

RESOLUTION NO. 2022-63

A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT AND APPROVAL OF A BUILDING, SITE, AND OPERATIONS PLAN TO ALLOW THE OPERATION OF A PUBLIC SAFETY BUILDING FOR THE PARCEL LOCATED 5043 CHESTER LANE, RACINE COUNTY, VILLAGE OF CALDEDONIA, APPLICANT AND OWNER

The Village Board for the Village of Caledonia resolves as follows:

WHEREAS, the Village of Caledonia requested a conditional use permit to operate a public safety building (police and fire station) for the parcel located at 5043 Chester Lane, Village of Caledonia, Owner; Parcel ID No.: 104-04-23-20-123-000.

WHEREAS, the Village of Caledonia Plan Commission recommended approval of the request, subject to the conditions attached hereto as **Exhibit A**, and the Village Board considers the proposed use proper for the following reasons:

1. The proposed use is allowed through the conditional use review process.
2. The proposed use of the property is consistent with the existing governmental use of the property and governmental uses should be encouraged in this area.
3. The proposed public safety building will improve police and fire services by providing an upgraded facility in a location that best serves residents.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Caledonia that the requested conditional use and building, site, and operations plan set forth above, is hereby approved for the same reasons set forth above and subject to the conditions recommended by the Plan Commission and set forth herein.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 10 day of June, 2022.

VILLAGE OF CALEDONIA

By: James R. Dobbs
James R. Dobbs
Village President

Attest: Joslyn Hoeffert
Joslyn Hoeffert
Village Clerk

Exhibit A:
Village of Caledonia Public Safety Building
Conditions and Restrictions

Applicant: Village of Caledonia
Property Address(es): 5043 Chester Lane
Parcel ID Nos.: 104-04-23-20-123-000

Approved by Plan Commission: _____
Approved by Village Board: _____

1. LEGAL DESCRIPTION

That part of the West 50 acres of the South 60 acres of the West 1/2 of the Southeast 1/4 of Section 20, Township 4 North, Range 23 East, bounded as follows: Begin on the South line of said Southeast 1/4 at a point located 401 feet East of the Southwest corner of said Southeast 1/4; run thence North parallel to the West line of said Southeast 1/4, 330 feet; thence West parallel to the South line of said Southeast 1/4, 236 feet; thence North 330 feet; thence West parallel to the South line of said Southeast 1/4, 165 feet to the North and South 1/4 line of said Section 20; thence North along the North and South 1/4 line to the North line of the South 1/2 of the Northwest 1/4 of the Southeast 1/4; thence East along the North line of the South 1/2 of the Northwest 1/4 of the Southeast 1/4 to a point, 221 feet West of the East line of said West 1/2 of the Southeast 1/4; thence South to a point 220 feet West of the Southeast corner of the Northwest 1/4 of the Southeast 1/4; thence West 109.9 feet; thence South 996.8 feet to a point, 330 feet North of the South line of said Southeast 1/4; thence West 399.82 feet; thence South 330 feet to the South line of said Southeast 1/4; thence West along said South line, 224.5 feet to the place of beginning. ALSO that part of the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 4 North, Range 23 East, bounded as follows: Begin at the Northeast corner of the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of said Section; run thence West 221 feet; thence South to a point 220 feet West of the Southeast corner of the Northwest 1/4 of the Southeast 1/4; thence East 220 feet to the Southeast corner of the Northwest 1/4 of the Southeast 1/4; thence North to the place of beginning.

