

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
August 7, 2006**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on August 7, 2006. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessl; Andrea Rode; Jim Bandura; and John Braig. Larry Zarletti and Judy Juliana were excused. Also in attendance were Michael Pollocoff-Village Administrator; Jean Werbie, Community Development Director; Peggy Herrick-Asst. Planner/Zoning Administrator and Tom Shircel-Asst. Planner/Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CORRESPONDENCE.**

Jean Werbie:

Mr. Chairman, I received some correspondence from the Wisconsin Department of Natural Resources regarding coyotes. It was just interesting information that was sent to me from Marty Johnson based on one of our last meetings where we talked about urban coyotes and such. This is just for your information but I thought it was interesting reading. So you can receive and file that article.

Tom Terwall:

If you wonder if there's any coyotes around here just be outside when the rescue squad goes out. Every time they hear a siren those things wail back so loud it's unbelievable.

- 4. CITIZEN COMMENTS**

Tom Terwall:

Given the large number of citizen we will limit your speeches tonight for five minutes. If there's anyone wishing to speak for one of the matters of the agenda for the public hearing, we'd ask that you hold your comments until the public hearing is held. If you wish to speak on any other item not on the agenda now would be your opportunity to do so. Anybody wishing to speak under citizen comments?

John Steinbrink:

John Steinbrink, 8640 88th Avenue, Pleasant Prairie. If you were at Prairie Family Days you heard a very talented young person sing the National Anthem there. That was Jan's daughter. Boy, she has quite the voice. I think we're going to get rid of Serpe and put her on the Planning Commission.

Tom Terwall:

I agree, John. It was a beautiful rendition.

John Braig:

We were on the far end of the lake on the northeast corner and we didn't pay any attention to the announcer until the Anthem was sung and my wife and I both commented, hey, she's good.

Mike Serpe:

And what's nice about it was it was like it was supposed to be sung without changing it.

5. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF A FINAL CONDOMINIUM PLAT (Res. #06-36) for the request of Michael Dilworth, agent for LexVil Ltd, owners for the conversion of the Lexington Village Apartments to Condominiums located east of 88th Avenue at Lexington Place.

B. PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT (Ord. #06-36) for the request of Michael Dilworth, agent for LexVil Ltd, owners for to create the Planned Unit Development Overlay Zoning District for the condominium project pursuant to section 420-137 of the Village Zoning Ordinance.

Jean Werbie:

Mr. Chairman, I would ask that we take up both the final condominium plat and the zoning text amendment at the same time as they will be discussed in my presentation at the same time.

John Braig:

So moved.

Mike Serpe:

Second.

Tom Terwall:

MOVED BY JOHN BRAIG AND SECONDED BY MIKE SERPE TO CONSIDER BOTH ITEMS AT THE SAME TIME AND THERE WILL BE TWO SEPARATE VOTES. ALL IN FAVOR SAY AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Jean Werbie:

The two items we have on the agenda tonight the first is the final condominium plat for the request of Mike Dilworth, agent for LexVil Ltd., owners for the conversion of the Lexington Village Apartments to Condominiums. This project is located east of 88th Avenue at Lexington Place.

The second item is consideration of a zoning text amendment for the request, again, by Michael Dilworth, agent for LexVil Ltd., owners to create the Planned Unit Development Overlay District for the condominium project pursuant to Section 420-137 of the Village Zoning Ordinance.

The petitioner is requesting approval of a Final Condominium Plat to convert Lexington Village Apartments to Condominiums and approval of a Zoning Text Amendment to create the Planned Unit Development Overlay Zoning District for the project. The property is located east of 88th Avenue at Lexington Place.

Lexington Village Apartments and associated infrastructure was installed in 1997 pursuant to the Development Agreement approved by the Village and entered into between the Village and Paramount Ventures, LLC, the then owner, and Ener-Con Builders, Inc., the developer, on September 23, 1997. Lexington Village consists of two 6-unit buildings and nine 12-unit buildings for a total of 120 units on the 19.888 acres of property. The development has a net density of 6.59 units per net acre. All units have individual entrances and two bedrooms that range in size from 1,090 square feet to 1,160 square feet. Two units in each of the 6-unit buildings and four units in each of the 12-unit buildings have one car attached garages and the remainder of the units have a two car attached garage.

The sewer that is installed throughout the development has been dedicated to the Village and with this conversion, the water system, which was installed in 1997 pursuant to the Village public water main specifications is proposed to be dedicated to the Village and will be a public water main. The storm sewer facilities within the Development will remain private utilities and Lexington Place will remain a private roadway. These two facilities will be owned and maintained by the Lexington Village Unit Owners Association, Inc.

