# PLEASANT PRAIRIE PLAN COMMISSION MEETING VILLAGE HALL AUDITORIUM 9915 39th AVENUE PLEASANT PRAIRIE, WISCONSIN 6:00 P.M. OCTOBER 28, 2019 AGENDA

- 1. Call to Order.
- 2. Roll Call.
- 3. Consider approval of the October 14, 2019 Plan Commission meeting minutes.
- 4. Correspondence.
- 5. Citizen Comments.
- 6. New Business:
  - A. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT** for the request of Doug Stanich on behalf of The Cottages at Village Green to use Units 6 and 7 as sales and model condominium units.
- 7. Adjourn.

It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance in the above stated meeting to gather information; no action will be taken by any other governmental body except the governing body noticed above. The Village Hall is handicapped accessible. If you have other special needs, please contact the Village Clerk, 9915 39<sup>th</sup> Avenue, Pleasant Prairie, WI (262) 694-1400.

#### PLEASANT PRAIRIE PLAN COMMISSION MEETING VILLAGE HALL AUDITORIUM **9915 39TH AVENUE** PLEASANT PRAIRIE, WISCONSIN 6:00 P.M. October 14, 2019

A meeting for the Pleasant Prairie Plan Commission convened at 6:00 p.m. on October 14, 2019. Those in attendance were Michael Serpe; Mike Pollocoff; Wayne Koessl; Deb Skarda; (Alternative #1); Judy

attenda Werbie	a; and Bill Stoebig. John Skalbeck and Brock Williamson (Alternate #2) were excused. Also in ance were Nathan Thiel, Village Administrator; Tom Shircel, Assistant Village Administrator; Jear e-Harris, Community Development Director; Peggy Herrick, Assistant Village Planner and Zoning histrator; and Aaron Kramer, Deputy Planner and Zoning Administrator.
1.	CALL TO ORDER.
2.	ROLL CALL.
3.	CONSIDER APPROVAL OF THE SEPTEMBER 9, 2019 PLAN COMMISSION MEETING MINUTES.
Judy J	uliana:
	Move to approve as written.
Bill St	oebig:
	Second.
Michae	el Serpe:
	MOTION MADE BY JUDY JULIANA AND SECONDED BY BILL STOEBIG FOR APPROVAL OF THE SEPTEMBER 9TH MINUTES. ALL THOSE IN FAVOR SAY AYE.
Voices	s:
	Aye.
Michae	el Serpe:
	Opposed? The aves have it.

#### 4. CORRESPONDENCE.

Jean Werbie-Harris:

I have none this evening that I will discuss at this time. We'll bring it up when the item is on the agenda.

#### 5. CITIZEN COMMENTS.

#### Michael Serpe:

We have two items that are public hearings. You can hold your comments until those items are called. If there's anybody that wishes to speak, all we'd ask is that you give your name and address for the record. Anybody wishing to speak? Anybody wishing to speak? We'll close citizens' comments.

#### 6. NEW BUSINESS:

A. PUBLIC HEARING AND CONSIDERATION OF A REVISED CONCEPTUAL PLAN for the request of Dan Szczap of Bear Development LLC, for the development of a 41 single family lot subdivision to be known as Creekside Terrace to be located on the remaining vacant land located north of the existing Creekside Crossing development.

#### Jean Werbie-Harris:

Mr. Chairman and members of the Plan Commission and the audience, this is a request for a revised Conceptual Plan at the request of Dan Szczap of Bear Development LLC. And this is for the development of a 41 single family lot subdivision to be known as Creekside Terrace. It's to be located on the remaining vacant land located north of the existing Creekside Crossing development and shown on the slide. Bear Development, LLC, then is proposing to plat a 41 single family lot subdivision. This is the final phase of the Creekside Terrace, and it will be located adjacent to Creekside Circle, west of 62nd Avenue and extending around to 91st Street.

I'd just like to give a little bit of background information since this project has had a lot of planning over the last several years. With respect to the background, the Creekside Crossing condominium and single family residential development were initially developed in several phases by Mastercraft Builders from 2005 to 2010. Between the years of 2010 and 2014, portions of the development were sold to other contractors who constructed additional units to complete portions of the project.

The original Creekside Crossing development anticipated 24 single family lots and 34 two-unit condominium buildings and 17 four-unit condo buildings and 19 eight-unit condo buildings. All of the single family lots have since been developed and all of the condominium units with the exception of two eight-unit buildings have been built within the existing platted condo area. The undeveloped land in the original development proposal would have included 158 additional condo units.

Due to the recession the undeveloped land remained vacant for many years. Creekside PP, LLC, purchased the undeveloped land. On August 17, 2015, the Board conditionally approved a Conceptual Plan to develop the remaining vacant land north and west of the Creekside Subdivision and the Creekside Crossing condominium development adjacent to 89th, 90th and 91st Streets, 90th Place, 62nd Avenue and Creekside Circle. At that time it was identified for 64 single family lots and one two family lot. The developers after re-evaluation did not move forward with this single family/two family proposal due to the costs for constructing Creekside Circle and the Jerome Creek bridge crossing and the related public improvements. So it didn't move forward.

After significant review and consideration of several development options by the developer and the Village with input from the community, a plan was developed for the remaining Creekside vacant properties. This is about 58 acres and additional vacant properties about nine acres adjacent to the proposed 91st Street east of Old Green Bay Road. The Village Board at its March 18, 2019 meeting amended the Whittier Creek Neighborhood Plan and conditionally approved a Conceptual Plan which was referred to as Option 3a which included 54 single family lots, a two family lot and 7 twenty- unit multi-family apartment buildings.

On May 20, 2019, the Village Board approved the Residential Development Plans for The Vista at Creekside Apartments, 7 twenty- unit apartment buildings which are under construction at 91st Street and Old Green Bay Road. The primary entrance to The Vista at Creekside development is from Old Green Bay Road at 91st Street. At this entrance, a clubhouse will also be constructed for the apartment development.

So that brings us to the revised Conceptual Plan. At this time, the developer is requesting approval of a revised Conceptual Plan that includes 41 single family lots. This is a reduction from 54 single family lots and one two family lot that was originally identified. The revised plan shows that all lots will be adjacent to the existing platted roadways of Creekside Circle, 90th Street and 62nd Avenue. This single family development will require that the remainder of Creekside Circle and 62nd Avenue will be constructed. Although 62nd Avenue will terminate in a cul-de-sac, which is at the very northeast corner of the site, if the wetlands are allowed to be filled, 62nd Avenue could also be extended to the north and east by a subsequent developer.

Similar to the previously approved Conceptual Plan, the single family lots would be a minimum of 12,500 square feet in area with an average lot size of 15,000 square feet. As proposed, the average single family lot size is 17,953 square feet. All lots have a minimum depth of 125 feet and shall not have less than 80 feet of frontage on a public road unless they're located on a culde-sac or curve, in which case they can reduce it to 45 feet of provided that they have that 80 food width at the building setback line. A majority of the single family lots are now all adjacent to open space, retention basins, wetlands or floodplains or some type of open area.

With respect to public infrastructure, site access and traffic, Creekside Circle and 91st Street have been dedicated by the original developer. Public utilities and roadways will be constructed by the developer to service all of the lots. Public sanitary sewer, water and storm sewer will be extended to serve the development. Municipal improvements are currently under construction by Bear Development within 91st Street and a portion of Creekside Circle for The Vista apartment project.

The primary access and haul roadway for the Creekside Terrace infrastructure and house construction will be from Old Green Bay Road at 91st Street. Creekside Circle will be completed including the bridge and roadway infrastructure that allows access to 93rd Street at 63rd and 66th Avenues within this portion of the development. Temporary no construction access signs will be required to be installed at the Creekside entrances at 93rd Street during construction activities prior to commencing the public improvements.

As discussed with the development of The Vista, providing multiple public road connections to and through the development will allow the traffic to be dispersed. Residents living in the Creekside neighborhood will travel the easiest path to get out to go to their destination. The projected traffic volume and movements are anticipated to be similar as to what was originally projected by that first Creekside development.

