

1. Meeting called to order

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

2. Roll Call/Introductions

Members present: Thomas Knitter, Trustee Weatherston, Nancy Pierce, President Dobbs, Scott Olley, Joseph Kiriaki, Tim Just

Also Present: Development Director Peter Wagner, Director of Public Services Anthony Bunkelman

3. Approval of Minutes

Approval of June 27, 2022, meeting minutes.

Motion by Pierce to approve the minutes with amendment to correct to remove Commission Member Bill Folk's name from the roll call votes and add Joseph Kiriaki's name.

Seconded by Trustee Weatherston.

Motion carried unanimously.

4. Citizens' Comments

None

5. Public Hearing and Possible Action on Items set for Public Hearing

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 the parcel located on Roberts Street, directly south of 3303 STH H from Medium-Density Residential to Commercial submitted by Shannon Curtin, Applicant, Ronald Brossman Sr., Owner. (Parcel ID No. 104-04-22-33-190-000)

Wagner read from his report.

The applicant is requesting a land use plan amendment for a vacant lot located on Roberts Street, located directly south of 3303 CTH H from Medium Density Residential to Commercial and the rezoning of the property from R-5, Urban Residential District II to B-1, Neighborhood Business District for future commercial development. The abutting parcels are currently utilized for commercial purposes. The lot is legal non-conforming as the lot does not meet the minimum lot width or size for the residential zoning district. The B-1 District does not have a lot size minimum, however, does have a minimum lot width of 75 feet. Therefore, the property owner will need to combine the parcel with an adjacent parcel prior to the approval of the rezone.

The existing land use classification and zoning district prohibits any commercial expansion. It is unclear as to why this parcel was designated as a residential land use and zoned residential when surrounding areas have been commercialized at the adoption of the land use plan. The applicant currently owns the abutting land to the north and has plans to expand his business. Staff has determined that the change in land use classification to commercial and rezoning to B-1, Neighborhood Business District is appropriate based on abutting land uses, the non-conforming residential status of the property, and the condition to combine the lot with either of the adjacent commercial lots.

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 of these changes to the Land Use Plan Map would create consistency for the future use of the parcel located on Roberts Street.

President Dobbs opened the Public Hearing at 6:05 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: None.

President Dobbs closed the Public Hearing at 6:07 p.m.

5A. Commission Deliberation

Motion by Trustee Weatherston to recommend to the Village Board an amendment to the 2035 Land Use Plan Map for the vacant parcel located on Roberts Street directly south of 3303 CTH H from Medium Density Residential to Commercial for the following reasons:

1. The Commercial land use category will be consistent with surrounding land use categories allowing commercial uses.
2. The Land Use Plan amendment will lay the foundation for the rezoning of the subject property to the B-1, Neighborhood Business District.

Seconded by Knitter

Motion carried unanimously.

5B. REZONE – Review a request to rezone a parcel consisting of ±0.0976 acres located on Roberts Road, directly south of 3303 CTH H, from R-5, Urban Residential District II to the B-1, Neighborhood Business District submitted by Shannon Curtin, Applicant, Ronald Brossman Sr., Owner. (Parcel ID No. 104-04-22-33-190-000)

President Dobbs opened the Public Hearing at 6:09 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: None

President Dobbs closed the Public Hearing at 6:11 p.m.

5B. Commission Deliberation

Motion by Pierce to recommend to the Village Board that the property located on Roberts Street, south of 3303 CTH H, be rezoned from R-5, Urban Residential District II to B-1 Neighborhood Business District 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 B-1, commercial uses should be encouraged in this area.
3. The proposed rezoning is in accord with the 2035 Land Use Plan designation of commercial for the subject property.
4. The lot will be combined with an existing adjacent commercial lot.

Seconded by Weatherston

Motion carried unanimously.

5C. REZONE – Review a request to rezone a parcel consisting of ±0.3512 acres located at 3303 CTH H from partially zoned B-1, Neighborhood Business District and R-5, Urban Residential District II, to B-1, Neighborhood Business District submitted by Shannon Curtin, Applicant, SCurtin LLC, Owner. (Parcel ID No. 104-04-22-33-188-000)

Wagner read from his report.

