

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39th AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
MARCH 10, 2014**

AGENDA

1. Call to Order.
2. Roll Call.
3. Consider the minutes of the February 10, 2014 Plan Commission meeting.
4. Correspondence.
5. Citizen Comments.
6. New Business.
 - A. **PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT** to amend Section 420-81 A related to residential fence requirements.
 - B. **PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT** to amend Section 420-48 J related to traffic, parking and access provisions for building setbacks to fire lanes.
 - C. **PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT** to amend Section 420-131 T (2) (e) to clarify regulations related to 100-year floodplain boundary adjustments.
 - D. Consider the requests of Stacey Wendt and Delbert and Sandra Wendt owners of the property located at 2028 and 2020 89th Place for approval of a **Lot Line Adjustment** between their properties and the property to the north located at 8911 22nd Avenue owned by Ronald Macik and Lanette Allen.
7. Adjourn.

It is possible that members and possibly a quorum of members of other governmental bodies of the municipality may be in attendance in the above stated meeting to gather information; no action will be taken by any other governmental body except the governing body noticed above.

The Village Hall is handicapped accessible. If you have other special needs, please contact the Village Clerk, 9915 39th Avenue, Pleasant Prairie, WI (262) 694-1400.

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
6:00 P.M.
February 10, 2014**

Due to technical difficulties the February 10th, 2014 Plan Commission Minutes were not transcribed verbatim.

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on February 10, 2014. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Jim Bandura; Judy Juliana; Andrea Rode (Alternate #1) and Bill Toebig (Alternate #2). Wayne Koessl was excused. Also in attendance were Mike Pollocoff, Village Administrator; Jean Werbie-Harris, Community Development Director; Tom Shircel, Assistant Village Administrator and Peggy Herrick, Assistant

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER THE MINUTES OF THE JANUARY 13, 2014 PLAN COMMISSION MEETING**

Don Hackbarth:

So moved

John Braig:

Second

Tom Terwall:

IT'S BEEN MOVED BY DON HACKBARTH AND SECONDED BY JOHN BRAIG TO APPROVE THE MINUTES OF THE JANUARY 13, 2014 PLAN COMMISSION MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall

Opposed? So ordered

- 4. CORRESPONDENCE.**

Jean Werbie-Harris:

None

5. CITIZEN COMMENTS.

Tom Terwall:

If you're here for an item that appears on the agenda as a matter of public hearing we would ask that you hold your comments until the public hearing is held so that we can include your comments as a part of the official record. However, if you're here for an item that is not a matter for public hearing, or if you want to raise an issue that's not on the agenda now would be your opportunity to do so. We would ask that you step to the microphone and begin by giving us your name and address. Is there anybody wishing to speak under citizens comments?

Tom Terwall:

None

6. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION APPROVAL OF PLAN COMMISSION RESOLUTION #14-02 FOR THE FOLLOWING

COMPREHENSIVE PLAN AMENDMENTS: 1) to amend the Lakeview West Neighborhood Plan 13 of Appendix 9-3 including a portion of the River Woods Neighborhood Plan 24 of Appendix 9-3 generally located between the 9300 block of 120th Avenue (East Frontage Road) to the Wisconsin/Illinois state line and east of I-94. The Neighborhood Plan(s) identify potential, land uses, road layouts, signal locations and access points for future industrial and commercial development along this portion east of the I-94: **2)** to amend the 2035 Land Use Plan Map 9.9 as follows:

On March 11, 2013 the Village Plan Commission adopted Plan Commission Resolution #13-04 to initiate amendments to the Village 2035 Comprehensive Plan, the Village Zoning Ordinance (text and map) related to creating a new M-5, Production Manufacturing Zoning District that would allow for specific manufacturing, production and office uses located on properties located adjacent to the LakeView Corporation Park.

On June 17, 2013 the Village Board approved amendments to the Comprehensive Plan and the Village Zoning Ordinance (Ord. # 13-21, Ord. #13-22 and Ord. #13-24) related to the new M-5, Production Manufacturing District.

The new M-5 Zoning District reflects an enhancement of the Village's public policy of sound and diversified economic development to promote job creation. The new M-5 District serves to enhance and encourage production, manufacturing, and office related employment as the primary uses in this District. The M-5 District also encourages and promotes more intensive land uses which in turn promotes greater employment opportunities in proximity to I-94.

During the Plan Commission public hearings regarding these Ordinance amendments, the staff indicated that a TIA was being completed for the area east of I-94 and that a

Neighborhood Plan would be presented for this area upon its completion. Therefore, the following amendments to the Comprehensive Plan being considered at tonight's meeting:

1. To amend the Lakeview West Neighborhood Plan 13 of Appendix 9-3 including a portion of the River Woods Neighborhood Plan 24 of Appendix 9-3 generally located between the 9300 block of 120th Avenue (East Frontage Road) to the Wisconsin/Illinois state line and east of I-94. The Neighborhood Plan(s) identify potential, land uses, road layouts, signal locations and access points for future industrial and commercial development along this portion east of the I-94 as described in **Plan Commission Resolution #14-02** and as shown on **Maps 1 and 2 of Resolution #14-02**.
2. To amend the 2035 Land Use Plan Map 9.9 as follows:
 - a. Portions of Tax Parcel Number (TPN) 92-4-122-192-0100 owned by Robert and Judy Schaffer generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Park, Recreational and Other Open Space with an Urban Reserve Overlay land use designation are proposed to be changed to the Production Manufacturing with an Urban Reserve Overlay land use designation. All other land use designations on the properties will remain unchanged as shown on **Map 3 of Resolution #14-02**.
 - b. Portions of TPN 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority and TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are located within the Freeway Office Center land use designation are proposed to be changed to the Production Manufacturing land use designation. All other land use designations on the properties will remain unchanged as shown on **Map 3 of Resolution #14-02**.
 - c. TPN 92-4-122-193-0161 owned by WisPark LLC generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is located within the Freeway Office Center land use designation is proposed to be changed to the Freeway-Oriented Service Center land use designation as shown on **Map 3 of Resolution #14-02**.
 - d. A portion of TPN 92-4-122-301-0200 owned by the Conservation Education LLC generally located west of the DesPlaines River south of 110th Street that is located within the Freeway-Oriented Regional Retail Center with an Urban Reserve Overlay land use designation is proposed to be located within the Park, Recreational and Other Open Space land use designation. All other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02**.
 - e. Portions of TPN 92-4-122-303-0300 owned by Ries Partners LP, TPN 92-4-122-312-0305 owned by James G Hart and Delaine Farm Partners generally located along the 11600 block of 120th Avenue (East Frontage Road) that are located within the Production Manufacturing or the

Freeway-Oriented Regional Retail land use designations are proposed to be located in both the Production Manufacturing and Freeway-Oriented Regional Retail Center land use designations. All other land use designations on the properties will remain unchanged as shown on **Map 4 of Resolution #14-02**.

- f. Portions of TPN 92-4-122-312-0250 owned by Donald Jr. and Elizabeth Camacho, TPN 92-4-122-312-0220 owned by Craig and Shannon Martin, TPN 92-4-122-312-0200 owned by Thomas and Kenneth King, TPN 92-4-122-312-0206 owned by the King's Motel of Pleasant Prairie, TPN 92-4-122-312-0210 owned by Refik and Idise Beshiri generally located between I-94 and 120th Avenue (East Frontage Road) north of CTH ML (122nd Street) that are located within the Freeway-Oriented Regional Retail Center land use designation are proposed to be located in both the Production Manufacturing and Freeway-Oriented Regional Retail Center land use designations. The Urban Reserve Overlay Land use designation and all other land use designations on the properties will remain unchanged as shown on **Map 4 of Resolution #14-02**.
- g. Portions of TPN 92-4-122-313-0275 owned by Carl Coulson generally located at the southwest corner of CTH ML (122nd Street) and 120th Avenue (East Frontage Road) within the Freeway-Oriented Regional Retail land use designation is proposed to be located within the Freeway-Oriented Service Center with an Urban Reserve Overlay land use designation. All other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02**.
- h. Portions of TPN 92-4-122-313-0200 owned by Allen Jr. and Michealene Day, TPN 92-4-122-313-0295 owned by Rae Pharr-Taylor and Marc James Taylor, TPN 92-4-122-313-0293 owned by Allen and Michealene Day, TPN 92-4-122-313-0290 owned by Garrett and Cindy Wood, TPN 92-4-122-313-0285 owned by Grace Drath, and TPN 92-4-122-313-0205 owned by Mark and Pat Kirschhoffer generally located south of CTH ML and east of 120th Avenue (East Frontage Road) that are located within the Freeway-Oriented Regional Retail land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the properties will remain unchanged as shown on **Map 4 of Resolution #14-02**.
- i. Portions of TPN 92-4-122-314-0200 owned by Sherri Chmielecki located at 11009 122nd Street that are within the Freeway-Oriented Regional Retail land use designation are proposed to be located within the Low Density Residential land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02**.
- j. Portions of TPN 92-4-122-314-0100 owned by Carl E. Prymula Dec of Trust dated 4/8/98 and Charles E. Prymula generally located north of the Wisconsin/Illinois state line at the 11000 block that are located within the

Low Density Residential land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02**.

