

RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE

SUMMARY MINUTES - MONDAY, OCTOBER 20, 2014 - 6:00 p.m.

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

Committee present: Mark Gleason, Tom Pringle, Monte G. Osterman, Bob Grove, Tom Roanhouse,
Tom Hincz, Mike Dawson

Youth in Governance Representatives: Josh Graf and Meredith Freidheim

Staff present: Brian Jensen, Development Services Superintendent
Michael Lanzdorf, Assistant Corporation Counsel
Rhonda McCormick, Staff Secretary

Chairman Gleason called the October 20, 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. | Trenton Ventures, LLC | <u>Conditional Use</u> to continue a sand and gravel extraction operation, including washing and ready-mix operations; 29331 Durand Avenue; Sec. 35, T3N, R19E, Town of Burlington (Parcel Id. No. 002031935002000) |
| 6:04 | Robert Epping, Applicant | |
| 7:12 | | |

Brian Jensen reviewed the petition and public hearing testimony using text, maps and slides. Eleven acres of the property have currently been reclaimed and reclamation will continue north to south. Staff has reviewed the plans and determined the quarry is operating within previous approvals. There have been no complaints about this operation.

Bob Epping, the applicant, was present and answered questions from the committee.

STAFF RECOMMENDATION(S)

Staff recommends approval of this petition with all applicable conditions from previous approvals remaining in effect, unless otherwise amended.

DECISION

PRINGLE MOVED, seconded by Dawson, to approve the 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; it appears to be permitted by underlying zoning; based on other things going on in the area, the proposed use appears "to fit" with the uses in the district; and the use appears to be in the public interest by providing a valuable site asset and promoting the welfare of the community.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Graf: aye
Youth Representative Freidheim: aye

Motion carried unanimously. VOTE: 7/0

2. Florence H. Yanny, Owner
6:09 Adam & Emily LaBadie, Agents
7:13
- Rezone from R-2 Suburban Residential District (Unsewered) to B-3 Commercial Service District, ±2.67 acres located in the SW ¼ of Sec. 31, T3N, R19E, W. State St. (SE corner of Mormon Rd. and State St.), **Town of Burlington** (Parcel Id. 002031931024000)

For Information only: The purpose of this rezoning is to establish the proper zoning district to allow the construction of an office building for general dental practice.

Brian Jensen reviewed the petition and public hearing testimony using text, maps and slides. The rezoning request is to rezone from R-2 to B-3. Surrounding land use and zoning districts were identified. The 2035 Comprehensive Land Use Plan recognizes this area as commercial.

Dr. Emily LaBadie, the agent for the owners, was present and answered questions from the committee.

SPEAKING IN FAVOR

Ken Essman was present and spoke in favor of the petition.

STAFF RECOMMENDATION(S)

Staff recommends approval this petition.

DECISION

PRINGLE MOVED, seconded by Grove, to approve the petition, subject to Town approval, as this rezoning is consistent with the existing 2035 Comprehensive Plan as identified by staff; this rezoning is consistent with the statement and purpose and intent of the zoning district; and this rezoning is compatible with surrounding zoning and uses.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Graf: aye
Youth Representative Freidheim: aye

Motion carried unanimously. VOTE: 7/0

3. Orne 5 Mile, LLC, Owner
6:14 Jon & Jane Orne, Applicants
7:15
- Conditional Use to occupy existing accessory buildings, constructed before January 1, 2000, for off-season indoor storage of recreational vehicles; 9401 W. 5 Mile Rd; Sec. 20, T4N, R21E, **Town of Raymond** (Parcel Id. 012042120003010)

Brian Jensen reviewed the petition and public hearing testimony using text, maps and slides. There will be no additions to the buildings, no landscaping is proposed as cold storage of recreational vehicles will occur inside of buildings, and the current sanitation system is suitable for the use of the site.

Jon Orne, the applicant, and his Attorney Mark Tretor were present and answered questions from the committee. No maintenance of stored vehicles will occur at this site. No employees are proposed.

STAFF RECOMMENDATION(S)

Staff recommends approval of this petition.

DECISION

GROVE MOVED, seconded by Dawson, to approve the petition, as this use is in accordance with the purpose and intent of Chapter 20 and public health, safety, and welfare; it is not hazardous, harmful, offensive, or otherwise adverse to the environment quality or property values in the County and its communities; and it appears to be permitted by underlying zoning.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Graf: aye
Youth Representative Freidheim: aye

Motion carried unanimously. VOTE: 7/0

4. Luis Arenas, Owner Conditional Use to conduct a horse boarding and training
6:22 Echo Consulting & Assoc., operation (up to 27-horses); 15230 Ives Grove Rd; Sec. 11,
7:17 Rafael E. Vargas II, Agent T3N, R21E, **Town of Yorkville** (Parcel Id. 018032111002000)

Brian Jensen reviewed the petition and public hearing testimony using text, maps and slides. The use was already occurring on the site and was brought to the attention of the Development Services Office. A Notice of Zoning Violation was issued by the Development Services Office.

The Racine County Land Conservation Office reviewed the manure plan and found it satisfactory for the proposed use.

Luis Arenas's proposal includes: fencing to keep animals onsite, parking on the west side of the pole barn, renting a portable toilets and extending the hours of operation.

Jensen explained to the applicant that portable toilets are not allowed by ordinance and a code-compliant septic system is required to be installed to serve workers and boarders. Proposed hours of operation are 7:00 a.m. through 9:00 p.m.; however, the applicant would like to extend the hours in order to allow for late returns from horse shows. Any signs would also need a permit.

Luis Arenas, the owner, and Rafael Vargas, the agent and interpreter, were present and answered questions from the committee.

SPEAKING IN FAVOR

Vincent Esqueda was present and spoke in favor of the petition.

SPEAKING IN OPPOSITION

Scott Litwin and Kay Friesema were present and spoke in opposition to the petition.

STAFF RECOMMENDATION(S)

Based on the submittal, testimony, the uniqueness of the property, and the narrow lot configuration, staff does not support this request. Staff recognizes the Town's request to lay over the petition and would be amenable to this request.

COMMUNICATIONS

Communications were read into the record from two neighboring property owners who oppose the petition. The issues by those opposing the petition shared the following concerns: traffic; parking; noise and large parties lasting late into the night and debris from the parties being found in neighboring yards; animals wondering off Mr. Arenas property and leaving feces in neighboring yards, on the road, and at the end of neighbors' driveways.

The Town of Yorkville requested the committee to lay over this petition in order to give the Town of Yorkville Plan Commission and Town Board an opportunity to review and discuss this request at their November 10, 2014, meeting. The applicant was informed that an application must be made with the Town of Yorkville for this conditional use proposal.

DECISION

GROVE MOVED, seconded by Pringle, to lay over the petition at the request of the Town of Yorkville in order to give the Town of Yorkville Plan Commission and Town Board an opportunity to review and take action on the petition at their meeting on November 10, 2014.

Motion carried unanimously. VOTE: 7/0

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 September 16, 2014, summary minutes.
7:18

GROVE MOVED, seconded by Pringle, to approve the September 16, 2014, summary minutes.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Graf: aye
Youth Representative Freidheim: aye

Motion carried unanimously. VOTE: 7/0

3. Maria Vargas, Owner
7:18 Israel Vargas
7:23 Travelers Inn Motel &
Campground & Home Run Haven
Baseball Complex
- Laid over on 08/22/2014*
- Consideration by the Economic Development & Land Use Planning Committee to revoke the existing conditional use permit for the motel, campground and baseball complex due to repeated and on-going violations of the conditional use permit, as well as failure to correct various code violations relative to the private on-site wastewater treatment system serving this entire site which could create immediate health problems and is a nuisance; located in the B-5 Highway Business District; 14017 Durand Ave. (STH 11) and 3400 S. Sylvania Ave. (West Frontage Rd.); Parcel Id Nos. 018032125005001 & -007010;
Town of Yorkville

Brian Jensen reviewed the petition using text, maps and slides. Staff met with representative, Israel Vargas, on multiple occasions at this site to address concerns of the EDLUP Committee and Racine County. All items requiring attention of the owner to bring this property and use into compliance with past approvals have been completed. A State certified plumber has inspected the holding tanks and deemed them watertight; the owner has contracted with Pat's Sanitary Service to empty the holding tank contents on a set schedule from March through October; additional sanitation alarms have been installed; a larger dumpster is now being used; and the recreational vehicle/camping area is now being used in compliance with previous approvals.

