

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
May 13, 2019**

A meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on May 13, 2019. Those in attendance were Michael Serpe; Mike Pollocoff; Wayne Koessl; Deb Skarda; July Juliana; Bill Stoebig; John Skalbeck (Alternative #1) and Brock Williamson (Alternate #2). Jim Bandura was 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. CORRESPONDENCE.**
- 4. CITIZEN COMMENTS.**

Michael Serpe:

We have two items here that are a public hearing, one or two, and if you wish to address this Board on either one of those items that are a public hearing you can wait until that item is called. If there's anything else you'd like to address this Commission on now is your time to do that. Anybody wishing to speak? Anybody wishing to speak? We'll close the public hearings.

- 5. NEW BUSINESS:**

Michael Serpe:

We're going to take Item A and B together, though we'll take separate actions on both.

- A. Consider the request of Jeff Raduechel, agent on behalf of Riverview LLC for approval of two Certified Survey Maps and Memorandum of Understanding including TID 7 Public Improvements Plans for sanitary sewer mains, lift station, water mains, roadway improvements including street lights and street trees within Stateline 94 Corporate Park.**
- B. Consider approval of Preliminary Site and Operational Plans for the request of Jeff Raduechel, agent on behalf of Riverview LLC owners of the property located at the northeast corner of 120th Avenue (East Frontage Road) and 122nd Street (CTH ML) for the building shell and associated site improvements for the development of a 590,525 square foot manufacturing facility for Fresenius Kabi.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, we have two items on the agenda. The first is the request of Jeff Raduechel, agent on behalf of Riverview LLC, for approval of two Certified Survey Maps and Memorandum of Understanding including TID 7 Public Improvements Plans, and this is for sanitary sewer mains, lift station, water mains, roadway improvements including street lights and street trees, and this is within Stateline 94 Corporate Park.

And the second item related to this petition is the Preliminary Site and Operational Plans also at the request of Jeff Raduechel on behalf of Riverview LLC. Again, this property is located at the northeast corner of 120th Avenue or the East Frontage Road and 122nd Street which is County ML, and this is for the building shell and associated site improvements for the development of a 590,525 square foot manufacturing facility, and this is for Fresenius Kabi.

These items are related and will be discussed at the same time, however separate motions will be asked for by the Plan Commission.

The petitioner recently created Stateline 94 Corporate Park and is working on plans to install infrastructure which includes the lift station, sanitary sewer, water and roadway improvements including street lights and street trees. This is for the development of a new corporate park. In addition, the petitioner is requesting to begin construction of the building shell and the site improvements for the first building in the Park which is a 590,525 square foot manufacturing facility for Fresenius Kabi. And this is to be located, again, at that northeast corner of 120th Avenue which is the East Frontage Road and 122nd Street.

The Stateline 94 public improvements and CSM, the roadway improvements, a traffic impact analysis was completed as part of the Village LakeView West traffic analysis. The TIA was updated by the Stateline 94 developer. The TIA was then approved by Wisconsin Department of Transportation for the Stateline 94 Corporate Park. At this time as part of the development certain improvements shall be made at the intersection of 120th Avenue and 122nd Street, as well as turning lanes at the entrances to the Fresenius Kabi development site. Additional roadway improvements will be required when additional land in the corporate park is developed as they head northward.

The Village with the assistance from the developer has submitted a Transportation Economic Assistance TEA grant application to the DOT. And this is for the request of financial assistance for the off-site public East Frontage Road improvements which is subject to creation of jobs and a jobs guarantees with the state. The application is currently under review with the Wisconsin DOT.

For the public sanitary sewer and lift station improvements, public sanitary sewer will be extended south from the end of 116th Avenue which is near Breeze Terrace at the north end of the map, south through the corporate park within easements to the new lift station to be located adjacent to 120th Avenue. The lift station will be constructed by the developer, upon completion and acceptable will be owned and maintained by the Village. The sanitary sewer will continue south to service the Fresenius Kabi site with sewer extension that could be further extended to service lands that are south of 122nd Street and to service land east of 120th Avenue which is actually west of Fresenius Kabi site.

Public water improvements, public water main and related appurtenances will be extended within 120th Avenue from 108th Street shown just west of Premium Outlets to 122nd Street and along 122nd Street east to the end of the Corporate Park.

TID project plan impact, this development will need to be in compliance with the overall Development Plans and TID #7 Project Plan for the Stateline 94 including its Development Agreement. In addition, the Village will enter into a Memorandum of Understanding referred to as an MOU for the installation of the public improvements which includes everything I had mentioned earlier, the lift station, sanitary sewer, water and roadway improvements, including public street lights and street trees. The attached draft MOU and the exhibits shall be finalized and executed prior to the installation of any of the required public improvements. In addition, the TEA Grant would need to be approved by the DOT prior to any roadway improvements being publicly bid.

With respect to the Certified Survey Maps, there are two Certified Survey Maps being presented at this time. The first CSM creates a 46.899 acre property, and this is for the development of the Fresenius Kabi facility at that northeast corner of 120th Avenue and 122nd Street. It also dedicates additional right-of-way on County Trunk Highway ML, dedicates sanitary sewer easements for the public sanitary sewer and dedicates additional easements related to their development.

The second CSM creates three parcels and dedicates required easements for the aforementioned public sewer and water improvements.

- Parcel 2 is 11.333 acre parcel and is located on the west side of 120th Avenue. This lot is currently primarily wetlands and primary environmental corridor.
- Parcel 3 is 230.159 acres. This parcel as you can see on the map is very large, and it's subject to further land division when additional development is being proposed. However required easements for municipal sewer and water are being dedicated for these improvements within this lot to service the corporate park.
- Parcel 4 will be created for the required lift station sit, and this is located, it's a smaller triangle sized parcel, adjacent to the east side 120th Avenue. This parcel will be transferred to the Village; however, the developer will construct the lift station. Upon Village's acceptance of the lift station construction, the ongoing maintenance will be the responsibility of the Village. Parcel 4 shall be expanded so that it has frontage on a public street and includes the entire lift station improvements. Currently it looks like the parcel that they were going to create just kind of floats out there, but it really does need to connect directly to 120th Avenue. And we've noted that in our staff comments.

So the second item on the agenda related to this project is the Fresenius Kabi Preliminary Site and Operation Plans. This is proposed to be their new regional office and pharmaceutical processing facility. On March 11, 2019, the Plan Commission conditionally approved Preliminary Site and Operational Plans to begin the mass grading for the proposed new regional office and processing facility for Fresenius Kabi. This approval tonight would allow for additional site improvements

and to allow for the construction of the building shell. Final Site and Operational Plan approval will be required for interior building plans along with their final signage plans.

Fresenius Kabi is a global healthcare company specializing in lifesaving medicines and technologies for infusion, transfusion and clinical nutrition applications. Their products and services are used to help care for critically and chronically ill patients, and the company is committed to putting essential medicines and technologies into the hands of the people who help patients find the best answers to the healthcare challenges they face. Fresenius Kabi provides high-quality products with one of the most comprehensive product portfolios for core therapeutic areas.

Fresenius Kabi is a licensed facility by governing bodies such as Board of Pharmacy, Drug Enforcement Agency and is operated as a Verified Accredited Wholesale Distributor Site all of which require strict policies and procedures for the movement and handling of products, as well as a highly trained team of associates to administer the process. The entire facility will be operated in a validated temperature controlled environment and Schedule II controlled substances handling and areas which require a DEA registered vault. In addition, the facility will be a secure environment with card readers, camera systems and full-time security.

