

1. Meeting called to order

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

2. Roll Call/Introductions

Members present: Thomas Knitter, Trustee Wanggaard, President Dobbs, Jonathan Schattner, Bill Folk, Joseph Minorik and Tim Just.

Absent: None

Also Present: Development Director Peter Wagner and Trustee Martin.

3. Approval of Minutes

Motion by Trustee Wanggaard to approve the minutes from the October 26, 2020. Seconded by Bill Folk. Motion carried unanimously.

4. Citizens' Comments

None.

5. Public Hearing Items followed by Commission Recommendations

A. CONDITIONAL USE – Consider a request for a conditional use to occupy the eastern portion of the existing site with an online vehicle auction business with outdoor storage of used, undamaged, and damaged vehicles located at 7213 USH 41, submitted by IAA Inc., Applicant, Hribar Holdings LLC. (Parcel ID No. 104-04-22-07-100-000)

Peter Wagner read from his report:

“The applicant is requesting approval of a conditional use permit for the property for the operation of an outdoor storage yard of used, damaged and undamaged vehicles for an online auto auction business on the eastern most portion of the property located at 7213 HWY 41 to allow for IAA Inc. The property owner recently expanded their site for the outdoor storage of tractor trailers for their existing business, however, due to the pandemic, their business has slowed down, and they currently do not need to use the area at this time. For economic reasons, the property owner wishes to lease the easternmost portion of their property to IAA Inc.

Recently, the Village Board approved an extension of a similar use for the middle portion of the property, to Copart, until 2025. At that time, residents along 6 ½ Mile Road expressed concerns and complaints regarding extending the operation of the business due to the unsightliness of the area and not complying with conditions of approval. Staff has received approximately 20 complaints starting from September 2019 and as recently as September 2020. The complaints have come from primarily one resident stating that Copart has been operating outside of approved business hours, and two other residents have filed complaints regarding the glare from the car's windshields. Of the nearly two-dozen complaints, the majority were unverifiable. Staff worked with Copart and the property owner to rectify the situation. The property owners were able to identify a third-party, car hauler who had access to the locks to the site and was terminated for operating out of approved hours of operation. Another incident was the result of Copart asking for permission to work on a Saturday that was granted by staff at Village Hall. Amston and Copart have consistently communicated with staff and provided steps to eliminate operating outside of approved hours.

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The applicant is aware of the past concerns by residents for this type of use but believes the location further east and further away from the view of residential homes makes this use more suitable than the middle location on the property. The applicant has indicated in their narrative, their business operations, storage layout, hours of operation, security, and lighting. The applicant states that there is no salvage or parting of cars associated with this business. The applicant has indicated that this use is a temporary overflow lot for their business and not a long-term use. The property owner intends to use the area for their original intent which was trailer and equipment storage when the business climate improves. At this time, the applicant is requesting a use of 18 months with possible extensions based on compliance with permit requirements.

If the Plan Commission is comfortable with the proposed use, staff recommends utilizing similar conditions of approval as applied to Copart as the uses are similar as illustrated in Exhibit A. If approved, IAA Inc. only has permission to utilize the easternmost portion of the parcel as shown in Exhibit B. The Plan Commission has the authority to add, modify, or subtract conditions as part of their deliberation. If the Plan Commission finds the revised conditions of approval acceptable, staff has provided a suggested motion for consideration.”

Public Hearing 6:12 p.m.

In favor:

Steve Hribar 7213 Hwy 31– would like to have a new tenant for a temporary time frame to help with the halt of other business due to COVID-19.

Mike Bannon (of DeMark, Kolbe & Brodek, S.C.) – explained that it is to be an overflow lot no public onsite. The transporting of vehicles would go back and forth during normal business hours. These are not junk vehicles and would not be stacked on top or another vehicle. The applicant will install slats in the fences to help block vehicles lights within the lot.

Against:

Sandy Dewalt – 13212 6½ Mile Rd – questioned if there is any blocking of reflection off the vehicles and the hours of operation. She was concerned about the impact of surrounding well waters and was worried that the fence and natural surroundings won’t block the reflection off vehicles.

Jodi Switalski – 13222 6 ½ Mile Rd – was concerned about water contamination, visibility, light pollution, hours of operation, crime, noise pollution, property values, and explosives.

Ralph Dunn – 13500 6 ½ Mile Rd – is against this unless vehicles were to be kept on a concrete base in buildings with drains to a holding tank to avoid ground water contamination. He would like to see more blinders put in place to conceal activity and visual eye sores.

Public Hearing Closed: 6:33 p.m.

5A. Commission Deliberation

Plan Commission Members questioned the type of paving on the site and asked if the east lot was for tractor trailers. Steve Hribar said the lot currently has an asphalt gravel mix and it is for tractor trailers but due to COVID all business has come to a halt. Commission Members questioned the time frame for the new tenant and if the applicant was notified about the complaints from surrounding residents. Hribar replied that the tenant would have an 18-month lease contract and asked if Mr. Wagner could clarify if the tenant was notified of the complaints made. Wagner said he did give the applicant past complaints to consider. Commission Members asked if everything on the property was compliant. Wagner said after visiting the site today, he clarified the conditions of

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the site complied. Plan Commission Members questioned how many transports would go through daily and the lot capacity.

