



Meeting: Village Board
Meeting Date: 2/14/2011
Agenda Item: #5h

Mission Statement

We will provide residents and businesses quality services in a modern, courteous and efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: President Burt McIntyre and Village Board
REPORT FROM: Dave Wiese, Executive Director of Community Development
AGENDA ITEM: **Approve Ordinance 2011-5 to rezone the north 341.9' of frontage (depth of 1.2786') of Parcel VH-3161 (Brookfield Avenue) approximately 10 acres from I-3 Industrial Park Light Industry to I-1 General Industrial**
ACTION REQUESTED: ___Ordinance ___Resolution Motion ___Receive/File

RECOMMENDED ACTION

At a special meeting held on January 31, 2011, the Village Board unanimously approved a rezoning request and a preliminary and final plat for the proposed Amerex Development. The approval of ordinance 2011-5 and publishing of the ordinance in our official newspaper completes the process for officially rezoning the property. A recommended motion would be **"MOTION TO APPROVE ORDINANCE 2011-5 REZONING THE NORTH 341.9' OF FRONTAGE (DEPTH OF 1,275.86') OF PARCEL VH-3161 (BROOKFIELD AVENUE) APPROXIMATELY 10 ACRES FROM I-3 INDUSTRIAL PARK LIGHT INDUSTRY TO I-1 GENERAL INDUSTRIAL"**

BASIC INFORMATION

Project Name	Smet Construction Services
Applicant	Greg Runnoe
Contact info.	920-532-3828 grunnoe@smet.com
Consultant/ Engineer	Fisher and Assoc. LLC - Rick Fisher
Parcel Size	12 acres
Existing Zoning	I-3 Industrial Park Light Industry
Proposed Zoning	I-1 General Industrial
Land Map Designation	Industrial

ADJACENT LAND/ZONING MATRIX

	LAND USE	ZONING
North	Vacant Land & Agriculture	R-5
South	Vacant/ Industrial	I-3
East	Vacant/Industrial	I-1
West	Single Family Dwellings	R-5

BACKGROUND

Amerex is recognized worldwide as a leader in the manufacture of hand portable and wheeled fire extinguishers and has recently taken this wealth of experience to new dimensions with pre-engineered automatic restaurant systems, vehicle fire suppression systems, gas detection, industrial systems and fire detection devices (www.amerex-fire.com). Amerex is looking to compete with Ansul and become a major player in the foam products business. Currently, they are operating their offices out of NWTC and their laboratory out of Peshtigo. Amerex Foam Products Northeast Wisconsin is a division of Amerex Corporation. All current Amerex Foam Product employees were employees of Ansul at one time. Ansul is headquartered out of Marinette, WI (www.ansul.com).

Amerex Foam Products are firefighting agents and systems hardware used in high-hazard and risk markets such as Aviation, Chemical Manufacturing, Municipal, Urban Interface Fire Service (forest fires), Oil & Gas, and Petrochemical markets. Foam concentrates are a blend of hydrocarbon surfactant(s), fluorosurfactant(s), water, inorganic salts and complex carbohydrates. Concentrates are formulated to be used as 1%, 3%, or 6% products for extinguishing Class A and B fuels. The blending operation is a non-reactive process, and there are no discharges to air, ground or water during any part of the process.

In addition to manufacturing, R&D Laboratory, and office operations, the N.E.W site will have a technical product training facility to instruct authorized distributor companies and end-user customers in the best practices for applying foam agents and suppression systems hardware. The training classroom is designed to accommodate twenty (20) persons with instruction over a three (3) to four (4) day period.

Located on the site will be a fire test facility, a 60' x 60' x 60' fire-rated, noncombustible structure with a mechanically induced draft and scrubber to remove particulate emissions. The design of the air handling system is such that a transparent emission may be observed. This fire test building will be used to develop new products and technologies, evaluate fire suppression products, as well as demonstrate products during training schools and for special customer requirements.

The subject property is currently located on the east side of Brookfield Road on the north end of Lot 4 of Brookfield Business Park. No buildings currently exist on the subject property. The applicant is requesting site plan approval in order to construct a 20,000-square-foot office and manufacturing building and a 6,500-square-foot test facility. The property is currently zoned Light Industrial (I-3.) The applicant has requested a rezoning of the property to General Industrial (I-1.) The building will be constructed of an earth-tone, split-face block (bottom accent), brick (primary material) and precast concrete tilt-up panel.

