

**RESOLUTION NO. 2018-57**

**A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT TO CONSTRUCT AND UTILIZE A ±115,229 REFRIGERATED WAREHOUSE BUILDING WITH LOADING DOCKS, SOUTH OF 12628 FOUR MILE ROAD, SEC. 30, T4N, R22E, VILLAGE OF CALEDONIA, RACINE COUNTY, WI; WISPARK LLC, OWNER; CURTIS SCHROEDER, APPLICANT**

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

**WHEREAS**, Applicant requested a conditional use permit to construct and utilize a ±115,229 refrigerated warehouse building with loading docks, south of 12628 Four Mile Road, Sec. 30, T4N, R22E, Village of Caledonia, Racine County, WI; and,

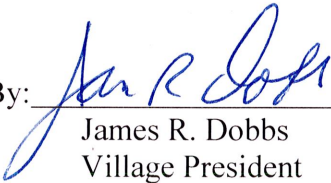
**WHEREAS**, the Village of Caledonia Plan Commission recommended approval of the request, subject to the conditions attached hereto as **Exhibit A**, for the following reasons:

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 structures and uses in the area.

**NOW, THEREFORE, BE IT RESOLVED**, by the Village Board of the Village of Caledonia that the requested conditional use set forth above, is hereby approved for the same reasons set forth above and subject to the same conditions and contingency imposed by the Village Plan Commission.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 2nd day of July, 2018.

**VILLAGE OF CALEDONIA**

By:   
James R. Dobbs  
Village President

Attest:   
Karie L. Torkilsen  
Village Clerk

770272.001

**EXHIBIT A - CONDITIONS**  
**Central Storage Refrigerated Warehouse**

1. Zoning Permit. The applicant must obtain a zoning permit card from the office of the Village Zoning Administrator after paying a zoning permit fee of \$2,500.00. This card must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times until the project has been completed.
2. Compliance. Failure to comply with the terms and conditions stated herein could result in the issuance of citation(s) and/or revocation of this permit.
3. Binding Effect. These conditions bind and are applicable to the Property Owner, Agent, and any other users of the Property Owner with respect to the uses on the Property.
4. Plans. The proposed operation (To construct and utilize a ±115,229 square-foot refrigerated warehouse building with loading docks) shall be located, constructed, and utilized in accordance with the plans and documents received by the Racine County Development Service Office on May 30, 2018.
5. Revised Plans. Additionally, prior to the issuance of the zoning permit, revised plans must be submitted to the Racine County Development Services office that illustrate that the proposed refrigerated warehouse building with loading docks maintains a minimum of a 50-foot street yard setback as required for the M-3 zoning district.
6. Driveway Access and Road Improvements. The driveway shown on the Plans will require an access permit from the Village of Caledonia Engineering Department. The driveway and any road improvements must be constructed and paid for in accordance with the provisions outlined in the Development Agreement between the Village of Caledonia and WISPARK. The Development Agreement between the Village of Caledonia and WISPARK must be executed prior to zoning permit issuance.
7. Stormwater. The property owner or designated agent 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 Village Engineer before permits are issued.
8. Fire Department Approval. Owner shall obtain approval from the Village of Caledonia Fire Department and meet applicable codes.
9. Caledonia Sewer and Water Utility Districts. The property owner or designated agent 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.

