

**Plan Commission Meeting  
Monday, April 30, 2018**

**1. Meeting called to order**

President Jim Dobb called the meeting to order at 6:01 p.m. at the Village Hall, 5043 Chester Lane, Racine, Wisconsin.

**2. Roll Call/Introductions**

Roll call was taken. Members present:

President Jim Dobbs, Trustee Kevin Wanggaard, Joseph Minorik, Thomas Knitter, Bill Folk, Duane Michalski, Jonathan Schattner

Also Present: Village Administrator Thomas Christensen, Attorney Elaine Ekes, Zoning Administrator Jarmen Czuta, Public Works Director Tom Lazcano

**3. Approval of Minutes**

Motion by Trustee Wanggaard to approve the minutes from the March 26, 2018 Plan Commission meeting. Seconded by Bill Folk. Motion carried.

**4. Citizens' Comments**

No comments were made.

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

**5A – Ordinance 2018-04 – An Ordinance to Amend Chapter 1 of Title 14 Ad Chapter 3 Of Title 14 Of The Code Of Ordinances For The Village Of Caledonia Pertaining To Minor Lane Divisions In The Village And The Number Of Land Divisions That Can Be Accomplished Utilizing A Certified Survey Map Before A Plat Is Required.**

**Public Hearing opened at 6: 04 p.m.**

Attorney Ekes presented. Title 14 Ad Chapter 3 Of Title 14 Of The Code Of Ordinances For The Village Of Caledonia is in regards to land divisions and subdivisions. Essentially the major revisions to this chapter is to provide flexibility, but still meet the goals of the Village. This was recommended for approval at Legislative & Licensing. The major revisions in this ordinance are:

1. Definitions:
  - Brings in definitions that were cross referenced in the subdivision chapter.
  - Revises the definition of Flag Lot to match the Village's intentions.
  - Eliminates the use of "Land Split" and instead uses the term "Minor Land Division".
  - Allows up to 10 divisions by CSM for parcels zoned commercial, industrial or mixed use parcels.
2. Application Procedure/Approval Process:
  - Allows the Public Works Director to waive a preliminary CSM to a residential Minor Lane Division.
  - Includes the Predevelopment Agreement language here to eliminate cross references.

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- One notice to parcels within 300 feet of the proposed minor land division.
- Plan Commission may direct that after review of a preliminary CSM, the final CSM can bypass the Plan Commission and go straight to the Board for action.
- In the event that the plans for the public improvements result in minor revisions to the Final Certified Survey Map, the Director of Public Works shall have authority to approve such minor revisions prior to recording of the Final Certified Survey Map.

**Public Hearing opened at 6: 04 p.m.**

**5A - Public Comments**

Fran Martin, 5630 5 Mile Road. Fran Martin asked for clarification from Attorney Ekes. Ekes explained the prior statues/ordinance did not allowed more than 4 parcels in a 5 year period, anything more would go into a plat. The Statute change allowed more than 4 parcels to be created via a CSM. Staff is recommending allowing up to 10 parcels. Large divisions (greater than 35 acres) will need to be metes and bounds.

Jay Benkowski, citizen and Caledonia Trustee. This is talking about 35 acres or less. If you had 350 acres, you could do 10 divisions. Ekes explained it could be 9 new parcels, plus the remnant. If it is less than 35 acres, the CSM will capture it. Benkowski asked if any consideration was given on what this will do to roadway infrastructure and quality of the development. Under Act 67 the Village is losing control over the master planning process for an industrial subdivision and allowing subdivisions to occur at 35 acres. Based upon Act 67, he felt we are giving up too much control over the tax base and development in the Village.

**Public Hearing Closed at 6:16 p.m.**

**5A - Recommendation on Public Hearing**

Tom Lazcano stated the Village would still review those CSMs, and still locate roadway easements, driveway easements, etc., just allowing additional parcels on large acres.

Jay Benkowski made the point that if someone had a 350 acre parcel, this language is not clear enough. It could be developed into ten-35 acre parcels and the Village would have little control over what was happening.

Attorney Ekes explained the 35 acres is not a new rule. You could regulate every single land divisions if you wanted too. That's a policy decision as to where you want to draw that line in requiring a certified survey map.

Discussion followed on land divisions, road frontage, effects on roadway infrastructure, each parcel have the ability to ingress/egress, the tax base, and the quality of developments. Different scenarios were discussed.

Tom Knitter stated he appreciated the effort to streamline, at same time appreciate that we don't want to paint ourselves into corner where we can't say no.