The majority of parking will be located on the west and south of the building as it faces Lineville Road. There will be one entrance onto Brookfield Road.

The property will be landscaped with a mixture of trees and shrubs. The applicant is proposing to add 18 new trees and 41 new shrubs and plants. The overall site will have approximately 81% green space.

The overall value of the first phase of the improvements is estimated to be approximately \$3.5-\$4 million. They are intending to hire 20-25 employees within the first year of operation. The average wage would be roughly \$75,000 to \$80,000.

Village staff will be working with the Department of Commerce on supporting any economic grants, loans, and incentives that are available through the State of Wisconsin. Village of Howard Fire Department staff is excited to partner with any future training facilities.

ANALYSIS

1. **Zoning** – The property is zoned General industrial (I-3.)
2. **Setbacks** – The minimum setbacks are: 35-foot front (Brookfield Rd), 10-foot side and 17-foot rear. The proposed site plan is in compliance.
3. **Parking** – 53 stalls have been provided.
4. **Floodplain, Shoreland Zoning & Stormwater Management** – A stormwater management plan needs to be approved by the Village of Howard Engineering Department.
5. **Land Division** – **A PRELIMINARY PLAT AND FINAL PLAT HAVE BEEN APPROVED.**
6. **Lighting** – A detailed lighting plan shall be submitted for staff approval. Photometric plans will be included, and light fixtures shall be 90-degree cutoff fixtures.
7. **Fire Protection** – This property is currently served by the municipal water system and is located approximately 3 miles from the nearest fire station.
8. **Signage** – Prior to installation, the applicant will submit a detailed sign plan that complies with the I-1 sign regulations.
9. **Garbage/Recycling** – The proposed garbage/recycling area would be located on the south side of the building. It is screened with split-face block and brick. The gate will be constructed of steel covered with a synthetic material.

ATTACHMENTS

- I Ordinance 2011-5

ORDINANCE NO. 2011-5

AN ORDINANCE REZONING A PORTION OF PARCEL VH-3161 LOCATED IN THE 1500 BLOCK OF BROOKFIELD AVENUE FROM INDUSTRIAL PARK – LIGHT INDUSTRY (I-3) TO GENERAL INDUSTRIAL (I-1)

WHEREAS the Village Clerk published a notice of public hearing regarding such proposed zoning change and a public hearing was held at the Village Hall on January 31, 2011 at 6:00 P.M., whereupon the Plan Commission heard all interested persons and/or their agents and attorneys; and

WHEREAS the Village Board of the Village of Howard has received a written recommendation and findings of the Village Plan Commission regarding the following proposed change in the zoning district classification of the property described below;

NOW THEREFORE the Village Board of the Village of Howard, Brown County, Wisconsin, does hereby ordain that the Zoning Ordinance be amended to read as follows:

SECTION 1 Section 50-317, together with the zoning map referred to therein, is hereby amended by rezoning the following property from Industrial Park – Light Industry (I-3) to General Industrial (I-1):

The northerly 10.00 acres of parcel VH-3161 located in the 1500 block of Brookfield Avenue, Village of Howard, Brown County, Wisconsin, identified as Lot #5 of the proposed plat of Brookfield Business Park First Addition attached hereto and made part of this ordinance.

SECTION 2 All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3 This ordinance shall take effect upon its adoption and publication.