Mike Bannon from DeMark, Kolbe & Brodek, S.C. confirmed the 18-month lease contract with potential renewals. He said there will be a temporary building just for holding the records for this overflow lot. Bannon stated the hours of operation will be from 7:30 a.m. to 6 p.m., the vehicles being brought into this lot aren't junk vehicles that are to be auctioned off. Rich Hoopis from IAA, Inc. explained the capacity would roughly be 1000 to 1250 cars with additional traffic until the lot is full. The transports per day on average will be 10 to 15 and may be slightly higher some days. Commission Members asked Hribar what was Coparts numbers per day. Hribar said less than the applicant due to size of the vehicles and the lot.

Commission Members were concerned about the placement of the vehicles with some facing North/South and some East/West. Bannon said the lot topography is lower than the Copart lot and with the slat fencing and trees this would help block the glare. He explained as far as environmental concerns they have a \$25,000,000.00 environmental insurance policy and the Village of Caledonia is an additional name of insured.

Motion by Trustee Wanggaard to approve and recommends to the Village Board that with conditions, allowing the a portion of the existing site at 7213 Hwy 41, as outlined in Exhibit A, to be occupied with an online vehicle auction platform with outdoor storage for used, undamaged, and damaged vehicles for the following reasons:

1. The proposed use is allowed by underlying zoning through the conditional use process.
2. Based on the existing similar use on the property, the proposed use appears to fit with the uses in the zoning district.
3. The proposed use is being incorporated into an existing sales, service and rental of semi-tractors and trailers business and the proposed use is of a similar nature.
4. The proposed use will occur only in the location illustrated in Exhibit B.

Seconded by Bill Folk.

ROLL CALL

Thomas Knitter	Aye
Trustee Wanggaard	Aye
Tim Just	Aye
Joseph Minorik	Aye
President Dobbs	Aye
Bill Folk	Aye
Jonathan Schattner	Aye

Motion carried unanimously.

6A. Non-Public Hearing Items

A. CONDITIONAL USE EXTENSION – Review a request to grant an extension of a conditional use to construct an independent-living senior housing building at 5327 Douglas Avenue, submitted by Alf McConnell, Applicant, McConnell Trust Alfred G. (Parcel ID No. 104-04-23-20-102-131)

Peter Wagner read from his report:

“The applicant is requesting an extension until December 31, 2022 of the Conditional Use Permit to construct the Parkview Garden IV at 5327 Douglas Avenue, originally approved by the Village Board in January 2009. In 2016, the Village Board approved an extension of the conditional use through Resolution No. 2016-105 extending the approval until December 31, 2018. In 2018 the Village Board approved a two-year extension expiring December 31, 2020 through Resolution 2018-137. Included with this report is the applicant’s written request for the extension along with previous staff reports of prior extension requests.

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Staff recommends that the Plan Commission recommends to the Village Board extending the approval of the conditional use permit until December 31, 2022 to allow the applicant sufficient time to submit a building permit application and begin construction. Staff also suggests that this be the last extension of the approval granted originally in 2009. Although nothing may have changed regarding the proposal, staff is working on updating the zoning code and intends to have the revised code adopted before 2022. There may be changes to the code that may make the approved building non-conforming. If the Plan Commission agrees that this request is reasonable, staff has provided a suggested motion for consideration.”

6A. Commission Deliberation

None.

Motion by Knitter to approve and recommends to the Village Board that the Conditional Use Permit for the construction of the Parkview Gardens IV located at 5327 Douglas Avenue be granted its final extension which will expire December 31, 2022 subject to compliance with all Village ordinances and previous conditions of approval.

Seconded by Just.

ROLL CALL

Thomas Knitter	Aye
Trustee Wanggaard	Aye
Tim Just	Aye
Joseph Minorik	Aye
President Dobbs	Aye
Bill Folk	Aye
Jonathan Schattner	Aye

Motion carried unanimously.

B. ROAD NAME CHANGE – Review a request to rename 993 linear feet of Village roadway from Erie Street to Waters Edge Drive, submitted by the Village of Caledonia.

Peter Wagner read Tom Lazcano’s Memorandum:

“During the TID 5 redevelopment discussions the team suggested renaming the roadway along the development area from Erie Street to Water’s Edge Drive to match the road name immediately north and to help make the property more marketable. Having Water’s Edge Drive in the address instead of Erie Street would be more appropriate for the property with the view of Lake Michigan that it has.

The name change would affect a 990-foot segment of the roadway. There are three properties affected by the name change besides the TID 5 properties. These properties have been notified and had questions but no objections. The Engineering Department recommends the renaming of a portion of Erie Street as Water’s Edge Drive.”

6B. Commission Deliberation

Plan Commission Members questioned if there would be any residential cost to change the title of their properties. Wagner stated the property owner would be responsible for those costs.

Motion by Knitter to approve and recommends that the Village Board approve the request to rename 993 linear feet of Village roadway from Erie Street to Waters Edge Drive, submitted by the Village of Caledonia.

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Seconded by Minorik.

ROLL CALL

Thomas Knitter	Aye
Trustee Wanggaard	Aye
Tim Just	Aye
Joseph Minorik	Aye
President Dobbs	Aye
Bill Folk	Aye
Jonathan Schattner	Aye

Motion carried unanimously

7. - Adjournment

Motion by Schattner to adjourn. Seconded by Wanggaard. Motion carried unanimously. Meeting adjourned at 7:33 p.m.

Respectfully submitted,
Erika Waege
Administrative Assistant Building/Engineering