

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
LAKE MICHIGAN SEWER UTILITY DISTRICT
SEWER UTILITY DISTRICT "D"
9915 39th Avenue
Pleasant Prairie, WI
April 3, 2006
6:30 p.m.**

A Regular Meeting of the Pleasant Prairie Village Board was held on Monday, April 3, 2006. Meeting called to order at 6:30 p.m. Present were Village Board members John Steinbrink, Alex Tiahnybok, Steve Kumorkiewicz, Jeff Lauer and Mike Serpe. Also present were Mike Pollocoff, Village Administrator; Jean Werbie, Community Development Director; Kathy Goessl, Finance Director/Treasurer and Jane Romanowski, Village Clerk.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES OF MEETING – MARCH 6, 2006**

KUMORKIEWICZ MOVED TO APPROVE THE MINUTES OF THE VILLAGE BOARD MEETING MARCH 6, 2006 AS PRESENTED IN THEIR WRITTEN FORM; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

5. CITIZEN COMMENTS

Mary Dorey:

Just on a positive note. My name is Mary Dorey. I live in the subdivision of Mission Hills. I just want to personally thank the Board and the Village for the quick response that the residents there got for putting stop signs up to help control traffic and improve the safety for everybody in our subdivision. So thank you so much. All the people that signed the petition, the word has been going around, telephones have been ringing. Everybody is so happy and we just wanted to thank you. Good job.

John Steinbrink:

Thank you.

Bill Bodner:

Good evening. I am Bill Bodner. I am developing the Vintage Parc condominium development which is on the agenda later. I just wanted to let you know that I'm here tonight with Rich Wagner from Jenkins Survey and Engineering. Scott Nailor from TDI Associates is the architect. The project, if you want to take a look just as a one minute video gives you an overview of the development.

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It sits on approximately 14 acres and is comprised of six family units and four family units. It is masonry product, stone and some plank siding. I do have the samples here and if there are any questions for afterwards or while you're addressing this issue, there's three items on the agenda for tonight, we can address those as they come up. Thank you.

Rich Wagner:

Rich Wagner, Jenkins Survey and Design. I'm just here to grab the other five minutes. I wasn't sure if you had any questions for me but I thought I'd do it by signing up. We have been working very closely with staff here at the Village. We met with the Fire Chief, and I felt we had a good Plan Commission meeting. We have no problem with any of the comments and any of the minor things we felt we could work out with staff. So I'm here if you have any questions later. Thank you.

John Steinbrink:

Anyone else wishing to speak on citizen comments?

Mike Renner:

My name is Mike Renner. I live at 3211 122nd Street. I know at the last meeting there was a request to know who sent the e-mail complaint from the Village to my employer and I'd still like to know who did that. Thank you.

John Steinbrink:

Anyone else? Hearing none I'll close citizen comments.

6. VILLAGE BOARD COMMENTS

Jeff Lauer:

I do have a question. I guess Mike already brought up the question. I know at the last Board meeting I requested to find out who sent the e-mail, Mike, and you were going to get back to me on the 23rd. And now I've been in contact with Mike and Julie and we're just looking for a resolution. Do you know who sent the e-mail to their employer?

Mike Pollocoff:

I'm waiting for IT to finish and Ruth is on vacation. But I can tell you that we received a request for information from Abbott concerning that. I directed the IT Director to pull up a sampling of the e-mails that have been sent to the Village. I directed her to forward that information back to the name that I was given, and the e-mail, the letter that was written I reviewed that and approved it and we sent that back along with the attachment of whatever sampling of e-mails they had at the time.

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Jeff Lauer:

Do you know which staff sent it?

Mike Pollocoff:

I directed the IT Director to send it.

Jeff Lauer:

So someone from IT sent it to Abbott about Mike, I mean Mr.--

Mike Pollocoff:

At my direction.

Jeff Lauer:

At your direction. But when I asked you at the last Board meeting you said you didn't know who did that.

Mike Pollocoff:

Well, I had involvement in it and I wanted to see who else was involved in it but it was at my direction.

John Steinbrink:

Any other Board comments?

Jeff Lauer:

Yeah, I still have a comment. When I asked you last time you knew you gave authorization to do it but you didn't tell me that?

Mike Pollocoff:

I wanted to investigate it. Quite frankly when we receive a concern or question from someone's employer looking for information I'm not quite that anxious to divulge that out to everybody. But if you are, that's your choice, but I'd rather investigate it before I talked about it until I investigated it.

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Alex Tiahnybok:

Mike, if you could just go on record as telling us whether they requested the information first or we sent it to them. I'd just be curious. You're making it sound like they asked us for a-

Mike Pollocoff:

I received a request from that corporation to provide information.

Alex Tiahnybok:

Okay.

John Steinbrink:

Other Board comments?

