

RESOLUTION NO. 2018-113

AN RESOLUTION TO APPROVE A CONDITIONAL USE TO CONVERT AND OCCUPY A SINGLE-FAMILY RESIDENCE (OR, CONSTRUCT A 50' X 100' COMMERCIAL BUILDING) AND OCCUPY WITH A UTILITY/CARGO TRAILER ACCESSORY BUSINESS (DBA ANDERSON TRAILERS LLC); 4365 27TH STREET; JEAN ANDERSEN, OWNER; KEVIN ANDERSON, APPLICANT; UNDER THE COOPERATIVE PLAN DATED NOVEMBER 12, 2009 BETWEEN THE VILLAGE OF CALEDONIA AND THE TOWN OF RAYMOND UNDER SEC. 66.0307, WIS. STATS.

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

WHEREAS, The Cooperative Plan dated November 12, 2009 between the Village of Caledonia and the Town of Raymond gives the Village of Caledonia authority to approve or deny requests for amendments to the Town of Raymond Land Use Plan, requests to rezone property and conditional use permits if within the jurisdictional area of the Cooperative Plan;

WHEREAS, Applicant Kevin Anderson, requested a conditional use to convert and occupy a single-family residence (or, construct a 50' x 100' commercial building) and occupy with a utility/cargo trailer accessory business (DBA Anderson Trailers LLC); 4365 27th Street; Jean Andersen, Owner; under the Cooperative Boundary Agreement between the Town of Raymond and Village of Caledonia; Parcel No. 012042136005000; and this tract of land is within the jurisdictional area of the Cooperative Plan giving the Village of Caledonia approving authority; and

WHEREAS, Racine County and the Town of Raymond have approved the requested conditional use permit and the Village of Caledonia Plan Commission has recommended approval of the request in accordance with the Zoning Administrator's recommendation including conditions recommended by the Village Planner;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Caledonia that the conditional use permit as set forth above is hereby approved as being consistent with the intent and requirements of the Cooperative Plan and for the following reasons and conditions set forth below and with the same conditions approved by Racine County and the Town of Raymond:

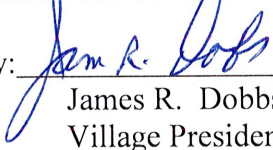
1. The proposed use is allowed by underlying zoning through the conditional use process.
2. Based on other things going on in the area, the proposed use appears to fit with other uses in this area.
3. The Racine County Economic Development and Land Use Planning Committee and the Town of Raymond have granted approval of the proposed use.
4. The proposed use meets the intent of the Village of Caledonia development standards and we find that the proposed use is a spectacular use for this parcel to be allowed to proceed without connecting to sewer and water in accordance with the Cooperative Plan between Caledonia and Raymond.

5. Any change of use will require review by the Town of Raymond, Racine County, and the Village of Caledonia.
6. The Applicant be required to enter into the Commercial Predevelopment Agreement and post a \$2,000 deposit to cover the Village's costs in accordance with Sec. 16-6-1 which is also required by the Cooperative Plan with Raymond.
7. The applicant is required to comply with all applicable local, state, and federal regulations, including the Cooperative Plan between the Village and the Town of Raymond which incorporate various design requirements from Title 16 of the Village of Caledonia Code of Ordinances, including but not limited to requirements for signage, layout, design, building materials, screening, outside storage/display of trailers/equipment and landscaping on the property.
8. The Village engages Foth Infrastructure and Environment, LLC to conduct a review of the application and provide a written recommendation/report to the Village for review by the Village Zoning Administrator, Engineer, Attorney and Village Board for compliance with the Cooperative Plan, including but not limited to the requirements for improvements specified under Exhibit K of the Cooperative Plan and to incorporate appropriate recommendations into the final conditions for this conditional use permit. Foth has outlined some requirements in an attached Staff Review dated October 29, 2018. Applicant must comply with all requirements outlined in the attached Foth Staff Review dated October 29, 2018.
9. As discussed at the Plan Commission meeting on October 29, 2018, the Caledonia Plan Commission recommended approval of this request with the stipulation that only Plan "A" as submitted is recommended for approval subject to an updated landscaping plan being submitted prior to zoning permit issuance that meets the Caledonia design guidelines, the patron/employee parking lot portion must be paved, and the residential structure conversion shall be approved for proper commercial building codes, all as set forth in the attached Exhibit A Memo from Foth, the Village's Planner. Any deviation from Plan "A" such as Plan "B" will require further review and approval by the Village of Caledonia Plan Commission and the Village Board to ensure that any new building constructed at the site meets the Village design guidelines.

BE IT FURTHER RESOLVED, that the Commercial Predevelopment Agreement is hereby approved and the Village President and Village Clerk are authorized to execute the same.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 5th day of November, 2018.

