

**1. Meeting called to order**

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

**2. Roll Call/Introductions**

Members present: Thomas Knitter, Trustee Weatherston, Nancy Pierce, President Dobbs, and Tim Just.

Absent: Bill Folk was excused. Joseph Minorik was absent.

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

**3. Approval of Minutes**

Approval of February 28, 2022, meeting minutes.

Motion by Trustee Weatherston

Seconded by Pierce. Motion carried unanimously.

**4. Citizens' Comments**

President Dobbs – 5C has been tabled.

**5. Public Hearing Items**

**5A. CONDITIONAL USE REVIEW – Review a request for a Conditional Use to allow the indoor storage of twelve commercial vehicles and four trailers associated with a home occupation business located at 7215 Botting Road submitted by Jorge Ornelas, Applicant and Owner. (Parcel ID No. 104-04-22-12-060-000)**

Peter Wagner read from his report:

The applicant is requesting a conditional use to allow for the indoor storage of 12 commercial vehicles and 4 commercial trailers associated with a home occupation business that operates at 7215 Botting Road. The A-2 Zoning District allows this type of use as a conditional use.

Currently, the homeowner runs a concrete installation business from his home where commercial vehicles are stored indoors and are utilized offsite Monday through Friday. No business operations occur on the property. Vehicles would leave the property in the morning and return in the evening. The applicant has stated that vehicles will not be traveling to the property throughout the day but rather leave first thing in the morning and return during the evening. The hours the business operates is between 7am and 6pm. The commercial vehicles will consist of the following:

- 1 14' box truck
- 3 dump trucks
- 8 light duty pickup trucks
- 4 utility trailers, not to exceed 16'

The applicant has also stated that the vehicles and trailers would travel south on Botting Road utilizing 6 Mile Road to get to and from project destinations.

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Staff has a concern regarding the operation of non-agricultural businesses in agricultural zoned districts, as they may become a nuisance to neighbors if business operations expand. The applicant has reached out to their neighbors and provided signed testimonials regarding their approval of the request. To address potential nuisances and operations outside of a conditional use, staff included a condition that specifically states if there are three violations in an 18-month timeframe, the conditional use permit will be revoked, and the applicant will no longer be able to utilize the property as outlined in the permit. Due to the location of the property and its proximity to a County Trunk Highway; the utilization of the existing barns for indoor storage for vehicles, staff believes the proposed use is suitable at this location.

Public hearing opened: 6:05 pm

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

**In favor:**

Sandy DeWalt, 13212 6 ½ Mile Road, spoke in favor of the applicant personally and recounted a story about how he helped the Caledonia Conservancy with a project.

Pete Lovdahl, 7222 Botting Road, urged the Commission to consider the applicant's permit saying he has been a great neighbor and has had no issues with activity on the site and that the property is well-kept.

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

**Against:**

None.

Closed public hearing: 6:10pm

**5A. Commission Deliberation**

None.

Motion by Weatherston to approve and recommend Village Board approval of the Conditional Use allowing a home occupation business to store inside two existing barns, twelve commercial vehicles and four commercial trailers with conditions outlined in Exhibit A for the following reason:

1. The proposed use is allowed through the conditional use review process.

Seconded by Just.

**ROLL CALL**

Nancy Pierce	Aye
Thomas Knitter	Aye
Trustee Weatherston	Aye
Tim Just	Aye
President Dobbs	Aye

**Motion carried unanimously.**

**5B. CONDITIONAL USE REVIEW – Review a request for a conditional use to allow the construction and utilization of a 150-foot telecommunication tower located at 8338 Douglas Avenue submitted by Chad Krahel, Applicant, Timothy Christensen, Owner. (Parcel ID No. 104-04-22-01-058-020)**

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 8338 Douglas Avenue. The tower will be 150-foot-tall monopole and include a 4-foot lighting rod and located in the western portion of the property. The applicant will lease a 30'x30' equipment area that will be fenced-in as shown on the submitted site plan.

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. Due to the rural nature of this area, the proposed tower and equipment area will have little to no negative impact on surrounding area.

Public hearing opened: 6:15 pm

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

**In favor:**

Michael Long - Representing the Applicant approves the construction of a cell tower on the property. Regarding maintenance, there is a regular scheduled maintenance program under contract for the compound area. The 30' x 30' fenced area served by an access and utility easement using the existing curb cut on the property. The anchor tenant (Dish Network) will be installing their equipment on the tower. His client is fine with all the proposed conditions. Tower will be built to accommodate up to four wireless carriers and anticipate additional carriers at a later date.

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

**Against:**

None.

