PLEASANT PRAIRIE PLAN COMMISSION MEETING VILLAGE HALL AUDITORIUM 9915 39th AVENUE PLEASANT PRAIRIE, WISCONSIN 3:00 P.M. OCTOBER 15, 2012

AGENDA

- 1. Call to Order.
- 2. Roll Call.
- 3. Correspondence.
- 4. Citizen Comments.
- 5. Old Business.
 - A. **TABLED PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE** for the request of Cory Harpe, agent for Harpe Development to use the house located at 9985 Cooper Road in the Village Green Heights Addition #1 Subdivision as a model home.
- 6. New Business.
 - A. Consider the **Settlement Agreement between the Village of Pleasant Prairie and VIDHYA Corp, VIII, Inc.** for the BP Amoco located at 10477 120th Avenue related to the remedial activities and conditions to correct the illicit discharges at the property.
 - B. **PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE INCLUDING SITE AND OPERATIONAL PLANS** for the request of Attorney J. Michael McTernan agent for VIDHYA Corp, VIII, Inc. that would allow BP Amoco to operate the gasoline station and AM/PM convenience store and to expand the facility for the installation of a carbon treatment system that will treat existing contaminated ground water from several reported hazard substance releases at the site located at 10477 120th Avenue.
 - C. **PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT** for the request of Attorney J. Michael McTernan agent for VIDHYA Corp, VIII, Inc.to amend the BP-Amoco Planned Unit Development Ord. No. 01-32 to reflect the proposed new site conditions and business operations of the BP Amoco gasoline station and AM/PM convenience store located at 10477 120th Avenue.
- 7. Adjourn.

It is possible that members and possibly 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 39th Avenue, Pleasant Prairie, WI (262) 694-1400.

A. **TABLED PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE** for the request of Cory Harpe, agent for Harpe Development to use the house located at 9985 Cooper Road in the Village Green Heights Addition #1 Subdivision as a model home.

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 15, 2012.

VILLAGE STAFF REPORT OF OCTOBER 15, 2012

CONSIDERATION OF A CONDITIONAL USE for the request of Cory Harpe, agent for Harpe Development to use the house located at 9985 Cooper Road in the Village Green Heights Addition #1 Subdivision as a model home.

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

- 1. The petitioner is requesting a **Conditional Use Permit** for Harpe Development LLC to use the house located at 9985 Cooper Road as a model home. (**Exhibit A**). The subject property is known as Lot 170 in the Village Green Heights Addition #1 Subdivision, located in a part of the Southwest One Quarter of U.S. Public Land Survey Section 23, Township 1 North, Range 22 East in the Village and further identified as Tax Parcel Number 92-4-122-233-0670.
- 2. The single-family lots within the Village Green Heights Addition #1 Subdivision are zoned R-4, Urban Single Family Residential District. Pursuant to Section 420-108 C (1) (b) of the Village Zoning Ordinance, model single-family homes and related temporary real estate sales offices or marketing centers are allowed in the R-4 District with the approval of a Conditional Use Permit issued by the Plan Commission.
- 3. On June 1, 2012 the Village issued the required zoning, building and erosion control permits (Permit No. 12-05-084) for the construction of a 2,645 square foot single-family dwelling. A verbal inspection approval to occupy this property was issued by the Village on September 11, 2012. The driveway has been paved and the lawn was hydro-seeded.
- 4. Pursuant to Section 420-148 (67) of the Village Zoning Ordinance, the Model Home and Sales Center may be located in a new development for a period not to exceed two (2) years from the date of occupancy and the Plan Commission may set specific time frames for which the model home and marketing center can be open.
- 5. The petitioner is proposing to have the model home open during the following hours: Monday through Friday during business hours as well as in the evenings and weekends. Specific times should be allowed and may be set by the Plan Commission. Village staff recommends Monday-Friday 10:00 a.m. to 4:00 p.m., Saturday and Sunday 12:00 p.m. to 3:00 p.m. or by appointment.
- 6. Parking shall be provided on the driveway and is allowed on Cooper Road and Main Street adjacent to the lot. Vehicular parking shall not block any driveways or fire hydrants and shall not be allowed on the street during a snow emergency or hinder traffic visibility.
- 7. The conditions for approval of a model home, including the Village Zoning Ordinance Conditional Use Permit standard conditions pursuant to Section 420-148 (67), are set forth in the staff recommended conditions of approval as identified in this Village Staff memorandum.
- 8. Notices were sent to adjacent property owners via regular mail on September 12, 2012 and the required notice was published in the Kenosha News on September 24 and October 1, 2012.
- 9. The petitioner was emailed a copy of the Plan Commission Memorandum for the October 8, 2012 meeting on October 5, 2012.