**Tom Knitter made a motion to send back to Legislative and Licensing for review Ordinance 2018-04 – An Ordinance to Amend Chapter 1 of Title 14 Ad Chapter 3 Of Title 14 Of The Code Of Ordinances For The Village Of Caledonia Pertaining To Minor Lane Divisions In The Village And The Number Of Land Divisions That Can Be Accomplished Utilizing A Certified Survey Map Before A Plat Is Required. Duane Michalski second. Roll call:**

**Jim Dobbs: aye**

**Thomas Knitter: aye**

**Duane Michalski: nay**

**Kevin Wanggaard: aye**

**Joseph Minorik: aye**

**Bill Folk: nay**

**Jonathan Schattner: aye**

**Motion carried 5/2. This will return to Legislative and Licensing committee.**

**5B – Request to rezone ±0.54 of an acre from B-4 Planned Business District to A-2 General Farming and Residential District II; NW ¼ of Sec. 6, T4N, R22E, 8627 Hwy 41, Village of Caledonia, Racine County, WI. The purpose of this rezoning is to place one zoning district designation on the entire parcel and to recognize the use of the existing two-family residence. JPeter Group Inc., Owner; Abin Joy Peter, Applicant.**

**Public Hearing opened at 6:55 p.m.**

Czuta explained the location and zoning on the above parcel. The subject property consists of ±0.61 of an acre. The westerly ±360 feet of the property is zoned B-4 Planned Business District, which is approximately ±0.54 of an acre, and contains an existing two-family residence and a detached garage. The remaining portion of the property is zoned A-2 General Farming and Residential District II. The current B-4 zoning has been in place since Caledonia adopted the zoning maps in 1970. The applicant is requesting that the westerly portion of the subject property be rezoned to A-2 General Farming and Residential District II. The reason for this rezoning request is to place one zoning district designation on the entire parcel and to recognize the use of the existing two-family residence.

### **5B - Public Comments**

Kevin Burgey, 8619 E. Frontage Road, Caledonia, WI. He owns the property directly south (Burgey's Pub) and his holding tanks are on this property.

Jarmen Czuta explained Zoning would have no impact on any easement agreement. This request was made because the B-4 zoning does not allow a two-family home, and they are requesting to modify the zoning to recognize the two-family home. Czuta review the easement, the easement was filed with the Racine County Register of Deeds as a permanent easement.

**Public Hearing Closed at 7:02 p.m.**

### **5B - Recommendation on Public Hearing**

**Bill Folk moved to approve to rezone ±0.54 of an acre from B-4 Planned Business District to A-2 General Farming and Residential District II; NW ¼ of Sec. 6, T4N, R22E, 8627 Hwy 41, Village of Caledonia, Racine County, WI. The purpose of this rezoning is to place one zoning district designation on the entire parcel and to recognize the use of the existing two-family residence. Duane Michalski second. Motion carried.**

This will move to the Village Board meeting on May 7th, the applicant will need to be in attendance.

**5C. - Request a conditional use to park a commercial vehicle (dump truck), 13140 4 Mile Road, Sec. 19, T4N, R22E, Village of Caledonia, Racine County, WI. Applicants are subject to Art. VI. Div. 24 A-2 General Farming and Residential District II and Sec. 20-1226 Uses permitted conditionally, Chap. 20, Zoning, Racine County Code of Ordinances, as applicable to the Village of Caledonia, Mark Gracyalny, Applicant.**

Jarmen Czuta explained the location and zoning. Two site plans were in the packet and the location of where the dump truck was to be parked was highlighted.

**Public Hearing opened at 7:04p.m.**

**5C - Public Comments**

No one was present in favor or against. Applicant was in agreement with the conditions.

**Public Hearing Closed at 7:07 p.m.**

**5C - Recommendation on Public Hearing**

Trustee Wanggaard explained that this was part of the conditional use process for parking a commercial vehicle.

**Joseph Minorik made a motion to approve a conditional use to park a commercial vehicle (dump truck), 13140 4 Mile Road, Sec. 19, T4N, R22E, Village of Caledonia, Racine County, WI. Applicants are subject to Art. VI. Div. 24 A-2 General Farming and Residential District II and Sec. 20-1226 Uses permitted conditionally, Chap. 20, Zoning, Racine County Code of Ordinances, as applicable to the Village of Caledonia. Jon Schattner second. Motion carried.**

**5D – Request a conditional use to construct and utilize a ±35,600 square-foot additional and renovation to the existing Village of Caledonia Highway Department garage building, 6922 Nicholson Road, Sec. 16, T4N, R22E, Village of Caledonia, Racine County, WI. Applicants are subject to Art. VI. Div. 13 P-1 Institutional Park District and Sec. 20-1336 Public and semipublic uses, Chap. 20, Zoning, Racine County Code or Ordinances, as applicable to the Village of Caledonia. Village of Caledonia, Applicant.**

**Public Hearing opened at 7:09 p.m.**

Tom Lazcano presented. The Village is looking to build a new highway garage with an office area for DPW staff. They plan on remodeling the existing village hall and expand west and north. The variance has been approved by the Caledonia Board of Appeals.

**5D - Public Comments**

No one was present for or against.

**Public Hearing Closed at 7:11 p.m.**

**5D - Recommendation on Public Hearing**

Jarmin Czuta added that there has been an adhoc committee meeting weekly for this project and this is what the adhoc committee has proposed for the Village.