- k. Portions of TPN 92-4-122-313-0100 owned by Fossland Trust generally located north of the Wisconsin/Illinois state line and east of I-94 that are located within the Freeway Office Center land use designation are proposed to be located within the Production Manufacturing land use designation. The Urban Reserve Overlay Land use designation and all other land use designations on the property will remain unchanged as shown on **Map 4 of Resolution #14-02**.
3. To update Appendix 10-3 of the Village of Pleasant Prairie Wisconsin, 2035 Comprehensive Plan to reflect the above noted changes to the 2035 Land Use Plan Map 9.9.

Motion by Don Hackbarth with a second by Mike Serpe.

All in favor

B. CONSIDERATION OF ZONING MAP AMENDMENTS to rezone vacant land generally located north of STH 165 (104th Avenue) along 120th Avenue (East Frontage Road) to ensure that the Zoning Map and the Comprehensive Land Use Plan are consistent: **1)** portions of Tax Parcel Number (TPN) 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority that are currently zoned B-5, Freeway Office District are proposed to be rezoned into the M-5 Production Manufacturing District; **2)** portions of TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are currently zoned B-5 are proposed to be rezoned into the M-5; and **3)** TPN 92-4-122-193-0161 owned by WisPark LLC. generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is currently zoned B-5 is proposed to be rezoned into the B-4, Freeway Service Business District.

On March 11, 2013 the Village Plan Commission adopted Plan Commission Resolution #13-04 to initiate amendments to the Village 2035 Comprehensive Plan, the Village Zoning Ordinance (text and map) related to creating a new M-5, Production Manufacturing Zoning District that would allow for specific manufacturing, production and office uses located on properties located adjacent to the LakeView Corporation Park.

On June 17, 2013 the Village Board approved amendments to the Comprehensive Plan and the Village Zoning Ordinance (Ord. # 13-21, Ord. #13-22 and Ord. #13-24) related to the new M-5, Production Manufacturing District.

The new M-5 Zoning District reflects an enhancement of the Village's public policy of sound and diversified economic development to promote job creation. The new M-5 District serves to enhance and encourage production, manufacturing, and office

related employment as the primary uses in this District. The M-5 District also encourages and promotes more intensive land uses which in turn promotes greater employment opportunities in proximity to I-94.

During the Plan Commission public hearings regarding these Ordinance amendments, the staff indicated that a TIA was being completed for the area east of I-94 and that a Neighborhood Plan would be presented for this area upon its completion. The amendments to the Comprehensive Plan were just discussed with the consideration of Plan Commission Resolution #14-02.

As required by the Village Comprehensive Plan, the Land Use Plan Map shall be consistent with the Zoning Ordinance therefore, based on the LakeView West Neighborhood Plan and the land use map amendments discussed previously, the following zoning map amendments on vacant land generally located north of STH 165 (104th Avenue) along 120th Avenue (East Frontage Road) are proposed to ensure that the Village Zoning Map and the Comprehensive Land Use Plan Map are consistent:

1. Portions of Tax Parcel Number (TPN) 92-4-122-192-0302 owned by Village of Pleasant Prairie Community Development Authority that are currently zoned B-5, Freeway Office District are proposed to be rezoned into the M-5 Production Manufacturing District.
2. Portions of TPN 92-4-122-193-0125 owned by WisPark LLC generally located at the 9300 block of 120th Avenue (East Frontage Road) that are currently zoned B-5, Freeway Office District are proposed to be rezoned into the M-5 Production Manufacturing District.
3. TPN 92-4-122-193-0161 owned by WisPark LLC generally located at the northwest corner of STH 165 and 120th Avenue (East Frontage Road) that is currently zoned B-5, Freeway Office District is proposed to be rezoned into the B-4, Freeway Service Business District.

Motion by Don Hackbarth with a second by Mike Serpe.

All in favor

C. PUBLIC HEARING AND CONSIDERATION OF PLAN COMMISSION RESOLUTION #14-03 FOR AMENDMENT #5 TO TAX INCREMENT

DISTRICT #2 (TID 2) related to: proposed amendments to the TID 2 Project Plan, including changes to the TID 2 boundary (through the addition of parcels); revisions to project expenses to complete infrastructure improvements; the provision of financial incentives for development of industry [to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans]; and the acquisition of properties and/or easements that are required for public improvements.

PROJECT PLAN AMENDMENT

GENERAL DESCRIPTION & BACKGROUND

Introduction

The Village of Pleasant Prairie is initiating an amendment of Tax Increment District #2 (TID 2). This fifth (5th) amendment provides for a significant number of needs critical to the successful development of vacant land within TID 2 and continued expansion of the Village's industrial, manufacturing, assembly, professional office and research and development uses to further expand TID 2's tax base.

Tax Increment Finance District #2 – Brief History

Pleasant Prairie's first TID was created in 1989 to assist in the establishment of LakeView Corporate Park. It was retired in 1999, ten years earlier than originally anticipated. The initial value of TID #1 was \$15.75 million, and today, corporate park development in Pleasant Prairie is valued at \$787 million and accounts for 31.21% of the total value of the Village. This creates a substantial benefit in the amount of property taxes residents in Pleasant Prairie pay each year.

In 1999 TID 2, a TID suitable and zoned for industrial sites, was created to provide for additional industrial development within LakeView Corporate Park East and West. TID 2 has been amended four (4) times since 1999. TID 2, as amended, provides for further expansion for the Village's industrial and commercial tax base while taking advantage of the development opportunities that were created by the land's proximity to I-94. Under its current configuration, TID #2 encompasses approximately 2,174 acres.

Previous TID 2 Amendments

Pursuant to State Statutes 66.1105(4)(h)(8), the Village of Pleasant Prairie may adopt an amendment to a project plan under to modify the boundaries of TID 2 not more than 6 times during the district's existence.

Amendment #1 – In 2002, the Village amended TID 2 to provide for the further expansion of the Village's industrial tax base while taking advantage of the development opportunities that are created because of the direct proximity of I-94. The amendment provided the Pleasant Prairie Community Development Authority ("CDA") with the resources to identify, acquire and redevelop blighted properties along I-94. This amendment included the merging of land adjacent to I-94 that was originally developed as Tax Increment District #3.

Amendment #2 – In 2004, the Village amended TID 2 in order to install broadband infrastructure within TID 2 for the provision of the next generation of technical infrastructure improvements for existing and future development. The completed 3 fiber optic network ring is installed around and throughout TID 2 as well as off-site extensions to connect major water utility infrastructure and other areas in order to provide redundancy to the network. These improvements along I-94 have made TID 2 a far more desirable location to attract businesses with better paying sustainable jobs and significantly higher valued land uses. This change in the

economic impact, along with increased property values, has provided a positive impact throughout Pleasant Prairie, Kenosha County and southeastern Wisconsin.

Amendment #3 – In 2008, the Village amended TID 2 to provide funding for site development and utilities for the then-200 acre (now 231 acre) Uline Corporate Campus, generally located in the southwest quadrant of I-94 and County Trunk Highway Q (“CTH Q”).

Amendment #4 – In 2012, the Village amended TID 2 to provide for the provision of funds to enable improvements, changes to the TID 2 boundary (through both additions and subtractions of parcels), for the purpose of revising project expenses to complete infrastructure improvements (roads and storm sewers, sanitary sewers, municipal water, site grading, storm water management), the provision of financial incentives for development of industry (which may include grants to owners, lessees or developers of land within TID 2), and the acquisition of properties that are required for public improvements, all to accommodate proposed development projects.