- 10. At the October 8, 2012 Plan Commission meeting the Plan Commission tabled the request since the petitioner was not in attendance. The public hearing was tabled until the October 15, 2012 Plan Commission Meeting.
- 11. The petitioner was emailed a copy of this Memorandum on October 9, 2012.
- 12. According to Article XVIII of 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:

- 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-4, Urban Single Family Residential 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 house located at 9985 Cooper Road (Lot 170 in the Village Green Heights Addition #1 Subdivision) as a model home shall be approved subject to the following conditions:

- 1. The garage shall not be converted for use as a showroom or sales office.
- 2. The petitioner is responsible to ensure that any brochures or informational marketing materials used to market the model home that are distributed on-site do not blow onto adjacent properties. All litter or debris generated at the site shall be picked up at the end of every business day.
- 3. Proper exterior maintenance of the property shall be provided, such as but not limited to lawn and yard maintenance and snow removal.
- 4. Said model home shall be handicapped accessible and meet all ADA requirements.

- 5. Parking shall be provided on the driveway and is allowed on Cooper Road and Main Street adjacent to the lot. Vehicular parking shall not block any driveways or fire hydrants and shall not be allowed on the street during a snow emergency or hinder traffic visibility.
- 6. The model home may operate from this location for a period not to exceed two (2) years from the date of <u>verbal inspection approval occupancy</u> of the home (September 11, 2014) or until the home is sold, whichever comes first.
- 7. The petitioner is proposing to have the model home opened during the following hours: Monday through Friday during business hours as well as in the evenings and weekends. Specific times should be allowed and may be set by the Plan Commission. Village staff recommends Monday-Friday 10:00 a.m. to 4:00 p.m., Saturday and Sunday 12:00 p.m. to 3:00 p.m. or by appointment.
- 8. The model home shall **not** be used as living quarters pursuant to the Conditional Use Permit.
- 9. Prior to any model home sign being installed, the property owner shall obtain the required sign permit. (A sign application has been submitted and will be issued upon approval of the Conditional Use Permit and execution of the required Conditional Use Grant Document.)
- 10. The model home 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 house 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 home 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.

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The Conditional Use Grant is subject to amendment and termination in accordance with the provisions of the Village Zoning Ordinance.

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Public Hearing 10	0/8 20/2	20
Fee Paid 83	20_ [2 Approved	20
Notices Mailed	20 Denied:	20