The property is zoned M-5, Production and Manufacturing District. The M-5 District provides for manufacturing, assembly, office, and research and development uses with limited warehouse and distribution uses within an enclosed structure wherein no high hazard uses are allowed. The M-5 District limits the storage and distribution areas to not more than 30 percent of the building and not more than 25 percent of the exterior linear footage of the building be used for dock doors. Fresenius Kabi's intended use and building design meets the requirements of the M-5 District, and the building provides the following uses:

- Office areas: 16,264 square feet
- Cooler Storage: 4,838 square feet
- Controlled Vault: 46,000 square feet
- Processing Area for Receiving: 81,395 square feet
- Raw Material and Finish Products for Assembly Packaging: 334,319 square feet
- Processing Area for Packaging and Assembly: 79,349 square feet
- Circulation: 28,552 square feet

The hours of operation are intended to be from 4:00 a.m. to 11:00 p.m. with two shifts, and it is estimated that at start up there will be 100 employees, and that number could reach up to 164 employees by 2028. These workers will be skilled in operating equipment as well as all regulations related to CGMP, Drug Supply Chain Security and DEA requirements. They have a full electronic training system that ensures employees are trained on appropriate policies and procedures for their particular job function. There are 200 parking spaces including handicapped accessible spaces, 25 truck parking spaces and 44 dock doors. It is estimated that there will be approximately 500 automobile trips and 166 truck trips per day.

Fresenius Kabi operations are such that materials arrive on the north side of the facility, are processed and packaged in the center and then leave the building on the opposite side thus having dock doors on both the north and south sides of the building. As such dock doors will face 122nd Street. The M-5 district requirements allows for dock doors, in fact, to face a public street only

under special circumstances with an approved screening and maintenance plan as approved by the Plan Commission. And you can see the outline and what we have talked about before with respect to the landscaping, the screening by way of fencing as well as berming and the other elements that are being proposed in order to screen those dock doors.

No truck traffic will exit the property to the south. The western access to 122nd Street is for passenger vehicles of the employees and visitors, and the eastern access to 122nd Street is a gated emergency access only. The dock doors facing south will be screened from view on 122nd Street. The building will be approximately 15.5 feet below 122nd Street. And a composite privacy fence, as I mentioned, with substantial landscaping including ornamental trees, evergreens and shrubbery will also be installed along the southern property line to further screen the dock area from 122nd Street. Fresenius Kabi is planning to take occupancy of the building in April of 2020.

With that we have representatives here from Stateline 91, Jeff Raduechel and Mark Goode and their team if you have any questions or for them to make a further presentation.

Michael Serpe:

Jeff or Mark do you have anything to add? Just name and address for the record please.

Mark Goode:

Mark Goode, Venture One Real Estate, 9500 Bryn Mawr, Rosemont, Illinois. I just want to say we've really appreciated working with your staff. For those of you who don't know this is the first day the sun's been out so we have some equipment moving on the site, so we appreciate you giving us permission to do that before we got the final plan approval. We also have three people here from Fresenius Kabi that have come to the meeting both on the operations side and corporate side. If you need to ask them a question they're here to do it, but they just wanted to show their support and appreciation for being here in the community. I'll take any questions if you have any.

Michael Serpe:

Thank you. If we have any questions we'll call you or the representatives up. That being said comments or questions from the Commission?

Mike Pollocoff:

Mr. Chairman, I have one question about the use. I was wondering if one of the representatives from Fresenius would be available for a question.

Michael Serpe:

Name and address if you would please.

Brian Cohns [phonetic]:

My name is Brian Cohns. My business address is Three Corporate Drive in Lake Zurich, Illinois.

Michael Serpe:

Thank you.

Michael Serpe:

Thank you, Brian. Welcome to Pleasant Prairie. And thank you for the proposal that you're submitting for us. I think it's a lot of promise for the community. But I want to make sure that we don't miss each other in the night on some of the uses. At our last meeting where we brought it up it was identified as we have it tonight as one of our M-5 uses. And subsequent to that there was a correction put out by Fresenius that it was a distribution center. So I think it's important for the Village's zoning classification with this being an M-5 use, and granted there is some specific definitions on the number of doors and everything, but I guess I'd like to hear how you view this as a use for you.

Brian Cohns:

Yeah, so Fresenius Kabi provides product predominantly into clinics and hospitals is where we provide product. What we do is we bring product into our facilities from a host of different areas, whether that is domestically or internationally. And we go through QA processes where we process these items, and we do checks for labeling and quality of the materials to ensure their efficacy and safety to our patients.

What we do at that point in time is we stock those products onto our shelves. And then what we do is we go through processing of very specific controls of what people are ordering. So people can order specific batch numbers, they can order specific serial numbers from us. And it's up to our people to make sure that we're processing those specific items going out to our customers. If you think about these products you won't see them in a CVS, you won't see these in a Walgreens. These are something that it's for really chronically and critically ill patients in hospitals who are the ones who are ultimately using our products.

Mike Pollocoff:

So it's not a repackaging effort, right?

Brian Cohns:

Repackaging is a different situation when you're talking about pharmaceuticals. And, no, we're not going to be licensed as a repackaging facility at this point in time.

Michael Serpe:

So it's strictly almost distribution?

Brian Cohns:

Yes, so we put product out right now to wholesalers, but we also ship directly into hospitals. So we've got kind of a unique business model of how we move product into the channels. But predominantly we're moving product into a wholesale channel. If you're familiar with the Cardinal Healths, the McKessons, the ABCs are a lot of our customers right now.

Bill Stoebig:

Is the product mostly liquid or solid?

Brian Cohns:

Mostly liquid. Predominantly we move -- all of our products are manufactured in either a vial or they're manufactured in a syringe format. And then recently we're starting to get into bags. So if you can imagine you're in a hospital and you've got the bag that is hanging there, we're getting into that pretty heavily at this point.

Michael Serpe:

Are there any plans in the future for packaging at all?

Brian Cohns:

Packaging gets into a whole other set of licensing and protocols that we go into. And at this point in time we're not looking at that necessarily.

Michael Serpe:

Do we have questions?

Mike Pollocoff:

It's on the edge. I don't want to be in a situation where we're walking something back after we've said yes. And I think based on the early representations from the developer that this would be an assembly activity of --

Brian Cohns:

We do do some assembly work. We have done -- we're not licensed as a repackager, but in the case of protocols where I've had to reprocess something, I have reprocessed something under what's called a protocol in the pharmaceutical business. And we've done some type of work where we're adding some type of labeling to it. Or as an example we had in the history we had a product that we needed to add a little needle to it, and we added the needle at the facility.

Mike Pollocoff:

All right. That being said I think the ordinance speaks for itself. And I believe under our development agreement that we have with the developer, if for some reason that changes, if you guys expand into a different area and you go to a different building the subsequent use would still have to be manufacturing. I'd recommend approval subject to any other motions or questions.

Michael Serpe:

Make the motion and we can talk on it.

Deb Skarda:

I have a question to staff about clarification on some of the documentation, though.

Michael Serpe:

I'm sorry?

Deb Skarda:

I have a question. So on Page 4 it says Item F recommendation, should that be Item A and B just to make sure that we're -- okay A and B and then it's got the Memorandum of Understanding just to make sure our documentation is squared up.

[Inaudible]

Deb Skarda:

All right, no problem. I just wanted to make sure.

