

**VILLAGE OF PLEASANT PRAIRIE  
PLEASANT PRAIRIE VILLAGE BOARD  
PLEASANT PRAIRIE WATER UTILITY  
PLEASANT PRAIRIE SEWER UTILITY**

**Village Hall Auditorium**

**9915 - 39th Avenue**

**Pleasant Prairie, WI**

**March 11, 2019**

**6:00 p.m.**

A special meeting of the Pleasant Prairie Village Board was held on March 11, 2019. Meeting called to order at 5:30 p.m. Present were Village Board members John Steinbrink, Kris Keckler, Mike Pollocoff, and Mike Serpe. Dave Klimisch was excused. Also present were Nathan Thiel, Village Administrator; Tom Shircel, Assistant Village Administrator; Jean Werbie-Harris, Community Development Director; Matt Fineour, Village Engineer; and Jane C. Snell, Village Clerk. One (1) citizen attended the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CITIZEN COMMENTS**

Jane Snell:

Mr. President, we had one signup this evening, Nancy Washburn.

John Steinbrink:

Good evening, Nancy.

Nancy Washburn:

Good evening, everyone. Thank you for holding this special meeting for us tonight. I hope it didn't bring everyone out of their homes too soon tonight. We're really excited about Green Bay Trail. It's really coming along to be a very nice development. And so based on the comments which are very thorough as always from all of the Village staff, I still have a couple of things that I'm wondering if tonight isn't a good place to get them on the table. They certainly don't need to be resolved tonight, but they're food for thought as we bring forward the final condominium plat.

And based on the review comments there's only a couple of things I'd like to talk about. One of them has to do with comments we've received on the street lighting. As you are aware, this project was previously approved and built, and so there's We Energies in place, sewer, electric and gas, as well as street lights which are already functioning and turned on. We have a meeting coming up with We Energies to go over the design. We're going to have to move pedestals and transformers, we're going to have to relay some of the electric. But my big concern is the street

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lights. There are two at the intersection of 100th and 65th Avenue and our private cul-de-sac. There are two existing street lights that stand there now.

And as part of the addition to this project that wasn't thought of back in 2006 are the sidewalks. So what's happened is if the sidewalks are to run in a straight line through the intersection, the two street lights are in their way. In discussing this with We Energies I have a couple of concerns. Number one, there's no way to save them. In other words, it's not like we can take apart what's there and just kind of move them back five feet or whatever. It's based on their method of installation, and then from there their method of removal they would destroy the base, pole, wiring. We might as well be looking at it from a budget standpoint as we are buying two new street lights that are going to be very costly to buy.

And in the meantime we could just run the sidewalk around them. We've shown that on our plans a couple of times. And Matt's comments have still come back to ask us to take those lights and remove them and relocate them. So I guess I wanted to have a little dialogue if there was a reason. I've seen that done in other areas, other sites that we've worked on or that have been built by other developers where something existed, and so rather than removing everything we try to go around it in a method that still allowed for the public to walk and traverse and come to a corner and cross the street safely. And I think that's what our sidewalk shows. So I don't now if Matt has any specific comments on that, but it does keep coming up, and we would want you to consider allowing us to keep those in place and routing the sidewalk around them as we've shown. That's number one. Do we want to address that?

John Steinbrink:

It's citizen comments, I don't think we can do that here. We can do it when the item comes up, correct?

Nancy Washburn:

And then my other thing is in regards to the developer had -- when we met with Jean and staff early, early on in our first meeting we had talked about wanting to start a building kind of as an early start look at it. And in our comments we have been getting back the fact that she will allow us or you will allow us to start that one building, but we have to have all of the utility work done. In other words there are some new sewer laterals that have to be laid. There are some new storm sewers that have to go, water that has to be moved around. And we understand all that, and we're certainly agreeing to those items.

Building 20 is right on the corner, the northeast corner of 104th and 65th Avenue. And it has utilities in place. Sewer and water lateral for it and storm sewer laterals don't have to be relocated. It's ready, it's a built pad that's in essence ready to go. That is the unit also that they have set up and would like to consider as a permanent model during the build out of the site. So were hoping that once we got the sewer system and storm sewer televised, which is part of our requirement to make sure that it's not leaking, that it can be up and running, that we could start that building 20 at that time. And then we'd be putting up the building while we're continuing through the improvement process.

