

RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE

SUMMARY MINUTES – June 19, 2017 - 6:00 p.m.

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

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

Committee Excused: David Cooke

Youth in Governance
Representatives: Da'Zhur James, present / Giselle Becerra, excused

Staff present: Brian Jensen, Development Services Superintendent
Kelsey Englund, Staff

Supervisor Grove called the June 19, 2017, 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. Baumeister Trust Dated 4-21-2017, Conditional Use to continue a nonmetallic mining (sand & gravel) extraction operation, including crushing, washing & recycling; 5057 Warren Road; Secs. 18 & 19, T2N, R19E, **Town of Burlington** (Parcel Id. Nos. 0020219-18-027000 & 19-011-001)
- 6:05 Owner
6:18 Reesman Excavating & Grading,
Agent

Brian Jensen reviewed the petition and public hearing testimony using text and maps. The mining area consists of 64 acres with 21 acres active and 5 acres reclaimed. This was first approved for Amon & Sons, in 2006, then taken over by Reesman's Excavating & Grading, Inc., in 2013. Annual reports are up to date and the financial assurance bond is current and adequate. There have been no complaints on this site.

SPEAKING IN OPPOSITION

Brenda Hansen and Matthew Tanking were present and spoke in opposition to the petition.

STAFF RECOMMENDATION(S)

Staff recommends approval of the petition, as this use is in accordance with the purpose and intent of Chapter 20 and based on other things going on in the area, the proposed use appears to fit with the uses in the district.

DECISION

PRINGLE MOVED, seconded by Gleason, to approve the conditional use petition, as the use is not hazardous, harmful, offensive, or otherwise adverse to the environmental quality, water quality or property values in the County and its communities; this use appears to be permitted by underlying zoning; 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 James: aye

Motion carried unanimously. VOTE: 6/0

2. WVA Real Estate, LLC, Owner
6:14 Jeffery M. Erickson, Agent
6:20

Amendment of Land Use Plan from Residential Unsewered (1.5 to 4.00 acres per dwelling unit) to Industrial; 35115 W. State Street; Sec. 31, T3N, R19E, **Town of Burlington** (Parcel Id. No. 002031931027001)

Rezone ±2.71 acres of property from R-2 Suburban Residential (Unsewered) District to M-1 Light Industrial and Office District; 35115 W. State Street; Sec. 31, T3N, R19E, **Town of Burlington** (Parcel Id. No. 002031931027001)

For informational purposes only:

The purpose of this Land Use Plan amendment and rezone is to allow expansion of existing parking lot to be utilized for off-site WVA employee parking.

Jensen reviewed the petition and public hearing testimony using text and maps. Location of the proposed parking lot was shown on slides. Surrounding land use and zoning districts were identified on maps.

Jeffery Erickson, the agent, was present and answered questions from the committee.

STAFF RECOMMENDATION(S)

Staff recommends approval, as the rezoning is compatible with the adjacent property and will be utilized in conjunction with the adjacent business operation. The rezoning is not illegal spot zoning and is consistent with the existing 2035 Comprehensive Land Use Plan.

DECISION

PRINGLE MOVED, seconded by Gleason, to approve the Land Use Plan amendment and rezoning, as they are consistent with the statement and purpose and intent of the zoning district identified in the Ordinance. This rezoning is compatible with surrounding zoning and uses and there are no illegal spot zoning or contract zoning issues.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative James: aye

Motion carried unanimously. VOTE: 6/0

3. Rose Investments, LLC, Owner
6:18 Copart, Inc., John Reed, Applicant
7:21

Conditional Use to occupy the existing site and buildings with an online vehicle auction platform for used, undamaged and damaged vehicles, known as Copart, Inc.; 1521 Waukesha Road; Sec. 10, T4N, R21E, **Town of Raymond** (Parcel Id. No. 012042110055000)

NOTE: This is a more detailed submittal than previously petitioned.

Supervisor Gleason recused himself and left the room at 6 :26 p.m.