VILLAGE OF PLEASANT PRAIRIE **CONDITIONAL USE PERMIT**

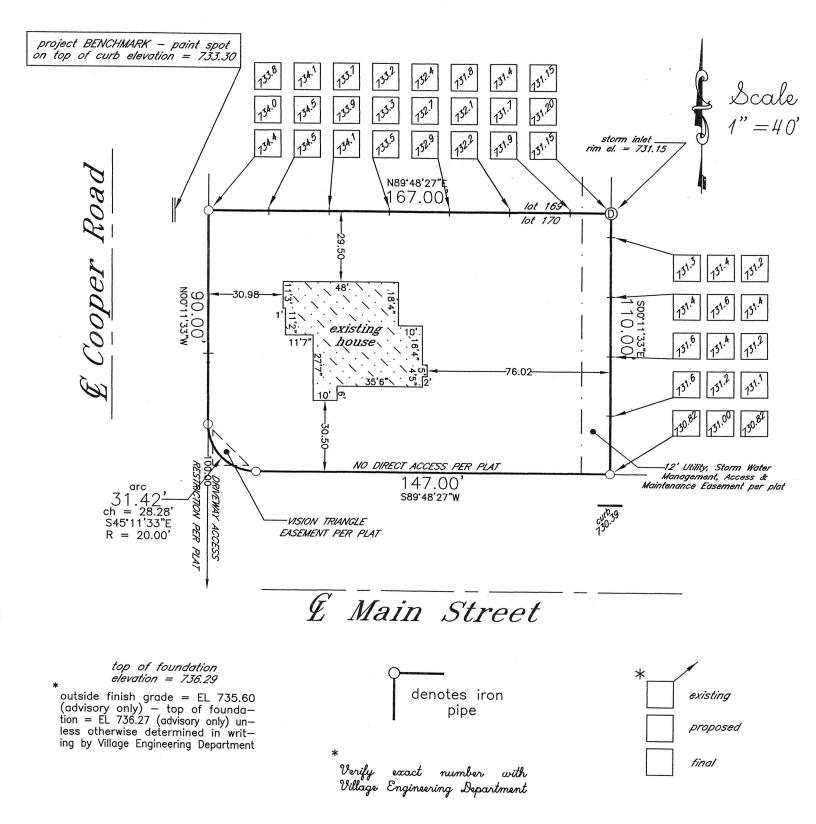
(Use this application only if a Site and Operational Pl	an approval is not required.)
To: Village Plan Commission and Village Board of Trus	stees of the Village of Pleasant Prairie:
I, (We), the undersigned owner(s)/agent do hereby petitic Conditional Use Permit as hereinafter requested.	on the Village Plan Commission for a
It is petitioned that the following Conditional Use Permit Use of property to model on the property located at: (address) as follows: Uillage, Cheen Height	and is legally described as follows
Tax Parcel Number(s): $92-4-122-233$ The proposed use for this property is: $92-4-122-233$	
Current zoning of the property: ReadIntial Proposed zoning of the property: hoodential	model home
I (We), have contacted the Community Development De discuss the proposed request with the Village staff to det needed to consider the request.	partment to arrange a pre-application meeting to
I, (We), hereby certify that all the above statements and correct to the best of my knowledge.	attachments submitted herewith are true and
PROPERTY OWNER:	OWNER'S AGENT:
Print Name: HOTDE Development	Print Name:
Signature:	Signature:
Kenacha Lul 53142	Address:
(City) (State) (Zip)	(City) (State) (Zip)
Phone: 262-577-5417	Phone:
Fax: 262-577-5437	Fax:

To whom it may concern:

Please note that Harpe Development LLC intends to use the property located at 9985 Cooper Road in Village Green Heights as their model home. The model will be used to have meetings with clients as well as to showcase the features Harpe offers in their houses. The model will be open Monday through Friday during business hours as well as in the evenings and weekends. This house will be used as a model from the date the conditional use permit is issued – until it is sold.

Thank you,

Toni Howland



Proposed building field staked true size. Contractor to verify all dimensions before building by same and adhere to drainage plan in effect for this subdivision. Refer to a current title report for easements or restrictions which may affect the use of this site that are not shown on the recorded subdivision plat.

J.K.R. SURVEYING, INC. 8121 22ND AVENUE KENOSHA, WI 53143



I hereby certify that this property was surveyed under my direction and this plat is a true representation thereof.

Reg. Land Surveyor

May 17, 2012 Revised 6/14/12 Revised 8/24/12 Plat of Survey of

LOT 170 IN

VILLAGE GREEN HEIGHTS ADDITION 1

in SW1/4 Section 23-1-22

VILLAGE OF PLEASANT PRAIRIE KENOSHA COUNTY, WIS.

