

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
March 27, 2000**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on March 27, 2000. Those in attendance were Thomas Terwall-Chairman and Village Trustee; Ed Kaufmann-Vice Chairman and Village Trustee; Donald Hackbarth-Secretary; Wayne Koessl- Member of the Street Lighting Committee; Donald Wruck; Eric Olson; James Bandura and Alternate John Braig. Also in attendance were Michael Pollocoff-Village Administrator, Jean Werbie-Director of Community Development, Thomas Shircel-Assistant Planner and Assistant Zoning Administrator

1. CALL TO ORDER

2. ROLL CALL

Thomas Terwall:

We have a quorum.

3. CORRESPONDENCE

Jean Werbie:

I have none.

4. CONSIDER APPROVAL OF THE MINUTES OF THE FEBRUARY 14 AND FEBRUARY 28, 2000 PLAN COMMISSION MEETING.

KOESSL MOVED THAT THE PLAN COMMISSION APPROVE THE MINUTES OF THE FEBRUARY 14 AND FEBRUARY 28, 2000 PLAN COMMISSION MEETINGS AS SUBMITTED IN THEIR WRITTEN FORM. SECONDED BY WRUCK. MOTION CARRIED.

5. CITIZEN COMMENTS

Tom Terwall:

You have two opportunities to speak tonight. If you're here for a matter that's listed on the agenda as a matter of public hearing, you can speak when that item comes up. If you're here for an item that is not a matter of public hearing or you want to speak about an item that's not on the agenda, now would be your only opportunity to do so. If it's an item that's not on the agenda, we will hear your comments but not be in a position to take any action because it would violate the open meeting law. If you wish to speak I would ask that you please step to the microphone first and give us your name and address. Anybody wishing to speak under citizens' comments? Hearing none, we'll close citizen comments.

6. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT: The request of Robert Walther, treasurer for the Lamb of God Lutheran Church, for a Conditional Use Permit to operate the Lamb of God Lutheran Church located at 8411 Old Green Bay Road.

Tom Terwall:

For the record, let the record show that Commissioner Hackbarth has recused himself from items A and B because it's his intention to speak on those items.

Jean Werbie:

Mr. Chairman, the petitioner is requesting approval for the Lamb of God Lutheran Church to occupy the building located at 8411 Old Green Bay Road. It's formerly known as the Pleasant Prairie Child Care Center. The property is currently owned by Mr. Frank Trecroci. The church plans to purchase the property from Mr. Trecroci. The Lamb of God Church currently holds Sunday services at Stocker Elementary School in Kenosha, one service at 9:00 a.m. in the morning on Sunday. Upon occupancy of this building, the church is also contemplating to hold two Sunday services at 9 a.m. and 11 a.m., and also plans on adding a mid week church service. Two Sunday services would help to alleviate any onsite parking problems that the church may incur. According to the petitioner, the current membership of the church is approximately 140 people. The current average attendance at the current single morning service is 78 persons. Pursuant to Section 12.36 21, the required number of parking spaces for a church is four seats in the principal place of worship. The existing site currently has 22 parking spaces, therefore the principal place of worship could have a maximum of 88 seats. If they expand the number of parking, they can expand the worship seats and so on and so forth.

Weekly daytime usage of the church facility would be minimal with one to five persons at the site. Also weeknight evening use would be mainly limited to church meetings with approximately attendance of ten persons or other church related activities such as, but not limited to, church trustee meetings, afternoon meetings, evening vespers services, vacation Bible study, Sunday school, potluck meals, workshops, and other types of social gatherings. The petitioner does not indicate whether or not the facility would be used for any type of emergency shelter, but they will indicate that this evening.

With respect to the site, again, it's located just north of 85th Street on the old frontage road. It's, again, the former site of the Pleasant Prairie Child Care center, and they intend to do some remodeling on the interior of the facility, but to leave the exterior basically the way it is. Primarily to the south, to the east, and to the north is all single family home sites, and obviously to the west is Old Green Bay Road and Highway 31 as well. Their property on the east side goes back a pretty fair distance. There is a fenced in area and a wooded area and then the property line as it abuts up to Tuckaway Trails. Again, they but up on the south to the single family housing that's adjacent to 85th Street and then some housing to the north. With that, I'd like to turn it over to Mr. Heglund from Lamb of God to make a presentation regarding their request this evening.

Paul Heglund:

Thank you, Jean. Good afternoon, gentlemen. My name is Paul Heglund. I live at 1403 56th Street in Kenosha. I have the honor of serving Lamb of God Lutheran Church as its chairman. I also have the honor professionally of serving as the special assistant to the President of Carthage College. It's my privilege to speak this afternoon on behalf of Lamb of God as we seek approval of the permits that Ms. Werbie noted earlier. I would direct your attention then to the screen over here. I hope the gentlemen over here can see it at the lights.

I would start with a brief history of Lamb of God. The church was founded in 1991. Good Shepherd Lutheran Church here in Pleasant Prairie was our mother church, Pastor Hackbarth intimately involved in that. After worshiping some 20 months at Forest Park Elementary School in Kenosha, we moved in June of 1993 to Stocker Elementary School on 67th Street just east of Green Bay Road. We started worshiping in 1991. We chartered as an independent congregation of the Lutheran Church of Missouri Synod in October of 1993. Since that time, membership roles have increased steadily. We now have nearly 140 baptized members. Average Sunday worship attendance is between 75 and 80. Our members live in Kenosha, Pleasant Prairie, Somers, Racine, Salem, Union Grove, Waterford, Burlington, Milwaukee, Winthrop Harbor, and even down into Paletine, Illinois. Our members are very active in the community at large as well, participating in a number of organizations. I've listed a few of them. In addition to those you see on the screen such organizations as the Keep Kenosha Beautiful Commission, the American Cancer Society, local schools both public and private, Kemper Center, and service clubs, Kiwanis and Rotary, for example.

Since our founding in 1991, we have held Sunday morning worship services as well as midweek worship services during Lent and Advent and other special services throughout the church year. I've listed some of them. In other words, we have been a true church since our funding, albeit one without a building. However, in November of this past year we became aware of the building and the land at 8411 Old Green Bay Road. The congregation after deliberation enthusiastically approved plans to pursue the purchase of that property. Why? Well, that's a view of the trees in the back, the old growth oaks and other trees in there. That is an incredibly inspiring setting for a church. The old growth bespeaks reverence for creation and demands good stewardship. In addition, the setback off Old Green Bay Road, off Highway 31, significantly reduces traffic noise, diminishes any safety concerns, both for vehicular access and the occasional adventurous toddler. We do have some. From a practical standpoint, this is land that already has a building, a beautifully constructed building in good shape on a lovely lot. The building, as Ms. Werbie indicated, would need only minor renovations to the interior in order for the church to move in. That would allow us then to focus on our mission rather than the travails of building a building.

Additionally, something you may appreciate, we will stop paying rent to the Kenosha Unified School District. We love them dearly and they're very good to us, but they're not cheap. It will allow us to hold services at the times we would normally do so without worrying about whether the janitor will be there to open up and set up. Finally, although Stocker Elementary, one of the newer schools in the district, has a fine cafeteria, not many young couples want to get married there. Neither do families eagerly anticipate holding a funeral there for the death of a loved one. That is virtually the only thing that's holding us back from being the church that everyone

imagines when they think of a church, the lack of a building.

