



MINUTES VILLAGE BOARD

Village Hall Auditorium
9915 - 39th Avenue
Pleasant Prairie, WI

A special meeting of the Pleasant Prairie Village Board was held on August 26, 2019. Meeting called to order at 6:18 p.m. Present were Village Board members John Steinbrink, Kris Keckler, Mike Pollocoff, Dave Klimisch and Mike Serpe. Also present were Nathan Thiel, Village Administrator, Tom Shircel, Assistant Village Administrator; Aaron Kramer, Deputy Planner/Zoning Administrator and Jan Petrovic, Executive Secretary. Five citizens attended the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC HEARING

A. Consider Brinker Restaurant's Application for a Class "B" Fermented Malt Beverage License and a "Class B" Intoxicating Liquor License for Chili's Grill & Bar located at 6903 75th Street.

Tom Shircel:

Thank you, Mr. President and Board members. Thank you. On August 7, 2019 Brinker Restaurant Corporation, a Virginia Corporation, by its President, Christopher Green, applied for a Class "B" Fermented Malt Beverage Retail License and a "Class B" Intoxicating Liquor Retail License for the existing restaurant known as Chili's Grill & Bar at 6903 75th Street. Brinker Restaurant Corporation is in the process of purchasing Chili's Grill & Bar from the current owner ERJ Dining III, LLC. The tentative closing date for this transaction is set for September 5th of this year.

Brinker's application requested that Jennifer Justen who is the current manager be appointed as the agent for Chili's Grill & Bar. According to the licensing specialist, the restaurant will remain with the same trade name, all employees will remain, and there will be no structural changes to the facility. Background checks on Brinker's corporate officers and proposed agent were conducted, and Chief Smetana approves Jennifer Justen as the agent for Chili's Grill & Bar. All their license requirements are satisfied.

If the Village Board approves Brinker's application, the following conditions must be satisfied before the retail liquor licenses are issued: (1) Submit current documentation showing ownership and/or lease for the premises located at 6903 75th Street, and that has been received. (2) Payment of prorated liquor license fees and publication costs. (3) Payment of any delinquent taxes, invoices, utilities, forfeitures if applicable, and there are none applicable, they're all paid

up. And, finally, (4) ERJ Dining III, LLC must surrender in person at Village Hall the license currently issued for the establishment.

The Village Clerk recommends approval of Brinker Restaurant's application for a Class "B" Fermented Malt Beverage Retail License and a "Class B" Intoxicating Liquor License naming Jennifer Justen as its agent for the restaurant known as Chili's Grill & Bar at 6903 75th Street. The effective date will be from the referenced conditions are met through June 30th of next year. If you have any questions I'll be happy to answer them.

John Steinbrink:

This being a public hearing I'm going to open it up to public comment or question. Any signups? Anyone wishing to speak? Anyone wishing to speak? Anyone wishing to speak? Hearing none I'll close the public hearing and open it up to Board comment or question. I have one, Tom. Will they still be honoring the gift cards which everybody gave away last year?

Tom Shircel:

I can't say for certain but I'm sure they will.

John Steinbrink:

Okay, I got your word on that. I've got a whole stack of these things that are going to be useless.

Michael Serpe:

What good is a bowl of chili without a cold beer?

John Steinbrink:

That's true.

Michael Serpe:

So I move approval.

Mike Pollocoff:

Second.

John Steinbrink:

We have a motion and a second. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? So carries.

SERPE MOVED FOR APPROVAL OF THE BRINKER RESTAURANT'S LIQUOR LICENSES AS PRESENTED ON THE RECORD AND IN WRITTEN FORM SUBJECT TO SUBMISSION OF DOCUMENTATION OF OWNERSHIP, PAYMENT OF LICENSES FEES AND PUBLICATION, ANY OUTSTANDING MUNICIPAL CHARGES AND THE SURRENDER OF THE CURRENT LIQUOR LICENSE FOR CHILI'S GRILL & BAR LOCATED AT 6903 75TH STREET; SECONDED BY POLLOCOFF; MOTION CARRIED 5-0.

5. CITIZEN COMMENTS

John Steinbrink:

Anybody wishing to speak? Hearing none I'll close citizens' comments.

6. NEW BUSINESS

Receive plan commission recommendation and consider approval of Ordinance #19-28 and Ordinance #19-29 for a Zoning Map and Text Amendment as it relates to Nexus Pharmaceuticals Development of the property located at 10300 128th avenue.

Aaron Kramer:

So consideration of the Zoning Map and Text Amendments for the request of Michael Timko, agent on behalf of Nexus Pharmaceuticals for the development of the property located at 10300 128th Avenue to rezone the field delineated wetlands along the west property line that the Army Corps of Engineers has taken jurisdiction into the C-1, Lowland Resource Conservancy District, and to rezone the entire property into a PUD or Planned Unit Development Overlay District. In addition, to create the specific PUD requirements for the property.

On August 12, 2019, the Plan Commission conditionally approved Preliminary Site and Operational Plans to begin mass grading, underground utilities and footing and foundation for the proposed three story manufacturing facility approximately 84,000 square feet. It was discussed during the Plan Commission meeting on August 12, 2019 that there were small wetlands along the south and west property lines that are currently zoned C-1, Lowland Resource Conservancy District. In addition, there is a drainageway along the west property line that was determined by the Wisconsin DNR to be artificial wetlands and not regulated by the State.

However, on August 5, 2019, the Village was informed that the Army Corps of Engineers is taking jurisdiction on the wetlands. All the wetlands on the property are proposed to remain unchanged; therefore, the wetlands within the drainageway are proposed to be rezoned into the C-1 District. As a result of the wetland determination by the Army Corps of Engineers, a Planned Unit Development Overlay District is proposed to allow for the driveway on 104th Street to be located a minimum of five feet from the wetlands on the southwest corner of this property so that the driveway aligns with the driveway on the south side of 104th Street.

The PUD also would allow for the future parking lot expansion to be located at least minimum of 15 feet or greater from the wetlands on the south side of the property. These wetlands are shown and highlighted in green here. And the proposed future parking lot is noted that it would be no less than 15 feet, 16 on the current plans. At this time the Village staff recommends approval of the Zoning Map and Text Amendments as presented. If you have any questions there are representatives from Nexus here as well as from Pinnacle Engineering.

John Steinbrink:

That makes a lot more sense the second time I hear it.

Michael Serpe:

Move to concur with Plan Commission's recommendation.

Dave Klimisch:

Second.

John Steinbrink:

We have a motion and a second. Any further discussion? Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries. Congratulations.

SERPE MOVED FOR APPROVAL OF ORDINANCE #19-28 AND ORDINANCE #19-29 FOR A ZONING MAP AND TEXT AMENDMENT AS IT RELATES TO NEXUS PHARMACEUTICALS DEVELOPMENT OF THE PROPERTY LOCATED AT 10300 128TH AVENUE; SECONDED BY KLIMISCH; MOTION CARRIED 5-0.

8. VILLAGE BOARD COMMENTS

9. ADJOURNMENT

Dave Klimisch:

Move to adjourn.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

KLIMISCH MOVED TO ADJOURN THE MEETING; SECONDED BY KECKLER; MOTION CARRIED 5-0 AND MEETING ADJOURNED AT 6:34 P.M.