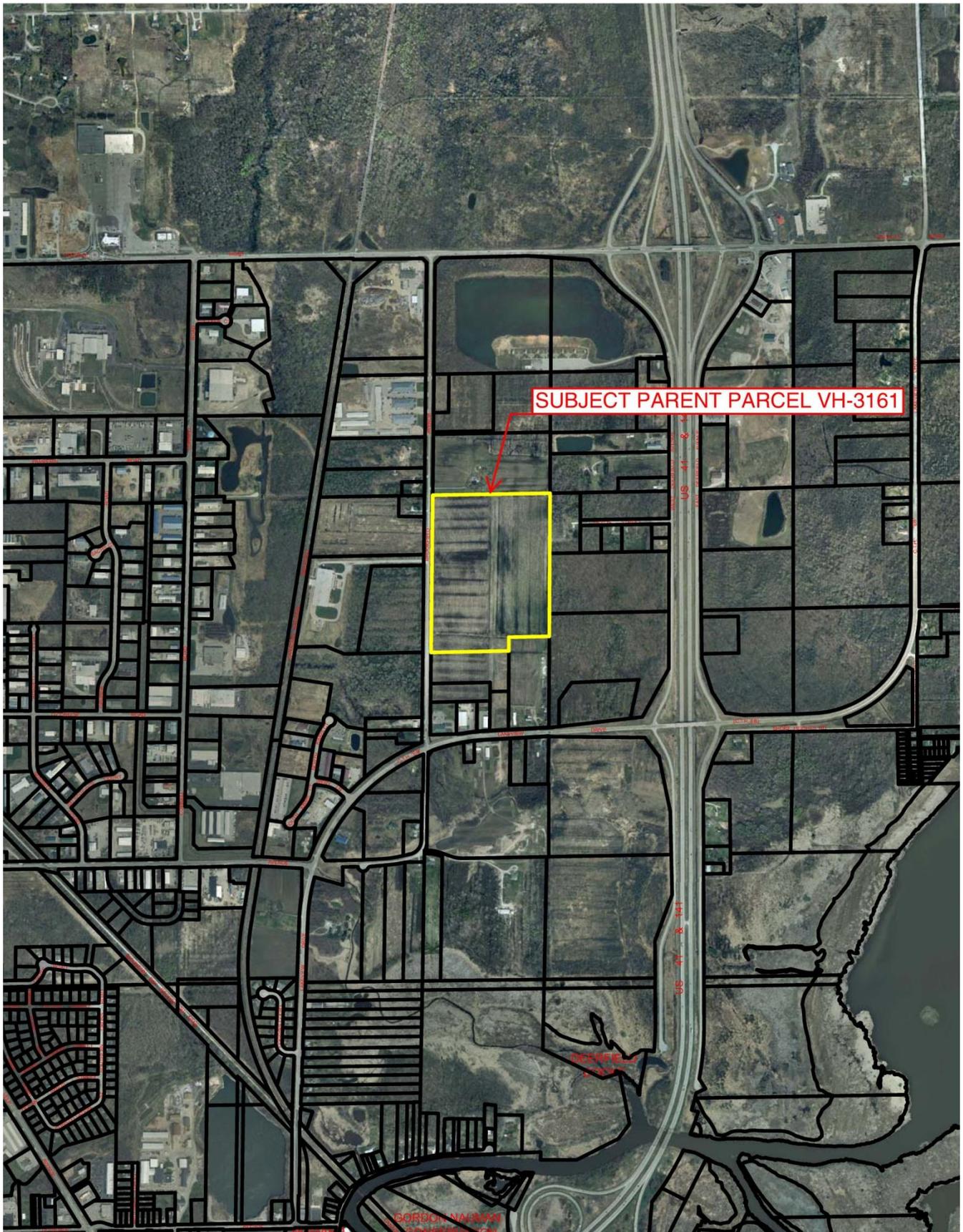
Approved and adopted this 14th day of February, 2011.

Burt McIntyre, Village President

ATTEST:

Robert Bartelt, Administrator/Clerk

DATE OF PUBLICATION: 2/18/11



Brookfield Business Park First Addition ~ A County Plat ~

All of Lot 4, of Brookfield Business Park, A County Plat, recorded in Volume 1, County Plats, page 240, Document Number 2393272, Brown County Records, being located in part of the Southwest 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 3, T24N-R20E, in the Village of Howard, Brown County, Wisconsin.

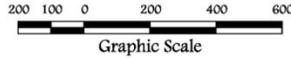
Office of the Register of Deeds
Brown County, Wisconsin
Received for Record _____ 20____
of _____ o'clock _____ M and recorded in
Document # _____ of _____
Volume _____ of _____ on Page _____
Cathy Willmetts, Register of Deeds

Surveyor's Certificate

I, David J. Chouwer, Registered Land Surveyor, S-1578, hereby certify:
That in full compliance with the provisions of Chapter 236, Wisconsin Statutes, and the subdivision regulations of the Village of Howard and the Brown County Planning Commission and under the direction of the owners listed herein, I have surveyed, divided and mapped "Brookfield Business Park First Addition, A County Plat", and that each plat correctly represents all exterior boundaries and the subdivision of the land surveyed and is all of Lot 4, of Brookfield Business Park, recorded in Volume 1, County Plats, page 240, Document Number 2393272, Brown County Records, being located in part of the Southwest 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 3, T24N-R20E, in the Village of Howard, Brown County, Wisconsin, more fully described as follows:

Commencing at the South 1/4 corner of Section 3, T24N-R20E; thence N02°30'04"W, 815.48 feet along the north-south quarter line of said Section 3; thence N89°50'43"E, 45.02 feet, to the westerly right of way of Brookfield Avenue, to the southwest corner of Lot 4, of Brookfield Business Park, A County Plat, recorded in Vol.1 County Plats Pg.240, Doc.#2393272, Brown County records, and the POINT OF BEGINNING; thence N02°30'04"W, 1705.92 feet along the west line of said Lot 4 and said right of way; thence N89°50'43"E, 1273.92 feet along the north line of said Lot 4; thence S00°16'37"W, 1553.42 feet along an Easterly line of said Lot 4; thence S88°50'43"W, 438.74 feet along a southerly line of said Lot 4 and the northerly line of Vol.49 Certified Survey Maps Pg.320, Map #7206, Doc.#2189006, Brown County Records; thence S00°16'37"W, 148.92 feet along an easterly line of said Lot 4 and the west line of said Certified Survey Map; thence S88°50'43"W, 844.92 feet along the line between lots 3 & 4 of said plat to the POINT OF BEGINNING.

Parcel contains 2,113,132 square feet / 48.51 acres, more or less.
Parcel subject to assessments and restrictions of record.



Village of Howard

Approved for the Village of Howard this ____ day of _____, 20____.

Robert Bortalski
Village Administrator

Brown County Planning Commission

Approved for the Brown County Planning Commission this ____ day of _____, 20____.

Peter Schmeiz
Senior Planner

Treasurer's Certificate

As duly elected Village Treasurer and Brown County Treasurer, I hereby certify that the records in our office show no unrecorded tax sales and no unpaid taxes or special assessments affecting any of the lands included in this Plat as of the date listed below.

Chris Holman
Village of Howard Treasurer

Kerry M. Blaney
Brown County Treasurer

Owner's Certificate

KRAM Properties LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that we caused the land described on "Brookfield Business Park First Addition, A County Plat" to be surveyed, divided, mapped and delineated as represented herein. KRAM Properties LLC also certifies that this Plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

VILLAGE OF HOWARD
BROWN COUNTY PLANNING COMMISSION

In Witness Whereof, the said KRAM Properties LLC has caused these presents to be signed by Russell V. Roland, Greg J. Kimmel, Wade T. Micolay & James G. Appleton, its Members, on this ____ day of _____, 20____.

Russell V. Roland
Member - KRAM Properties LLC

Greg J. Kimmel
Member - KRAM Properties LLC

Wade T. Micolay
Member - KRAM Properties LLC

James G. Appleton
Member - KRAM Properties LLC

Personally came before me this ____ day of _____, 20____, the above named Member of said Limited Liability Company and acknowledged that they executed the foregoing instrument as such Member as the deed of said Limited Liability Company, by its authority.

Notary Public
Brown County, Wisconsin

My Commission Expires _____

STATE OF WISCONSIN
COUNTY OF BROWN } ss

Consent of Corporate Mortgage

I, _____ a corporation duly organized and existing under and by virtue of the laws of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat and does hereby consent to the above certificate of _____ Owner(s).

IN WITNESS WHEREOF, _____ has caused these presents to be signed by _____ and countersigned by _____
Its _____ of _____ day of _____, 20____
Signature #1 _____
Signature #2 _____
Signature #3 _____

Personally came before me this ____ day of _____, 20____, the above named officers of said corporation to me known to be the persons who executed the foregoing instrument and to me known to be such officers of said corporation, and acknowledged that they executed the foregoing instrument as such officers of the deed of said corporation, by its authority.