The applicant is requesting the rezoning of the parcel located at 3303 CTH H to B-1, Neighborhood Business District. Currently the parcel is split zoned B-1, Neighborhood Business District and R-5, Urban Residential District II. The purpose of the rezoning is to have the zoning accurately reflect the commercial development and use of the property. Currently, a carpet business resides within the existing building. Any modifications to the existing commercial building are prohibited due to the partial residential zoning classification. Therefore, the applicant wishes to have the same zoning classification to B-1, which will remove this encumbrance on the property.

Staff has determined that the proposed zoning request is consistent with the existing use of the property and that the requested zoning category is consistent with the land use classification as identified in the Village Land Use Plan. Staff recommends that the Village approve the request to rezone the property to B-1 for the reasons stated in the suggested motion in this report.

President Dobbs opened the Public Hearing at 6:16 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: None.

President Dobbs closed the Public Hearing at 6:19 p.m.

5C. Commission Deliberation

Motion by Weatherston to recommend to the Village Board that the parcel located at 3303 CTH H be rezoned to B-1, Neighborhood Business District for the following reasons:

1. The parcel is currently developed and utilized for commercial purposes and rezoning the entire parcel to the B-1 District accurately reflects the use of the property.
2. The proposed rezoning is in accord with the 2035 Land Use Plan designation as commercial for the subject property.

Seconded by Knitter.

Motion carried unanimously.

5D. REZONE – Review a request to rezone four parcels consisting of ±14.46 acres located at and abutting 6020 Erie Street from R-3, Suburban Residential District Sewered to R-4, Urban Residential District I submitted by John Wahlen, Applicant, Village of Caledonia, Owner. (Parcel ID Nos. 104-04-23-16-021-000, 104-04-23-21-021-000, 104-04-23-21-016-010, & 104-04-23-21-016-000)

Wagner read from his report.

Background: The applicant is requesting a rezone of parcels located at 6020 Erie Street and three parcels west of 5945 Erie Street (now Water's Edge Drive). The purpose of the rezoning request is to allow for the development of single-family residential dwellings on narrower and smaller lots than allowed in the R-3 District.

In 2021, the Village rezoned the former Western Publishing Company's parking lot from B-1, Neighborhood Business to R-3, Suburban Residential, to prepare for the future residential redevelopment of the site. At that time, the R-3 District was proposed as the surrounding residential areas were zoned the same zoning district.

Recently, the Village has been working with an applicant to design an infill residential neighborhood that would be characteristic of the area. As part of the design process, Village Staff and applicant agreed that a modification to the zoning would be required to optimize the use of the land. By rezoning these parcels from the R-3 District to the R-4 Zoning District, the applicant will be able to increase the number of lots by reducing the lot width, making them slightly narrower than the minimum width of the R-3 District which is 100 feet. In addition, the change in zoning would allow the applicant to reduce lot size from the minimum 20,000 square feet to 10,000 square feet.

The applicant is proposing lot widths with an average lot width of 94 feet. The narrowest lot is 75 feet and the widest is 169 feet. By allowing the zoning change, the minimum lot size will also be reduced. The average lot size will be 15,520 square feet in area or 0.35 acres. The smallest lot would be 11,178 square feet (1/4 acre) and the largest lot would be 22,506 square feet (1/2 acre).

The applicant has provided a preliminary plat for your review showing how the change in zoning would be applied as part of the redevelopment of the area. Staff believes that the reduction in lot size and width will not negatively impact the surrounding areas as the reduction in width and size will not reduce the value of lots, nor

increase the density of housing in the surrounding areas. The applicant has stated that average home price in this development will be around \$500,000. This value is comparable, if not higher, than surround land values.

Trustee Weatherston talked about the Village's years-long efforts to redevelop the area.

President Dobbs opened the Public Hearing at 6:23 p.m.

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

Several residents asked questions about the proposal.

Sherry Patterson, 703 Waters Edge, asked what the reason would be to rezone the parcels from R-3 to R-4 District and asked if multi-family residences are allowed in the R-4 district.