Israel Vargas was present and answered questions from the committee.

DECISION

PRINGLE MOVED, seconded by Dawson, to approve revocation of the conditional use permit for Travelers Inn Motel and Campground and Baseball Complex. After discussion, Dawson withdrew his second. **Gleason seconded original motion.** Discussion ensued. Roll call vote taken: 2 yea/5nay to revoke the conditional use permit. The conditional use permit is not revoked and operation of the businesses must be in conformance with previous approvals.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Graf: nay
Youth Representative Freidheim: nay

Motion to revoke denied. VOTE: 2/5, with Osterman, Grove, Dawson, Roanhouse, and Hincz dissenting.

4. Michael Stach
7:33
7:36 *Laid over on 05/19/2014*
- Amend the November 18, 1996 conditional use to allow an after-the-fact parking area expansion and landscape plan modification; located in the M-3 Heavy Industrial District; 7200 Raynor Avenue (USH 45); Parcel Id. No. 010042012035142;
Town of Norway

Brian Jensen reviewed the petition using text, maps and slides.

COMMUNICATIONS

Town of Norway reviewed and approved this petition with conditions.

STAFF RECOMMENDATION(S)

Staff recommends approval of this petition, with the understanding that if the building is used for cold storage, no sanitary system is needed. If the building is used for repairs, a catch basin and a sanitary system will be required. The applicant must comply with all Town conditions.

DECISION

PRINGLE MOVED, seconded by Dawson, to approve the conditional use amendment.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Graf: aye

Youth Representative Freidheim: aye

Motion carried unanimously. VOTE: 7/0

5. BLRB, LLC Street Vacation Request to vacate a portion of an
7:37 George & Dottie Homeyer unconstructed platted road known as Caldwell Drive, Bayshore
7:38 Subdivision; 3410 & 3412 Shore Drive; Parcel Id. No.
002031927568000; **Town of Burlington**

Brian Jensen reviewed the petition using text, maps and slides. Staff and the Town of Burlington would like to see a new proposal to vacate a portion of Caldwell Drive from the applicants' property to the right-of-way of Shore Drive.

STAFF RECOMMENDATION(S)

Staff recommends denial of this petition as proposed. However, staff would support a proposal to vacate a portion of Caldwell Drive from the Homeyer property north to the intersection of Shore Drive.

DECISION

GROVE MOVED, seconded by Osterman, to deny the petition, as this road vacation does not appear to be in the public interest and does not support the proposed road vacation as presented.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Graf: aye

Youth Representative Freidheim: aye

Motion carried unanimously. VOTE: 7/0

6. Echo Lake Foods Extension of Conditional Use Approval for the construction of a
7:43 Gary Kitelinger, Agent freezer addition, loading dock, and creation of a new entrance,
7:44 located at 2319 Raymond Avenue; Parcel Id. No.
018032104060060; **Town of Yorkville**

Brian Jensen reviewed the petition using text, maps and slides. The committee previously approved this plan, with the expectation that it will alleviate noise and truck traffic for the neighbors.

DECISION

PRINGLE MOVED, seconded by Osterman, to approve the extension of conditional use, subject to Town approval.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Graf: aye
Youth Representative Freidheim: aye

Motion carried unanimously. VOTE: 7/0

7. Review, discussion, & possible action on referrals from the Racine County Board of Supervisors
7:45
7:46

PRINGLE MOVED, seconded by Dawson, to receive and file the following referrals:

- A copy of an ordinance annexing territory located at 1062 Spring Valley Road to the City of Burlington, Racine and Walworth County, Wisconsin from the city of Burlington.
- copy of Notice of Public Hearing regarding Proposed Project Plan Amendment to Tax Incremental District No. 3 in the City of Burlington from Ehlers & Associates, Inc.

8. Other business as authorized by law

9. Adjourn
7:46

There being no further business, **PRINGLE MOVED, seconded by Dawson**, to adjourn at 7:46 p.m.
Motion carried unanimously. VOTE: 7/0