Pursuant to the Village Engineer, the proposed Creekside Terrace development and the total number of units does not warrant a new traffic study. When the nearby vacant land south of 93rd Street at that Dabbs Farm Drive is proposed to be developed, a new traffic study will be warranted. That being said, Traffic Analysis and Design known as TADI on behalf of the petitioner did complete a TIA for the Main Street Market development at 165 and 31. That's to the south/southwest of this area. This TIA examined Old Green Bay Road running north to Dabbs Farm Drive. As part of that Main Street Market development on the corner of Highway 165 and Old Green Bay Road, the TIA required that a dedicated turn lane would likely be needed at the Dabbs Farm Drive between Old Green Bay Road and Highway 31 in the future.

As required by the March 2019 Conceptual Plan approval, this existing traffic study was used as a basis for the developer's traffic engineer's review, and they verified that the only improvements needed were accel/decel lanes on Old Green Bay Road as a result of the 91st Street connection. And this information is all provided in a technical memorandum that's dated April 23, 2019 from TADI.

Earlier this year it was noted at a public hearing by some Creekside residents that speeding within the existing development was an issue. It was referred to the Police Chief for his input. He noted that the association should remind its residents to slow down and abide by the speed limit; that the police could set up a digital speed signs in the neighborhood; or occasionally a squad car could be present in the neighborhood. In a letter received on August 12, 2019 from resident Ken Harju, he has requested four-way stop signs at Creekside Circle and 92nd Place and Creekside Circle at 66th Avenue. The request was evaluated by both the Police Chief and the Public Works Director, and they did not recommend that the addition of any new stop signs in the development as too many stop signs often created a an opportunity for drivers to drive faster only to stop suddenly or to only slow down or to just roll through the stop sign. And I believe they contacted that resident to explain this to them.

With respect to sidewalks, in 2016, the Village Board adopted a new ordinance requiring the installation of sidewalks in residential developments. The Village Administrator, along with the staff have evaluated and prepared a policy on how new sidewalks adjacent to existing development without sidewalks would be installed. The current Village policy is to complete sidewalk loops or neighborhood blocks and minimize dead ended sidewalks in mid-block. Similar to the March 2019 Conceptual Plan, the developer at his cost shall install sidewalks as shown on the attached drawing which is up on the slide. It is recommended that the concrete

sidewalks be installed around the interior area of the Creekside Circle right-of-way. This interior connection provides pedestrian access that meets ADA standards to the existing Creekside Park. The sidewalk maintenance and snow removal would then be the responsibility of the abutting lot, outlot or association owners, depending on the abutting ownership.

Pedestrian or roadway access to Ingram Park from Creekside would be established as development occurs east of the Creekside development and along 93rd Street when that roadway is further widened and improved. In addition, as discussed at previous public hearings the developer will be donating funds to the Village add some park equipment to the Creekside Park. One thing to note is that as the developer gets into the details of the sidewalks as well as looking at the park equipment, it will require further discussion amongst the Village staff and bringing that forward to the Plan Commission and the Board.

With respect to Floodplain Boundary Adjustment, on October 20, 2003, the Village Board had adopted Resolution #03-42, and this was to approve the Floodplain Boundary Adjustment for Creekside's development. In January 2005, the original developer of Creekside Crossing obtained the required permits from FEMA to begin that floodplain adjustment work. This grading work to amend the 100-year floodplain, including the installation of the existing bridge on the south side of the development, has been completed, and the remainder of the grading work and the second bridge crossing on the north side of the development along with the construction of the remainder of Creekside Circle still needs to be completed so that the 100-year floodplain adjustment as-built drawings can be approved by both the Wisconsin DNR and FEMA and the official 100-year floodplain maps can be amended.

Under wetlands, fill permits were obtained by the developer from the Wisconsin DNR and the US Army Corps of Engineers to fill a small portion of the wetlands for the construction of Creekside Circle and 91st Street as shown on the slide. It's the area shown in green. The remainder of the wetlands will remain unchanged. A portion of wetland 5 is located within a future right-of-way that will be dedicated but not constructed at this time. In the future if the adjacent land is proposed for development to the north and east, those developers will be required to obtain any future fill permits from the DNR and Corps and extend the public improvements. And, again, that wetland area 5 is in the very northeast corner of the development property.

With respect to the Zoning Map, Zoning Map Amendments will be required for the Creekside Terrace development and will be considered with the Final Plat approval. First, the wetlands that will remain will be rezoned into the C-1, Lowland Resource Conservancy District. Lots 1 through 41 will be rezoned into the R-4.5, Urban Single Family Residential District. The outlots will be placed into the PR-1, Park and Recreational District. And, finally the 100-year floodplain will remain unchanged in the FPO, Floodplain Overlay District, until such time as the floodplain boundary adjustment is completed, as-built plans are submitted and the LOMR-F is approved by FEMA.

And the finally with respect to the Comprehensive Plan, the Comprehensive Land Use Plan Map would also need to be amended to reflect the above noted zoning changes to ensure that the Land Use Plan and the Zoning Map are consistent. With that this is a public hearing, and there are representatives from the developer, S.R. Mills and Dan Szczap, to make a further presentation and answer any questions you may have.

#### Michael Serpe:

This is a matter for public hearing. Anybody wishing to speak? Anybody?

#### S.R. Mills:

S.R. Mills, 4011 80th Street with Bear Development. Happy to answer any questions you might have in regard to this. Happy to proceed at the Plan Commission's discretion.

#### Wayne Koessl:

S.R., are you going to develop the lots or are you going to put them up for sale?

#### S.R. Mills:

We'll probably build as many as we can. Arbor Ridge I think is a good example. Of the 44 there we built 30 of them, a good portion of them but probably not all.

#### Ken Harju:

Hello, everybody. Ken Harju, 9249 64th Court, Pleasant Prairie, Unit 162. I live in one of the condos in Creekside. I just want to say thanks. This has been a long process, but everybody has been very fair to us and the developer and to the community. First of all thanks a lot for the park equipment. It's great to have. Second issue is the sidewalk. There's one concern. There's 31 trees planted on Creekside Crossing and the park, a total of 31 trees. And there's almost right where the sidewalk needs to go. So we're going to have to look at how we do this. These trees are about 12 or 13 years old now and just maturing and looking good. So just to throw that out there that we're looking at it.

One other issue that isn't for the developer necessarily but the whole plan, if you look north where their two units are going to be, we were told that Ingram Park is now going to serve Creekside so a second community park was never added to the plan. There's going to be a total of 300 units now in the Creekside area. And the way to get to Ingram Park is on 93rd Street which is very dangerous. So at one point in one of these plans there showed a little bit of a path way on the north side leading over to Ingram Park that would maybe merge with the path that's coming from 89th Street the other way so the residents could actually get to the park that's supposed to be serving them. So I didn't hear that mentioned tonight.

And, finally, the stop signs. That's cool that we don't put them in right now. But one of them there's a playground that people are speeding by. All the units now in Creekside aren't in the same HOA. So even if I talk to my HOA that doesn't cover everybody. And maybe we could put some kind of playground sign up or something like that. The other one at 66th Ave. and Creekside Circle a lot of the apartments will filter through Creekside and out to 93rd especially when the downtown is developed. So as this is developed maybe we can take a look at that again later and see how that's all going. But thanks, everybody, appreciate it.

#### Michael Serpe:

Anybody else wishing to speak? Anybody else? We'll close the public hearing and open it up to comments and questions from the Commission.

#### Mike Pollocoff:

I have one, I'll keep it quick. With respect to the trail that Ken was talking to, I think that that -- I just know that's an environmental minefield over there as far as trying to get something in there that's covered and paved. But that being said there's going to be some level of funds that are going to be provided by the developer as part of this. I'd really look to have the Village Administrator look at taking some of those funds and using it to leverage for safe access to public schools to get an access constructed to Ingram Park and using some of that as seed money and also getting some grant money. And once you get to Ingram them you can get to 89th, and 89th takes you to 54th, and you're right in the back door at Whittier.