Alex Tiahnybok:

I'm glad the resolution with Mission Hills went as quickly as it did. I was going to bring that up today because I was copies on the letter just as everyone else was. I'm glad it was done to the resident's satisfaction.

There's another issue that was brought to my attention by a resident that lives on 109th Avenue at the 8000 block indicating that the--this was sent to--the copy of the letter that I received was sent to myself, to Mr. Lauer, to Mr. Serpe and to Mr. Steinbrink. I don't know why Steve wasn't copied on it. But this is something that sounds like a serious situation. Apparently the roadway is really in bad shape, potholes. The letter indicates there have been several incidents of children actually riding into the potholes and falling down. I guess it's related probably like a lot of other problems to water drainage, but I'd like to ask the public works department to look into this. It sounds like they've tried to have some kind of feedback to no satisfaction of apparently this person. So I'd like to make sure that this gets looked into because the person that sent me this letter was quite disappointed that there hasn't been anything done yet or any kind of response.

Steve Kumorkiewicz:

I'd like to comment on that because I got the same letter and I went to see the lady. I explained to her, after talking with Mr. Steinbrink, Jr., that's an old issue because that street in question used to be a driveway for the Molette family. It doesn't comply with our ordinance. It's an old street. We need an easement of 20 feet to put the road and drainage, and only the new construction gives the easement. The old houses the easement for that there's nothing that we can do. So I went to see the lady and I explained to her. She was not satisfied with that. I don't know what we can do about that.

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Alex Tiahnybok:

So this is not a conforming road as far as the Village is concerned?

John Steinbrink:

There's a lot of history here. So if you ask us or Mike you could get the answer.

Alex Tiahnybok:

Exactly. I am just asking that it gets addressed somehow.

Mike Pollocoff:

The 109th is not a dedicated right of way. All we have in there is a sanitary sewer easement and a water line easement. The residents on the property will not dedicate an easement for road construction. I probably met with the residents on that street four times over the last 20 years, and the Village has offered to in previous years, and we're not in a position to make that offer now, but to construct the road and the drainage improvements at no cost to them, but we can't use Village resources and put that improvement on private property. They have to dedicate the land to do that. And as Steve indicated it's a very old road. It's not platted. It's a series of certified survey maps, and most of the old timers for lack of a better general description on the road don't want to dedicate frontage to the Village. Ms. Booth subsequently builds a house there and wants the road to be paved. As part of the certified survey map that created her lot we required that she dedicate the frontage as we do on every road. And the builder or developer of that property did that. So we have two parcels on about a two block run that have dedicated right of way and the rest haven't done it.

The Village's options are to go in and condemn the right of way, acquire it at a fee, put in the road improvements, assess the property owners back for the cost of the improvements, but right now most of those people don't want it. In the case of drainage on Ms. Booth's property that would be a project that could be undertaken with a storm sewer assessment district to identify where that water drains, where it comes from and where it's going to go to in order to construct those drainage improvements. She's indicated she's not in support of paying for that improvement. We had a meeting with the neighbors again on 109th and they weren't interested in participating in an assessment district either.

Steve Kumorkiewicz:

We tried.

John Steinbrink:

Other Board comments?

Jeff Lauer:

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If I could have a clarification from probably Mike, John and Steve since you've been here the longest. What happens when you have an employee who intentionally lies to a Trustee? What are the steps to be taken to correct that action?

John Steinbrink:

I don't know what you're talking about.

Steve Kumorkiewicz:

I don't have the slightest idea what you're talking about.

John Steinbrink:

Do you want to make an accusation; is that what you're saying?

Jeff Lauer:

Well, I asked Mr. Pollocoff last meeting about the e-mail. He said he denied knowing who sent it. I followed up with an e-mail because Mr. Renner and Ms. Santelli kept calling me and asking me and I said I'd work on it. Mike Pollocoff sent me an e-mail. Jeff, I'll work on putting this together for you tomorrow and I still have not received anything. Tonight he admits he gave authorization to do it but back on the last Board meeting he did not know who gave the authorization who did it.

John Steinbrink:

I think his explanation was pretty clear. I'm not sure how you do business in public with somebody else's private life, but if that's what you wanted to do Mr. Pollocoff said we could do that. But that may not be the best thing to do for those involved. So I don't know if you want to pursue this any farther at this time or you want to pursue it later. I guess that's your choice. Or, you could show up once in a while and get the information you need instead of grandstanding.

Jeff Lauer:

I'm not grandstanding.

John Steinbrink:

That might be a big help to everybody.

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Jeff Lauer:

Well, John, if you get off your high horse maybe you'd understand. Then maybe Mike you can explain to me. I'll work on putting this together for you tomorrow and I haven't been notified. I waited the next day. I didn't get nothing. I waited the next day. I didn't get nothing.

John Steinbrink:

Well, you're getting your answer. Other Board comments?

Jeff Lauer:

I guess the public sees truth does matter.

