

RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE

SUMMARY MINUTES - MONDAY, July 18, 2016 - 6:00 p.m.

Ives Grove Office Complex Auditorium
14200 Washington Avenue, Sturtevant, WI 53177

Committee present: David Cooke, Mark Gleason, Bob Grove, Tom Hincz, Monte Osterman,
Tom Roanhouse

Committee excused: Tom Pringle

Youth in Governance
Representatives: Alice Pennings, present; Abram Fabela, excused

Staff present: Brian Jensen, Development Services Superintendent
Rhonda McCormick, Staff Secretary

Chairman Cooke called the July 18, 2016 Racine County Economic Development and Land Use Planning Committee Public Hearing and Committee meeting to order at 6:00 pm. He introduced the Committee and staff and explained public hearing and meeting procedures. Following are the agenda items and the Committee's actions.

PUBLIC HEARING

1. Dominic Sanfelippo, Owner
6:03 Randy Hettwer, Agent
6:40
Rezone ±18.33 acres of property from R-3 Suburban Residential District (Sewered) to A-2 General Farming and Residential District II (proposed); 25215 S. Wind Lake Road; Sec. 16, T4N, R20E, **Town of Norway** (PIN 010042016003000)

Rezone ±33.53 acres of property from A-3 General Farming District III to A-2 General Farming & Residential District II (proposed); 25215 S. Wind Lake Road; Sec. 16, T4N, R20E, **Town of Norway** (PIN 010042016010000)

For informational purposes only:

The purpose of these rezonings is to allow the sale of a portion of the property and future construction of a single-family residence.

Brian Jensen reviewed the petition and public hearing testimony using text and maps. Surrounding zoning, wetlands and floodplain were identified on maps. The proposed house will not be in the floodplain. A passing Soil Evaluation Report is on file. The Wind Lake Volunteer Fire Department has provided a letter stating this property will have adequate emergency access and egress. If approved, an easement must be recorded with the Racine County Register of Deeds and a copy must be submitted to the Development Services Office for review and acceptance.

Randy Hettwer, the agent, was present and answered questions from the committee.

FOR INFORMATION ONLY

Paul Staniszewski was present and asked for clarification on whether the floodplain would be filled-in and if more houses would be allowed to be built on the property in the future.

COMMUNICATIONS

Town of Norway Planning Commission and Town Board met on July 6, 2016, and a recommendation was made to layover the rezone request. The Town of Norway asked Racine County to hold open recommendations for approval until the Town has given its recommendations.

STAFF RECOMMENDATION(S)

Staff recommends approval, subject to Town approval, as the proposed zoning district is consistent with existing zoning and should not be illegal spot zoning.

DECISION

GROVE MOVED, seconded by Hincz, to approve the rezoning, as it is consistent with the statement of purpose and intent of the zoning district as identified in the ordinance; this rezoning is consistent with surrounding zoning and uses; and this rezoning is in the public interest, as a letter from the Wind Lake Volunteer Fire Company, Inc., has stated with a minimum 12-foot wide drive and a minimum of 2 “kick-outs” no more than 1,000 feet apart that shall be 12 feet wide by 50 feet long, this project should have adequate emergency access and egress. A volunteer deed restriction must be recorded with the Racine County Register of Deeds Office that effectively allows affected property owners access shared by all owners equally and in perpetuity.

YOUTH REPRESENTATIVE’S ADVISORY VOTE:

Youth Representative Pennings: aye

Motion carried unanimously. VOTE: 6/0

2. Ambersky Properties, LLC
6:10 Patrick Haley, Applicant
6:41

Rezone ±1.33 acres of property from B-1 Neighborhood Business & A-2 General Farming District II to B-3 Commercial Service District (proposed); 23705 Durand Avenue (STH 11); Sec. 27, T3N, R20E, **Town of Dover** (PIN 006032027020000)

For informational purposes only:

The purpose of this rezoning is to construct a 50’ x 80’ accessory building

Jensen reviewed the petition and public hearing testimony using text and maps. A business office for international sales via the internet already exists on the property. No manufacturing or distribution is done from the site. The square footage for the proposed building meets the minimum requirements.

Patrick Haley, the applicant, was present and answered questions from the committee.

STAFF RECOMMENDATION(S)

The B-3 zoning fits the Land Use Comprehensive Plan; however, staff is uncertain that B-3 zoning is needed.

DECISION

HINZC MOVED, seconded by Osterman, to deny the B-3 rezoning.

Discussion followed as to whether to deny or to lay over the request. Hincz rescinded and the seconder agreed to rescind the motion to deny.

