

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 Weatherston, Tim Just, President Dobbs, Joseph Minorik, Bill Folk, and Nancy Pierce.

Absent: None

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

3. Approval of Minutes

The March minutes weren't approved at the April meeting and will be forwarded for approval at the May 24th meeting.

4. Citizens' Comments

None.

5. Public Hearing Items followed by Commission Recommendations

5A. A. LAND USE AMENDMENT – Consider an amendment to the Village's Land Use Plan Map as part of the Multi-Jurisdictional Comprehensive Plan for Racine County: 2035 for two parcels located on Erie Street, west of 5945 Erie Street from Government & Institutional to Medium Density Residential (6,200 SF to 18,999 SF per dwelling), submitted by the Village of Caledonia, Applicant and Owner. (Parcel ID Nos. 104-04-23-21-003-000 & 104-04-23-21-005-000)

Peter Wagner read from his report:

The applicant is requesting a land use plan amendment for the former Western Publishing Company parking lot (approximately 3 acres in total) located on Erie Street, west of 5945 Erie Street from Governmental & Institutional to Medium Density Residential and for the rezoning of these parcels from B-1, Neighborhood Business District to R-3, Suburban Residential. The result of making these changes would allow for future single-family residential development. Parcels abutting the subject parcels are currently identified on the Land Use Plan Map as Medium Density Residential to the west, north and south, and High Density Residential to the east.

These parcels are within the sanitary and water service area and have the necessary infrastructure to accommodate a single-family residential use. These parcels are located within TID 5 and have been identified as future single-family housing. Furthermore, the TID 5 plan includes an extension of 5 Mile Road to what is now known as Water's Edge Drive along the northern border of the existing parking lot.

At this time, there are no future governmental or institutional uses planned for this area. Below is a concept plan illustrating a potential residential development in this area if the land use amendment and rezone were to be approved.

The State of Wisconsin Smart Growth Law requires that all local land use decisions after January 1, 2010 must be consistent with the goals, objectives, and policies contained within the Land Use Plan. Approval

**Plan Commission Meeting
Monday, April 26, 2021**

of these changes to the Land Use Plan Map would create consistency for the future use of the parcels located on what is now known as Water's Edge Drive.

Public Hearing Opened 6:04 p.m.

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

In favor:

Fran Martin 5638 5 Mile Rd: would like to go on record that she was in favor and it will help what we have created there.

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

Against:

None.

Public Hearing Closed: 6:07 p.m.

5A. Commission Deliberation

Motion by Knitter to approve and recommend to the Village Board that an amendment to the 2035 Land Use Plan Map from Government & Institutional to Medium Density Residential (6,200 SF to 18,999 SF per dwelling unit) for the properties located at Erie Street (now Water's Edge Drive), west of 5945 Erie Street, for the following reasons:

1. This land use amendment will be consistent with surround land use categories allowing single family residential land use.
2. This Land Use Plan amendment will lay the foundation for rezoning of the subject property to the R-3 Suburban Residential District.

Seconded by Trustee Weatherston.

ROLL CALL

Nancy Pierce	Aye
Thomas Knitter	Aye
Trustee Weatherston	Aye
Tim Just	Aye
Joseph Minorik	Aye
President Dobbs	Aye
Bill Folk	Aye

Motion carried unanimously.

5B. REZONE – Review a request to rezone two parcels on Erie Street, west of 5945 Erie Street from B-1, Neighborhood Business District to R-3, Suburban Residential District (sewered) to accommodate future single family residential development submitted by the Village of Caledonia, Applicant and Owner. (Parcel ID Nos. 104-04-23-21-003-000 & 104-04-23-21-005-000)

Public Hearing Opened 6:09 p.m.

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

In favor:

Fran Martin 5638 5 Mile Rd: stated to be in favor of this Rezone.

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

Against:

None.

Public Hearing Closed: 6:12 p.m.