Mike Serpe:

I have one last comment. When you're dealing with personnel matters involving another company sometimes the less said the better. I think in this case the less said the better. I don't know what happened with their employers, the employer and employees, but if it's a personnel matter involving that company I don't want this Village involved in it.

7. NEW BUSINESS

- A. Receive Plan Commission Recommendation and Consider Resolution #06-15 for the request of Mark Eberle, P.E. of Nielsen Madsen & Barber, S.C. agent for Quinton and Lisa Ackerman owners of the property located at 1804 116th Street for approval of the Final Plat, Development Agreement and related documents for the Kings Cove Subdivision.**

Jean Werbie:

Mr. President and members of the Board, the Kings Cove final plat is a subdivision area that has been through the conceptual plan, the preliminary plat and now the final plat process in the Village of Pleasant Prairie. All three plans have been in compliance with the neighborhood plan that was approved by the Plan Commission on May 24, 2004.

The Tobin Road neighborhood which is where the subdivision is located is bounded between 104th and 116th Streets between Sheridan Road and the Kenosha County Bike Trail. The proposed development consists of 10.01 acres of land and it's located in the south central portion of the Tobin Road neighborhood.

Specifically they are requesting to develop 12 single family lots on 4.38 acres. There will be 2.83 acres of open space and an outlot 3 which is at the north end of the cite which will be identified for future single family development. The average single family lot is 15,883 square feet which is just over a third of an acre, and the net density within the development is 1.67 units per acre.

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With this 12 unit subdivision, the population projections are 33 persons, 8 school age children, and 5 public school age children at full build out.

This is a map of the open space area. Again, 2.83 acres of the site will remain in open space. This includes retention and detention facilities, actually a portion of the Tobin Creek as well as a wooded area on either side of the creek. There are some areas that have been identified adjacent to the creek for tree preservation. These areas have been provided for protection in an easement area. Again, they're located on the south side of Tobin Creek. All of the trees that are over eight inches that are within the retention basin are going to be removed as directed by the Wisconsin DNR. All others would be preserved.

There is a 100 year floodplain in the area that has not yet been delineated. So, as a result, a preliminary floodplain study was undertaken to establish the 100 year floodplain elevations along the Tobin Creek. So all finished yard grade and top of foundation elevations have been established based on the floodplain study by Hey and Associates so we don't have any issues with respect to flooding for those adjacent lots. The retention basin on the south side of Tobin Creek and a storm water detention area is proposed on the north side of the creek for additional storm water storage.

With respect to site access, Kings Cove will connect into the Tobin Creek Subdivision at 112th Street and will connect into 116th Street at 18th Avenue. The Tobin Creek Subdivision will not be used as a construction access for this subdivision. It will only be used for vehicular traffic once the subdivision is open. The 115th Street required public improvements shall be constructed when the adjacent land to the west is proposed to be developed at the cost of the adjacent landowner. And, if you will recall, there is an area that is just to the west and that area with discussion with the adjacent landowner was that the improvements would not be put in at this time, however, the right of way would be dedicated as part of this final plat.

Restrictive covenants for this subdivision shall clearly state that 115th Street and the related public improvements shall be required as a future condition of the approval of the Kings Cove Subdivision. So they will be required in the future and there will be signs that designate that, but the adjacent landowner will be required to place those improvements in.

On September 19, 2005 a zoning map amendment was approved which included rezoning the single family into the R-4, Urban Single Family Residential District. Outlots 1 and 2 were put into the PR 1, Park and Recreational District, and outlot 3 remained in the R-4 with a UHO. Again, an Urban Landholding Overlay District will be continuing to exist over that property as it is not accessible at this time for urban development.

We did have a situation that the State of Wisconsin Department of Administration wanted some corrections to be made to the plat. They felt that three outlots needed to be shown on the final plat, one on either side of the Tobin Creek as well as the future land development area north of outlot 2. So we did need to make a correction to the final plat, and that has been done now that it's before you.

With that, the staff recommends approval of the development agreement, final plat and all of the related documents for the Kings Cove Subdivision. We are proposing a closing later on this week in order for construction to begin and work to get under way, so we are asking approval for Resolution #06-15 this evening.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #06-15 FOR THE REQUEST OF MARK EBERLE, P.E. OF NIELSEN MADSEN & BARBER, S.C. AGENT FOR QUINTON AND LISA ACKERMAN OWNERS OF THE PROPERTY LOCATED AT 1804 116TH STREET FOR APPROVAL OF THE FINAL PLAT, DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS FOR THE KINGS COVE SUBDIVISION, SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

- B. Receive Plan Commission Recommendation and Consider Resolution #06-16 to support the amendment to the Village Comprehensive Land Use Plan to remove the Urban Reserve Designation from the land area south of STH 165 (104th Street) and east of Old Green Bay Road.**

Jean Werbie:

Mr. President, I would ask that Items B, C and D all be considered by the Board at the same time. The first Resolution 06-16 is to support an amendment to the Village's comprehensive plan. Item C is an amendment to the Lakewood Neighborhood Plan through Resolution 06-17, and the final Item D is consideration of the conceptual plan for this project we'll be speaking of referred to as Vintage Parc. Do you need to make a motion to take all three?

