

**1. Meeting called to order**

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

**2. Roll Call/Introductions**

Members present: Trustee Wanggaard, President Dobbs, Jonathan Schattner, Joseph Minorik, Duane Michalski and Bill Folk

Absent: Thomas Knitter was excused.

Also Present: Administrator Tom Christensen, Assistant Administrator Toni Muise, Planning Director Peter Wagner, Public Works Director Tom Lazcano, Clerk Karie Pope, Engineer/Building Administrator Erika Waege, and Racine County Zoning Administrator Jarmen Czuta. Trustee Prott, Trustee Stillman, Trustee Weatherston, Trustee Wishau and Trustee Martin were also present.

**3. Approval of Minutes**

Motion by Jonathan Schattner to approve the minutes from the August 26, 2019 Plan Commission meeting. Seconded by Bill Folk. Motion carried unanimously.

**4. Citizens' Comments**

*No citizens' comments were made.*

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

**A. LAND USE AMENDMENT – Consider an amendment to 2035 Comprehensive Plan that would update the Recommended Land Use Plan 2035 Map from Agricultural, Rural Residential and Open Land to Commercial for 10410 Forest Hills Drive, submitted by Lentz Landscaping Inc., Owner; Ray Lentz, Applicant (Parcel No. 104- 04-22-09-053-008)**

President Dobbs explained that because these topics are for the same applicant, that the Public Hearings will be combined.

Wagner read from his staff report:

“The subject property is located directly east of the existing landscaping business, known as Lentz Landscaping Inc., which has been in business at this current location since 1992. The applicant is requesting a land use plan amendment and zoning change for the subject property to possibly allow for a conditional use amendment to expand the location of landscaping materials and stockpiles associated with Lentz Landscaping Inc. The Land Use Plan Amendment portion of this request consists of amending the 2035 Land Use Plan designation of Agricultural, Rural Residential and Open Land to

Commercial and contains ±0.84 of an acre. The purpose of the Land Use Plan Amendment request is to lay the foundation for rezoning of the subject property to the B-3 Commercial Service District”

**B. REZONE – Review a request to rezone from R-2 Suburban Residential District (Unsewered) to B-3 Commercial Service District for 10410 Forest Hills Drive, submitted by Lentz Landscaping Inc., Owner; Ray Lentz, Applicant (Parcel No. 104- 04-22-09-053-008)**

Wagner read from his staff report:

“The subject property is located directly east of the existing landscaping business, known as Lentz Landscaping Inc., which has been in business at this current location since 1992. The applicant is requesting a land use plan amendment and zoning change for the subject property to possibly allow for a conditional use amendment to expand the location of landscaping materials and stockpiles associated with Lentz Landscaping Inc. The proposal involves rezoning the aforementioned ±0.84 of an acre from R-2 Suburban Residential District (Unsewered) to B-3 Commercial Service District. The B-3 Commercial Service District is being requested as the subject property is adjacent to an existing landscaping business, which is zoned B-3, and the B-3 zoning district is the necessary zoning district to accommodate the possible expansion of the location of landscaping materials and stockpiles associated with Lentz Landscaping Inc.”

**Public Hearing opened:** 6:07 p.m.

**5A&B - Public Comments**

*President Dobbs asked three times if anyone wanted to speak in favor of this proposal. Being none he moved on to those who are against the proposal.*

*President Dobbs asked three times if anyone wanted to speak against this proposal. Being none he closed the Public Hearing.*

**Public Hearing Closed:** 6:09 p.m.

**5A&B - Recommendation on Public Hearing**

Duane Michalski motioned to recommend to the Village Board an amendment to the 2035 Land Use Plan Map from Agricultural, Rural Residential and Open Land to Commercial for 0.84 acres located at 10410 Forest Hills Drive for the following reasons:

- Due to the subject property’s proximity to an existing long-standing landscaping business this Land Use Plan amendment will lay the foundation for rezoning of the subject property to the B-3 Commercial Service District.
- The requested Land Use Plan designation of Commercial is compatible with adjacent Land Use Plan designations as currently there are properties designated as Commercial that are adjacent to the subject property.

Jonathan Schattner seconded. Motion carried unanimously.