That's the history and the present. What does the future hold for our church? As we see it today, our most urgent priority is to move out of a rental situation and into our own building. We could focus our efforts then on building a permanent sanctuary. We would return the present building to use as a classroom, Sunday School classroom building, a fellowship center, other things. A question you would ask is when would you do that? The answer is we don't know. I have relatives who have worshiped in a temporary church for over 30 years. I hope that we're not that long in what we see as our first unit. We would continue to build on the good relationships we've established with the other churches in the city and the organizations in the area some of which I mentioned earlier. We would look, because of the interest of our congregation and our denomination, at the possibility at some point in the future of a Christian pre-school or elementary school. Again, that would be years in the future. We have done no studies on that. All I can tell you is that we have a congregation that's very interested in that. At some point we would explore it.

Now our neighbors, both physically and figuratively in Pleasant Prairie deserve to know the benefits that stand to accrue to them. First of all, churches make good neighbors. Lamb of God has demonstrated a consistent concern for our neighbors throughout the community, even without a building. I sense, in fact, that it may be because we don't have a building that we have been so active in the community. That will not decrease. I suspect it will increase as we move into our own facility. Churches are also good for a community. They are a mark of stability, maturity, and values. As I said, our members will continue to be active throughout the community, building the quality of life that is a hallmark of Pleasant Prairie. Finally, we would of course respect and enhance the property and the neighborhood. That is such a lovely piece of land. If you have not been to it or can't see it in your mind I would invite you to come visit it hopefully after we are in and worshipping. Now, I would be happy to answer any questions that you might have to respond to the other citizens here. There are a number of members of our church here, some of whom I think will be asking to speak during the comments period, and I will let them introduce themselves. I appreciate your attention. Again, we'd be glad to respond to questions. Thank you.

Tom Terwall:

Thank you. Since this is a public hearing, we'll continue that first and then if there are questions from the Commissioners or staff we'll allow you to come back and respond to those. Anybody else wishing to speak on this matter? This is a matter for public hearing.

John Berg:

Good evening, gentlemen. My name is Pastor John Berg. I live at 6233 64th Street in Kenosha. I'm the pastor of this fine group of people at Lamb of God Lutheran Church. I've been at Lamb of God for approximately two years. I previously served at Concordia Lutheran Church and the University of South Dakota as a campus pastor in Vermilion, South Dakota for six years. I'd like to thank Paul for his fine presentation, and he presented a very accurate picture of this congregation. I would like to briefly speak about the ministry and the vision of this congregation. For 8½ years this congregation has been blessed with very faithful pastoral and lay leadership.

Under the guidance and vision of the Reverend Donald Hackbarth, this congregation was born and flourished. It's worshiped in two facilities, and a few times in the summer even under a big top for some outside celebrations. Through all of these changes, Lamb of God has not only survived but thrived and been an integral part of the Kenosha community. All of this would not have been possible without the services of some very tenacious pastors and lay people. Most importantly I believe it's the work of our God.

What does the future hold for Lamb of God? Only God knows. There will be many more challenges and opportunities. Mr. Heglund has shared a few of those thoughts and dreams, and I'm sure that there are many more to come. I assure you, however, that whatever the future brings of Lamb of God that it will do nothing but help to enhance this beautiful community of Pleasant Prairie. We want to be of service to this community as well as we were to Kenosha. One of our brochures states very succinctly what we are about, and I pray what we will continue to be about. The brochure says this: Come and join our family. Our Lord blesses us to be a worshiping family, a place where you can celebrate the forgiveness of God, a serving family reaching out to the name of Jesus Christ and help meet the needs of others, a learning family as we grow in faith, and a sharing family, willing to pass along to what God has first given to us. Finally, a caring family, caring for one another just as God as cared for us. We look forward to becoming a part of this community so that we can share our gifts and talents and be a service. Thank you very much for your time.

Tom Terwall:

Thank you, Pastor. Anybody else wishing to speak on this matter? Anybody else? Mr. Hackbarth?

Don Hackbarth:

Don Hackbarth, 4311 104th Street, Pastor, Good Shepherd Lutheran Church. It's kind of interesting getting the opportunity to speak on behalf of Lamb of God. A little background on the way Missouri Synod usually starts churches. Usually what they do is do a little canvassing or phoning and get a group of people, maybe 50 people, and if they get up to that then what they'll do is they'll rent a facility. Always, there's always a desire to own a building, to be able to worship in their own facility. Typically when they get to about 100 to 150 families then they have enough financial support to purchase land and build a building. As a side note, my father-in-law started a church in Montana and they worshiped in a tavern. The payment to the tavern was for them to worship there on a Sunday morning was they had to come in early enough and clean it up. They had to wipe it down and then prepare everything after worship for them to come back in and watch, no, it wouldn't be the Packers out there. Anyway, the longing and the desire for a congregation is always to own their own facility because then they're a lot freer to grow, to build, and to minister to their congregation and the needs of the community. Certainly, under the auspices of our Lord Jesus Christ and they pray to see that happen.

I was privileged to be able to be a part of that growth. The congregation or the Missouri Synod, the district is in Milwaukee. They bought a piece of land up on Highway 31 in 1970. It wasn't the most desirable piece of land because it's kind of blocked by access and highway. It's kind of hidden a little bit, and I always thought it was a good idea to maybe sell that off and get a more attractive piece of land. This is perfect. This is ideal. It's got a lot of exposure. In 1980 or around there, Pastor Otti, who is a district executive, came and asked both congregations, Messiah

and Good Shepherd if they were interested in starting a mission project. At that time Good Shepherd was the only one that thought it was a good idea and began to work in that direction a little bit. In the early '90s we had a program called phones for you, and they phone called from Good Shepherd. They called in excess of 10,000 people in our community. Out of that, they got their 50 people to go and rent and worship in one of the elementary schools. From there they called a pastor over the summer. That summer there was a gap so I was chasing back and forth between Good Shepherd and Lamb of God to preach there and to fill in for them. I didn't get much of a vacation, but by the grace of God in the fall they called a pastor, Wayne Schwezow. He was there for a number of years and in 1988 he took a call and Pastor Berg came. Under his tutelage and leadership the congregation has really blossomed and grown. It's not a good fit anymore in the public grade school. Much better fit to own their own land. That's the next stage or step in any development of a congregation. I'm sure Ms. Werbie knows that because she's instrumental in St. Anne's Congregation and she knows the struggles, too. The only advantage she has is she's actually given birth. A man doesn't give birth. Perhaps to a congregation. Like all other things when you give birth there's a lot of growing pains but there's a lot of joy with it, too. Seeing this thing develop and seeing it grow absolutely is a delight and a joy to Good Shepherd congregation. If you know me, I've been in Pleasant Prairie for 22, going on 23, years, and I hope my word means a little bit of something. With that, I highly recommend and I ask that you consider and approve this being passed on to the Board if it's got to go that direction. So I recommend or I would ask that you approve that. Thank you.

Tom Terwall:

Don, if the property that you bought on Green Bay Road is the property where your sign is, I don't think you're going to lose any money on the sale of that.

Don Hackbarth:

Yeah, I know that.

Tom Terwall:

Anybody else wish to speak on this matter? Anybody else?