OSTERMAN MOVED, seconded by Gleason, to layover the rezoning request in order to allow the applicant to amend the rezoning request. Specifically, the request is to rezone from A-2, General Farming and Residential District II, to B-1, Neighborhood Business District.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative Pennings: nay

Motion carried unanimously. VOTE: 6/0

3. Ambersky Properties, LLC
6:17 Patrick Haley, Applicant
6:48

Conditional Use to construct a 50' x 80' accessory building; located in the B-3 Commercial Service District (proposed); 23705 Durand Ave. (STH 11); Sec. 27, T3N, R20E, **Town of Dover** (PIN 006032027020000)

Jensen reviewed the petition and public hearing testimony using text and maps.

Patrick Haley, the applicant, was present and answered questions from the committee. Discussion followed regarding why the applicant is requesting rezoning to B-3. Jensen explained that the property is currently zoned B-1 and that is compliant for professional offices. However, the back portion of the property is zoned A-2. Accessory buildings are not allowed in A-2 zoning districts without the presence of a principle structure or the property is 10 acres or more in size and the building is used for agricultural purposes. The property should be rezoned to B-1 to be consistent with the surrounding zoning. Haley is requesting to rezone to B-3, because he believes that zoning will be more desirable to future buyers. B-3 zoning is a more intense commercial zoning. The A-2 zoning can be rezoned to B-1; there is no reason to do a B-3 rezoning. County ordinance prohibits traversing through a zoning district to service a use/structure in a separate zoning district on the same property. The principal use of the building would need to be associated with the business. Incidental use, for personal items, is allowed. Haley is proposing the opposite.

DECISION

GLEASON MOVED, seconded by Grove, to lay over the conditional use request in order to allow the applicant to amend the request to construct the accessory building in the B-1, Neighborhood Business District.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative Pennings: aye

Motion carried unanimously. VOTE: 6/0

4. James & Rita Harasha
6:29
6:48

Conditional Use to construct a ±5,218 sq.-ft., non-farm, single-family residence with full basement, attached garage, covered patio and partially covered deck; located in the A-1 Farm Preservation District; 7611 Pleasant Rd.; Sec. 8, T4N, R19E, **Town of Waterford** (PIN 016041908003030)

Jensen reviewed the petition and public hearing testimony using text and maps. The parcel is part of existing A-1 zoning; ordinance requires approval from the Economic Development and Land Use Planning Committee for development of non-farm residences. Under the A-1, Farmland Preservation District, the creation of separate lots for the construction of non-farm single-family residences is limited to no more than

20% of total farm acreage. The proposed lot size meets the 1.20 acreage requirement for non-farmland to farmland ratio. A passing soil test for a private onsite wastewater treatment system is on file.

Steve O’Claire, the applicant, was present and answered questions from the committee.

STAFF RECOMMENDATION(S)

Staff recommends approval, as this use is in accordance with the purpose and intent of Chapter 20. The proposed lot will not convert prime farmland, as it is currently not being tilled or used for agricultural production.

DECISION

GROVE MOVED, seconded by Gleason, to approve, as this use is not hazardous, harmful, offensive, or otherwise adverse to the environmental quality or property values in the County and its communities; the use appears to be permitted by underlying zoning, as the proposed lot meets the 1.20 acreage requirement for non-farmland to farmland ratio and the proposal appears not to have been in agricultural production for several years; and based on other things going on in the area, the proposed use appears to fit with the uses in this district.

YOUTH REPRESENTATIVE’S ADVISORY VOTE:

Youth Representative Pennings: aye

Motion carried unanimously. VOTE: 6/0

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| 5. R & R Enterprises
6:33 Ryan Wankowski, Agent
6:51 | <u>Conditional Use</u> to construct a 50’ x 70’ building and six (6) storage bins, including outside storage of equipment and materials for a landscape contractor business (DBA R & R Enterprises); located in the M-3 Heavy Industrial District; vacant lot on Allis Avenue (Norway Industrial Park); Sec. 12, T4N, R20E, Town of Norway (PIN 010042012035141) |
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Jensen reviewed the petition and public hearing testimony. Surrounding land use and zoning districts were identified on maps. The site will be serviced by a holding tank.

Ryan Wankowski, the agent, was present and answered questions from the committee.

COMMUNICATIONS

The Town of Norway Planning Commission and Board approved this request at their July 6, 2016 meeting, with conditions.

STAFF RECOMMENDATION(S)

Staff recommends approval, as the use fits with the surrounding land use and is compatible with the area. The hours of operation are consistent with what is allowed in the industrial park.

DECISION

OSTERMAN MOVED, seconded by Gleason, to approve, as this use is not hazardous, harmful, offensive, or otherwise adverse to the environmental quality or property values in the County and its communities; this use appears to be permitted by underlying zoning; and this use complies with all other provisions of Chapter 20, such as height, parking, loading, road access and performance standards.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative Pennings: aye

Motion carried unanimously. VOTE: 6/0

6. RBP Investors, LLC
Charles (Russ) Eichner, Agent
- Conditional Use to construct a gravel surface storage parking area of sales inventory associated with Manheim Milwaukee; located in the B-5 Highway Business District; 6 ½ Mile Road; Sec. 12, T4N, R21E, **Town of Raymond** (PIN 012042112038030)

The applicant requested that this item be laid over.