Michael Serpe:

Just a reminder to the Commission members bring your microphones closer to your mouth so people can hear. Thank you. Anybody else got any questions?

Mike Pollocoff:

I'd like to make a motion that we approve the Certified Surveys as presented along with the Site and Operational Approval for Fresenius Kabi. And as part of this motion just so I make sure it's not so much for Fresenius Kabi but going in the future, I would really prefer to see as we had Fresenius here tonight, as Venture One goes ahead with their development, I think it would be important for the Commission in the earlier steps of these development proposals to have the actual business or user to be here so that we're relying on their representations rather than the people selling the land. That would make everything on a clear footing going forward. So that would be my motion.

Michael Serpe:

So your motion is for the Certified Survey maps, the MOU and TID 7 improvements?

Mike Pollocoff:

Yes.

Michael Serpe:

Is there a second to that?

Judy Juliana:

Second.

Michael Serpe:

**MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY JUDY JULIANA FOR
ITEM A, THAT'S THE CERTIFIED SURVEY MAPS, THE MOU AND TID 7
IMPROVEMENTS. ALL THOSE IN FAVOR SAY AYE.**

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Item B?

Wayne Koessl:

If there aren't any questions, Mr. Chairman, I would move that the Plan Commission approve the Preliminary Site and Operational Plans subject to the comments and conditions of the Village staff report of May 13, 2019.

Michael Serpe:

Is there a second?

Judy Juliana:

Second.

Michael Serpe:

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

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you. We'll take Items C and D together. Item C is a public hearing, we'll take comments on both C and D but separate action on both.

- C. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT for the request of Brian Dunn of Mead & Hunt on behalf of Haribo of America Manufacturing, LLC owners of the vacant 136.8 acre property generally located at the southwest corner of 120th Avenue (West Frontage Road) and CTH C to amend Haribo Corporate Campus Development Planned Unit Development Ordinance related to roof top screening.**
- D. Consider Preliminary Site and Operational Plans for the request of Brian Dunn of Mead & Hunt on behalf of Haribo of America Manufacturing, LLC for preliminary development plans for the vacant 136.8 acre property generally located at the southwest corner of 120th Avenue (West Frontage Road) and CTH C.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, the first item, Item C, is the consideration of a Zoning Text Amendment for the request of Brian Dunn of Mead & Hunt on behalf of Haribo of America Manufacturing, LLC, owners of the vacant 136.8 acre property generally located at the southwest corner of 120th Avenue or the West Frontage Road and County Trunk Highway C to amend the Haribo Corporate Campus Development Planned Unit Development Ordinance related to roof top screening.

And Item D, consider Preliminary Site and Operational Plans also at the request of Brian Dunn of Mead & Hunt on behalf of Haribo of America Manufacturing, LLC, and this is for the preliminary development plans for the vacant 136.8 acre property generally located at the southwest corner of 120th Avenue and County Trunk Highway C. Again, these items are related and will be discussed at the same time, however separate actions are required.

The petitioner is proposing to develop a 136.8 acre property in phases generally located at the southwest corner of 120th Avenue or the West Frontage Road and County Trunk Highway C or Wilmot Road with a new corporate campus for Haribo to better serve the U.S. market. The corporate campus facilities will include food processing/manufacturing of candy and confectionery products, Gummy Bears and other Haribo products; warehouse and distribution buildings including a high bay warehouse to house finished goods awaiting shipment to other

distribution facilities; potentially research and development and central administrative offices; retail stores, promotional and related services and uses for their employees and promoting the Haribo products; as well as other related ancillary uses such as daycare and fitness centers, a museum, a possible heliport, and gatehouses.

The petitioner continues to develop the plans for the Haribo campus development and at this time is requesting approval of an amendment to the existing Haribo Planned Unit Development Ordinance and to have the Plan Commission consider Preliminary Site and Operational Plans as they continue to develop their final plans.

With respect to previous approvals, on May 7, 2018 the Village Board approved the following:

- Comprehensive Plan Amendments, Ordinance 18-15, that amended the Village of Pleasant Prairie, 2035 Comprehensive Land Use Plan Map 9.9 to change the Freeway Oriented Business Center commercial land use designation to the Production Manufacturing Industrial land use designation and to correctly show the location of the field delineated wetlands within the Park, Recreation and Other Open Space lands with the field verified wetland land use designations.
- Master Conceptual Plan for the construction of a new manufacturing facility to produce Gummy Bears and other Haribo products.
- Zoning Map and Text Amendments, Ordinances 18-16 and 18-17, to rezone the field verified wetlands into the C-1, Lowland Resource Conservancy District, to rezone all non-wetlands areas into the M-5 District, to rezone the entire property into a Planned Unit Development District and to create the specific PUD ordinance for the development.

With respect to their Preliminary Site and Operational Plans this evening, the Haribo campus development is proposed to be developed in phases and at full build-out may include a production and distribution facility, administration offices, museum, daycare, fitness area, parking structure and a possible heliport. At this time, the first phase of construction is anticipated to include:

- 602,000 square foot manufacturing facility, three 3 stories, with an administrative support building, four stories;
- 162,500 square foot buffer warehouse building;
- 6,400 square foot fire pump utility building;
- 2,900 square foot central utility building;
- 2,170 gate house for the buffer warehouse building; and
- 640 square foot wastewater pre-treatment building

It is intended that upon completion of phase 1 there would be 450 employees working three shifts five days per week. The manufacturing, production, distribution, maintenance and related activities are intended to operate 24 hours a day. In the future it is planned that the areas open to

the general public will be open regular business hours generally from 8:00 a.m. to 5:00 p.m. Construction of this initial phase is anticipated to start in the fall of 2019 with major construction of the buffer warehouse to be completed in the fall of 2020 and the phase 1 manufacturing facility to be completed in the fall of 2021.

Under public improvements, site access and parking, the public improvements including the stormwater facilities are currently under construction by the Village of Pleasant Prairie within the Prairie Highlands, and all improvements are expected to be completed by October, 2019.

Goldbear Drive will serve as the primary public roadway providing access to the Haribo entrance for visitors and employees. The driveway access to Haribo at 120th Avenue which is the West Frontage Road will be utilized for truck access and employees working at the warehouse and distribution portions at the north end of the campus. A third emergency gated driveway access will be from 128th Avenue for employees. A fourth gated entrance from 128th Avenue will lead to the utility buildings. The driveway connection to the West Frontage Road will require that a small dedication of land be made to the Village as public right-of-way in order to allow for a wider than 35 foot driveway entrance at 120th Avenue.

There will be no direct driveway access from Haribo to County Trunk Highway C which is Wilmot Road and no direct connection of 128th Avenue north from the corporate park to Highway C through the Villages of Bristol and Pleasant Prairie right-of-way at this time. Within the corporate park 128th Avenue will be constructed and terminate in a cul-de-sac to provide access to the new water tower. The construction access for the Haribo development will be from 120th Avenue which is the Frontage Road and Goldbear Drive.

There are 431 parking spaces including 23 handicapped accessible parking spaces with 12 truck parking spaces as part of the phase 1 development. The average daily automotive trips are proposed to be 450 per day with the average daily truck trips proposed to be 40 per day for phase 1.

With respect to the Zoning Text Amendment, the petitioner is requesting a minor an amendment to the existing Haribo Planned Unit Development Ordinance which is the PUD for roof top units to be screened by parapet walls and screen walls as they have shown on their attached PUD Exhibit C. Haribo is requesting the PUD modifications due to the proposed size configuration of their campus and other physical attributes of their proposed property including but not limited to the parcel topography and visibility from nearby public roadways.