So it would be another source of revenue to get that addressed. But I do think that would probably end up coming through at -- I can't see the street. It would be the next one south and then finding a way to acquire some easements or some access points across the property. So that might be one way to skin the cat and help everybody along the way with some state money along with the developer's contribution.

#### Michael Serpe:

Any other comments? To Jean or S.R., to whoever. The trees that possibly will be taken down when the sidewalks go in, have you evaluated that yet, S.R.?

#### S.R. Mills:

No, not in detail. Some survey work will need to be done to figure out exactly what that looks like. it's very tight so we're not entirely sure. We need to talk to staff and better understand what the direction is again from that.

#### Michael Serpe:

But any that are taken down will have to be replaced?

#### S.R. Mills:

I would assume, but hopefully we don't have to take any down. I don't know, again, how -- this is kind of uncharted territory with what we're doing here. Again, we've committed to doing the sidewalk.

#### Michael Serpe:

In the event that they're taken down and have to be replaced at whose expense is that?

#### S.R. Mills:

Again, uncharted territory. I'm not entirely sure. I think it would strictly fall on us because we're doing this.

#### Michael Serpe:

Can we vote on that?

#### S.R. Mills:

How about we just have a big party and don't put a sidewalk in.

#### Mike Pollocoff:

I think if it's in the park area there's nothing that says the sidewalk couldn't go into the park on the other side of the trees. It's just open land.

#### Michael Serpe:

I'm talking about the sidewalks around Creekside Circle.

#### Mike Pollocoff:

Right.

#### S.R. Mills:

If it went onto the interior you're saying, and I think that would likely require an easement. Is it all within the right of way?

#### Mike Pollocoff:

It's all public. But the other issue is where you're going along homes. We'd have to take a look at that. But as far as the park area it could be nice to have the sidewalk on the other side of the trees inside the park area.

#### S.R. Mills:

Maybe I'm not tracking which -- Mike, would you mind pointing toward --

#### Mike Pollocoff:

On the way down to the Creekside Park that sidewalk there's trees along there.

#### S.R. Mills:

So in there we certainly could meander it through. And I guess I was think essentially when you come in when you hook a left how exactly we're going to string it there in front of the units, and I don't have a good answer for that.

#### Michael Serpe:

Okay, we can work on it. Any other comments or questions?

#### Tom Shircel:

One more question, just for the record I think staff is obviously supportive of the sidewalk going. So whatever we can do, whatever the Commission wants, if you can meander that sidewalk it's important for a safety aspect to get that sidewalk in to serve the park and the residents.

#### Michael Serpe:

All right, any other comments or questions? What's your pleasure?

#### Mike Pollocoff:

I'd recommend approval of the Conceptual Plan that's been submitted by the developer and Revised Conceptual Plan for the development of 41 single family lots and incorporate the comments wherein tonight.

#### Wayne Koessl:

I'll second.

#### Michael Serpe:

MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF THE REVISED CONCEPTUAL PLAN. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

#### Michael Serpe:

Opposed? The ayes have it. Thank you.

#### Wayne Koessl:

Also, S.R., thank you and your staff for working with everyone to get this done.

#### S.R. Mills:

Thank you guys. Appreciate everything.

Wayne Koessl:

It was a good win-win for everybody.

S.R. Mills:

Absolutely, thank you.

Michael Serpe:

Thank you.

B. PUBLIC HEARING AND CONSIDERATION OF A MASTER CONCEPTUAL PLAN at the request of Kevin Vernick on behalf of MEV PP, LLC for a 4,000 square foot Sherwin Williams store to be constructed on a 1.27 acre lot within the Prairie Ridge development generally located between 76th Street and Prairie Ridge Boulevard, east of 91st Avenue in the Village of Pleasant Prairie.

#### Aaron Kramer:

The petitioner is requesting approval of a Master Conceptual Plan for the construction of a 4,000 square paint store and associated site improvements at a vacant 1.27 acre property generally located between 76th Street, Prairie Ridge Boulevard east of 91st Avenue in the Village of Pleasant Prairie. Kevin Vernick is the developer of this corporate Sherwin-Williams store. The Sherwin-Williams Company is an American Fortune 500 company in the general building materials industry. The company, with headquarters in Cleveland, Ohio, primarily engages in the manufacturing, distribution, and sale of paints, coatings and related products to professional, industrial, commercial, and retail customers primarily in North and South American and Europe.

The proposed Master Conceptual Plan is a revision to the previous Master Conceptual Plan approved by the Village in September of 2013. This property is zoned B-2, Community Business District and is subject to the Prairie Ridge Commercial development's Planned Unit Development or PUD restrictions. The Pleasant Prairie Sherwin-Williams store is intended to sell Sherwin-Williams branded architectural paints and coatings, industrial and marine products, and original equipment manufacturer product finishes and similar items and to provide contractor support, sprayer maintenance and repair, and RRP Certification sessions and supplies.

The store hours open to the public will be Monday through Friday 7:00 am-8:00 pm, Saturday 8:00 am-6:00 pm, and Sunday 10:00 am-6:00 pm. A low traffic impact on the daily automobile trips is anticipated and one weekly truck trips to the site is anticipated during business hours. A total of 24 parking spaces including one handicapped accessible parking space will be provided on the site as well as cross-access to both the BMO Harris site to the north as well as to the currently vacant property to the south. The store is projected to be under construction in

February, 2020 and completed and operational in June of 2020. This is a brand new store to the Pleasant Prairie market, and this is not a relocation.

Any development plan considered by the Village is evaluated based on the Village Comprehensive Plan's goals, objectives, recommendations and policies. The Comprehensive Plan includes many aspects, in particular the Land Use Plan and Map, neighborhood plans are the first plans that need to be examined. The Master Conceptual Plan complies with the Land Use Plan Map, which sets forth a plan that indicates the intended land use designations for how land could developed. This property and the adjacent property to the south are to be developed as community commercial in conformance with the Prairie Ridge Planned Unit Development PUD subject to the removal or accommodation of the pocket wetlands currently on the site. Any wetland exemptions or fill permits are to be obtained by the Wisconsin DNR and US Army Corps of Engineers prior to any mass grading on the site. At this time, Kevin Vernick, the lead developer on this site is in the audience, and if you would like to make a few words you can definitely do that now.

#### Michael Serpe:

Name and address for the record.

#### Kevin Vernick:

Hi, my name is Kevin Vernick, 350 West Hubbard, Chicago, Illinois, Suite 250. Thanks for having me here today. Sherwin-Williams is looking forward to having another store in the greater area. And they're really excited about it in working with staff. And I believe we're going to have a very successful store here in the near future.

#### Michael Serpe:

Thank you. We'll call on you if we have any questions when we open the public hearing. Aaron, is that it? This is a matter for public hearing. Anybody wishing to speak? Anybody wishing to speak? We'll close the public hearing and open it up to comments and questions from the Commission. Now that you sat down I'm going to take it that the employment that's needed will be hired from the area all new?

#### Kevin Vernick:

Yeah, it will be local contractors [inaudible].

#### Michael Serpe:

No transplants, nobody coming up from another area?

#### Kevin Vernick:

My GC comes from a different area, but he hires all locally.

#### Mike Pollocoff:

Is there going to be any changes in the existing Sherwin-Williams store in the area? I mean will this be relocation of a store?

#### Kevin Vernick:

No, this is a new store.

#### Mike Pollocoff:

An addition, okay.

#### Kevin Vernick:

This will be Pleasant Prairie's new store.

#### Deb Skarda:

Will you be eliminating any paints or any chemicals or anything or just selling? I mean it's not like you're going to be taking paint in and needing to dispose of any used?

#### Kevin Vernick:

This is a traditional paint store where you and I come pick up a bucket of paint, tape, rollers, paint brushes. General contractors come and pick up some gallons to go to their site.

#### Deb Skarda:

Okay, thank you.

#### Michael Serpe:

Any other comments or questions? What's your pleasure? Thank you.

#### Judy Juliana:

I would move to recommend that the Plan Commission send a favorable recommendation to the Village Board to conditionally approve the Master Conceptual Plan subject to the comments and conditions of the Village staff report.