Yvonne Bishop, 1014 Riva Ridge, asked about the developer's plans for the existing natural areas, trees and a berm on the parcel.

Adam Chalekian, 5953 Daily Double Lane, asked about how the utilities will be extended to the area.

President Dobbs asked twice more if anyone wanted to speak in favor of this proposal.

In favor: None.

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

Against: Heather Shaffer, 6035 N. Point Drive, noted that the minimum rear setback in the R-4 Zoning District is half that of the R-3 District and asked about setbacks for accessory uses in those districts. She said she does not think the development will raise property values in the neighborhood. She asked that parcels in the proposed subdivision that abut parcels with existing homes retain the R-3 Zoning designation.

President Dobbs asked twice more if anyone wanted to speak against this proposal.

President Dobbs closed the Public Hearing at 6:45 p.m.

Kiriaki made a motion to pause deliberation of Item 5D and to go out of order to consider Item 6B under New Business.

Seconded by Knitter.

ROLL CALL

Scott Olley	Aye
Thomas Knitter	Aye
Trustee Weatherston	Nay
Nancy Pierce	Aye
Joseph Kiriaki	Aye
President Dobbs	Aye

Motion carried 5-1.

6. New Business

6B. PREMLINARY PLAT – Review a proposed preliminary plat that will create 30 single-family residential lots for the parcel located at 6020 Erie Street and three parcels located west of 5945 Erie Street (now Water’s Edge Drive) submitted by John Wahlen, Applicant, Village of Caledonia, Owner. (Parcel ID Nos. 104-04-23-16-021-000, 104-04-23-21-016-010, 104-04-23-21-016-000 & 104-04-23-21-021-000)

Bunkelman provided information from his memo and explained that the process for considering a preliminary plat is similar to the process used to consider Certified Survey Maps. Reviews include compatibility of the Village’s Land Use Plan, Zoning, sewer service availability, access to parcels, open space, wetland delineation and storm water drainage. He explained that the plat is based on R-4 Zoning, which the Board would have to vote in favor of the rezoning request first in order to approve the plat.

Bunkelman presented two requested Modification Waivers and explained the reasons for the requests.

He addressed some of the issues raised by the residents who spoke during the Public Hearing. Referencing a preliminary grading plan map projected on a screen, he pointed out the locations of the berms on the subject parcel. Rear yard swales to drain north to 5 Mile Road and then to a storm water pond are part of the proposed plan.

An existing power pole and electric lines that run east on 5 Mile Road likely will need to be relocated based on the proposed location of the road. Utility easements for buried facilities likely will be located in front yards based on utility industry trends.

Applicant John Whalen addressed the Board and further described the proposal. He addressed some of the concerns raised by residents, including setbacks, the depths of lots, natural areas and trees, and the value of the development to the Village.

Knitter made a motion to resume consideration of 5D.

Seconded by Pierce.

Motion carried unanimously.

5D. Commission Deliberation

Motion by Kiriaki to recommend to the Village Board that the properties located at 6020 Erie Street and the three parcels on Erie Street (now Water’s Edge Drive), west of 5945 Erie Street, be rezoned from R-3, Suburban Residential District (sewered) to R-4, Suburban Residential District I for the following reasons:

1. The rezoning will not adversely affect the surrounding property values.
2. The 2035 Land Use Plan designates these parcels as Medium Density Residential. The proposed rezoning is in accord with the 2035 Land Use Plan designation for the subject properties.

Seconded by Weatherston

Motion carried unanimously.

Knitter made a motion to go out of order to take action on item 6B.

Seconded by Pierce.

Motion carried unanimously

6. New Business

6B. Commission Deliberation

Motion by Kiriaki to recommend that the Village Board that approve a Modification Waiver from Ordinance 14-3-4(c)(4)(b)(ii) for the Preliminary Plat of The Glen At Waters Edge to allow a subdivision to develop with less than 40% open space within the Sanitary Sewer & Water Service Area subject to the following:

1. The Village has been reviewing and may potentially revise Ordinance Title 14 Chapter 3 in regard to Subdivisions for Open Space and Conservation Easements.
2. The 40% open space requirement has been restrictive and prohibitive for the development of land within the Sanitary Sewer & Water Service Area.