Frank Trecroci:

My name is Frank Trecroci. I live at 12310 85th Avenue in Pleasant Prairie. I am the owner of the property at 8411 Old Green Bay Road. I would just like to make a couple comments about Lamb of God Lutheran Church. Many of you are probably somewhat surprised that I'm not operating that facility at this time as a child development center. There is certainly a critical need in the community for infants and toddlers to receive child care. The difficulty is that it's hard to be in two places at once as my wife will testify. Just as a side note, there were many very interesting discussions that Pastor Berg and I had regarding this whole matter. We discussed religious philosophies. I consider myself a fairly devout Catholic, and Pastor Berg reminded me the last time a group of Lutherans tried to negotiate with a stubborn Catholic many of them got burned at the stake. I assured them not to worry, that wouldn't be this type of deal. Then, of course, it would be in the hands of the Plan Commission. So I would ask that you give them every consideration. These are good people. I think they'll benefit the Village and maintain and

uphold the integrity and beauty of the property. Thank you.

Tom Terwall:

Thank you. Anybody else wishing to speak? Anybody else? Anybody else? Hearing none, I'll close the public hearing. Before I open it up to comments and questions from Commissioners and staff, I'd ask for a show of hands on how many people in the audience that are here are representing Lamb of God Church? How many of you attend? Thank you. Thanks for your interest. With that I'll open it up to comments and questions from Commissioners and staff.

Eric Olson:

I was kind of hoping first that some of these children would get up and speak. I guess the first thing if I do get on the school board in a week I'll have to a) make up the loss of funds and b) start to plan for these children who are going to be in school pretty soon it looks like. It looks like you might have a start on your own school. One thing, I have a question on the INNS program. You said in your presentation that you work with Shalom Center. One of the conditions is that this building property not be used to shelter homeless persons or anything. Are you planning or is there any thought process into using this for any kind of INNS program.

Paul Heglund:

No, sir. The work that we've done with the Shalom Center has been more of a relief effort, had numerous drives with canned goods or monetary donations. In addition, we do have a number of members that volunteer there occasionally.

Eric Olson:

Okay, thank you. This is to staff through the chair. I guess there's a question on the parking. You bring it up in your first paragraph when you're discussing this, and right now they have 22 existing parking spaces which seems to me to be fairly inadequate. We do put in here that no vehicular parking on grassways or within driveways or maneuvering lanes. On a Sunday that's pretty difficult to enforce, and I don't think we're going to be out there trying to enforce it. I get concerned with safety emergency vehicles trying to access the site. Are there plans to increase this? I'm not sure how we're going to try to enforce this. That's my only concern with this. I hope it goes and I'll vote for it, but I that's a real concern to me, 22 spaces for 140 people.

Jean Werbie:

It is a big concern. One of the reasons that they were considering a second mass on Sunday was to make sure that they had enough available parking for the services that they had. One of the things that we did was we sat down with them and we looked at the existing parking lot to see where we could add some additional parking along the drive lane as you come in as well as kind of the two different lots on either side that you could add some additional parking there as well. Our biggest concern is that we don't want to see any on street parking on Old Green Bay Road. Certainly there might be some exceptions to that if they have a Sunday picnic or some type of special event where they're going to have many if not all of their parishioners there, and I think

what they'll need to do is evaluate whether or not their site is in an adequate location for a family picnic on that day if they intend on having 150 or 200 people there. They'll need to evaluate their building and their site to see if they have adequate parking or to make arrangements with the police departments on those days and structure their parking as such. That was one of the concerns that we had that there would be no parking in the fire lane areas, and we've indicated to them that that's not enforceable by the Village unless it's posted. So whether or not they choose to post it, that will be the only way we could enforce it. In my discussions with Mr. Heglund, it's very important for us to be able to gain access to this site with emergency vehicles, whether it's a Sunday morning or any time. We need to be able to get that emergency equipment in. If there's so much parking that that prohibits us, then that's a problem for them as well as for us. So we're trying to accommodate that and work through that.

Eric Olson:

There's no plans right now for more than 22, is that correct?

Paul Heglund:

That's the correct capacity. We would I think be looking immediately at options available to us, including adding some additional parking. There is room as the asphalt is presently laid down. There is room to add a few more spaces. There also is some room around the interior perimeter of that drive which is a horseshoe shape that we could add without making it a sea of asphalt which we do not want to do, but there would be room there. If I could add parenthetically, with my work at Carthage now over nine years, there are a number of things that people have never said about Carthage, one of which is you have too much parking. We are well aware of that. I would bring that experience to Lamb of God when we come to commencement, homecoming, the major events where we know there will be difficulties. We have worked very closely and proactively with the Kenosha Police Department, and there's not any reason for us as a church if we, for example, look at dedication Sunday. When we are finally in the building and would look to dedicate it, we would expect a large crowd, and there's no way to anticipate the numbers. We would obviously be working very closely with the Pleasant Prairie Police Department monitoring the parking, making arrangements for off site parking somewhere. There are a number of options. We are well aware of the limitations right now, and we're well aware that we need to be looking at other options.

Wayne Koessl:

I'm sure they want to make the facility as accessible as possible to their congregation, and that if there is a parking issue they'd be looking at steps to take to rectify that. I think probably the first one would be two services on a Sunday to help flatten out the attendance at each service. I think it's an outstanding use for that piece of property.

KOESSL MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST OF ROBERT WALTHERR, TREASURER FOR THE LAMB OF GOD LUTHERAN CHURCH, FOR A CONDITIONAL USE PERMIT TO OPERATE THE LAMB OF GOD LUTHERAN CHURCH LOCATED AT 8411 OLD GREEN BAY ROAD SUBJECT TO THE CONDITIONS AS OUTLINED BY STAFF IN STAFF MEMORANDUM DATED MARCH 27, 2000. SECONDED BY WRUCK.

Ed Kauffman:

Just a quickie. There are 14 provisions here or concerns. I'm sure you've read them. Are you in agreement with all of them?

Paul Heglund:

Yes, sir. There are several questions that we would have. Ms. Werbie and I have talked about them.

Jean Werbie:

Tom, can I address those. I guess a couple of things with respect to the staff comments, and I'd just like to go through each of the point. one of the points that we'll need to enter into some discussion with the church. Point number 4 regarding the church shall install signs stating no parking in the driveways, that would be required if it's intended that the Village would be enforcing no parking in the fire lane or in the driveway, so we need to clarify whether or not the Village wants that direction to be able to enforce that. If we do, then we need to post it. If we don't, then they don't need to post it. So if it's a concern, we need to tell them about that.

Paul Heglund:

If I could add to that, again, these are things that we talked about. We do not in any way want to be a safety hazard for public services. Hopefully God fearing members will listen to their pastor when he said, you idiot, don't park there. Go out and move now. Of course, that may be during the sermon. In fact, we're very sympathetic to the concerns.

Jean Werbie:

The next point is number 7, and I made a modification and it will just start a discussion here. I indicated that there shall be no outside activities or loud music at the church after 10:00 p.m. which might create conflicts with the neighbors. Paul will go into some of these details, but I think that there might be some situations where they have some trustee meetings or some meetings at their church that could go beyond 10:00 or they might have a service in the evening or an earlier service before 7:00 that's not out of the realm of possibilities. I think that for the purposes of the conditional use permit we should discuss that now and we should get the provisions in here so that it's clear to them and they have the direction of what they're permitted to do at the site.

Don Wruck:

I'd just like to make a statement that I'm very impressed with the turnout and support that the church has received here tonight. Especially seeing this group of youngsters, that's your future church, and it's just good to see you and thank you so much for showing your support.