2. REQUIRED PLANS, EASEMENTS, AGREEMENTS AND PUBLIC IMPROVEMENTS

- A. All requirements of the Village of Caledonia Municipal Code are in effect and apply to this conditional unless modified as set forth herein.
- B. The conditional use as set forth in the application, narrative, and site plans received May 24, 2022, are incorporated hereby by reference, and shall be modified to comply with these conditions and restrictions. A precise detailed site plan for the area affected by the conditional use, shall be submitted to, and approved by, the Plan Commission and Village Board prior to the issuance of any building or occupancy permits.
- C. All plans for new buildings, additions, exterior remodeling, site modifications, and landscaping shall be submitted to the Plan Commission and Village Board for their review and approval prior to the issuance of a building permit.
- D. For any new buildings, additions, structures, and site modifications, site grading and drainage, stormwater management, and erosion control plans shall be submitted to the Caledonia Utility District Board approval. The Utility District Board approval must be received prior to the issuance of any building permits.
- E. All new electric, telephone and cable TV service wires or cable shall be installed underground within the boundaries of these properties.
- F. The applicant must record a lot line adjustment for 5043 Chester Lane with the Racine County Register of Deeds prior to building permits being submitted.

3. SITE & USE RESTRICTIONS, MAINTENANCE & OPERATION REQUIREMENTS

- A. Uses allowed on this property shall be limited to those allowed in the R-3, Suburban Residential Zoning District (Sewered), and all applicable sections of the Municipal Code.
- B. Operation of a public safety building facility is permitted with conditions set forth.
- C. Solid waste collection and recycling shall be the responsibility of the applicant.

D. Removal of snow from off-street parking areas, walks, public sidewalks, private roads, and access drives shall be the responsibility of the applicant. Snow shall not be stored in the public right-of-way. All building mechanicals will be screened from the public right-of-way.

E. All building mechanicals will be screened from the public right-of-way.

4. PARKING AND ACCESS

A. A Traffic Impact Analysis (TIA) shall be performed and submitted to the Village Engineer for review and approval prior to submitting building permit application. Required roadway improvements and modifications identified in the TIA shall be the responsibility of the applicant and all such improvements shall be installed prior to issuance of any occupancy permits and in accordance with a schedule established by the Village Engineer.

B. The access drive on 4 Mile Road shall be a controlled intersection allowing safe egress for emergency vehicles entering onto 4 Mile Road.

C. The site plan shall include parking stalls with an average of no more than 3.5 parking stalls per 1,000 square feet of institutional building for this development. Parking stall dimensions shall be in accordance with Article VII, Division 5 of the Municipal Code.

5. LIGHTING

Plans for new outdoor lighting shall be submitted for review and approval by the Electrical Inspector and/or Development Director in accordance with Title 16, Chapter 3, Section 3 of the Municipal Code. All lighting at the site must be full cut-off lights that may not glare onto abutting properties or onto any public roadway.

6. SETBACKS

The external setbacks for the conditional use shall be at least as follows:

	Street Setback	Rear Setback	Side Setback
Principal Structure	100 ft	100 ft	50 ft
Accessory Structure	100 ft	100 ft	100 ft
Parking	25 ft	10 ft	10 ft

7. TIME OF COMPLIANCE

The operator of the conditional use shall commence work in accordance with these Conditions and Restrictions within eighteen (18) months from the date of adoption of the resolution authorizing this Conditional Use. This Conditional Use approval shall expire within eighteen (18) months after the date of adoption of the resolution if a building permit has not been issued for this use and substantial work has not commenced. The applicant shall re-apply for a Conditional Use approval prior to recommencing work or construction.

8. OTHER REGULATIONS

Compliance with all other applicable Village, State, DNR and Federal regulations, laws, Code, ordinances, and orders, as amended, not heretofore stated, or referenced, is mandatory.

9. STORMWATER

The applicant must contact the Village of Caledonia Stormwater Utility District regarding Stormwater regulations for this site. Compliance with all regulations and requirements, as determined by the Village of Caledonia Stormwater Utility District is required. Stormwater management plans shall be submitted for approval and be in compliance with all Village requirements, as determined by the Director of Public Services before permits are issued.

10. FIRE DEPARTMENT APPROVAL

Applicant shall obtain approval from the Village of Caledonia Fire Department and meet applicable codes.

