

**1. Meeting called to order**

Vice President Schattner called the meeting to order at 6:00 p.m. at the Village Hall, 5043 Chester Lane, Racine, Wisconsin.

**2. Roll Call/Introductions**

Roll call was taken. Members present: Joseph Minorik, Thomas Knitter, Jonathan Schattner, Duane Michalski, Bill Folk and Trustee Wanggaard

Excused: President Bob Bradley

Also Present: Village Administrator Thomas Christensen, Village Attorney Elaine Ekes, Village Engineer Anthony Bunkelman and Zoning Administrator Jarmen Czuta

**3. Approval of Minutes**

Czuta stated that at last month's meeting the setback requirement was stated incorrectly for Item 2B. The setback requirement is 25 ft., not 50 ft. Motion by Michalski to approve the minutes from the June 26, 2017 Plan Commission meeting with Czuta's change. Seconded by Trustee Wanggaard. Motion carried.

**4. Citizens' Comments**

No Comments were made.

**5. Public Hearing Items followed by Commission Recommendations**

**5A. Request a conditional use to construct and utilize three 16,400 square-foot self-service storage facility buildings and a future 16,400 square-foot multi-tenant office/warehouse building, 8500 Storage Dr., Sec. 27, T4N, R22E, Village of Caledonia, Racine County, WI, Majestic North Development Inc., Owner, Robert Peterson, Applicant.**

Czuta explained the location of the proposal on the north side of Storage Dr. in the Nicholson Business Park. The parcel is zoned M2. The Plan Commission previously approved the Concept Plan at the June 26, 2017 meeting. Czuta read a letter from the applicant into the record describing the project. This is a self-storage facility for vehicles higher than a traditional garage. Plans were presented to the Commission of the proposed storage facilities and the multi-tenant building. Landscaping will be placed along the roadway.

**5A - Public Hearing**

Public Hearing opened at 6:05 p.m.

**5A - Public Comments**

Robert Peterson, applicant, was present. Peterson stated that after the conceptual approval he met with the Fire Chief and the Village would not require turn arounds for the vehicles stored in the facilities. The Fire Chief did request fire extinguishers to be added to the front of the buildings.

Public hearing for 6A closed at 6:13 p.m.

**5A - Recommendation on Public Hearing**

Motion by Knitter to approve the request for a conditional use to construct and utilize three 16,400 square-foot self-service storage facility buildings and a future 16,400 square-foot multi-tenant office/warehouse building, 8500 Storage Dr., Sec. 27, T4N, R22E, Village of Caledonia, Racine County, WI, Majestic North Development Inc., Owner, Robert Peterson, Applicant, with conditions outlined in Czuta's memo dated July 24, 2017. Folk seconded.

Czuta added that the conditions state they are subject to the Village Zoning Ordinance to be amended or the applicant would need to go to the Board of Appeals. Based on discussion with the Village Attorney, the License & Legislative is scheduled to discuss this issue at the August meeting.

Motion carried.

**6. Non-Public Hearing Items**

**6A. Revised Smerchek Trust CSM – Parcel ID 51-104-04-22-11-007-000 – NE ¼ of Section 11, T4N, R22E, Seven Mile Road/Foley Road Village of Caledonia, Racine County, WI – Owner Martha F. Smerchek Revocable Trust.**

Bunkelman stated that this CSM was reviewed at the last Plan Commission meeting. Smerchek Trust is requesting a 3 lot CSM instead of the 4 lot CSM that was previously approved. The conditions were modified slightly from what was previously approved. Conditions in the revised memo include recommendations for Waiver Modifications allowing a secondary access on 7 Mile Rd and a lot to be created on a principal thoroughfare. Bunkelman recommends approval and Modification Waivers as stated.

There are wet lands on the property and the applicant completed a wetland delineation on lot 1. There are no additional wet lands on the parcel.

Motion by Michalski to accept the revised Smerchek Trust CSM – Parcel ID 51-104-04-22-11-007-000 – NE ¼ of Section 11, T4N, R22E, Seven Mile Road/Foley Road Village of Caledonia, Racine County, WI – Owner Martha F. Smerchek Revocable Trust, with conditions outlined in Bunkelman's memo dated July 31, 2017. Knitter seconded, Motion carried.

