybe explain a little bit more about how they run their logistics for their trucking operations.

Rick Hershberger:

I'm Rick Hershberger, Director of Distribution for Meijer, 2929 Walker Avenue, Grand Rapids, Michigan. One thing I wanted to explain our logistics program is across our entire network, and we route all of our trucks through a GPS program. So the driver's are literally paid by the mile, they get turn by turn directions both in the cab and in our dispatch office. So we have a high level of accountability for every mile and every turn they drive. It's not unique to this site, it's how we run our business.

With that at the same time we have problems we're able to discipline up to and including driver termination. So full accountability for the Meijer fleet, and they account for 50 percent of all the traffic that this site will have. As far as the Green Bay entrance we have routing guides and carrier handbooks that have all the terms and conditions that a vendor or a carrier would be required to do business with Meijer up to the point of paying them. So when it comes to the routing we'll certainly put it in our guide expressing that they use Green Bay Road, and we have some leverage with the vendors carriers from the respect.

Any other questions you might have? As far as from a safety standpoint I'll just add that we have a better safety record than the national average. Avoiding the three railroad crossings going to the west is certainly one of the things that we'll continue to always make a focus.

Tom Terwall:

Anything further?

Don Hackbarth:

The only concern I have is as you go west on 95th Street and then either north or south on H that's two lane traffic. And like he said the railroad track is there.

Jean Werbie-Harris:

And that's one of the conditions is that the Meijer trucks will not be taking right hand turns coming out of this access. They need to go left.

Don Hackbarth:

So they'll go to 31 and --

Jean Werbie-Harris:

They're going to go left.

Don Hackbarth:

-- and then south and 165?

Jean Werbie-Harris:

A lot of the SC Johnson trucks go left so they go west, and they're trucks are going to go east to avoid that.

Tom Terwall:

Anything further?

Michael Serpe:

Unlike the last public hearing I feel pretty good about this one. I'm glad you guys got good approval from the City on the site where the store's going to go, and this site looks great. Looks very good. I'd move approval, Mr. Chairman.

Wayne Koessl:

I'll second, Mr. Chairman, subject to the conditions outlined by staff.

Tom Terwall:

IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY WAYNE KOESSL 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? So ordered. Welcome, gentlemen.

D. Consider a change of address for the house with an address of 5029 93rd Street that is inappropriately assigned to 5149 93rd Street.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is a request for a change of address. On July 15, 2013, the Village initiated the official change of address of 5029 93rd Street. It's the western most home on Outlot 4 of the Devonshire Subdivision because it will not fall within the proper address sequencing order. There's going to be a certified survey map that's going to be presented to the Village Plan Commission in the next few weeks. And that particular request will dedicate a portion of Cooper Road. And when Cooper Road is dedicated it will no longer allow this addressing sequence to fall in line with this particular home. At this point they're looking to keep that home that is on the south side just west of future Cooper Road.

There is a public hearing that is going to be scheduled before the Village Board on August 5, 2013 to discuss this proposed address change. The address is going to be proposed to be changed from 5029 93rd Street to 5149 93rd Street. And then the said changes would be effective after August 15, 2013. The Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the address change, again, for this western most home from 5029 93rd Street to 5149 93rd Street.

Don Hackbarth:

Move approval.

Jim Bandura:

Second.

Tom Terwall:

Jean, is this the residence that is currently vacant?

Jean Werbie-Harris:

They're all vacant but yes. I mean there's a couple that were boarded up, but this is the one when you head down Cooper Road it's just to the right. It used to have a deer standing right there if you remember that, but it's just to the right. But it will be occupied at some point in the near future.

Tom Terwall:

So when Cooper Road goes through it won't be there then will it?

Jean Werbie-Harris:

That one will. The one to the east would not. This one will remain. I don't know if you can see that on the slide. This is the house right here and this is Cooper Road. This house right here, I don't know if that's still there or if that's gone. That's still there. That one is boarded up. That one would need to be removed.

Tom Terwall:

WE HAVE A MOTION, IS THERE A SECOND? THERE WAS. IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD FOR THE CHANGE OF ADDRESS. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

E. Consider the request of Jonah Hetland of Bear Development agent for the owners of Lots 19 and 20 of the Westfield Heights Subdivision for a Lot Line Adjustment to add 5,312 square feet of land to Lot 20 from Lot 19 for the proposed development of Goddard School.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is a request of Jonah Hetland of Bear Development, agent for the owners of Lots 19 and 20 of the Westfield Heights Subdivision for a Lot Line Adjustment to add 5,312 square feet of land to Lot 20 from Lot 19 for the proposed development of Goddard School. The petitioner is requesting to adjust the lot line between Lots 19 and 20 of the Westfield Heights Subdivision.

Specifically 5,312 square feet of land is being adjusted and added to Lot 19. After the adjustment Lot 19 will be 109,212 square feet or 2.507 acres, and Lot 20 will be 56,784 square feet or 1.304 acres. The Lot Line Adjustment is being requested so that all the improvements associated with the Goddard School development on Lot 19 are all on that particular lot as conditionally approved by the Plan Commission on April 22, 2013. The proposed Lot Line Adjustment complies with the requirements set forth in the Village Zoning Ordinance and Land Division and Development Control Ordinance.

There is a representative here, Jonah, from Bear Development if you have any questions. Again, I'm not sure if it had to do with financing or it was just at the owner's request, but with respect to all of the improvements they needed to just be all on the respective lot. They couldn't be as an easement on the adjacent lot.

Tom Terwall:

Is there anything you wish to add?

--:

No.

Michael Serpe:

How many lots are left out there to be built?

Jean Werbie-Harris:

Two of theirs and then Dr. Durani's lot to the west. So there's two commercial lots that they have.

Michael Serpe:

I move approval.

John Braig:

Is Lot 19 unencumbered with any restrictions or buildings or structures? In other words it's a totally vacant lot?

Jean Werbie-Harris:

Yes.

Michael Serpe:

Move approval.

Judy Juliana:

Second.

Tom Terwall:

IT'S BEEN MOVED BY MIKE SERPE AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE LOT LINE ADJUSTMENT. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

7. ADJOURN.

John Braig:

So moved.

Judy Juliana:

Second.

Tom Terwall:

Motion and a second to adjourn. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Meeting Adjourned: 6:47 p.m.