On May 19, 1997, the 1.7 acres of wetlands on the property was rezoned to C-1, Lowland Resource Conservancy District and the non-wetland areas were rezoned into the R-10, Multiple Family Residential District and the entire property was rezoned to the PUD, Planned Unit Development District. Even though the project was originally developed as a Planned Unit Development, in 1997, the Village did not write specific ordinances for PUD. With the conversion of the apartments to condominiums, a PUD Ordinance will be required that sets forth the specific requirements for this development. Developing as a PUD will specify regulations giving flexibility with some dimensional requirements of the Village Zoning Ordinance provided there is a defined benefit to the community. Attached is a copy of the proposed PUD Ordinance for this development.

Again, what the staff did was we sat down with the developer and specifically with the site plan that was approved in 1997 and wrote detailed zoning regulations that matched what they had already built.

On June 19, 2006, the Village Board conditionally approved the Preliminary Condominium Plat for the conversion by Resolution #06-28. The Plan Commission held public hearings on both of these items. We're holding the public hearings on these items this evening. The Village staff recommends approval of the final condominium plat to convert the Lexington Village Apartments to condominiums, and the Village staff is also recommending approval of the zoning text amendment to create the PUD for the Lexington Village Condominium Project.

Tom Terwall:

This is a matter for public hearing. We'll entertain questions or comments on either of the two items, either the final plat or the zoning text amendment. Is there anybody wishing to speak on this matter? Anybody wishing to speak? Anybody wishing to speak?

Mike Dilworth:

I'm Mike Dilworth from Ener-Con Companies. I just wanted to thank you guys for all the hard work and pushing this thing forward as fast as you could. I know the City is quickly developing and Jean has been very busy. We like your community and we hope to keep developing in this community.

Mike Serpe:

Number one, presently the percentage of ownership, Jean, when this turns over is going to be what? Do we have a percentage of owner occupied as compared to rentals? Right now they're all rented.

Jean Werbie:

That's correct, and we put a restriction with their cooperation as a restrictive covenant that 80 percent will be converted to owner occupied with a maximum of 20 percent to remain as rental. However, maybe I could get into how they structured it with their attorneys.

Mike Serpe:

And, Mike, how do you achieve and what do you do with the renters and at what point do they have to buy or leave? What's going to happen?

Mike Dilworth:

Basically we're still leasing them up to a year. We figure it's probably going to be about a three to four year project to switch it all around. At first we were going to designate certain rental buildings, but basically we're going to spread them out throughout the whole project so it should work out okay. We have a lot of people that are living there that are planning on buying them.

Mike Serpe:

And can I ask what is the going rate going to be?

Mike Dilworth:

I think we have some of them listed at \$129,900. We have a leader item at about \$119,000, so they're still fairly cheap and affordable for the renters there.

Don Hackbarth:

I think this is a good direction to go. I don't know how accurate my information is, but in talking to some of the police officers they said that area had some not crime, but as infrequent as the calls are in Pleasant Prairie that was not a hot spot but there were a number of calls that would go there. Renters may perpetuate that.

Jean Werbie:

Not this project.

Don Hackbarth:

I'm sorry, then I've got the wrong information. Even so, I think going in this direction is a good direction to go in.

Mike Dilworth:

The rent there is still fairly up there, so we do have some pretty high quality renters. We do see a number of renters from Illinois that rent there. They live here but work in Illinois. So it's been a very successful project for us. At the beginning when we built them we designed them with separate entrances.

Tom Terwall:

Mike, with some units being rented, I assume all of the units will be in the homeowners association or the condo association, correct?

Mike Dilworth:

Yes.

Tom Terwall:

And then you folks will continue to own the units that are rented?

Mike Dilworth:

Yes, and we're going to try to continue to keep the condo management as long as we can, but when a certain percentage of any condominium project gets sold out they have the option to bid it out to have other people manage it. But I would say 90 percent of the project that we have condominium we keep the condo association and we keep that maintained. All our apartment projects we do maintain them very well.

Tom Terwall:

Any other comments?

Mike Serpe:

Just one comment. Any time you have owner occupied anything it's the best there is for the unit itself, the neighbors and for the Village, because just the attention to detail, the care for the facility because they have an investment everybody is a winner on that. I would move approval on first the final condominium plat.

Andrea Rode:

Second.

Tom Terwall:

ANY OTHER COMMENTS OR QUESTIONS? IF NOT, THERE'S A MOTION BY MIKE SERPE AND A SECOND BY ANDREA RODE TO GIVE FINAL APPROVAL TO THE CONDOMINIUM PLAT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. A motion is in order for the zoning text amendment.

Wayne Koessler:

I'd move on the zoning text amendment for Ordinance 06-36.

Jim Bandura:

Second.

Tom Terwall:

A MOTION BY WAYNE KOESSL AND A SECOND BY JIM BANDURA THEN TO ADOPT ORDINANCE 06-36, THE ZONING TEXT AMENDMENT, RELATED TO THIS PROJECT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Since this was a special meeting, there is no opportunity to bring up any other items.

6. ADJOURN.

John Braig:

Move adjournment.

Mike Serpe:

Second.

Tom Terwall:

All in favor say aye.

Voices:

Aye.