LAUER MOVED TO CONSIDER NEW BUSINESS ITEMS B, C & D AS THE SAME TIME; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

- C. Receive Plan Commission Recommendation and Consider Resolution #06-17 to support an amendment to a portion of the Lakewood Neighborhood Plan for the request of William Bodner, agent for Vintage Parc LLC, for the area south of STH 165 (104th Street) and east of Old Green Bay Road.**
- D. Receive Plan Commission Recommendation and Consider the request of William Bodner, agent for Vintage Parc LLC for the property located south of STH 165 (104th Street) and east of Old Green Bay Road for a Conceptual Plan for the proposed 5-6 unit and 10-4 unit condominium buildings to be known as Vintage Parc.**

Jean Werbie:

Mr. President and members of the Board, the petitioner is requesting approval of a conceptual plan for the proposed Vintage Park condominium development. This development is proposed to

be located at the southeast corner of Highway 165 and Old Green Bay Road. And as part of this request the petitioner is asking for an amendment to the comprehensive plan and to amend a portion of the Lakewood Neighborhood Plan that all pertain to this same development.

The first is the comprehensive plan amendment. Within the comprehensive plan the Lakewood Neighborhood is located in the central portion of the Village of Pleasant Prairie. The entire Lakewood neighborhood is bounded by Highway 31 on the west, Highway 165 on the north and Springbrook Road on the south and southeast. Pursuant to the land use plan map, this area is proposed to be developed into the low, residential land use category with the average lot area per dwelling unit having at least 19,000 square feet or more per dwelling unit.

In addition, most of the undeveloped areas located within this neighborhood, including this parcel of land, are located within an urban reserve area. So as part of the request this evening and the comprehensive plan amendment, back in 1995 an urban reserve designation was placed on a number of areas within the Village of Pleasant Prairie. These reserve areas were designated because of the lack of urban services and the lack of some detailed neighborhood planning. Both of those elements are in place right now for the area that they're looking to develop for Vintage Parc. So all new developments will require urban services including sanitary sewer, water, roadways, curb and gutter and storm sewer all to be put in and paid for by the developer. These services are available and in proximity to the development site. So part of the amendment will be including a removal of the reserve area for the area that they're looking to develop as part of this conceptual plan this evening.

In addition, the developer is proposing to install municipal water adjacent to the property in Old Green Bay Road, and municipal sewer, water and storm sewer within the development site. So as you can see the comprehensive plan amendment that was approved by the Plan Commission through Resolution #06-06 deserves approval this evening.

There was a neighborhood plan for the entire Lakewood neighborhood that was adopted by the Village Plan Commission and the Board on September 12, 2005. An amendment approved by the Plan Commission included some minor changes to the area in that southeast corner of 165 and Old Green Bay Road which affects this particular property. The location of proposed 65th Avenue has shifted slightly east for it to connect to 107th Street as a result of some adjustments made to the condominium area and to accommodate some setbacks to the current property lines.

Some minor reconfigurations of the single family lots as a result of the 65th Avenue were also being made, and the reconfiguration of the condominium area has also changed slightly from 68 units to 76 units. The amendment would change the number of dwelling units in the entire Lakewood neighborhood. The proposal would be to go from 664 to 672, and the area per dwelling unit is proposed to go from 37,438 square feet per dwelling unit to 36,987 square feet per dwelling unit. This density still is in compliance with the comprehensive plan. If you will recall the average density per the comprehensive plan identifies that the units should be only 19,000 square feet per dwelling unit.

The amendment that was approved by the Plan Commission that pertains to population is as follows: There is an increase from 1,813 persons to 1,835 persons within the entire neighborhood at full build out; an increase of school age children from 417 to 422, again through the whole

neighborhood at full build out; and an increase from 279 public school age children to 282 public school age children at full build out.

The concept plan as you saw a preview of earlier this evening was originally proposed at 70 condominium units, five 6-unit buildings and ten 4-unit buildings. The site is 14.3 acres, 3.3 acres of land to be used for public road right of ways. The net density as proposed by the developer is 6.36 units per acre, and population projections based on this conceptual plan at full build out are as follows: 191 persons; 44 school age children; and 29 public school age children.

The concept plan as recommended by the Plan Commission was slightly different. They are proposing that the developer build only 66 condominium units, which is three 6-unit buildings and twelve 4-unit buildings. Specifically, on March 27, 2006, the Plan Commission held a public hearing and recommended that a number of the units as shown on the concept plan be reduced to no more than 66 units. The two 6-unit buildings at the southeast corner of Old Green Bay Road would be converted to 4-unit buildings. The Plan Commission felt that to reduce the density more in line with the neighborhood plan so that there were 4-unit buildings that were abutting up to the single family development. There were some residents in the audience that abut to this development, and I don't believe that there are any objections from any of those residents. There was a landowner who owns land to the east of this particular development, and he had some concerns with their original proposal but seemed to be satisfied with the adjustments being made by the Plan Commission.

