

**PLEASANT PRAIRIE PLAN COMMISSION MEETING  
VILLAGE HALL AUDITORIUM  
9915 39TH AVENUE  
PLEASANT PRAIRIE, WISCONSIN  
6:00 P.M.  
August 10, 2015**

A regular meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on August 10, 2015. Those in attendance were Thomas Terwall; Michael Serpe; Wayne Koessl; Deb Skarda (Alternate #2); Jim Bandura; Judy Juliana; and Bill Stoebig (Alternate #1). Donald Hackbarth and John Braig were excused. Also in attendance were Michael Pollocoff, Village Administrator; Jean Werbie-Harris, Community Development Director; and Peggy Herrick, Assistant Zoning Administrator.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CONSIDER THE MINUTES OF THE JULY 27, 2015 PLAN COMMISSION MEETINGS.**

Jim Bandura:

Move to approve.

Judy Juliana:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY JIM BANDURA AND SECONDED BY JUDY JULIANA TO APPROVE THE MINUTES OF THE JULY 27TH MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? Motion carried.

- 4. CORRESPONDENCE.**

**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 that public hearing is held and we'll be able to incorporate your comments into the official record of that hearing. However, if you're here for an item that's not a public hearing or not on the agenda now would be your opportunity to speak. We would ask you to step to the microphone and begin by giving us your name and address. Anybody wishing to speak under citizens' comments?

**6. NEW BUSINESS.**

Wayne Koessler:

Mr. Chairman, are we taking Items A through D at the same time and we'll have separate votes on?

Michael Serpe:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY MICHAEL SERPE TO COMBINE ITEMS A THROUGH D FOR DISCUSSION PURPOSES AND THEN HAVE SEPARATE VOTES. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- A. PUBLIC HEARING AND CONSIDERATION OF A PLAN COMMISSION RESOLUTION #15-15 FOR AN AMENDMENT TO THE VILLAGE COMPREHENSIVE PLAN at the request of Jonah Hetland of Bear Development LLC, agent for Creekside PP, LLC, the owner, to amend a portion of the Whittier Creek Neighborhood Plan 32 of Appendix 9-3 for the properties as a result of the proposed development of the remainder of the Creekside Crossing Development.**
- B. PUBLIC HEARING AND CONSIDERATION OF A CONCEPTUAL PLAN for the request of Jonah Hetland of Bear Development LLC, agent for Creekside PP, LLC, the owner of the vacant properties north of the Creekside Crossing development for the development of 64 single family lots and one (1) two family lot on the remainder of the original Creekside Crossing development area.**

- C. Consider the request of Jonah Hetland of Bear Development LLC, agent for Creekside PP, LLC, the owner, for approval of a Certified Survey Map to create one (1) two family lot to be created at the northwest corner of 90th Street and 62nd Avenue.**
  
- D. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT for the request of Jonah Hetland of Bear Development LLC, agent for Creekside PP, LLC, the owner, to rezone the one (1) two family lot to be created at the northwest corner of 90th Street and 62nd Avenue into the R-8, Two-Family Residential District for the development of one (1) two family dwelling unit.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, Item A is consideration of a Plan Commission Resolution 15-15 for an amendment to the Village Comprehensive Plan at the request of Jonah Hetland of Bear Development LLC, agent for Creekside PP, LLC, the owner, to amend a portion of the Whittier Creek Neighborhood Plan 32 of Appendix 9-3 for Bear Development LLC properties as a result of the proposed development of the remainder of the Creekside Crossing development.

Item B is also a public hearing and consideration of a conceptual plan for the request of Jonah Hetland of Bear Development LLC, agent for Creekside PP, LLC, the owner of the vacant properties north of the Creekside Crossing development. And this is for the development of 64 single family lots and one two family lot on the remainder of the original Creekside Crossing development area.

Item C also that request of Jonah Hetland of Bear Development LLC, and this is for the approval of a Certified Survey Map to create one two family lot at the northwest corner of 90th Street and 62nd Avenue.

And Item D, a public hearing and consideration of a zoning map amendment. And this also is the request of Jonah Hetland of Bear Development LLC. And this is to rezone the one two family lot to be created at that northwest corner of 90th Street and 62nd Avenue into the R-8, Two-Family Residential District for the development of one two family dwelling unit. Mr. Chairman, as you had indicated all four items will be presented at one time as part of one staff report, and separate action will be needed by the Plan Commission on all four items.

The petitioner is requesting several approvals to develop the remaining vacant land north and west of the Creekside Subdivision and the Creekside Crossing Subdivision and the condominium development adjacent to 89th, 90th and 91st Streets, 90th Place, 62nd Avenue, and Creekside Circle in the Village. The items being considered at the meeting for approval include an amendment to the Comprehensive Plan which includes the Whittier Creek Neighborhood Plan, a Conceptual Plan, a Certified Survey Map and a Zoning Map Amendment.

As part of some background information, the Creekside Crossing condominium including 8-unit, 4-unit and 2-unit buildings and single family residential development were initially developed in several phases by Mastercraft Builders from 2005 through 2010. Portions of the development were then sold to other contractors and units were constructed from 2010 to 2014. The original

development anticipated 24 single family lots; 36 2-unit condominium buildings, 16 4-unit condominium buildings and 19 8-unit condominium buildings. All of the single family lots have since been developed, and all of the condominium units with the exception of two 8-unit buildings and two 2-unit buildings have been built within the existing platted condominium area. The undeveloped land proposed to be developed for condominium purposes would have included a total of 158 additional condominium units, 11 8-unit buildings, 5 4-unit buildings and 25 2-unit buildings.

Due to the recession, this area had remained vacant for several years until its recent purchase by Creekside PP, LLC for development purposes. The new developer is proposing to complete the Creekside project by downzoning the remaining land from multi-family zoning to a single family zoning by creating 64 single family lots and one 2-family lot.

The developer is proposing to complete the floodplain boundary adjustment work as was originally proposed and to construct the underground public utilities and public roadways within 89th and 90th Streets, 91st Street, 90th Place, 62nd Avenue and Creekside Circle. A public park area will be developed on the south side of Creekside Circle adjacent to the Jerome Creek. A floodplain boundary adjustment, a large retention basin construction and a wetland enhancement project are also being proposed. The developer would like to begin grading and utility work in the fall of 2015.

The first item then is the Comprehensive Plan amendment. The petitioner is requesting an amendment of a portion of the Whittier Creek Neighborhood Plan in Appendix 9-3 as a result of a proposed development of the remainder of the Creekside Crossing development. The project by this developer is being referred to as Creekside Terrace.

The entire Whittier Creek Neighborhood is bounded by Highway 31 on the west which is Green Bay Road, 85th Street on the north, Cooper Road on the east and 93rd Street on the south. This amendment is only for a portion of the southwest corner of this neighborhood.

