

**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.

**2. Roll Call/Introductions**

Members present: Thomas Knitter, Trustee Wanggaard, President Dobbs, Jonathan Schattner, Bill Folk and Duane Michalski.

Absent: Joseph Minorik was excused.

Also Present: Planning Director Peter Wagner, and Public Works Director Tom Lazcano.

**3. Approval of Minutes**

Motion by Trustee Wanggaard to approve the minutes from the October 28, 2019 Plan Commission meeting. Seconded by Bill Folk. Motion carried unanimously.

**4. Citizens' Comments**

No comments were made.

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

- A. LAND USE AMENDMENT – Consider an amendment to the 2035 Comprehensive Plan that would update the Recommended Land Use Plan 2035 Map from Low Density Residential Use to Commercial Use for the property with Parcel ID No. 104-04-23-31-131-000 & 104-04-23-31- 130-000 submitted by John O'Malley, Applicant; 4526 Northwestern III LLC, Owner.**

Peter Wagner read from his Staff Report:

“The subject properties are located north, south, and east of 3023 STH 31. The properties are currently vacant. The applicant is requesting a land use plan amendment for the subject properties to allow for a rezoning of the properties to commercial for the future development of gas station and quick-service restaurant on a portion of these parcels and parcels located south in the Village of Mount Pleasant. The applicant will be submitting a request to Mt. Pleasant for rezoning abutting parcels to B-3, Commercial District to accommodate for the aforementioned uses. Future rezoning to B-3, Commercial Service District would also be required should the Land Use amendment be approved.

Parcels in the area of the subject parcel are currently identified on the Land Use Plan Map as Low Density Residential, Commercial, and Mixed Use Residential/Commercial. Staff met Mt. Pleasant's Planning Department and agreed that a commercial use on the northeast corner of STHs 31 & 38 would benefit both communities. The City of Racine borders the parcels to the east and is identified as part of a primary environmental corridor.

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 STH 31.”

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**B. REZONE – Review a request to rezone the property located north, south and east of 3023 STH 31 with Parcel ID No. 104-04-23-31-129-000 & 104-04-23-31-130-000 from Suburban Residential District (Sewered) to B-3 Commercial Service District, submitted by John O'Malley, Applicant; 4526 Northwestern III LLC, Owner.**

Peter Wagner read from his Staff Report:

“The subject properties are located north, south, and east of 3023 STH 31. The properties are currently vacant. The applicant is requesting a rezone for the subject properties to allow for the future development of a gas station and quick-service restaurant on the northeast corner of State Trunk Highways 31 & 38 which will also include parcels located in the Village of Mount Pleasant.

Parcels to the north of the subject parcels are currently zoned as R-3, Suburban Residential District; to the west B-1, & B-2 Commercial Districts; to the south Agricultural Holding District; to the east R-4, Urban Residential District. Staff met Mt. Pleasant's Planning Department Staff and agreed that a commercial use on the northeast corner of STHs 31 & 38 would be good location and benefit both communities. The applicant will be submitting a request to Mt. Pleasant for a rezoning of abutting parcels to B-3, Commercial District to accommodate for the aforementioned uses.”

Wagner recommended approval for both of these items.

Schattner inquired about future use and surrounding parcels. Wagner did not want to speculate on behalf of the applicant and would let the applicant speak on this.

Wendy Swenarski the Property Manager/Sales and Marketing representative with O'Malley Investments was present to answer any questions.

**Public Hearing opened: 6:13 p.m.**

**5A&B - Public Comments**

*President Dobbs asked three times if anyone wanted to speak in favor of this proposal. No one came forward.*

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

Marc Silverman – 3147 Hwy 31– spoke of zoning & signage, stated there was no signage posted on Hwy 31 & Hwy 38. Both Peter and the Owner confirmed that the sign posted for 2 weeks, and the owner had a picture on their phone as evidence.