With that this is a public hearing, and I'd like to first introduce Brian Dunn who will be the spokesperson for the Haribo team, and then he can introduce the rest of the team that's here with him this evening. And, again, he's from Mead & Hunt their consultant from Madison.

Brian Dunn:

Hello, I'm Brian Dunn of Mead & Hunt, 2440 Deming, Middleton, Wisconsin, 53562. With me today is representatives of Haribo [inaudible] Riskus [phonetic], Mr. Martin Drache and Ms. Lexie Bennett. Any questions right now?

Michael Serpe:

We'll open it up to the public hearing, and if anybody has any questions we'll call you back up and you can answer them.

Jean Werbie-Harris:

Unless you wanted to add anything else to my presentation at this time.

Brian Dunn:

Not right now.

Michael Serpe:

Okay, this is a matter for public hearing. We'll take comments on both Items C and D. This is a public hearing, anybody wishing to speak? We'll just need your name and address for the record, please.

Patrick Perlman:

Patrick Perlman, 9430 128th Avenue in Bristol. I just want to know what paraffin screening is as opposed to what originally screenings were originally proposed and how that affects the ordinance. Thank you.

Michael Serpe:

Okay, do we want to answer this now, or you want to write these down and get them later? How do you want to answer them, Jean?

Jean Werbie-Harris:

If there's any other questions we'll collect those, and then I can actually bring Brian up and we've got the picture that we can show as well.

Michael Serpe:

All right. Anybody else wishing to speak? Anybody else wishing to speak? We'll close the public hearing and open up to comments and questions from the Commission. If you want to answer that question from the gentleman.

Jean Werbie-Harris:

So I'm going to have Brian come up. There are a couple of pieces of equipment that they were originally going to have at one location. They've shifted, it's slightly over towards the manufacturing facility. And a lot of the equipment that they're going to be having on the roof, and I actually have some photographs as well, due to the height of this equipment and, again, six or eight feet, even ten feet would seem like very tall on the top of the building. But because of

the proximity and setback basically because this is what is facing the interstate, that's how many hundred feet? Several hundred feet, almost 800, 900 feet that the size and what you would actually see from the interstate is so, so very minimal that we discussed it and looked at it and the relevancy of putting additional screening, it wasn't practical to be able to do it and what you'd actually be seeing.

Again, some of the pieces of equipment just extend so very limited up above the edge of the wall. And the way the ordinance is written it says basically it's very strict, and it says anything that extends above should be screened to some extent. And what we're saying is what they're looking to do is set it back further away from the wall. And because of the distance away especially facing the interstate you're not going to be able to see it. So we have indicated that it's not going to be required to do some additional screening by having an additional parapet wall or additional screening adjacent to the interstate.

Michael Serpe:

Satisfactory I hope? Thank you. The public hearing is closed. Mike, go ahead.

Mike Pollocoff:

Jean or Brian I'm missing something or I'm not catching it. On the overheads here the area in red that's highlighted in red on the south side and the west side that's a screening wall?

Jean Werbie-Harris:

No, not at all. Brian why don't you -- you need to take the microphone.

Michael Serpe:

You can take it with you.

Brian Dunn:

So what we have is -- is the area in red you're talking about?

Mike Pollocoff:

Right.

Brian Dunn:

This is an office building, and that red is actually part of the office building that's part of the design of the facility. What we're talking about, the mechanical equipment that you see is up along the top of the building. There is a parapet wall which for anyone that doesn't know, if you're standing on the roof of the building there's a wall at the edge so the exterior wall comes up to three to four feet above the roof line. That's the parapet wall we're talking about. And because of the size of this building as you look up that height at the edge will screen quite a bit of equipment as that line of sight goes back.

Mike Pollocoff:

Okay, I was okay with the parapet wall. I got lost on the red square, but that's the office space?

Brian Dunn:

That's the office space.

Mike Pollocoff:

Okay, all right. It's very nice.

[Inaudible]

Michael Serpe:

Ma'am, if you want to ask a question I'll allow it, but you have to come to the microphone. We need your name and address. Even though I closed to the public hearing, because we're good neighbors to Bristol we want to let you talk.

Jane Perlman:

Jane Perlman, 9430 128th Avenue, Bristol. So will it impact our visibility from 128th Avenue.

Brian Dunn:

From 128th Avenue what we're looking at here this is the east elevation, this is the west elevation. There's some large building elements that actually extend up on the west elevation that will provide some additional screening especially from that corner of Bristol that will screen almost all of the mechanical equipment that's on the roof just by the nature of what that structure is. You will be able to see some mechanical equipment on the roof from that corner but not a lot.

Jean Werbie-Harris:

Brian, we're going to put up the overall site plan map. So now if you want to stand on the other side so they can see it as well. There you go.

Brian Dunn:

So these bumps out right here and here extend up basically a full story above the roof line. And we'll provide screening to the mechanical equipment that sits kind of in the middle of the roof. So from your property here you're looking across, and that's going to screen just about everything, and that will screen just about everything. Plus the parapet wall will be some additional screening. Again, you'll see some, a little bit of the top, but we are intentionally designing it to be as inoffensive as possible. There's some facilities here in Pleasant Prairie that the equipment is just kind of there and up and over. This is pretty well limited to a height and pretty constant. So it's not going to look jagged and out of place.

Jean Werbie-Harris:

And, Brian, isn't it also going to be the same color.

Brian Dunn:

And it will all be generally the same color. The equipment on the roof will be a gray, and then the duct work will be a gray silver.

Michael Serpe:

Comments or questions from the Commission?

Wayne Koessler:

I don't have anything. I think it's a very good plan.

Michael Serpe:

Item C what's your pleasure?

Wayne Koessler:

Mr. Chairman, if there aren't any questions by the Commission I would move that the Plan Commission send a favorable recommendation to the Village Board to approve the Zoning Text Amendment as presented at the May 13, 2019 Village staff report.

Brock Williamson:

I'll second.

Michael Serpe:

MOTION MADE BY WAYNE KOESSL AND SECONDED BY BROCK WILLIAMSON FOR APPROVAL OF THE ZONING TEXT AMENDMENT. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Item D what's your pleasure?

Mike Pollocoff:

Mr. Chairman, I'd recommend approval of Preliminary Site and Operational Plans with the recommendations from staff. It's going to be an excellent development for the Village and they've done a good job.

Deb Skarda:

I'll second.

Michael Serpe:

MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY DEB SKARDA FOR APPROVAL OF THE SITE AND OPERATIONAL PLAN. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. We're looking forward to the next phase of this construction, and Pleasant Prairie is very pleased that you chose us for your factory. And I guarantee you won't regret that decision. Thank you.

Wayne Koessl:

And welcome to the Village.

Michael Serpe:

We're going to take Items E, F and G together with separate action on all three. And there's only one that's a public hearing, that's Item G.