#### Bill Stoebig:

Second.

Mic	hael	Ser	ne:
IVIIC	nacı	$\mathcal{L}$	ρc.

MOTION MADE BY JUDY JULIANA AND SECONDED BY BILL STOEBIG FOR APPROVAL OF THE MASTER CONCEPTUAL PLAN. ALL THOSE IN FAVOR SAY AYE.

	APPR AYE.	OVAL OF THE MASTER CONCEPTUAL PLAN. ALL THOSE IN FAVOR SAT
Voices	s:	
	Aye.	
Micha	el Serpe:	
	Oppos	ed? The ayes have it.
	C.	Consider the request of Thomas Peterson for approval of a Lot Line Adjustment between the properties located 4063 91st Street and 9118 39th Avenue owned by Carol Hovey.
Aaron	Kramer:	
	proper lines. Street essenti proper line we	wners of the properties located at 4063 91st Avenue owned by Thomas Peterson and the ty located at 9118 39th Avenue owned by Carol Hovey, are proposing to adjust their lot Specifically 9,894 square feet of land directly south of Tom Peterson's property off of 91st from the current property owned by Carol Hovey which is off 39th. This section would ally be detached from the 39th Avenue property and then added to the 91st Avenue ty. Both properties are currently zoned R-4, Urban Single Family Residential. And the lot ould comply with the requirements set forth in the Village Zoning Ordinance and Land on and Development Control Ordinance.
Micha	el Serpe:	
	Tom, a	anything to add?
Tom P	eterson:	
	No.	
Micha	el Serpe:	
	Comm	ents or questions from the Commission? What's your pleasure?
Bill St	oebig:	
	I move	to approve the lot line adjustment subject to the comments?
Deb Sl	karda:	
	I'll sec	ond.

#### Michael Serpe:

## MOTION MADE BY BILL STOEBIG AND SECONDED BY DEB SKARDA FOR APPROVAL. ALL THOSE IN FAVOR SAY AYE.

Voices:

Aye.

Michael Serpe:

Opposed? The ayes have it. Thank you. Thanks, Tom.

D. Consider Plan Commission Resolution #19-14 to initiate a zoning text amendment to correct the 188th Avenue and STH 50 Planned Unit Development Ordinance.

#### Peggy Herrick:

Good evening. This is Plan Commission 19-14 to initiate a zoning text amendment. The Village staff is initiating this amendment to the 118th Avenue State Trunk Highway 50 planned unit development PUD ordinance. This is for the Walgreen's. La Quinta is there right now. There's a vacant space where it used to Big Boy I believe was there. This is to correct the section of the ordinance related to open space to comply with the open space calculations that was shown on the final approved plans in Exhibit B of said ordinance. It came to our attention that the text and the attached maps were not consistent. They built according to the attached maps, so we are going to just correct the text so that there is no confusion. Again, this ordinance was done in I believe 2003. So we are looking to correct that. We will bring forth a public hearing to discuss the specific changes at a future meeting for your consideration.

Michael Serpe:

Coming forward in the next couple meetings?

Peggy Herrick:

Probably in November, yes. We have to do a notice.

Michael Serpe:

Okay. Comments or questions?

Mike Pollocoff:

I move we approve Resolution 19-14 as presented.

Wayne	Koessl:
	Second.
Michae	l Serpe:
	MOTION MADE BY MIKE POLLOCOFF AND SECONDED BY WAYNE KOESSL FOR APPROVAL OF RESOLUTION 19-14. ALL THOSE IN FAVOR SAY AYE.
Voices:	
	Aye.
Michae	l Serpe:
	Opposed? The ayes have it. Packers start in 45 minutes. What's your pleasure?
7.	ADJOURN.
Judy Ju	liana:
	Move to adjourn.
Bill Sto	ebig:
	Second.
Michae	l Serpe:
	Motion made and seconded to adjourn. All those in favor say aye.
Voices:	
	Aye.
Michae	1 Serpe:
	Opposed? The ayes have it.

Meeting Adjourned: 6:34 P.M.

A. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT** for the request of Doug Stanich on behalf of The Cottages at Village Green to use Units 6 and 7 as sales and model condominium units.

#### **Recommendation:**

Village staff recommends that the Plan Commission approve the **Conditional Use Permit** subject to the attached comments and conditions of the Village Staff Report of October 28, 2019.

#### **VILLAGE STAFF REPORT OF OCTOBER 28, 2019**

**CONSIDERATION OF A CONDITIONAL USE PERMIT** for the request of Doug Stanich on behalf of The Cottages at Village Green to use Units 6 and 7 as sales and model condominium units.

#### **PUBLIC HEARING COMMENTS:**

As a part of the hearing record, the Village staff has compiled a listing of findings, exhibits and conclusions regarding the petitioner's request as presented and described below:

#### **Findings of Fact**

- The petitioner is requesting a Conditional Use Permit to use Units 6 and 7 as model units for The Cottages at Village Green Condominium Development. (Exhibit A). [Note Units 4 and 5 will no longer be used as model units for the development.]
- 2. The subject properties are known as Units 6 and 7 of The Cottages at Village Green Condominiums generally located just north of Main Street west of 46<sup>th</sup> Court on South Cottage Lane within U.S. Public Land Survey Section 23, Township 1 North, Range 22 East in the Village of Pleasant Prairie, Kenosha County, Wisconsin and further identified as Tax Parcel Numbers 92-4-122-233-2006 and 92-4-122-233-2007.
- 3. The units are zoned R-8 (PUD) Urban Two Family Residential District with a Planned Unit Development Overlay District. Pursuant to Section 420-113 C (1) (b) of the Village Zoning Ordinance, model units and related temporary real estate sales offices or marketing centers are allowed in the R-8 District with the approval of a Conditional Use Permit issued by the Plan Commission.
- 4. Pursuant to Section 420-148 (65) of the Village Zoning Ordinance, the Model Units/ Sales Center are allowed with the following conditions:
  - a. The Plan Commission may set a specific time frame for such use to be allowed. Village staff recommends no longer than four (4) years or until all units are sold, whichever occurs first).
  - b. Said units shall not be occupied for a sales and marking office until a final certificate of occupancy has been issued. Village staff supports the use of these units as a model and sales office after the verbal to occupy approval is given.
  - c. Said units shall be constructed to be handicapped accessible and meet all ADA requirements.
  - d. Said units shall not be open past 9:00 p.m. The petitioner is proposing that that the hours will be 11:00 am to 4:00 pm Friday, Saturday and Sunday. These model hours are acceptable and Village staff recommends that the units can be open by appointment too.
  - e. Proper exterior maintenance of the property shall be provided, such as but not limited to lawn and yard maintenance and snow removal.
  - f. Said units shall be completely landscaped prior to occupancy. The unit areas shall be landscaped and the driveway paved prior to verbal occupancy and use of the units as model/marketing units. The units are currently under construction and are intended to be completed by late December, 2019.

- g. The off-street parking area shall be completed with either a gravel base or a paved surface prior to verbal occupancy. Parking shall be required within the driveways and allowed on to public streets adjacent to the units. Vehicular parking shall not block any driveways or fire hydrants and shall not be allowed on the street during a snow emergency and shall not hinder traffic visibility.
- 5. Notices were sent to adjacent property owners via regular mail on October 10, 2019 and the required notice was published in the Kenosha News on October 14 and 21, 2019
- 6. The petitioner was emailed a copy of the Plan Commission Memorandum on October 25, 2019.
- 7. According to the Village's Zoning Ordinance, the Plan Commission shall not approve a Conditional Use Permit unless they find after viewing the findings of fact, the application and related materials and information presented at the public hearing that the project as planned, will not violate the intent and purpose of all Village Ordinances and meets the minimum standards for granting of a Conditional Use Permit.

