



**COMMISSION MEMBERS PRESENT:** D. Driver, J. Maier, J. Hewitt, F. Leonard, R. Underhill, J. Hansen & J. Kis

**COMMISSION MEMBERS ABSENT:**

**VILLAGE BOARD MEMBERS PRESENT:**

Staff: S. Schultz, R. Palm, A. MacDowell

**1. Call to Order**

The meeting was called to order at 1:00 pm by D. Driver.

**2. Roll Call** – S. Schultz performed roll call.

**3. Public Comment** – Jeff Loken – 4325 Farmington Lane – has complaints listed on the agenda and wants to know if anything will be done.

**4. Approval of the June 21<sup>st</sup>, 2017 Plan Commission Meeting Minutes**

J. Hewitt motioned, J. Maier seconded for approval of the June 21<sup>st</sup>, 2017 Plan Commission Meeting Minutes. Motion carried 7-0.

**5. Old Business –**

- a. Lofy Home Certified Survey Map (CSM) Application (CSM-05-17) | Tax Parcel #151-03-22-13-186-000 | Owner: Normandy Development Corporation | Applicant: Michael Lofy, Catherine Lofy, Benjamin Horvat**

S. Schultz reported that the applicant wishes to pull the application.

J. Kis motioned, J., Maier seconded to deny the request of the Lofy Home Certified Survey Map (CSM0-05-17), tax parcel #151-03-22-13-186-000. Motion carried 7-0.

**6. New Business**

- a. Heartland Village – Huntington Model Submission**

- b. Heartland Village – Sterling Model Submission**

Previously it was dictated that the Community Development Director would review and approve any submissions of new model plans. S. Schultz wanted to make sure the commission wanted it done this way going forward.

Travis Yanke – 103 Trellis Lane – commented that S. Schultz is doing a great job being a mediator for the association until the homeowners are given ownership.

Ray Leffler – Developer – is working to achieve the requested style of the subdivision community and understands the concerns of the community.



- c. **New Omega Missionary Baptist Church Cellular Tower Site/Building/Operation Plan Application (SP-12-17) located at 5731 Northwestern Avenue | Tax Parcel #151-03-22-01-057-020 | Owner: New Omega Missionary Baptist Church, Inc. | Applicant: American Towers**

### ***Background***

The applicant proposes constructing a 94' cellular tower at 5731 Northwestern Avenue. The 3,600 square foot lease parcel lies near the western property line behind the New Omega Missionary Baptist Church, just north of Deerfield Road. The parcel sits 325 feet from the southern property line, while the plan shows the proposed tower set back 355 feet from the southern property line. The tower lies 59 feet from the western property line, 50 feet from the northern property line, and 614 feet from the eastern property line. The lease area includes the tower, a 126 square foot equipment pad, and two future carrier areas. The tower sits 162' 3" away from the nearest residential structure. In the event of a catastrophic failure, the tower is designed to collapse and fall within a theoretical radius of 50 feet from the base of the tower (see engineering letter). The applicant has provided an affidavit of colocation, stating that colocation was not viable on an existing tower within the search ring per State Statute 66.0404(2)(b)(6). A proposed 7-foot chain link fence with three strands of barbed wire surrounds the equipment area.

In 2013, the State adopted Statute 66.0404, which left little room for local regulation of new cellular antenna structures or collocations. This statute limits the Village's power relating to regulation on aesthetics, height, setbacks, etc. The Village may no longer enforce Code of Ordinances Chapter 86 with respect to mobile service transmission towers.

### ***Recommendation***

Village staff recommends approval of the New Omega Missionary Baptist Church Cell Tower Site/Building/Operation Plan Application (plans by American Tower/T-Mobile/Concordia Wireless, Inc. dated final 06/07/2017) subject to the following conditions:

1. The applicant shall gain approval of final civil engineering, grading, and storm water drainage plans prepared by a professional engineer before issuance of any fill or building permits.
2. The applicant shall plant at least five 8-foot arborvitae or similar screening evergreens to surround the north, west, and south fence line of the proposed tower enclosure.
3. The applicant shall leave existing screening trees in place along the property line. Any damage to such trees will require replacement on a like caliper basis.
4. The applicant shall construct all utilities underground.
5. The applicant shall pay all applicable Village Impact Fees before issuance of a building permit.



Applicant: Mark Ninimen – American Towers – 8100 N 45<sup>th</sup> St, Brown Deer, WI – spoke on behalf of T-Mobile and American Towers that is will be a 94 ft max due to the Batton Airport and the 1<sup>st</sup> carrier will be T-Mobile.