TID 2 encompasses the I-94 - STH 165/CTH Q interchange. At this location, the Village of Pleasant Prairie has been able to provide an economic environment that is poised to create well over 13,000 well-paying jobs where none previously existed. The Village has established a modern retail center, Pleasant Prairie Premium Outlet Mall, which employs over 1,000 persons and is a significant source of sales tax revenue to the State of Wisconsin.

West of I-94, the development of the Uline Corporate Campus has created a property tax base of over \$102 million dollars on land that was formerly occupied by adult bookstores, junk yards, fireworks stands, and “hodge-podge” residential development that was valued at less than \$15 million dollars. The construction of the proposed 2nd Uline warehouse distribution center (1.2 million square feet) will significantly increase the Village tax base.

The proposed revision of TID 2 project expenses will allow for necessary and critical infrastructure improvements and land acquisitions and in order keep current and proposed development proposals on track. The Village needs the flexibility to ensure that businesses (re)locating in the Village that the District can be modified in order to facilitate new construction. In some instances the timing and sequence of the future developments is not certain, but modifications to TID 2 are necessary to ensure the basic infrastructure requirements are met to make the land economically sustainable. The Village of Pleasant Prairie has established a credible history of creating successful TIF districts in the past that have created over 8,000 new jobs, nearly ½ billion dollars in new value, and substantial commercial and residential spin-off that have kept the Kenosha County economy robust and vital.

Financing

Financing for TID 2 projects, in the form of general obligation bonds and promissory notes, will be issued in the years that projects are undertaken. Debt for the TID will be

repaid with property taxes from businesses within the District. Once all of the debt for the TID has been repaid, the District will be retired, and the property tax payments will then be directed back to the taxing entities. It is estimated that TID 2 will be retired during 2023 or earlier, depending upon the success of the development within the TID.

Description of the Project (5th Amendment)

This Amendment #5 to TID 2 includes the addition of territory to the TID 2 project boundaries. The project boundaries for the District are irregular. The TID 2, Amendment #5, boundaries in general are as follows: Beginning approximately 1/3 mile west of 39th Avenue at approximately 98th Street; then extending westward to Green Bay Road (STH 31) via a ribbon of land; then south along STH 31 to approximately 111th Street; then generally west and south where the boundary jogs to Springbrook Road (CTH ML) and further west and south where the boundary jogs to 122nd Street; then north along 88th Avenue (CTH H) to include selected parcels on both sides of CTH H to 104th Street (STH 165); then west to include selected properties north and south of STH 165 at the CTH H intersection; then further west along STH 165 along the south side of a ribbon of land abutting STH 165 on the north to the 120th Avenue (East Frontage Road); then south on 120th Avenue and 116th Avenue extended to include properties along both sides of 120th Avenue and 116th Avenue extended to the approximate 12000 Block; then north on 120th Avenue to include properties both east and west of I-94; then north along I-94 from the approximate 11400 Block on the west side of I-94, including a vast majority of the land situated within the Village municipal boundary west of I-94, to CTH C (Wilmot Road) to the north; then south along I-94 to include selected properties along the west side of I-94; then south to the STH 165/I-94 interchange including parcels adjacent to the interchange; then back east along the north side of the ribbon of land abutting STH 165 on the north side of STH 165 where the boundary jogs along the north side of STH 165 to the Union Pacific Railroad right-of-way, then north to 95th Street, then east to STH 31.

Pleasant Prairie Specific - TIF Amendment to State Statutes

On July 29, 2011, Governor Walker signed into law a bill enabling the Village of Pleasant Prairie to increase the value of the existing TID 2 beyond 12% of the Village's equalized value of taxable property (the "12% Limit"). The law provides for the growth of economic development opportunities within TID 2 and offers the Village flexibility to act quickly when addressing development opportunities that present themselves. The change to the TIF District became necessary when, in 2009 in an unusual set of circumstance due to fluctuations in the economy, the value of the Village's residential tax base decreased by 16% while the value in TID 2 increased by 11% due to new development. These factors led to the disproportion in the formula for the 12% Limit. This TIF law for the Village will allow the value of TID 2 to exceed the 12% Limit by allowing the value of TID 2 to be up to 1.33 times (or 33%) of the equalized assessed value of taxable property in the entire Village (rather than 12%). This law, specific to the Village of Pleasant Prairie, will allow the Village to enhance the financial

effectiveness of TID 2. With the proposed Amendment #5, the value of TID 2 will be 16.95% of the total equalized assessed value of taxable property in the entire Village.

SPECIFIC TID 2, AMENDMENT 5 PROJECTS

The primary reasons for amending the TID 2 Project Plan are for:

The provision of funds to enable improvements.

Changes to the TID 2 boundary through the addition of parcels.

The purpose of revising project expenses to complete infrastructure improvements (roadways, storm sewers, sanitary sewers, municipal water, site work and grading, storm water management, land acquisition, pedestrian/bicycle path and sidewalk, burying of utility lines).

The provision of financial incentives for development to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans. Grants and incentives for economic development.

The acquisition of land necessary for required public improvements.

The proposed total project cost has increased by \$28,340,900 to a total project cost of an estimated \$122.6 million. The approximate new project costs increase of \$28 million is comprised mainly of: \$7.5 million for roadway improvements; \$1.5 million storm sewer improvements; \$4.2 million for sanitary sewer improvements; \$3.8 million for municipal water main improvements; 9.1 million for site work and grading; \$1.0 million for a pedestrian/bicycle path along both sides of 95th Street, between Green Bay Road (STH 31) and 88th Avenue (CTH H); \$75,000 for grants and incentives for economic development; and \$600,000 in administrative and legal costs.

Without the use of TIF funding, the following developments would not occur.

1. Riverview Corporate Park

A major part of the Amendment 5 costs are attributed to the proposed Riverview Corporate Park (RCP) proposed to be developed by Venture One Real Estate, LLC on the Hart, Sprenger and Johnson-owned properties generally located east of I-94 south of 110th Street and north of 122nd Street. Maps 11 & 12 of the Plan indicate that a possible eight (8) office and manufacturing/production buildings, ranging in size from about 69,000 square feet to 428,000 square feet could be developed within RCP. On September 16, 2013, the Village Board of Trustees conditionally-approved a Master Conceptual Plan for the proposed +/-300 acre RCP. RCP is strategically designed to accommodate corporate facilities for office, research and development, manufacturing, production and assembly operations (in accordance with the M-5, Production Manufacturing Zoning District). Infrastructure development of RCP will likely begin in 2014 with an ultimate estimated employment of 1,100 people at full build-out.

Components of Amendment 5 attributed to the development of RCP include:

Roadway (expenditures of approximately \$6,204,000)

Construction of 116th Avenue extending south from 110th Street terminating in a cul-de-sac north of a navigable waterway (Phase I) and northward from 122nd Street terminating in a cul-de-sac south of a navigable waterway (Phase II).

Construction of 116th Street extending eastward from the existing East Frontage Road to the new 116th Avenue (forming a T-intersection).

Removal of a curved segment of the East Frontage Road south of the new 116th Street to the point where the "old" segment of the East Frontage Road connects with the new 116th Avenue (Phase I).

Construction of a roundabout at the 120th Avenue/Corporate Drive/108th Street intersection near Premium Outlets (Phase II).

Storm Sewer (\$900,000), **Sanitary Sewer** (\$3,316,000), **Municipal Water Main** (\$1,046,000), **Site Work & Grading** (\$5,412,000) = \$10,674,000

The construction of storm sewer and storm water management facilities (retention ponds); sanitary sewer mains; extension of water south from 116th Avenue at 110th Street south to 122nd Avenue (Phase I); grading for Phases I and II and a construction of a lift station in Phase II.

2. **Prairie Springs Pointe South**

The Village Community Development Authority (CDA) owns an approximate 30 acre parcel located west of I-94 along the West Frontage Road, approximately ½ - ¾ miles south of CTH Q, commonly referred to as Prairie Springs Point South ("PSP South"). The CDA is actively marketing this M-5 zoned property. This Amendment 5 includes funding to install infrastructure associated with the PSP South parcel, which includes the following.

Roadways (\$976,000)

Construction of 113th Street extending west from the West Frontage Road (120th Avenue) to the western parcel line of the PSP South parcel, with associated wetland mitigation.

Improvements to the West Frontage Road to an urban profile road section.