- E. Consider the joint request of SR Mills on behalf of Creekside Ventures LLC owner of the vacant property located north of 9115 Old Green Bay Road owned by Eric and Deborah Davidson for approval of a Lot Line Adjustment between the two properties.**
- F. Consider the request of Dan Szczap with Bear Development LLC for approval of a Certified Survey Map, Vacation of Easements, Development Agreement and related Exhibits including the Site Development Plans for The Vista at Creekside proposed apartment development to be located at 91st Street and Old Green Bay Road and extending to Creekside Circle.**
- G. PUBLIC HEARING AND CONSIDERATION OF ZONING MAP AND TEXT AMENDMENTS INCLUDING RESIDENTIAL DEVELOPMENT PLANS,**

DIGITAL SECURITY IMAGING SYSTEM (DSIS) AGREEMENT AND DSIS ACCESS EASEMENT for the request of Dan Szczap with Bear Development LLC for The Vista at Creekside development that will include 7-20 unit apartment buildings, detached garage buildings, a club house and associated site improvements on approximately 14.5 acres of land generally located at 91st Street and Old Green Bay Road and extending to Creekside Circle.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, Items E, F and G are related. The staff will be making one presentation, separate action is required. Consider the joint request of S.R. Mills on behalf of Creekside Ventures LLC owner of the vacant property located north of 9115 Old Green Bay Road owned by Eric and Deborah Davidson for approval of a Lot Line Adjustment between the two properties.

Item E is to consider the joint request of S.R. Mills on behalf of Creekside Ventures LLC owner of the vacant property located north of 9115 Old Green Bay Road owned by Eric and Deborah Davidson. And this is for the approval of a Lot Line Adjustment between the two properties.

Item F is consider the request of Dan Szczap with Bear Development LLC, and this is for the approval of a Certified Survey Map, Vacation of Easements, Development Agreement and related Exhibits including the Site Development Plans. And this is for The Vista at Creekside proposed apartment development to be located at 91st Street and Old Green Bay Road and extending to Creekside Circle.

And Item G is the public hearing and consideration of Zoning Map and Text Amendments including residential development plans, the digital security imaging system or DSIS agreement as well as the DSIS access easement. Again, I'll be making one presentation.

Phase 1 of the development that will include 7 20- unit apartment buildings, a club house, 4 detached garage buildings and associated site improvements on 14.4 acres to be known as The Vista at Creekside. Phase 2 will include the platting of 49 single family and one two family lot as shown on the draft Preliminary Plat for the Creekside Terrace that is currently being reviewed by the Village staff. The required public hearing for this portion of the development will be held this summer. Upon approval of the Preliminary Plat, the developer intends to submit a Final Plat with all related documents so that the construction of the remaining public improvements for the entire development can be completed at the same time.

The petitioner, at this time then, is requesting a Lot Line Adjustment, Certified Survey Map, Vacation of Easements, Development Agreement and Site Development Plans, Zoning Map and Text Amendments, the Development Plans and the, DSIS documents for the apartment development located at 91st Street and Old Green Bay Road. As you can see on the slide we're going to be focused on the west side of his development tonight.

As some background information, and I actually have gone through a lot of this in the past as this item has been before the Plan Commission and the Board many times since last October/November. So I'm not actually going to read through all of the same information that we have presented in the past. So I'm just going to kind of talk from the slides. Again, at the

original time that the first Creekside development was proposed to the Village, 2005 to 2010 time period, it was going to be developed with a total of 312 units, and it was going to be developed in several phases.

At the time it was supposed to be 24 single family lots, 34 2-unit condo buildings, 17 4-unit condos, 19 8-unit condos. The undeveloped land was proposed to be developed pursuant to that original Creekside area project development, and it had included 158 additional condominiums for that project.

So what happened was the recession, change in developer, everything went to the bank, it went to a new developer. So Bear Development picked it up. And in 2015 they presented a conceptual plan. And at that time their conceptual plan had identified that they were going to develop the balance of Creekside as a single family subdivision. There were a lot of costs associated with the Creekside development including the completion of Creekside Circle and the bridge, and just a number of costs. And with the construction costs the way they are today the developer had decided some time after that that they would withdraw the single family concept, and they would look at trying to develop it again in another way.

So in 2019 the developer submitted a series of Conceptual Plans to be evaluated by the staff, by the Plan Commission, by the Village Board. And as part of this Conceptual Plan it continued to show single family as part of the main area of the Creekside development. But then what it did was it also identified that there would be an apartment or multifamily segment to this particular project. And at that time it was identified that there would be 7 20-unit apartment buildings. We went back and forth. We looked at options 1 through 4a or 4b. We went through many options. We worked with the property owners, we worked with the Plan Commission, we worked with the developer. We talked and met with the condo association, and we met with some of the residents out there, and we went back and forth with respect to this development.

So it was finally this spring on March 18th that we all have reached an agreement, and they are now moving forward with this development. It is now moving forward in two phases, a phase 1 which, again, is the 7 20-unit apartments buildings, the garage and the clubhouse. And then this phase 2 is 54 single family lots and one 2-family lot. So, again, they looking to get permitted and start construction on the apartment development first. And then right behind it they're going to be coming in with the single family.

The Vista at Creekside Apartments, again, it's 104 units. It's intended to be constructed at 91st Street and Old Green Bay Road with one of the apartment buildings just on the east side of Creekside Circle. The main entrance to the development will be from Old Green Bay Road at 91st. At this entrance will be a club house which includes their leasing and management office and a community gathering space and an exercise room. Each of the apartments provides for 8 units on the first floor and 12 units on the second floor. They range in size from 713 square feet to 1,325 square feet with 8 units in each building having an attached garage.

All units are considered condominium style, and that all units have an individual entry from the exterior of the building which means there's no common hallways or shared entrances. The buildings will be constructed of a variety of building materials including stone, brick, hardboard, and they have more of the gray/blue tone colors. Each building provides a variety of unit types

with various rental options including 11 1-bedroom with 1 bath, 1 2-bedroom with 1 bath, 6 2-bedroom with 2 bath and 2 3-bedroom and 2 bath.

As discussed at all of the previous public hearings held earlier this year, the apartments are going to be developed as Workforce Housing. The petitioner has submitted and successfully received an award of housing tax credits to fund a portion of the development for Workforce Housing. There are many types of tax credits used to construct this housing. The housing tax credits awarded to this project are not for low income but for workforce. Low income housing typically serves an area median income at or below the 30 percent area median income. The housing development being proposed is income restricted as Workforce Housing that provides for rental rates that are similar to our actual current market rates for our area. The Workforce Housing is designed for active individuals and families with working parents and single working professionals or seniors that have a lawful, consistent source of income.

These units are dedicated to those not typically understood to be targets of affordable housing. The Workforce Housing requirements mandates a maximum rental rate as well as a maximum income for the residents. And in your packets and on the screen we went through this matrix in the past that talked about how many units are set aside, what square footage would be allowed, the maximum rent that could be charged, the maximum income, minimum hourly wages as well as the maximum hourly wages. All tenants must have three times their total monthly rent in income to qualify for any unit within the proposed development. The goal of these units is to offer efficient and effective and sustainable housing solutions that enable working individuals in moderate income locations or emerging professionals to live in the community in which they work.

The market area income information from 2018 as re documentation provided by Baker Tilly Virchow Krause shows that 28 percent of the Village residents have annual incomes less than \$50,000 per year, and 42 percent of the Village residents have a gross annual income less than \$75,000. So Bear's requirement is that no more than 30 percent of the gross income will be spent on monthly rent. So there's, again, a chart that provides the Pleasant Prairie area income for 2018, and it identifies the household income bands and the income ranges.