Steven & Lori Fink – 3023 Hwy 31 – Were concerned about the woodlands surrounding them. Expressed problems entering and exiting their property already, and thought this would increase that issue. Peter explained the Village Plan Commission takes all neighboring concerns into consideration. In assuring this is just the first stage of the process and future meetings.

Joeseeph Crenshaw – 3039 Hwy 31 – Concerned about the gas station being open 24 hours, asked if it could be considered to not be open 24 hours if project goes through.

Ray Powell – 3115 Hwy 31 – concerned about reserving the land and potential drainage issues.

Pete – responds about drainage plans (Anthony Bunkelman)

Martha Hutsick – 4502 Harvest Ln., – Stated she was not for or against this development. Asked to consider using or look into using Kmart location as an alternative.

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Steven Hart – 4718 Eastwood Rdg., – Questioned if the whole parcel needed to be considered for the rezone.

Erik McNesse - 4420 Northwestern Ave., (Mt. Pleasant) – Stated he is concerned he will be viewing vehicle lights coming through his front window at all hours of the day/night.

Marc Silverman (Again) – 3147 Hwy 31– spoke of the dwindling woodlands and the impact this development could potentially have on it.

**Public Hearing Closed: 7:01 p.m.**

**5A&B - Recommendation on Public Hearing**

Trustee Wanggaard spoke highly of the residents and commended them on the questions and concerns brought up during the Public Hearing. He questioned the timeline for this project and Wagner estimated March/April 2020.

Trustee Wanggaard clarified drainage studies are always done.

There was discussion in regards to this development partially residing in the Village of Mt. Pleasant. Mt. Pleasant is currently waiting for the Village of Caledonia's decision. They spoke about split zoning and Wagner explained there are restrictions on size and will have to look further into it.

Schattner further asked if the owners have looked into other commercial properties in the surrounding areas. Tom Hammon answered yes, they had reviewed and analyzed the Riverside Inn property located just east at intersection Hwy 38 (Northwestern Ave) and M M , which fell through, then stated they also considered the Douglas Ave and 4 Mile Rd location (Greentree Shopping Center).

Bill Folk motioned to recommend to the Village Board an amendment to the 2035 Land Use Plan Map from Low Density Residential (19,000 square feet to 1.49 acres per dwelling unit) to Commercial for the properties with Parcel ID Nos.104-04-23-31-129-000 & 104-04-23-31-130-000 for the following reasons:

1. Due to the subject property's proximity to STH 31 & STH 38, commercial development and uses should be encouraged in this area.
2. This Land Use Plan amendment will lay the foundation for rezoning of the subject property to the B-3 Commercial Service District.

Duane Michalski seconded. Motion carried unanimously.

Bill Folk motioned to recommend to the Village Board that the properties with Parcel ID Numbers 104-04-23-31-129-000 & 104-04-23-31-130-000 be rezoned from R-3, Suburban Residential District to B-3, and Commercial Service District for the following reasons:

1. This rezoning will not adversely affect the surrounding property values.
2. Due to the location of the rezone request being at the intersection of STH 31 & STH 38, commercial use would be appropriate.
3. The 2035 Land Use Plan designates this property and adjacent property to the south as Commercial. The proposed rezoning is in accord with the 2035 Land Use Plan designation for the subject property.

Duane Michalski seconded. Motion carried unanimously.

**6. Non-Public Hearing Items**

**A. CERTIFIED SURVEY MAP – Kroes – Parcel ID 104-04-22-12-070-000**

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Tom Lazcano read from his Memorandum dated November 12, 2019:

“The Engineering Department has received a Certified Survey Map (CSM) from Randall Kroes, prepared by Dennis Sauer of Metropolitan Survey Services. The CSM is to divide his property located at 7502 Botting Road into two lots. The existing property is approximately 26.67 acres in size. There is approximately 420 feet of frontage on Botting Road.

The existing parcel currently contains a farmhouse, several barns, a mound system, farm fields and areas of wetland throughout the property.