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At that point your developer's agreement would be in place, your letter of credit would be in place, and we would be simultaneously building the building there on the corner as we work through the site for utility extensions and expansions and etc. So that's the second thing we'd like you to consider is our ability to create or start that model home after we've got it televised, developer's agreement, engineering and so forth is in place and letter of credit. So that just hurries it up a little bit more. So that by the time we're done with those improvements we'll actually have the building almost ready to open to the public and so forth. Those were my only comments tonight. I appreciate your consideration.

John Steinbrink:

All right, thank you. Any other citizens' comments?

Jane Snell:

No other signups.

John Steinbrink:

Anyone wishing to speak? Hearing none we'll close citizens' comments.

**5. NEW BUSINESS**

- A. Receive Plan Commission recommendation and consider approval of Ordinance #19-06 for a proposed 6-3 unit and 14-2 unit condominium buildings to be known as Green Bay Trail Condominiums located at the southeast corner of Old Green Bay Road and 104th Street (STH 165).**

Jean Werbie-Harris:

Mr. President and members of the Board and the audience, this is a request for a Preliminary Condominium Plat, Resolution 19-06, at the request of Nancy Washburn, on behalf of Harpe Development. And this is for a new condominium development to be known as the Green Bay Trail Condominiums.

Just as some brief background information, on June 18, 2007, the Village Board had approved the Final Condominium Plat at that time for the Vintage Parc Condominium development which included 3 6-unit and 12 4-unit con buildings or 66 units. At that time the infrastructure construction began, and many of the improvements were installed in the development at that southeast corner of Highway 165 and Old Green Bay including the mass grading, retention basin, underground utilities such as sewer, water and storm, the electric distribution system and street lights. The binder course of the roadway including curb and gutter were installed a few years after that. However, due to the downturn in the economy nothing progressed at that point.

On November 19, 2018, the Board approved an assignment of the development agreement for Harpe Development, LLC to take over this development after they had purchased it and to post a

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new financial security or letter of credit based on a 2018 cost estimate prepared by the Village Engineer. It was intended that a new development agreement will be put together at such time as this project is approved by the Village. So as you can see on the slide the previous Vintage Parc Condominium approval that was approved by the Board back in 2007, the new Conceptual Plan was approved by the Village Plan Commission and the Board specifically on January 21, 2019. And you can see the slightly revised layout, although it really does feel very similar to the previous development other than the units are much smaller at two and three units.

This new development has 46 units, again 6 3-units and 14 2-unit buildings. It is intended to be a condominium development. The sizes are identified in the staff comments with respect to each of the buildings in the unit. And up on the screen you can see specifically that they're looking to do some ranch-style buildings with two car attached garages, full basements, two bedrooms and three bedrooms and just over 1,600 square feet in area for these particular units. In addition to the 3-unit buildings they've got lower level ranch-style, three car attached garages, two bedrooms, two baths. And then similar sizes but then there's also an upper level unit which is much larger at over 2,200 square feet with three bedrooms, two baths, an office, covered deck but, again, introducing a little bit of variety to the condominium building.

Again, the Preliminary Condominium Plat that's being presented this evening would be 6 3-unit, 14 2-unit or 46 units. As part of the project they will be presenting a request for rezoning of the property. It still is zoned R-10 PUD, but they'll be modifying the PUD to address this existing development. Again, much of the infrastructure is already in the ground, the right of way has been platted and dedicated to the Village. So some of the tweaking that needs to be happening here in order to accommodate these units are set forth in the staff comments.

They'll be looking for a slight reduction from 65 feet to 60 feet for the right of way setback to 165, a 50 foot setback to Old Green Bay Road instead of 65 feet, a 25 foot setback from 105th Street and 65th Avenue instead of the required 40 feet, a 20 foot setback for the edge of the garage to the right of way, 20 feet from the back of curb to the private cul-de-sac areas instead of the required 40, and 80 foot separation spacing between the center line of the condo driveways and center line of the adjacent roadways. Again, normally it's 100 feet, and a 20 foot separation distance between buildings as measured from the buildings, decks and porch as required.