J. Kis motioned, J. Hewitt seconded to approve the New Omega Missionary Baptist Church Cellular Tower Site/Building/Operation Plan Application located at 5713 Northwestern Avenue, tax parcel 151-03-22-13-186-000. Motion carried 7-0.

- d. **Burger King Restaurant Site/Building/Operation Plan Application (SP-13-17) located at 6012 Washington Avenue | Tax Parcel #151-03-22-13-100-000 | Owner: Pleasant Pointe Commons, LLC | Applicant: Cave Enterprises LLC**

### ***Background***

The applicant proposes a remodel of the former Dickie’s Barbeque Pit restaurant at 6012 Washington Avenue into a Burger King. The proposed remodel includes refacing of the current building; complete remodel and rearranging of the interior, adding a drive-thru, and adding some landscaping. The outdoor refacing will keep the brick and stone while eliminating some of the windows and the cedar from the exterior.

The proposal also includes new signage; which Village staff will consider with a separate Sign Permit Application.

The property is currently zoned B-3 (General Business), and Burger King Restaurant is an acceptable use in this zoning district. The property follows the bulk zoning standards for this district.

Village staff has concerns that going from a sit-down/take-out restaurant to a drive-thru/fast-food oriented restaurant presents some challenges for the site. We’ve asked to change the eastern side of the building to a two-way traffic flow. Since the renovation will reduce parking spaces to the minimum 47 parking spaces required for a 6998 S.F. shopping center, any method to address this traffic flow must not sacrifice any parking or with submitting a parking agreement with the neighboring business parcel.

#### **Consistency with Comprehensive Plan**

The Village 2035 Master Land Use Plan recommends Commercial for the subject property. SP-13-17 coincides with this recommendation.

### ***Recommendation***

Village staff recommends approval of the Burger King Restaurant Site/Building/Operation Plan Application (SP-13-17) *[Site plan, landscape plan, photometric plan, and elevations by Prosi Design, Inc. dated 06/27/2017]* subject the following conditions:

1. The applicant shall revise the site plan to allow for two-way traffic along the east drive. The applicant shall submit revised plans for staff approval before issuance of any fill our building permits.



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2. The applicant shall submit elevations for the new trash enclosure for staff approval before issuance of a fill or building permit.
3. The applicant shall architecturally screen any new rooftop mechanical units to minimize the visual appearance from any public roads or from within the site.
4. The applicant shall color or paint any on-site guardrails or handrails to compliment the building façade materials and color.
5. The applicant shall comply with all State and local building and fire codes. Please contact the South Shore Fire Department Division Chief Ed Lockhart regarding fire sprinkler system plan requirements. Mount Pleasant Village fire code requires the submission and approval of fire sprinkler system plans before issuance of a Village building permit. The Village may issue an early start permit to facilitate site work and grading before full plan submittal.
6. The applicant shall submit and gain approval of final civil engineering, grading, and stormwater drainage plans prepared by a Professional Engineer before issuance of any fill or building permits.
7. The applicant shall submit State approved building and plumbing plans to the Village for approval before issuance of any building permits.
8. The applicant shall construct all utilities underground.
9. The applicant shall pay all applicable Village Impact Fees before issuance of a building permit.
10. Any signage for the facility shall require a future Sign Permit Application submission for staff review and approval. Monument signs shall not exceed twelve feet in height and have a minimum setback from the property line a distance equal to the height of the sign.
11. The applicant should match the coloring of the paneling to “Nichiha Vintagewood Panel ‘Cedar’” as specified in the original building approval.

Applicant: Jeff MacDonald – Cave Enterprises, 468 Summerset Dr , Grays Lake, IL – feels it is a good location for a revised version of the normal Burger King being a Garden & Grill. Cave



Enterprises is willing to work together and also install a better ventilation system to resolve the odor issue.

Erica Star – Owner of Polish Beauty Bar – 6012 Washington Ave – has concerns over the site for the new Burger King Garden & Grill which is right next store to her business. Concerns include traffic flow, odors of the restaurant affecting her clients/business, safety of her clients and also parking or lack of.

Ed Lockhart – Chief of South Shore Fire Department stated that the original plans were not submitted with a drive thru and he will need to review for fire safety plan.

Abby Grahn – Concerns over the traffic which includes Case High School students over their lunch hour.

Lee Jaramillo – 5226 Clover Lane – Owner of the building – commented that the Burger King will have less odor than the preceding tenant – Dickey’s BBQ and wants to be accommodating to all of his tenants.