> -for-Harpe Development

ALLIANCE SINGLE-HUNG WINDOWS **HOUSEWRAP ENTIRE BUILDING** **ARCHITECTURAL ROOF W/ CLOSED VALLEYS** FOCUS N ENERGY NOTES: HONE MUST BE MINIMM TOZ MORE EFFICIENT THAN THE SAME HONE DESIGNED TO CLARRAT UNIFORM OVELLING DODE STANDARDS AIR TIGHTNESS C. 20 TOTAL BUILDING SPELL AREA IN SOLFT...) **R-40 BLOWN-IN ATTIC INSULATION** AIR TIGHTESS C. CO UIDIR DULUNG SHELL HARA IN SEPT...
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WHOLE HOLDS: SENTILATION CASPAGE 62-2014 FAM IN CENTRAL SATIO 110 CFM FOR 4 BED+, w/ 6' METAL DUCT HARPE PARADE HOME VILLAGE GREEEN LOT 170 PLEASANT PRAIRIE, WI 2645 SQ. FT. RANCH 110 CM TER * EED, * V 6" KITA DCT.

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TO BE VINED IN PRAKELED.

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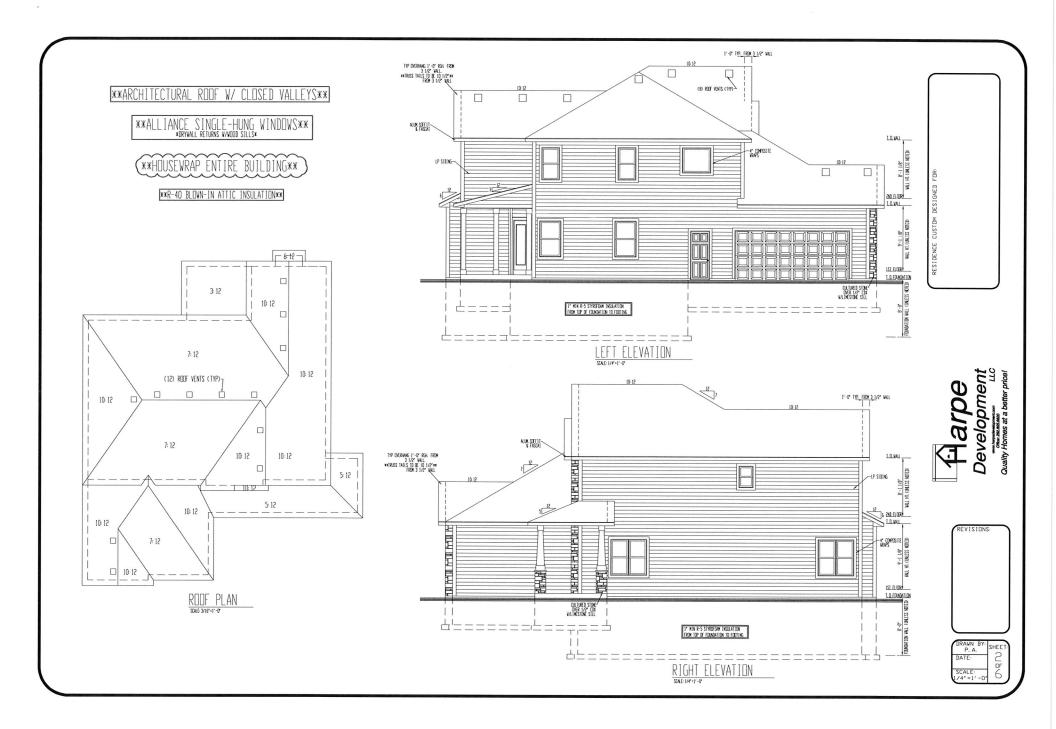
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FIREPLACE DIRECT VENT/ INTAKE CLOSED COMBUSTION AIR INTAKE CONNECTED DIRECTLY TO WLL HT. CONJESS NOTED) EXTERIOR OF BUILDING.
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MIST HAVE A NUT OF P.20 INSLATION ATTACHE TO BACK OF HATCH AND
AT FRAME ACT TO FORM AIR SCAL BETWEEN HATCH AND FRAMED OPENING TO HOUSE. 200 FL00R 9'-1 1/8" WALL HT. CONJESS NOTED SPECIAL NOTE: THE RIVERS D. ACCOUNTS FIRE THAT IN THE COURSE OF BUILDING, BECAUSE OF JOB CONDITIONS AND DIFFERENT METHODS OF CONSTRUCTION; DEVIATIONS MAY DOCUR FROM THE PRINT. Therefore, the builder reserves the right to wake S. 1941 MODIFICATIONS TO ROOM SIZES AND PLACEMENT OF MECHANICAL FIXTURES (1. E. HVAC, PLUMGING, ELEC, AND DOMOSPOUTS.) 151 11 008 I.O. FOUNDATION 1" MIN R-5 STYROFDAM INSULATION FROM TOP OF FOUNDATION TO FOOTING FRONT ELEVATION SCALE: 1/4"=1"-0" LEGAL NOTE: THE ATTACHED BLUEPRINTS ARE STRICTLY A REPRESENTATION THE ATTACHUR QUERTINIS ARE STRICTLY A KERPESKINATUM OF THE PROPOSES STRICTLINE TO BE DUILT, THE ACTUAL STRICTLY HAVE VARY IN APPEARANCE DEE TO THE CONSTRICTION METHODS USED. THESE THAN ARE GURRANTEE TO BE TIRKE AND ACCURATE TO THE ESSET OF MY REPOSSIONAL MODELOGE AND UNDERSTANDING. THE DESIGNER OF THESE PLANS CAN MOT BE (4) RODE VENTS (TYP) HELD RESPONSIBLE FOR ANY MONETARY LOSS INCURRED AS A RESULT OF ANY NEGLIGENT PRACTICES BY OTHERS. ALUN SOFFII OUGH CARPENTER NOTE:

