

**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 via ZOOM.

**2. Roll Call/Introductions**

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

Absent: None

Also Present: Development Director Peter Wagner and Trustee Fran Martin.

**3. Approval of Minutes**

Motion by Folk to approve the minutes from the November 30, 2020. Seconded by Just. Motion carried unanimously.

**4. Citizens' Comments**

None.

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

**5A. CONDITIONAL USE REVIEW – Review a request for a conditional use to construct a 165-foot tall cell tower located at 8451 Frontage Road submitted by Verizon Wireless, Applicant, American Transmission Company LLC, Owner. (Parcel ID No. 104-04-22-06-041-000)**

Peter Wagner read from his report:

“The applicant is requesting approval of a conditional use and building, site, and operation plans for a wireless communications tower facility located at 8451 Frontage Road. The tower will be 165-foot tall monopole and include a 5-foot lighting rod and located in the western portion of the property. The applicant will utilize the existing equipment shelter located by the American Transmission Company Tower and extend connections to the new monopole as shown on the submitted site plans. This tower is being constructed to replace a nearby telecommunications array located on the nearby American Transmission Tower located on the same parcel. The American Transmission Company is discontinuing the use of their towers as a co-location facility for telecommunications, similar to the case on River Road last year. The applicant supplied a narrative and site plan explaining the project proposal. The proposed tower complies with the Title 16, Chapter 9: Mobile Tower Siting regulations of the Village Municipal Code. Engineering had no concerns or issues with the proposed siting of the facility.”

Public Hearing Opened 6:06 p.m.

*President Dobbs asked three times if anyone wanted to speak in favor of this proposal.*

**In favor:**

Pete Schau- As being the applicant, just wanted to go on record that he was in favor.

*President Dobbs asked three times if anyone wanted to speak against this proposal.*

**Against:**

None.

*Public Hearing Closed: 6:08 p.m.*

**5A. Commission Deliberation**

Plan Commission Members questioned the height of the tower and if there is a light located at the top. Pete Schau responded there are no requirements to add lighting due to the distance it is from the airport and the height doesn't exceed 200 ft. Commission Members expressed gratitude towards the applicant using the existing facilities available instead of building a new structure.

Motion by Knitter to approve and recommend to the Village Board that a conditional use and building, site, and operational plan for the construction of a 165-foot cell tower for the property located at 8451 Frontage Road be approved with conditions in Exhibit A for the following reasons:

1. The proposed use is allowed by underlying zoning through the conditional use review process.
2. The proposed use will not adversely affect the surrounding property values.

Seconded by Just.

**ROLL CALL**

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

**Motion carried unanimously.**

**5B. CONDITIONAL USE AMENDMENT – Review a conditional use amendment for the property located at 1306 4 Mile Road allowing the applicant to expand hours of operation for Casey’s General Store submitted by Mikael Lage, Applicant, Casey’s Marketing Company, Owner. (Parcel ID No. 104-04-23-051-000)**

Peter Wagner read from his report:

“The applicant is requesting a change to the conditions of approval pertaining to the hours of operation for Casey’s General Store located at 1306 4 Mile Road. The applicant did not provide a narrative explaining why the request was being made or why there is a need to expand hours of operation. Staff contacted the applicant requesting additional information and was only able to verbally confirm the request. At the time this report was created, staff has not received any additional information explaining the rationale as to why there is a need to expand hours of operation. Included with this report are the conditions of approval with Condition No. 24 highlighted showing the proposed change. There are currently no zoning complaints or violations regarding this business and has received no incident reports from the Police Department as it pertains to the operation of the business. Without an explanation, and only a verbal request to change the hours of operation, staff does not believe changing the condition of approval to accommodate the change in hours of operation will positively impact the neighborhood as it will likely result in additional traffic and noise occurring as late as midnight and as early as 4am.”

Public Hearing Opened 6:18 p.m.

President Dobbs asked three times if anyone wanted to speak in favor of this proposal.

**In favor:**

None

President Dobbs asked three times if anyone wanted to speak against this proposal.

**Against:**

Kevin & Christine Barber 4934 Charles St – spoke against the extended hours, the lights are currently an issue with the hours set in place now. It was spoke of the surrounding businesses don’t operate beyond 8 p.m.

