

**RESOLUTION NO. 2019-94**

**A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA FOR A CONDITIONAL USE TO CONSTRUCT A THREE-STORY SENIOR APARTMENT BUILDING (PHASE I OF PARKVIEW PUD- PARKVIEW V) LOCATED IN THE SW ¼ OF SEC. 20, T4N, R23E, A VACANT PARCEL DIRECTLY NORTH OF THE EXISTING PARKVIEW CAMPUS, VILLAGE OF CALEDONIA, RACINE COUNTY, WI PARKVIEW COMMONS L.L.C., OWNER; ALFRED G. MCCONNELL, APPLICANT.**

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

**WHEREAS**, the property owner requested a conditional use to construct a three-story senior apartment building (Phase I – Parkview V); SW ¼ of Sec. 20, T4N, R23E, vacant parcel directly north of the existing Parkview Campus, Village of Caledonia, Racine County, WI Parkview Commons L.L.C, Owner; Alfred G. McConnell, Applicant; Parcel Id. No. 104042320091000.

**WHEREAS**, the Village of Caledonia Plan Commission reviewed the application after a public hearing on August 26, 2019 and recommended approval for the following reasons and subject to the contingencies and conditions attached hereto as **Exhibit A**;

**NOW, THEREFORE, BE IT RESOLVED**, by the Village Board of the Village of Caledonia that the requested conditional use to construct a three-story senior apartment building (Phase I – Parkview V), is hereby approved for the same reasons set forth by the Village Plan Commission and subject to the same contingencies and conditions recommended by the Village Plan Commission as set forth on the **Exhibit A** attached hereto and incorporated herein

1. The subject property is adjacent to the existing Parkview Campus and the development associated with this approval will be an extension thereof.
2. Adjacent properties to the south are currently zoned R-7/PUD.
3. The 2035 Land Use Plan designates the subject property as High Density Residential (less than 6,200 square feet per dwelling unit).
4. The development will be served by an internal private road network with cross-access to the existing Parkview Campus to the south.
5. This CUP will not adversely affect the surrounding property values.

**BE IT FURTHER RESOLVED**, by the Village Board of the Village of Caledonia that no approval of the conceptual plan for future phases and buildings is given by this action and the applicant is required to submit applications to the Village for additional phases of development.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin,  
this 7<sup>th</sup> day of October, 2019.

**VILLAGE OF CALEDONIA**

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

Attest: Karie Pope  
Karie Pope  
Village Clerk

770272.137 (8-27-19)

**EXHIBIT A**  
**CONTINGENCIES AND CONDITIONS – PARKVIEW V**

1. **GENERAL CONTINGENCIES:**

All future structures will require future CUP approvals requiring review of site planning, landscaping, lighting, architecture, and as to how they fit into the overall Parkview Development and surrounding neighborhood.

The subject property is adjacent to the existing Parkview Campus and the development associated with this approval will be an extension thereof.

Adjacent properties to the south are currently zoned R-7/PUD.

The 2035 Land Use Plan designates the subject property as High Density Residential (less than 6,200 square feet per dwelling unit).

This CUP will not adversely affect the surrounding property values.

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, Applicant, and any other users of the Property Owner with respect to the uses on the Property.
4. **Plans.** The proposed development (Construction of a three-story senior apartment building (Parkview V) shall be located, constructed, and utilized in accordance with the plans and documents received by the Village of Caledonia on August 19, 2019.
5. **Future Approvals Required By the Village.** The submitted plans and documents depict a, “proposed building connection” to the future Parkview Gardens IV building. However, no detailed plans or elevations have been submitted for this proposed building connection. Therefore, further approval will be required by the Village of Caledonia Plan Commission and/or Village Board for this additions.
6. **Road Access and Road Improvements.** The private road connections and any road improvements must be constructed and paid for in accordance with the requirements of the Village of Caledonia Engineering Department.
7. **Internal Private Road Network.** The proposed roads in this development will be private. The property owner or applicant is responsible for construction and maintenance of these roads. Any portion of the proposed private roads to be constructed to service a particular phase of the development must be constructed to standards acceptable to the Village of Caledonia before occupancy of any building associated with the subject phase is approved.

8. **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, prior to any land disturbing activities and/or issuance of a Building Permit.
9. **Fire Department Approval.** Owner shall obtain approval from the Village of Caledonia Fire Department and meet applicable codes including the installation of any required fire lanes per Village specifications.
10. **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.
11. **Engineering Department.** The property owner or designated agent must contact the Village of Caledonia Engineering Department and development plans must comply with all regulations and requirements of the Village of Caledonia Engineering Department, prior to issuance of a Building Permit.
12. **Parking.** Parking at the site must be in compliance with the submitted plans. All visitor parking must be conducted in the 16 stall proposed parking lot as outlined on the submitted site plan. Each surface 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. This approval recognizes that the proposed three-story senior apartment building will have 65 underground parking spaces in addition to above ground parking.
13. **Perimeter Landscape Screening.** The submitted plans and documents reference that a landscape buffer will be installed along the northern boundary of the subject property. This landscape buffer, consisting primarily of evergreen trees, must be installed prior to occupancy of the proposed three-story senior apartment building and must be in compliance with the submitted Landscape Plan. In addition, berms illustrated on the Landscape Plan must be installed in conjunction with the perimeter landscape buffer.
14. **Landscaping.** Landscaping at the site associated with the proposed three-story senior apartment building (Parkview V) portion of the property must be in compliance with the submitted Landscape Plan received by the Village of Caledonia on August 19, 2019. The Village must review and approve said Landscape Plans. The Village may require a letter of credit or bond to be posted to ensure implementation and maintenance for a sufficient number of years to ensure viability in an amount to be determined by the Development Director. Landscaping shall comply with Title 16. The Landscape Plan shall follow the Village of Caledonia planting requirements.

15. **Lighting.** Lighting at the site must be in compliance with Village of Caledonia lighting requirements. All lighting at the site must be full cut-off lights that may not glare onto abutting properties or onto any public roadway. The final lighting plan must be submitted for review and approval by Village staff.
16. **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 advertising sign regulations and permit procedures. Banners, balloons, flashing or animated signs are regulated as per Village Code and if allowed on internal drives or next to buildings shall not be visible from Village rights-of-way or adjacent parcels unless allowed by Village Code.
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 facade. 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 for the proposed three-story senior apartment building (Phase V) will expire twelve (12) months from the date of the Village's final approval unless substantial work has commenced following such approval. If the Zoning Administrator determines that no substantial work has commenced, the project may not occur unless the Village of Caledonia Plan Commission and the Village Board grant a written extension. Written extension requests must be submitted to the Village of Caledonia 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 rezoning and PUD Planned Unit Development Overlay District approval 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.
27. **Agreement.** Your acceptance of the Conditional Use Permit/Zoning Permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, Parkview Commons LLC; Alfred G. McConnell, as managing member, and the successors, and assigns, including tenants, owners, users, and operators, are responsible for full compliance with the above conditions.
28. **Subsequent Owners.** It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.
29. **First Floor Elevations.** The first floor elevation of the proposed Parkview V building shall not be any higher than the existing first floor elevation of the existing single-family residence directly to the north.

770272.137 (10-7-19)