5B. Commission Deliberation

Motion by Knitter recommends to the Village Board that that the properties located on Erie Street (now Water's Edge Drive), west of 5945 Erie Street, be rezoned from B-1 Neighborhood Business District to R-3, Suburban Residential District (sewered) for the following reasons:

1. This rezoning will not adversely affect the surrounding property values.
2. Due to the subject property's proximity to other parcels zoned R-3, single family residential uses should be encouraged in this area.
3. The 2035 Land Use Plan designates this property as Medium Density Residential. The proposed rezoning is in accord with the 2035 Land Use Plan designation for the subject properties.

Seconded by Trustee Weatherston.

ROLL CALL

Thomas Knitter	Aye
Nancy Pierce	Aye
Trustee Weatherston	Aye
Tim Just	Aye
Joseph Minorik	Aye
President Dobbs	Aye
Bill Folk	Aye

Motion carried unanimously.

5C. LAND USE AMENDMENT – Consider an amendment to the Village's Land Use Plan Map as part of the Multi-Jurisdictional Comprehensive Plan for Racine County: 2035 from Medium Density Residential to Commercial for the parcel located at 6 ½ Mile Road, north of 7301 USH 41, submitted by Matthew Mehring, Applicant, Robert & Gary Prochaska, Owners (Parcel ID No. 104-04-22-07-097-000)

Peter Wagner read from his report:

The applicant is requesting a land use plan amendment for a vacant lot currently being farmed located near the southeast corner of USH 41 and 6 ½ Mile Road. This 26-acre lot currently has a split land use designation of commercial and medium density residential. This parcel lies outside of the Village sanitary and water service area. Of the 26 acres, approximately 7 acres along the eastern portion of the property is designated medium density residential on the Village Land Use Map. The applicant is requesting to amend the land use map to change this land use category to commercial. This change would create the basis to request a rezone of the entire 26 acres of the property to B-3, Commercial Service District to allow for the future development of a commercial business with outdoor storage. To accommodate a commercial business with outdoor storage, the property will need to be

**Plan Commission Meeting
Monday, April 26, 2021**

rezoned from B-4, Planned Business District and A-2, General Farming and Residential District II to B-3, Commercial Service District. If the Plan Commission does not approve the Land Use Amendment, the rezone request for the entire 26 acres would not be consistent with the Land Use Map and should not be rezoned. However, 19 acres of the parcel is currently within the commercial land use category and a commercial rezone request for this area would be consistent with the land use map. Any development with outdoor storage in the B-3 District would require a conditional use permit. In 2018, the Village Board adopted the I-94 Land Use Study which provided recommendations as to how the corridor should be developed.

Recommendations include:

- Avoid uses with large outdoor storage of materials/vehicle needs. Higher tax base producing developments result from improvements that maximize the building footprints. This will be especially important in areas where a TID exists and where opportunity for commercial supporting uses for a business park are in high demand (CTH K frontage).
- A focus should key upon marketing the manufacturing industry for the I-94 Study Area.
- Discourage developments that does not require public sewer and water in high profile areas (CTH K, 5 ½ Mile Road, 7 Mile Road) to maximize the development potential of these areas.
- Future land for a supporting community park (30-40 acres) has been discussed by the Village Board in the past. Such parklands may be considered along the I-94 Corridor lands between 5 ½ Mile Road to 7 Mile Road.

The result of making these changes would allow for future commercial development. Parcels abutting the subject parcels to the north and south currently identified on the Land Use Plan Map as Commercial and lands to the east are identified as Medium Density Residential. Current land uses are single family residential and farmland.

Staff has concerns that amending the land use map and rezoning the property at this time is premature and should occur when water and sanitary services are available that can support commercial uses identified in the I-94 Land Use Study. Staff believes that changes for this parcel, if granted, could follow a similar development path as the parcel located to the south that has an existing commercial development with outdoor storage. At the time that parcel was rezoned, the intent was that the parcel would start with one building with outdoor storage and future development would include additional buildings and a public road. Phase 2 and 3 of this parcel turned out to be expanded gravel parking with additional outdoor storage. Staff has concerns that the parcel under consideration could face a similar development future if the requested land use amendment and rezone are granted at this time.

Public Hearing Opened 6:18 p.m.

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

In favor:

Bob Prochaska 11430 4 Mile Rd - in favor of the growth of commercial and the distance should be extended further than the one (1) mile radius that the Village of Caledonia currently has in place.