So what they did was they evaluated to make sure that there were residents in Pleasant Prairie that have the type of jobs that could afford this housing. The rent excluding utilities and the detached garages which is more money are all listed. So they range for a one bedroom of just under \$700 to \$1,116, and it also identifies their income ranges. The two bedrooms range from \$836 to \$1,338, and the three bedroom units range from \$966 to just over \$1,500. The Workforce Housing program requires rental limitations as the chart has identified above. And so that information, again, we went through this all previously at the previous Plan Commission meeting.

There was additional information that was provided by the developer for us to get a better understanding as to the rental rates and how the housing split information and housing compliance. And I've read through all of this information, and it's going to be made part of the public record this evening. But, again, how it's established to guarantee an adequate supply of high quality brand new homes or apartments for residents that have a varying range of household incomes. It talks about the full monthly rent is due by the residents. There's no rental subsidy. There's no Section 8. Of the 104 units 56 have levels at the market rate. The remaining are roughly at a 35 percent discount. And then it goes on to talk about some of the obligations of the

residents. They have to post security deposits, and there's a number of things that they have to do as residents a well.

One of the questions that had come up a couple of time sis that are there any restrictions on the developer with respect to this Workforce Housing. There's a 30 year land use restriction agreement that is being entered into with WHEDA post construction. And that is monitored, again, by WHEDA. There's resident qualification information that we talked about as to what would qualify someone to be able to rent at this location. We asked also if there are any occupancy limits, that you can only have so many residents in that unit. And then it talked about how many could be in each bedroom and so on and so forth, so we've worked through all of those issues with them.

And then one of the things that we discussed at length is that apartment management was really the critical piece to any type of development in the community, any apartment development. The success or failure, whether or not rental or owner occupied it's really in the management. Most Village code violations that the Village receives are actually for owner occupied properties, not necessarily for apartments. With apartments we have one management company, one owner to go to to get any resolution to any concerns that the Village has. Bear Development has had a very good management record and intends to own and manage these apartments for a long time. In this case a minimum of 15 years as part of their portfolio. They also have policies and practices in place to ensure that the exterior of the buildings and the sites continue to be well maintained.

Then also listed in the staff comments some of the details with respect to property management, the hours, their occupancy rates, how they will operate cleaning up and monitoring each of the units, how they will manage their parking both onsite, the parking on 91st street. They have pet policies that they've put into place and how they're going to manage those. They've got eviction processes, non-renewal processes if people make too much money, they're not paying rent on time. Whatever it might be they have policies in place.

So I just wanted to let you know that we've gone through a lot of those issues. If we have any questions S.R. is here this evening to talk about those. There are a couple of other items on the agenda related to this project. One is a lot line adjustment they had spoke about. And this is to adjust that little notch of additional land that they own that jutted down into the property owned by the Davidsons. They are going to be doing a lot line adjustment and transferring that yellow rectangle of property to the Davidsons and so that they have more a rectangular piece of land.

The next is Certified Survey Map that they have submitted to us to create three lots for the construction of the apartment development. Lot 1 is 4.4 acres, Lot 2 is 7.9 acres, and Lot 3 is 2.0 acres. These lots will be developed with the apartment buildings, garages and the club house. As well as you can see the onsite stormwater management. Actually you can't see it on that plan, but there's a detention basin -- a retention basin is also on the site.

The existing buildings on Lot 2 of the CSM are intended to be razed. They are in the process of acquiring that property. I believe they intend to close on May 15th. The developer is purchasing Lot 2, but they will allow the owner to remain in the home for up to 120 days after the sale while they finish cleaning up, razing and taking care of the rest of the property. If for some reason construction begins on the Lot 2 prior t the razing of the home, they will be working this out with

the property owner to securely fence the area so that the home is not located within the construction area.

One of the things with the Creekside development is that it was originally platted as a condominium development with an expansion area. And as such there were a number of easements that were recorded on that property. Those easements are no longer applicable because that area is either going to be an apartment or single family homes. So as a result there's a number of easements that because they were based on that original development need to be vacated. So all those new required easements are being placed on the Certified Survey Map or on the subdivision plat. And all of the old easements from the condominium development are being vacated. And they relate to sewer, water, grading and stormwater, cross-access, all for required improvements now for the apartment development.

With respect to public infrastructure, site access, Creekside Circle and 91st Street have been dedicated by the original developer. Municipal sanitary sewer is extended in a portion of Creekside Circle to service the existing development and the future phase 2 of the development within the vacant areas east of the creek. The primary access for The Vista at Creekside will be from Old Green Bay Road at 91st Street as shown with the red arrow. There will be a bridge and roadway infrastructure completed as part of Creekside Circle that allows access eventually now all the way around to 93rd Street, 63rd and 66th Avenues with the proposed phase 2 development. 91st Street via Old Green Bay Road will be the primary construction access and haul roadway for both phases of the development infrastructure and residential construction.

Temporary no construction signs will be required at certain entrances adjacent to 93rd Street in order to minimize and basically restrict heavy construction trucks from coming in through the existing Creekside development. Providing multiple roadway connections to and through the development allows for the traffic to be dispersed. So residents living in the neighborhood will likely travel their easiest pathway out, and that will be west on 91st to Old Green Bay Road. But when the entire development is completed, residents will be allowed to travel through Creekside Circle on the east side, the west side or out 91st in order to exit from the development.

As part of the Main Street Market development which is just to the south of this location, on the corner of 165 and Old Green Bay Road a traffic impact analysis or TIA was required. And that TIA identified as part of the Main Street Market development that there will be a dedicated right turn lane added to Dabbs Farm Drive between Old Green Bay Road and Highway 31. And this new lane is anticipated to be added within the next five years. And Peggy just kind of marked it with a little red line on the screen. As required with the Conceptual Plan approval, the existing traffic study was used as a basis for the traffic engineer. And they have verified that no other improvements are needed at the intersection of Old Green Bay Road and 91st Street other than possible accel and decel lanes just as you're coming in and out of 91st as a result of the 91st Street connection. The technical memorandum dated April 23, 2019 from TADI is in the packets.

The public sidewalk and private pedestrian pathways being installed by the developer at the developer's cost are also shown on drawings for the phase 1 of the development shown in green on the development slide. Phase 2 will require the developer to install concrete sidewalks around the interior area of the Creekside Circle right of way to provide pedestrian access that meets ADA standards, and this to the Creekside Park which is at the southeast corner of the development. Sidewalks will be installed on the outer side of Creekside Circle adjacent to the single family lots

being created with a sanitary sewer/pedestrian access path over the sanitary sewer line at the northwest corner of the development. So that northwest corner that has the sanitary sewer there will be a path installed over that as well. A walking path but also accessibility for public work to be able to maintain that sanitary sewer line. As noted at the Board meeting, the sidewalk maintenance and snow removal for the sidewalks would be the responsibility of the abutting landowners after constructed.

Phase 1 public improvements will serve the areas adjacent to Lots 1, 2 and 3 of the proposed CSM. And the remainder of the public improvements will be constructed with phase 2 upon approval of the final plat as outlined in the Development Agreement. One other thing that I just want to touch on is the floodplain boundary adjustment. And this occurred back in 2003, the Village Board adopted a resolution to approve the floodplain boundary adjustment for the Creekside development. In January '05 the original developer obtained the required permits from FEMA to begin the floodplain adjustment work. This grading work to amend the 100 year floodplain including the installation of the bridge on the south side of the development has been completed. And the remainder of the grading work in a second bridge crossing the north side of the development with the construction of the remainder of Creekside Circle needs to be completed. So there's quite a bit of work on the very north end that needs to be done. Then they'll have to submit some final as built drawings for the entire floodplain analysis work that was completed.