Neighborhood plans, which are a component of the Village's Comprehensive Plan, are intended to provide the community with a means of reviewing the patterns of existing and probable future development in and around the area proposed for land development, evaluating access to the land development and the feasibility of developing certain land uses and lot layouts, roadways and parkways, open green spaces and preservation areas, schools, municipal facilities and services to service the neighborhood are all critically important as part of that neighborhood planning process. The neighborhood plan sets forth a guide for future development when a willing landowner wishes to develop his or her land.

In accordance with the Village's Comprehensive Plan, the Whittier Creek Neighborhood is being classified as being within a low-medium density residential land use category having lot areas ranging from 12,000 square feet to 19,000 square feet or more per dwelling unit. This range allows for some areas of the neighborhood to have larger lots while other areas to have smaller lots.

Now, with respect to the residential development in the neighborhood: Approximately 345 acres of land excluding future rights-of-way and government institutional, transportation and public park and wetlands and floodplains within the neighborhood are proposed to be developed as

residential. The 345 acres of land includes approximately 16 acres of the other open space and approximately 12.6 acres of woodlands which are proposed to be preserved.

There are 258 existing single family lots within this entire neighborhood, and these existing residential developments include Whittier Heights Subdivision, Whittier Heights Addition #1, Whittier Heights Addition #2, Whittier Heights Addition #3, again these are all adjacent to Cooper Road, the Wil-Char Subdivision, the Creekside Crossing Subdivision; there is scattered, development on 91st Street and 63rd Avenues south of 100th Street; there's residential development scattered along Cooper Road, along 85th Street, and along Old Green Bay Road as well as 93rd Street. A total of 327 additional single family lots are proposed to be developed within this entire neighborhood. And, again, this is a little over a square mile in area.

There are 134 existing platted multi-family condominium units in the neighborhood known as Creekside Crossing Condominiums. This is located just north of 93rd Street between 63rd and 66th Avenues. Of the 134 units, two are 8-unit buildings; two 2-unit buildings have not been constructed to date, and six existing multi-family condominium units along Old Green Bay Road south of Jerome Creek and eight 2-unit building located along Old Green Bay Road north of Jerome Creek. So I've basically described all of the existing single family and the proposed single family within this entire neighborhood, not just within the Creekside Crossing area.

The entire neighborhood plan proposes a total of 585 single family lots and 150 multi-family units for a total of 735 dwelling units. This is a reduction of 28 units from the current Whittier Creek Neighborhood Plan.

In accordance with the Village's Comprehensive Plan, the overall net density for the neighborhood is recommended to be within that lower-medium density residential land use category with the average lot area being between that 12,000 square feet 18,999 square feet. This allows for some areas of the neighborhood to have larger lots while some areas have smaller lots. The net density of the neighborhood as shown in this proposed neighborhood plan would be 20,447 square feet per dwelling unit. So this density is even lower than what is required by the Comprehensive Plan with this modification with the single family.

So population projections within the neighborhood: The vacant portions of this neighborhood will not develop until the property owners wish to develop their lands. And that's what makes neighborhood planning essential for the orderly growth of the community, and it establishes a framework as to determining when development occurs and how it occurs. The neighborhood plan is then a guide for not only the property owners and the developers, but it's a guide for the community in order for planning for public infrastructure as well as municipal improvements.

The neighborhood plan develops on an incremental basis over time. Current population within this Whittier Creek neighborhood is 664 dwelling units. There's a population of 1,746 persons. This includes 395 school age children. Projected population within this neighborhood, and this would be at full build out of this entire neighborhood, 735 dwelling units or 1,992 persons, and this would include 450 school age children.

Based on the 2010 Census information for Pleasant Prairie, the average number of persons per household is 2.71 and school age children between the ages of 5 and 19 make up 22.6 percent of the population. The Village provides copies of these developments to the Kenosha Unified

School District to assist in their long-range planning. Pursuant to the information provided by the KUSD for Pleasant Prairie, 42 percent of the new dwelling units will have new students that will attend public schools or a total of 390 students.

With respect to the conceptual plan, the second item on the agenda, the petitioner is presenting this conceptual plan. Again, it's a refinement of the neighborhood plan for that unique or specific area where someone is looking to develop. This conceptual plan would create 64 single family lots and one two family lot or a two condominium unit building.

Single family residential development: About 64.14 acres are proposed to be developed into 64 single family lots, one 2-unit condominium building and five outlots. The single family lots range in size from 12,500 square feet to 21,430 square feet per lot. The average lot size would be right around 16,000 square feet, 15,962. The lots shall be adjusted so that all of them meet that R-4.5 and have that minimum -- there's a couple of them that don't quite meet that minimum, but they all will need to meet that minimum of 12,500 with 80 feet of frontage on the public road. All lots shall have a depth of at least 125 feet. As noted, most of the lots abut currently up to open space, retention basins, wetlands, floodplains or woodlands. And you can see that in the northeast area and the northwest and then the ones on the cul-de-sacs as well as the area adjacent to the new retention basin. And then another area in very southwest corner that's adjacent to a retention basin. So most of them will appear to be much larger lots just because of the all the open space that's behind the lots.

A number of new streets are proposed to be developed with full public improvements including 89th and 90th Streets, 90th Place, 91st Street or a portion thereof, 62nd Avenue and Creekside Circle.

The next portion is condominium development. The developer is proposing to create one additional two-family condominium lot at the northwest corner of 90th Street and 62nd Avenue in the Creekside Terrace development. In speaking with the developer as well as his attorney this past week, this next information sets forth the parameters and some of the discussion that we had with respect to these units.

The developer is willing and intends to cooperate in all respects with the Village and the condominium association to incorporate this new condominium into the existing condominium and its referenced declaration. As such the developer is willing to have the new two-unit building constructed in the same architecture, materials, style, height and colors as the existing adjacent two-family condominium units as are reflected in the plans and details of which are on file with the Village. It is further the intent of the developer that the new two-unit building would be owner occupied condominium units which would comply with all of the declarations, by-laws and other requirements of the existing condominium. That being said, cooperation will be needed by the existing condominium association members as well as the existing condominium board and its mortgage holders to amend the condominium and to incorporate this property into the condominium to be governed by the Association.

In your packets there's some information that I've provided to you. It's a letter, email, from the attorney of the developer that outlined two different ways in which this could happen. But it primarily takes the cooperation by the existing association and the owners in order to bring this last two unit condo unit development into that association.

There are five outlots that are being proposed. Outlot 1 is proposed to be dedicated fee interest transfer as common open space to the Creekside Terrace Homeowner's Association, Inc. And this outlot would be used for open space, wetland preservation and protection, access and maintenance purposes. And there also needs to be an easement that's granted to the Village of Pleasant Prairie for the same purpose. And so that first outlot is in the very northeast corner of this site.