Storm Sewer (\$188,000), **Sanitary Sewer** (\$195,000), **Municipal Water Main** (\$195,000), **Site Work & Grading** (\$255,000) = \$833,000

Construction of storm sewer, sanitary sewer, and municipal water within the 113th Street right-of-way extending west from the West Frontage Road to the western parcel line to service the 30 acre CDA-owned PSP South parcel and the Ries Partners LP -owned 40 acres to the west and associated site work and grading.

3. **Village Green Area Plan & 39th Avenue Reconstruction** **(Statute 66.1105 2.(f)1.m. - ½ Mile Radius Rule)**

In 2014, the Village is planning the construction of a new Fire Station #1, to be located immediately north of the Village Hall. Associated with the new Fire Station #1 is a redesign of the Village Green Area along with the reconstruction of 39th Avenue (CTH EZ) to an urban profile (curb & gutter), 2-lane roadway with a median, bicycle lanes and parallel parking between 104th Street (STH 165) and 97th Street. The improvements to 39th Avenue, an arterial roadway, will serve the proposed Village Green Area, generally located within the demographic center of the Village at 104th Street, Springbrook Road and 39th Avenue. The Village Green Area is a planned, but yet-to-be-constructed, mixed-use commercial/residential development incorporating not only commercial, civic and park uses, but also a variety of higher density residential uses. This improvement will provide the foundation for the necessary infrastructure to start commercial development, by a private developer, in the geographic center of the Village.

It is anticipated that the necessary funding for the redesign of the Village Green Area and the reconstruction of 39th Avenue, which includes engineering fees, right-of-way acquisition, property acquisition for storm water facilities, sanitary sewer, water main, storm sewer mains, roadway, parking areas, traffic signals, landscaping, irrigation, street lighting and the relocation (placement underground) of the existing overhead electric utility lines along the east side of 39th Avenue between 100th Street, northwards to Springbrook Road and additional Village Hall on-site electric utility lines, will involve an expenditure of approximately \$7,320,000.

4. Lakeview Sanitary Sewer Main Extension

The construction of a sanitary sewer main along the east side of 88th Avenue, extending from just north of 113th Street to the Lakeview lift station. This sanitary sewer will provide additional flow to an under-utilized lift station which will aid in lowering the pollutant loading concentrations in the Village's system overall. This improvement will cost approximately \$561,000.

5. Sheridan Road Distribution Water Main

Installation of a new water main along the west side of Sheridan Road, from 91st Street to the existing Water Booster Station at 104th Street. This project will remove existing water services/laterals from the existing transmission main to this new water line. These water customers will then be on the Village's pressure system rather than the Kenosha Water Utility and the new line will provide service to the future Barnes Creek Neighborhood area. This improvement will involve an expenditure of approximately \$2,280,000.

6. 95th Street Pedestrian/Bicycle Path & Sidewalk

Construction of a 5 foot wide concrete sidewalk on the south side of 95th Street, between Green Bay Road (STH 31) and 88th Avenue (CTH H), and a 10 foot wide asphalt multi-use path on the north side of 95th Street, from Old Green Bay Road to Terwall Terrace (connecting to the existing multi-use path that encircles Lake Andrea), \$1,029,000 (includes right-of-way acquisition).

7. 95th Street – Green Bay Road Intersection Improvements

The construction of a dedicated right turn lane on eastbound 95th Street to southbound Green Bay Road (STH 31) to facilitate the increase in truck and automobile traffic generated by the Meijer office/distribution facility from its 95th Street access drive. The increase in safety at this intersection through added capacity and improved geometrics will cost approximately \$162,000.

8. Prairiewood Water Main Improvements

Water Water system improvements incorporating the completion of a loop of the new water main (a water main will be extended west from the new 116th Avenue main along the relocated 116th Street/East Frontage Road (120th Avenue) T-intersection and follow 120th Avenue northwards to 108th Street then eastward to and terminating at the existing I-94 water tower), boring underneath I-94 and installation of a steel casing to accommodate the future installation of a new water main, construction of a new main (including new water main underneath I-94 extending through the aforementioned previously installed steel casing), with the main continuing along the west side of the West Frontage Road, then north to County Trunk Highway Q (CTH Q) and continuing on the north side of CTH Q to the Village Corporate limits, (includes \$2,000 for easement acquisition), \$1,718,000.

9. Grants & Incentives for Economic Development

Through Amendment #5, TID 2 will fund grants and incentives for economic development to either industry or as a conduit to the Kenosha Area Business Alliance (KABA) for either grants or low-interest loans involving approximately \$75,000.

Motion by Mike Serpe with a second by Andrea Rode.

All in favor

D. Consider Plan Commission Resolution #14-04 to initiate zoning text amendments related to Commercial Communication Structures.

WHEREAS, the Plan Commission may initiate a petition for amendments of the Zoning Ordinance, which may include rezoning of property, change in Zoning District boundaries, or changes in the text of said Ordinance.

WHEREAS, the Village staff is proposing to re-evaluate the Village's Commercial Communication Structure regulations related to the recent changes to State regulations.

NOW THEREFORE, BE IT RESOLVED, by the Village Plan Commission, as follows:

1. That the Village Plan Commission hereby initiates and petitions to re-evaluate and amend Commercial Communication Structure regulations the recent changes to State regulations;
- and

2. That the proposed changes in the Zoning Text are hereby referred to the Village staff for further study and recommendation; and

3. That the Village Plan Commission is not, by this Resolution, making any determination regarding the merits of the proposed changes in the Zoning Text, but rather, is only initiating the process by which the proposed changes in the Zoning Ordinance Text can be promptly evaluated.

Motion by Don Hackbarth with a second by John Braig.

All in favor

E. Consider Plan Commission Resolution #14-05 to initiate amendments to the Village Comprehensive Plan and Zoning Ordinance (text and map) related to the A-1, Agricultural Preservation District.

WHEREAS, the Plan Commission may initiate a petition for amendments of the Comprehensive Plan and Zoning Ordinance, which may include rezoning of property, change in Zoning District boundaries, or changes in the text of said Zoning Ordinance.

WHEREAS, the Wisconsin's Farmland Preservation Program under Chapter 91 of the Wisconsin Statutes was signed into law as 2009 Wisconsin Act 28. The Act has three main components. First, it updates the State's current Farmland Preservation Program; second, it gives the ability for farmers and local units of government to establish voluntary Agricultural Enterprise Areas; and finally it provides a State program to help with the purchase of agricultural conservation easements, and

WHEREAS, pursuant to Section 91.10 of the Wisconsin Statutes, Kenosha County, is authorized to prepare and adopt a Farmland Preservation Plan as defined in Section 91.10(1) of the Wisconsin State Statutes, and

WHEREAS, an agreement exists between Kenosha County and the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) for the County to submit a Farmland Preservation Plan to DATCP for certification under section 91.16 of the Wisconsin State Statutes, by December 31, 2011, and

WHEREAS, adoption of a certified Farmland Preservation Plan makes farmers and landowners eligible to participate in the State tax credit program, agricultural enterprise areas and the purchase of agricultural conservation easement program, and

WHEREAS, the Kenosha County Farmland Preservation Plan has been prepared by the Kenosha County Department of Planning & Development with input from, and with the oversight of, the Farmland Preservation Advisory Committee, which included representation from the Village of Pleasant Prairie, and through public open houses and meetings, and

WHEREAS, the Kenosha County Farmland Preservation Plan contains data, maps, goals, objectives and policies required by, and in accordance with section 91.10(1) of the Wisconsin State Statutes; and

WHEREAS, on September 19, 2011 the Village Board adopted Ordinance #11-25 to adopted the update to the 1981 Kenosha County Farmland Preservation Plan as a component of the Village of the Village Board of Trustees may initiate a petition for an amendment to the Village Comprehensive Plan Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan pursuant to Chapter 390 of the Village Code of Ordinances; and

WHEREAS, Kenosha County submitted the Kenosha County Farmland Preservation Plan to the State of Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) for

final review and certification that indicated one (1) property within the Village that the Village believed participated in the Farmland Preservation Program; and

WHEREAS, the Village received the *attached* letter on January 10, 2014 (**Exhibit 1**) indicting that the Village is no longer certified for Farmland Preservation Program for the tax year 2013; and

WHEREAS, the Kenosha County Farmland Preservation Plan was approved by DATCP without any agricultural preservation lands within the Village of Pleasant Prairie, because there were no farmers actively participating in the program; and

WHEREAS, as a result the Village is proposing to amend the Comprehensive Plan to note that as of December 31, 2012, the Village is no longer certified for Farmland Preservation Program by the State of Wisconsin Department of Agriculture, Trade and Consumer Protection and to repeal the adoption of the Kenosha County Farmland Preservation Plan (2011 update) as a component of the Village's Comprehensive Plan; and

WHEREAS, since the Village is no longer certified for the Farmland Preservation Program, the Zoning Ordinance is proposed to be amended to repeal the A-1, Farmland Preservation District and all references in the Zoning Ordinance related to the A-1 District and to amend the Zoning Map to rezone the portions of the one (1) remaining property zoned A-1, Agricultural Preservation District into the A-2, General Agricultural District.