Matthew Mehring (Anderson Ashton Inc) 2746 S. 166th St – in favor and was willing to answer any questions or concerns surrounding residents may have.

Steve Hribar 7213 USH 41– In favor of the development and willing to answer questions residents or Plan Commission Members have.

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

Against:

**Plan Commission Meeting
Monday, April 26, 2021**

Jeff Vail 13432 6 ½ Mile Rd – questioned what they planned on building on the lot.

Ralph Dunn 13500 6 ½ Mile Rd – against the change and doesn't want another parking lot that could incorporate issues with ground water, drainage, noise and lighting problems.

Sandy DeWalt 13212 6 ½ Mile Rd – against and doesn't agree that Amsten and Hribar would follow through with anything they say would be done.

Jodi Switalski 13222 6 ½ Mile Rd – against changing to commercial and believe that residential growth is a better plan.

Public Hearing Closed: 6:37 p.m.

5C. Commission Deliberation

Plan Commission Members asked for clarification if the Village had created a region or distance for commercial usage alongside the west and east side of the Highway expanding a quarter (1/4) mile in each direction. Members expressed concern if the Land Use change would exceed that range of distance. Wagner responded that would extend past that distance for within the parcel in question, that is why the applicant is requesting a Land Use Amendment. Commission Members asked the applicants if he spoke to the surrounding neighbors. Matthew Mehring said he met with some of the neighbors to try to address any issues or concerns and stated only the eastern portion of the parcel in question would be changed to commercial. Commission Members were concerned that changing the Land Use Map and Rezone to commercial would negatively impact neighbor residential parcels.

Motion by Pierce to deny request for amendment to the 2035 Land Use Plan Map, Medium Density Residential to Commercial for the property located near the southeast corner of USH 41 and 6-1/2 Mile Rd (Parcel ID No. 104-04-22-07-097-000) for the following reasons:

1. This Land Use Amendment is not consistent with recommendation from the Adopted I-94 Land Use Study that was incorporated into the 2035 Comprehensive Plan in 2018.
2. The Amendment is incompatible with the surrounding Land Use to the northeast which would remain residential.
3. Public sewer and water is not yet available to serve a development in this location.

Seconded by Folk.

ROLL CALL

Nancy Pierce	Aye
Thomas Knitter	Aye
Trustee Weatherston	Aye
Tim Just	Aye
Joseph Minorik	Aye
President Dobbs	Aye
Bill Folk	Aye

Motion carried unanimously.

5D. REZONE – Review a request to rezone a parcel located at 6 ½ Mile road, north of 7301 USH 41 from B-4, Planned Business District and A-2, General Farming District II to B-3, Commercial Service District to accommodate future commercial development submitted by Matthew Mehring, Applicant, Robert & Gary Prochaska, Owners. (Parcel ID No. 104-04-22-07-097-000)

Public Hearing Opened 7:02 p.m.

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

In favor:

Matthew Mehring (Anderson Ashton Inc) 2746 S. 166th St – in favor and was willing to answer any questions or concerns surrounding residents may have.

Bob Prochaska – in favor just makes sense to expand it to Commercial use.

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

Against:

Sandy DeWalt 13212 6 ½ Mile Rd: problems with lights, working 24-7, issues with crime, they are not good neighbors and been fighting with this for 3 years.

Ralph Dunn 13500 6 ½ Mile Rd: against the parking lot, and concerned about the natural drainage towards the root river.

Emails submitted against the Rezone:

Al Olson 2930 Thornapple Ct: doesn't want the rezone for the Prochaska's.

David Donahue 7804 CTH V: please don't allow commercial zoning on 6-1/2 Mile Rd.

Joyce Brainard 5301 Oldfield Dr: against the rezone it is to close to residential homes and the commercial development would be a negative impact to the current residents.

Mary Granger 12004 CTH G: against the rezone there is an over abundance of truck traffic on CTH G already.

Patti Sprague 10324 Caddy Ln: against the rezoning of farmland so trucking firms can build their businesses there.

Deanne and Gary D'Amato 12204 6 ½ Mile Rd: against the change to commercial zoning it would negatively impact the residential area.