Wetlands fill permits were obtained by the developer from the Wisconsin DNR and the Army Corps of Engineers to fill small portions of the wetlands for the construction of Creekside Circle. The remainder of the wetlands on Lot 2 will remain. So you can see those small green area that are being filled for the public roads.

Zoning Map and Text Amendments, the wetlands on Lot 2 are proposed to be rezoned into the C-1, Lowland Resource Conservancy District; Lots 1 and 2 west of the wetlands and 3 are proposed to go into the R-11 District which is the Multiple Family District. And the area on Lot 2 east of the wetlands are proposed to be rezoned into the PR-1, which is Neighborhood Park and Recreational District. The 100-year floodplain will remain unchanged at this time, and Lots 1, 2 and 3 will be rezoned into the PUD, which is that Planned Unit Development Overlay for the multi-family area. The Comprehensive Plan would also need to be amended at such time that the floodplain work is completed so that the Land Use Plan and the Zoning Map are consistent.

The PUD that I mentioned will allow for dimensional flexibility provided that there is defined community benefits. The attached PUD Ordinance allows for those dimensional variations.

- to allow for more than one multi-family building per parcel;
- to set specific building setbacks for the apartment buildings, detached garages and the club house;
- to require a total of 322 parking spaces including 125 enclosed within the building. In addition, 56 parking spaces are provided directly behind each attached garage. Specifically the following parking spaces are being provided on each of the lots:
 - Buildings A4-A7 north of 91st Street, which includes 80 apartment units, provides for a total of 195 parking spaces, 97 surface parking spaces with 34

detached garage spaces, 32 attached spaces, plus 32 spaces directly behind the attached garages;

- Buildings A2, A-3 and the clubhouse south of 91st Street which includes 40 apartment units provides 126 parking spaces, 64 surface, 30 detached garage spaces, 16 attached garage, plus 16 spaces directly behind the garages; and
- Building A1 east of Creekside Circle which includes 20 apartment units provides for a total of 57 parking spaces, 36 surface, 5 detached garage spaces, 8 attached garage spaces, and 8 spaces directly behind the garages).

Again, this is very critical as you know that we make sure that there's adequate parking for the apartments buildings because the Village does not allow for overnight or we do not encourage and we require that each development allow for onsite parking for the residents as well as their guests and others coming to the units.

Part of the community benefit is that the developer would provide fire sprinklers within the apartment buildings; to provide a minimum of three pet free buildings; to limit the size and breed of pets allowed to no more than one pet per apartment not to exceed 40 pounds at mature size; to add additional park equipment to the public park that's at that southeast corner; to provide enhanced architectural details and materials for the buildings and enhanced landscaping. In addition, the multi-family development will be equipped with a DSIS. In addition, where the proposed apartment buildings share property lines with the existing single family homes specifically by Old Green Bay Road, the developers will implement extensive landscaping and privacy fencing to maintain adequate separate, buffer and privacy between the apartments and the neighboring single family which are very close and they're non-conforming in that area.

So with that this is a lot of items for this development. I'd like to just introduce S.R. Mills at this time to address the Plan Commission. And the staff would be happy to answer any other questions for these three items.

Michael Serpe:

Welcome back.

S.R. Mills:

S.R. Mills, 4011 80th Street, Kenosha. Thank you again for all the time and effort on this specifically from staff. It's been a very busy process as they all are but this I think more than most. I'm here to answer any questions you might have. I don't think there's anything that really deviates from the prior discussions working diligently for the engineering items to final aesthetics. But everything is in par the way we've all discussed it to date. But, again, I appreciate the time and I'll answer any questions I can.

Michael Serpe:

Be close, S.R. I'm sure we'll have some questions for you. Item G is a matter for public hearing, but we will take comments on Items E and F as well. So anybody wishing to speak? Anybody

wishing to speak? Anybody wishing to speak? We'll close the public hearings and open it up to comments and questions from the Commissioners. S.R., I have one question for you if I could. The units that allow pets, namely dogs, what is your agency's policy on how they handle dogs that continuously bark?

S.R. Mills:

So we try and handle that very consistently. So that's one of the things that's important to breed restrictions, size restrictions. We have evicted folks before if there's dogs that don't stop barking and it becomes a nuisance to the balance of the tenant population.

Michael Serpe:

Thank you. Comments?

Deb Skarda:

Actually I have two questions. One is I'm reading the sidewalk plan right. So the houses on 90th Place and 90th Street the front of those houses won't have sidewalks, those two cul-de-sacs?

S.R. Mills:

Correct. That was part of the discussion with staff early on because the balance of the subdivision lots to the east do not have sidewalks, that we've agreed to run the loop all the way down and around it and install sidewalks by the condos to the south so we receive some dispensation, so not putting them into the actual cul-de-sacs.

Deb Skarda:

Okay. It just seems odd to me that we're doing it sort of half and half.

Nathan Thiel:

Yeah, so that was a discussion that we had at the Village Board level. Particularly what we were trying to do is we were trying to create complete loops or complete blocks. And with cul-de-sacs we considered it more of a dead end. And so the thought process was instead of having sidewalks go around the cul-de-sacs, because there isn't a heavy load of traffic, the ability to walk on the street and so forth is a little bit more feasible. But that it would be more valuable for us to complete blocks in complete loops rather than create a bunch of sidewalks that dead end. So that was a consideration. That's something that we talked about quite extensively at the Board level.

Deb Skarda:

Okay. And when do you start to plan on marketing these and signing leases? I mean I know you haven't -- what's the time line on all of that?

S.R. Mills:

Very quickly. So one thing we're certainly sensitive to is getting out in front of any approving agencies and making sure we go through the process. From a single family standpoint we've received a lot of feedback. In that business extensively here in southeastern Wisconsin we'll probably start that process late summer I would say. Part of the problem is we don't get too far ahead of it because typically when somebody is looking for that --

Deb Skarda:

Balance.

S.R. Mills:

-- they want it pretty quickly. From a multi-family standpoint we usually start the heavy marketing about 120 days before our first delivery. Similar to single family if we start with waiting lists and trying to create a lot of excitement from that standpoint. But we won't start taking applications until about 120 days.

Deb Skarda:

Okay, thank you.

Bill Stoebig:

I was just wondering on the financial aspect of it the Workforce Income I see there was a kind of survey done, was it Baker Tilly that did that. Every year is that done so the minimums and maximums or is there just an inflationary clause?

S.R. Mills:

It's a good question, it is done very year. And so it goes back to the area median income for the county. Every county is different really throughout the country. And so it will continue to --

Bill Stoebig:

So that's kind of a statewide thing that they do?

S.R. Mills:

Yeah, it's really federal. Every county in the country has area median incomes that tie back to what the citizens make there, and then it's weighted accordingly. So 60 percent area median income in Kenosha County is very different than a 60 percent area median income in Ozaukee County, there's differences, or Dane County.

Brock Williamson:

Excellent, and then that drives the rent?

S.R. Mills:

Correct.

Mike Pollocoff:

So what's the timing on phase 2?

S.R. Mills:

So the only reason there's a differentiation between phase 1 and phase 2 is so we can started on the multi-family. We want to -- knowing that we have surety tied back to phase 2 that we're looking to start that as soon as we possibly can. So we need to go through the subdivision platting process which takes a little bit more time. So hopeful also from a buyout, from a construction standpoint that we can do it as together as we can and not bifurcate that process. So long answer to as quick as we possibly can.