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Development
men-impressed properties
Once properties
Quality Homes at a better price!

SHEET P. A

5/17/12 SCALE: 1/4'=1'-0'



HIGH WALLS- UNLESS NOTED* 18-3 ARDIC & 16" B.C. UNEX 100 SF CONC. STOOP CONCRETE NOTE: INSTALL ICE & WATER BARRIER FROM STOME UP TO TOP OF RIM BEFORE POURING AGAINST HOUSE 3 1/2° \$ STL. COL. TYP. 30° X30° X12° CONC. PAU TYP. 9-0 YAVEST BXS 7-91/4 16'-3' DVERALL STEE ADDE P 15' B.C. AND P 10 DISTS 10-8 1/4" -. 64 MIN-POWER VENT 50 GAN MAIN TRUNK LINE 30"X30"X12" CONC. PAU TYP. 3 1/2" \$ STL. COL. TYP. 1'-9 1/2 CON OF 11.T. ABV. 188 (CETURY 1 - 208 KETVAY mander bolt noten: ANOOR BLIS IN GROKE BOL NOTION ANOOR BLIS IN GROKE TO BE PRACED 3' FROM DUTSIE BLOKE ALL ANOOR BLIS & PRACED 3' FROM BE PRACED 3' FROM DUTSIES BLOKE ANOOR BLIS & GROKE BOOR TO BE PRACED 4' FROM BRY BOLD SERVED ALL MOORR BLIS TO BE PRACED 2' FROM BRY BUT FOUNDATION VALL & 6'FROM CORRESS'. I' MIN R-5 STYREFORM INSULATION FROM TOP OF FOUNDATION TO FOOTING 50'-0"

