

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
April 8, 2019**

A meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on April 8, 2019. Those in attendance were Michael Serpe; Mike Pollocoff; Wayne Koessler; Jim Bandura; Judy Juliana; John Skalbeck (Alternative #1); and Brock Williamson (Alternate #2). Deb Skarda and Bill Stoebig were excused. Also in attendance were Nathan Thiel, Village Administrator; Tom Shircel, Assistant Village Administrator; Jean Werbie-Harris, Community Development Director; Peggy Herrick, Assistant Village Planner and Zoning Administrator; and Aaron Kramer, Deputy Planner and Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER APPROVAL OF THE MARCH 11, 2019 PLAN COMMISSION MEETING MINUTES.**

Jim Bandura:

So moved.

Wayne Koessler:

Second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF THE MARCH 11TH MINUTES. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

- 4. CORRESPONDENCE.**

5. CITIZEN COMMENTS.

Michael Serpe:

Item A is a public hearing. If you wish to comment on that item you can hold it until that item is called. If there's anything else you'd like to approach this Commission on now is your time to do so. Anybody wishing to speak? Anybody wishing to speak? We'll close citizen comments. And before we go on just a reminder to staff and the Plan Commission last Friday was the 30th anniversary of the Village becoming incorporated. And we have a few people that were here at the time.

6. NEW BUSINESS:

A. PUBLIC HEARING AND CONSIDERATION OF A MASTER CONCEPTUAL PLAN to consider the request of Mark Eberle, P.E. of Nielsen, Madsen and Barber, agent on behalf of the Chabad Lubavitch of Kenosha, Inc. owner of the property located at 6939 88th Avenue for the construction of a 5,800 square foot synagogue to serve as a place of worship and study center along with a parsonage home to be known as the Chabad of Kenosha.

Peggy Herrick:

I'll be taking this item tonight. This is a public hearing and consideration of a master Conceptual Plan to consider the request of Mark Eberle, P.E. of Nielsen, Madsen and Barber, agent on behalf of the Chabad Lubavitch of Kenosha, Inc., owners of the property located at 6939 88th Avenue for the construction of a 5,800 square foot synagogue to serve as a place of worship and study along with a parsonage home to be known as the Chabad of Kenosha.

As you may recall, on December 18, 2017, the Village Board approved a Comprehensive Plan Amendment which was Ordinance 17-69 for an amendment to the Village's Comprehensive Plan related to the property, again, located at 6939 88th Avenue. Specifically, the Village Board amended a portion of the Prairie Lake Neighborhood Plan to include the proposed layout of the Synagogue and Learning Center development on this property. In December 2017, it was noted that the Land Use Map amendment and the Zoning Map amendment would need to be presented prior to the development of this site.

At this time the petitioner is requesting approval of a Master Conceptual Plan to develop the approximately four acre property located at 6939 88th Avenue with a synagogue which would be approximately 5,800 square feet.

Their mission is to serve Jewish persons living in Kenosha and its surrounding communities, regardless of their affiliation, level of observance or background. They will also look to be a partner in the broader community by sponsoring community wide public programs. Chabad's programs provide the education to promote Jewish knowledge and awareness and the means to practice and experience their Jewish heritage. It encourages every positive action on the part of every Jew and hopes to strengthen the Kenosha Jewish Community by promoting Jewish pride, study and celebration.

The synagogue building will include a social hall, library, classroom, offices, kosher kitchen, mikveh for ritual immersion and will include two guest stay rooms. The synagogue will typically be open to the public from 8:00 am to 5:00 pm with the main activities and worship being on Saturday mornings between 10:00 am and 1:30 pm. Any evening classes that would be held on the property would end before 9:00 pm.

The existing home and detached garage are intended to remain on the property and can be used for clergy, caretaker, or a place for members to spend the weekend due to religious driving restrictions, or as retreat for religious families that need a kosher facility. The tradition of not driving on the Sabbath which is between sundown on Friday and sundown on Saturday is currently being observed by about four parishioners and the petitioner who resides in walking distance from the property. The house cannot be rented as a single family home since the I-1 Institutional District allows only for specific limited residential uses associated with religious institutions. If this home is intended to be rented for a living unit not affiliated with the Synagogue, then the home shall be subdivided from the main property. Further discussion is warranted regarding this with the petitioner as to exactly what he's looking to do.

In addition, a parsonage home is proposed to be constructed on the site in a subsequent phase to the east of the existing residential home, and the attached garage currently on the site would be used for storage for the property. This future 2,400 to 3,500 square foot parsonage home would be for clergy. It is anticipated that there would be one full-time and four part-time employees. The prayer hall is proposed to have regular seating for about 50 on a regular basis, however they anticipate that number to be lower. On holidays or special events the facility could accommodate 100 persons.