Kim Gegare 1307 4 Mile Rd – spoke against the expansion of operating hours, via email, due to lighting and Casey’s repeatedly forgetting to shut them off after business hours.

Natalie Weyers 5036 Charles St – spoke against Casey’s extending their hours, via email, and sees it to be unacceptable. She states the current headlights & building lighting situation is already a problem for this residential area and interrupts sleeping hours for residents.

Public Hearing Closed: 6:23 p.m.

**5B. Commission Deliberation**

Plan Commission Members spoke of their recollection of prior meetings before construction of Casey’s. That the applicant, Casey’s agreed with Plan Commission Member’s on what the current hours of operation are and that it wouldn’t affect their decision to build in Caledonia. Plan Commission said with nobody from Casey’s here to represent themselves and as stated in Peter Wagner’s report no current complaint lets keep the status quo and keep hours of business the same.

Motion by Just to leave as is the current hours of operation from 5 a.m. to 10 p.m.

Seconded by Minorik.

**ROLL CALL**

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

**Motion carried unanimously.**

**6. Non-Public Hearing Items**

**6A. PRELIMINARY PLAT EXTENSION – Consider a request to extend the approval for a preliminary plat for the subdivision known as Catlyn Woods located at 6235 Middle Road, submitted by Nance Washburn, Applicant, Middle Road Investments LLC, Owner. (Parcel ID No. 104-04-23-17-072-000)**

Peter Wagner read from his report:

“The applicant is requesting another 3-year extension for the approval of the preliminary plat for Catlyn Woods, which is located at 6235 Middle Road. The proposed subdivision plat is approximately 50 acres and will consist of 68 residential lots. As stated in the applicant’s narrative, the current housing market and cost to develop these lots are not financially feasible at this time. The applicant has not proposed any changes to the preliminary plat. A similar extension was approved in 2018 with an expiration of May 7, 2021. Included with this report is a copy of the 2018 extension request, which provides additional history regarding the plat. If approved, this extension will be set to expire February 1, 2024. At this time, the applicant does not have a timeline to begin moving this project forward.

Staff does not have opposition to the request but recommends that any extension of the plat require the developer to meet current Village development standards. If the Plan Commission is comfortable with the request, the extension will be set to expire on February 1, 2024 or three years from when the Village Board approves the extension.”

**6A. Commission Deliberation**

Nancy Washburn- spoke of the market and it hasn’t risen enough to the rates of absorption to bring on large plats or to bring on multiple plats for development. Currently Catlyn Woods is being used as a fill site and is active and ongoing. Washburn said the permits pulled for this preliminary plat for the subdivision are current and up to date with the DNR for notice of intent and the all permits with the Village for this site. The recognition that when it does come forward again it’ll have to be brought up to an engineering standpoint and meet all Village codes and ordinances.

Plan Commission Members had concerns about the soil stabilization currently at the stock piling location and it being dusty during the summer months. Washburn was unaware of the issue and stated it would be brought to the applicants’ attention and investigate the situation once the ground thaws this coming Spring.

Motion by Just recommends to the Village Board to approve the 3-year extension of the approved preliminary plat for Catlyn Woods with the condition that the development is constructed to Village standards at the time of construction and is in compliance with all applicable Village Ordinances and other applicable Wisconsin Statutes and regulations at the time of submission of the final plat. In addition, no further extensions be allowed until the site is reviewed for changes to meet the ordinances set in place at that time.

Seconded by Knitter.

**ROLL CALL**

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

**Motion carried unanimously.**

**6B. PRELIMINARY PLAT EXTENSION – Consider a request to extend the approval for a preliminary plat for the subdivision known as Audubon Arboretum located at 6444 Charles Street, submitted by Nancy Washburn, Applicant, Audubon Park-Racine LLC, Owner. (Parcel ID Nos. 104-04-23-17-083-000, 104-04-23-17-084-000, & 104-04-23-17-085-000)**

Peter Wagner read from his report:

“The applicant is requesting another 3-year extension for the approval of the preliminary plat for Audubon Arboretum, which is located at 6444 Charles Street. The proposed subdivision plat is approximately 69 acres and will consist of 106 residential lots. As stated in the applicant’s narrative, the current housing market and cost to develop these lots are not financially feasible at this time. The applicant has not proposed any changes to the preliminary plat. A similar extension was approved in 2018 with an expiration of May 7, 2021. Included with this report is a copy of the 2018 extension request, which provides additional history regarding the plat. If approved, this extension will be set to expire February 1, 2024. At this time, the applicant does not have a timeline to begin moving this project forward.

Staff does not have opposition to the request but recommends that any extension of the plat require the developer to meet current Village development standards. If the Plan Commission is comfortable with the request, the extension will be set to expire on February 1, 2024 or three years from when the Village Board approves the extension. This subdivision was originally proposed in 2007. Staff cautions the Plan Commission and Village Board, that continued extensions limit the design of the subdivision to what has been previously approved and future revisions to the zoning code, may make future extensions of the plat inconsistent with the zoning requirements. The applicant should be made aware that continued extensions may not be granted, and that the applicant may have to resubmit a full preliminary subdivision plat for review in the future.”

**6B. Commission Deliberation**

Nancy Washburn said April 2018 through Feb. 2019 they had the wetlands re-delineated and remained unchanged and the farmland had been farmed. The storm water management, sewer, water plans were updated and the whole area around this location was looked at for changes. The Phases of this project are large and the first Phase towards the east is mainly storm water management and includes twenty-six (26) plats but the market just hadn’t been there for this size lot with all the costs needed for the start of this development.

Motion by Knitter recommends to the Village Board to approve the 3-year extension, expiring February 1, 2024, of the approved preliminary plat for Audubon Arboretum with the condition that the development is constructed to Village standards at the time of construction and is in compliance with all applicable Village Ordinances and other applicable Wisconsin Statutes and regulations at the time of submission of the final plat.

Seconded by Just.

**ROLL CALL**

- |                   |     |
|-------------------|-----|
| Thomas Knitter    | Aye |
| Trustee Wanggaard | Aye |
| Tim Just          | Aye |
| Joseph Minorik    | Aye |
| President Dobbs   | Aye |
| Bill Folk         | Aye |

**Motion carried unanimously**

**6C. PRELIMINARY PLAT EXTENSION – Consider a request to extend the approval for a preliminary plat for the subdivision known as Homestead Acres located along Northwestern Avenue, east of the railroad tracks**

Peter Wagner read from his report:

**Plan Commission Meeting  
Monday, January 25, 2020**

“The applicant is requesting another 3-year extension for the approval of the preliminary plat for Homestead Acres, which is located between Dunkelow Road and CTH K, immediately east of the Chicago & Northwestern Railroad. The proposed subdivision plat is approximately 68 acres and will consist of 53 single-family residential lots and 26 two-family lots for a total of 79 lots. As stated in the applicant’s narrative, the applicant intends to start this project later this year, most likely after the May 2021 expiration date of the last extension. Included with this report is a copy of the 2018 extension request, which provides additional history regarding the plat. If approved, this extension will be set to expire February 1, 2024. At this time, the applicant intends to start this project later in 2021, but likely not before the expiration of preliminary plat, which is May 7, 2021. Staff does not have opposition to the request but recommends that any extension of the plat require the developer to meet current Village development standards and be amended to reflect the change due to the attenuation basin parcel. If the Plan Commission is comfortable with the request, the extension will be set to expire on February 1, 2024 or three years from when the Village Board approves the extension.”

**6C. Commission Deliberation**

Nancy Washburn said December 2018 to the middle of 2019 created the first final plat (21 plats) for the northeast section near Dunkelow Rd. She stated all extensions are improved by the Racine Wastewater. This is getting ready to go out for bid again and hopefully will be brought back out to market by April or May 2021.

Motion by Knitter recommends that the Village Board approves the 3-year extension, expiring February 1, 2024, of the approved preliminary plat for Homestead Acres with the condition that the development is constructed to Village standards at the time of construction; is in compliance with all applicable Village Ordinances and other applicable Wisconsin Statutes and regulations; and is amended to reflect the purchase of land by the Village for an attenuation basin prior to the submission of the final plat.

Seconded by Just.

**ROLL CALL**

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

**Motion carried unanimously**

**7. - Adjournment**

Motion by to adjourn Trustee Wanggaard. Seconded by Minorik. Motion carried unanimously. Meeting adjourned at 6:50 p.m.

Respectfully submitted,  
Erika Waege  
Administrative Assistant Building/Engineering