#### **Village Staff Conclusions and Recommendation:**

The Village staff has determined that based upon the foregoing information presented in the application and at the public hearing that the project meets the following standards for granting of a Conditional Use Permit in that the project as proposed:

- does not impede the traffic patterns on the site or cause traffic congestion or traffic circulation problems and the traffic patterns on the site do not hinder, harm or distract the provisions of public services;
- does not impair an adequate supply of light and air to the adjacent properties;
- does not increase danger of fire;
- does not create storm water flooding or drainage, create obnoxious odors, problems or otherwise endanger the public health, safety or welfare;
- has no existing identified hazard, danger, harm, noxiousness, offensiveness, nuisance or other adversity or inconsistency that would endanger the public's health, safety or welfare related to the proposed use;
- the proposed and applied for use on this particular parcel is not inherently inconsistent with either the R-8 District in which it is located or the adjoining residential neighborhood; and
- the proposed and applied for use will comply with all applicable Village ordinance requirements and all other applicable federal, state or local requirements relating to land use, buildings, development control, land division, environmental protection, sewer and water services, storm water management, streets and highways and fire protection.

Based on the foregoing information, the Village staff recommends that if the Plan Commission determines that the petitioner has met the specific standards for granting of a Conditional Use Permit as specified above; then approval of the Conditional Use Permit to use the condominium units as model units/sales office shall be approved subject to the following conditions:

- 1. Prior to use of the units as a model home, a verbal to occupy shall be issued by the Village. In addition, the property shall be completely landscaped and the driveway shall be paved prior to occupancy.
- 2. The model units/sales office may operate from this location for a period not to exceed four (4) years from the date of this approval or until all units are sold, whichever occurs first.
- 3. The model units/sales office may be open from 11:00 a.m. to 4:00 p.m. Friday, Saturday and Sunday or by appointment.
- 4. The petitioner is responsible to ensure that any brochures or informational marketing materials used to market the condominium units that are distributed on-site do not blow onto adjacent properties. All litter or debris generated at the site or blown off site shall be picked up at the end of every business day.
- 5. Proper exterior maintenance of the property shall be provided, such as but not limited to lawn and yard maintenance and snow removal.
- 6. The model units/sales office shall be handicapped accessible and meet all ADA requirements.
- 7. The off-street parking area shall be completed with either a gravel base or a paved surface prior to verbal occupancy. Parking shall be required within the driveways and allowed on to public streets adjacent to the units. Vehicular parking shall not block any driveways or fire hydrants and shall not be allowed on the street during a snow emergency and shall not hinder traffic visibility.
- 8. The model units/sales office shall **not** be used as living quarters pursuant to the Conditional Use Permit.
- 9. Prior to any model unit/sales office sign being installed, the property owner shall obtain the required sign permit pursuant to the sign requirements specified in Article X of Chapter 420 of the Village Municipal Code.
- 10. The model units/sale office and site shall not display any streamers, banners, triangle flags, pennants, strings of pennants, pinwheels, etc., at any time on the property. No off-lot directional, marketing or off-premise advertizing signage is allowed during the week or on the weekends. Violation of this requirement may result in immediate revocation of this conditional use permit.
- 11. All plans shall conform to applicable Village ordinance requirements, and to all other applicable local, State and Federal requirements relating to land use, buildings, development control, land division, environmental protection, sewer service, water service, storm water management, noise, streets and highways and fire protection; and in the event of conflicting requirements or standards, the most restrictive shall apply.
- 12. No use on site shall be conducted in such a way as to constitute a public or private nuisance or to violate any of the performance standards set out in Section 420-38 of the Village Zoning Ordinance.
- 13. No changes to the exterior site or unit conditions shall be made without the Village's approval. In addition, any addition, alteration, extension, expansion, repair or other proposed change in the approved model units/sales office operation shall be subject to the Village's Conditional Use procedures as if such use were being established anew.

- 14. Upon approval of the Conditional Use Permit the property owner shall sign the Conditional Use Grant Document and the document shall be recorded at the Kenosha County Register of Deeds office.
- 15. The Conditional Use Grant shall become effective upon the execution and recording of the document and shall constitute an effective covenant running with the land. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance. Construction and operation of the use granted shall be in strict conformity to the approved plans filed in connection with the petition for this permit. Violations of these conditions may result in the revocation of the Conditional Use Permit(s) or zoning violation prosecution, or both.
- 16. The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance.





Rev 1-17

OCT -4 2019

## CONDITIONAL USE PERMIT APPLICATION PLEASANT PRAIRIE

Use this application only if Site and Operational Plan approval is not required.

I (We), the undersigned do hereby petition the Village Plan Commission to approve a Conditional Use Permit as hereinafter requested.			
Project Name: The cottages at Village Green			
4745 9 4747 S. Cottago Long			
Property Location: 4745 & 4747 S. Cottage  Legal Description: Units (47 Cottage  Tax Parcel Number(s): 42-4-122-233-2006 &	es of Village Green		
Tax Parcel Number(s): 42-4-122-233-2006 &	2007		
Existing Zoning District(s): R-8(PUD)			
The Proposed Use for this Property is:			
Both units will be used to replace the models at The garage at 4745 will be used as a model of Hours will be 11am to 4pm Friday, Saturday at	ffice.		
I (We), have contacted the Community Development Department to arrange a pre-application meeting to discuss the proposed request with the Village staff to determine whether additional information may be needed to consider the request.			
I (We), hereby certify that all the above stateme and correct to the best of my knowledge.	nts and attachments submitted herewith are true		
PROPERTY OWNER:	APPLICANT/AGENT:		
Print Name: Douglas Stanich	Print Name: Same		
Signature:	Signature:		
Address: 7524 39th Ave	Address:		
Kenosha WI 53142			
(City) (State) (Zip)	(City) (State) (Zip)		
Phone: 262-358-9845	Phone:		
Fax:	Fax:		
Email: doug@douglaskentdevelopment.com	Email:		
Date 10/1/19	Date:		

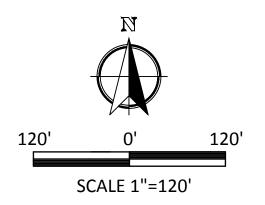
Community Development Department, 9915 39<sup>th</sup> Avenue, Pleasant Prairie WI 53158

DEV1910-002

262-925-6717

# THE COTTAGES AT VILLAGE GREEN CONDOMINIUM

SITE SURVEY / BUILDING EXTERIOR
VILLAGE OF PLEASANT PRAIRIE, KENOSHA COUNTY, WISCONSIN



OUTLOT 6 MEADOWDALE ESTATES ADD 1

DEDICATED PUBLIC STREET

Main Street

DEDICATED PUBLIC STREET

S 87°33'06" E

66.00

N.L. OF SE 1/4 SEC. 23-1-22

89°16'52" W 236.57

CENTER OF SECTION 23-1

. Cottage Lane

28.48 A=31.70

OUTLOT 7 VILLAGE GREEN

<u>HEIGHTS ADD 1</u>

S 21°24'07" W

S 87°15'23" W

S 84°42'19"

205

HEICH IS

PHASE 1 (31 UNITS)

Nielsen Madsen + Barber

S 85°22'00" E 179.43-

A=179.45

S 89°48'27" W

S 0011'33" E

98th Street

DEDICATED PUBLIC STREET

29.64

A = 29.65

N 89°48'27" E

N 87°15'23"

Proposed

Model Units

12.04

48th A

S 8916'52" W 258.43

UNIT #42 TYPE B

> UNIT #38 TYPE A (R)

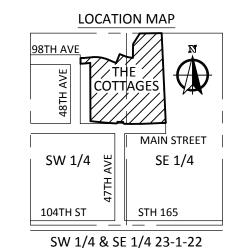
LOT 3

WFTLAND

EXPANSION

**AREA** 

S 8916'52" W 2200.01 N E 1/4 CORNER SECTION 23-1-22



### Legal Description

Certified Survey Map No. \_\_\_\_\_ a Re-Division of Outlot 9, of Village Green Heights Addition #1, being that part of the Northeast 1/4 of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 23 Township 1 North, Range 22 East, in the Village of Pleasant Prairie, Kenosha County, Wisconsin

#### Certification

I, Mark R. Madsen, PLS, do hereby certify that I have surveyed the above described property and that this survey is an accurate representation of the exterior boundary lines and the location of the building and improvements constructed or to be constructed upon the property.