Seconded by Pierce

Motion carried unanimously.

Motion by Kiriaki to recommend that the Village Board approve a Modification Waiver from Ordinance 14-3-5(b) for the Preliminary Plat of The Glen At Waters Edge to allow a subdivision to develop without Conservation Easements within the Sanitary Sewer & Water Service Area subject to the following:

1. The Village has been reviewing and may potentially revise Ordinance Title 14 Chapter 3 in regard to Subdivisions for Open Space and Conservation Easements.

Seconded by Pierce

Motion carried unanimously.

Motion by Kiriaki to approve the concept preliminary plat, The Glen at Waters Edge, subject to the conditions within the July 21, 2022, Memo from the Public Services Director.

Seconded by Knitter

Motion carried unanimously.

6A. BUILDING, SITE, AND OPERATIONS PLAN – Review a proposed building, site, and operations plan for the construction and utilization of a ±100,400 square feet of recreational amenities incorporating a high and low ropes course, laser tag arena, apple cannons, pedal cart track, and giant dry slide located at 8425 STH 38 submitted by Bear Country Holdings LLC, Applicant and Owner. (Parcel ID No. 104-04-22-04-017-000)

Wagner read from his report.

The applicant is requesting approval for the construction and utilization of ±100,400 square feet of recreational facilities which includes a high/low ropes course, laser tag arena, apple cannons, expanded pedal cart track, and a giant dry slide located at 8425 STH 38. Accessory structures within the P-2 District require a BSO review prior to being issued building permits.

The proposed facilities will be located in the central portion of the site that is commonly referred to as Bear Paw Beach and Adventure Island. The applicant included future amenities to inform the Village of the long-range plans for the campground. The applicant also understands that they will be required to come back to the Village for site plan approval for any future amenities.

The ropes course will be 47 feet tall and cover an area of 22,686 square feet. The course will not be lit and provide different heights for patrons to climb. The laser tag arena is 41,526 square-foot area which is an open field with walls for players to hide behind. The apple cannon amenity is a 7,000 square-foot open field with compressed-air cannons at one end that shoots apples into an open field. A building containing a compressor and electrical equipment would be located nearby to power the cannons. This structure will be located outside the ATC easement that runs through the site. Currently there exists a pedal cart track which will be expanded, and the location is shown on the site map included with this report. The pedal cart extension will be 11,900 square feet in area. Lastly, the giant slide will be installed east of the ropes course and encompass 17,500 square feet.

As part of the building permit process, the applicant will need to get the necessary approvals from the Engineering Department to ensure all drainage, stormwater and erosion controls measures are compliant with Village regulations prior to construction.

No additional lighting is being proposed as part of the recreational facility expansion. If in the future lighting is proposed, the applicant will need to submit a photometric plan to the Development Director for review and approval prior to submitting for permits.

No additional parking is being proposed as these amenities do not increase the capacity of the campground but are designed to enhance the experience for patrons.

No landscape plan was submitted as part of this proposal. As the location is within the central portion of the site, the visual impact from the public right-of-way is minimal. The applicant intends to install walkways, ornamental landscaping, and trees after construction. The Plan Commission has the discretion to require a landscape plan during this phase of their development.

6A. Commission Deliberation

Motion by Pierce to recommend to the Village Board that the building, site, and operational plan for the construction of ±100,400 square feet of recreational facilities which includes a high/low ropes course, laser tag arena, apple cannons, expanded pedal cart track, and a giant dry slide located at 8425 STH 38 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 use is consistent with the existing recreational uses on the property.

Seconded by Knitter

Motion carried unanimously.

7. - Adjournment

Motion by to adjourn by Scott Olley. Seconded by Trustee Weatherston. Motion carried unanimously.
Meeting adjourned at 7:40 p.m.

Respectfully submitted,
Helena Dowd
Planning & Zoning Technician