Under open space on this particular property there are no wetlands, no floodplain and no proposed public parks. A 35 foot wide landscape easement is proposed adjacent to Highway 165 and Old Green Bay Road, and that's to create more of a buffer between the adjacent arterials in this development. The trees located along a portion of the eastern property line are proposed to be preserved and protected through woodland preservation easements, and it would appear that actually most of them, the base of the tree and a great deal of the canopy actually exists on the adjacent landowners property, but we wanted to make sure there was a tree preservation easement so those trees would not be disturbed during any construction or grading activities.

For site access there is one access point onto Highway 165 at 65th Avenue which lines up with the access road that leads into the Meadowlands development, and one access point onto Old Green Bay Road at approximately 105th Street. These access points need to be approved by the Wisconsin DOT. The developer has had preliminary discussions already with the Wisconsin DOT and expects support or approval from the State Agency on these access points. Even though Old Green Bay Road is a Village road, it is in proximity to a future intersection or round about on State Highway 165, so for that reason the State does have some input with respect to the separation spacing between that intersection and 105th Street.

With respect to some public improvements, as you will recall when there are permanent roads but entering in a temporary dead end situation, the Village does require that temporary cul-de-sacs be constructed at the end of those streets to facilitate turning movements by emergency vehicles, garbage trucks, school buses and others who are coming into that subdivision. So there are temporary cul-de-sac turnarounds that are proposed to be constructed at the ends of 105th Street, which is the east/west road, and 65th Avenue, which is the north/south road. Signs will be required to be installed at the developer's cost that indicate that these are dead ended streets and

they are temporarily dead ended, and they are intended to be extended in the future at such time as vacant land to the east or to the south is going to develop.

Under public improvements the entire development shall be serviced by municipal sanitary sewer, water, storm sewer and an urban profile roadway system. Both of these roads, both 65th Avenue and 105th Street are intended to be public roads. The road in the center that leads to the three condominium units, that area in particular is intended to be a private drive. It does still need to meet a minimum of a 30 foot wide roadway for access for the fire department, but that would be considered a private road. Again, all of the improvements that are being installed by the developer will be paid for by the developer and not by the Village.

There was some discussion at the Plan Commission meeting with respect to some on street bike trail systems in this particular area and how they would interconnect to this particular development and how they would extend south on Old Green Bay Road. I would specifically like that issue to be looked at in detail by the Park Commission as this development continues to move forward just to make sure that there are no concerns or questions exactly where any future bike trail would be located and to make sure that we have enough right of way that we are obtaining for future bike trail connection.

Under right of recovery, a ten year right of recovery could be afforded to the developer for water improvements that would be installed in Old Green Bay Road, if after holding a special assessment hearing that the project is approved by the Village Board. The actual cost for such improvements would be provided at the time of the final engineering when that is completed. As you know, when a developer puts in public improvements in a municipal roadway that benefit his development but the other side of the street is not taking advantage of those improvements at this time or there's going to be subsequent or future development, the Village has often afforded that developer a right of recovery to recapture one half of the cost of putting in those public improvements when and if those improvements are connected to or there's some type of land division that would trigger the repayment of those special assessments. In this case, the developer would be responsible for putting in all of the public water main from Highway 165 south to the end of his property line. Typical in the past is that the Village Board has afforded the developers a ten year right of recovery, a maximum of ten year as determined by the Public Service Commission.

The property is currently zoned R-4 (UHO), which is an Urban Single Family Residential District with an Urban Landholding Overlay District. This property would need to be rezoned when we get to one of the next planning steps into a multi family residential classification, and when we get all the very specific details with respect to the units, when we've worked out with respect to the amount of brick and the style and all those things have been finalized, all of those things will be worked into a very specific PUD or zoning ordinance amendment for this particular property. I believe that that will probably come at the preliminary plat or final plat stage of this particular development, again, condominium plat stage.

The conceptual plan indicates that the following dimensional variations from the R-10 District and other zoning requirements are proposed. Again, with the planned unit development the Village has allowed it some flexibility as long as there's a defined community benefit to some of the provisions of the zoning ordinance. The buildings are proposed to be located a minimum of 25 feet from the property line adjacent to non arterial roads, wherein a minimum of four feet is required. Three of the four parcels will have more than one building per parcel and typically the ordinance allows one building per parcel. The parcel with buildings 8 and 9 and the parcel with building 10 on it are less than 1.5 acres. The minimum width of a driveway is 35 feet and the conceptual plan indicates that driveways would vary from 24 to 35 feet. The driveway serving building 3, 4 and 5 would be 30. The net density is proposed to exceed the net density of the R-10, 6.0 dwelling units per acre is proposed where 5.3 is permitted.