**Thomas Knitter make motion to approve a conditional use to construct and utilize a ±35,600 square-foot additional and renovation to the existing Village of Caledonia Highway Department garage building, 6922 Nicholson Road, Sec. 16, T4N, R22E, Village of Caledonia, Racine County, WI. Applicants are subject to Art. VI. Div. 13 P-1 Institutional Park District and Sec. 20-1336 Public and semipublic uses, Chap. 20, Zoning, Racine County Code or Ordinances, as applicable to the Village of Caledonia with conditions. Duane Michalski second. Motion carried.**

**6. Non-Public Hearing Items**

**6A – Site Plan Review to occupy an existing ± 12,800 square-foot commercial building and site with a construction equipment rental, sales, and service business known as Ahern Rentals; 3516 Ten Point Lane, Top Flight LLC, Owner; Dan Oakes, Applicant; Cooperative Boundary Agreement Town of Raymond and Village of Caledonia.**

Jarmen Czuta presented. He explained the location and the zoning. The subject property lies within the cooperative boundary agreement area between the Town of Raymond and Village of Caledonia. The site is located at 3516 Ten Point Lane. The proposal is to occupy an existing ±12,800 square-foot commercial building and site with a construction equipment rental, sales and service business known as Ahern Rentals. The subject site is zoned B-3 Commercial Service District. The 2035 Town of Raymond Lane Use Plan designates the subject site as Commercial. The proposed use is allowed in the B-3 zoning district through the site plan review process. The proposal is consistent with the 2035 Town of Raymond Land Use Plan designation of Commercial for the site. The construction of the existing ±12,800 square-foot commercial building received approval from the Racine County Economic Development and Land Use Planning Committee, the Town of Raymond and the Village of Caledonia in 2017. The Racine County Economic Development and Land Use Planning Committee and the Town of Raymond have approved the current proposal. It is up to the Village of Caledonia Planning Commission and the Village Board to determine if the proposed use is appropriate based upon the Cooperative Boundary Agreement between the Town of Raymond and the Village of Caledonia. Foth Engineering did perform staff review and did recommend approval, subject to additionally approved landscaping, lighting and approval by the Village. This process will cover occupancy. Applicant did agree with the conditions and stated they will be close to being done by the end of May, the landscaping was completed April 30<sup>th</sup> and the lighting should be completed in two weeks.

**Jonathan Schattner made a motion to approve this 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, subject to conditions as recommended by Staff. Duane Michalski second. Motion carried.**

This will move to the Village Board meeting on May 7, 2018.

**6B – Mardja Concept CSM - Parcel ID 51-104-04-22-07-096-000 – NE ¼ Section 7, T4N, R22E, 6 ½ Mile Road, Village of Caledonia, Racine County, WI – Owner Susanne Mordja**

Tom Lazcano presented. The Engineering Department has received a Concept Plan to divide the property with Parcel ID 104-04-22-07-096-000 by way of Certified Survey Map. The property is located on the south side of 6 ½ Mile Road, just east of I-94, in the Village of Caledonia. The property is located outside of the sanitary sewer service area and this Concept Plan is for the creation of two – 5 acre parcels. The Village’s 2035 Land Use Plan shows that the property as part of an isolated natural resources area due to its highly wooded make up. The Concept Plan will stay in line with the proposed use. Isolated natural resources such as this can be built on so long as trees are only removed for the driveway and 25’ around the home and garage.

With this submittal there is a Waiver/Modification requests that have to be considered/reviewed on behalf of the Certified Survey Map. The Waiver/Modification of a dedication of 12’ Right-of-Way Easement for future 6 ½ Mile Road expansion. If the Plan Commission and Village Board are willing to support the Concept Plan the following, motion is recommended by:

- The approval of Waiver/Modification Request.
- The final Certified Survey Map will require a review by Racine County prior to approval.
- The Concept Plan must conform to all Ordinances in Titles 9, 14 & 18 as necessary.

Susanne Mordja, Owner, 2835 South Middle Road, New Berlin, WI was present. She explained the idea is to make two – 5 acre parcels. She questioned the requirement about the secondary environmental corridor (trees) because they have a limited area to disturb leaving no room for outbuildings or a pool. The dedicated Right-of-Way was okay with her.

No soil testing has been done yet, this would be required as part of the CSM process. This is just a concept plan.

**Bill Folk moved to approve Mardja Concept CSM - Parcel ID 51-104-04-22-07-096-000 – NE ¼ Section 7, T4N, R22E, 6 ½ Mile Road, Village of Caledonia, Racine County, WI with restrictions as to layout and the CSM must conform with Ordinances. Duane Michalski second. Motion carried.**

**6C – Discussion concerning 2017 Wisconsin Act 67 and Village planning by Representative Tom Weatherston.**

Representative Tom Weatherston was not present.

**7. - Adjournment**

**Motion by Duane Michalski to adjourn. Seconded by Trustee Kevin Wanggaard. Motion carried. Meeting adjourned at 7:37 p.m.**

Respectfully submitted,  
Mary Jo Schmidt  
Adm. Asst. II