Closed public hearing: 6:19pm

**5B. Commission Deliberation**

Plan Commission members asked if this property is to be leased, whether the Village will make money on the increased value to the property. Long said the State of Wisconsin assesses towers so there is a local tax for communications towers and would be a separate tax bill. The estimated value is between \$225,000 to \$275,000. Members asked for staff to reach out to the assessor's office for information on property value and taxes.

Motion by Pierce to approve Plan Commission recommending to the Village Board that a conditional use and building, site, and operational plan for the construction of a 150-foot cell tower for the property located at 8338 Douglas Avenue 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 Weatherston

**ROLL CALL**

Nancy Pierce	Aye
Thomas Knitter	Aye
Trustee Weatherston	Aye
Tim Just	Aye
President Dobbs	Aye

**Motion carried unanimously.**

**5C. CONDITIONAL USE AND BUILDING, SITE, AND OPERATIONS PLAN REVIEW – Review a request for a conditional use and building, site, and operations plan to construct a ±28,638 square-foot speculative commercial building with outdoor storage on the parcel located north of 7301 USH 41 submitted by Matthew Mehring, Applicant, Rose Investments LLC, Owner. (Parcel ID No. 104-04-22-07-097-000)**

**\*Withdrawn and tabled for a future date\***

**6. Non-Public Hearing Items**

**6A. BUILDING, SITE & OPERATIONS REVIEW – Review a building, site, and operation plan for the construction of a ±188,358 square-foot industrial building located on 4 Mile Road, directly south of 13108 4 Mile Road submitted by Likewise Partners LLC, Applicant, Wispark, Owner. (Parcel ID No. 104-04-22-30-015-240)**

Peter Wagner read from his report:

The applicant is proposing to construct a ±188,358 square-foot industrial building located on 4 Mile Road, directly south of 13108 4 Mile Road. This building is being constructed as a speculation building, with no proposed tenants, and will be located on the parcel known as Pad C of the Deback Business Park.

The building exterior will be primarily precast concrete panels with glass and metal accents. The building will have a clerestory, having even spaced windows on all four sides of the building to provide natural light into the building. The design of the building meets the minimum design standards for non-residential developments by having a top, middle, and bottom design. This is accomplished using varying shades of gray and blue accents. To draw attention to the building entrances, the building will have canopies above entrance doors and have blue shading. In addition, the blue colored portions of the building will be slightly higher than the rest of the roof line. Building height and setbacks conform with zoning district regulations.

There are two dumpster enclosures designated for the site. They are in the southeast and southwest portion of the site directly south of the building. The enclosures will be constructed of precast concrete panels which is like the materials used on the building. The entrance of the dumpster enclosures face interior to the site with gates consisting of black, vinyl coated, chain-link fencing with privacy slats.

The development will have 136 parking stalls. Depending on the building's use, the applicant has identified 32 future parking stalls. The number of proposed stalls and stall dimensions meet zoning code requirements. In the southern portion of the site, the applicant is proposing 25 semi-tractor trailers parking stalls to accommodate potential industrial uses. Currently, this portion of the site is not part of Pad C. The applicant is in the process of completing a lot line adjustment to allow for the parking stalls. To address this concern, staff included a condition of approval that the applicant will record a lot line adjustment with Racine County prior to submitting building permits. The parking lot will have a combination of light and heavy-duty asphalt pavement with areas of concrete near truck docks and semi-tractor trailer parking.

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The submitted photometric plan complies with the Village code lighting requirements that no more than a 0.5 foot-candle be cast at the lot line. Condition 9 outlines requirements for lighting of the development.

Landscaping on the site incorporates a combination of deciduous and evergreen vegetation along with perennials, shrubs, and ornamental grasses. For any parking lot with over 25 stalls, landscaping is required in the parking lot. The parking lot incorporates bump outs which will include a deciduous tree. Along the north portion of the site, there will be a combination of deciduous trees with a row of shrubs near the parking stalls. Staff suggests that the proposed trees located on the parcel lot line be relocated further south as not to encroach on the public right-of-way. Perennials and shrubs will be installed along the building near the entrances. The eastern portion of the site will have plantings and shrubs along the side of the building. The western area of the site will have plantings and shrubs along the side of the building. The southern portion has evergreen trees to help screen the dock doors. The plan exceeds the minimum requirements for landscaping. The Plan Commission does have the discretion to modify the proposed landscaping.

Prior to any building permits being issued, the applicant will need to get approvals for stormwater management, erosion control, and grading plans from Water Utility Department and Engineering Department. The Fire Department indicated no concerns regarding the proposed site plan; however, they will work with the applicant to ensure compliance with sprinkling requirements for this building type.