These dimensional variations are not unlike some other condominium developments, but they would be needed to be considered by the Plan Commission and the Board as part of the planned unit development zoning text amendment that would be proposed.

Some other items that we had talked about at the Plan Commission meeting and the staff has talked about with the developer include separation spacing for driveways, as well as separation spacing to the adjacent arterials. We intend to work through all those details with the developer as well.

In consideration of some of the dimensional variations to the Village, at a minimum some of the following would be required. When I was talking about the flexibility, there is some negotiation that the staff and the Village does with the developers. One of the considerations that they've made is that 80 percent of the buildings would always remain owner occupied, that it would not turn into a rental development, where only 20 percent could turn into a rental situation. All condominium units shall have individual exterior entrances and attached garages as opposed to the long, common hallways and a unit that would be set up similar to that.

All condominium units will have full basements. Many units that are being built today outside of the Village do not have basements, and that was one of the criteria we felt was very important to maintain stability and value for a particular unit. 75 to 100 percent of each unit shall have exterior building materials consisting of brick, stone or block related materials. A variety of building colors shall be submitted and they've started to present some of those to us this evening. All sewer and water within the development shall be public, and additional requirements will be discussed with the developer as we continue to move through the process.

A certifies survey map will be required in order to dedicate the public road right of ways. There could be a maximum of four lots created. And the certified survey map and related development agreement will be considered at the same time that the final condominium, zoning text and map amendment are all presented to the Village.

Again, the items on the agenda this evening, first this evening is the comprehensive plan amendment. The second is an amendment to the neighborhood plan. And then finally is the concept plan as recommended by the Plan Commission to reduce the number of units, again, this time from 70 units to 66 units. The staff and the Plan Commission recommended approval of all

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three items subject to all of the comments and conditions as outlined in the staff memorandums that you have before you.

Steve Kumorkiewicz:

I have a question, Jean, on the conceptual plan. 105th on the east ends in a cul-de-sac. The property west of there is owned by Mr. Scalzo, right?

Jean Werbie:

The property east is owned by Mr. Scalzo.

Steve Kumorkiewicz:

Now, as soon as Mr. Scalzo wants to develop that area, he can hook up with that subdivision from the cul-de-sac and who is going to pay for that?

Jean Werbie:

The land that he owns or he is the agent for is located just to the east. Ultimately we would like to see a looped type system there in order for traffic to loop around. When and if Mr. Scalzo or the property owners want to develop that land, they will need to remove a portion of the cul-de-sac and then loop the road through. What was decided at the Plan Commission meeting is that there would be two 4-units and up to one 2-unit or ten total units that would be approved on that particular property as part of the neighborhood plan. He would have to design storm water management also on that site. But if he doesn't develop in the same time frame as Mr. Bodner, then he will have to do some work with respect to removing a portion of the cul-de-sac and then constructing the public road.

Steve Kumorkiewicz:

So he'd have to pay for that?

Jean Werbie:

As a developer, yes.

Steve Kumorkiewicz:

Thank you.

Mike Serpe:

In approving 06-16, and that's the amendment to the comprehensive land use, there's a compromise that I feel the Plan Commission has come up with to satisfy the neighbors that are presently there and what they were asking for in our number of meetings that we had in the past. It also gives Mr. Scalzo the right to develop his land without putting too much density there, and

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it gives Mr. Bodner the right to develop his and this is kind of like a fair balance that's been achieved by amending this land use in that area and I would move approval of 06-16.

Steve Kumorkiewicz:

Second.

John Steinbrink:

Motion and a second. Any further discussion?

Alex Tiahnybok:

Jean, the 80 foot setback from 165 that would account for the most lavish plan that the State has presented so far, right?

Jean Werbie:

That's correct. That would account for a 160 foot wide right of way. The last plan that was just presented actually Wednesday of last week did not show that wide of a right of way. As it got closer to that intersection, whether it was a traditional intersection or a round about, it did need to widen out, but in this section that would be the largest amount of right of way that they would need.

Alex Tiahnybok:

Okay, and one more question. The right of recovery issue is it safe to assume that obviously if we require a developer to put those improvements in, and we anticipate let's say further development downstream, is the sizing of the improvements, are the requirements of the sizing enough to handle those downstream improvements should they come? Is that our general process?

Jean Werbie:

That's exactly something that the Village Administrator and the Village Engineer look at when they're designing their municipal water or sewer. It's to be able to handle either adjacent properties or properties downstream depending on what occurs.

Alex Tiahnybok:

And if they occur then they can recover the cost.