Duane Michalski motioned to recommend to the Village Board that a portion (0.84 acres) of the property at 10410 Forest Hills Drive be rezoned from R-2, Suburban Residential District (unsewered) to B-3 Commercial Service District for the following reasons:

- This rezoning will not adversely affect the surrounding property values.
- This rezoning is in accord with adjacent zoning designations and uses in this area.
- This rezoning is necessary to accommodate the possible expansion of the location of landscaping materials and stockpiles associated with Lentz Landscaping Inc. which has been in business at this current location since 1992.

Seconded by Jonathan Schattner. Motion carried unanimously.

## **6. Non-Public Hearing Items**

### **A. CONDITIONAL USE AMENDMENT- Consider a request to expand the location of landscaping materials and stockpiles associated with Lentz Landscaping Inc. for the property directly east of 7725 STH 38, submitted by Lentz Landscaping Inc., Owner; Ray Lentz, Applicant (Parcel No. 104-04-22-09-033-000)**

Peter Wagner read from his Staff Report:

“On April 20, 1992, the Planning and Development Committee of the Racine County Board of Supervisors approved a request to rezone parcel 104042209053008 from B-4 Planned Business District to B-3 Commercial Service District. On June 15, 1992, the Planning and Development Committee of the Racine County Board of Supervisors approved a request for a conditional use permit for the construction of a 50’ x 70’ building and the occupancy of the building and the property with a landscaping business including product storage at parcel 104042209053008. On July 18, 1994, the Planning and Development Committee of the Racine County Board of Supervisors approved a portion of a request for an amendment to the conditions of the original conditional use permit to allow additional stockpiling of product, additional product display and onsite business activities at parcel 104042209053008. At this time the applicant is requesting a conditional use minor amendment to expand the location of landscaping materials and stockpiles associated with Lentz Landscaping Inc. to the east onto a portion of parcel 104042209033000 which is also owned by Lentz Landscaping Inc.”

The applicant was present and had received the conditions and agreed to them.

Schattner questioned the landscaping. Wagner explained that screening has not been suggested by staff because there is a significant distance between the neighboring properties, with a farm field providing a buffer. It has been past practice to implement screening for neighbors. Lentz felt that all the landscaping he has done thus far was with the intent to screen the property.

Duane Michalski motioned to recommend that the Village Board approve a Conditional Use Permit Amendment for the property at 7725 STH 38 for the following reasons:

- The proposed use is allowed by underlying zoning (if the land use plan amendment and rezoning is approved) through the conditional use minor amendment process.
- Based on other things going on in the area, and subject to the attached reasonable conditions that are supported by substantial evidence, including that raised during the Plan Commission meeting, the use appears compatible with current uses in the area.
- The area requested for the conditional use minor amendment to expand the location of landscaping materials and stockpiles associated with Lentz landscaping Inc. is adjacent to an existing landscaping business that has existed at this current location since 1992.
- The expanded area (0.84 ac) located at 10410 Forest Hills Drive is subject to the approved conditions 1-10 as stated in the 9.30.2019 staff report.

Seconded by Bill Folk. Motion carried unanimously.

**B. COOPERATIVE BOUNDARY AGREEMENT REVIEW- Consider a request to construct and utilize a ±5,260 square-foot commercial building for the servicing of semi tractors and trailers and also the associated semi-tractor and trailer parking at the property directly west of 2915 W 6 ½ Mile Road, Village of Raymond, Musafar Group LLC, Owner; Scott Maier, Agent (Parcel No. 012-04-21-12-038-030)**

Peter Wagner read the staff report from Orrin Summolt of Foth:

“The subject property is located at approximately 3015 W. 6 ½ Mile Road (west of the Hitters Baseball facility) and is currently vacant. The proposal is to construct a ± 5,260 square-foot commercial building for the servicing of semi-tractors and trailers for a trucking company business use and associated semi-tractor and trailer parking. The proposed use is allowed within the underlying B-5 Highway Business District as a conditional use. The Raymond Village Board approved the proposed use at their meeting on Monday, September 24.”

The topography of this site is significantly lower than the neighboring properties, and is out of view from I94 and the Frontage Road. Wagner spoke of the applicant submitting a revised landscape plan in order to better screen the business.