NOW THEREFORE, BE IT RESOLVED, by the Village Plan Commission, as follows:

1. That the Village Plan Commission hereby initiates and petitions to update and correct the Village of Pleasant Prairie, Wisconsin 2035 Comprehensive Plan, Village Zoning Ordinance (Text and Map) as discussed above
2. That the proposed amendments are hereby referred to the Village staff for further study and recommendation.
3. That the public participation plan for the proposed Comprehensive Plan amendments are a part of the original public participation plan adopted by the Village Board by Plan Commission Resolution #06-53 on November 20, 2006 by the property owner will be the required 30 day public notice and the required public hearing pursuant to Chapter 390 of the Village Municipal Code entitled, "Comprehensive Plan".
4. That the Village Plan Commission is not, by this Resolution, making any determination regarding the merits of the proposed changes, but rather, is only initiating the process by which the proposed changes can be promptly evaluated.

Motion by Jim Bandura with a second by Mike Serpe.

All in favor

F. Consider Plan Commission Resolution #14-06 to initiate a zoning text amendment related to traffic, parking and access provisions for building setbacks to fire lanes.

WHEREAS, the Plan Commission may initiate a petition for amendments of the Zoning Ordinance, which may include rezoning of property, change in Zoning District boundaries, or changes in the text of said Ordinance.

WHEREAS, the Village staff is proposing to re-evaluate the Village's fire lane requirements related to location to a commercial building.

NOW THEREFORE, BE IT RESOLVED, by the Village Plan Commission, as follows:

1. That the Village Plan Commission hereby initiates and petitions to re-evaluate the traffic, parking and access zoning provisions as it related to fire lane setback regulations; and
2. That the proposed changes in the Zoning Text are hereby referred to the Village staff for further study and recommendation; and
3. That the Village Plan Commission is not, by this Resolution, making any determination regarding the merits of the proposed changes in the Zoning Text, but rather, is only initiating the process by which the proposed changes in the Zoning

Motion by Andrea Rode with a second by Mike Serpe.

All in favor

G. Consider Plan Commission Resolution #14-07 to initiate a zoning text amendment to clarify regulations related to 100-year floodplain boundary adjustments.

WHEREAS, the Plan Commission may initiate a petition for amendments of the Zoning Ordinance, which may include rezoning of property, change in Zoning District boundaries, or changes in the text of said Ordinance.

WHEREAS, the Village staff is proposing to amend the Village floodplain regulations to clarify that the flood storage capacity may be compensated within an existing or newly created floodplain as part of a floodplain boundary adjustment.

NOW THEREFORE, BE IT RESOLVED, by the Village Plan Commission, as follows:

1. That the Village Plan Commission hereby initiates and petitions to re-evaluate and amend the floodplain regulations; and
2. That the proposed changes in the Zoning Text are hereby referred to the Village staff for further study and recommendation; and
3. That the Village Plan Commission is not, by this Resolution, making any determination regarding the merits of the proposed changes in the Zoning Text, but rather, is only initiating the process by which the proposed changes in the Zoning Ordinance Text can be promptly evaluated.

Motion by John Braig with a second by Jim Bandura.

All in favor

7. ADJOURN

John Braig:

Move Adjournment.

Mike Serpe:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Meeting Adjourned: 8:55 p.m.

- A. **PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT** to amend Section 420-81 A related to residential fence requirements.

Recommendation:

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Text Amendment** as presented in the March 10, 2014 Village Staff Report.

VILLAGE STAFF REPORT OF MARCH 10, 2014

CONSIDERATION OF A ZONING TEXT AMENDMENT to amend Section 420-81 A related to residential fence requirements.

On January 13, 2014 the Village Plan Commission adopted Resolution #14-01 to initiate an amendment to the Village Zoning Ordinance to re-evaluate the Village's fencing requirements related to the placement of the "good" side of the fence facing the neighboring property.

In reviewing ordinance requirements for nearby community's such as the City of Kenosha, the Village staff is recommending that the following amendments to Section 420-81 A be considered to create sub-subsections (14) and (15):

- (14) All structural and support components of a fence shall face away from adjacent properties.
- (15) Fences shall be installed with the finished side facing the adjacent property or public right-of-way.

Village staff recommends approval of the zoning text amendment as presented.

Village of Pleasant Prairie, WI
Tuesday, January 14, 2014

Chapter 420. ZONING ORDINANCE

Article XI. Fences

§ 420-81. Standards for fences.

A. Residential fences. A residential fence is used to provide enclosure of all or a portion of the property for privacy or security in any residential, agricultural, or conservancy district, subject to the following requirements:

- (1) Said fence may be constructed of brick, field stone, wood, wrought iron, chain link (with a minimum thickness of nine gauge and a top support), or other appropriate material approved by the Zoning Administrator; however, a residential fence shall not be an agricultural field fence or electric fence or incorporate razor or barbed wire.
- (2) It shall be the sole responsibility of the property owner(s) to ensure that the following setbacks are met:
 - (a) Said fence may be located on the side or rear property lines.
 - (b) Said fence may be located in a shore yard, provided that it is not located on the water side of the ordinary high-water mark of said navigable waterway. Said fence shall not block, redirect or impede the flow of water or drainage within the area.
 - (c) Said fence may be placed within a wetland, provided that there is minimal disturbance to the wetlands.
 - (d) Said fence shall be set back a minimum of two feet from any Village right-of-way.
 - (e) Said fence shall be set back a minimum of 15 feet from any private road as measured from the outer edge of the gravel shoulder or back of curb.
- (3) Said fence shall not be located within the vision triangle, as defined by this chapter.
Editor's Note: See § 420-44, Vision triangle.
- (4) The fence height shall include all elevations, including berms, above the overall standard grade of the property, excluding architectural finials.
- (5) Said fence shall not be higher than six feet if located in the rear yard, rear street yard and/or side street yard.
- (6) Said fence shall not be higher than four feet if located within a front street yard.
- (7) Concrete or brick pillars located between fence sections may be permitted to a height of six feet in a front street yard.
- (8) Said fence shall not be located within a utility easement(s) without written permission from the applicable utility company.
- (9) Said fence shall not be located within a drainage easement or other easement without written permission from the easement grantor and the Village.

- (10) Said fence shall not block, redirect or cause a drainage problem for the adjacent or downstream properties.
 - (11) Said fence shall be in compliance with any structural requirements of any local, county and state codes.
 - (12) The property owner(s) is responsible for ensuring that said fence is designed and constructed so as to resist any wind load to which said fence may be subject.
 - (13) Every person or legal entity residing or located in the Village of Pleasant Prairie is prohibited from possessing or harboring a wolf-dog hybrid in the Village unless he or it meets the following criteria:
 - (a) Written proof from the property owner/occupant that a legally licensed wolf-dog hybrid is kept on said property shall be submitted. A wolf-dog hybrid is defined as an animal formed of the union of a dog and wolf species and possessing physical characteristics typically attributed thereto.
 - (b) Any licensed wolf-dog hybrid shall be kept in an enclosure in the rear or side of a principal structure of at least 1,600 square feet surrounded by a fence seven feet high with an overhang of fencing angling into the fenced area. No wolf-dog hybrid shall be kept in the front or side street yard of any property.
 - (c) A barrier or wall shall be placed a minimum of two feet below grade inside the pen beneath the vertical fencing to prevent the wolf-dog hybrid from digging out along the fence.
 - (d) A six-foot-high solid child-proof barrier fence shall be installed not less than six feet away from the fenced enclosure to prevent the possibility of children reaching through the fence to touch the animal(s).
 - (e) If such referenced property no longer has a licensed wolf-dog hybrid for more than 12 consecutive months, the seven-foot-high fence shall become a nonconforming accessory structure, and the fence shall be removed or reconstructed to conform to the provisions of this chapter.
- B. Commercial fences. A commercial fence is used to provide enclosure, screening or security for all or a portion of a property in any business, manufacturing, institutional or park and recreational district, subject to the following requirements:
- (1) Said fence may be constructed of brick, field stones, wood, wrought iron, chain link (with a minimum thickness of nine gauge and a top support) or other appropriate material approved by the Zoning Administrator; however, a commercial fence shall not be an agricultural field fence nor an electric fence but may incorporate razor or barbed wire only as deemed necessary by the Village Zoning Administrator.
 - (2) It shall be the sole responsibility of the property owner to ensure that the following setbacks are met:
 - (a) Said fence may be located on the side or rear property lines.
 - (b) Said fence may be located in any street yard only upon approval by the Village Zoning Administrator, provided that said fence is set back a minimum of 15 feet from any public right-of-way.
 - (c) Said fence may be located in any street yard only upon approval by the Village Zoning Administrator, provided that said fence is set back a minimum of 20 feet from any private road as measured from the outer edge of the gravel shoulder or back of curb.