Access and Parking: The land to the north which is Outlot 1 of CSM 1928 is owned by the Village. It has some underground storm sewers that collect storm water from portions of 88th Avenue and 68th Street and outlets into a wetland on this property. The Village also has a lift station, or I believe it's a lift station on that property as well right adjacent to 88th Avenue. The Village staff supports a driveway access connection to the synagogue to 68th Street as shown, however an easement will need to be granted, and detailed engineering would need to be completed for review and approval on this connection.

A traffic report was completed by TES, Inc., for the development of this property and the future land to the north wherein approximately 14 single family lots could be developed north of 68th Street with no connection to the development in the City. It was determined that a stopped condition at 68th Street will be sufficient for this use and the development of the vacant nearby land. The site provides 25 parking spaces including two handicapped accessible parking spaces. Additional parking is provided at each of the two housing areas on the site as well. The Village did receive a memo from Kenosha County on Friday, and they have no objection to the access shown with no connection to 88th Avenue.

Wetlands and Stormwater: The interpolated wetland maps indicated that the rear portion of the property and the Village land to the north may be wetlands, therefore, a detailed delineation was completed in June of 2018 by Thompson and Associates Wetland Services, LLC. They are a Wisconsin Assured Biologist, and that new staking is shown on the plans. More wetland were found on the site than shown on the interpolated wetland maps. As a result approximately 10,000 square feet of wetlands is intended to be filled to allow for an access to the site from 68th Street.

Permits from the DNR and Army Corps of Engineers is required to be obtained to fill any wetlands. In addition, an onsite storm water retention basin will be located on the property south and east of the synagogue building outside the wetlands as shown on the slide.

Public Infrastructure: The buildings will be required to connect to municipal sewer and water. Municipal sewer is available within the existing adjacent roadway. The Village will be extending municipal water along 88th Avenue in the near future. The extension is being completed in part due to the Wisconsin DOT's State Trunk Highway 50 road reconstruction project which includes work along 88th Avenue both north and south of Highway 50. The DOT is still working on completing the design and right-of-way acquisitions for the overall project, including additional right-of-way along 88th Avenue.

The current schedule for the Wisconsin DOT is to complete the design by fall of 2020 and bid the project in spring of 2021. The Village's water main work is planned to occur ahead of the DOT road reconstruction work; however, the water main work is dependent on the DOT completing the necessary applicable right-of-way acquisitions for the work to occur. As such, the Village does not have a definitive date for the water extension. An update as to the Village's planned water main construction schedule will be provided when additional information is known regarding the State Trunk Highway 50 project from the DOT. Properties fronting the water main extension including this property along 88th Avenue will have a special assessment for their associated frontage cost.

Land Use and Zoning: This use, a place of worship, is only allowed in the Institutional District with further approval of a Conditional Use Permit. The Conditional Use Permit is usually considered at the same time that the required detailed Site and Operational Plans are submitted. As you are aware, detailed Site and Operational Plans include detailed grading and drainage plans, detailed landscaping plans, detailed building plans, lighting plans, signage and all the various components of the detailed plans.

The Land Use Plan and the Zoning Map will be required to be amended. The land use map amendments would include changing the land use to the Institutional and Governmental designation and the field delineated wetlands including any wetlands allowed to be filled into the Park, Recreation and Open Space land use designation with field delineated wetland designations. The property will also need to be rezoned into the I-1, Institutional District, and the wetlands into the C-1, Lowland Resource Conservancy District. If the existing single family home is to remain as a rental property and subdivided into a separate parcel that would remain in the R-4 District.

In addition, the entire site would be located within a Planned Unit Development thus would require a Zoning Text Amendment as well. Developing the site as a PUD will allow for some flexibility with some dimensional requirements provided that there is a defined community benefit. Based on this Conceptual Plan the following dimensional variations are proposed:

- To reduce the setback to the wetlands for the parking area to approximately 10 feet from the required 25 feet. The exact dimension will need to be verified on their detailed plans pending approval from the DNR and the Army Corps for any filling of the wetlands.
- The other reduction is the side setback to the property line to the north that houses the Village's lift station. They are looking to reduce the setback to 15 feet from the 25 foot

setback. That's right up in the corner, the northwest corner of their building to the corner of that lift station area.