Jensen reviewed the petition and public hearing testimony using text and maps. The subject parcel is zoned B-5 Highway Business District. The applicant is requesting a conditional use to occupy the existing site and buildings with an undamaged and damaged vehicle auction platform fulfillment center known as Copart, Inc. Vehicles are brought to the site and sold as entire units. This will not be a not a salvage yard operation. After assets are brought to the property, they are placed in ground-level short-term storage. Assets are never stacked, and remain in short-term storage for an average of 50 – 60 days. There is no dismantling of parts from motor vehicle and no repairs or service of any motor vehicles. Auctions are held online. Panel fencing of vehicle storage yard will be used to ensure the interior will not be visible from the right-of-way or neighboring lots. A conditional use was unanimously denied at the April 17, 2017, public hearing and reconsideration was unanimously denied at the May 15, 2017, meeting.

John Reed, the applicant, and Steve Hribar, the owner, were present and answered questions from the committee.

SPEAKING IN FAVOR

Lee Hribar was present and spoke in favor of the petition.

SPEAKING IN OPPOSITION

Four residents were present and spoke in opposition of the petition.

Supervisor Gleason returned to the room at 7:08 p.m.

STAFF RECOMMENDATION(S)

Supervisor Gleason recused himself from the vote and left the room at 7:20 p.m.

Staff recommends denial of the petition, as the use does not appear to fit with the uses in the district.

DECISION

OSTERMAN MOVED, seconded by Pringle, to deny the conditional use petition, as this use is not in accordance with the purpose and intent of Chapter 20 and public health, safety and welfare; this use is hazardous, harmful, offensive, or otherwise adverse to the environmental quality, water quality or property values in the County and its communities, as hazardous fluids from vehicles stored at this site may potentially contaminate soils on this site and groundwater in this area or a nearby stream; and, based on other things going on in the area, the proposed use does not appear to fit with the uses in this district and neighborhood.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative James: aye

Motion carried unanimously. VOTE: 5/0, with Gleason recusing himself from the vote.

Supervisor Gleason returned to the room at 7:29 p.m.

4. Jeffrey & Marta Kultgen, Owners
7:08
7:32

Shoreland/Floodplain Conditional Use to place fill within the Urban Floodplain Fringe Overlay (FFO) District of Wind Lake; 26204 S. Wind Lake Road and vacant lot directly to the north; Sec. 17, T4N, R20E, **Town of Norway** (Parcel Id. Nos. 010042017-026000 & -025000)

Jensen reviewed the petition and public hearing testimony using text and maps. The retaining wall was constructed in 1992 and is currently failing. The owners are proposing to remove the retaining wall and place fill into the adjacent lot, purchased by the Kultgens, to meet the minimal floodplain elevation. The elevations have been reviewed and meet the minimum standards stated in the Ordinance. Chad Sampson, Racine County Conservationist, visited the site and provided technical review for staff.

Jeffrey and Marta Kultgen, owners, were present and answered questions from the committee.

STAFF RECOMMENDATION(S)

Staff recommends approval of the petition, as the use is in accordance with the purpose and intent of Chapter 20. The failing retaining wall will be removed and fill will be placed to floodproof the existing residence.

DECISION

PRINGLE MOVED, seconded by Gleason, to approve the shoreland/floodplain conditional use petition, 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, based on the other things going on in the area, the proposed use appears to fit with the uses in the district.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative James: aye

Motion carried unanimously. VOTE: 6/0

5. Audrey Robran-Zegar, Owner
7:11 Tyler Polzin, Applicant
7:33

Conditional Use to construct an 81' x 150' pole barn for storage of company trucks and construction equipment (DBA Steve's Trenching Service); directly west of 33428 Janesville Road; Sec. 5, T4N, R19E, **Town of Waterford** (Parcel Id. No. 016041905005000)

Jensen reviewed the petition and public hearing testimony using text and maps. If approved, the owner will sell 5.2 acres to the adjoining property, 33428 Janesville Road, where the applicant will reside. It is noted that the building will only be used for storage of company trucks and construction equipment used in conjunction with the business and as listed in the applicant's submittal. If an office is to be located onsite, it must be located within the residence and will require a home-occupation permit.

Tyler Polzin, the applicant, was present and answered questions from the committee.

STAFF RECOMMENDATION(S)

Staff recommends approval with the condition that the home office must be located within the house and a home occupation permit must be obtained. If approved, the parcels must be combined.