Outlot 2 is proposed to be dedicated with a fee interest transfer to the Creekside Terrace Homeowner's Association. The Outlot would be for open space, access and maintenance purposes. And, again, this outlot is actually located on Creekside Circle leading up to that basin. The same area would also need to have an easement granted to the Village of Pleasant Prairie for the same purposes for open space, access and maintenance purposes. In each of these circumstances, just to clarify, the Village will have the right but not the obligation for any maintenance. The homeowner's association would have that maintenance responsibility for taking care of each of these outlots.

Outlot 3 is proposed to be dedicated, again, through a fee interest transfer to the Creekside Terrace Homeowner's Association. And this would be dedicated by the developer to the homeowner's association for floodplain preservation, protection, wetland preservation and protection, access and maintenance purposes. This is the very large outlot that's at the northwest corner of this development area. Again, there shall also be an easement over the same area of Outlot 3 granted to the Village for the same floodplain preservation and protection, wetland preservation and protection, access and maintenance purposes.

Outlot 4 is proposed to be dedicated to the Village of Pleasant Prairie for public park purposes. There shall be an easement over the same area initially for the developer for him to do that initial grading and seeding and establishment and construction of park or playground equipment in this area. And then the transfer will be made over to the Village of Pleasant Prairie. And, again, this is just to the east/northeast of Jerome Creek and also adjacent to that other basin. So it will be a larger open space area.

Outlot 5 is proposed to be dedicated, again a fee interest transfer, to the Creekside Terrace Homeowner's Association. The outlot would be labeled dedicated for stormwater, drainage, retention basin, access and maintenance purposes. This is very similar to the other ones in Creekside Crossing. This is for stormwater management purposes, and the maintenance responsibility will be with this homeowner's association. And that's that much larger basin that is located just to the south and to the west of the Jerome Creek.

With respect to population projections based on this conceptual plan, based on the 2010 Census information for the Village, the average number of persons per household is 2.71 and with school age children between the ages of 5 and 19 making up 22.6 percent of the population. Based on 64 lots and one 2-unit condominium, it is projected that 179 persons will be added to the population at full build out. Pursuant to the KUSD 42 percent of the dwelling units will have school age children, so approximately 28 public school age children are likely to come from this development at full build out.

With respect to the floodplain boundary adjustment, on October 20, 2003 the Board had adopted Resolution 03-42, and this is to approve the Floodplain Boundary Adjustment for the Creekside development. In January 2005, the developer of Creekside Crossing development obtained the required permits from FEMA to begin the work. And FEMA is the Federal Emergency Management Agency to begin that work. The floodplain boundary work had begun in that area that is already developed, but it has not yet been completed for the entire project area. So the FEMA approval is still valid but will need to be completed by the petitioner as originally designed and approved by the Village, the Wisconsin Department of Natural Resources and FEMA.

Wetlands: The wetlands within the undeveloped Creekside Crossing development area were delineated in 2014. And we have a very detailed wetland study report that was completed. A number of wetland pocket areas exist on the property. Again, those developed because they had started doing the mass grading out there, they had not completed it, and so it left a number of low lying areas. In some of these areas, some wetland plants started to pop up. The Army Corps of Engineers and the DNR went out to the site, but they decided that they're only going to be taking jurisdiction over some of them, and some of them will be able to be graded and filled in as was originally proposed as part of this development.

In the attached letter dated January 23, 2015 from the Wisconsin DNR, and all of their wetlands were numbered, but wetlands 6, 7 and 10 are the only ones that are left that are subject to State wetland and waterway regulations. This letter also does not indicate if wetland 5 will be subject to those regulations. So we have to clarify that, but if wetland 5 is subject to the State regulations, the developer will be required to obtain permits to fill those wetlands in order to install any required roadway. And that would be at the very north end of the development site, the northeast corner. A small portion of wetland 6 will be required to be filled for construction of Creekside Circle. Therefore, wetland fill permits will be required to be obtained by the developer from both the Wisconsin DNR and the Army Corps of Engineers.

Site access: This development will utilize two existing public access points onto 93rd Street at 63rd and 66th Avenues. The third access point, 91st Street, will be extended as a rural roadway from the development limits in Old Green Bay Road. It is intended and is going to be required that 91st Street will be the construction access, and haul roadway for the development of the subdivision infrastructure, the single family houses and the two family unit construction. The 91st Street stub to the west does not exactly align at this time as part of these plans. So they'll have to do some adjustments so that it does align so that you can get from the Creekside development down 91st to Old Green Bay Road. And where 91st is that was a portion of roadway that was acquired by the previous developer and dedicated to the Village of Pleasant Prairie.

Under public improvements, all public and private improvements shall be made by the developer at the developer's expense. The entire development shall be provided with and serviced by municipal roadways, sanitary sewer, water and storm sewer. And in particular I'll just cover some of the details.

Municipal roadways shall be extended throughout the development pursuant to the Village's new development standard which is roadway pavement will be reduced from 37 to a 33 foot back of curb to back of curb for other roadways except for Creekside Circle and 62nd Avenue. And those



roadways will be extended at the exact profiles that are out there today at the 37 foot back of curb to back of curb.

Also as part of our new standard for the Village, public sidewalks shall be extended on both sides of each public street and in this case on the south side of Creekside Circle. Alternate side parking regulations will likely be in effect for the development in those areas. Using 91st Street as a construction access roadway shall require that the roadway be graveled and paved if required pursuant to the Village specifications. The Village Board shall determine the exact extent of the required public improvements to be completed in 91st Street.

Municipal water shall be extended throughout the development and shall connect as required if needed to the existing municipal roadway system in Old Green Bay Road. The key is that the water main needs to be looped in some manner in order to guarantee the water pressure and so that we don't have a dead end mains out there. Municipal sanitary sewer shall be extended from the existing sewer in Creekside Crossing development to service the entire remaining development area.

And the municipal park which is located right on Creekside Circle next to Jerome Creek shall be graded, seeded and will be completed as a park with park related playground equipment such as a swing set, climbing structure, those spring action riding units, and two sitting benches shall be installed at the park similar to the existing Creekside park with the addition of some sitting benches.

The third item that's on the agenda is the Certified Survey Map. And this is a Certified Survey Map identified as Lot 1. It was to create the one 2-unit condominium that is proposed at this area. A couple of things. The staff, even though I'm giving you this information ahead of time, we are recommending that this particular item be tabled tonight for a couple of reasons. First of all, Lot 1 does need to be increased in size to 20,000 square feet at a minimum. Two, what we did uncover when we were doing all the research going back to 2005 and 2006 is that this particular area was never completed with respect to the floodplain boundary adjustment. So that work has to be completed first in the field. Then we'll come back and rezone it. So we are recommending that it could be rezoned to the R-8 but, again, that FPO, that Floodplain Overlay District, that's typically removed from a lot once that work process to fill it in and the floodplain boundary adjustment work is completed.