This CSM is located outside of the Sanitary Sewer & Water Service Area. A mound system will be necessary for Lot 2. Soil Evaluation tests will need to be performed to see if soils are suitable for a mound system.

The zoning of the existing parcel is A-2. A-2 Zoning requires 150 feet of frontage and a minimum of 40,000 square feet of area. The proposed lots exceed the minimum zoning and Ordinance requirements.

The Village’s Comprehensive Land Use Plan calls for Agricultural, Rural Residential and Open Land for this property. Since this parcel is located outside of the sewer service area a density of .2 dwelling units per acre or a 5 acre minimum is required by Ordinance. The proposed CSM meets the requirements and conforms to the Comprehensive Land Use Plan.

With this submittal there are two Waiver/Modification requests that need to be approved on behalf of the CSM. These are Waiver/Modifications that were discussed and approved at the Concept Plan meeting and the CSM follows what was approved for the Concept Plan:

1. Approving the creation of a flag lot.
2. Approving a lot that exceeds the 2.5 to 1 length to width ratio.

In regards to Waiver/Modification request #1, the CSM is proposing the creation of a flag lot (Lot 2). The existing property is currently a flag lot and in order to divide the parcel flag lot will remain.

In regards to Waiver/Modification request #2, the CSM is proposing the creation of a lot (Lot 1) that has a length to width ratio greater than the 2.5 to 1 maximum ratio allowed.

If the Plan Commission and Village Board are willing to support the Modification Waivers and the CSM the following motion is recommended.

Jonathan Schattner motioned to approve the CSM as presented, subject to the following conditions set forth by the Village Engineer:

- The approval of Waiver/Modification Requests #1 and #2.
- The CSM is subject to the Land Division per Lot fee.
- An Individual Site Grading & Drainage Plan will need to be provided prior to building on Lot 2. A storm water management plan may be needed if minimum disturbance thresholds are exceeded.
- The final Certified Survey Map will need to follow Village of Caledonia standards as outlined in Title 14, Chapter 1 of the Ordinance.
- The CSM must conform to all Ordinances in Titles 9, 14 & 18 as necessary.

Bill Folk seconded. Motion carried unanimously.

**B. CERTIFIED SURVEY MAP – Brown – Parcel ID 104-04-22-23-025-000**

Tom Lazcano read from his Memorandum dated October 24, 2019:

“The Engineering Department has received a Certified Survey Map (CSM) to divide the property located at the southeast corner of STH 38 and 5 Mile Road, in the Village of Caledonia. The CSM was submitted by Justin Brown and was prepared by Nielsen Madsen and Barber.

The CSM is for the creation of three lots on the parcel. Lot 1 and 2 would be 5 acres and would be for future single family homes. Lot 3 will be 15.633 acres in size and the owners plan to build his single family home on this lot.

The property is located outside of the Sanitary Sewer & Water Service Area. All 3 lots will need a mound system and a well for services. Suitable locations for mound systems were found and are shown on the CSM.

The property currently has an A-2 Zoning Classification. A-2 Zoning requires 150 feet of frontage and 40,000 square feet size. The Village’s 2035 Land Use Plan shows that the recommended use for the land as Agricultural, Rural Residential and Open Land. All of the Lots on the CSM will stay in line with the Zoning and Comprehensive Land Use Plan.

There are no Waiver/Modification requests that needed for this CSM.

Jonathan Schattner motioned to approve the Certified Survey Map subject to the following conditions set forth by the Village Engineer:

- The Final CSM is subject to the Land Division per Lot fee.
- An approved grading will be needed and the storm water management plan will be needed in order to receive building permits.
- The Final CSM must conform to all Ordinances in Titles 9, 14 & 18 as necessary and must be approved by the Village prior to final recording.

Bill Folk seconded. Motion carried unanimously.

**7. - Adjournment**

Motion by Trustee Wanggaard to adjourn. Seconded by Duane Michalski. Motion carried unanimously. Meeting adjourned at 7:35 p.m.

Respectfully submitted,  
Erika Waege  
Building/Engineering Admin