11. CALEDONIA SEWER AND WATER UTILITY DISTRICTS

Applicant must contact the Caledonia Sewer and Water Utility Districts regarding Utility District regulations for this site. Compliance with all regulations and requirements, as determined by the Caledonia Sewer and Water Utility Districts is required. All buildings shall connect to public sanitary sewer and water prior to occupancy.

12. SIGNAGE

The Village's signage requirements are set forth in Title 16 of the Village's Code of Ordinances. Any proposed advertising sign at the site will require a separate sign permit prior to installation. Please contact Village Zoning staff for sign regulations and permit procedures. Banners, balloons, flashing, or animated signs are prohibited.

13. NO ACCUMULATION OF REFUSE AND DEBRIS

Any fence, wall, hedge, yard, space, or landscaped area must be kept free of any accumulation of refuse or debris. Plant materials must be kept in a healthy growing condition and structures must be maintained in a sound manner.

14. PROPERTY MAINTENANCE REQUIRED

A complete and thorough maintenance program must be established to insure attractiveness. The continued positive appearance of buildings and property is dependent upon proper maintenance attitudes and procedures. Maintenance programs must be established that include watering, maintaining, and pruning all landscape planting areas including removal and replacement of dead or diseased landscaping; cleaning up litter; sweeping, cleaning, and repairing paved surfaces; and cleaning, painting, and repairing windows and building façade. All drives shall be paved with asphalt. Parking areas shall be paved. All drives and parking areas shall be maintained in a dust free condition.

15. PERFORMANCE STANDARDS

The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances, as adopted by the Village of Caledonia and any conditions established by subsequent Conditional Use Approvals.

16. COMPLIANCE WITH LAW

The applicant is responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses. The applicant is required to comply with all applicable local, state, and federal regulations, including Titles 9, 14, 16 and 18 of the Village of Caledonia Code of Ordinances.

17. AMENDMENTS TO THE CONDITIONAL USE

No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Village of Caledonia’s prior approval. All addition, deletion, and/or change requests must be submitted to the Village of Caledonia in writing. A minor change to the conditions of this permit, as deemed by the Zoning Administrator, may be made at a staff level, if authorized by the Zoning Administrator.

18. BINDING EFFECT

These conditions bind and are applicable to the Applicant, property owner, successor and assigns, owner’s association(s) and any other users of the Property with respect to the uses on the Property.

19. VIOLATIONS & PENALTIES

Any violations of the terms of these conditions and restrictions of this Conditional Use shall be subject to enforcement and the issuance of citations in accordance with Village Code of Ordinances. If the owner, applicant, or operator of the Conditional Use is convicted of two or more violations of these conditions and restrictions or any other municipal ordinances within any 12-month period the Village shall have the right to initiate revocation procedures for this Conditional Use, subject to the provisions of paragraph 9 herein. Nothing herein shall preclude the Village from commencing an action in Racine County Circuit Court to enforce the terms of this Conditional Use or to seek an injunction regarding any violation of this Conditional Use or any other Village ordinances.

20. REVOCAATION

Should an applicant, its heirs, successors or assigns and any other users of the property fail to comply with the conditions and restrictions of the approval issued by the Village Board, the Conditional Use approval may be revoked. The process for revoking an approval shall generally follow the procedures for approving a Conditional Use as set forth in the Municipal Code.

21. AGREEMENT

The approval and execution of these conditions and restrictions shall confirm acceptance of the terms and conditions hereof by the owner, and these conditions and restrictions shall run with the property unless revoked by the Village or terminated by mutual agreement of the Village and the owner, and their subsidiaries, related entities, successors, and assigns. Therefore, the Village of Caledonia; its heirs, successors, and assigns, including all users, future owners, occupants, and owner’s association(s), are responsible for full compliance with the above conditions.

22. SUBSEQUENT OWNERS

It is the property owner’s responsibility to inform any subsequent owner or operator of these conditions.