This plat is a correct representation of The Cottages at Village Green Condominium as proposed at the date thereof, and the identification and location of each unit and the common elements can be determined from the plat.

The undersigned surveyor makes no certification as to the accuracy of the floor plans of the condominium buildings and units contained in the plat and approximate dimensions and floor areas thereof.

The proposed floor plans, provided by Saab Design Architectural Services, do not represent as-built conditions.

All areas not occupied by units or limited common elements are common elements.

Nielsen Madsen & Barber, S.C. 1458 Horizon Boulevard, Suite 200 Racine, WI 53406 (262) 634-5588

	Curve Table						
Curve #	Radius	Arc	Chord Direction	Chord Length			
C2	3750.00	276.86	N89° 31' 08"E	276.80			
С3	20.00	31.70	S42° 57' 32"E	28.48			
C4	20.00	31.70	N47° 51' 19"E	28.48			
C5	3750.00	179.45	S85° 22' 00"E	179.43			
C6	333.00	29.65	N87° 15' 23"E	29.64			
C7	267.00	23.78	N87° 15' 23"E	23.77			
C8	383.00	187.66	N81° 15' 30"W	185.79			

### LEGEND

BEARING BASE: GRID NORTH, WISCONSIN COORDINATE SYSTEM, SOUTH ZONE. BASED UPON NAD 1927.

- O 1" O.D. IRON PIPE FOUND
- 5/8" O.D. x 18" REBAR 1.04LBS/LIN FT. SET
- ◆ CONC. MON. W / BRASS CAP FOUND

PHASE LINE

SHEET 1 OF 14

## **OWNER / DEVELOPER**

THE COTTAGES AT VILLAGE GREEN, LLC. DOUG STANICH (MANAGING MEMBER) 7524 39th AVENUE KENOSHA, WI 53142 PHONE: (262) 925-3020 EMAIL: doug@douglaskentdevelopment.com

## **BENCH MARKS**

- TOP NUT OF HYDRANT LOCATED ON NORTHEAST CORNER OF MAIN ST AND 46TH COURT. ELEVATION: 707.60
- TOP NUT OF HYDRANT LOCATED ON NORTHEAST CORNER OF MAIN ST AND 48TH AVE. **ELEVATION: 719.57**
- TOP NUT OF HYDRANT LOCATED ON EAST SIDE OF 48TH AVE BETWEEN MAIN ST AND 98TH ST. ELEVATION: 729.26

## NOTE

CONDOMINIUM COMPLEX IS **CURRENTLY UNDER CONSTRUCTION** 

## **LEGEND**

804.85 APPROVED FINISHED PLAN GRADE

## **UTILITIES**

STM MH 22.0 RIM 720.32 I.E. 15" (S) 715.60 I.E. 15" (SE) 714.75

STM MH 21.0 RIM 719.16 I.E. 15" (N) 715.70 I.E. 15" (N) 714.85

SAN MH 25.0 RIM 719.33 I.E. 8" (SE) 706.03 I.E. 8" (N) 706.13



STM MH 22.0 **UNIT 8-9** (FUTURE) Cottage BUILDING SETBACK 719.50 719.25 720.80 S 720.80 720.80 719,00 SAN MH 25.0 DRIVEWAY GARAGE 719.80 STM MH 21.0 721.00 720.80 DEDICATED 20' STORM WATER DRAINAG ACCESS AND MAINTENANCE EASEMENT 719.80 720.80 UNIT 7 PLAN TOF/FFF: 721.30 PORCH 721.00 GARAGE 720.80 720.80 UNIT 6 720.80 719.80 BUILDING SETBACK UNIT 5 AS BUILT TOF/FFF: 718.90

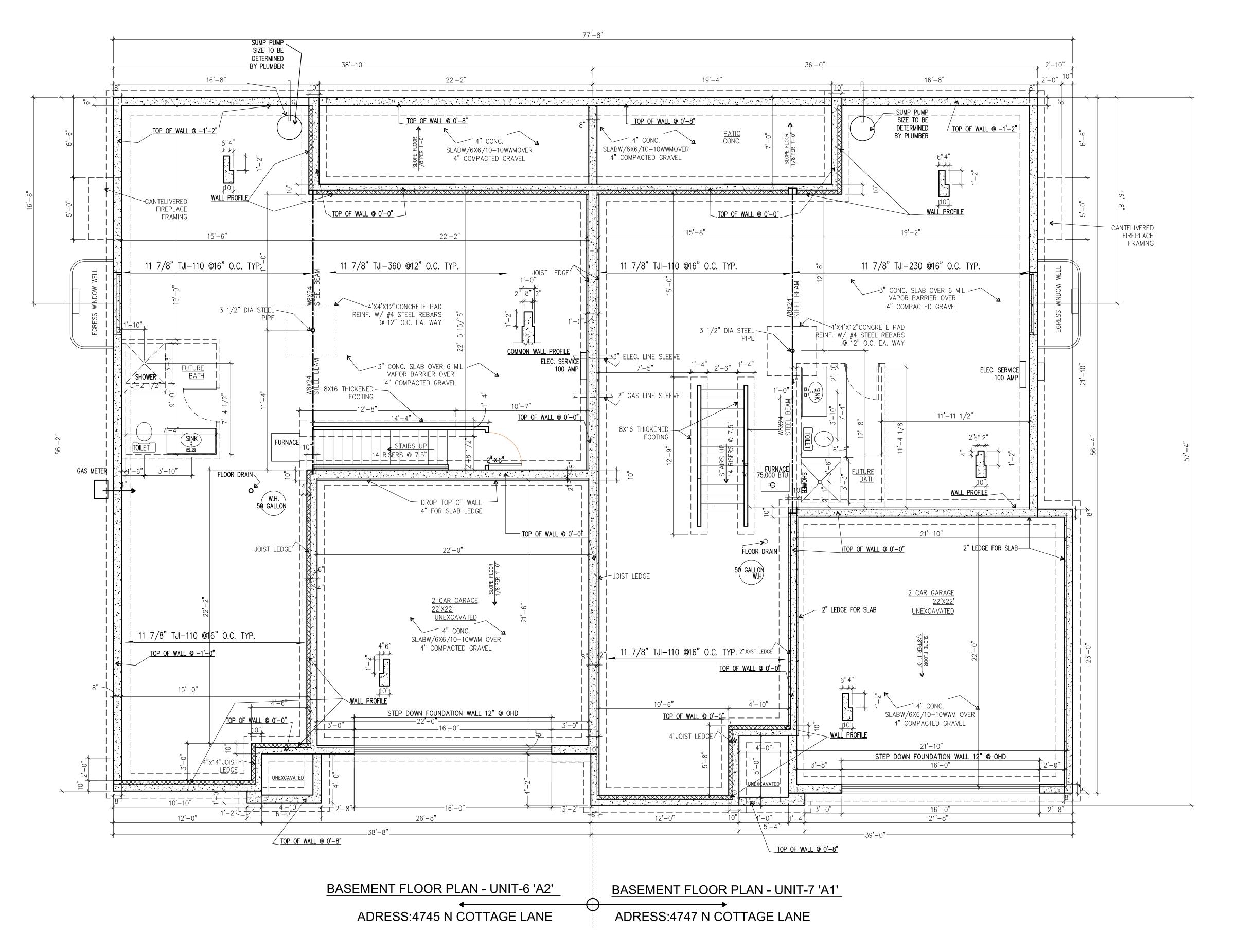
AND TO BE MAINTAINED FROM ORIGINAL DEVELOPMENT

EROSION CONTROL IN PLACE

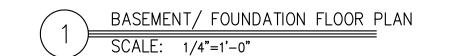
CONSTRUCTION ENTRANCE

Scale: 1" = 20' Drawn By: NDB DATE: 05-02-2019 2012.0111.07

Units 6 and 7 Building Stakeout Exhibit The Cottages At Village Green Pleasant Prairie, Wisconsin