- (d) Said fence may be located in a shore yard, provided that it is not located on the water side of the ordinary high-water mark of said navigable waterway. Said fence shall not block, redirect or impede the flow of water or drainage within the area.
- (e) Said fence may be placed within a wetland, provided that there is minimal disturbance to the wetlands.
- (f) Said fence shall not be placed within the vision triangle, as defined by this chapter.

Editor's Note: See § 420-44, Vision triangle.

- (3) Said fence shall not be higher than 10 feet. The fence height shall include all elevations, including berms, above the overall standard grade of the property.
- (4) No fence shall be placed within any utility easement(s) without written permission from the applicable utility company.
- (5) Said fence shall not be located within a drainage easement.
- (6) Said fence shall not be located within any other easement without written permission from the easement grantor and the Village.
- (7) No fence shall block, redirect or cause a drainage problem for the adjacent or downstream properties.
- (8) Said fence shall be in compliance with any structural requirements of any local, county and state codes.
- (9) The property owner(s) is responsible for ensuring that said fence is designed and constructed so as to resist any wind load to which said fence may be subject.
- (10) The Village Zoning Administrator may require a fence to be installed along the rear or side property line of a property located within a business or manufacturing district that abuts a property located within a residential district. Said fence shall be constructed of a solid material, including brick, wood, concrete or field stone, and shall be a minimum of six feet high with the good side of the fence facing the property located within the residential district.

ORD. NO. 14-____
ORDINANCE TO AMEND
THE VILLAGE ZONING ORDINANCE (CHAPTER 420)
RELATED TO FENCE REQUIREMENTS
IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN

THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN, DO HEREBY ORDAIN THAT SECTION 420-81 A (14) and (15) RELATED TO STANDARDS FOR RESIDENTIAL FENCES IS HEREBY CREATED TO READ AS FOLLOWS:

- (14) All structural and support components of a fence shall face away from adjacent properties.
- (15) Fences shall be installed with the finished side facing the adjacent property or public right-of-way.

Adopted this ____ day of _____, 2014.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

John P. Steinbrink
Village President

Jane M. Romanowski
Village Clerk

Posted: _____

___ - fence amendments

- B. **PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT** to amend Section 420-48 J related to traffic, parking and access provisions for building setbacks to fire lanes.

Recommendation:

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Text Amendment** as presented in the March 10, 2014 Village Staff Report.

VILLAGE STAFF REPORT OF MARCH 10, 2014

CONSIDERATION OF A ZONING TEXT AMENDMENT to amend Section 420-48 J related to traffic, parking and access provisions for building setbacks to fire lanes.

On February 10, 2014 the Village Plan Commission adopted Resolution #14-06 to initiate an amendment to the Village Zoning Ordinance to re-evaluate the traffic, parking and access zoning provisions as it related to fire lane setback regulations. The Village staff is recommending that the following amendment to section 420-48 J be approved:

- J. Fire lanes. All required fire lanes shall be all-weather, paved surface roadways roadway with a minimum width of 30 feet **and setback at least the maximum height of the building adjacent to the fire lane, but not too exceed 50 feet from the building,** unless otherwise approved by the Fire & Rescue Chief.

Village staff recommends approval of the Zoning Text Amendment as presented.

ORD. NO. 14-____
ORDINANCE TO AMEND
THE VILLAGE ZONING ORDINANCE (CHAPTER 420)
RELATED TO FIRE LANE SETBACK REQUIREMENTS
IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN

THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN, DO HEREBY ORDAIN THAT SECTION 420-48 J RELATED TO FIRE LANES AND IS HEREBY AMENDED TO READ AS FOLLOWS:

- J. Fire lanes. All required fire lanes shall be all-weather, paved surface roadways roadway with a minimum width of 30 feet **and setback at least the maximum height of the building adjacent to the fire lane, but not too exceed 50 feet from the building,** unless otherwise approved by the Fire & Rescue Chief.

Adopted this ____ day of _____, 2014.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

John P. Steinbrink
Village President

Jane M. Romanowski
Village Clerk

Posted: _____

__- fire lane amendment

- C. **PUBLIC HEARING AND CONSIDERATION OF A ZONING TEXT AMENDMENT** to amend Section 420-131 T (2) (e) to clarify regulations related to 100-year floodplain boundary adjustments.

Recommendation:

Village staff recommends that the Plan Commission send a favorable recommendation to the Village Board to approve the **Zoning Text Amendment** as presented in the March 10, 2014 Village Staff Report.

VILLAGE STAFF REPORT OF MARCH 10, 2014

CONSIDERATION OF A ZONING TEXT AMENDMENT to amend Section 420-131 T (2) (e) to clarify regulations related to 100-year floodplain boundary adjustments.

On February 10, 2014 the Village Plan Commission adopted Resolution #14-07 to initiate an amendment to the Village Zoning Ordinance. Specifically to amend the Village floodplain regulations to clarify that the flood storage capacity may be compensated within an existing or newly created floodplain as part of a floodplain boundary adjustment. Section 420-131 T (2) (e) is proposed to be amended to read:

- (e) Whenever any volume of flood storage capacity is removed from the floodplain, as defined by the ground surface and the regional flood elevation, an equal volume of flood storage capacity shall be created within the **existing** **or** newly **created** floodplain boundary, in the vicinity of the removal, to compensate for the lost flood storage capacity. Excavation below the ordinary high-water mark shall not be considered as providing any equal volume of storage capacity for compensation purposes. Any such area of compensating flood storage capacity shall drain freely to the receiving stream.

The Village has received an email from the Wisconsin Department of Natural Resources dated February 27, 2014 indicating no conflicts with State requirements.

Village staff recommends approval of the Zoning Text Amendment as presented.

Peggy Herrick

From: Anderson, Miriam G - DNR <Miriam.Anderson@wisconsin.gov>
Sent: Thursday, February 27, 2014 10:57 AM
To: Peggy Herrick
Subject: FW: Amendment to Floodplain Ordinance
Attachments: FPO Amendment Notice.pdf; Proposed Floodplain amend 420-131 T 2 e.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Peggy: Nathan forwarded your email to me for review. I double checked with the engineers here to make sure this wouldn't be a problem with the engineering. They said it was fine, but suggested you might consider changing the first sentence to "Whenever any volume of flood storage capacity is removed from the floodplain in the Flood Storage District, as defined ...". This is a little repetitive as the language is being added to the Flood Storage District section, but it may make things a little clearer. Again, this is a suggestion only not a required change. Please make sure you send us the notices of public hearing, the certified copy of the changed language and proof of publication once the adoption is done. We will then send you an approval letter. You can send everything as a pdf. Miriam

MIRIAM GRADIE ANDERSON

FLOODPLAIN MANAGEMENT SPECIALIST
WI DNR WT/3
P. O. Box 7921
101 S. WEBSTER STREET
MADISON, WI 53707
608-266-5228
MIRIAM.ANDERSON@WISCONSIN.GOV

CUSTOMER SERVICE IS IMPORTANT TO US. HOW AM I DOING?
[HTTPS://WWW.SURVEYMONKEY.COM/S/WDNRWATER](https://www.surveymonkey.com/s/WDNRWATER)

From: Zoch, Nathan D - DNR
Sent: Monday, February 17, 2014 10:31 AM
To: Heinrichs, Gary G - DNR
Cc: Anderson, Miriam G - DNR
Subject: FW: Amendment to Floodplain Ordinance

FYI

From: Peggy Herrick [<mailto:pherrick@plprairiewi.com>]
Sent: Friday, February 14, 2014 9:18 AM
To: Zoch, Nathan D - DNR
Cc: Jean Werbie-Harris
Subject: Amendment to Floodplain Ordinance

Nathan

Attached is a proposed amendment that the Village is proposing to our Floodplain Ordinance (the items **highlighted and bolded** are being added). The required Public Hearing is being held on March 10, 2014. See attached notice and proposed ordinance amendment.