10. Creation of Parcel. A parcel of land will be divided from the parent parcel by Certified Survey Map. The proposed Certified Survey Map shall be submitted for review and approval by the Village in accordance with all applicable ordinances and Wisconsin Statutes. The Property owner may be required to dedicate certain rights-of-way and easements necessary to serve the intended use on the property as determined by the Village Engineer. After such division is approved, the Conditional Use Permit will run only over Lot 1 of the proposed certified survey map approved by the Village on the same date as this conditional use permit to accommodate the proposed ±115,229 square-foot refrigerated warehouse building with loading docks. A copy of the recorded Certified Survey Map must be submitted to the Racine County Development Services Office prior to zoning permit issuance.
11. Engineering Department. The property owner or designated agent must contact the Village of Caledonia Engineering Department and must comply with all regulations and requirements of the Village of Caledonia Engineering Department.
12. Future Expansion of the Proposed Industrial Building. The submitted plans identify a future building expansion of the proposed industrial building. Further approval will be required by the Village of Caledonia Plan Commission and the Village Board for this future building expansion of the proposed industrial building.
13. Parking. Parking at the site must be in compliance with the submitted plans. All employee and visitor parking must be conducted in the proposed parking lot as outlined on the submitted site plan. Each parking space shall be a minimum of nine feet wide and 180 square feet in area exclusive of the space required for ingress and egress. Handicapped spaces shall be provided in accordance with State requirements. All parking spaces shall be clearly marked. The driveway and all parking areas must be maintained in an all-weather, dust-controlled condition.
14. Landscaping. Landscaping at the site must be in compliance with the submitted Landscaping Plan. The landscaping must be fully implemented by September 15, 2019. The Village may require a letter of credit or bond to be posted to ensure implementation and maintenance. Landscaping shall comply with Title 16. The landscaping plan shall follow the Village of Caledonia planting requirements.
15. Lighting. Lighting at the site must be in compliance with the submitted Lighting Plan. All lighting at the site must be full cut-off lights that may not glare onto abutting properties or onto any public roadway.
16. Signage. The Village's signage requirements are set forth in Title 16 of the Village's Code of Ordinances. The Village may require a Master Sign Plan for the entire new business park where this use is locating and signage at the site may, at the Village's option, be required to comply with the Master Sign Plan in accordance with Title 16 of the Village's Code of Ordinances. Any proposed advertising sign at the site will require a separate zoning permit prior to installation. Please contact Village Zoning staff at 262-886-8440 for advertising sign regulations and permit procedures. Banners, balloons, flashing or animated signs are prohibited.

17. 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.
18. 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 or have placed upon them compacted recycled asphalt. All drives and parking areas shall be maintained in a dust free condition.
19. 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 (a copy is attached), as adopted by the Village of Caledonia.
20. Expiration. This approval will expire six (6) months from the date of the Village's final approval unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not occur unless the Village of Caledonia Plan Commission and the Village Board grants a written extension. Written extension requests must be submitted to the Racine County Development Services Office thirty (30) days before permit/approval expiration.
21. Access. The applicant must allow any Village or Racine County employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.
22. 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.
23. Reimburse Village Costs. Applicant shall reimburse the Village all costs incurred by the Village for review of this conditional use including but not limited to engineering, legal and planning review that occurred prior to permit issuance and during the implementation of the plans and construction of the improvements.
24. Amendments to Conditional Use Permit. 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.

25. Sewer and Water. All buildings shall connect to public sanitary sewer and water prior to occupancy. The Zoning Administrator may modify the timing of connection as a minor amendment.
26. Site Plan and Title 16 Review. The final site plan and site design and architectural details required under Title 16 of the Village's Code of Ordinances shall be reviewed and approved for compliance by the Village's Planning Consultant (Foth) in consultation with the Zoning Administrator and Village Engineer. More specifically, applicant shall comply with the adopted planning-related conditions set forth below.
27. WISPARK Development Agreement – Business Park. The Approval is subject to the execution of the amendment to development agreement between the Village and WISPARK, LLC, who is developing Phase III of the DeBack Farms Business Park and from which the new parcel will be created. WISPARK, LLC will install certain infrastructure improvements on the overall parent site to serve Phase III and the Village will install certain roadway improvements in Village rights-of-way and on the overall parent site to serve Phase III concurrently with the applicant's construction of the building and improvements for this conditional use. Unless otherwise approved by the Zoning Administrator, the occupancy permit shall not be issued for the conditional use until the construction and acceptance of all infrastructure improvements for phase III under the Second Amendment to the WISPARK, LLC Development Agreement occurs which are necessary to serve this conditional use.
28. Agreement. Your accepting the conditional use approval/zoning permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, WISPARK LLC, Central Storage and Warehouse, Curtis Schroeder and their heirs, successors, and assigns, including tenants, are responsible for full compliance with the above conditions.
29. Subsequent Owners. It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.

#### ADOPTED PLANNING-RELATED CONDITIONS

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. The loading docks and receiving areas are all found on the west façade of the proposed structure. A landscape plan notes some landscaping that can act a screening to the north along the entrance to the site. The following is recommended to conform to the intent of this design guideline: Add groupings of landscaping and trees along the full west boundary line of the site to screen the loading docks. Plantings should be at least seven (7) feet in height when planted.
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. The landscaping plan shows deciduous trees parallel to the right of way and evergreen screening of parking to the right-of-way, consistent with the design guidelines. The following is recommended to conform to the intent of this design guideline: Ensure that trees along the street edge (and future street edge to the east) should be 50' on center of the tree trunk. All street trees must be at least four (4) feet above the elevation of the right of way.