COMMITTEE MEETING

PLEASE NOTE: While the following agenda items are up for discussion and action before the Committee and the Committee may ask questions of the petitioners or affected neighbors, this portion of the agenda is a committee meeting and not a public hearing, and public hearing testimony may not be taken. All are welcome to attend.

1. Decision on preceding petition
2. Review, discussion & possible approval of the June 20, 2016, summary minutes
6:52

DECISION

GLEASON MOVED, seconded by Grove, to approve the, June 20, 2016 summary minutes.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative Pennings: aye

Motion carried unanimously. VOTE: 6/0

3. Review, discussion & possible approval of a resolution accepting a Fund for Lake Michigan (FFLM)
6:53 three-year grant in the amount of \$90,000

Chad Sampson, Racine County Conservationist, was available to answer questions from the committee.

DECISION

OSTERMAN MOVED, seconded by Grove, to forward a resolution to the County Board of Supervisors, for a 1st reading, with a recommendation for approval.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative Pennings: aye

Motion carried unanimously. VOTE: 6/0

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4. Review, discussion & possible recommendation on Racine County Revolving Loan Fund (RLF) Plan
6:54 Certification for the period ending March 31, 2016, as presented by Janell Topczewski, Business Lending Partners, a Division of RCEDC

Janelle Topczewski briefly went over the highlights of the plan and answered questions from the committee.

DECISION

GROVE MOVED, seconded by Osterman, to forward a joint resolution from the Finance and Human Resources Committee and the Economic Development and Land Use Planning Committee, with a recommendation for approval of the semi-annual RLF Plan Certification.

YOUTH REPRESENTATIVE'S' ADVISORY VOTE:

Youth Representative Pennings: aye

Motion carried unanimously. VOTE: 6/0

5. Maria Vargas, Owner
7:11 Israel Vargas, Applicant
- Site Plan Review to allow up to twelve (12) outdoor events between the dates of July 22, 2016, and July 22, 2017; located in the B-5 Highway Business District; 3400 S. Sylvania Avenue; Sec. 25, T3N, R21E, **Town of Yorkville** (PIN 0180321250070010)

Jensen reviewed the petition. The applicant is requesting approval to hold up to twelve (12) outdoor events between the dates of July 22, 2016, and July 22, 2017, at 3400 S. Sylvania Avenue. Events may include car shows, dog shows, music festivals and rodeos. The applicant must apply for a zoning permit prior to each event. The committee approved a similar request last year, which expired in May 2016.

Israel Vargas, the applicant, was present and answered questions from the committee.

A discussion began on whether Vargas needed to add workmen's compensation to the certificate of liability insurance.

STAFF RECOMMENDATION(S)

Staff recommends approval, with applicable conditions, and a current Certificate of Liability Insurance be submitted to the Racine County Development Services Office. The Town of Yorkville approved this request at their July 7, 2016, meeting.

DECISION

HINCZ MOVED, seconded by Gleason, to approve, up to twelve (12) outdoor events between the dates of July 22, 2016, and July 22, 2017, at 3400 S. Sylvania Avenue.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Pennings: aye

Motion carried unanimously. VOTE: 6/0

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6. 7:30 GZK Enterprise, LLC, SNIKNEJ Co., Spokes, Inc., & Racine County Convention Visitors Bureau, Inc. Ray Stibek, Applicant
- Site Plan Review to conduct a 1-day live music outdoor event featuring food and craft vendors, in the B-2 Community Business District and B-3 Commercial Service District; 14007 & 14015 Washington Avenue, Section 13, Town 3 North, Range 21 East, **Town of Yorkville** (Parcel Id. Nos. 018032113-014010, -014020, -010020, -010040, & -008000)

The applicant requested that this item be laid over.

7. 7:30 Review, discussion, & possible action on referrals from the Racine County Board of Supervisors

GROVE MOVED, seconded by Osterman, to receive and file the below-listed referrals.

1. Public Notice of an Air Pollution Control Permit Application Review for the Racine Wastewater Treatment Facility, located at 2101 Wisconsin Ave, from the Department of Natural Resources.
2. A copy of the 2017 Budget from the Southeastern Wisconsin Regional Planning Commission.
3. Notice of Public Hearing on Proposed Amendment to the Village Comprehensive Plan on August 2, 2016, from the Village of Sturtevant.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Pennings: aye

Motion carried unanimously. VOTE: 6/0

8. Other business as authorized by law

There will not be a meeting on August 1, 2016. If the need arises, a special meeting may be scheduled on a date to be determined. The August 15, 2016 Economic Development and Land Use Planning Committee public hearing/meeting will remain as scheduled.

9. 7:32 Adjourn

There being no further business, **GROVE MOVED, seconded by Hincz,** to adjourn at 7:32 p.m.

Motion carried unanimously. VOTE: 6/0