If you have any questions please contact me or Jean Werbie-Harris, Community Development Director at 262-925-6717

Thanks

Peggy Herrick

Assistant Planner and Assistant Zoning Administrator

Village of Pleasant Prairie

9915 39th Avenue

Pleasant Prairie, WI 53158

Telephone: 262-925-6717

Fax: 262-925-6787

Email: pherrick@plprairiewi.com

ORD. NO. 14-____
ORDINANCE TO AMEND
THE VILLAGE ZONING ORDINANCE (CHAPTER 420)
RELATED TO FLOODPLAIN BOUNDARY ADJUSTMENTS
IN THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN

THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN, DO HEREBY ORDAIN THAT SECTION 420-131 T (2) (e) IS AMENDED TO CLARIFY REGULATIONS RELATED TO 100-YEAR FLOODPLAIN BOUNDARY ADJUSTMENTS IS HEREBY AMENDED TO READ AS FOLLOWS:

- (e) Whenever any volume of flood storage capacity is removed from the floodplain, as defined by the ground surface and the regional flood elevation, an equal volume of flood storage capacity shall be created within the **existing or** newly **created** floodplain boundary, in the vicinity of the removal, to compensate for the lost flood storage capacity. Excavation below the ordinary high-water mark shall not be considered as providing any equal volume of storage capacity for compensation purposes. Any such area of compensating flood storage capacity shall drain freely to the receiving stream.

Adopted this ____ day of _____, 2014.

VILLAGE OF PLEASANT PRAIRIE

ATTEST:

John P. Steinbrink
Village President

Jane M. Romanowski
Village Clerk

Posted: _____

__ - floodplain amend 420-131 t 2 e

- D. Consider the requests of Stacey Wendt and Delbert and Sandra Wendt owners of the property located at 2028 and 2020 89th Place for approval of a **Lot Line Adjustment** between their properties and the property to the north located at 8911 22nd Avenue owned by Ronald Macik and Lanette Allen.

Recommendation:

Village staff recommends that the Village Plan Commission send a favorable recommendation to the Village Board to approve the **Lot Line Adjustment** subject to the comments and conditions of the March 10, 2014 Village Staff Report.

VILLAGE STAFF REPORT OF MARCH 10, 2014

Consider the requests of Stacey Wendt and Delbert and Sandra Wendt owners of the property located at 2028 and 2020 89th Place for approval of a **Lot Line Adjustment** between their properties and the property to the north located at 8911 22nd Avenue owned by Ronald Macik and Lanette Allen.

The properties located at 2028 89th Place (93-4-123-183-0021) owned by Stacey Wendt and 2020 89th Place (93-4-123-183-0020) owned by Delbert and Sandra Wendt Revocable Trust are proposed to be adjusted with the property to the north at 8911 22nd Avenue (93-4-123-183-0010) owned by Rondal Macik and Lanette Allen.

Specifically, 28.25 feet is being removed for the Macik and Allen lot and added to the rear of Stacey Wendt and Delbert and Sandra Wendt lots resulting in an increased depth for both of the Wendt properties.

All properties are zoned R-6, Urban Single Family Residential District which requires lots to be a minimum of 6,000 square feet. After the adjustment all lots will continue to meet the minimum lot area of the R-6 District.

The Lot Line Adjustment and will comply with the requirements set forth in the Village Zoning Ordinance and Land Division and Development Control Ordinance.

The Village staff recommends approval of the Lot Line Adjustment subject to the petitioners recording the proper transfer documents with the Plat of Survey for the Lot Line Adjustment as an Exhibit with the Kenosha County Register of Deeds Office within 30 days of final Village approval.



February 27, 2014

We would like to purchase a strip of land 28.25 x 190 feet from Clifford Macik, deceased, and now in the names of Ron Macik and Kimberly Allen, which would increase our lot size from 125 deep to 153.25. This strip would be added to the north side of our property, which would make it deeper. As per C.S.M. 2044.

The owners of C.S.M. 2044 Lot 1 is Stacey Wendt and the owners of Lot 2 are Delbert and Sandra Wendt.

Stacey's address is 2028-89th Place and Delbert and Sandra's address is 2020-89th Place.

We brought a copy of new survey showing the C.S.M. 2044 and legal description needed for the purchase of this strip of land to your office.

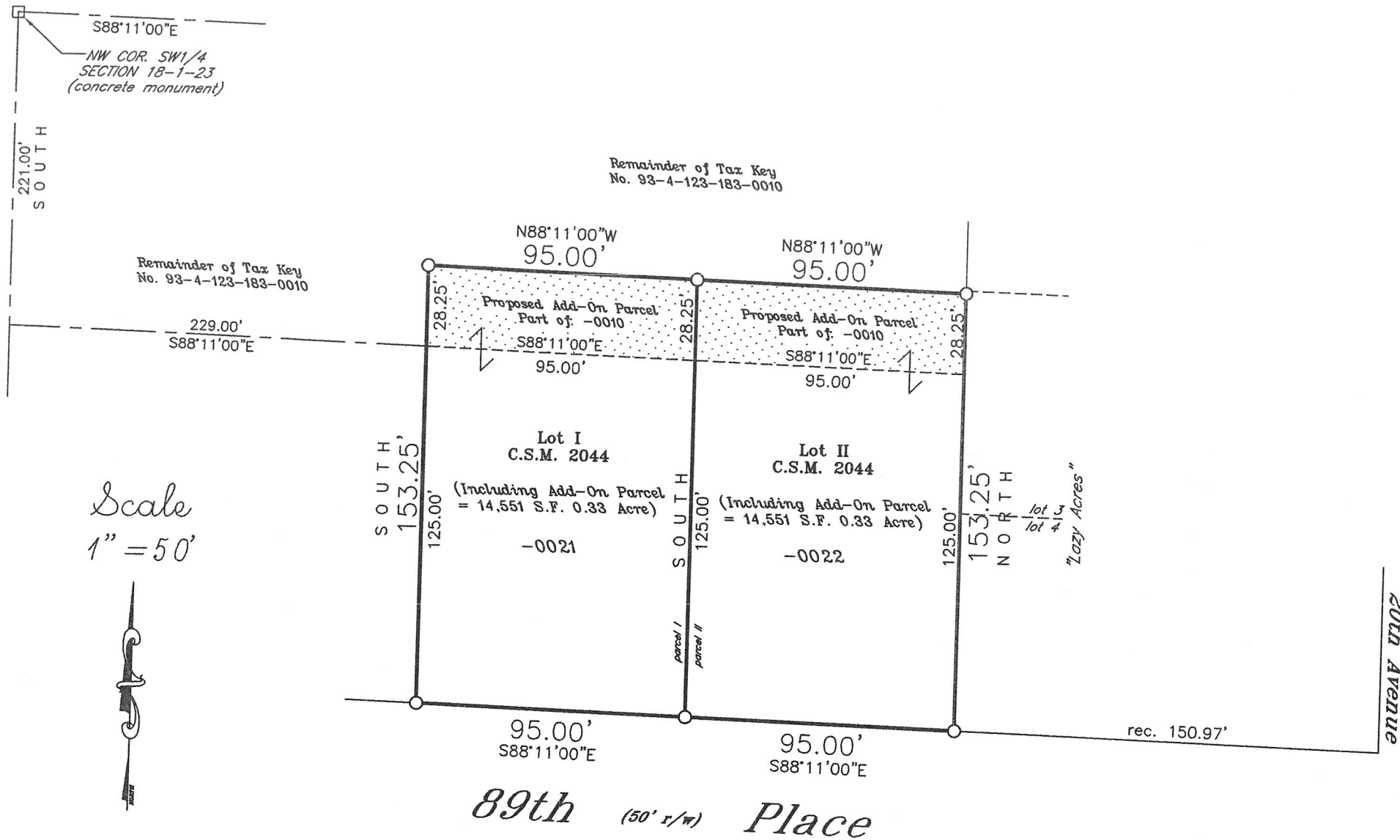
Enclosed is a check for \$225.00 payable to the Village of Pleasant Prairie for this transaction to be approved by Pleasant Prairie