The staff and the Plan Commission have reviewed their request. The staff comments go into a lot more detail with respect to the public improvement. Again, where possible the public improvements that were installed in the ground are going to be kept, but there is going to be some tweaking and some additional laterals and modifications to the retention basin. And, again, there's some comments as it pertains to the street lights and a couple of the other things like the introduction of sidewalks in this development.

As they move forward they will need to present a Final Condominium Plat, a Certified Survey Map as well as some of the other details with respect to the development as it looks at the infrastructure and modifications of infrastructure that have been made over the last several years in the Village. The staff comment also addresses some of the transportation improvement fees that have been previously paid by the Vintage Parc Developer, and that has to do with infrastructure at the intersection of Old Green Bay Road and Highway 165.

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So this was a matter of public hearing before the Village Plan Commission. They recommended conditional approval subject to the comments and conditions as outlined in the staff memorandum. At this point if the Village Board approves the resolution for this evening we will move to the next phase which is to finalize the engineering plans, finalize the condominium plat as well as the other exhibits for the final development agreement that needs to come back before the Village Board.

Again, there are a couple of items that Nancy discussed as part of the citizen comments this evening. One had to do with the need for two new street lights if we don't allow the sidewalks to weave around them at that entrance of that private road with the adjacent street. They would like to begin a model on lot 20 which is just north of 105th Street, the very west end. Again, infrastructure is in the ground to service that particular building, and access is available. But they would be asking as part of the development agreement for some discretionary judgment by the Board to allow that building permit to start work on that two unit building before the infrastructure is complete throughout the entire development. And then finally I thought there were some questions regarding the sidewalks, but I'd have to turn to Nancy with respect to that.

Again, one of the other things that we have entered into with respect to the comments is that those two cul-de-sacs, the one on 105th Street going to the east and 65th Avenue going to the south, eventually as development continues to the east or to the south those bulbs or cul-de-sac heads would be removed by the adjacent landowner for development and then would need to be extended to the limits of the property line and then extended into the development. This developer would be responsible -- the Green Bay Trail developer would be responsible for extending sidewalks as well as driveways and any street trees within their area of the development. So with that this was a public hearing, and they are looking for a resolution of support for 19-06 for the Preliminary Condominium Plat for Green Bay Trail.

Kris Keckler:

The cul-de-sacs that you just mentioned, so the expectation is that at some point in time they may be extended both to the east and the south. Is that going to be known to anybody that's interested in moving on one of those streets that might think that they're getting a more private location, at some point down the road an actual street that goes through? Is that shared with them at the time?

Jean Werbie-Harris:

It should be shared by the developer. We could request them or require them to put a note on the plat as well as in the declarations so it's clear to any of the residents in either of those two buildings -- actually it's buildings 7, 8 and 9 so that they have that information before them.

Kris Keckler:

Yes. And then just to double check, where are the street lights, they're on Old Green Bay Road right at the 105th entrance?

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Michael Serpe:

They're at 165.

Kris Keckler:

On the 165 entrance to 65th Avenue on either side?

Matt Fineour:

The street lights that they're talking about is on 105th Street by the cul-de-sac right in the middle of the development right at the intersection there.

Jean Werbie-Harris:

So I circled them.

Kris Keckler:

Oh, just right there.

Jean Werbie-Harris:

Correct. So they're in the path of the sidewalk as it would be extended. Otherwise you'd have to --

Kris Keckler:

How ugly would that be to snake the sidewalks around them?

Matt Fineour:

I'll just address the comment here a little bit and just a little additional information. So the comment really isn't made an aesthetic perspective. It's more from a snowplowing perspective. So the cul-de-sac is going to be private, 105th Street is going to be public. So when you start plowing snow you usually have at least five feet between the back of curb and the sidewalk for storage. So if you start having a sidewalk on the back of the curb you're going to be plowing snow right on that sidewalk where it snakes down there. So you're always going to have some issue at crosswalks, you're going to be plowing in front of the crosswalk there. In here your crosswalk is going to be parallel to that curb for a little while. So every time a public plow comes down 105th Street you're going to be plowing snow on that entire ramp versus it being five feet up you'd have some storage area there.

