

RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE

SUMMARY MINUTES - MONDAY, March 17, 2014 - 6:00 p.m.

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

Committee present: Tom Pringle, Monte G. Osterman, Bob Grove, Pamela Zenner-Richards, Kenneth Lumpkin, David Cooke

Committee excused: Mark Gleason

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

Vice-Chairman Cooke called the March 17, 2014, Racine County Economic Development and Land Use Planning Committee Public Hearing and Committee meeting to order at 6:00 p.m. 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. Randy Larson, Owner
6:02
7:14
- Conditional Use to occupy existing parcel and outbuilding for production of wine with a Home-Based Agricultural Related Business (HBARB) known as Spirits of Norway Vineyard; located in the A-2 General Farming & Residential District II; 22200 W. Six Mile Road; Parcel Id. No. 010042011023060; Section 11, Town 4 North, Range 20 East, **Town of Norway**

Brian Jensen reviewed the petition and public hearing testimony using text, maps, and slides. Applicant Randy Larson was present and summarized his new executive plan from the Committee.

COMMUNICATIONS –

A letter from Justin and Tina Swartz, 22130 W. 6 Mile Road, expressing their support of the petition along with their concerns for the number of employees on the premises and the amount of traffic using the shared driveway.

Town of Norway Planning Commission and Town Board approved this request with one stipulation; the conditional use shall expire upon the sale or transfer of this parcel and or with the sale or transfer of the business.

DECISION

PRINGLE MOVED, seconded by Zenner-Richards, to approve the petition.

A discussion ensued among the supervisors on whether this request was compliant with HBARB because the applicant is proposing to use grape juice, not grown on the site, to start the wine-making process for the first 4 to 5 years until the owners' grape vines become established around 2018. Supervisors Osterman and Cooke stated that the current proposal does not meet the provisions of the ordinance, as the ordinance does not allow all the grape juice to make wine from this property to be from outside sources.

ROLL CALL VOTE: 3/3 with Grove, Cooke and Osterman dissenting. Petition was DENIED, Motion failed due to lack of majority.

2. LuAnn & Greg Himebauch, Owners
6:18
7:30
- Conditional Use to construct & occupy an outbuilding for the production of flavored butters with a Home-Based Agricultural Related Business (HBARB) known as LuAnn's Homemade Butters; located in the A-2 General Farming & Residential District II; 34422 High Drive; Parcel Id. No. 016041931001010; Section 31, Town 4 North, Range 19 East, **Town of Waterford**

Jensen reviewed the petition and public hearing testimony using text, maps, and slides. LuAnn Himebauch was present and answered questions from the Committee. The Committee discussed whether or not this petition meets the requirements of HBARB.

COMMUNICATIONS

Town of Waterford Planning Commission and Town Board approved this petition subject to obtaining all necessary permits, licenses, and required inspections.

DECISION

PRINGLE MOVED, seconded by Zenner-Richards, to approve as the use appears to be permitted by underlying zoning. Motion carried VOTE: 4/2 with Cooke and Osterman dissenting.

Vice-Chairman Cooke directed staff to re-visit the HBARB ordinance, consult with Corporation Counsel, clarify the ordinance language and bring it back to the Committee with necessary changes.

3. DNE Enterprises, LLC, Owner
6:27
7:38
- Amendment of Land Use Plan a portion of the property from Industrial to Commercial
- Rezone from M-3 Heavy Industrial District and C-1 Resource Conservation District to B-3 Commercial Service District; 1518 124th Street; Parcel Id. No. 012042107026020 & 012042107026010 (lots to be combined); Section 7, Town 4 North, Range 21 East, **Town of Raymond**
- For informational purposes only: The purpose of this rezoning is to allow sales, service and repair of classic vehicles, including incidental outside storage and adjust the Resource Conservation District to the existing mapped wetland boundary.

Jensen reviewed the petition and public hearing testimony using text, maps, and slides. The rezoning is needed to allow the proposed use on this property. The Land Use Plan is required to “clean-up” some mapping issues from the 2035 Land Use Plan. The conservation district boundary will now correctly reflect the wetland boundary as illustrated on the site plan and the wetland boundary is now defined with a legal description.

Eric Boehler was present and answered questions from the Committee.

DECISION

PRINGLE MOVED, seconded by Osterman, to approve the petition, subject to Town of Raymond approval, as this rezoning and Land Use Plan amendment will not actually adversely affect the surrounding

property values, and the rezoning is required by public necessity, convenience, general welfare, and good zoning practice. Motion carried unanimously. VOTE: 6/0

4. DNE Enterprises, LLC, Owner
7:38
7:40
- Conditional Use (Proposed) for sales, service and repair of classic vehicles, including incidental outside storage; located in the B-3 Commercial Service District; 1518 124th Street; Parcel Id. No. 012042107026020 & 012042107026010 (lots to be combined); Section 7, Town 4 North, Range 21 East, **Town of Raymond**

Jensen reviewed the petition and public hearing testimony using text, maps, and slides. The proposal is for the sale, service, and repair of classic vehicles only. No vehicle parts will be allowed be sold from the site, as this is not a salvage yard operation.

Eric Boehler was present and answered questions from the Committee. Mr. Boehler gave testimony that the former owner had accumulated many vehicles, parts, and scrap on the property and he is continuing clean-up of the property. The proposed use is for the sales, lease, repair of classic vehicles only. Outside storage will consist of classic vehicles and parts and will be incidental to the use and only be stored within the screened in area.

DECISION

PRINGLE MOVED, seconded by Zenner-Richards, to approve the petition, as this use appears to be permitted by the underlying zoning. Motion carried unanimously. VOTE: 6/0

Supervisor Pringle added a condition that the applicant must remove all vehicles, vehicle parts, and scrap not associated with this proposal no later than September 17, 2014.

5. Super Mix of WI, Inc.
6:41 Mike Anderson, Agent
7:41 (North Site)
- Conditional Use to continue a non-metallic (sand & gravel) extraction operation, including earth moving, crushing, washing, sorting, sizing, stockpiling, recycling, transporting and reclamation; located in the M-4 Quarrying District; 32409 High Drive; Parcel Id. No. 016041928013000; Section 28, Town 4 North, Range 19 East, **Town of Waterford**

Jensen reviewed the petition and public hearing testimony using text, maps, and slides. Christopher Alby was present and answered questions from the Committee and distributed pictures of reclamation that has been done. There are no changes to the original plan.

FOR INFORMATION ONLY

Larry Ketterhagen was present and inquired about hours of operation, the current conditional use permit status, and past approvals.

COMMUNICATIONS

Town of Waterford Planning Commission and Town Board approved this petition.

Wendy Gorski, in an e-mail dated March 11, 2014, expressed her concerns about noise levels, berms being removed and not all residents receiving public hearing notices.

DECISION

PRINGLE MOVED, seconded by Zenner-Richards, to approve the petition, as this use is not hazardous, harmful, offensive, or otherwise adverse to the environmental quality, water quality, or property values in the County and its communities. In addition, based on other things going on in the area, the proposed use appears “to fit” with the uses in the district, and this use appears to be in the public interest by providing a valuable site asset and promoting the welfare of the community.

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. Decisions on preceding petitions

2. Review, discussion & possible approval of January 20, 2014 summary minutes
7:43

DECISION

Pringle MOVED, seconded by Grove, to approve the January 20, 2014 summary minutes. Motion carried unanimously. VOTE: 6/0

3. Bruce Bahrmasel Extension of Site Plan Review to construct two 40'x140' self-storage facility buildings; located in the M-3 Heavy Industrial District; 2941 27th Street; Parcel Id. No. 012042124029000, Section 24, Town 4 North, Range 21 East, **Town of Raymond**
7:43 Total Storage, LLC
Site plan approved 05/20/2013

Jensen reviewed the petition using text maps and slides. The applicant was unexpectedly delayed by the Village of Caledonia approval and has requested the extension to avoid any confusion when the project starts as weather permits.

COMMUNICATIONS

The Town of Raymond and The Village of Caledonia approved this petition.

DECISION

GROVE MOVED, seconded by Pringle, to approve the site plan, subject to all previous conditions. Motion carried unanimously. VOTE: 6/0

4. Terrence O'Brien
7:38 OBCO, LLC
7:40 Extension Request for a non-metallic mining operation for clay extraction at 14520 Braun Road; located in the M-4 Quarrying District; Parcel Id. No. 018032125015000; Section 25, Town 3 North, Range 21 East, **Town of Yorkville**

Jensen reviewed the petition using text maps and slides. There are no proposed changes to the original proposal or reclamation plan.

COMMUNICATIONS

Town of Yorkville approved this petition with conditions.

STAFF RECOMMENDATION(S)

Staff recommends approval of this petition.

DECISION

PRINGLE MOVED, seconded by Zenner-Richards, to approve the extension, with Town of Yorkville approval and conditions, through March 17, 2016. Motion carried unanimously. VOTE: 6/0

5. Super Mix of WI, Inc.
6:41 Mike Anderson, Agent
7:41 (South Site)
Site Plan Review to continue a non-metallic mining (sand & gravel) operation; located in the M-4 Quarrying District; 32424 High Drive; Parcel Id. No. 016041933002000; Section 33, Town 4 North, Range 19, East, **Town of Waterford**

For informational purposes only: The applicant is proposing no changes to the existing mining operation. The reclamation plan remains unchanged.

Jensen reviewed the petition using text maps and slides. An approved reclamation plan is on file.

STAFF RECOMMENDATION(S)

Staff recommends approval of this petition.

DECISION

PRINGLE MOVED, seconded by Grove, to approve the extension through March 2016. Motion carried unanimously. VOTE: 6/0

6. MVLG Ventures, LLC
7:46 Lester Wright, Applicant
7:47 Site Plan Review to occupy a portion of the existing building for warehouse space and business known as Custom Painted Vehicles; located in the M-2 General Industrial District; 4135 27th Street; Parcel Id. No. 012042136001001; Section 36, Town 4 North, Range 21, East, **Town of Raymond**

Jensen reviewed the petition using text maps and slides.

STAFF RECOMMENDATION(S)

Staff recommends approval of this petition.

DECISION

GROVE MOVED, seconded by Pringle, to approve the site plan, subject to standard conditions.
Motion carried unanimously. VOTE: 6/0

7. Review, discussion & possible action on a resolution to adopt the Pike River Watershed-Based Plan
7:49 (1st reading at the March 25, 2014, County Board meeting)
7:55

Susan Greenfield, from the Root Pike Water Shed Initiative Network, presented the plan to the Committee.

DECISION

OSTERMAN MOVED, seconded by Zenner-Richards, to adopt the Pike River Watershed-Based Plan.
Motion carried unanimously. VOTE: 6/0

8. Review, discussion, and possible action on referrals from the Racine County Board of Supervisors
7:57
8:00

PRINGLE MOVED, seconded by Grove, to receive and file the following referrals: Motion carried unanimously. VOTE: 6/0

1. Public Notice of Intent to Reissue a Wisconsin Pollutant Discharge Elimination System for the Lakeview Neurological Rehab Center-Midwest located at 1701 Sharp Road, Waterford, from Wisconsin Department of Natural Resources.
2. Notification of Proposed Revocation of Air Permits for Wisconsin Plating Works located at 620 Stannard Street Racine WI, from Wisconsin Department of Natural Resources.
3. A letter regarding Community Block Grant Project ED FY11-20907 from Wisconsin Department of Administration.
4. A Relocation Order for the Acquisition of a Permanent Sanitary Sewer Easement from the Concord Apartments at 4200 North Main St., Racine, WI., from the Village of Caledonia.
5. Notices of Timber Cutting for the Town of Raymond and the Village of Caledonia from Jim Bednar Forestry.
6. Notice of Proposed Solid Waste Disposal Facility-License #3290, from Wisconsin Department of Natural Resources.
7. Notice of approved 2013 Amendments to the City of Franklin 2025 Comprehensive Master Plan.

8. Notice of approved Amendment to the Village of Mount Pleasant's 2030 Comprehensive Land Use Plan, as well as the Multi-Jurisdictional Comprehensive Plan for Racine County: 2035 from Logan Martin.
 9. Public Notice of Intent to Reissue a Discharge Elimination System for Fonks Mobile Home Center located at 4915 Schoen Rd. Union Grove, from the Wisconsin Department of Resources.
 10. A letter, regarding Brownfield Grants through the Wisconsin Economic Development Corporation from METCO.
 11. A Relocation Order regarding the property of Timothy A. Braun at 7504 Braun Rd., Village of Mount Pleasant.
 12. A copy of an Amendment to the 2035 Comprehensive Land Use Plan for Racine County from the Village of Sturtevant.
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9. Other business as authorized by law
 10. Adjourn
8:00

There being no further business, **PRINGLE MOVED, seconded by Zenner-Richards**, to adjourn at 8:00 p.m. Motion carried unanimously. VOTE: 6/0