The proposed development complies with Village zoning code regulating the M-3 District. If a future user is not a permitted use in the M-3 District, the tenant will need to get a conditional use permit approved prior to occupancy. Staff recommends approval of the proposed development subject to conditions outlined in Exhibit A.

**6A. Commission Deliberation**

Plan Commission members asked about the applicant’s proposal to include land from an adjacent parcel via a lot line adjustment for additional parking spaces. Wagner said the lot line adjustment is part of the approval, under Condition 3. Members questioned whether the adjustment would adversely affect the storm water management plan. Public Services Director Tony Bunkelman confirmed it would not. Members expressed concerns about an increase of truck traffic on 4 Mile Road and Hwy V. Bunkelman stated the road is Class A Highway from STH 41 to Smerchek Lane and this development shouldn’t increase the truck traffic on 4 Mile Rd to Hwy V.

Motion by Weatherston to approve and recommend to the Village Board that a building, site, and operations plan for a ±188,358 square-foot industrial building be approved for the property located on 4 Mile Road, directly south of 13108 4 Mile Road with conditions outlined in Exhibit A for the following reasons:

1. The proposed use is allowed through the building, site, and operation plan review process.
2. This use is consistent with the 2035 Comprehensive Land Use Plan designation of Industrial/Business Park.

Seconded by Knitter.

**ROLL CALL**

Nancy Pierce	Aye
Thomas Knitter	Aye
Trustee Weatherston	Aye
Tim Just	Aye
President Dobbs	Aye

Motion carried unanimously.

**6B. BUILDING, SITE & OPERATIONS REVIEW – Review a building, site, and operations plan to construct a ±2,880 square-foot, 2-story, bathhouse, inground swimming pool, and expanded pool decking located at 8425 STH 38 submitted by Scott Bender, Applicant, Bear Country Holdings LLC, Owner. (Parcel ID No. 104-04-22-04-017-000)**

Peter Wagner read from his report:

The applicant is requesting approval of a ±2,880 square-foot bathhouse, an inground swimming pool, and expanded pool decking around the existing pool located in the central portion of the 222-acre site at 8425 STH 38. Accessory buildings within the P-2 District require a site plan review prior to submitting building permit applications.

The bathhouse will be a 2-story building constructed into a hill located northwest of the existing pool area. This building is required as part of their proposed pool expansion. The first floor of the building will open out at grade to the existing pool area. This area will consist of men's and women's bathrooms and shower facilities. The second floor will be used as a gathering place for entertainment amenities and is accessible at grade to the north. There will be a deck overlooking the pool area from the second floor. Exterior materials include CMU block, vinyl siding, and glass. The second-floor exterior will incorporate two overhead garage doors with windows on the north, south and east elevations. This design to open the building to the outdoors during favorable weather conditions. The proposed building meets required design standards for recreational facilities, setbacks and building height regulations. No landscaping is proposed as part of this project. The location of the building and the existing vegetation will minimize visual impact from the roadway. No lighting is being proposed at this time, however, if lighting were to be installed, it would need to meet the Village standards as identified in Condition 9.

In addition to the bathhouse, the applicant is proposing to construct an inground swimming pool. The location of swimming pool complies with Village Code. Lastly, the applicant is proposing to expand the existing concrete decking around the existing pool. As part of this expansion the applicant will be modifying their drainage system around the pool area to accommodate the expansion. The applicant is working with our Engineering Department to ensure drainage plans comply with Village Code.

**6B. Commission Deliberation**

None.

Motion by Pierce to approve and recommends that the Village Board approve that the building, site, and operational plan for a ±2,880 square-foot, 2-story, bathhouse, inground swimming pool, and concrete deck expansion located at 8425 STH 38 be approved 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 Weatherston

**ROLL CALL**

Nancy Pierce	Aye
Thomas Knitter	Aye
Trustee Weatherston	Aye



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Motion by Trustee Weatherston to move the proposed boundary agreement review to the Village Board for consideration pending answers to the concerns of what is to be stored in the open-air shelter.

Seconded by Knitter

**ROLL CALL**

Nancy Pierce	Aye
Thomas Knitter	Aye
Trustee Weatherston	Aye
Tim Just	Aye
President Dobbs	Aye

**Motion carried unanimously.**

**7. - Adjournment**

Motion by to adjourn Trustee Weatherston. Seconded by Knitter. Motion carried unanimously. Meeting adjourned at 6:52 p.m.

Respectfully submitted,  
Erika Waege  
Public Services Administrative Coordinator