3. Signage. Any proposed signage should meet Caledonia codes.
4. Lighting Specifications. These provisions require all lighting to use down-cast, cut-off fixtures, with a suggested maximum height of 20 feet and a base no more than 6" above ground. The provisions also suggest that no more than 0.5 foot candles at the property line are permitted, with no lighting to exceed 12 foot candles. This standard allows an exception for fixture height provided the height is no greater than the height of adjacent building eaves. A photometric plan is included in the submittal and notes on types of wallpack and pole lights are part of the photometric plan. The photometric plan appears to follow the required foot-candle requirements. Pole lights are noted as thirty (30) foot poles and three (3) foot bases (Note: The main building height is approximately thirty-nine (39) feet in average height). The following is recommended to conform to the intent of the design guidelines: The pole light is OK due to the height of the principal structure being approximately thirty-nine (39) feet, but the pole light bases must be no more than 6 inches in height on the building permit plans. The lighting spec sheets for all lights must be submitted at building permit time and all lights must be down-cast, cut-off fixtures.
5. Other Design Elements. The following is recommended to compliment the design guidelines above: The current site plan has one entrance off of Four Mile Road and parking to west of the building. Space for a potential future building addition would be located to the south of the proposed building. The petitioner shall plan future traffic patterns for vehicles and trucks. Permittee shall work with the Fire Department to ensure satisfactory fire access by the time of building permit application. Roof-top and ground mechanicals should be screened to the extent reasonably acceptable to the Village Planner. All parking lot areas shall have curbing.

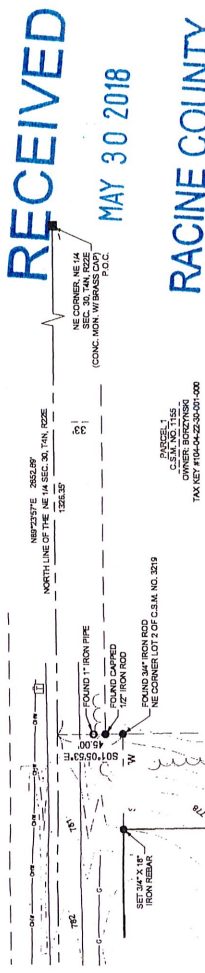
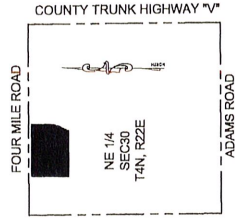
RECEIVED

MAY 30 2018

RACINE COUNTY



VICINITY MAP  
SCALE 1"=1000'



**LEGAL DESCRIPTION:**  
AS DESCRIBED IN THE KENOSHA TITLE INSURANCE COMPANY - LANDMARK TITLE KENOSHA COMMITMENT NUMBER LT-305885  
WITH AN EFFECTIVE DATE OF MAY 14, 2016.

Part of Lot 2, Certified Survey Map No. 3219, recorded on October 4, 2016, in Volume 10 of Certified Survey Maps, page 574, as amended by Supplemental Plat No. 1, recorded on October 4, 2016, in Volume 10 of Supplemental Plats, page 14, and the Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 30, Township 4 North, Range 22 East, Village of Caledonia, Racine County, Wisconsin.

**TABLE A**

- 1. Monuments placed at all corners of the subject property boundary.
2. Address (as disclosed in this commitment): Adams Road
3. Flood Zone Classification: The subject property is shown with the 'X' of the Flood Insurance Rate Map Community Panel No. 55101C0387D with an effective date of MAY 12, 2012, 'Zone X' as shown on the Flood Insurance Rate Map.
4. Subject Property Land Area: 360,414 Square Feet (8.2743 Acres).
5. Vertical Datum: National Geodetic Vertical Datum of 1929 (NGVD29). Contours are shown as a 1' interval based on actual ground survey of the current ground terrain. Reference Benchmark: Concrete monument with brass cap at the North corner Section 30, Town 4 North, Range 22 East, Wisconsin.
6. Letter / Zoning Report not supplied by client at time of survey.
7. The subject property is vacant - No Buildings observed.
8. Substantial features observed in the process of conducting the survey graphically shown on survey.
9. The subject property is not a public utility.
10. The subject property is not a public utility.
11. The subject property is not a public utility.
12. The subject property is not a public utility.
13. The subject property is not a public utility.
14. The subject property is not a public utility.
15. The subject property is not a public utility.
16. No evidence of recent earth moving work, building construction or building additions observed in the process of conducting the fieldwork.
17. Wetlands delineated by Wetland & Waterway Consulting, LLC on September 24, 2015.
18. Wetlands delineated by Wetland & Waterway Consulting, LLC on September 24, 2015.
19. Wetlands delineated by Wetland & Waterway Consulting, LLC on September 24, 2015.
20. Certificate of Professional Liability Insurance furnished upon request and in effect throughout the contract term.