Angela Pierotti 7652 Foley Rd: against the rezoning to commercial, not all farm fields need to be converted into a concrete jungle.

Public Hearing Closed: 7:11 p.m.

5D. Commission Deliberation

Plan Commission Members asked if it is required to subdivide a parcel that has split zoning. Wagner stated subdividing a parcel is not required as it pertains to split zoning on one (1) parcel.

Motion by Minorik recommends to the Village Board to approve that only approximately of the 19 acres of the property that is designated as commercial under 2035 Comprehensive Plan located near the southeast corner of USH 41 and 6 ½ Mile Rd (Parcel ID No.104-04-22-07-097-000) be rezoned from B-

4 planned business district and A-2 general farming and R-2 residential district to B-3 commercial service district for the following reasons:

1. Due to subject property, properties proximity to the interstate commercial uses should be encouraged in this area and that the 2035 Land Use Plan designates approximately 19 acres of the property as commercial.
2. The proposed Rezoning is not in accordance with the 2035 Land Use Plan, designated for the subject property and the remaining portion of the property characterized as Medium Density Residential on the 2035 Comprehensive Plan shall not be rezoned because the change would not be consistent with the 2035 Plan.

Seconded by Trustee Weatherston.

ROLL CALL

Thomas Knitter	Aye
Nancy Pierce	Aye
Trustee Weatherston	Aye
Tim Just	Aye
Joseph Minorik	Aye
President Dobbs	Aye
Bill Folk	Aye

Motion carried unanimously

6. Non-Public Hearing Items

6A. TEMPORARY USE – Consider a request to utilize a 20’x40’ canopy tent for sales of fireworks from June 11, 2020 through July 11, 2020 located at 13600 7 Mile Road submitted by Dolan Pomereneing, Agent, Owner, B & K Real Estate 7 Mile LLC. (Parcel No. 104-04-22-06-069-000)

Peter Wagner read from his report:

The applicant is requesting approval for the temporary operation of fireworks sales in a 20’x40’ canopy tent in the parking lot located at 13600 7 Mile Road. When not operating, the product will be securely stored on site in an 8’x20’ shipping container. The location of the tent and shipping container is illustrated on the submitted site plan included with this report. The applicant has included a sign plan showing where signs will be installed during the temporary use. The applicant has been operating this temporary use within the Village annually since 1999 and the Village has not received any complaints or observed any violations relating to conditions of approval.

Staff has reviewed and determined that the proposed temporary use is allowed by the underlying zoning and complies with zoning requirements.

6A. Commission Deliberation

Plan Commission Members stated the Village needs the certification of insurance confirmed and added in our records.

Motion by Folk to approve and recommends that a temporary use with conditions listed in Exhibit A, for fireworks sales in a 20’x40’ canopy tent and the storage or fireworks in a 8’x20’ shipping container located in the parking lot, as illustrated on the submitted site plan, at 13600 7 Mile Road for the following reasons:

1. The temporary use is allowed by underlying zoning.

**Plan Commission Meeting
Monday, April 26, 2021**

2. Based on other things going on in the area, the proposed temporary use appears to fit with the uses in the zoning district.
3. Based on review of Village records for temporary uses regarding sales of fireworks, this use has been conducted at various sites in the Village of Caledonia on an annual basis from 1999 to 2020 by this applicant. Seconded by Weatherston.

ROLL CALL

Thomas Knitter	Aye
Nancy Pierce	Aye
Trustee Weatherston	Aye
Tim Just	Aye
Joseph Minorik	Aye
President Dobbs	Aye
Bill Folk	Aye

Motion carried unanimously

6B. TEMPORARY USE – Consider a request to utilize a 30’x45’ canopy tent for sales of fireworks from June 11, 2021 through July 11, 2021 located at 4838 Douglas Avenue submitted by Dolan Pomerening, Agent, Owner, Beacon Investments LLC. (Parcel No. 104-04-23-29-163-000)

Peter Wagner read from his Report:

The applicant is requesting approval for the temporary operation of fireworks sales in a 30’x45’ canopy tent in the parking lot located at 4838 Douglas Avenue. When not operating, the product will be securely stored on site in a 10’x25’ shipping container. The location of the tent and shipping container is illustrated on the submitted site plan included with this report. The applicant has included a sign plan showing where signs will be installed during the temporary use. The applicant has been operating this temporary use within the Village annually since 1999 and the Village has not received any complaints or has the Village observed any violations relating to conditions of approval.