In consideration of the dimensional variations the following community benefits will be required and include to reduce the monument signage not to exceed 5 feet high; enhance building design with greater architectural appeal including brick materials and other details that blend in with the residential character of the neighborhood. We're looking not to have flat roofs or metal roofs; provide additional landscaping on the site adjacent to the public roadway and the surrounding residential properties; equip the main building with a fire sprinkler system; and install and maintain the required Digital Imaging System which is the DSIS pursuant to Chapter 410 of the Village Municipal Code.

These amendments shall be submitted at the same time that the required Site and Operational Plan and Conditional Use Permit application is submitted. Again, prior to consideration, wetland fill permits shall be obtained from the DNR and the Army Corps of Engineers as proposed. The Land Use Map amendment and the Zoning Map amendments will correctly show the wetlands which also require the public hearing. This is a matter for public hearing, and the petitioner is in the audience.

Michael Serpe:

This is a matter for public hearing. Anybody wishing to speak? Anybody wishing to speak? We'll need the name and address for the record.

Tzali Wilschanski:

Tzali Wilschanski, 6522 87th Avenue. I'm here to answer any questions anyone has on the project.

Michael Serpe:

Okay, we'll see where that goes. Thank you. Anybody else wishing to speak? Yes, ma'am?

Debra Nicolazzi:

Debra Nicolazzi, 7006 88th Avenue. I just have some questions about the water. At the last meeting they had said that they were going to run the water from 89th Avenue down 70th Street to 88th Avenue. Is that still going to happen? It sounds now like it's coming down 88th Avenue.

Michael Serpe:

I think Matt can answer that question.

Matt Fineour:

[Inaudible] from close to Highway 50 going straight north. And then it is taking a job off to, what's the name of the street --

Peggy Herrick:

70th Street, are you talking where the yellow line is?

Matt Fineour:

Yup.

Peggy Herrick:

That's 70th Street.

Matt Fineour:

70th Street. So it's going to go west on 70th Street to make a connection to the existing water main. So on the map there what you see in yellow is going to be the proposed water main extension.

Debra Nicolazzi:

Okay, and do you know which side of 70th Street the water is going to be going down?

Matt Fineour:

I have to check. I think it's the north because the existing water main is on the north side.

Debra Nicolazzi:

Okay, thank you.

Michael Serpe:

Thank you. Anybody else wishing to speak? Anybody else? We'll close the public hearing and open it up to comments or questions. Jean or Peggy, at what point do we talk about these houses that are either going to be rented, not rented? At what point does that discussion come in?

Peggy Herrick:

At this point I think they're leaning towards not being rented as part of the synagogue property. At time of their final site and operational plans and their planned unit development that would have to be decided as to which route they're going to take. If they decide it's going to be just the rental property they would need to do a Certified Survey Map and split that off. But I think at this time in talking with them as late as last Friday that they're intending to make this a part of the synagogue facility.

Michael Serpe:

Wayne?

Wayne Koessl:

Mr. Chairman and the Plan Commission, I had some reservations about the egress and ingress into that property. But the last plans I see I see that it's going to be workable so we won't have a problem anymore.

Michael Serpe:

Any other comments or questions?

Wayne Koessl:

If not, Mr. Chairman, I'll make a motion that the Plan Commission send a favorable recommendation to the Village Board to approve the Master Conceptual Plan subject to the comments and conditions of the April 8, 2019 Village staff report.

Jim Bandura:

Second.

Michael Serpe:

MOTION MADE BY WAYNE KOESSL AND SECONDED BY JIM BANDURA FOR APPROVAL OF THE MASTER CONCEPTUAL PLAN. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you. Welcome.

B. Consider the request of Richard Grabowski, agent on behalf of STAG Industrial Holdings, for approval of the Site and Operational Plans for a 96,208 square foot speculative industrial addition to the building located at 10411 80th Avenue.

Aaron Kramer:

Hello, I will be presenting this one. The next item is STAG Industrial Holdings intends to expand the existing building and site improvements on the property located at 10411 80th Avenue currently occupied by Doheny Enterprises to construct a 96,208 square foot speculative addition to the 16.67 acre site.

The speculative expansion would allow for the building to be subdivided into multiple tenant spaces. The two existing access points on the site will remain. The site will provide for an

additional 81 parking spaces including four handicapped accessible spaces and 20 dock doors on the south side of the building for a total of 32 dock door spaces for the site overall. In addition, 29.9 percent of the site will remain open space.

Storm water for the development is accommodated through an onsite drainage system which drains to the regional retention facilities within the LakeView Corporate Park to the north of the property. It is anticipated that the construction on the addition will begin this spring or early summer of 2019 and would be completed roughly in the winter and spring of 2020. There is user identified for this space at this time. So at this time I do believe that the representative for the STAG Industrial Holdings, the applicant and the architect are in the audience and able to take questions.