8'-0" HIGH FOUNDATION WALL X8" THICK 9'-0" HIGHX10"THICK FOUNDATION WALL @ FRONT AND STOOPS ONLY





1630 CHURCH ST.
WAUWATOSA, WI 53213
fouad@saabdesign.net
www.saabdesign.net
PH: 262-378-2129

Date: 4-17-2019

Revisions:

REVISED

Reference Drawing

UNITS:6&7

THE COTTAGES
AT
VILLAGE GREEN

PROJECT LOCATION:

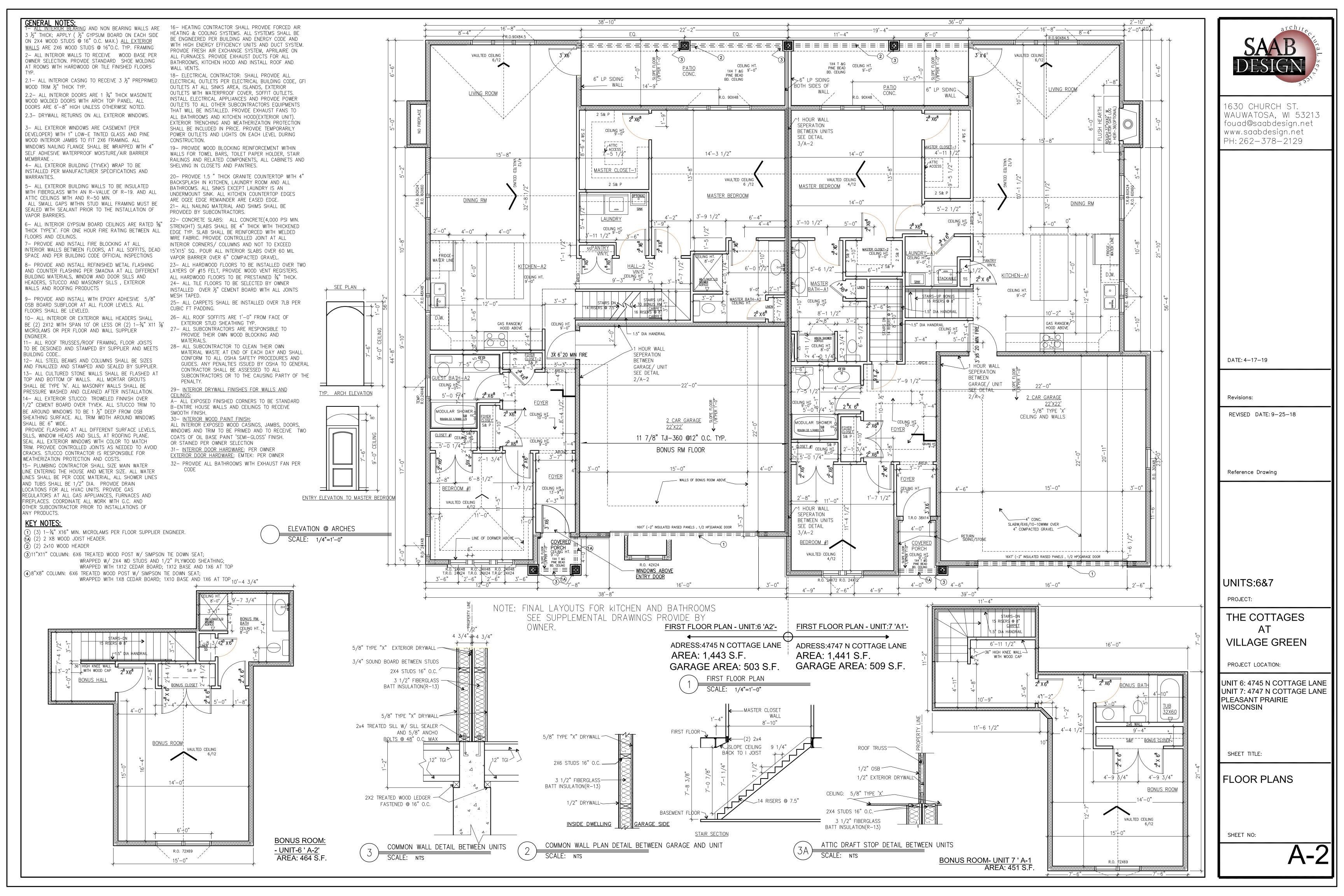
UNIT 6: 4745 N COTTAGE LANE UNIT 7: 4747 N COTTAGE LANE PLEASANT PRAIRIE WISCONSIN

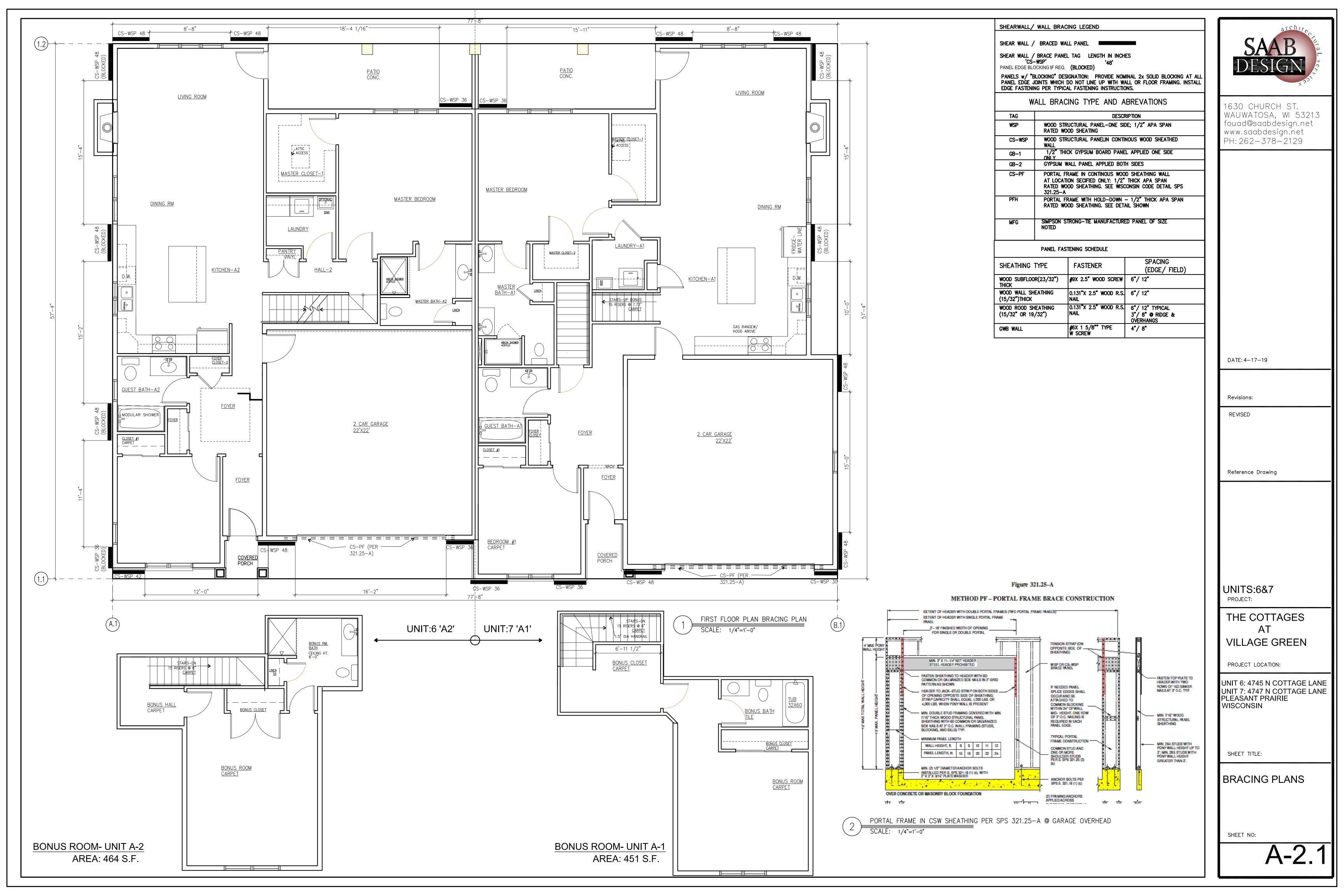
SHEET TITLE:

BASEMENT/ FOUNDATION FLOOR PLAN

SHEET NO:

A-1









1630 CHURCH ST.
WAUWATOSA, WI 53213
fouad@saabdesign.net
www.saabdesign.net
PH: 262-378-2129

DATE: 4-17-19

Revisions: REVISED

Reference Drawing

UNITS:6&7

PROJECT:

THE COTTAGES
AT
VILLAGE GREEN

PROJECT LOCATION:

UNIT 6: 4745 N COTTAGE LANE UNIT 7: 4747 N COTTAGE LANE PLEASANT PRAIRIE WISCONSIN

SHEET TITLE:

EXTERIOR ELEVATIONS

SHEET NO:

A-3

## EXTERIOR ELEVATIONS GENERAL NOTES:

TOP OF PLATE

ELEV. 9'-0'

FIRST FLOOR ,

—6" EXPOSURE LP-SMART

SIDING BOARDS

BASEMENT- TOP OF FOOTING

ELEV. -9'-0"

1- ALL ROOF SOFFITS ARE 1'-0" FROM FACE OF EXTERIOR STUD SHEATHING TYP.