Eric Olson:

On the question, then, I guess I don't understand there shall be no late night meetings. Late night

outside meetings?

Jean Werbie:

That's the intention -- that as long as the meetings are internal to the building, that shouldn't disturb any of the neighbors. If a meeting is hot or heated inside that carries out into the parking lot, then the neighbors might say something. I don't know. I'm not real sure if that would be a concern. I see no neighbors, and no neighbors complained, and no neighbors had any questions, so they must be very pleased with the proposed use. That's why I wanted to modify it that they should limit it so there's no outside activities or loud music after 10, and I think that would allow them to entertain meetings as late as they needed to to get their business done.

Eric Olson:

I do recall that when Frank was just starting the daycare, they had real noise concerns, so they put in a berm and a fence and all that and I think that kind of went away. I guess if you're going to put

it in, I did read this and I took it to mean outside meetings, and I guess maybe if I'd suggest something I'd put no late night outside meetings.

Tom Terwall:

Jean, in the handout what we don't have is a site layout at least that includes the building. Most of the unused spaces of the east side of the property, if that facility is going to be expanded for a larger worship place, I assume it's going to have to be to the east.

Jean Werbie:

That's correct.

Tom Terwall:

My question is, is there adequate space on the site so you'd be able to expand parking areas to the east as well?

Jean Werbie:

Yes, and I'll have Peggy outline that. If they go with the original expansion plans that Frank had designed for the daycare center, the entire building was supposed to increase in size to the east, and then parking would have been extended on either side on the south side and on the north side with additional parking. Obviously this land goes a great distance to the east, so there are opportunities for additional parking in a number of areas on the east side of the site. She's outlining in red the potential for additional parking at that location on the south side and then on the north.

Tom Terwall:

There's a similar amount of space on the north side is there not?

Jean Werbie:

Correct.

Tom Terwall:

I mean the building is centered north to south.

Jean Werbie:

It's centered north to south but not east to west.

Ed Kauffman:

Just a comment. I think you're very fortunate in finding this particular building the way it was constructed with the insulation and everything. It's just a marvelous building. I think it would serve you well as a church, and I have no objections at all to this usage. I think it's wonderful.

Jean Werbie:

The next point is point number 8, the principal place of worship shall not seat more than 88 persons. We wanted to expand that sentence. "Under the current parking arrangements it shall not exceed 88 persons." So if they expand their parking, certainly they can expand their seating arrangements inside of the facility. We wanted to bring up the point that if in the future they're looking for some type of pre-school or elementary school, that would require a separate conditional use permit and we'd have to address things at that point. It's certainly not out of the realm of possibility, and I just wanted to enter into it. It's a though that they've come up with at this particular site. Then two other issues that are really related to the onsite parking and driveway, one of which is to avoid one way signs from being put in. The one way arrows coming in and out of the parking lot will have to be darkened so that the congregation can see the one way in and one way out. If they choose to leave the handicapped parking spaces where they are which is across the driveway from the facility, they need to actually designate striped walkways from the spaces to the sidewalk to the building. We came up with two suggestions for them either to move the spaces adjacent to the building site parallel to the sidewalk, or to put the striped pathways, and I don't think that they have any concerns with respect to those issues, but I did want to raise those issues. I'm going to be a little bit more specific in the conditional use document that will allow the activities as they outlined in their original comments to me.

Tom Terwall:

Anybody else? If not, my knowledge of the Missouri Synod is not that they're a loud, boisterous group. I'm not too concerned about the noise in the neighborhood. I think the fact that the public hearing did not have any neighbors speak in opposition bodes well. I think for your future and on behalf of the Plan Commission and the Village Board I would welcome you. I hope that your growth is such that you'll be back before too long to expand on the building. I think we'd much rather have you here than on 31 and 67th Street.

Paul Heglund:

Likewise.

Tom Terwall:

With that, all in favor signify by saying aye.

MOTION CARRIED TO APPROVE THE REQUEST OF ROBERT WALTHER, TREASURER FOR THE LAMB OF GOD LUTHERAN CHURCH, FOR A CONDITIONAL USE PERMIT TO OPERATE THE LAMB OF GOD LUTHERAN CHURCH LOCATED AT 8411 OLD GREEN BAY ROAD SUBJECT TO THE CONDITIONS AS OUTLINED BY STAFF IN STAFF MEMORANDUM DATED MARCH 27, 2000.

Tom Terwall:

Thank you.

Paul Heglund:

Thank you.

B. Consideration of the request of Robert Walther, agent for the Lamb of God Lutheran Church, for Site and Operational Plan approval to operate the Lamb of God Lutheran Church located at 8411 Old Green Bay Road.

Jean Werbie:

Mr. Chairman, this is a request for the approval from the Lamb of God Lutheran Church to occupy the building located at 8411 Old Green Bay Road. It's formerly known as the Pleasant Prairie Child Care Center. The church plans to purchase the property from Frank Trecroci and to move into the facility as it currently exists with some minor remodeling. This is the site and operational plan provisions, so the conditions are basically the same as the conditional use permit that we just discussed. I would like to amend and add the same conditions that we just talked about so that it's also part of the site and operational plan approval, and staff would make a recommendation of approval based on that.

Tom Terwall:

This is not a matter of public hearing. Are there any comments or questions from Commissioners or staff?

OLSON MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST OF ROBERT WALTHER, AGENT FOR THE LAMB OF GOD LUTHERAN CHURCH, FOR SITE AND OPERATIONAL PLAN APPROVAL TO OPERATE THE LAMB OF GOD LUTHERAN

CHURCH LOCATED AT 8411 OLD GREEN BAY ROAD SUBJECT TO THE CONDITIONS AS OUTLINED BY STAFF IN STAFF MEMORANDUM DATED MARCH 27, 2000. SECONDED BY BANDURA.

Wayne Koessl:

Mr. Chairman, if I may, are you going to put the same conditions on this?

Tom Terwall:

Subject to the terms and conditions as amended in the staff memorandum.

MOTION CARRIED.

Eric Olson:

We should welcome and tell the children here this is how democracy works and that there will be some spots open here in about 20 years and we'd like you to come back.

C. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT: The request of Angela Feuker, Hidden Oaks Apartment Manager, for a Conditional Use Permit to operate an apartment rental office within the Hidden Oaks Apartment Clubhouse located at 8600 82nd Street.

Jean Werbie:

Mr. Chairman, the petitioner is requesting to operate an apartment rental office in the Hidden Oak Apartment Clubhouse. The property is zoned R-11, multiple family residential district, which pursuant to Section 12.21-11 3 of the Village Zoning Ordinance requires that a conditional use permit be obtained for the rental office. The petitioner stated that the hours of the current rental office would be from 9 a.m. to 5 p.m. Monday through Friday, and 11 to 4 Saturday and Sunday. Petitioner indicated that these hours may change slightly in the future. There are three staff personnel in the clubhouse, the manager, the assistant manager, and the leasing agent. Additionally, the leasing storage room is contained within the clubhouse, which means additional apartment employees will occasionally be within the clubhouse. A verbal occupancy was granted by the Village on February 28, 2000 for the facility. A verbal occupancy included the entire clubhouse but not the swimming pool area which will be completed this spring. With that, there's a representative here from Hidden Oak that would like to comment and respond to any questions.