The final item is the zoning map amendment. And, again, the petitioner is requesting to rezone one 2-unit condominium lot from R-8 UHO which is an Urban Landholding Overlay District, and an FPO, Floodplain Overlay District, to the R-8 Two Family District. The removal of the FPO District, again, must be either tabled or presented at a later date until we remove that floodplain boundary area from this property and it's been field verified in what we refer to as a FEMA CLOMR-F. What that means is it's a Federal Emergency Management Agency, and it's basically Conditional Letter of Map Revision Final that's provided to the Village.

At the time the preliminary plat is submitted for the single family, or when fill permits are obtained from the Wisconsin DNR and Army Corps of Engineers for the wetland areas proposed to be filled, that's when a zoning map amendment for that and this purpose of filling in those wetlands can be removed and the property can be reflected so that the correct R-8 is shown, the correct C-1 is shown which is Conservancy and FPO. So there's some work that actually needs

to be done in the field as part of the approval process in order to come back and rezone these areas out of those designations. So it might take a couple of rezonings. With respect to the single family what they are requesting for the single family is R-4.5 which is a Single Family Residential District. And the park as well as all of the stormwater management areas and outlots those also would come back as being zoned PR-1 which is Park and Recreational District.

So with that I'd like to continue the public hearing. Again, the requests for this evening are four different items, the first of which is the Comprehensive Plan amendment and approval of the neighborhood plan. The second item is the conceptual plan for the Creekside Terrace development. The third item which is the Certified Survey Map is to actually create that one 2-unit condominium lot area. And then the fourth item is the zoning map amendment. And, again, the staff would only recommend placing that R-8 designation on that particular lot. But if you request the last two items to be tabled I think that the developer would understand that we have just a little bit more work to do with respect to those two items. So with that I'd like to continue the public hearing.

Tom Terwall:

This is a matter for public hearing. I can tell you that Items C and D will be tabled. However, we're willing to take any input on those matters as well. So now is the time for the public hearing. Who wishes to speak? Yes, sir? Please state your name and address, sir.

Jeff Sorensen:

Jeff Sorensen, 6299 92nd Place, Creekside Crossing. I have a couple items. Number one, I'm very happy to hear that the developer would like that lot to be a two unit owner occupied condo. In Creekside Crossing in a vote at a summer meeting we just had a few weeks ago 100 percent of the people there want owner occupied. In fact, owner occupied is required in our condo documents. I'm not sure, but I thought that that particular lot originally was for a two unit condo.

Jean Werbie-Harris:

It was.

Jeff Sorensen:

So I think it should stay as a two unit condo to match what's there. I've got a couple other items. They may not be in the order of the agenda so I'll just say them. If I'm out of order let me know and I'll stop that one.

Tom Terwall:

Jeff, you're never out of order.

Jeff Sorensen:

Right now the Creekside Crossing pays for the maintenance of the stormwater basins. Now that this additional construction is being added is the developer going to help with that maintenance

cost? Next item, will the existing stormwater basins be adequate for all the additional lots? Now, I'm assuming that most of these questions will be answered through staff eventually when this comes to fruition. Can the creek handle the additional stormwater? That's just a small creek. There was a few years ago we had that big storm, it flooded over 93rd Street. That creek takes all the water from that farmland south of 93rd Street and comes through that creek. That's not a big creek so I'm a little concerned about when that creek eventually hits I believe Old Green Bay Road.

Will the walkway on the west side of the creek be installed? Originally under the original design there was a walkway that was going on the west side of the creek that eventually would go out to that I believe you call it Outlot 4 for the park. And that wasn't put in because that was going to be put in when the back part got developed. So I'm wondering if that's going to happen.

And you've already answered my next question of will the public park be installed. That's a good thing. And I'm glad to hear that construction traffic access is via 91st Street. The two accesses off of 93rd Street those roads in Creekside Crossing are paved 100 percent. Paid for, done, nice. I would hate to have all this construction traffic ruin them. Thanks.

Tom Terwall:

Thank you. Jean, you're getting these comments down. Certainly the Commission is not going to be able to answer them tonight, but at some point you'll be in a position to answer them, is that correct?

Jean Werbie-Harris:

That's correct. Do you want us to offer input now, or do you want to wait until we have more questions?

Tom Terwall:

Go ahead.

Mike Pollocoff:

With regard to Jeff's comment on participating on costs for existing basins, the stormwater design and engineering that's going to be completed as part of this project is going to dictate how much, if any, work needs to be done upstream because this development will be downstream from the current development. If there are some improvements that need to be made that their engineers haven't discovered yet those would have to be part of the project. And if there's any costs for improvements that would need to be made because the existing development improvements are insufficient I guess we'd have to define what those are and go about that.

This development went underwater, and it went through ownership changes and it went back to the bank so there's a lot of things that didn't happen. But as this change in development occurs there's significant downsizing in a number of units that are going to be taking place versus the original design which will have, in turn, a significant impact on stormwater. There will be more green areas in this iteration that the developer is proposing now than there was in the original

development. So once we go through the process and the floodplain can be done and the developer has some certainty from the Village that this conceptual plan that you've seen tonight can proceed then they'll be doing engineering in earnest to see exactly what it is that they need to do.

So I think just the mere impact that we're reducing the amount of footprints that are going to be on that new development land is going to have a significant impact on stormwater. The creek is a very small creek, and as Jeff indicated and I've seen it myself, I've seen that water over the top of 93rd Street, the 93rd Street culvert I don't believe is designed for -- it's designed for a 100 year storm, but it's not designed for anything greater than that. So we had one storm, and I believe it was in '08 I believe that was almost a 700 year event. So in a major rain event the storm sewers in your subdivision right now that service the streets and the sidewalks and your homes are designed to handle a ten year event storm, the worst storm you'll have in ten years. No one could afford to live in any community that designed anything more than a 100 year event.

So when we get a bad storm and a 100 year event, even though you could have like three in a month typically it's the worst storm that you would see that would achieve that level. And that could happen because you get one of those February rains and you get a lot of rain and everything is frozen so things don't drain like they normally do. Or you just get a big gully washer and it happens. So what's going to really solve the problem of Jerome Creek which is that creek that runs through this property, and you've done the first phase of putting detention basins in there that hold your water back, the developer's proposal for his development is going to do more to hold water back in there.

But the real solution to the creekside and the whole Jerome Creek basin is as that land develops to the south of you the Jerome Creek basin goes all the way up to 104th and it kind of fingers in by 55th and 59th and that area over there all the way up to that top. So it's a very large basin. As that area develops they have to put in basins to hold that water so it doesn't release down to 93rd Street at too high of a rate. Village Green Heights has already put one basin in that holds some of that water back. So as time goes on we've discovered this in Pleasant Prairie as we enforce these stringent standards on stormwater, stormwater improvements actually take place and we have less water in most storms. Again, the big storms are going to cause problems. But even if you get a big storm having those improvements are going to really minimize the effect of it.