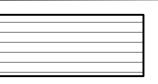
## **EXTERIOR ELEVATIONS KEY NOTES:**

- 1) 2"THICK ROCK FACED LIMESTONE SILL
- 2 2" CULTURED STONE OVER 5/8" SCRATCH COAT CEMENT OVER EXPANDED MTL. LATH OVER #15 FELT. FLASH AT SILL OR CHANGE OF MATERIAL
- (3) ALL EXTERIOR STUCCO: TROWELED FINNISH OVER 1/2" CEMENT BOARD OVER TYVEK. ALL STUCCO TRIM TO BE AROUND WINDOWS TO BE 1  $\frac{1}{2}$ " DEEP FROM OSB SHEATHING SURFACE. ALL TRIM WIDTH AROUND WINDOWS SHALL BE 4" WIDE. PROVIDE FLASHING AT ALL DIFFERENT SURFACE LEVELS,
- SILLS, WINDOW HEADS AND SILLS, AT ROOFING PLANE. SEAL ALL EXTERIOR WINDOWS WITH COLOR TO MATCH TRIM. PROVIDE CONTROLLED JOINTS AS NEEDED TO AVOID CRACKS. STUCCO CONTRACTOR IS RESPONSIBLE FOR WEATHERIZATION PROTECTION AND COSTS.
- NOTE: ALL 1X TRIM WITHIN STUCCO SHALL BE STUCCO.
- (4) DIMENSIONAL ASPHALT ROOFING SHINGLES WITH METAL VALLEYS.

SMART BOARD

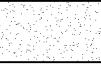
- (6) 1x12 TAPPERED TRIM COLUMN 7) 12" LP SMART VENTED SOFFIT AND 8" FASCIA LP
- (8) ALL SIDING TRIM TO BE LP SMART BOARD WITH 1X6 OUTSIDE CORNER; 1X4 INSIDE CORNER; 1X4 WINDOW TRIM SURROUND. FLASH TOP OF ALL WINDOWS. AND WRAP WINDOW WITH WATERPROOF RUBBER TAPE. ALL SIDING TO BE LP SMART BOARD CEDAR TEXTURE WITH 6" EXPOSURE

## MATERIALS KEY LEGEND:

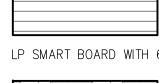


LP SMART BOARD WITH 6" EXPOSURE





EXTERIOR STUCCO.



2"THICK CLUTURED STONE VENEER



RIGHT ELEVATION

LINE OF VAULTED CEILING

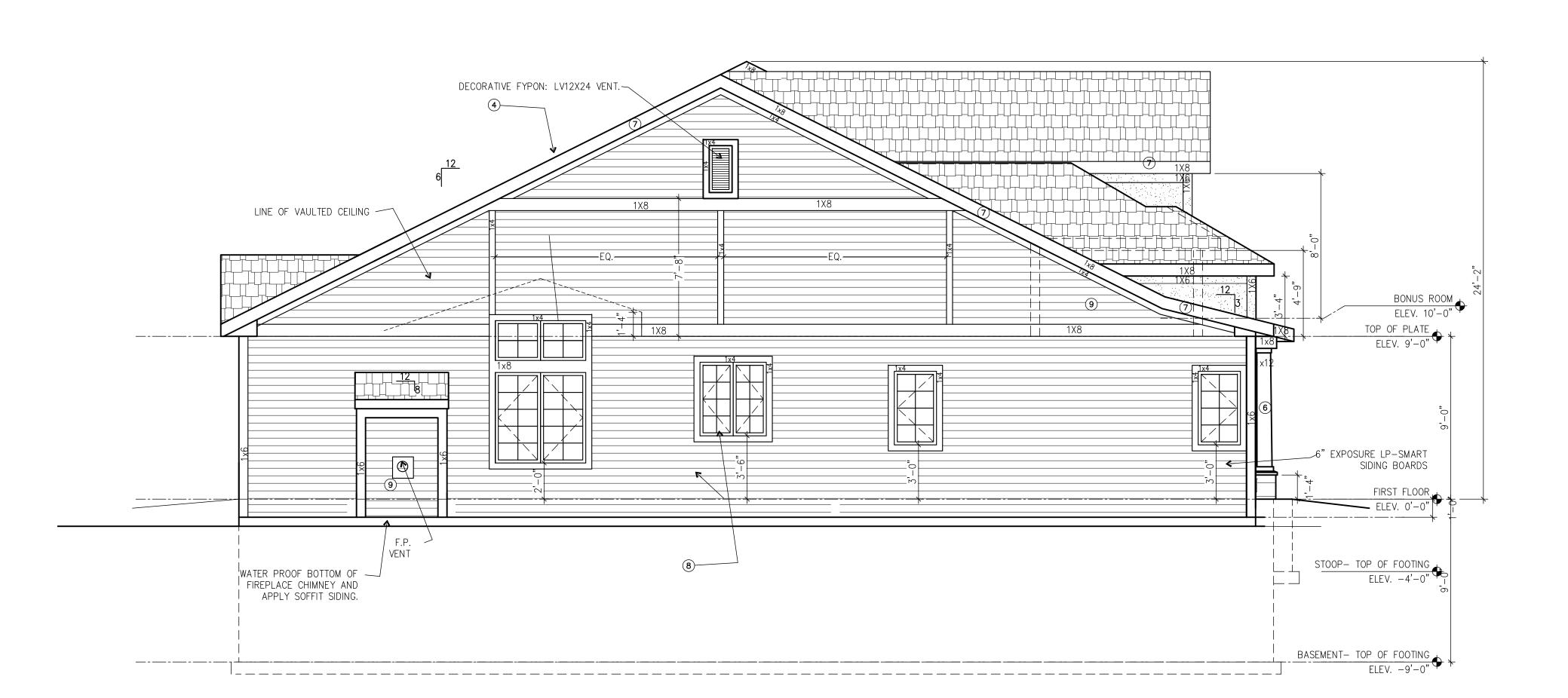
DECORATIVE FYPON: LV12X24 VENT.

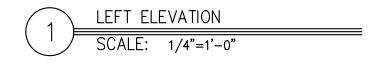
WATER PROOF BOTTOM OF \_\_\_

APPLY SOFFIT SIDING.

FIREPLACE CHIMNEY AND

L\_\_\_\_\_|







1630 CHURCH ST. WAUWATOSA, WI 53213 fouad@saabdesign.net www.saabdesign.net PH: 262-378-2129

DATE: 4-17-19

Revisions:

REVISED

Reference Drawing

UNITS:6&7 PROJECT:

THE COTTAGES  $\mathsf{AT}$ VILLAGE GREEN

PROJECT LOCATION:

UNIT 6: 4745 N COTTAGE LANE UNIT 7: 4747 N COTTAGE LANE PLEASANT PRAIRIE WISCONSIN

SHEET TITLE:

EXTERIOR **ELEVATIONS** 

SHEET NO: