

1. Meeting called to order

President Weatherston called the meeting to order at 6:00 pm at the Village Hall, 5043 Chester Lane, Racine, WI.

2. Roll Call/Introductions

Members present: Tom Knitter, Joe Kiriaki, Michael Moore, Ami May, Ron Bocciardi, Trustee Pierce and President Weatherston.

Absent: None.

Also present: Development Director Peter Wagner, Planner/Zoning Administrator Todd Roehl, Director of Public Services Tony Bunkelman, Village Administrator Kathy Kasper and Village Attorney Elaine Ekes. Trustee Martin was also present.

Trustee Pierce asked about a missing item regarding the Crawford subdivision plat on the agenda. Wagner stated that the applicant asked for more time for this item, therefore it was not added to the agenda.

3. Approval of Minutes

Motion by Pierce to approve the minutes from October 30, 2023. Seconded by May. Motion carried unanimously.

4. Public Comment

None.

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

5A. TEXT AMENDMENT – Review a proposed text amendment that will repeal and replace Title 16, Chapter 13, Floodplain Regulations for required updates as prescribed by the Federal Emergency Management Agency and Wisconsin Department of Natural Resources, submitted by Village of Caledonia

This is a text amendment to repeal and replace Title 16, Chapter 13: Floodplain regulations. This is done periodically when the Federal Emergency Management Agency updates their floodplain regulations. Staff worked with the Wisconsin DNR to be compliant with the FEMA floodplain maps. The Village has an option to incorporate language for nonconforming structures in the floodplain that need replacement or repair to allow the municipalities to waive the 50% requirement of the valve of the structure. Staff recommended not including this language and staying at the 50% requirement that is currently in place.

Public Hearing opened at 6:09PM

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

In Favor:

Fran Martin, 5630 5 Mile Road - Is wondering if this affects the residents that live around the root river.

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

Against:

None.

Public Hearing closed at 6:11PM

5A. Commission Deliberation

Motion by Pierce to recommend approval to the Village Board to repeal and replace Title 16, Chapter 13, Floodplain Regulations for required updates as prescribed by the Federal Emergency Management Agency and Wisconsin Department of Natural Resources, submitted by Village of Caledonia.

Seconded by Kiriaki.

Motion carried unanimously.

5B. REZONE & CONDITIONAL USE REVIEW – Review a request to rezone a ±5.994-acre parcel located at 13038 Golf Road and a ±40.25-acre parcel located directly east of 13038 Golf Road from A-2, Agricultural District to M-3, Heavy Manufacturing District and a request for a conditional use for the future development of one bio-solid storage building for the parcels submitted by Dan Hintz, Applicant, Racine County and Hintz Real Estate Development Company, Owners. (Parcel ID Nos. 104-04-22-31-021-000 & 104-04-22-31-007-000)

The applicant is requesting to rezone 5.994 acres and 40.25 acres of two parcels from A-2, Agricultural to M-3, Heavy Manufacturing District for the future development of a bio-solids storage building. This requires both a rezone and a conditional use for the sites. The M-3 district would be consistent with the land use plan and the future use of this site. Staff have worked with the property owner as well as Racine County, to identify potential sites for this use, and this site was identified as the best site for the location for this type of industrial use.

Conditions will be considered if the Plan Commission recommends approval to the Village Board. Back in 2013 this was approved at a different site. All the conditions from that are included in the conditions of this approval as well as some new conditions that are outlined in Wagner's memo.

Public Hearing opened at 6:23PM

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

In Favor:

Dan Hintz, 4101 CTH V, is asking that the conditions are considered to change the extension condition allowing the applicant to request the use to continue if the contract gets extended.

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

Against:

None.

Public hearing closed at 6:27PM

5B. Commission Deliberation

Trustee Pierce stated that she has heard complaints about odor at this property and was wondering if the surrounding properties were notified.

Ron Bocciardi asked about 10-year extension and about the 10-year check in. Staff explained how an extension and/or check-in process would work if included in the conditions of approval.

Kiriaki asked if this was discussed with staff and if the matter should be held until such time staff and the applicant come to an agreement regarding the expiration of the conditional use. Staff stated that they would work with the applicant to address the possibility of requesting an extension in ten years and have the language in place when the review goes to the Village Board.

REZONE

Motion by Pierce to recommend approval to the Village Board that the ±5.994-acre parcel located at 13038 Golf Road and the ±40.25-acre parcel located directly east of 13038 Golf Road be rezoned from A-2, Agricultural District to M-3, Heavy Manufacturing District for the following reason:

1. The proposed rezoning is in accord with the 2035 Land Use Plan industrial/business park land use designation for the subject property.

Seconded by Knitter.

Motion carried unanimously.

CONDITIONAL USE

Motion by Pierce to recommend approval to the Village Board that the conditional use allowing the construction of a 72'x420' storage building to operate a bio-solid storage facility with no outdoor storage for the parcel located at 13038 Golf Road and the parcel directly east of 13038 Golf Road with conditions outlined in Exhibit A with the amendment to Section 26 including language allowing for an extension of the use in ten years and allowing for the repurposing of the building with Village approval.

Seconded by Bocciardi.

Kiriaki asked if Mr. Hintz was okay with these changes and whether this should be held until language is crafted addressing the extension. Hintz stated that he can work with staff to address the extension and building repurpose language before going to the Village Board for approval. Wagner stated that he can work with the applicant to draft language that would be acceptable to both the Village and applicant prior to Village Board review.

Ekes recommended that this item be moved forward to the Village Board otherwise this will have to wait until the January meeting.

Roll Call

AYE – Knitter AYE – Pierce
AYE – Bocciardi AYE – Weatherston
AYE – May NAY – Kiriaki
AYE - Moore

Motion Carried 6-1.

5C. REZONE & CONDITIONAL USE REVIEW – Review a request to rezone ±2.488 acres of a ±4.29-acre parcel located east of 5333 Douglas Avenue from R-7, Multi-Family Residential (Legacy District) to Rm-1, Multi-Family Residential District and a request for a conditional use to construct a 73-unit senior-living apartment building submitted by Alf McConnel, Applicant, McConnell Trust Alfred G, Owner. (Parcel ID No. 104-04-23-20-102-131)

In 2009 the applicant received approval for a senior-living apartment building on this parcel. Since that time, the applicant has requested and received extensions on the conditional use. Due to the length of time since the original approval, the applicant has been required to go through the conditional use review process again. Any apartment building greater than eight units and is to be used as a senior-living facility requires conditional use. In addition to the conditional use request, the applicant is requesting a rezoning of the parcel to reflect the current multi-family residential zoning district. There are no differences in zoning regulations between the old R-7 District and the new RM-1 District. The rezone change will update the zoning classification to the current multi-family residential zoning district naming convention.

Public Hearing opened at 6:45PM

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

In Favor:

None.

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

Against:

Fran Martin, 8630 5-mile road, stated that when this was addressed 6 years ago, there were issues with the neighbors regarding the height of the building. She asked if their neighbors were notified. Staff responded to the comment and clarified that the project Martin was referencing was for the property located north of the property being considered this evening and that the residents along 4 ½ Mile were outside the 300-foot notification buffer for this rezone and conditional use request.

Public Hearing closed: 6:47PM

5C. Commission Deliberation

REZONE

Motion by Moore to recommend approval to the Village Board that ±2.488 acres of the ±4.26-acre parcel located directly east of 5333 Douglas Avenue from R-7, Multi-Family Residential District to RM-1, Multi-Family Residential District for the following reasons:

1. The proposed rezoning is in accord with the 2035 Land Use Plan high density residential land use designation for the subject property.
2. The rezoning will reclassify the legacy zoning district, R-7, Multi-Family Residential District to the current RM-1, Multi-Family Residential District.

Seconded by Pierce.

Motion carried unanimously.

CONDITIONAL USE

Motion by Bocciardi recommending that the Village Board approve the request for a conditional use allowing the construction and utilization of a 73-unit senior-living apartment building for the parcel located directly east of 5333 Douglas Avenue with conditions outlined 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 is consistent with the 2035 Land Use Plan designating high density residential land use for the parcel.
3. The Proposed use is consistent with the approved Planned Unit Development Overlay District regulations.

Seconded by Knitter.

Motion carried unanimously.

5D. REZONE & CONDITIONAL USE REVIEW – Review a request to rezone ±22.5 acres of a ±28.95-acre parcel from B-4, Planned Business District (Legacy District) & A-2, Agricultural District to B-3, Highway Business District and to request a conditional use for a future commercial development of a logistic business with outdoor storage located directly east of 5735 USH 41 submitted by Pavle Dunder, Applicant, John & Bridget Pettinger, Owners. (Parcel ID No. 104-04-22-19-038-000)

The applicant is looking for a rezone and a conditional use. The property is currently zoned B-4, Planned Business District (Legacy District) and A-2, Agricultural District. The applicant is looking to rezone the western portion of the parcel to B-3, Highway Business District which is a zoning district that is consistent with the Village land use plan. According to Smart Growth Law, the zoning must be consistent with the land use plan. The eastern six acres of the parcel will remain A-2, Agricultural District and cannot be developed. This area will act as a buffer area of open space to the residential area to the east. Staff recommends approval as the rezone request is consistent with the land use plan for commercial use.

The applicant is also requesting a conditional use approval for the future use of the property as a truck logistic business with outdoor storage of semi-tractors and trailers. If the conditional use is approved, the applicant will be required to come back for the Plan Commission and Village Board for building, site, and operation plan review and approval.

Public Hearing opened at 6:55PM

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

In Favor:

Deja Junior, located in Milwaukee, is the buyer agent for the applicant. She described the proposed business wishing to relocate to this site and provided business operational details.

Millie Milinic, a representative of the business proposing to locate on the site stated she was here to answer any questions the Plan Commission may have regarding the business.

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

Against:

Fran Marin, 5630 5 Mile Road, is concerned when there is a new commercial area she is always concerned with the buffers when it comes to residential areas. She is asking if those people have also been notified. Staff stated that everyone within 300 feet was notified of the rezone and conditional use request.

Public Hearing closed: 7:01PM

5D. Commission Deliberation

May stated that she saw open space on the picture presented and is questioning if the agricultural land on the parcel is being added to the existing buffer zone. Staff stated that the agricultural land on the east end will act as a buffer area to the residential area to the east.

REZONE

Motion by Pierce to recommends that the Village Board recommends approve the rezoning of ±22.5 acres of a ±28.95-acre parcel located directly east of 5735 USH 41 from B-4, Planned Business District (Legacy District) and A-2, Agricultural District to B-3, Highway Business District for the following reason:

1. The proposed rezoning is in accord with the 2035 Land Use Plan commercial land use designation for the subject property.

Seconded by May.

Motion carried unanimously.

CONDITIONAL USE

Motion by Kiriaki recommending that the Village Board approve the conditional use allowing the operation of a truck logistic business with outdoor storage of semi tractors and trailers for the parcel located directly east of 5735 USH 41 with conditions outlined 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 is consistent with the 2035 Land Use Plan designating commercial use for the parcel

Seconded by Pierce

Motion carried unanimously.

6. New Business

6A. LAND ACQUISITION – Review Plan Commission Resolution 2023-03 recommending the transfer of ownership of a parcel (totaling ±5.994 acres) located at 13038 Golf Road from Racine

County to the Village of Caledonia submitted by Village of Caledonia, Applicant, Racine County, Owner. (Parcel ID No. 104-04-22-31-021-000)

The Village has been working with the property owner of the South Hills Golf Course for over a year regarding future development of the area along the interstate. As part of the discussions with the property owner, we identified that the existing bio-solid storage building located on the golf course property would be an obstruction to future development of the land along the interstate. During this time, staff has worked with the property owner to identify parcels inside and outside the Village that could be suitable for the relocation of the bio-solid building. After much research, staff recommended a solution to relocate the building to the property located directly east of 13038 Golf Road. The owner analyzed the site and concluded that the relocation to the vacant parcel located east of 13038 Golf Road could work if the parcel at 13038 Golf Road was acquired for access purposes to the new location of the bio-solid building.

Racine County is the owner of the property at 13038 Golf Road. Staff reviewed the proposed relocation with the County and the County agreed that the transfer of land to the Village, and ultimately to Hinz Real Estate Company LLC, would be acceptable with the understanding that the transfer of land would economically benefit the Village and County.

When there is a land acquisition or sale, the Plan Commission is tasked with determining if a land transfer is consistent with Village plans and must adopt a resolution stating that the land transfer is not inconsistent with Village plans such as the Village Comprehensive Plan. Staff recommends adopting Resolution PC2023-003 regarding the land transfer.

Motion by Bocciardi to adopt Resolution PC2023-03 approving the transfer of ownership of a parcel located at 13038 Golf Road from Racine County to the Village of Caledonia.

Seconded by Moore.

Trustee Pierce asked if we are accepting the land from Racine County and selling it or giving it to the applicant. Staff explained that there will be a development agreement between the property owner and the Village regarding the transfer of land and what costs that will be charged as part of the transfer.

Motion carried unanimously.

6B. BUILDING, SITE, & OPERATION PLAN REVIEW – Review a building, site, and operation plan for the construction of a ±252 square-foot storage building located at 8334 CTH V submitted by St. Nikola Free Serbian Orthodox Church, Applicant, St. Nikolas’ Association Inc., Owner. (Parcel ID No. 104-04-22-06-057-000)

When an owner of a nonresidential parcel wants to construct a building or modify the property, they are required to go before the Plan Commission and Village Board for site plan approval. They are proposing to construct a storage building on the site to store equipment related to park uses on the property. Staff explained that the proposed building complies with Village regulations for accessory buildings in the park district.

Motion by Kiriaki recommending to the Village Board that the building, site, and operational plan for the construction of a ±252 square-foot storage building located at 8334 CTH V 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 is consistent with the existing use on the property

Seconded by Knitter.

Motion carried unanimously.

6C. BUILDING, SITE, & OPERATION PLAN REVIEW – Review a building, site, and operation plan for the construction of a ±647 square-foot building expansion for the Franksville Market building located at 10616 Northwestern Avenue submitted by Rajwinder Singh, Applicant, Franksville Market LLC, Owner. (Parcel ID No. 104-04-22-32-029-000)

The applicant is looking to add an addition on the north and east of the existing commercial building on the property. The purpose of the addition is to expand cooler and freezer space as part of the convenience store operations. In addition to the storage addition, they are proposing to add a stairwell on the south elevation which will provide a private entrance to the residential unit on the second floor. Currently, there is a stairwell inside the convenience store accessing the second floor. The addition meets the setback requirements for the zoning district. The applicant is proposing to create a screen wall around the coolers to hide the metal exterior of the coolers. The screen wall will match the existing exterior color and material on the building. Staff recommend approval of the site plan with the condition that it complies with Village regulations. One issue that will need to be addressed is the location of existing water and sanitary laterals where the building additions are to be located.

Motion by Pierce that the Plan Commission recommend approval to the Village Board that the building, site, and operational plan for the construction of a ±647 square-foot addition to the existing commercial building located at 10616 Northwestern Avenue 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 is consistent with the existing use on the property.

Seconded by Moore.

Motion carried unanimously.

7. Adjournment

Meeting adjourned at 7:20PM

Respectfully submitted,
Megan O'Brien
Public Services Administrative Coordinator