J. Maier – major concern is the parcel is not adequate for a drive thru.

J. Maier motioned, R. Underhill seconded to table the Burger King Restaurant Site/Building/Operation Plan application (SP13-17) located at 6012 Washington Avenue until the commission is able to review options regarding employee/customer safety and also study shown with Cadillac converter to reduce odor.

- e. Mt. Pleasant Lutheran Church – South Parking Lot Site/Building/Operation Plan Application (SP-14-17) located at 1700 S. Green Bay Road | Tax Parcel #151-03-22-24-010-010 | Owner: Mt. Pleasant Lutheran Church | Applicant: United Construction**

### ***Background***

The applicant proposes to expand and pave their current paved/gravel lot to an all paved lot. The new lot will be 38,630 square feet at 1700 S. Green Bay Road, Racine, WI 53406. The applicant has also submitted a landscaping plan with six new trees on the site. The proposed additions will improve the aesthetics, land, and dust issues from the current gravel lot. The traffic flow of the site will stay largely the same. The expansion aligns with all zoning setbacks.

### ***Recommendation***

Village staff recommends approval of the Mt. Pleasant Lutheran Church - South Parking Lot Plan Application [*Site Plan, Landscape Plan by United Construction Corp. dated 7/11/2017*] subject to the following conditions:



1. Lighting:
  - a. The addition of any lighting in the parking lot shall require a submission of a photometric plan for staff approval.
  - b. No freestanding lights shall exceed 20' in total height from ground to top of the luminaire.
  - c. All freestanding and wall pack luminaires shall include cut-off provisions to preclude off-site lighting impacts.
  - d. The concrete bases of freestanding lights shall remain as an unpainted, natural concrete finish.
2. The applicant shall submit and gain approval of final civil engineering, grading and stormwater drainage plans prepared by a professional engineer before issuance of any fill or building permits.
3. The applicant shall construct all utilities underground.
4. The applicant shall pay all applicable Village Impact Fees before issuance of a building permit.

J. Hewitt motioned, J. Maier seconded to approve the South Parking Lot Site/Building/Operation Plan located at 1700 S. Green Bay Road, Tax parcel # 151-03-22-24-010-010. Motion carried 7-0.

- f. **4305 S. Green Bay Road Conditional Use (CU-05-17) located at 4305 S. Green Bay Road | Tax Parcel #151-03-22-35-002-000 | Owner: Wellspring Enterprises LLC | Applicant: S. Bilik**

### ***Background***

The applicant seeks permission to operate a used car sales business on the property. The cars will be stored in the already built garages. The property is zoned B-2 (Community Business), and used to be the site of a funeral home. Village Ordinances allow auto dealerships in B-3 (General Business) zoning districts. The request is by Ordinance 90-591 (d), which allows as a conditional use in the B-2 zone any use allowed in the B-3 zone including sales lots for automobiles. The applicant stated they would not alter the property in any physical way; they propose only using the garage space for storage and the office to meet with customers. No repair or mechanical work will take place on the site.

The neighboring parcels to the north and south both have conditional uses approved as well: CU-02-08 and CN-06-91.

### **Consistency with Comprehensive Plan**

The Village 2035 Master Land Use Plan lists the parcel as future institutional use, which Village staff would take into account in a future rezone request. The site's current use as commercial is appropriate and not objectionable to Village staff at this time.



### *Recommendation*

Village staff recommends approval of the Bilik Conditional Use (CU-05-17) subject to the following conditions:

1. The applicant shall limit outdoor activities on-site to sales and parking.
2. All vehicles must be parked in garages or on paved surfaces.
3. No auto repairs or auto service is to be done on site.
4. Any external changes to the site must be addressed in a new conditional use application.
5. The applicant/landowner shall comply with all State and local building and fire codes. Please contact the South Shore Fire Department Division Chief Ed Lockhart regarding fire sprinkler system plan requirements. Mount Pleasant Village fire code requires the submission and approval of fire sprinkler system plans before the submission and issuance of a Village building permit.
6. Any signage for the facility shall require a separate Sign Permit Application submission for staff review and approval.

J. Kis motioned, J. Hewitt seconded to approve the 4305 S Greenbay Rd Conditional Use, Tax parcel # 151-03-22-35-002-000 with the added condition of limiting the amount of cars for sale to five (5) total at any given time. Motion carried 7-0.

- g. HWY 41 Conditional Use (CU-06-17) located along the East Frontage Road | Tax Parcel #151-03-22-31-009-000 | Owner: Super Mix Profit Sharing Trust | Applicant: Phil Brown**

### *Background*

The applicant requests permission to construct a 5,200 square foot repair and salvage facility along the East Frontage Road with an associated 33,000 square foot salvage yard. The application requires a conditional use per Sec. 90-311 (d) (8) & (9) which requires a conditional use for parking for nonagricultural trucks, construction equipment, and salvage yards for motor vehicles in the AG (Agriculture) zoning district. The proposed building and site plan meet all bulk zoning standards for the AG district.