The applicant was present for any questions. Minorik spoke of requiring paved surface lots on both the East and West side of I94, and this project has partial gravel. There was discussion regarding how other developments were paving the surface lots, and various timelines given to these developments if they were asked to pave the lot. This is an in effort to minimize dust from gravel. Minorik further asked about the metal panel siding, and thought it should be pac-crete style walls in order to mirror the surrounding buildings. Schattner questioned the parking of the trucks and trailers, and wondered what happens in the event of something like a fluid leak with being so close to the canal. There is a storm water pond that would catch any run off before it reaches the river. Michalski questioned the turns and capacity of the roads leading to the business, and one of the conditions with Raymond is that the company works on the road to make it more feasible. There was further discussion about what would be the best method in reworking the road area to accommodate these heavy use trucks.

The issue of lighting was discussed, and how they would like this lighting to reflect standards that have been asked of previous developments. Because the facility is not being lit like a Commercial entity, it is suggested to provide enough visibility for employees to back in the vehicles without causing damage. Dobbs questioned the lighting standard.

The gravel area is reserved for potential parking short-term (a couple of days). There was further discussion regarding the security of the trucks, and lot in order to keep the freight product protected and out of the way to address any liability concerns.

Jonathan Schattner motioned to recommended the Village Board approve the conditional use, site, building, and landscape approximately 5,260 square-foot commercial building located upon property bearing Parcel ID No. 012-04-21-12- 038-030 with conditions 1-7 outlined in the staff report dated September 24, 2019:

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- All rooftop mechanicals shall be screened upon construction with similar architectural materials found on the principal structure.
- Any required ground mechanical equipment, misc. outdoor storage, or refuse containers shall be screened by landscaping or fencing.
- The landscape plan shall be updated to include the addition of dense plantings (primarily evergreen trees) along the street frontage on the west side of the driveway to screen the semi-tractors and trailers from the view of the roadway, the addition of five (5) shrubs per 50-feet along the entire road frontage, and a three-foot wide foundation planting bed along the north elevation of the building. A revised Landscape Plan shall be submitted to the Village for review and approval by the Development Director, prior to issuance of a Building Permit.
- The employee/patron parking lot on the west side of the proposed building and the access drive from W. 6 ½ Mile Road shall be paved (concrete or asphalt). A revised Paving Plan shall be submitted to the Village for review and approval by the Development Director, prior to issuance of a Building Permit.
- The width of the masonry band around the base of the building shall be increased to four feet, and windows consistent with the design and spacing of the windows on the north elevation of the service bay, shall be added to the west elevation to break up the plane of this wall. Revised Architectural Elevations shall be submitted to the Village for review and approval by the Development Director, prior to issuance of a Building Permit.
- Any outdoor lighting shall be down-cast, full cut-off fixtures. Any pole lights shall not exceed 20 feet. Lights should produce no more than 0.5 foot candles at the property line with no lighting to exceed 12 foot candles. A Lighting Plan shall be submitted to the Village for review and approval by the Development Director, prior to issuance of a Building Permit.
- 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.

Seconded by Bill Folk. Motion carried, 5/1.

**C. CERTIFIED SURVEY MAP – Review a certified survey map submitted by Harley & Evelyn Dell dividing the property at 8115 Northwestern Avenue. (Parcel ID No. 151-03-22-03-021-030)**

Peter Wagner read from his Staff Report:

“The applicants are requesting approval of a Certified Survey Map (CSM) to divide the property at 8115 Northwestern Avenue into four (4) lots of conforming size. The existing property is 19.15 acres in size and mainly resides in the Village of Mount Pleasant. Only 0.05 acres resides in Caledonia. Per Ordinance, any land division within the Village must be reviewed and approved by the Village prior to being recorded at the County. This CSM was approved by the Village of Mount Pleasant last month. The applicants were not aware that approval from the Village of Caledonia was required prior to recording. Village staff has determined that there is no need to submit a concept plan for this CSM as it has been already reviewed and approved by Mt. Pleasant. The area located in Caledonia will be part of Lot 1 and will be part of a 0.61 acre lot that abuts Northwestern Avenue. There is a notation on the CSM that states that there will be no access to Northwestern Avenue via Lot 1 which is consistent with Village regulations. The Village Land Use Plan identifies the area as low density residential and the property is currently zone R-3, Suburban Residential District. The proposed lot size and area conforms to this type of land use and zoning requirements.”