VILLAGE OF CALEDONIA

By: 
 James R. Dobbs
 Village President


Attest: 
 Karie Torkilsen
 Village Clerk

EXHIBIT A



Staff Review

TO: Village of Caledonia Planning Commission
CC: Tom Christensen, Elaine Ekes, Jarmen Czuta
FROM: Jeff Muenkel AICP
RPT DATE: October 29, 2018
RE: "Anderson Trailers" – Town of Raymond Conditional Use/Rezoning Request

BACKGROUND:

1. Petitioner/Agent: Jean and Kevin Anderson (dba Anderson Trailers LLC)
2. Tax Key Number: 012042136005000
3. Address of Petitioned Parcel: 4365 S 27th St
4. Area: 1.33 acres
5. Existing Zoning: A-2, General Farming and Residential II District (Racine County)
6. Proposed Zoning: B-3, Commercial Service District (Racine County)
7. Future Land Use: Business and Industrial (Cooperative Plan)

OVERVIEW:

The "Anderson Trailers" conditional use and rezoning application development is within the Town of Raymond and requires review under the adopted Village of Caledonia and Town of Raymond Cooperative Plan Design Standards (Exhibit K-Attached), which are based on standards within Title 16 of the Village of Caledonia Code of Ordinances.

BACKGROUND:

Anderson Trailers is looking to start operations on this former residential parcel along S 27th street. Anderson would like to utilize the site as a sales lot for their enclosed trailers. An existing unoccupied residence exists on the property and per the application Anderson would either like to utilize and convert the existing residence of future commercial office space OR build a new future commercial building on the lot. In either case they would like to setup a gravel lot that is enclosed with fencing to house the trailers for sale. A rezoning and a conditional use grant are required, both of which have been approved by Racine County and the Town of Raymond. This review will focus on the proposed site plan and operations in accordance with the applicable Village of Caledonia and Town of Raymond Cooperative Plan Design Standards.

PLANNER COMMENTS:

In all there are very few design standards that will apply to this petition since it is a limited reuse of an existing site. The large issue in contingencies for approvals exists in the fact that the petitioner has not figured out yet if they will utilize the existing dwelling and convert it to commercial OR build a new structure. Two (2) site plans are found in the submittal showing the possibility of using the existing structure OR a new structure. In any event, Racine County will not issue a zoning permit until a principal structure is part of the plan and known. If Mr. Anderson decides to build a new structure the submittal would have to come back in front of Caledonia for design approvals when those plans are known. Thus, Caledonia really can only give design contingency recommendations for Mr. Anderson's site and operation plan to utilize the existing structure at this time.

Based on this logic, the following contingencies are recommended to be a part of Caledonia's approvals:

1. Only proposed "Plan A" is approved as part of the CUP. Proposed "Plan B" will first require future design approvals once the building elevations are known and submitted.
2. Proposed "Plan A" is subject to the following contingencies as related to the Village of Caledonia and Town of Raymond Cooperative Plan Design Standards:
 - a. A landscape plan shall be approved as part of a future zoning permit that incorporates street edge landscaping with mature trees planted at least every 50' on center parallel to the right-of-way. Such trees shall be planted in front of the fence enclosure along the 27th Street right-of-way.
 - b. Any required ground mechanical equipment, misc. outdoor storage, or refuse containers shall be screened by landscaping or fencing.
 - c. Any future outdoor lighting shall be down-cast cut-off fixtures. Any pole lights shall not exceed 20 feet and shall have a concrete base of no more than 6" above ground. Lights should produce no more than 0.5 foot candles at the property line with no lighting to exceed 12 foot candles.
 - d. Any exterior residential structure conversions should complement the materials and colors currently in place (brick exterior with asphalt shingle roof; earth tones).
 - e. The patron/employee parking and driveway shall be hard surfaced while the enclosed trailer space can be gravel as shown.
 - f. The residential structure conversion and site access shall be approved for proper commercial and fire access codes.

EXHIBIT K: DESIGN STANDARDS

The requirements of Title 16 of the Village of Caledonia Code of Ordinances shall apply, as modified by the categories below, in the Raymond Plan Area.

CATEGORY 1 - JOINT REGULATIONS WITHIN THE RAYMOND PLAN AREA

The following regulations are intended to ensure that the appearance of new commercial buildings, landscapes, and signage elements in the Raymond Plan Area match the corresponding elements in the Village of Caledonia.