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Jean Werbie:

Exactly.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #06-16 TO SUPPORT THE AMENDMENT TO THE VILLAGE COMPREHENSIVE LAND USE PLAN TO REMOVE THE URBAN RESERVE DESIGNATION FROM THE LAND AREA SOUTH OF STH 165 (104TH STREET) AND EAST OF OLD GREEN BAY ROAD; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

John Steinbrink:

Next item is Item C, 06-17.

LAUER MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #06-17 TO SUPPORT AN AMENDMENT TO A PORTION OF THE LAKEWOOD NEIGHBORHOOD PLAN FOR THE REQUEST OF WILLIAM BODNER, AGENT FOR VINTAGE PARC LLC, FOR THE AREA SOUTH OF STH 165 (104TH STREET) AND EAST OF OLD GREEN BAY ROAD; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0.

Mike Serpe:

Mr. Chairman, Item D as written on the agenda sheet it would still be 70 units. Which two units, Rich, are being reduced?

Jean Werbie:

That is incorrect. It should be 66. On the slide in the circle it says change two buildings from six unit buildings to four unit buildings, so they would be the two that are closest to Old Green Bay Road south of 105th. Those would both be four unit instead of six unit buildings.

Mike Serpe:

Just so it's reflected that it will be 66 total units and not 70.

Jean Werbie:

Correct.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND GRANT THE REQUEST OF WILLIAM BODNER, AGENT FOR VINTAGE PARC LLC FOR THE PROPERTY LOCATED SOUTH OF STH 165 (104TH STREET) AND EAST OF OLD GREEN BAY ROAD FOR A CONCEPTUAL PLAN FOR

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**THE PROPOSED CONDOMINIUM BUILDINGS TO BE KNOWN AS VINTAGE PARC;
SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.**

- E. Receive Plan Commission Recommendation and Consider the request of Scott Erdmann, property owner, for a Lot Line Adjustment between 9234 30th Avenue (Richard) and 3010 93rd Street (Erdmann).**

Jean Werbie:

Mr. President and members of the Board, the petitioner is requesting to adjust the lot lines between 9234 30th Avenue, which is tax parcel number 91-4-122-133-0541, which is owned by Richard, and a lot that is identified at 3010 93rd Street, which is tax parcel number 91-4-122-133-0535 owned by Erdmann. On March 27, 2006 the Plan Commission recommended that the Village Board approve this lot line adjustment.

The proposed lot line adjustment is to basically adjust the lot lines between the two properties in order to make two more conforming regularly shaped rectangular lots. Both currently have single family dwellings and detached accessory garages. Both of the properties are zoned R-4, UHO, Urban Single Family Residential District with an Urban Landholding Overlay District. The R-4 District requires lots to have a minimum frontage of 90 feet and minimum lot areas of 15,000 square feet. The current setback requirements for single family lots in the R-4 District are at 30 feet from the street property line, 10 feet from the side property line and 25 feet from the rear property line.

The slide as shown shows how both properties would look with the adjustment or the correction of the lot line adjustment. In the staff memo it details out specifically the homes that were built on the properties back in 1930s and the detached garages, and that there's some existing easements on the properties that will be maintained for both of the properties. The Plan Commission and the staff recommend approval of the lot line adjustment subject to the petitioner recording the proper transfer documents with the Kenosha County Register of Deeds office with the plat of survey for the lot line adjustment within 30 days and providing us that recording information.

Steve Kumorkiewicz:

This was discussed in the Plan Commission meeting so I make a motion to adopt the lot line adjustment and approve it.

Jeff Lauer:

Second.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND GRANT THE REQUEST OF SCOTT ERDMANN, PROPERTY OWNER, FOR A LOT LINE ADJUSTMENT BETWEEN 9234 30TH AVENUE (RICHARD) AND 3010 93RD STREET (ERDMANN), SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY LAUER; MOTION CARRIED 5-0.

- F. Receive Plan Commission Recommendation and Consider the request of Kenneth & Tracy Rasch, owners, for a Certified Survey Map to subdivide the property located at 3125 116th Street into two (2) parcels.**

Jean Werbie:

Mr. President and members of the Board, the petitioner is requesting to divide the property located at 3125 116th Street. The property is identified as tax parcel number 92-4-122-362-0025. It's located on the south side of 116th Street, and they're proposing to create one new additional parcel. The property is currently zoned R-4, Urban Single Family Residential District with a UHO overlay. The minimum lot size and area that needs to be created in this district is a minimum of a 15,000 square foot lot with 90 feet of road frontage.

Lot 1 is currently unimproved as shown. It would have 19,962 square feet with 100 feet of road frontage and 200 feet of lot depth and would meet the minimum requirements of the R-4 District. Lot 2 would be 3.43 acres with 96.49 feet of frontage, 990.14 feet in lot depth and it's currently improved with a single family home at 1,680 square feet. Both proposed lots 1 and 2 meet and exceed the minimum requirements of the R-4 District. Additional 116th Street right of way shall be dedicated for the full widths of lots 1 and 2 in order to achieve a right of way width of 50 feet from center identical to the 50 foot wide northern one half right of way that's already been dedicated.