Staff recommended approval.

Jonathan Schattner motioned to recommend to the Village Board that the Certified Survey Map submitted by Harley & Evelyn Dell, for the property at 8115 Northwestern Avenue be approved with the conditions that any technical corrections be made prior to recording and that the Certified Survey Map conforms to all Ordinances in Titles 9, 14, & 18 as necessary. Seconded by Bill Folk. Motion carried unanimously.

**D. CONCEPT PLAN – Review a concept plan submitted by Kailey Bauer for 7216 Foley Road. (Parcel ID No. 104-04-22-11-037-010)**

Tom Lazcano read from his memorandum dated September 25, 2019:

“The Engineering Department has received a Concept Plan for a Certified Survey Map (CSM) from Kailey Bauer. The Concept Plan is for a property located at 7216 Foley Road in the Village of Caledonia. The existing property is approximately 23.83 acres in size. There is approximately 777 feet of frontage along Foley Road. The existing parcel currently contains a home with several outbuildings, farm fields, and a small area of wetlands and a wooded area. This Concept Plan is for the creation of two lots on the parcel. Lot 1 would be approximately 18.83 acres and would remain a single family home with outbuildings. Lot 2 will be approximately 5 acres in size and the owners plan to build a single family home in the near future. The property is located outside of the Sanitary Sewer & Water Service Area. Lot 2 will need a mound system and well for services. The property currently has an A-2 Zoning Classification. A-2 Zoning requires 150 feet of frontage and 40,000 square feet size. The Village’s 2035 Land Use Plan shows that the recommended use for the land as Agricultural, Rural Residential and Open Land. Both of the Lots on the CSM will stay in line with the Zoning and Comprehensive Land Use Plan. With this submittal there is 1 Waiver/Modification requests that needs to be considered/reviewed on behalf of the CSM. This Waiver/Modification is for:

1. Approving a flag lot.

In regards to Waiver/Modification request #1, the Concept Plan is proposing the creation of the flag lot for Lot 1. The existing property, 1,335’ deep so this makes the subdividing the lot impossible without a waiver/modification request for either a flag lot or exceeding the 2.5 to 1 max length width ratio.”

The applicant is open to a key lot if the Commission is opposed to the flag lot. The Applicant is present for any questions. Schattner questioned if there were wetland elimination, which was included in the conditions.

Jonathan Schattner motioned to approve the concept plan as presented, subject to the following conditions set forth by the Village Engineer:

- The Final CSM is subject to the Land Division per Lot fee.
- The approval of Waiver/Modification Request #1.
- A Pre-Development Agreement for a CSM will need to be entered into for review and approval of the final CSM.
- An approved grading will need to be performed on the entire property,
- Soil test showing suitable location for a mound system.
- Wetland delineation will need to be performed on the entire property.
- The Final CSM must conform to all Ordinances in Titles 9, 14 & 18 as necessary.

Bill Folk seconded. Motion carried unanimously.

**E. RECOMMENDATION – Recommendation on the release and vacation of the road reservation as set forth in Resolution 2019-77 – Resolution Of The Village Board Of The Village Of Commencing Proceedings To Vacate A Portion Of The Public Right-Of-Way For Charles Street That Is Improved**

Peter Wagner explained that this is policy procedure and is before the Commission because procedurally there must be a recommendation from this body prior to going to Village Board. Staff recommended approval.

Jonathan Schattner motioned to Recommendation on the release and vacation of the road reservation as set forth in Resolution 2019-77 – Resolution Of The Village Board Of The Village Of Commencing Proceedings To Vacate A Portion Of The Public Right-Of-Way For Charles Street That Is Improved Bill Folk seconded. Motion carried unanimously.

**7. - Adjournment**

Motion by Trustee Wanggaard to adjourn. Seconded by Duane Michalski. Motion carried unanimously. Meeting adjourned at 7:09 p.m.

Respectfully submitted,  
Joslyn Hoeffert  
Deputy Clerk