Guidelines to be based on Caledonia standards

1	Loading dock and shipping/receiving area requirements/screening (16-3-2 (c) (8))	Garage doors, loading areas, service entries and areas, and mechanical equipment shall be screened or designed with a high degree of visual appeal. This treatment can minimize the negative visual impact such necessary functions have and can help enhance and define adjacent spaces. Various techniques should be used to completely screen views into these areas. Densely planted trees, shrubs, opaque fencing, and/or garden walls should be used to screen service areas, loading areas, trash receptacles and ground-floor mechanicals. These elements should be at least seven (7) feet high (plant material should be at least seven (7) feet within 2 years of planting).
2	Street edge landscaping (16-3-3 (b) (1))	Trees no more than 50' on center of the tree trunk. Trees shall be planted parallel to the right-of-way. Trees shall be canopy, deciduous trees from the Village Street Tree List. Trees bordering a parcel shall be of the same species in order to provide visual continuity along the street edge. In addition to rhythmic planting of trees, a secondary landscape layer located behind the tree line should be created using ornamental fences and continuous evergreen hedges that block views of parking areas. Unless otherwise noted these should have a minimum height of 4' above the elevation at the right-of-way. Berms should not be used as a device for visual screening unless specific approval is given by the Village Board. When berms are approved for use, they shall have a minimal slope in contrast to the surrounding landscape. When a berm is intended to screen a building from a public right-of-way, the berm must be configured so that the building is screened at all visual angles from the public right-of-way. Trees, fences, and hedges may be eliminated when there is a planned view of an open landscaped area included as part of a long-term open space management plan.
3	Encourage four-sided architecture	Four-sided architecture, which utilizes similar building materials and design for all sides of a proposed structure, is encouraged.
4	Roof style/material recommendations	Pitched roofs such as hip, gambrel, gable, etc. should be required; utilizing cedar, architectural asphalt or dimensional shingles is preferred. Metal roofs should be considered only where they complement the residential character of the proposed architecture. The use of raised steel seamed panels or other similar materials is generally discouraged and is subject to review and approval of the Plan Commission.
5	Screening rooftop mechanicals	Roof top mechanical installations should be screened so as to block the view from adjacent streets and properties. Screening should match or complement the overall theme of the building. All screening is subject to review and approval by the Plan Commission.
6	Building massing, height, and form (16-3-2 (c) (3))	Buildings shall be comprised of a visually distinct base, middle and top. Buildings shall not exceed two (2) stories except as noted in the standards for specific types of places or as may be allowed for by a conditional use or in a planned unit development. This provides a flexible method of relating the building to the pedestrian (base), to the surrounding architecture (middle), and the opportunity for unique identity where the building meets the sky (top). Expression of the elements should be handled through changes in plane and material, horizontal bands, cornices, and/or varied window openings. Large buildings should be comprised of a series of masses and forms to give the building hierarchy, scale and visual richness. Building massing and components should demonstrate consistent proportional harmonies as indicated in the guideline illustrations.
7	Signage (excluding freeway signage) (16-3-5; 16-7)	Signage shall consist of both freestanding and building signs. Freestanding signage should be of the following types: agriculture, directional, freeway, home occupation, monument, subdivision, off-premises, private property, street banner, governmental, recreational, trail, or temporary. Building signage should be of the following types: awning or canopy, projecting, wall, or window. Prohibited signs include beacons, streamers, pennants, pinwheels, and strings of lights not permanently mounted to a rigid background, and inflatable signs, tethered balloons, and signs affixed to a cart, trailer or other rolling mechanism, unless specifically permitted as a temporary sign but not to exceed 30 days of use in each calendar year. Prohibited signs also include signs that revolve, are animated, have moving parts, or are illuminated by flashing or moving lights. Billboards and pole signs where the bottom of the sign is more than 11 feet from grade, and roof signs that are separated from the rest of the roof by more than 12 inches are also prohibited.
8	Freeway Signage (16-3-5)	Freeway signage shall be defined as a freestanding sign within one-hundred fifty (150) feet of the interstate 94 right-of-way. The road side edge of such sign should be located as close to the interstate right-of-way as feasible, but shall maintain a minimum of five (5) feet from the public right-of-way. Freeway signs shall be constructed as set forth in the accompanying Freeway Sign Diagram.
9	Appropriate building materials (16-3-2 (c) (4))	The primary facade and sides of the building visible from the public space, public parking, walkways, and rights-of-way shall be clad in finish grade materials unless otherwise allowed under a conditional use or planned unit development. Glass, brick, stone, wood, and decorative block are examples of finish grade materials that are appropriate for use on visible facades. The rear or side of the building shall use the same materials.
10	Building placement guidelines (16-3-2 (c) (2))	Modified from current regulation: Building facades shall be parallel or perpendicular to the right-of-way (or parallel or perpendicular to the tangent to curve taken at the midpoint)

Guidelines to be based on Raymond standards

11	Preserve existing tree lines/Open space, natural resource protection	Landscaping for development sites should be designed to complement the built and natural environment of the subject project and adjacent sites. Existing tree lines should be preserved. If removal of existing tree line is required due to its undesirable nature, new plantings that result in no less of a screening effect shall be required when adjacent to residential uses. Tree species that are native to Wisconsin and the Town of Raymond are encouraged.
12	Lighting specifications	All off-street lighting shall be down-cast, cutoff fixtures with a zero-degree tilt. The total height of fixtures, measured from grade to the highest point of the pole and/or lamp, should be no more than 15 to 20 feet. The base should be no greater than 6' above grade. Low pressure sodium bulbs are strongly discouraged.
13	Lighting position specifications	Lighting should be positioned so as not to cause glare on adjacent properties and streets. A maximum of 0.5 foot candles of light at the property line should be permitted. Require the submittal of a photometric site plan which illustrates the amount of light, measured in foot candles. No lighting should be permitted to exceed 12 foot candles. Consider exceptions to the height of lighting fixtures, provided that the total fixture height is equal or less than the height of adjacent building eaves.
14	Color guidelines	The coloring of all brick, decorative masonry, or stone shall be expressed as integral to the product and not painted on the surface of the product. Neutral colors are preferred over primary colors.