The subject property is not located within the limits of a 100 year floodplain, however the extreme southern portion of lot 2 may contain wetlands that are associated with a navigable waterway that traverses the property. As information any further improvements on lot 2 would require some type of navigability determination so that the property owner is aware of any concerns that they might have with respect to setbacks for zoning or building permits if they choose to do any further building on that particular property.

According to the Village records there's no outstanding taxes or assessments on this property. There would be a \$1,600 per residential unit sewer connection fee for any new connections to the sewer system. The payment of \$2,381 in Village impact fees will be required at the time of the building permit for a new dwelling on outlot 1. And according to Rich Hooper at We Energies no additional utility easements are required in this CSM. The land division conforms with the land division and development control ordinance, the comprehensive plan and the Village zoning ordinance, and all other relevant ordinances of the Village. The staff recommends approval of the certified survey map subject to the comments and conditions as outlined by the Village staff and the Plan Commission.

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KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION AND APPROVE THE REQUEST OF KENNETH & TRACY RASCH, OWNERS, FOR A CERTIFIED SURVEY MAP TO SUBDIVIDE THE PROPERTY LOCATED AT 3125 116TH STREET INTO TWO (2) PARCELS, SUBJECT TO CONDITIONS SET FORTH BY STAFF; SECONDED BY LAUER; MOTION CARRIED 5-0.

G. Consider Agreement Between the Village of Pleasant Prairie and the Village of Pleasant Prairie Police Supervisors Association.

Mike Pollocoff:

Mr. President, this is a new agreement between the Village and the supervisors and the Police Department who formed together as an association. We've negotiated an agreement that would specify management rights as well as some of the things that would govern working conditions and benefits that occur out in the Police Department. Many things are reference the collective bargaining agreement that we have with the Police Department. Those things such as wages, benefits that are relating to retirement and health insurance would be the same as follows through with all Village management employees. And this would add some structure to the menu and I guess the level of protections for the employees in the department. The Chief and the Assistant Chief are excluded from this association so it would primarily be sergeants and lieutenants. And there are these agreements that exist in other departments. The City of Kenosha is the closest example. It would be my recommendation that the Village President and myself be authorized to enter into the collective bargaining agreement with the Pleasant Prairie Police and the Supervisors Association.

Alex Tiahnybok:

Is this a revision of a current agreement or a new document altogether?

Mike Pollocoff:

It's a new document altogether. Well, it's new for them. The document itself is very similar to the existing agreement with the patrol officers.

TIAHNYBOK MOVED TO APPROVE AN AGREEMENT BETWEEN THE VILLAGE OF PLEASANT PRAIRIE AND THE VILLAGE OF PLEASANT PRAIRIE POLICE SUPERVISORS ASSOCIATION; SECONDED BY LAUER; MOTION CARRIED 5-0.

H. Consider Rejecting Bids for the 2006 Sewer Utility River Oaks Paving Project.

Mike Pollocoff:

Mr. President, we received sealed bids for paving work and restoration in conjunction with the sanitary sewer improvements made in the River Oaks Subdivision, 113th Avenue. We received three bids. Payne and Dolan was the low bid at \$33,416. We have had a property owner that

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came back and wanted to have the 1st Court Avenue paving project resurrected. We've also installed or replaced a water line in Pleasant Homes on 39th Avenue, and that pavement seriously deteriorated with the work that took place there. Then we have 95th Street which in essence is a lot and a half worth of paving. So my recommendation is we reject the previous bid, go back out and put all the work together and see if we can drive the price down a little farther.

Alex Tiahnybok:

Mike, the addition of these other items is it on a percentage basis? Does it enhance the original project by a lot, or are they minor add ons? One of them was real tiny, right?

Mike Pollocoff:

Pleasant Homes is a significant add on. It doesn't double it, but it's probably a third again of what we had. The other two, Lakeshore and 95th Street, 95th Street is very minor and Lakeshore is not that large either.

Alex Tiahnybok:

So about a third or a half more?

Mike Pollocoff:

Up to a half, yes.

KUMORKIEWICZ MOVED TO APPROVE THE ADMINISTRATOR'S RECOMMENDATION TO REJECT BIDS RECEIVED FOR THE 2006 SEWER UTILITY RIVER OAKS PAVING PROJECT AS PRESENTED; SECONDED BY LAUER; MOTION CARRIED 5-0.

I. Consider Bartender License Applications on file.

SERPE MOVED TO APPROVE THE BARTENDER LICENSES FOR MICHAEL BARTER; MICHAEL HENTHON AND FRED WILLIAMS; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 5-0.

8. ADJOURNMENT.

KUMORKIEWICZ MOVED TO ADJOURN THE MEETING; SECONDED BY TIAHNYBOK; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 7:25 P.M.