

RESOLUTION NO. 2018-67

AN RESOLUTION TO APPROVE A CONDITIONAL USE TO CONSTRUCT AND UTILIZE A ±15,000 SQUARE-FOOT COMMERCIAL BUILDING; 3030 CTH K; TOP FLIGHT LLC, OWNER; DANIEL OAKES, 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, Daniel Oakes, requested a conditional use to construct and utilize a ±15,000 square-foot commercial building; 3030 CTH K; Top Flight LLC, Owner; Cooperative Boundary Agreement Town of Raymond and Village of Caledonia; under the Cooperative Boundary Agreement Town of Raymond and Village of Caledonia; Parcel No. 012042125004000; 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 Attorney;

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 except that the Village Board hereby delegates to the Village's Zoning Administrator and Village Engineer/Utility Director the authority to review the report to be prepared by Foth and to incorporate appropriate recommendations into the final conditions for this conditional use permit:

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 landscaping on the property.
8. The Village engaged Foth to conduct a review of the application and Foth provided a written recommendation/report to the Village dated July 20, 2018 for review by the Village Zoning Administrator, Engineer, Attorney, Village Plan Commission and Village Board. Conditions of approval are as follows:
 - a. A landscape plan shall be submitted for review and approval by Village Staff before issuance of a zoning permit and the landscape plan shall include ample plantings along Ten Point Lane to generally screen the east façade of the structure to meet this requirement. Landscaping and/or berming of this terrace should meet the intention of the design standard of an approximate seven (7) foot height. The landscape plan shall include trees planted 50' on center along the right-of-way terraces on both the south and east property lines. The Landscape plan shall be installed by June 1, 2019.
 - b. All rooftop mechanicals shall be screened by architecture compatible with the building materials and colors and a revised plan shall be submitted for review and approval by Village Staff prior to issuance of the zoning permit.
 - c. All signage shall comply with the Cooperative Plan requirements when it is submitted for zoning review and approval. There shall not be a freeway sign as that term is defined under the Cooperative Plan.
 - d. Metal siding is not a "finished grade material" listed in the design standards however it has been allowed in this Raymond Industrial Park to allow these mutual materials in some capacity. To coincide with the past approvals of the recently new Phoenix One and Roland Machinery buildings it is recommended that the building elevations have at least 30% of each façade be composed of the glass/CMU products as approved by Village Staff before issuance of a zoning permit.
 - e. A photometric plan and lighting detail sheets of all intended lighting on the site shall be submitted for review and approved by Village Staff before issuance of a zoning permit. All lighting shall use down-cast, cut-off fixtures, with a suggested maximum height of 20 feet and a base no more than 6" above ground. Per the Town of Raymond requirements, no more than 0.5 foot candles at the property line are permitted, with no lighting to exceed 12 foot candles.
 - f. Occupancy of the structure shall not be granted until all ground mechanical equipment is screened by landscaping or fencing once the location of the mechanical equipment is known. Such landscaping shall be incorporated into the landscaping plan to be submitted by applicant for review and approval.

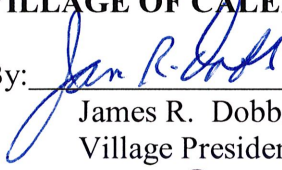
- g. The coloring of all brick, decorative masonry, and stone shall be integral to the product and not painted on the surface, with neutral colors preferred over primary. Currently, the colors of the structure are grey tones and the CMU stone used shall have a color integral to the block and samples shall be submitted for review and approved by Village Staff per the Cooperative Plan standards before issuance of a zoning permit.

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.

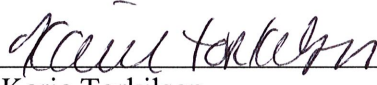
Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 6th day of August, 2018.

VILLAGE OF CALEDONIA

By: _____


James R. Dobbs
Village President

Attest: _____


Karie Torkilsen
Village Clerk

770272.001 (584) 8-2-18