So it's more of a comment that it's going to be the property owner or the association that's going to have to maintain that ramp more often, have more trouble clearing it with snow than if it were

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five feet up and you move the lights. As far as the cost for the lights we haven't seen what those costs are. So I mean if it's very expensive then it's a tradeoff of taking the trouble to plow those things versus moving the lights, or you spend a couple thousand dollars moving the lights and you basically that sidewalk goes straight through. That's kind of the thinking behind the comment was more of a snowplowing perspective than anything else.

Kris Keckler:

And I understand the rationale behind that. Thanks for giving that additional information.

John Steinbrink:

Nancy, you had something to add?

Nancy Washburn:

Just as a followup to that, as we look at the way the sidewalks are shown with the street light there now, they dip down closer to the road as Matt said. That is a plowing issue. But my thought was what if we ran them around it the other way, and we would be able to add additional easements to the plat which would cover then the public sidewalk. Those are maintained through using snowblowers and so forth. But if we ran the sidewalk around it to the outside going up into then the private cul-de-sac area then we would eliminate the problem of them plowing in the ramps, and we'd be willing to grant easements. I'm just asking for some flexibility of thought, Mr. Keckler. I appreciate the plowing issue. I've seen it, this winter we've seen it everywhere. It's been very difficult at corners. As I said we do have the meeting on the 19th, so what we're asking is just consideration once we know those expenses. If there's a way to inexpensively reroute the sidewalk up around them and that's agreeable to the Board then we would appreciate that.

Kris Keckler:

Is there concerns that if they were routed the other way and the street lights remain in their current spot that plowing would still have some type of negative impact either by continual pushing of heavy snow and/or acceleration of potential water and ice buildup that might cause accelerated rusting?

Matt Fineour:

No, I think if they routed it the other way I think they'd be fine. Then it goes into more of the neck of the cul-de-sac. That would be fine. I wouldn't have any issue with that.

Mike Pollocoff:

Matt, are these street lights Village lights or developer lights?

Matt Fineour:

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These are developer lights.

Mike Pollocoff:

And then on the question of the unit number 20 or lot number 20, Jean, has past practice been when someone wants to use a parcel or a building to be the model they can sell out of doesn't that require a conditional use permit?

Jean Werbie-Harris:

It will require a conditional use permit, correct. They have not applied for that yet. They would do that typically at the time of the final plat.

Mike Pollocoff:

Before we agree to it tonight I'd like to see how they're proposing to lay that out and do business out of it. Assuming that construction isn't done, you have people parking on Old Green Bay Road or they can't park on the street because they're working on the street. I'm not saying I'm opposed to it, but I'd just rather see that decision made at the conditional use point in time.

John Steinbrink:

Any other comments?

Michael Serpe:

I have none. Do you want to postpone this?

Mike Pollocoff:

I wouldn't have a problem recommending approval of this. I think the engineer indicated he was not opposed to relocation of the sidewalks into the easement, public easement and to leave the lights where they are. And if the developer is willing to get all their information together for a conditional use permit for using that unit parcel, that unit 20 parcel then I'd recommend approval of the conceptual plan as presented tonight.

Michael Serpe:

Second.

John Steinbrink:

We have a motion and a second. Further discussion? Hearing none, those in favor?



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Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**POLLCOFF MOVED TO APPROVE ORDINANCE #19-06 FOR A PROPOSED 6-3 UNIT AND 14-2 UNIT CONDOMINIUM BUILDINGS TO BE KNOWN AS GREEN BAY TRAIL CONDOMINIUMS LOCATED AT THE SOUTHEAST CORNER OF OLD GREEN BAY ROAD AND 104TH STREET (STH 165); SECONDED BY SERPE; MOTION CARRIED 4-0.**

**6. VILLAGE BOARD COMMENTS**

**7. ADJOURNMENT**

Michael Serpe:

Move to adjourn.

Kris Keckler:

Second.

John Steinbrink:

Motion and a second for adjournment. Those in favor?

Voices:

Aye.

John Steinbrink:

Opposed? Motion carries.

**SERPE MOVED TO RETURN TO OPEN SESSION AND ADJOURN THE MEETING; SECONDED BY KECKER; MOTION CARRIED 4-0 AND MEETNG ADJOURNED AT 5:55 P.M.**