Michael Serpe:

Do you have anything to add to this? Name and address for the record.

Seth Malamut:

My name is Seth Malamut. My address is 195 Beaver Dam Road, Scituate, Massachusetts. And I'm in-house counsel for STAG Industrial. I just thought I would take an opportunity to introduce myself and the company. STAG is a publically traded real estate investment company. We're on the New York Stock Exchange. And we actually already own in Pleasant Prairie the [inaudible] building in the park, and we own about four million square feet spread across 20 buildings in Wisconsin. We tend to buy buildings just like this one, and what's unique about this building for us is that we're intending to develop and expand it. That's not something that we ordinarily do. We do it only in really unique occasions where we find a site in a location that we really believe in, and that is exactly what we have here. So we intend to build this out just as you see. We don't have a tenant identified yet, but we do have a broker who is listing the space. We believe in this park, and we think we're going to lease this up and have a good long-term tenant. We did receive the comments, thank you for those. We'll be working through those with Village staff if we're able to move forward here tonight.

Michael Serpe:

Thank you. That building was just completed less than a year ago?

Seth Malamut:

I believe that's right. It was actually completed I think more than a year ago, but Mr. Doheny's business plans changed and we were able to --

Michael Serpe:

You can tell the economy is doing better when we start adding on buildings before the concrete is dry.

Seth Malamut:

Right, thank you.

Michael Serpe:

Thank you. Comments or questions from the Commission?

Brock Williamson:

Is Doheny looking to move out, or they're just adding on to it to have a separate tenant and it's cheaper to add onto a building than start a new building.

Seth Malamut:

No, Mr. Doheny is planning to have this as his long-term headquarters. He lives in the area, and this is his family business. He had originally intended to do the expansion himself and consolidate all of his out parcels into this building. But that business model changed, and so he's planning on staying in the existing area he has. It's actually a quite nice facility he built there, and he's aware that we're going to be putting in a new tenant in the vacant space.

Michael Serpe:

Thank you. Any other comments or questions? What's your pleasure?

Jim Bandura:

Move for approval.

Judy Juliana:

Second.

Michael Serpe:

MOTION MADE BY JIM BANDURA AND SECONDED BY JUDY JULIANA FOR APPROVAL OF THE SITE AND OPERATIONAL PLAN. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you and welcome.

C. Consider approval of a Lot Line Adjustment for the requests of Scott Kanalakis and Bradley Bohat owners of the properties located at 8415 104th Avenue and 8436 103rd Avenue to adjust the common lot line between the properties.

Peggy Herrick:

So this is a lot line adjustment request of Scott Kanalakis and Bradley Bohat, owners of the property located at 8415 104th Avenue and 8436 103rd Avenue. They are looking to adjust the common lot line between these properties.

A portion of the property at 8514 104th Avenue that's 140 feet by 62.41 feet was erroneously omitted as an exception in the legal description in deed in satisfaction of land contract for that property at 8436 103rd Avenue.

In working with the owners and their respective attorneys, it was discovered that the land contract dated September 15, 1992 excepting this portion from the legal description, but the 1995 deed in satisfaction omitted this exception. Furthermore, a fence was erected in 1992 along the common lot line described in the land contract, and since that date both adjoining property owners have used their properties as if the fence line were their common lot line. Both property owners have agreed to adjust the common property line to reflect the legal description in the land contract and respective owner's use thereafter.

The properties are zoned R-5 which is Urban Single Family Residential. The lots after the adjustment will exceed the minimum lot area of 10,000 square feet as required in the R-5 District. Therefore, the Lot Line Adjustment, will comply with the requirements set forth in the Zoning Ordinance and the Land Division and Development Control Ordinance. If you look on the overhead the area that's in gray is going to be added to the property on 103rd Avenue as they have been using that as their own for quite some time. So staff does recommend approval of the Lot Line Adjustment as presented.

Michael Serpe:

Comments or questions?

Mike Pollocoff:

Mr. Chairman, I'd move that the Lot Line Adjustment be approved as presented.

Jim Bandura:

Second.

Michael Serpe:

MOTION MADE BY MIKE POLLOCOFF AND SECOND BY JIM BANDURA FOR APPROVAL OF THE LOT LINE ADJUSTMENT. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Jean, just a comment. I like this format. Spread the wealth around a little bit. This is kind of nice.

7. ADJOURN.

Wayne Koessl:

So moved.

Brock Williamson:

Second.

Michael Serpe:

Motion made and seconded for adjournment. All those in favor say aye.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you.

Meeting Adjourned: 6:24 p.m.