Staff conducted a review and determined that the proposed temporary use is allowed by the underlying zoning and complies with zoning requirements.

6B. Commission Deliberation

No comments.

Folk moved to conditionally approve and recommends that the Village Board approve the temporary use with conditions listed in Exhibit A, for fireworks sales in a 30’x45’ canopy tent and the storage of fireworks in a 10’x25’ shipping container located in the parking lot, as illustrated on the submitted site plan, at 4838 Douglas avenue for the following reasons:

1. The temporary use is allowed by underlying zoning.
2. Based on other uses in the area, the proposed temporary use appears to fit with the uses in the zoning district.
3. Based on review of Village records for temporary uses regarding sales of fireworks, this use has been conducted at various sites in the Village of Caledonia on an annual basis from 1999 to 2020 by this applicant.

Second by Trustee Weatherston.

ROLL CALL

Thomas Knitter	Aye
Trustee Weatherston	Aye
Tim Just	Aye
Joseph Minorik	Aye

President Dobbs Aye
Bill Folk Aye
Nancy Pierce Aye

Motion carried unanimously

6C. BUILDING, SITE & OPERATIONS REVIEW – Review a building and site plan to construct a 1,477 square foot accessory building for the storage of topsoil located at 8617 Storage Drive submitted by Michael Dresen Applicant and Owner. (Parcel ID No. 104-04-22-27-018-040)

Peter Wagner read from his report:

The applicant is requesting approval of a 1,477 square-foot storage building located on the western portion of site at 8617 Storage Drive. Accessory buildings within the B-3 District require a BSO review prior to being issued building permits. The proposed building is designed to be used as a storage facility for topsoil associated with the landscaping business that operates on the site. The building will consist of concrete blocks for the first six feet then transition to 6’ metal panel walls. The building will also have a metal roof. Metal is an acceptable principal material for accessory buildings. The metal panels and roof will match style and color of the principle building on the site. This building will be setback 104.5’ from the front lot line and 33’ from the west lot line which are in compliance with setback requirements for the district. The location of the building will be on existing impervious surface and not require any modification to the existing stormwater pond. The purpose of this building is to provide a weather resistant storage facility for topsoil. This type of use is consistent with the approved use as a landscaping business. Prior to any building permits being issued, the applicant will need to submit a grading plan and have it approved by the Engineering Department. No lighting is being proposed at this time, however, if lighting were to be installed, it would need to meet the Village standards and is outlined in Condition #6 in Exhibit A. No additional parking is being requested or is required as part of this development as it is a storage building and not being used for retail or commercial use.

6C. Commission Deliberation

Plan Commission Members expressed concern what type of soil would be stored there. Michael Dresen said it would be topsoil. Commission Members asked what the exterior of the building and the site would look from off the lot to public view. Dresen stated the exterior would mimic the current structure aesthetics that is currently on the lot and would be mainly enclosed from public view.

Motion by Knitter to approve and recommends to the Village Board that the building, site, and operational plan for the construction of a 1,477 square-foot storage building for the storage of topsoil located at 8617 Storage Drive be approved with conditions outlined in Exhibit A for the following reasons:

1. The proposed use is allowed by underlying zoning through the building, site & operation plan review process.
2. The proposed use will not adversely affect the surrounding property values.
3. The proposed building is consistent with the existing use on the property.

Seconded by Folk.

6D. BUILDING, SITE, & OPERATIONS REVIEW – Review a building, site, and operation plan to construct Phase One of the Water’s Edge Condominium Development which includes three, 73-Unit, 5-story buildings located on Water’s Edge Drive submitted by CCM-Caledonia, LLC, Applicant and Owner. (Parcel ID Nos. 104-04-23-21-003-000, 104-04-23-21-005-000, 104-04-23-21-006-000)

Peter Wagner read from his report:

The applicant is requesting approval of a building, site, and operational plan for Phase One of a condominium development consisting of three, 73-unit, 5-story condominium buildings. The proposed Phase One of this

**Plan Commission Meeting
Monday, April 26, 2021**

development proposal complies with site and use restrictions, maintenance, and operational requirements as outlined in the adopted Planned Unit Development (PUD) agreement. The proposed towers will not exceed six stories and 95 feet in height. The proposed buildings will include five stories for residential and one exposed story for underground parking. The building exterior will consist primarily of white metal panels, wood siding, and glass as illustrated in the packet. The proposed materials are acceptable exterior materials for multi-family development.

The proposed development exceeds the 20% green space as required by the PUD. Solid waste collection and recycling will be contained in underground parking structure and only be brought outside for trash pickup. The proposed development will include underground and surface parking for a total of 90 stalls per building. There is an access road on the south side of the site to be constructed to provide access to the property to the south. This cross-access easement will be part of a certified survey map that will be recorded at a future date and is a condition of approval. The proposed lighting plan complies with the Village lighting ordinance Title 16, Chapter 3, Section 3. Proposed lights will be full cut-off lights. The proposed buildings meet the minimum street, rear, and side setback requirements as stated in the PUD. Parking lot setbacks are also in compliance as stated in the PUD. As part of this phase, the construction of a club house and pool is being proposed in the southeastern portion of the site which is required as part of the initial phase of this development. The proposed landscaping plan meets the minimum requirements. As this will be a phased development, the landscaping for Phase One will only need to be installed prior to occupancy. The remaining landscaping will be required when Phase two is complete.

The applicant will need to submit a final stormwater management plan and have it approved by the Water Utility Board prior to submitting building permits. Included with this report is a memo from Pinnacle Engineering Group summarizing their plan. The applicant has submitted a traffic impact analysis and has received approval from the Public Works Director. Also included in this report is the Village Fire Department's comments/concerns pertaining to the proposed development. The applicant will continue to work with the Fire Department to address concerns. The applicant is working with SEWRPC and the DNR regarding bluff stabilization and an approval of the location to construct a portion of the northernmost building in the primary environmental corridor. The proposed location requires approval of an amendment to the sanitary sewer service area identified by SEWRPC. Unfortunately, due to site constraints and setback requirements, the relocation of the building outside the primary environmental corridor is not possible, thus requiring the sanitary sewer service area amendment. The applicant, the Village, and SEWRPC are working to coordinate this amendment and hope to have approval by late summer. The applicant intends to begin demolition of the existing structures later this summer or early fall. No signage is being proposed at this time, however, if any signs are proposed, they will need to comply with Village Sign Code regulations and submit necessary sign permits.

6D. Commission Deliberation

Joe Sinnett (Kahler Slater) 19100 N. Hills Dr, Brookfield, WI: reviewed the site usage and design placement of the structures involved in phase 1 of the project.

Plan Commission expressed concern if there will be enough indoor parking for residents. The applicant stated there are to be 216 units and will be 217 parking spots within the underground parking. Wagner said they meet the PUD ratio requirements of 1.8.

Motion by Weatherston to approve and recommends to the Village Board that Phase One of the building, site, and operational plan for the construction of three, 73-unit, 5-story buildings with underground parking be approved with conditions outlines in Exhibit A for the following reasons:

1. The proposed use is allowed by underlying zoning and Planned Unit Development through the building, site, and operation plan review process.
2. The proposed use will not adversely affect the surrounding property values.

Seconded by Pierce.

**Plan Commission Meeting
Monday, April 26, 2021**

ROLL CALL

Thomas Knitter	Aye
Nancy Pierce	Aye
Trustee Weatherston	Aye
Tim Just	Aye
Joseph Minorik	Aye
President Dobbs	Aye
Bill Folk	Aye

Motion carried unanimously

7. - Adjournment

Motion to adjourn by Thomas Knitter. Seconded by Trustee Weatherston. Motion carried unanimously. Meeting adjourned at 7:54 p.m.

Respectfully submitted,
Erika Waege
Administrative Assistant Building/Engineering