Delbert H Wendt
Sandra Wendt
Stacey Wendt

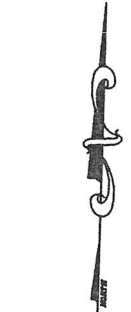
Mailing address

2020-89 Place
Kenosha WI 53143

694-4971



Scale
1" = 50'



denotes iron pipe

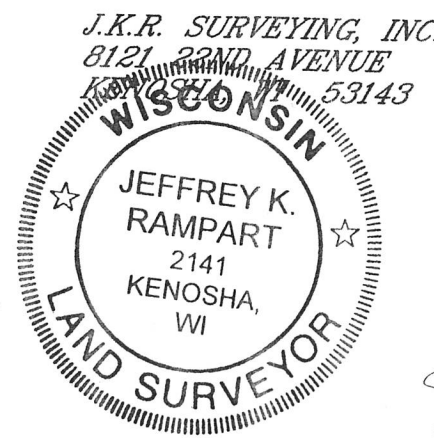
Refer to a current title report for easements or restrictions which may affect the use of this site that are not shown on the recorded certified survey map.

This plat of survey for lot line adjustment is hereby approved by the Village Board of the Village of Pleasant Prairie on this day of, 2014.

PLAN COMMISSION CHAIRPERSON..... THOMAS W. TERWALL

VILLAGE CLERK..... JANE M. ROMANOWSKI

APPROVED..... VILLAGE PRESIDENT JOHN STEINBRINK



I hereby certify that this property was surveyed under my direction and this plat is a true representation thereof.

[Signature]
Reg. Land Surveyor
February 26, 2014

LEGAL DESCRIPTIONS FOR PROPOSED LOT LINE ADJUSTMENTS

PRECEDE EACH OF THE FOLLOWING LEGAL DESCRIPTIONS WITH THIS PREAMBLE: Part of the Southwest Quarter of Section 18, Town 1 North, Range 23 East of the Fourth Principal Meridian; lying and being in the Village of Pleasant Prairie, Kenosha County, Wisconsin; being more particularly described as:

PARCEL TO BE DETACHED FROM TAX KEY NO: 93-4-123-183-0010 AND ADD-ON PARCEL TO TAX KEY NO: 93-4-123-183-0021 (Lot I of Certified Survey Map No. 2044):

Commencing at the northwest corner of said quarter section; thence South along the west line of said quarter section 221.00 feet; thence S88°11'00"E parallel to the north line of said quarter section 229.00 feet to the northeast corner of Lot I of Certified Survey Map No. 2044, a plat of record and the point of beginning; thence continue S88°11'00"E parallel to said north line 95.00 feet to the northeast corner of said Lot I; thence North 28.25 feet; thence N88°11'00"W parallel to the north line of said quarter section 95.00 feet; thence South 28.25 feet to the northwest corner of said Lot I and the point of beginning containing 2,682 square feet, more or less.

PARCEL TO BE DETACHED FROM TAX KEY NO: 93-4-123-183-0010 AND ADD-ON PARCEL TO TAX KEY NO: 93-4-123-183-0022 (Lot II of Certified Survey Map No. 2044):

Commencing at the northwest corner of said quarter section; thence South along the west line of said quarter section 221.00 feet; thence S88°11'00"E parallel to the north line of said quarter section 324.00 feet to the northwest corner of Lot II of Certified Survey Map No. 2044, a plat of record and the point of beginning; thence continue S88°11'00"E parallel to the north line of said quarter section 95.00 feet to the northeast corner of said Lot II; thence North 28.25 feet; thence N88°11'00"W parallel to the north line of said quarter section 95.00 feet; thence South 28.25 feet to the northwest corner of said Lot II and the point of beginning; containing 2,686 square feet, more or less.

Plat of Survey for Lot Line Adjustment

BETWEEN TAX KEY NOS:

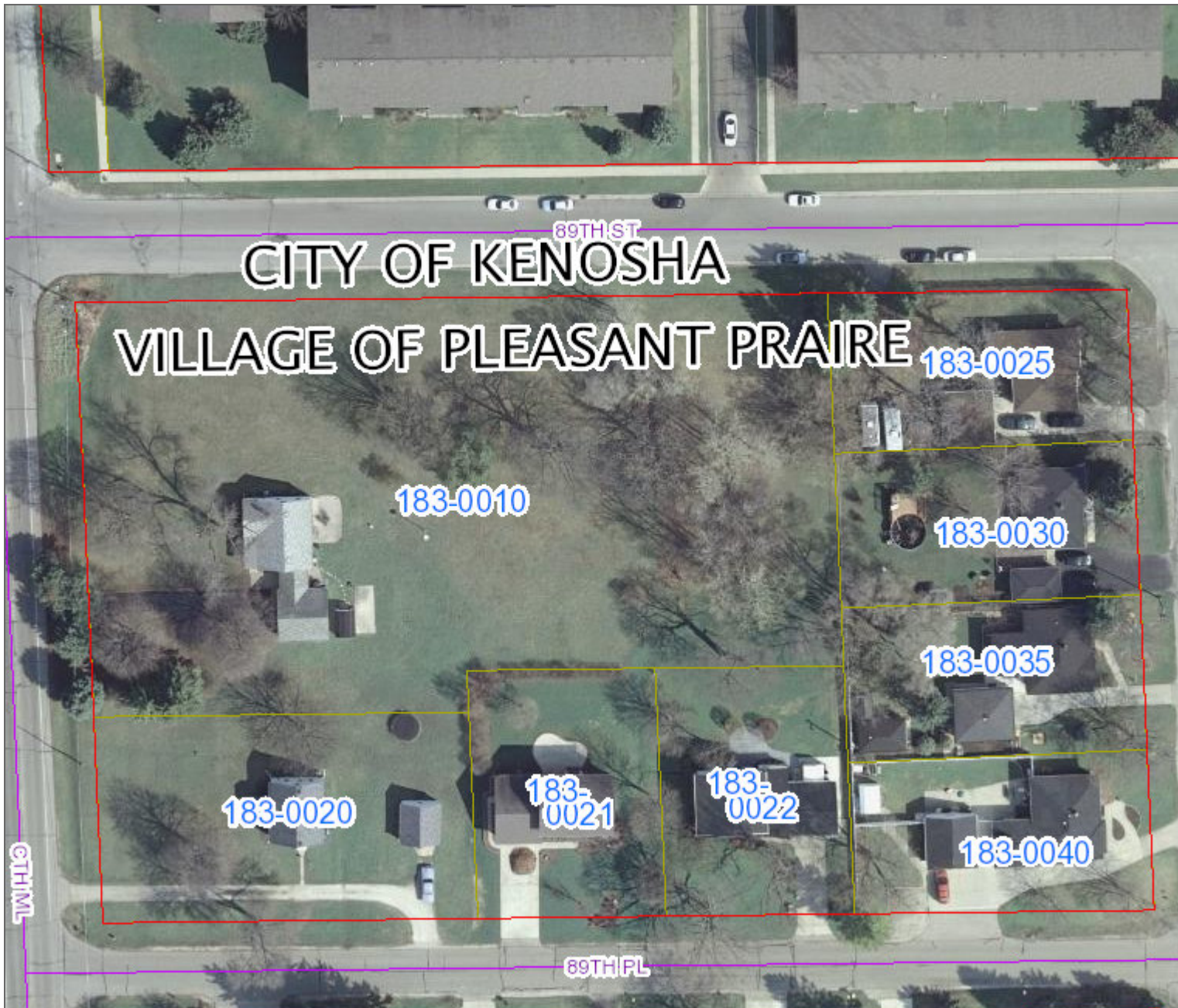
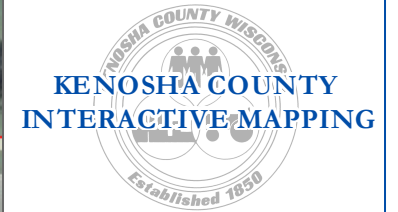
93-4-123-183-0010, 0021 & -0022

in SW1/4 Section 18-1-23

*VILLAGE OF PLEASANT PRAIRIE
KENOSHA COUNTY, WIS.*

*-for-
Sandra Wendt*

General Location Map



1 inch = 75 feet

DISCLAIMER This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

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