15 TREADS & 9" EACH 2X12 TREAD V/ 45° BEVEL V/ MAX. 1° LIP (TYP.)—

14 TREADS & 9' EACH

(3SIS ZIKINGER

STAIR SECTION

1X8 RISER STOCK(TYP) YELLOW PINE TREAD

YELLOW PINE TREAD

PLAN

BEAM POCKET DETAIL
SCALE: 1/2'=1'-0'

2X12 FLOOR SYSTEM

-CRLL XXXII S 83518 8X1

EXIZ' FL. BOXING

*CARPENTE

Development

menopalpelepenator

Comer state described

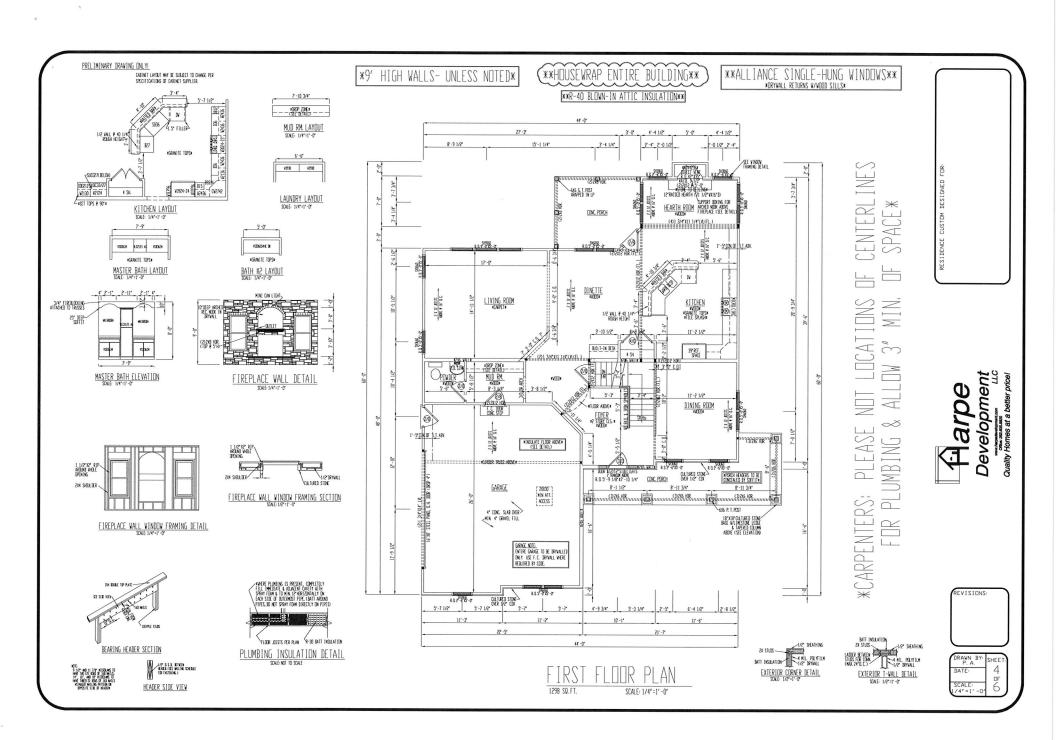
Quality Homes at a better price!

Пагре

REVISIONS

DATE: SCALE: 1/4'=1'-0'

SCALE: 1/4'=1'-0' BASEMENT FLOOR AREA=1220 SQ. FT.