Angela Feuker:

Hi, I'm Angela Feuker. I'm a property manager, and I just came to represent Hidden Oak if you have any questions. I'm at 8600 82nd Street, Pleasant Prairie, Wisconsin.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak on this matter? Anybody wishing to speak? Anybody wishing to speak? Hearing none, we'll close the public hearing and open it up to comments and questions from Commissioners and staff. Jean any comments?

Jean Werbie:

No comments or questions from any neighbors or any apartment users. The staff recommends approval subject to the comments as outlined.

BANDURA MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST OF ANGELA FEUKER, HIDDEN OAKS APARTMENT MANAGER, FOR A CONDITIONAL USE PERMIT TO OPERATE AN APARTMENT RENTAL OFFICE WITHIN THE HIDDEN OAKS APARTMENT CLUBHOUSE LOCATED AT 8600 82ND STREET SUBJECT TO THE CONDITIONS AS OUTLINED BY STAFF IN STAFF MEMORANDUM DATED MARCH 27, 2000. SECONDED BY WRUCK. MOTION CARRIED.

Eric Olson:

Can I ask a question? What is your occupancy rate right now?

Angela Feuker:

We just completed phase one, a total of 180 apartments, and we have 140 occupied at this point. We just started phase two for a total of 324.

Tom Terwall:

Thank you, ma'am.

D. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT: To correct the zoning map and rezone the field delineated wetlands on property owned by Eugene Chess located on Lakeshore Drive north of 116th Street (Lot 25, Block 12 in Carol Beach Estates Subdivision Unit #2) into the C-1, Lowland Resource Conservancy District from the R-5, Urban Single Family Residential District.

Jean Werbie:

Mr. Chairman, on February 28, 2000, the Plan Commission approved Plan Commission Resolution 00-06 to initiate a zoning map amendment for the property owned by Eugene Chess and located on Lakeshore Drive north of 116th Street. On July 26, 1999, Eugene Chess, owner, requested that a wetland staking be completed on the property located on Lakeshore Drive north of 116th known as Lot 25 of Block 12 in the Carol Beach Estates Unit 2. It's further identified as tax parcel number 93-4-123-293-0095-0. On February 28, 2000, the Village received a letter dated February 17, 2000 from the Regional Planning Commission that stated that the plat of survey correctly surveyed and correctly identified the wetlands on the property as field staked by SEWRPC on September 21, 1999. In accordance with the wetland staking application filed with the Village and signed by the owner, and the Village of Pleasant Prairie General Zoning and Shoreland Floodplain Zoning Ordinance C-1 Lowland Resource Conservancy District requirements in effect, the Plan Commission shall initiate the appropriate action to change a

zoning map to conform to the wetland delineated plat of survey. The property is currently zoned R-5, LUSA, urban single family residential district, with a limited urban service overlay district, and is located within the shoreland jurisdiction of Lake Michigan. Therefore, NR-117 of the Wisconsin Administrative Code requires that all wetlands located within a shoreland area be zoned into the appropriate wetland classification by the municipality. The purpose of NR-117 is to establish statewide minimum standards for city and Village shoreland wetland zoning ordinances in order to accomplish the shoreland and wetland shoreland objectives of Section 144.26 of the state statutes. This property is located with the Wisconsin DNR land acquisition area. If the property owner is interested in selling the property, he can contact Mr. Marty Johnson at the Wisconsin DNR Sturtevant office. With that, I'd like to continue the public hearing.

Tom Terwall:

This is a matter for public hearing. Is there anyone wishing to speak on this matter? Anybody wishing to speak? Hearing none, I'll close the public hearing and open it up to comments and questions from Commissioners and staff.

HACKBARTH MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST TO CORRECT THE ZONING MAP AND REZONE THE FIELD DELINEATED WETLANDS ON PROPERTY OWNED BY EUGENE CHESS LOCATED ON LAKESHORE DRIVE NORTH OF 116TH STREET (LOT 25, BLOCK 12 IN CAROL BEACH ESTATES SUBDIVISION UNIT #2) INTO THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT FROM THE R-5, URBAN SINGLE FAMILY RESIDENTIAL DISTRICT. SECONDED BY KOESSL. MOTION CARRIED.

E. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT: To correct the zoning map and rezone the field delineated wetlands on property owned by William and Patricia Monroe located on 2nd Avenue north of 114th Street (Lot 33, Block 15 in Carol Beach Estates Subdivision Unit #2) into the C-1, Lowland Resource Conservancy District.

Jean Werbie:

In referring to the staff comments, ignore the first paragraph which refers to a previous item. I'm going to start with the second paragraph. On September 30, 1999, Sylvia Beesley, agent for William and Patricia Monroe, the then owners, had requested that a wetland staking be completed on the property located on 2nd Avenue located on 114th Street known at Lot 33 of Block 15 in the Carol Beach Estates Unite #2 Subdivision. It's further identified as tax parcel number 93-4-123-293-0715-0. On February 18, 2000, the Village received a letter dated February 17, 2000 from the Regional Planning Commission that stated that the plat of survey correctly surveyed and correctly identified the wetlands on the property as field staked by SEWRPC on December 2, 1999. In accordance with the wetland staking application filed with the Village and signed by the owner, and the Village of Pleasant Prairie General Zoning and Shoreland Floodplain Zoning Ordinance C-1 Lowland Resource Conservancy District requirements in effect, the Plan Commission shall initiate the appropriate action to change a zoning map to conform to the wetland delineated plat of survey. The Plan Commission did that earlier this year. The property is

currently zoned R-5, LUSA, urban single family residential district, with a limited urban service overlay district, and is located within the shoreland jurisdiction of Lake Michigan and adjacent to an unnamed tributary to Lake Michigan. Therefore, NR-117 of the Wisconsin Administrative Code requires that all wetlands located within a shoreland area be zoned into the appropriate wetland classification by the municipality. The purpose of NR-117 is to establish statewide minimum standards for city and Village shoreland wetland zoning ordinances in order to accomplish the shoreland and wetland shoreland objectives of Section 144.26 of the state statutes. Basically, if the Village does not approve these wetland delineations and these zoning changes, then the state can come in and do those changes for the Village. The Village staff recommends approval of this petition, although this is a matter for public hearing and we're opening it up for continued hearing.

Tom Terwall:

This is a matter for public hearing. Anybody wishing to speak on this matter? Anybody wishing to speak? Hearing none I'll close the public hearing and open it up to comments and questions from Commissioners and staff.

KOESSL MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST TO CORRECT THE ZONING MAP AND REZONE THE FIELD DELINEATED WETLANDS ON PROPERTY OWNED BY WILLIAM AND PATRICIA MONROE LOCATED ON 2ND AVENUE NORTH OF 114TH STREET (LOT 33, BLOCK 15 IN CAROL BEACH ESTATES SUBDIVISION UNIT #2) INTO THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT. SECONDED BY KAUFMANN. MOTION CARRIED.

F. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT: To correct the zoning map and rezone the field delineated wetlands on property owned by Carol Beach Partners, LLP located on 115th Street west of Lakeshore Drive (Lot 10, Block 14 in Carol Beach Estates Subdivision Unit #2) into the C-1, Lowland Resource Conservancy District.