Brock Williamson:

Question and a comment. So a comment, I'm glad you guys found a compromise on the sidewalks. I know that's been going on for a while of a happy medium, it sounds like you found one. Then the question is I notice when I saw the trees were cut down to the north of Lot 1, in Lot 1, that there's a house that's like right on the property line to the south of it.

S.R. Mills:

Correct, so we're talking south of the proposed club house.

Brock Williamson:

The club house, right.

S.R. Mills:

Correct.

Brock Williamson:

So is that just going to stay an open space in between there it looks like?

S.R. Mills:

It is. We'll likely have a six foot, a PVC fence there. And as you can see from the lot lines it's kind of a strange scenario with how it wraps around. And we actually own some property but there's an easement. So we're trying to separate those spaces so we're not on top of them.

Brock Williamson:

Yeah, it's pretty tight.

S.R. Mills:

Yeah, so we think a six foot PVC fence, on a component of it we'll still have adequate landscaping.

Brock Williamson:

Sure, okay, thank you.

Deb Skarda:

I do have one other question. Could you tell me again where that right turn lane is going to go? Did you say that's on Green Bay Road?

Peggy Herrick:

It's on Dabbs Farm Drive between Old Green Bay and Green Bay Road. So there will be a dedicated right hand turn lane. Right now the right hand turn lane you have to almost be to the intersection before the right hand turn lane. And by putting in a dedicated lane that will allow for traffic to be in three different lanes in that area. And that will put in as part of Main Street Market's development.

Deb Skarda:

I'm glad. I drive there twice a day.

Michael Serpe:

S.R., one question. On the installation of the sidewalks and existing Creekside, are there any trees coming down in that right of way.

S.R. Mills:

I'm not sure I could answer that offhand.

Michael Serpe:

If there are you going to re --

S.R. Mills:

Yeah, I think that's a detail we'd have to discuss. I don't know if [inaudible]

Michael Serpe:

Bill, only because you're the President, Bill.

Bill Demo:

Bill Demo, 9285 66th Avenue. The sidewalks is the issue I want that I want to talk about. But there are about two dozen trees that were placed in during original construction that we've maintained, 12 or 13 years of maturity now. They range in trunk diameter from two to five inches. So my question tonight was what the plan was for that. And, again, just to talk about my opposition and our opposition to the sidewalks coming into the existing property. I mean it does impose a financial burden on every homeowner in Creekside crossing. So 112 owners will have to share the cost burden of keeping those sidewalks clean in that area. Nobody else in the Village that I'm aware of is forced to do that. So it's quite a big deal. It could be, depending on the amount of storms, we're talking \$10,000 to \$15,000 divided between 112 owners. That's conservative. But then again the trees. They're about 12 feet off the curb. I'm not sure what the setback is for sidewalk from the curb. It seems like it would be right in that [inaudible].

Michael Serpe:

Okay, that will be addressed by staff and by S.R. Any other comments or questions? Wayne?

Wayne Koessl:

Before we make any motions I just want to thank our Village staff and administration for all the work they've done to get this project going. And also your staff at your office because it took a lot of time, but I think we're going to get this all settled tonight.

S.R. Mills:

Appreciate that.

Wayne Koessl:

And I'm sure it's going to be another quality development to enhance the Village.

Michael Serpe:

S.R., anything else?

S.R. Mills:

No, we don't want to rip down any trees. So we'll work with staff and try and figure that out.

Michael Serpe:

A great amount of appreciation goes to the residents of Creekside. This is a very unique process that we went through with the amount of public hearings and the professionalism that they

showed up in their comments and questions, and staff and how much they have gone through including the Board and this Commission. So it worked out well. I know we're not totally happy, Bill, but we're going to do the best we can with what we have. With that any other comments or questions? With that, Item E is the lot line adjustment. What's your pleasure?

Wayne Koessler:

Mr. Chairman, I'd move approval of Item E, the Certified Survey Map --

Michael Serpe:

This is the lot line adjustment.

Wayne Koessler:

Pardon me, I'm one down, okay, the lot line. The Plan Commission to send a favorable recommendation to the Village Board to approve the lot line adjustment subject to the comments and conditions of the May 13, 2019 Village staff report.

Deb Skarda:

Second.

Michael Serpe:

MOTION MADE BY WAYNE KOESSL AND SECONDED BY DEB SKARDA FOR APPROVAL OF THE LOT LINE ADJUSTMENT. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Item F, Certified Survey Map and vacation of easements. What's your pleasure?

Judy Juliana:

I move to approve the Certified Survey Map, vacation of easements, development agreement and related exhibits including the site development plan subject to the comments and conditions of the May 13th Village staff report.

Brock Williamson:

Second.

Michael Serpe:

MOTION MADE BY JUDY JULIANA AND SECONDED BY BROCK WILLIAMSON FOR APPROVAL OF THE CERTIFIED SURVEY MAP AND VACATION OF EASEMENTS. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Item G, consideration of the Zoning Map and Text Amendments including the DSIS.

Bill Stoebig:

I move to approve the residential development plans, the DSIS agreement and DSIS access easement.

Judy Juliana:

Second.

Michael Serpe:

MOTION MADE BY BILL STOEBIG AND SECONDED BY JUDY JULIANA FOR APPROVAL OF THE ZONING MAP AND TEXT AMENDMENTS AND DSIS AGREEMENTS. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you, S.R.

S.R. Mills:

Thank you, appreciate it.

H. Consider the request of Rizal Iskandarsjach, PLE, P.E. with JSD Professional Services, Inc. for approval of an Affidavit of Correction to Certified Survey Map 2877 to correct the legal description of a wetland and the private water main and sanitary sewer mains, access and maintenance easement within the Breeze Terrace development.

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, this is a request of Rizal from JSD Professional Services, Inc., for approval of an Affidavit of Correction to Certified Survey Map 2877 to correct the legal description of a wetland and the private water main and sanitary sewer mains access and maintenance easement with the Breeze Terrace development.

The proposed Affidavit of Correction to correct CSM Number 2877 is specifically for the following corrections. One, to correct the tie distance for the dedicated wetland preservation and protection access and maintenance located on the northwest portion of Lot 1. I'm sorry, southwest portion of Lot 1. And, number two, to modify the location of the eastern portion of the dedicated private water mains and private sanitary sewer mains access and maintenance easement. This revision to the easement is based on the revised location of the proposed sanitary sewer line for the easternmost building, Building 1 -- I'm sorry, Building I, which requires two sanitary services. Therefore, the sanitary main needed to be extended south and also shifted slightly to the east to avoid running under a proposed dumpster enclosure.

The revised utility location will now be within the corrected easements. The staff recommends approval and recommends that the Plan Commission send a favorable recommendation to the Boar to approve the Affidavit of Correction to CSM 2877 subject to the petitioner recording the correction document and providing a recorded copy back to the Village within 30 days.

Michael Serpe:

Comments or questions? What's your pleasure?

Wayne Koessl:

Move approval.

Judy Juliana:

Second.

Michael Serpe:

MOTION MADE BY WAYNE KOESSL AND SECONDED BY JUDY JULIANA FOR APPROVAL OF THE AFFIDAVIT OF CORRECTION AND CERTIFIED SURVEY MAP. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it.

6. ADJOURN.

Judy Juliana:

Move to adjourn.

Brock Williamson:

Second.

Michael Serpe:

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

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you.

Meeting Adjourned: 7:21 p.m.