Notary Public

My Commission Expires _____

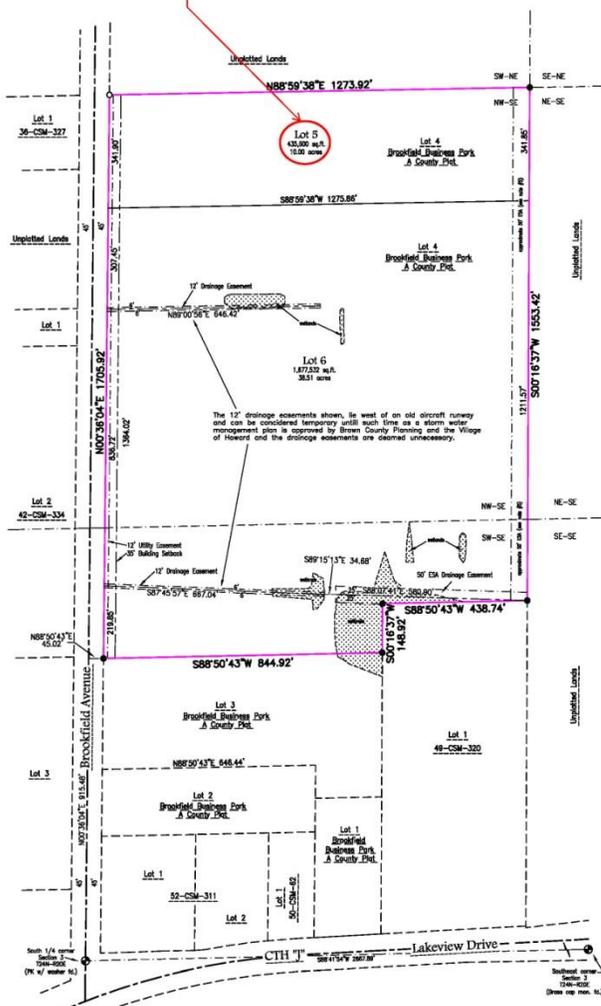
STATE OF WISCONSIN
COUNTY OF BROWN } ss

Restrictive Covenants

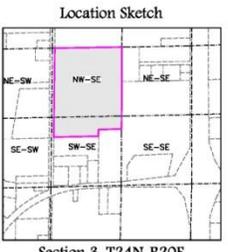
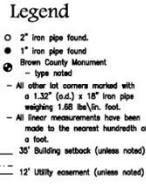
- Lots 5 & 6 contain an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes wetlands, all land within 50 feet of wetlands 2 acres or greater, and all land within 25 feet of a non-navigable waterway. Development and land disturbing activities are restricted in the ESA unless otherwise approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.
 - The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the existing property owner to provide for adequate drainage of surface water.
 - Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future address.
 - No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.
- Notes
- The property owner, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Department of Natural Resources' applicable NRES Technical Standards, to prevent soil erosion. However, if the Village/Town, at the time of construction, has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction or installation-related activities.
 - Wetlands depicted as delineated by George & Holt Soil Consultants, Inc., November, 2007.
 - A Shoreland Permit from the Brown County Zoning Administrator's office is required prior to any construction, fill, or grading activity within 300 feet of a stream.
 - Lot 5 & 6 may include wetland areas that may require permits from the Wisconsin Department of Natural Resources, Army Corps of Engineers, or the Brown County Zoning Administrator's Office prior to any development activity.
 - Additional wetlands may exist along the east line of Lots 5 & 6 and adjoining properties to the east. Due to the large size of the lots and the location of the wetland and ESA on the adjacent parcels (M1-130-1, M1-131 & M1-132), a wetland delineation is not required at this time. The wetland and ESA boundary shall be properly identified by a certified wetland delineator hired by the affected landowner, and reviewed and concurred with by the appropriate regulatory agency should any development occur within 50 feet of the wetland or ESA east of Lots 5 & 6. Any WNR-approved wetland delineation report/map, along with the approval letter, shall be submitted to Brown County Planning Commission for verification.

January 3, 2011

THIS LOT REZONED FROM I-3 TO I-1 VIA ORDINANCE #2011-5



Bearings referenced to the South line of the Southeast 1/4 of Section 3, T24N-R20E, assumed to be N87°41'54\"/>



Brookfield Business Park
KRAM Properties LLC

SCALE: 1" = 200'
TAX PARCEL NO. VII-3161
DRAWN BY: DJC

REUSE OF THIS DOCUMENT
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File: 1400Pdt 123010.dwg

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PROJECT NO. R-1100
SHEET NO. 1 of 1
DRAWING NO. P-2117