Jean Werbie:

Mr. Chairman, on February 28, 2000, the Plan Commission approve Plan Commission Resolution 00-05 to initiate a zoning map amendment for the property owned by Carol Beach Partners LLP and located on 115th Street west of Lakeshore Drive. On March 22, 1999, Anthony Culicchia of Carol Beach Partners, LLP had requested that a wetland staking be completed on the property located on 115th Street west of Lakeshore Drive. It's known at Lot 10, Block 14 in Carol Beach Estates Unit #2 and further identified as tax parcel number 93-4-123-293-035-0. On February 18, 2000, the Village received a letter dated February 17, 2000 from SEWRPC that stated that the plat of survey correctly surveyed and correctly identified the wetlands on the property as field staked by SEWRPC on August 26, 1999. In accordance with the wetland staking application field with the Village and signed by the owner, and the Village of Pleasant Prairie General Zoning and Shoreland Floodplain Zoning Ordinance C-1 Lowland Resource Conservancy District

requirements in effect, the Plan Commission shall initiate the appropriate action to change a zoning map to conform to the wetland delineated plat of survey. The property is currently zoned R-5, LUSA, urban single family residential district, within the limited urban service overlay district, and is located within the shoreland jurisdiction of Lake Michigan and within the jurisdiction of an unnamed tributary to Lake Michigan. Therefore, NR-117 of the Wisconsin Administrative Code requires that all wetlands located within the shoreland area be zoned into the appropriate wetland classification by the municipality. The purpose of NR-117 is to establish statewide minimum standards for city and Village shoreland wetland zoning ordinances in order to accomplish the shoreland and wetland shoreland objectives of Section 144.26 of the state statutes. The Village staff again continues the public hearing and recommends approval of the wetland delineation rezoning as presented.

Tom Terwall:

Anybody wishing to speak? Anybody wishing to speak? Hearing none, I'll close the public hearing. Jean, is this in the area to be in the acquisition zone?

Jean Werbie:

No, because it's north of 116th Street. That might be reconsidered, though. What Peggy tells me is this was in part of the original Corps of Engineers for for fill permit area so it was not in the acquisition area. If the Village does not obtain and they can't obtain individual fill permits, maybe the DNR or others would entertain this to be included within that acquisition area.

Tom Terwall:

Otherwise I've got a problem with it I guess. If you're going to tell a guy he can't use his land, then you better be prepared to buy it. This was in the area that originally qualified for the area wide 404 permit?

Jean Werbie:

Yes.

Tom Terwall:

So had the property owner acted quickly enough, he could have filled that entire wetland and built on that lot?

Jean Werbie:

Right, but he had a ten year time period to do that. It's been almost two and a half years since it's expired.

Tom Terwall:

Comments or questions?

Don Hackbarth:

On the map of the property where you locate the C-1 district, on the right hand side, it shows that there's a gravel.....area and a driveway. Is the property to the north a home on it already or what?

Peggy Herrick:

To the east? Yes, there's a home there.

Don Hackbarth:

Is that his driveway accessing his property?

Peggy Herrick:

Probably that's encroaching on someone else's property. That's a civil matter.

Don Hackbarth:

Okay.

KAUFMANN MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST TO CORRECT THE ZONING MAP AND REZONE THE FIELD DELINEATED WETLANDS ON PROPERTY OWNED BY CAROL BEACH PARTNERS, LLP LOCATED ON 115TH STREET WEST OF LAKESHORE DRIVE (LOT 10, BLOCK 14 IN CAROL BEACH ESTATES SUBDIVISION UNIT #2) INTO THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT. SECONDED BY BANDURA. MOTION CARRIED WITH TERWALL VOTING IN OPPOSITION.

Tom Terwall:

Jean?

Jean Werbie:

I wanted to mention that we did receive a letter from a property owner neighbor down in the Carol Beach area regarding this item and I forgot that we had had this, and I'd like to include it as part of the record if that's still possible. I don't know if you'd like me to read it into the record. You have a copy of it from Peter Barons. He's a professional engineer, and he is in favor of the rezoning, and he feels that any additional development in this area and in particular on this lot would cause some increased flooding on this particular area. I would just to include it as part of the record. He was not able to attend.

Tom Terwall:

Okay, so indicated.

G. Consideration of the request of Mike Dilworth, agent for the Courtyard Junction

Apartments, for Site and Operational Plan approval to add additional parking spaces for the tenants and guest of the apartment development.

Jean Werbie:

Mr. Chairman, the petitioner is requesting to add 32 new parking spaces to be located in four separate areas, two ten-space lots and two six-space lot areas. On December 6, 1998, the Village conditionally approved site and operational plans to add 40 new parking spaces for tenants and guests at Courtyard Junction. Additional parking is to provide additional parking for the guests of the tenants and the tenants so that they are not parking in the private roadways but actually parking in parking spaces. What was happening was they were parking, again, on the driveway areas, thereby reducing the width for the emergency or fire lane for vehicles as well as garbage collection to be able to circulate throughout the property. The parking spaces were approved in 1998 but they were not constructed before the approval expired. Therefore, reapproval is required for the revised plans. From the staff's perspective, I think we ought to put a time frame and a date, and if they're not installed I think it should be a zoning violation. The reason why I'm saying that is because if it was a problem two years ago, it's a problem now, and we should not prolong the situation and they need to get the work done.

Tom Terwall:

Comments or questions?

James Bandura:

Jean, you mentioned time limit?

Jean Werbie:

I think we have six months that the work needs to be completed by, so September 27, 2000 all work needs to be done, paved, and signed appropriately. We can modify this to indicate that there would be a zoning violation beyond this time period because they're having a problem now with respect to parking.

Don Hackbarth:

Just a quick comment on number 1 with the curb stops. Are you saying if you end that off and you say no curb stop, are there areas that do not have curb stops and you want them installed, is that what you're saying? I'm a little confused with the wording.

Peggy Herrick:

In this parking area right here there are no curb stops. So number one is saying curb stops aren't required here. They need to be similar to what's existing out there. Curb stops are going to be required in the parking lots interior to the--

Don Hackbarth:

I think that's what we'd like anyway.....

Peggy Herrick:

Correct, and that's the intent of item number one.

Jean Werbie:

I just wanted to comment that this is one of the developments that was put in prior to curb and gutter requirements being required for multifamily developments, so we're trying to go back after the fact especially in the areas that abut the green areas to keep them off of the open space.

Eric Olson:

Just a question. How many apartments are out there now and how many parking stalls?

Jean Werbie:

I think 96 apartments.

Eric Olson:

How much parking is there now?

Jean Werbie:

We have a representative here to answer questions.

Gary Nichols:

Gary Nichols, representing EnerCon Builders. Address is West 249 South 7780 Center Drive in Mukwanago, Wisconsin. There's 96 units presently, and when the apartment complex was built we did it according to code as far as the amount of spots and everything, but the last couple of years people have just been parking on the road. We discussed it with the fire chief and emergency vehicles and everything, and that's how we came about in '98 to try to get this taken care of. We turned it over to the property management who failed to act on it in time, so we're requesting to do it again and this time the construction part of the company will take care of it.

Tom Terwall:

You had 96 units. How many parking places are there as of today?

Gary Nichols:

That I couldn't tell you.

Eric Olson:

Remember what it was when we started? What would be required?

Jean Werbie:

We've changed the ordinance since then.

Eric Olson:

What did we require back then?

Jean Werbie:

I can't tell you without pulling out the original zoning ordinance. It could have been one for one. I don't recall.

Mike Pollocoff:

One for one, but there was garage spaces included in that, too.

Eric Olson:

I remember the garage here. Okay. I guess my point is that it seems to me I've seen a few of these where the more parking spaces you allow and you're not enforcing the no parking on the streets and that, that you get a lot of transient problems. That's when you get some problems. I don't know if we've had any out there, noise or anything.

Gary Nichols:

To my knowledge, no.

Eric Olson:

You're not the management company, correct?

Gary Nichols:

Correct.

Don Hackbarth:

Who's doing the parking there? Is it the residents?

Gary Nichols:

It's the tenants, yes.

Don Hackbarth:

So it's not like they're having friends over or anything.

Gary Nichols:

See, what happened was they included their parking spots which were behind the garage door. So if you've got a tenant with two vehicles, their laziness to move one to get the other one out they just park on the street. There's really no way we can enforce it. We have a handbook that states that their parking spot is in the garage, and that's what happening, they're accumulating on the cul-de-sac on the drive.

Don Hackbarth:

So enforcement really should be by the management.

Gary Nichols:

Correct.

Don Hackbarth:

If the management doesn't, then the police department will.

Jean Werbie:

They can now with the signage.

BANDURA MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST TO CORRECT THE ZONING MAP AND REZONE THE FIELD DELINEATED WETLANDS ON PROPERTY OWNED BY CAROL BEACH PARTNERS, LLP LOCATED ON 115TH STREET WEST OF LAKESHORE DRIVE (LOT 10, BLOCK 14 IN CAROL BEACH ESTATES SUBDIVISION UNIT #2) INTO THE C-1, LOWLAND RESOURCE CONSERVANCY DISTRICT. SECONDED BY KOESSL. MOTION CARRIED.

H. Consideration of the request of Larry and Kim Sladek, owner for Lot Line Adjustments to adjust the lot lines for several properties located east of 8th Avenue between 111th and 116th Streets in Carol Beach Estates, Unit No. 1, Block 7.

Jean Werbie:

Mr. Chairman, the petitioners have recently purchased an approximate 30 to 33 foot wide strip of property that extends 1,488 feet towards the north from 116th Street along the west side of the Union Pacific Railroad also known as the Chicago-Northwestern tracks in the Carol Beach Estates Unit No. 1 Block 7, and it's adjacent to Lots 1 through 36 in Block 7 of Carol Beach Estates Unit No. 1. The petitioner is proposing to adjust the lot lines of the lots by selling a portion of the

property to each of the abutting property owners of lots 1 through 36. The petitioner is also the owner of Lot 27 of Block 7, which would allow for any portion not being purchased to be connected to his property, thus not creating any land locked parcels.

Therefore, prior to recording or selling of any portion of the land, a revised and a final plat of survey for a lot line adjustment shall be submitted to the Village Board for final approval. The final survey shall then show the final legal descriptions and a final illustration. This revised and final plat of survey may be needed because some of the abutting property owners may opt not to purchase the property that lies directly to the east. Therefore, another property owner to the north or south may choose to purchase the property. A final survey will be reviewed for compliance with Village ordinances specifically to ensure that no land locked parcels are being created. Upon the Village Board's final approval of the lot line adjustment, all transfer documents can be recorded with the final approved plat of survey lot line adjustment as an exhibit for the transfer document. So, again, what was created was a very long narrow strip of property adjacent to the tracks leading from lot 1 all the way to lot 36, and what the petitioner is looking to do is split off every single one of these areas that are abutting to the property to the west and have it attached to those properties.

Tom Terwall:

If you get one guy who doesn't want to buy, and the abutting property owners on either side that aren't interested in buying him out, you're going to end up with a land locked parcel.

Jean Werbie:

He can't. So he's going to have to work it out so that there's always a parcel that these parcels can be attached to before the document gets recorded. He's here. Ideally, what you'd probably want to do is start at the top or start at the bottom or start at the middle where he is and work your way, and then once you've got agreement by all the properties, all 36 including obviously he's one of them, then you take it to the title company and record them all at the same time. We're recommending that he use the next six months to do this until September, to meet with every single one of them and find out if they're interested in purchasing this property that many of them may be using or may not be using.

Don Hackbarth:

This looks like....nice initially, but like Tom was saying if.....

Jean Werbie:

That's the owner's responsibility to do that.

Don Hackbarth:

Are we putting ourselves in the position that.....

Jean Werbie:

No, because if he can't get agreement by all the properties, we're not going to create any lots that are landlocked. We have to do the final sign off on this, so if he can't get cooperation by the property owners, it can't be recorded. It can't be adjusted.

James Bandura:

Would that be part of the conditions?

Jean Werbie:

It is. Recording of all the property transfer documents with assigned lot line adjustments as an exhibit within 30 days of the final approval. The land division ordinance won't allow us to create and locked pieces of property. So just by the virtue of the ordinance, he needs the cooperation by all these property owners. If he offers them a fair price, I would think that they would want to pick up the extra land as part of their lot.

Tom Terwall:

Is the petitioner here? Have you had any discussions with any of your neighbors at all?

Larry Sladek:

My name is Larry Sladek. I live right in the middle of it. I went up and down the street two years ago. I talked to 21 of my neighbors and I had all yes's. They weren't all home that day, but I will keep trying.

HACKBARTH MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST OF LARRY AND KIM SLADEK, OWNER FOR LOT LINE ADJUSTMENTS TO ADJUST THE LOT LINES FOR SEVERAL PROPERTIES LOCATED EAST OF 8TH AVENUE BETWEEN 111TH AND 116TH STREETS IN CAROL BEACH ESTATES, UNIT NO. 1, BLOCK 7 SUBJECT TO THE CONDITIONS AS OULTINED BY STAFF IN STAFF MEMORANDUM DATED MARCH 27, 2000. SECONDED BY OLSEN.

Jean Werbie:

It still needs to go to the Village Board, and it will go to the Board once he has the concurrence of all 35 of his abutting property owners.

MOTION CARRIED.

Tom Terwall:

Good luck.

I. Consideration of the request of Deborah Woytonik, agent, for a Lot Line Adjustment to adjust the lot lines between Lots 41, 42 and 43 in the Chiwaukee

Subdivision located on the 12700 block of Lakeshore Drive.

Jean Werbie:

Mr. Chairman, the petitioner is requesting approval of a lot line adjustment to adjust the lot lines between lots 41, 42, and 43 in the Chiwaukee Subdivision located in the 12700 block of Lakeshore Drive. A portion of the southern lot line of lot 41 is proposed to be adjusted adjacent to the lake to allow for access to the existing beach from lot 42, and the southern lot line of lot 42 is proposed to be moved south 24.39 feet. The Village staff recommends approval of the lot line adjustment subject to recording of the proper transfer documents with assigned lot line adjustment as an exhibit within 30 days of approval. Peggy highlighted for you on the overhead the areas and how things are going to be adjusted so you can visualize it.

Don Hackbarth:

I take the rationale is because of the wetlands.....is that what it is? The wetlands are in the middle of Lakeshore Drive.

Jean Werbie:

The petitioner says yes.

Tom Terwall:

Comments or questions?

KOESSL MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST OF DEBORAH WOYTONIK, AGENT, FOR A LOT LINE ADJUSTMENT TO ADJUST THE LOT LINES BETWEEN LOTS 41, 42 AND 43 IN THE CHIWAUKEE SUBDIVISION LOCATED ON THE 12700 BLOCK OF LAKESHORE DRIVE SUBJECT TO THE CONDITIONS AS OUTLINED BY STAFF IN STAFF MEMORANDUM DATED MARCH 27, 2000. SECONDED BY KAUFMANN. MOTION CARRIED.

J. Consideration of the request of Lance Skala, agent for WisPark Corporation for approval of a Landscape Plan for LakeView VIII located at 10801 88th Avenue.

Jean Werbie:

Mr. Chairman, the petitioner is requesting approval of the landscape plans for the LakeView VIII building located at 10801 88th Avenue. WisPark Corporation is currently constructing a speculative warehouse building on the property. I've modified my staff comments that the staff recommends approval of the landscape plan subject to the landscaping being installed prior to occupancy of the building. The area to the east is identified as a future court area for docking and for truck loading, and it's intended that there possibly would be another spec building to the south and that will be an area for loading and for movement of trucks and vehicles so there probably won't be a green space area in that area at all. To plant trees right now to have them torn out in the very near future would not be cost effective and it wouldn't be recommended by staff.

Eric Olson:

Seeing as how we need more cover for the pheasants, quail, partridge, and other things that are on the side of the road all day long out there, I'll support this.

OLSEN MOVED THAT THE PLAN COMMISSION APPROVE THE REQUEST OF LANCE SKALA, AGENT FOR WISPARK CORPORATION FOR APPROVAL OF A LANDSCAPE PLAN FOR LAKEVIEW VIII LOCATED AT 10801 88TH AVENUE SUBJECT TO THE CONDITIONS AS OUTLINED BY STAFF IN STAFF MEMORANDUM DATED MARCH 27, 2000. SECONDED BY KAUFMANN. MOTION CARRIED.

7. SUCH OTHER MATTERS AS AUTHORIZED BY LAW

Don Hackbarth:

Just a quick comment. I notice you've been reading a lot of staff comments in completion. Is that a change because I don't think necessarily before you read through all the staff comments?

Jean Werbie:

If it's a matter for public hearing and it's a matter that could be controversial or is an issue with respect to the details of why we're doing it or the very specifics of something such as a wetland delineation rezoning, it's been recommended that we read all of that directly into the record. We had three in a row tonight of the same thing.

Tom Terwall:

What's the minimum rear yard setback for a residence?

Jean Werbie:

In which zoning district would that be?

Tom Terwall:

85th Street and Stanich's, just east of Green Bay Road, that subdivision.

Jean Werbie:

In Tuckaway Trails it is 25 feet.

Tom Terwall:

That house that they just poured the basement for must use a short ruler.

Peggy Herrick:

No, that's 40 feet.

Jean Werbie:

Gustaveson is building a home and it's about 40 feet. There's a berm area within the lot.

Tom Terwall:

40 feet?

Peggy Herrick:

That berm area is part of their lot.

Jean Werbie:

I just wanted to mention if anyone starts to get any calls or enters into a conversations regarding the census forms, what we're finding is it could have been up to 2,000 of our households did not receive census forms, whether they were part of new construction or they were in a zip code change area, or for some reason they live west of 88th Avenue in the Village. So what we're finding is that the census has told me two different things. That they're going to try to hand deliver the forms that were sent back, and/or enumerators are going to start visiting all of the residents in order to get the information. Two things with respect to that. Number one is they're going to keep going back until they get somebody. The second point is that the Village Hall is going to be a census center where census forms, the short forms, are going to be available starting March 31st, so we'll be able to hand them out here for people to fill out and send back as well. The last people that are actually going to be enumerated or visited will be those under new construction. So any new construction homes within the last year will probably be one of the last ones visited, but they will be visited along with special places as well as those who didn't get forms.

Tom Terwall:

Does the Census Bureau know of the whereabouts of all of these homes?

Jean Werbie:

Yes, they know the whereabouts of the forms as well as the homes. Unfortunately those two aren't going to meet, but they are aware of them, and there are several hundred enumerators that work out of the Racine office that are going to be walking door to door in Pleasant Prairie, not just there but throughout the Village.

Tom Terwall:

Is this a problem with the postal service or with the census bureau?

Jean Werbie:

I think it's a little of both, primarily the Census Bureau because they did not accurately get our corrected addresses and zip codes into the system. The ones that were appealable, the 240, those got appealed and corrected. All the others they didn't get the corrections made in the last two years. They requested the information from the post office in the spring of '98 remembering that we changed zip codes and addresses in July of '98, so they didn't get the corrected information, and the post office has been directed to send all forms back. The Racine office alone for Kenosha County got 17,000 forms back. So they're trying to deliver what they can, otherwise enumerators are going to hit hard. Again, if anybody didn't get a form, they can call the 800 number, otherwise we're going to have them here available. Our response rate is not where it should be. We're only at about 35% for Kenosha County, and our neighboring Rock County has over 50%. So we're not where we need to be, and we need to be hitting hard so that we can get people to return the forms.

Tom Terwall:

Can we do more than one per household?

Jean Werbie:

You can only send one back. If you get another one, which you might, because where you live, because just a handful of folks out in Chateau got them and I don't know how that was possible, but some of you did. If you get a second form, it will kick it out because you're already registered. Those that didn't send it back are red flagged or will be red flagged in the next two weeks.

Tom Terwall:

Then, the Census may give us the opportunity to complete more than one form?

Jean Werbie:

Oh, I think that's a real possibility, but you'll have to tell them that you've already filled out the form because the forms have gone back already to Indiana.

Eric Olsen:

Nice letter that the Census Bureau sent. What was the point of that?

Jean Werbie:

Everyone got that confusing letter. The problem was that the reason for the envelope was if you needed the information in a different language, and all the languages on the back told you to use the envelope. The only language they didn't tell you what the envelope was for was in English. So they apologize for that. That generated a lot of confusion and no one knew why they had the envelope. If you spoke another language you figured it out, and if you didn't, you threw it away. So sorry.

Don Hackbarth:

I see, so that letter was for those that don't speak English.

Jean Werbie:

That's correct.

Tom Terwall:

How helpful is the Post Office being?

Jean Werbie:

I'm in contact with our post office it seems like every week for some reason or another, but they informed me that the census office and the post office are not branches of the same government, so you need to make sure that--

Tom Terwall:

So they are not working with the Census Bureau then?

Jean Werbie:

In fact the census has really directed the post office to return the forms even though they could have sorted them, and now the census offices, like the Racine office, is trying to do a hand sort, and they hand sorted Pleasant Prairie's for several hours this weekend to try to get the survey's pulled out so they could get hand delivered.

Tom Terwall:

What is the difficulty with the zip codes getting confused?

Jean Werbie:

Well, they're all geo coded so that shouldn't happen.

Tom Terwall:

Rumor has it the people at the Census are not real conducive to helping individuals when they call in.

Jean Werbie:

That's the thing. The people who are sending out the postcards aren't the same people in the same division that's sending out the questionnaires, so many, many people got the postcard saying you're getting one, you're getting one, how come you didn't send it back, and then you didn't get the questionnaires. That was a common thing I heard this weekend with the people I talked to is

that

they didn't get them but they got all the warnings before and after but no questionnaire. Those are the ones that got kicked back. Different mailing list.

8. ADJOURN

HACKBARTH MOVED THAT THE PLAN COMMISSION ADJOURN THE MARCH 27, 2000 PLAN COMMISSION MEETING. SECONDED BY KOESSL. MOTION CARRIED.