ALLIANCE SINGLE-HUNG WINDOWS
**DRYVALL RETURNS W/VOOD SILLS*

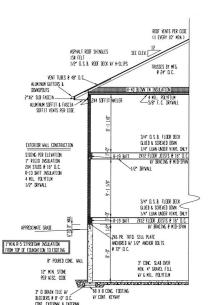




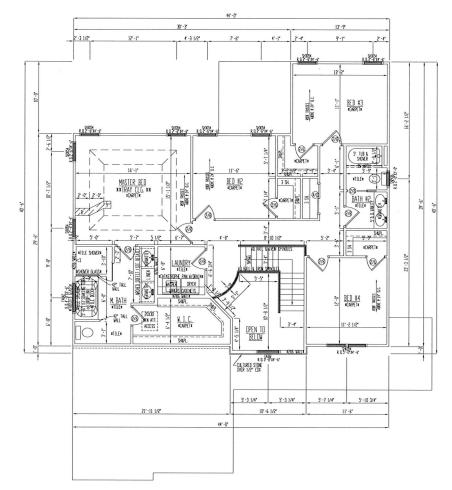








TYPICAL SECTION



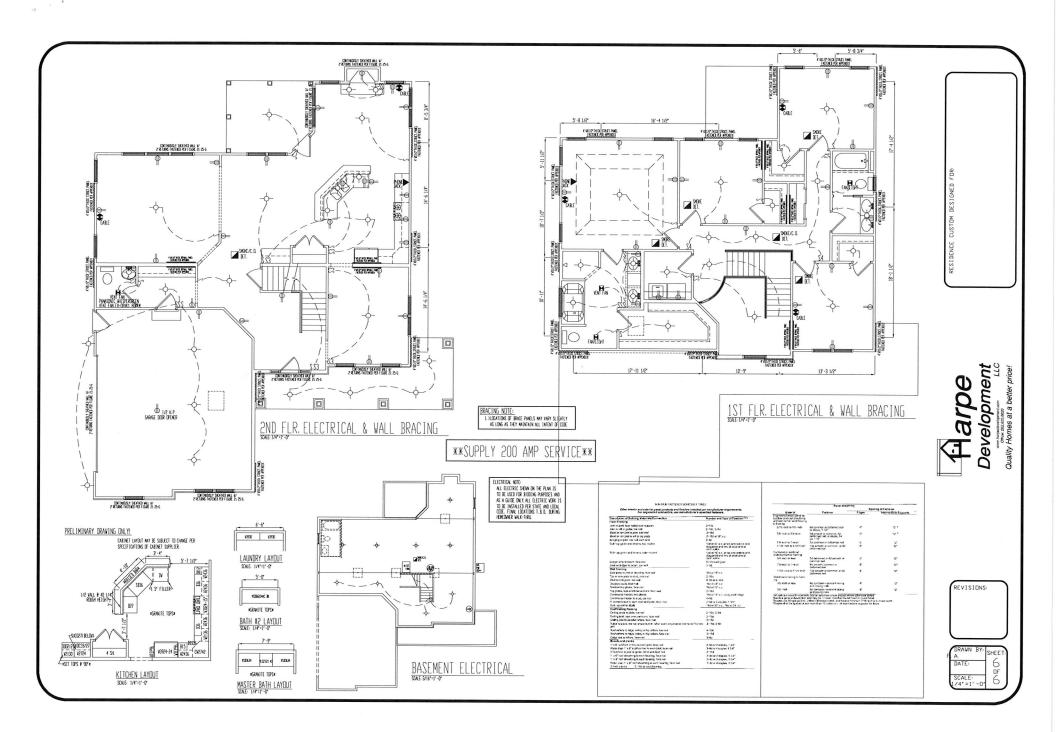
SECOND FLOOR PLAN

1347 S0. FT. SCALE: 1/4'=1'-0'





DRAWN BY: P. A.	SHE
DATE:	5
SCALE: 1/4'=1'-0'	Ë



- A. Consider the **Settlement Agreement between the Village of Pleasant Prairie** and **VIDHYA Corp, VIII, Inc.** for the BP Amoco located at 10477 120th Avenue related to the remedial activities and conditions to correct the illicit discharges at the property.
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Recommendation:

<u>Village staff recommends that these items be tabled until the November 12, 2012 Plan Commission meeting (6:00 p.m.).</u>