**NOTES CORRESPONDING TO SCHEDULE B - II**

- 1-4, 9, & 21-22 NOT SURVEY RELATED
5-8, 10 VISIBLE EVIDENCE SHOWN IF ANY
11. Easement for flowage of surface and ground water as set forth in instrument dated March 23, 1982 and recorded on March 23, 1982, in Volume 164 of Records, Page 650, as Document No. 1104147; said instrument is hereby acknowledged and the easement is hereby accepted by the parties hereto and the easement is hereby acknowledged.
12. Resolution Creating Caledonia Water Utility District & Caledonia Sewer Utility District recorded on October 19, 2010, as Document No. 2295167, Affidavit of Connection recorded November 18, 2010, as Document No. 2268473. Affects subject property but cannot be plotted.
13. Access, Easements and Temporary Limited Easement set forth in Warranty Deed dated January 20, 2011 and recorded on February 9, 2011, as Document No. 2276427. No Access to relocated 'L' shaped driveway easement set forth in Warranty Deed dated March 27, 2013 and recorded on April 1, 2013, as Document No. 2348196. Easement Agreement for use, installation and maintenance of Pond. It is the surveyor's opinion the document does not affect the subject property.
14. Access, Easements and Temporary Limited Easement set forth in Warranty Deed dated January 20, 2011 and recorded on February 9, 2011, as Document No. 2276427. No Access to relocated 'L' shaped driveway easement set forth in Warranty Deed dated March 27, 2013 and recorded on April 1, 2013, as Document No. 2348196. Easement Agreement for use, installation and maintenance of Pond. It is the surveyor's opinion the document does not affect the subject property.
15. Terms, provisions and conditions set forth in Pond Easement Agreement dated March 27, 2013 and recorded on April 1, 2013, as Document No. 2348196. Easement Agreement for use, installation and maintenance of Pond. It is the surveyor's opinion the document does not affect the subject property.
16. The subject property is not a public utility.
17. Covenants, conditions and restrictions as set forth in the document recorded on August 1, 2016, as Document No. 2441107. Restrictive Covenant to prohibit the transfer of any portion of the property to a tax-exempt entity. Affects subject property but cannot be plotted.
18. Agreement to allow private construction of sanitary sewers and/or water mains by WISPAK, LLC, and rights incidental thereto as set forth in a document, recorded on September 29, 2016, as Document No. 2441107. Affects subject property but cannot be plotted.
19. Covenants, conditions and restrictions as set forth in the document recorded on October 4, 2016, as Document No. 2441107. Restrictive Covenant to prohibit the transfer of any portion of the property to a tax-exempt entity. Affects subject property but cannot be plotted.
20. Easements, restrictions, dedications and reservations contained in Certified Survey Map No. 3219, and rights incidental thereto as set forth in a document, recorded on October 4, 2016, as Document No. 2448985. Wetland Graphically shown on survey. Drainage Swales No visible evidence. Dedications Not Visible. Wetland Restrictions Not Plotted. Notes Not Plotted. Building Footprint Not Plotted. Storm Water, Ponds and Maintenance Easement Not Plotted. Wetland Restrictions Not Plotted. No Access Does not affect the subject property. No Access Does not affect the subject property.

**CERTIFICATION**

To: Central Storage & Warehouse Company, a Wisconsin Corporation; WISPAK LLC, a Wisconsin limited liability company; Chicago Title Insurance Company. This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2018 Minimum Standard Detail Requirements for ALTA and NSPS, and LAND TITLE SURVEYS, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6(a), 6(b), 7(a), 8, 11, 13, 15, 16 & 20 of Table A thereof. The fieldwork was completed on OCTOBER 15, 2015.



John P. Konopacki, PLS  
License No. S-2481  
Date of Plat or Map: MAY 25, 2018  
PINNACLE ENGINEERING GROUP, LLC  
8000 Wisconsin Avenue  
Bloomfield, WI 53005  
Phone: 262-754-8888  
Fax: 262-754-8650

LEGEND OF SYMBOLS & ABBREVIATIONS. Table listing symbols for various features like 'PROPERTY BOUNDARY', 'EASEMENT', 'WETLAND', 'ROAD', 'UTILITY', etc.