As far as the walkway we're going to have to look at that. I think frankly the developer didn't get that in, and the money wasn't there when it came time to finish it. We're going to require this developer to complete it, and then we'll have to take a look at what it's going to take to get the rest of that finished. We know we may be able to, given the conditions that have occurred where it really didn't happen because of anybody that lives there, it's not their fault, it's not the Village's fault, but we may be able to tap some of the park and trail fund grants to kind of close that loop and get that thing finished off. But, again, as the developer goes through his discovery on where they're going to put the trail and get that work done we'll find out, and we'll have a survey done to see where that realistically given what we know today is the actual grading and the limits of the stream, and then the development lines for the existing development find out where a sidewalk or a path should go in that area and place that out. So I think that one is going to take some more work, too. But I'll be honest with you I think the money to put that in from the originally developer is gone. It's not there. So we'll have to find some other way to skin that cat.

I think if there's one thing I want to leave you with, not that we're saying that -- the development out there is wonderful, it's a really nice development. But by downzoning this down to single family it's really going to put a lot less stress on the stormwater facilities in that neighborhood. It will put a lot less stress on the traffic. Because we can control the construction traffic going in on the new road, but those people are still going to use your streets to get out to 93rd or whatever. And there's a lot less homes, and living units are going to be using those roads under this plan than under the current plan that was approved.. Jean, did you have another one?

Jean Werbie-Harris:

I was just going to mention one of the things that I also looked at with respect to the walkway was possibly there could be a small segment of walkway from the existing park along the east side of the Jerome Creek and then have it tie into the cul-de-sacs. Because each of the two cul-de-sacs have green space connections. And each of the cul-de-sacs also have full sidewalks. And Creekside Circle is going to have a sidewalk on the south side. So there will be a couple of different ways. Instead of maybe putting a walkway too close to that waterway, or at least to that floodplain of that waterway, that we try to pull it away a little bit further and then connect it into one of the two cul-de-sacs. And then the sidewalks can take you all the way around Creekside Circle to the public park. So those are some of the things that we can work out when we get more detailed grading plans and so on and so forth put together.

Tom Terwall:

Is there anybody else wishing to speak on this matter?

Bill Demo:

Hi. Bill Demo [phonetic], 9285 66th Avenue, #21. I'm President of the Creekside Crossing Homeowner's Association. We've got a lot of homeowners here. We're very concerned about the zoning impact on that parcel. I'm really happy to hear that the developer is willing to work with us. And we look forward to getting that information and dealing with our attorney and making sure he can be accommodating. The other concern was also addressed and that was traffic onto 91st Street and how that impact us, and you guys addressed those concerns. So that's it, thanks.

Tom Terwall:

As a condo owner myself I share your concerns about owner occupancy, and that's the best way to go about it. Just don't have rental, period.

Bill Demo:

That's something we're trying to fight with all the time. Thanks.

Tom Terwall:

Anybody else wishing to speak? Anybody else? Hearing none I'm going to open it to comments from Commissioners and staff. Mike?

Michael Serpe:

Jonah, if I could ask you what's the size of the homes, the price range that you're anticipating to build?

Jonah Hetland:

Jonah Hetland, 1026 Berwick Avenue, Silver Lake, Wisconsin. Is the microphone on? Can you hear me? We kind of based the covenants similar to Ashbury Creek right now. We were pretty successful in there. So typically we're looking at a 1,800 square foot minimum ranch, 2,000 square foot minimum two story. Again, typical finishes. We're going to have masonry on the front elevations and [inaudible] siding. We try to design most of the lots to accommodate three car garages because as you guys know those are very important these days. So, again, to answer your question the same look and feel that Ashbury Creek would have.

Bill Stoebig:

Is there a time period when once the owner buys the lot that you have to finish a home? Or is it just open to the homeowner?

Jonah Hetland:

I don't think we've pinned it down to that level of detail as to when they would have to actually construct the home. Based on the current demand that we see in Pleasant Prairie right now, we just sold our last lot in Devonshire so we're very anxious to get this moving. We're going to open it up to the general public to purchase the lots within the subdivision. We've also got a single family development company as well that they're going to be building maybe some on speculation, but we're also going to do quite a few custom homes. But we're going to try to build on them as quickly as we can. But if somebody buys that lot there's nothing stating that they have to build within six months or a year.

Deb Skarda:

To follow on that if someone buys the home and they don't build within, say, two years is there something in their covenants that they have to maintain the lot as far as mowing?

Jonah Hetland:

In the covenants, yes, there's certainly restrictions on having to mow the grass and take care of the property, yes.

Michael Serpe:

With reference to the two unit condo that's going to be owner occupied, as I understand, Jean, the homeowner's association has to be like 75 percent or more in favor of this happening. So make sure that happens. Okay.

Tom Terwall:

Anybody else?

Wayne Koessl:

Mr. Chairman, I would approve Item A, Resolution #15-15 for an amendment to the Village Comprehensive Plan subject to the comments and conditions of the August 10, 2015 Village staff report. That would be sending a favorable recommendation to the Village Board.

Jim Bandura:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE RESOLUTION 15-15 SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Michael Serpe:

Tom, I'd move approval of the conceptual plan.

Judy Juliana:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO**

**APPROVE THE CONCEPTUAL PLAN SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Item C and D we want to table.

Michael Serpe:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

Is there a date you want to specify, Jean, or not?

Jean Werbie-Harris:

Not a date certain at this point.

Tom Terwall:

**IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY WAYNE KOESSL TO TABLE ITEMS C AND D PENDING FURTHER INFORMATION. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**E. PUBLIC HEARING AND CONSIDERATION OF A FLOODPLAIN BOUNDARY ADJUSTMENT for the request of Matt Carey. P.E., with Pinnacle Engineering Group, agent for Route 165, LLC owner of the property generally located at the 11200 block of 120th Avenue (West Frontage Road) to remove 3,519 cubic yards from the 100-year floodplain and to create 4,963 cubic yards of 100-year floodplain**



**to compensate for the 100-floodplain begin filled for the an office building and site improvements for a Uline Headquarters Office building (H2).**

Jean Werbie-Harris:

Item E is a public hearing and consideration of a floodplain boundary adjustment for the request of Matt Carey, P.E., with Pinnacle Engineering Group, agent for Route 165, LLC, owner of the property generally located at the 11200 block of 120th Avenue, the West Frontage Road, to remove 3,519 cubic yards from the 100-year floodplain and to create 4,963 –

Michael Serpe:

Jean, just give two minutes and let the people --

Jean Werbie-Harris:

How about if I just finish reading the item.

Tom Terwall:

Go ahead.

Jean Werbie-Harris:

4,963 cubic yards of 100-year floodplain to compensate for the floodplain being filled for an office building and site improvements for a Uline headquarters office building.

Tom Terwall:

Okay, Jean, go ahead.

Jean Werbie-Harris:

So this is an item for a consideration for a floodplain boundary adjustment, and this is for the Uline headquarters office building, Uline H2 on the West Frontage Road. Specifically, the petitioner is requesting approval of a floodplain boundary adjustment to remove 3,519 cubic yards of floodplain from the Des Plaines River UT1E 100-year floodplain and to create 4,963 cubic yards of floodplain to compensate for the 100-floodplain being filled for the an office building and site improvements on a 28 acre site for a Uline headquarters office building to be located on the West Frontage Road.

The petitioner is requesting approval to place fill within the current 100-year floodplain limits along the southern portion of the property and to create additional 100-year floodplain compensatory storage within two retention basins located at the south end of the developed property adjacent to the 100-year floodplain. Natural fill consisting mainly of clay will be utilized as the fill material. The project is anticipated to begin this fall.

A detailed hydraulic analysis and report was completed for the floodplain boundary adjustment using the U.S. Army Corps of Engineers HEC-RAS modeling software, version 4.1.0. The report incorporates previous data that was used by SEWRPC in 2003 and contained within the 2012 Kenosha County Flood Insurance Study or the FIS. The HEC 2 model, supplied by the Wisconsin DNR, served as the baseline for the report. The results provided in this model referred to as the Effective Model differ slightly from the results of the 100-year surface elevations listed in the FIS. Accordingly, a Duplicate Effective Model was then run using the HEC-RAS modeling software. With this model in place, three additional models were created to accurately depict the changes to the site since 2003 as well as the proposed onsite Uline H2 development. These models consisted of the following:

First, a corrected Effective Model - Incorporates differences in modeling techniques between HEC 2 and HEC-RAS, as well as any modeling discrepancies that were discovered when comparing the model to the Duplicate Effective Model; pre-Project Model which incorporates any man-made changes to the floodplain area that occurred since SEWRPC's initial and approved study in 2003; and then the Post-Project Model which incorporates the proposed Uline H2 development. Compensatory mitigation is proposed to not increase any flood elevations beyond the limits of the property. Floodplain elevations within the sections contained in the adjacent property to the west have either been reduced or matched.

According to the Village's Floodplain Ordinance, the Village shall only permit amendments to the floodplain boundary that are consistent with the purposes of Section 420-131 of the Village Zoning Ordinance and that are not in conflict with the applicable rules of the Wisconsin DNR or FEMA. As evaluated by staff, the proposed floodplain boundary amendment shows that the 100-year floodplain modification complies with the following Village requirements:

- The floodplain boundary adjustment is consistent with Section 420-131 of the Village Zoning Ordinance and is not in conflict with the applicable rules of the Wisconsin DNR and FEMA.
- The amendment to the floodplain boundaries does not increase the regional flood stage elevation beyond the proposed Uline H2 development as there will be no base flood elevation increases off site to the adjacent upstream or downstream properties as shown in the Post-Project Model prepared by the petitioner's engineer.
- The floodplain amendment provides adjusted water surface profiles and adjusted floodplain limits to reflect the increased flood elevation within the Uline H2 development.
- Areas removed from the floodplain are contiguous to land lying outside the floodplain.
- The flood storage capacity being removed from the floodplain, as defined by the ground surface and the regional flood elevation, has a corresponding equal volume of flood storage capacity in the vicinity of the removal to compensate for the lost flood storage capacity.

- There is no excavation below the ordinary high water mark which is being utilized as providing any equal volume of storage capacity for compensation purposes.
- Areas of compensating flood storage capacity are draining to the receiving stream.
- Land removed from the floodplain will be filled to an elevation at least two feet above the elevation of the floodplain.

The petitioner is also in the process of obtaining Wisconsin DNR and FEMA approvals to fill the floodplain as depicted on the application on the basis that the grading will satisfy volumetric compensatory mitigation requirements for a Conditional Letter of Map Revision based on fill and ultimately a Letter of Map Revision based on fill after the construction is completed.

On March 9, 2015, Preliminary Site and Operational Plans were conditionally approved by the Plan Commission for a mass grading and preliminary approval of an office building and site improvements for a Uline Headquarters Office building H2. One of the conditions includes that the approval was based on obtaining the required Floodplain Boundary Adjustment approvals from all government agencies. Detailed Site and Operational Plans will be submitted by the petitioner for Village staff and Plan Commission review and approval prior to obtaining building permits for the project.

With that I'd like to continue the public hearing. The petitioner and his engineer are also here if you have any additional questions.

Tom Terwall:

Jean, is there any reason to not consider Items E, F and G at the same points with separate motions or not?

Jean Werbie-Harris:

Well, actually F and G that deals with another project. It's on their property but it's a different project. So this is just the H2 project, and then the next project is the conference center.

Tom Terwall:

So at that point we can combine F and G?

Jean Werbie-Harris:

F and G can be combined, but we need action on Item E first.

Tom Terwall:

Okay. Is there anybody wishing to speak on this matter? Anybody wishing to speak? Anybody wishing to speak. Seeing none, I'll open it up to comments from Commissioners and staff.

Wayne Koessl:

I have none, Chairman, unless the Commission has a question. If not I'll make the motion to approve the consideration of a floodplain and boundary adjustment subject to the conditions and comments made by the staff on August 10, 2015.

Tom Terwall:

Is there a second?

Judy Juliana:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE FLOODPLAIN BOUNDARY ADJUSTMENT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

Wayne Koessl:

Mr. Chairman, I'd move that we consider taking Items F and G at the same time and do separate votes on.

Tom Terwall:

Is there a second?

Michael Serpe:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY MICHAEL SERPE TO COMBINE ITEMS F AND G FOR DISCUSSION PURPOSES BUT MAINTAIN TWO SEPARATE VOTES. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Jean, go ahead.

- F. PUBLIC HEARING AND CONSIDERATION OF ZONING MAP AND ZONING TEXT AMENDMENTS for the following requests of Matt Carey, P.E. with Pinnacle Engineering Group, agent for Route 165, LLC owner of the property located at 12575 Uline Drive for a Zoning Map Amendment and Zoning Text Amendments: 1) to rezone the portion of the property being removed from the 100-year floodplain from the FPO, Floodplain Overlay District; 2) to rezone the portion of the property wherein 100-year floodplain was created into the FPO District; 3) to amend Section 420-131 I (1) (a) to specifically reference the change to the official floodplain maps and studies; and 4) to amend the Uline Corporate Campus Planned Unit Development in Appendix C of Chapter 420 of the Village Zoning Ordinance to allow for the construction of the Uline Conference Center with a size not to exceed 25,000 square feet in area and 45 feet in height.**
- G. Consider the request of Matt Carey, P.E. with Pinnacle Engineering Group, agent for Route 165, LLC owner of the property located at 12575 Uline Drive for approval of the Final Site and Operational Plans for the construction of the Uline Conference Center.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, Item F is the public hearing and consideration of Zoning map and zoning Text Amendments for the following requests of Matt Carey, P.E. with Pinnacle Engineering Group, agent for Route 165, LLC, owner of the property located at 12575 Uline Drive for a Zoning Map Amendment and Zoning Text Amendments: 1) to rezone the portion of the property being removed from the 100-year floodplain from the FPO, Floodplain Overlay District; 2) to rezone the portion of the property wherein the 100-year floodplain was created into the FPO District; 3) to amend Section 420-131 I (1) (a) to specifically reference the change to the official floodplain maps and studies; and 4) to amend the Uline Corporate Campus Planned Unit Development in Appendix C of Chapter 420 of the Village Zoning Ordinance to allow for the construction of the Uline Conference Center with a size not to exceed 25,000 square feet in area and 45 feet in height.

And the next item, Item G, consider the request of Matt Carey, P.E. with Pinnacle Engineering Group, agent for Route 165, LLC, owner of the property located at 12575 Uline Drive for approval of the Final Site and Operational Plans for the construction of the Uline Conference Center. Again, these items are related and will be discussed at the same time, however separate action will be required.

On June 8, 2015, the Village Plan Commission conditionally approved Preliminary Site and Operational Plans for the petitioner to begin the mass grading of a portion of the property for the construction of a conference center between the Uline Corporate Office building located at 12575 Uline Drive and the easternmost warehouse building, and this is on Tax Parcel Number 91-4-121-252-0203. In addition, as part of the mass grading on June 15, 2015, the Village Board approved Resolution #15-21 related to a floodplain boundary adjustment for the project. Specifically, the floodplain boundary adjustment allowed the petitioner to remove 2,226 cubic yards from the 100-year floodplain along the northwest corner of the retention facility and to create 3,795 cubic yards of floodplain storage in the southern portion of the retention facility to compensate for the 100-year floodplain being filled for the purpose of constructing the conference center. Permits have been issued for this mass grading work and the required Conditional Letter of Map Amendment for the floodplain boundary adjustment has been obtained from FEMA.

With respect to Final Site and Operational Plan, the site is intended to be used for the construction of a two level 22,500 square foot Uline conference center, to be generally located on the north side banks of an existing retention pond which is located on the southwest side of Uline's corporate office headquarters which is about 300 feet away.

The new conference center facility will be used to support special events on the Uline campus that cannot be held in the existing space due to specific requirements of the various gatherings. The exterior of the conference center is clad in high quality materials that include stone masonry, specialty colored concrete, metal roof, and features a significant amount of glazing and an attached deck that extends over the water.

This new facility will be for private use and will only be used on an average of once per week for corporate meetings, conferences and events with approximately 200 to 300 attendees. The maximum capacity of the facility will be about 350 persons. Events at the conference center will be held in the morning, afternoon, and evenings, weekdays and weekends. The building includes a large gathering area on main level overlooking the existing pond. There is also an outdoor deck at the south end overlooking the pond. No new employees are intended to be hired to run the conference center but rather their existing corporate staff will be utilized for coordinating events. Catering companies will also be used.

The Conference Center will not increase the number of automobile trips to the Uline campus on a daily basis as it is not open to the general public. It is an amenity for the company and not a destination. The maximum potential number of automobile trips is 350. But this is based on the building's anticipated capacity for a large seated event and assumes that each of the 350 people would drive separately. Therefore, the parking requirements for events will be met by the existing 800-stall parking lot adjacent to the Uline office building. So no new parking stalls are being proposed with this project. The initial grading work has already begun on the project. The anticipated completion of the conference center is anticipated for 2016.

With respect to the next item which is the Zoning Map Amendment, the following Zoning Map Amendments for the conference center include, first to rezone the portion of the property being removed from the 100-year floodplain from the FPO, Floodplain Overlay District, and second to rezone the portion of the property wherein 100-year floodplain was created and placed into the FPO District. These approvals are subject to final approval from FEMA.

The Zoning Text Amendments, the Zoning Text Amendments for the conference center include first to amend Section 420-131 I (1) (a) to specifically reference the change to the official floodplain maps and studies. And, again, this approval is subject to final approval from FEMA (See attached). And, second, to amend the Uline Corporate Campus Planned Unit Development in Appendix C of Chapter 420 of the Village Zoning Ordinance to allow for the construction of the Uline conference center with a size not to exceed 25,000 square feet in area and 45 feet in height.

So with that this is a public hearing because of the text and map amendments, and I'd like to continue the public hearing at this time.

Tom Terwall:

Is there anybody wishing to speak on this matter? Anybody wishing to speak? Anybody wishing to speak? Hearing none I'll open it up to comments from the Commissioners and staff.

Michael Serpe:

Is there any light at the end of the tunnel? This is just amazing. I mean don't get me wrong I love it, and I don't know what makes this corporation run but it sure is impressive. Beautiful. And if nobody has a comment I would move approval of the Zoning Map Amendment.

Jean Werbie-Harris:

Map and text.

Judy Juliana:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY MICHAEL SERPE AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE ZONING MAP AND ZONING TEXT AMENDMENTS SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered. Then we need a motion to approve the final site and operation plans.

Judy Juliana:

So moved.

Jim Bandura:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY JUDY JULIANA AND SECONDED BY JIM BANDURA TO APPROVE THE FINAL SITE AND OPERATIONAL PLAN SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**H. Consider the request of Ralph Nudi, agent for the owner RMN Properties, Inc. for approval of a Certified Survey Map to subdivide the property located at 11206 8th Avenue into two (2) parcels.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, Item H is to consider the request of Ralph Nudi, agent for the owner RMN Properties, Inc. for approval of a Certified Survey Map to subdivide the property located at 11206 8th Avenue into two parcels. The petitioner is requesting approval of a Certified Survey Map to subdivide the property located at 11206 8th Avenue into two properties. This property is zoned R-6, Urban Single Family Residential District.

Lot 1 is proposed to be 9,961 square feet with 80 feet of frontage on 8th Avenue. This lot has an existing house and a detached garage. The existing home was built in 1962. It's considered a legal non-conforming structure in that the home is setback 5.9 feet from the side property line wherein a the current zoning requires a 8 foot setback. Any addition to the house will be required to meet the current setback in effect.

Lot 2 is proposed to be 10,026 square feet with 80.02 feet of frontage on 8th Avenue. This lot has a detached garage that is intended to be razed. Razing permits have been submitted to the Village. If the building is not razed prior to the CSM being completed, then the following note shall be placed on the face of the CSM: The detached garage on Lot II shall be removed by October 1, 2015. If the building has been razed prior to finalizing the CSM then the surveyor shall remove the structure from the face of the CSM.



A new house constructed on Lot 2 will be required to connect to the existing municipal sanitary sewer and municipal water services within 8th Avenue and shall be required to meet the minimum requirements of the R-6 District which includes the following setbacks:

- Setback to the property line adjacent to 8th Avenue which is the street setback of 30 feet.
- Setback to the side property lines of 8 feet.
- Setback to the rear property line of 25 feet.

The proposed land division conforms with the minimum regulations of the R-6 Zoning District requirements related to lot area and lot frontage. As you know that Lot 1 does have a nonconformity on it but that's legal nonconforming. And so the staff recommends approval of the Certified Survey Map subject to the comments and conditions as outlined in the staff memorandum. This is not a matter for public hearing.

Tom Terwall:

Jean, splitting this lot does not increase the nonconformity?

Jean Werbie-Harris:

No, because the home already exists on Lot 1, and it already exists at that reduced setback to the north lot line so it does not increase the nonconformity.

Tom Terwall:

Thank you. What's your pleasure?

Jim Bandura:

Move for the approval of the Certified Survey Map.

Judy Juliana:

I'll second.

Tom Terwall:

**MOVED BY JIM BANDURA AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE CSM SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- I. Consider the request of Alan and Michelle Deloria for approval of a Lot Line Adjustment between their property located at 3464 93rd Street and the vacant property to the east and north.**

Jean Werbie-Harris:

Item I is to consider the request of Alan and Michelle Deloria for approval of a Lot Line Adjustment between their property located at 3464 93rd Street and the vacant property to the east and north. The petitioners, owners of the property located at 3464 93rd Street further identified as Tax Parcel Number 91-4-122-133-0260, are proposing to adjust the lot line with the adjacent vacant property to the north and east which is Tax Parcel Number 91-4-122-133-0255 owned by Denise DeLoria.

Both properties are zoned R-4 (UHO) Urban Single Family Residential District with a Urban Landholding Overlay District. The R-4 District requires lots to be a minimum of 15,000 square feet with a minimum of 90 feet of frontage on a public street. Pursuant to the Isetts Neighborhood Plan for this area 34th Avenue is proposed to be extended south from the City of Kenosha and connect to 93rd Street on the east portion of the vacant property. After the Lot Line Adjustment this vacant property will have 140 feet of frontage on 93rd Street which would allow one half of a future right-of-way and a lot to be created in accordance with the aforementioned Neighborhood Plan.

After the adjustment both lots will continue to meet the minimum lot area of the R-4 District and the intention of the Neighborhood Plan. The Lot Line Adjustment will comply with the requirements set forth in the Village Zoning Ordinance and Land Division and Development Control Ordinance. The staff recommends approval subject to the comments and conditions as outlined.

Tom Terwall:

What's your pleasure?

Wayne Koessl:

Chairman, I move we move approval and send a favorable recommendation to the Village Board.

Judy Juliana:

Second.

Tom Terwall:

**IT'S BEEN MOVED BY WAYNE KOESSL AND SECONDED BY JUDY JULIANA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO**

**APPROVE THE LOT LINE ADJUSTMENT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**J. Consider Plan Commission Resolution #15-16 to initiate a Comprehensive Plan Amendment and a Zoning Map Amendment for several properties on Sheridan Road.**

Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission, Item J is to consider a Plan Commission Resolution 15-16 to initiate a Comprehensive Plan Amendment and a Zoning Map Amendment for several properties on Sheridan Road. Whereas on July 16, 2015 the Village received an application from Michael and Kara Ohmstead,, owners of the property located at 11638 Sheridan Road, Tax Parcel Number 93-4-123-311-0256, to amend the Village of Pleasant Prairie 2035 Comprehensive Plan Map 9.9 and to rezone the property from B-1, Neighborhood Business to R-4 (UHO), Urban Single Family Residential District within an Urban Landholding Overlay District;

Whereas, the existing single family home on the property located at 11638 Sheridan Road is considered a legal nonconforming use since a residential use is not an allowed use in the B-1 District. Being a non-conforming use, there are limitations as to the amount of structural alteration, addition or repair to this nonconforming use. With any nonconforming use if the buildings are ever damaged or destroyed or the cumulative amount of structural alterations exceeds 50 percent of the assessed value which is based on the value that the use became non-conforming, then the building would need to revert to a conforming commercial use.

Whereas, this area of Sheridan Road south of 116th Street is a mixture of commercial land uses, Wooden Nickle, Ray Radigans and Ruffolo Pizza, but it also has four single family residential homes, and the Land Use Plan indicates that this area be ultimately developed as a Neighborhood Commercial area pursuant to the B-1, Neighborhood Business Zoning District,

Whereas, the Village staff has reviewed the Land Use Plan and the Zoning Map for this area and in addition to the one mentioned there are three additional single family homes that are also classified as nonconforming uses. And these are Tax Parcel Numbers 93-4-123-311-0230 owned by Anna M. Stachura at 11618 Sheridan Road; the next is 93-4-123-311-0240 owned by Lawrence E. Draudt at 11624 Sheridan Road; and part of 93-4-123-312-0266 owned by Nafi and Awilda Kalan at 11740 Sheridan Road.

Now therefore be it resolved by the Village Plan Commission, as follows:

1. That the Village Plan Commission hereby initiates and petitions to amend the 2035 Land Use Plan Map 9.9 to add an urban reserve land use designation over the four noted properties leaving the underlying Neighborhood Commercial land use designation and to amend the Zoning Map to rezone the four noted properties into that R-4 (UHO) designation.
2. That the proposed amendments are hereby referred to the Village staff for further study and recommendation.
3. That the Village Plan Commission is not, by this Resolution, making any determination regarding the merits of the proposed changes in the Zoning Map, but is rather only initiating the process by which the proposed changes in the Zoning Map can be promptly evaluated.
4. That the public participation plan for this rezoning as initiated 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.

With that I would recommend that the Village Plan Commission approve Resolution 15-16 so that the staff can finish our analysis and bring it back to the Plan Commission for public hearing and consideration.

Michael Serpe:

So moved.

Judy Juliana:

Second.

Tom Terwall:

**MOVED BY MICHAEL SERPE AND SECONDED BY JUDY JULIANA TO ADOPT RESOLUTION 15-16. ALL IN FAVOR SIGNIFY BY SAYING AYE.**

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

**7. ADJOURN.**

Jim Bandura:

So moved.

Wayne Koessl:

Second.

Tom Terwall:

Motion and second that we adjourn. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? Thank you, we stand adjourned.

**Meeting Adjourned: 7:17 p.m.**