The proposed development lies outside of the current Racine Water and Wastewater service area. The Village will require the applicant to connect to any nearby, future extension of the system in the future. This does not exempt the applicant from fire system requirements, and the applicant should work closely with South Shore Fire Department to meet all applicable fire codes.



### Consistency with Comprehensive Plan

The Village 2035 Master Land Use Plan recommends Agriculture for the property. CU-06-17 coincides with this recommendation.

### ***Recommendation***

Village staff recommends approval of the HWY 41 Conditional Use (CU-06-17) [*site plan, elevations, and landscape plan by Farris, Hansen & Associates, Inc. dated 05/23/2017 and 05/24/2017*] with the following conditions:

1. The applicant shall draft and submit a signed agreement to connect to water and sewer service within six months of possible future service extension. The applicant shall be liable for connection if future service lies no more than 150 feet adjacent to the parcel.
2. The applicant shall submit a photometric plan for staff review and approval before the issuance of a fill or building permit. All site lighting shall include full cutoff provisions and face perpendicular to the ground. Front parking lot lighting shall not extend above 20 feet, and the plan shall not include any off-site lighting spillover above 1.0 foot-candles at all property lines.
3. The applicant shall modify the landscape plan to add additional evergreen plantings along the west fence line, as well as four additional trees along the west property line. All deciduous trees shall be at least 2.5 inches in caliper, and all coniferous trees shall be at least six feet tall. The applicant shall submit the modified landscape plan for staff approval before issuance of a fill or building permit.
4. The applicant shall architecturally screen all new rooftop mechanical units to minimize the visual appearance from any public roads or from within the site.
5. The applicant shall color or paint any on-site guardrails or handrails to complement the building façade materials and color.
6. Any signage for the facility shall require a separate Sign Permit Application submission for staff review and approval.
7. The proposed storm water detention basin shall maintain a twenty-five-foot maintenance access shelf outside the top of the bank at a maximum 2% cross-slope. The Village prohibits guardrails or fencing around the basin.
8. The applicant shall construct all utilities underground.



9. The applicant shall connect all rooftop drainage and downspouts to an underground storm water system. The Village does not allow sheet flow of roof drainage across the pavement.
10. The applicant shall comply with all State and local building and fire codes. Please contact the South Shore Fire Department Division Chief Ed Lockhart regarding fire sprinkler system plan requirements. Mount Pleasant Village fire code requires the submission and approval of fire sprinkler system plans before submission and issuance of a Village building permit. The Village may issue an early start permit to facilitate site work and grading before full plan submittal.
11. The applicant shall submit and gain approval of final civil engineering, grading, and storm water drainage plans prepared by a Professional Engineer before issuance of any fill or building permits.
12. The applicant shall pay all applicable Village Impact Fees before issuance of a building permit.
13. Any major modification to the site, building, landscape, or photometric plans for the future phases will require an additional Conditional Use and Site/Building/Operation Plan submittal.

Applicant: Phil Brown and Don Durham, owner of Don's Towing

Phil Brown spoke regarding the site will be a great asset to Mount Pleasant and is proud of his other sites he has built.

F. Leonard, member of Plan Commission recused himself.

Ed Lockhart – Chief of South Shore Fire Department would like to be contacted to discuss fire protection.

F. Leonard of Floyds Towing – concerns that another salvage yard is not what the Village of Mount Pleasant needs.

J. Maier motioned, J. Kis seconded to approve the Hwy 41 Conditional Use located along the East Frontage Road, Tax parcel # 151-03-22-31-009-000 with a revision to condition #3 to include 8 conifer trees, add a condition #14 to show no tow trucks in front of the building and also add a condition to limit the total number of wrecked vehicles to 25 cars at any given time as well as no breaking vehicles on site. Motion carried 4-2.

- 7. Commissioner & Staff Reports** – S. Schultz introduced Robin Palm as the new Planner 1 position who started 2 weeks ago with the Village.



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**8. Adjournment** – J. Kis motioned, J. Hansen seconded to adjourn the Plan Commission meeting at 4:16 p.m. Motion carried 7-0.

\*Next meeting is scheduled for ***Wednesday, August 16, 2017 at 1:00 p.m.***

Cc: L. Hannula      S. Schultz  
     T. Beyer        D. McHugh      S. Houte