

RESOLUTION NO. 2018-14

A RESOLUTION TO APPROVE A CONDITIONAL USE TO OCCUPY AN EXISTING COMMERCIAL BUILDING AND SITE FOR RENTAL, SALES AND SERVICE OF CONSTRUCTION AND INDUSTRIAL EQUIPMENT (DBA FRANKLIN EQUIPMENT), INCLUDING OUTSIDE STORAGE OF EQUIPMENT; 3845 27TH STREET; SCOTT MILES TRUST, OWNER; FRANKLIN EQUIPMENT, 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, Franklin Equipment, requested a conditional use to occupy an existing commercial building and site for rental, sales and service of construction and industrial equipment (DBA Franklin Equipment), including outside storage of equipment; 3845 27th Street; Scott Miles Trust, Owner; Franklin Equipment, Applicant; under the Cooperative Boundary Agreement Town of Raymond and Village of Caledonia; Parcel No. 012042125029010; 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's Consultant Foth;

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:

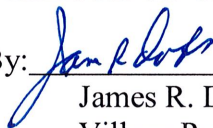
1. The proposed use is allowed by underlying zoning through the conditional use process.
2. Based on other things going on in the area, the proposed use appears to fit with other uses in this area.
3. The Racine County Economic Development and Land Use Planning Committee and the Town of Raymond have 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.

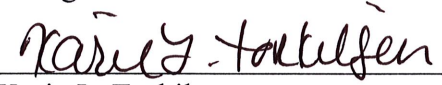
6. The Applicant be required to enter into the Commercial Predevelopment Agreement and post a \$2,000 deposit to cover the Village's costs in accordance with Sec. 16-6-1 which is also required by the Cooperative Plan with Raymond.
7. The applicant is required to comply with all applicable local, state, 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 equipment for sale and rental 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 recommendations into the final conditions for this conditional use permit as attached hereto as **Exhibit A**.
9. As discussed at the Plan Commission meeting on January 29, 2018, that a new landscape plan for the right-of-way frontage along the West Frontage Road is first approved. Said landscape plan should show a terrace that allows one tree every fifty feet per the design standards. The subsequent construction of the new landscaping should occur before June 30, 2018. All signage shall receive proper permit approval from Racine County. That the Town of Raymond consider applying their controlled standards in the design standards including how the vacant gravel portions of the property are planned and used.

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 February, 2018.

VILLAGE OF CALEDONIA

By: 
 James R. Dobbs
 Village President

Attest: 
 Karie L. Torkilsen
 Village Clerk

770272.001 (584) 1-31-18



TO: Village of Caledonia Plan Commission
CC: Vil Admin. Tom Christiansen, Vil. Attorney Elaine Ekes, Vil. Engineer Anthony Bunkelman
FROM: Vil. Planner Jeff Muenkel AICP CEcD
RPT DATE: January 11, 2018
MTG DATE: January 29, 2018
RE: Franklin Equipment – Town of Raymond Conditional Use Request

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1. Petitioner/Agent: Franklin Equipment
 2. Property Owner: Scott Miles Trust
 3. Location/Address: 3845 S. 27th St, Franksville, WI 53125
 4. Tax Key: 012-04-21-25-029-010
 5. Area: 9.2 Acres
 6. Existing Zoning: B-5, Highway Business District (Racine County)
 7. Proposed Zoning: N/A

OVERVIEW:

This conditional use permit (CUP) review is in relation to 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. We have reviewed the proposed development based on those standards applicable within the Town of Raymond (Standards 1 through 14) and have also provided additional comments for consideration below.

BACKGROUND:

Franklin Equipment business is a rental, sales, and service company for a variety of construction equipment including loaders, excavators, trucks, manlifts, trailers, and rollers. Their business is found throughout the southern Midwest as well as two locations in the Milwaukee area.

Franklin Equipment is operating from the subject parcel by lease. Franklin has been in operation for the past year and recently found out from Racine County that they should have first received CUP approval before occupancy. A CUP is required for any use involving sales and service in the B-5 Highway Business District per Racine County Zoning Codes. Per the Boundary Agreement between the Town of Raymond and Village of Caledonia any new “use” or “development” proposed in the Plan Area shall also receive recommendations of approval for the use and per the design standards outlined in the agreement.

OPERATION PLAN:

Site Plan

Franklin Equipment operates out of the southern half of the nine (9) acre parcel that is situated between West Frontage Road and Interstate 94. The parcel is mainly covered with gravel surfaces along with some areas of concrete and asphalt around the principal building. Site access occurs from the west off of West Frontage Road. A semi-truck driving school company operates out of the open areas on the northwest portion of the property. The parcel is mainly vacant except around the principal structure where Franklin Equipment operates. The main structure has a fenced in area to the north and east where all the equipment for Franklin is housed. The Plan Commission will note that the submittal includes a site plan with an older orthophoto from the past uses on the site. New pictures of the site can be



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found herein below showing how the parcel is mainly vacant with Franklin operating out of the southeast portion of the property.