DECISION

PRINGLE MOVED, seconded by Gleason, to approve the conditional use petition, 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, based on other things going on in the area, the proposed use appears to fit with the uses in the district.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative James: aye

Motion carried unanimously. VOTE: 6/0

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 petitions
2. Review, discussion & possible approval of the May 15, 2017, summary minutes

DECISION

PRINGLE MOVED, seconded by Gleason, to approve the May 15, 2017, summary minutes.
Motion carried unanimously. VOTE: 6/0

3. Parkview Sand & Gravel LLC, Owner
7:35 Robert Epping, Agent
*For informational purposes only:
There are no changes from the
previous approval of June 2015*
Site Plan Review to continue a non-metallic (sand and gravel) extraction operation deeper than the water table, including crushing, washing, and concrete and asphalt recycling and reclamation; located in the M-4 Quarrying District; 31844 Washington Avenue (CTH "D"); Section 34, Town 4 North, Range 19 East, **Town of Waterford** (Parcel Id. No. 016041934015000)

Jensen reviewed the petition using text and maps. Staff has reviewed the plans and visited the site and determined the quarry is operating within its approval.

STAFF RECOMMENDATION(S)

Staff recommends approval of the site plan.

DECISION

PRINGLE MOVED, seconded by Gleason, to approve the site plan.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative James: aye

Motion carried unanimously. VOTE: 6/0

4. WVA Real Estate, LLC, Owner
7:36 Jeffrey Erickson, Agent
Site Plan Review to construct an off-site parking lot to be utilized by WVA; located in the M-1 Light Industrial and Office District; 35115 W. State Street; Sec. 31, T3N, R19E, **Town of Burlington** (Parcel Id. No. 002031931027001)

Jensen reviewed the petition using text and maps. This request will provide additional parking for Wisconsin Vision Associates. The current private sewage system will need to be relocated.

STAFF RECOMMENDATION(S)

Staff recommends approval of the site plan.

DECISION

HINCZ MOVED, seconded by Gleason, to approve the site plan.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative James: aye

Motion carried unanimously. VOTE: 6/0

5. Erikson's Landscape Supply
7:38 Jon Erickson, Owner
7:40

Site Plan Review to amend previously approved site plan (relocate bins, equipment, parking, mulch stockpiles, berms, block walls) located in the B-3 Commercial Service District and the M-3 Heavy Industrial District; 4326 S. Beaumont Avenue; Sec. 34, T3N, R20E, **Town of Dover** (Parcel Id. No. 006032034013001)

Jensen reviewed the petition using text and maps. Due to a fire department inspection, a slight change needed to be made to the site plan. The mulch stock piles need to be moved a minimum of 15 feet from the building and concrete barrier walls must be placed between the stockpiles. An earthen berm along the south side of the property was enlarged to help screen the site from a neighbor. This was more than was required by the applicant.

STAFF RECOMMENDATION(S)

Staff recommends approval of the site plan.

DECISION

PRINGLE MOVED, seconded by Gleason, to approve the site plan.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative James: aye

Motion carried unanimously. VOTE: 6/0

6. Michael Penn, Owner
7:40

Site Plan Review to construct a ±60 'x 80' addition to an existing principal structure for cold-storage only located in the M-3 Heavy Industrial District; 1652 122nd Street; Sec. 7, T4N, R21E, **Town of Raymond** (Parcel Id. No. 012042107031000)

Jensen reviewed the petition using text and maps. Initial approval was granted by the Committee on June 20, 1994.

STAFF RECOMMENDATION(S)

Staff recommends approval with the understanding that if employees begin to work onsite or a store front is added, a private sewage system will be required.

DECISION

HINCZ MOVED, seconded by Osterman, to approve the site plan.

YOUTH REPRESENTATIVE'S ADVISORY VOTE:

Youth Representative James: aye

Motion carried unanimously. VOTE: 6/0

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

There were no referrals.

8. Other business as authorized by law

There will not be a meeting on July 3, 2017. If the need arises, a special meeting may be scheduled on a date to be determined. The July 17, 2017, Economic Development and Land Use Planning Committee public hearing/meeting will remain as scheduled.

9. Adjourn
7:54

There being no further business, **PRINGLE MOVED, seconded by Gleason**, to adjourn at 7:54 p.m.
Motion carried unanimously. VOTE: 6/0