**6B. Concept Development Plan to rezone ±12.57 acres of land from R-3A Suburban Residential District (Sewered) and R-3 Suburban Residential District (Sewered) to R-3A Suburban Residential District (Sewered)/PUD Planned Unit Development Overlay District; 3303 Nicholson Road; Christian Faith Fellowship Racine Inc.**

Jarmen explained that the applicant is requesting to rezone the 12.57 acre parcel from R-3A Suburban Residential District (Sewered) and R-3 Suburban Residential District (Sewered) to R-3A Suburban Residential District (Sewered)/PUD Planned Unit Development Overlay District. It is located on east side of Nicholson Rd. This would allow them to split the parcel into 2 lots. The northerly lot 1 would be 3.74 acres and sold for the purpose of building a single family residence in which the church already has a buyer. Second lot would have the church, parking lot and pond.

The width of the lot was discussed. 90' is the required length and this parcel would be 66'.

Czuta explained the history of the parcel. The church originally had a conceptual plan that included a road network to accommodate a subdivision. In March they had a CSM requesting 2 lots split from the church parcel. This request is only asking for one lot split off.

Willie Scott, Pastor, Christian Faith Fellowship, stated when they originally bought the land the Engineers helped them put together a 6 lot concept. The Village considered putting a road through which did not occur. The church thought their neighbors would rather only have the 1-2 neighbors instead of 6.

The church spoke with the property owner to the north of lot one's entrance to discuss a land swap to conform to the 90' requirement. They seemed reluctant to agree but did listen to their proposal. The church made contact with the owner the day before the meeting. The Commission urged the church to attempt the request again since they may have felt pressured to make a decision in haste. Then only a Modification Waiver process would be needed for the flag lot approval.

Jerry Frievault, 3340 Rodney Ln, spoke against the request.

Rick and Olga Jackson, 3418 Rodney Ln, asked to see the parcel plan and were concerned.

Beth Holbus, 3232 Rodney Ln, concerned that she did not get notice as her neighbors did.

Normally, Concept Plans are not mailed to the surrounding parcels. The church sent out notices to their neighbors as a courtesy.

It was reiterated to the audience that this request is to split one lot from the parcel for a single family residence.

PUD intent was discussed. Ekes was concerned if the request meets the intent of a PUD. If approved to a concept it would be difficult to do anything else with the parcel.

In order for the flag lot approval, a Waiver Modification would be completed with a Certified Survey Map to split into the two parcels. A letter application from applicant would need to be submitted and reviewed according to the criteria in the Village Ordinance for a Waiver Modification. A recommendation would be required from the Plan Commission to the Village Board to approve the Waiver and then a Resolution by the Board for approval.

The applicant could apply for a Variance. They would need to appear in front of the Zoning Board of Appeals to change the required lot width and would still need a Modification Waiver from the Plan Commission. A public hearing would then be held. It is possible that a request like this would not be granted according to the hardship parameter.

Motion by Michalski to lay over the request to next month's meeting, August 28, 2017, Minorik seconded.

Michalski asked for further clarification on what is being approved and the process after approval. It was explained that this is just a Concept Plan and would still require a Public Hearing to rezone. This is just input to determine if the applicant should go through the process.

Minorik stated he realizes it's a concept but believes that there should be more discussion with the adjacent property owners and further discussion for the land swap. A PUD should be used as a last resort and that there are other options capable to come into play.

Michalski reversed his motion, Minorik did not.

Motion by Knitter to approve Concept Development Plan to rezone ±12.57 acres of land from R-3A Suburban Residential District (Sewered) and R-3 Suburban Residential District (Sewered) to R-3A Suburban Residential District (Sewered)/PUD Planned Unit Development Overlay District; 3303 Nicholson Road; Christian Faith Fellowship Racine Inc. Folk seconded. Motion carried, 4-2.

**6C. Temporary Use for a construction laydown yard by American Transmission Company associated with an electric transmission communications upgrade project; 6422 Hwy 31; Christopher Cape, Owner; Land Service Company, Agent.**

The applicant is requesting a temporary laydown yard from early August until end of November along with an additional 3 months if necessary due to weather.

Applicant was present and stated they received and agreed to the conditions.

It was asked if there would be storage of gas or diesel on the site. Applicant stated no. It was discussed that there should be a containment area in the case of excess storage of flammable materials.

Motion by Knitter to approve the Temporary Use for a construction laydown yard by American Transmission Company associated with an electric transmission communications upgrade project; 6422 Hwy 31; Christopher Cape, Owner; Land Service Company, Agent, with conditions outlined in Czuta's memo dated July 24, 2017 with the additional condition that there be a flammable storage area. Folk seconded. Motion carried.

**7. Adjournment**

Motion by Trustee Wanggaard to adjourn. Seconded by Michalski. Motion carried. Meeting adjourned at 7:38 p.m.

Respectfully submitted,

Sara Spencer  
Deputy Clerk