Structure

The structure proposed by the applicant was existing at the time of Franklin's operation and no modifications (structurally or colors) to the structure are requested as part of the CUP. Overhead doors are found along the north, west, and south facades with the primary showroom and offices adorning the east façade.

Landscaping

No additional landscaping treatments are part of the CUP proposal. Foundation landscaping can be found along the structures north and east facades where the showroom/office areas are located. The rest of the structure is concrete up to the structure due to overhead doors and trucking operations. A large row of arborvitae are found along the northeast property line just north of the Franklin structure. This landscaping serves as a primary landscaping buffer of stored items for Franklin. No perimeter landscaping is found to the north, east or south at this time.

Signage

Various signage requests are part of the CUP proposal. All of the proposed signage is currently erected at the site at this time. The signage includes:

- New signage within the extents of the existing pole sign.
- Newly proposed wall signs on the east and west facades.
- Proposed banner sign on the northern fence.

Operations

The CUP proposal notes that Franklin Equipment operates with twelve (12) employees on the site with potential to grow to thirty plus (30+). The hours of operation are from 7am til 5 pm Monday through Friday and seasonal operating hours on Saturdays. All equipment inventory is to be stored in the confines of the existing fenced in area. Franklin notes that trucks and/or trailers may be stored outside the fenced in area on the northwest section of the property along West Frontage Road at times.

DESIGN STANDARDS:

The Boundary Agreement Design Standards can be found attached. As discussed above a new "use" in the Boundary Plan Area must look to follow the standards based upon Plan Commission recommendations. Being that Franklin Equipment is operating from an "existing" site the Plan Commission can apply the design standards to this new use as they see fit. The intent is to have existing uses and new developments comply with the design standards as they come forward in order to work towards a cohesive corridor of development.

Foth offers the following comments below only relating to the design standards that would apply in this instance. Foth offers these comments while recognizing that Franklin Equipment is operating out of an existing development site.

1. Loading dock and shipping/receiving area requirements/screening. This standard requires garage doors, loading areas, service entries, and mechanical equipment be screened or designed with a high degree of visual appeal.
 - a. The overhead doors and tucking areas to the north and south of the structure are well screened due to existing vegetation and other developments. The view from the west and West Frontage Road has no screening at this time. Thus the overhead doors to the west along with the vacant lands along West Frontage Road, where parking of trucks/trailers will take place, has no screening. *To comply with the design standards it is recommended that a terrace of landscaping is created along West Frontage Road that has a tree every fifty (50) feet at minimum. Plan Commission may wish to establish other landscaping requirements to further screen the west side overhead doors as well.*



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2. Street edge landscaping. This provision requires trees be planted at least every 50' on center parallel to the right-of-way, and a secondary parallel layer of landscaping/ornamental fencing be located behind the trees to screen parking areas.
 - a. No right-of-way landscaping is found at this time. *To comply with the design standards it is recommended to complete the terrace landscaping as discussed in 1a above.*
3. Signage. This provision discusses various requirements for signage in the Boundary Plan Area.
 - a. All signage requested meets the requirements of the design standards. *Petitioner will require proper Racine County permitting for the signage.*
4. Raymond Regulations. The design standards outline a variety of requirements that the Town of Raymond should consider when a new development or use occurs.
 - a. *To comply with the design standards it is recommended that the Town of Raymond consider how the open/vacant areas of the site (along West Frontage Road and to the north) are utilized. This is an opportunity to formally approve uses and standards (general operations, appropriate storage of vehicles, parking, landscaping) for this vacant gravel surfaced area as seen from West Frontage Road.*

STAFF RECOMMENDATIONS:

Staff recommends approval of the CUP subject to any Plan Commission desired contingencies. The base contingencies recommended for approval again consist of the following:

1. That a new landscape plan for the right-of-way frontage along West Frontage Road is first approved. Said landscape plan should show a terrace that allows one tree every fifty feet per the design standards. The subsequent construction of the new landscaping should occur before June 30, 2018.
2. All signage shall receive proper permit approval from Racine County.
3. That the Town of Raymond consider applying their controlled standards in the design standards including how the vacant gravel portions of the property are planned and used.
4. Any other requirements the Plan Commission deems necessary.

NEXT STEPS:

Racine County will review the approval recommendations from the Town of Raymond and Village of Caledonia at a future Board meeting. Upon approval the Racine County Planning Department will not release a zoning permit for the CUP until the any contingencies as approved by the County have been fulfilled.

ATTACHMENTS:

- A. Boundary Agreement Design Standards
- B. Petitioner Application



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))	<i>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)</i>

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.