

**PLAN COMMISSION  
RESOLUTION NO. 2020-01**

**VILLAGE OF YORKVILLE  
RACINE COUNTY, WISCONSIN**

**A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING A ZONING DISTRICT OF THE ZONING MAP ADOPTED UNDER SECTION 20-212 OF THE RACINE COUNTY CODE OF ORDINANCES, AS ADOPTED BY THE VILLAGE OF YORKVILLE UNDER SECTION 55-1(A) OF THE CODE OF ORDINANCES OF THE VILLAGE OF YORKVILLE, APPROVING A REQUEST TO REZONE LAND FROM M-4 QUARRYING DISTRICT TO A-2 GENERAL FARMING AND RESIDENTIAL DISTRICT II, PARCEL ID NUMBER 194-03-21-25-015-000, VILLAGE OF YORKVILLE, RACINE COUNTY, WISCONSIN, LOCATED AT 14520 BRAUN ROAD, AND CONTAINING 45.03 ACRES, MORE OR LESS; OBCO, LLC., OWNER; VILLAGE OF YORKVILLE, APPLICANT**

**THE VILLAGE PLAN COMMISSION OF THE VILLAGE OF YORKVILLE, RACINE COUNTY, WISCONSIN, RESOLVES AS FOLLOWS:**

**WHEREAS**, the Village of Yorkville, pursuant to Wisconsin Statutes §§ 62.23 and 61.35, created a Village Plan Commission, and

**WHEREAS**, the Village has requested to rezone land from: M-4 Quarrying District to A-2 General Farming and Residential District II, Commencing at the South ¼ corner of Section 25, thence with the south line of the SW ¼ of Section 25 S88°41'07"W, a Distance of 208.80' to the point of the beginning; thence from the point of the beginning N01°33'09"W, a distance of 418.37' to a point; thence N01°32'52"W, A distance of 904.88' to a point; thence S88°42'10"W, a distance of 1645.24' to a point; thence S01°32'44"E, a distance of 905.98' to a point; thence N88°50'50"E, a distance of 208.55' to a point; thence S01°33'43"E, a distance of 417.34' to a point on the south line of the SW ¼ of section 25; thence with said south line of the SW ¼ N88°41'07"E, a distance of 1228.35' to the point of beginning, in the Village of Yorkville, Racine County, Wisconsin and located at 14520 Braun Road and contains 45.03-acres, more or less, with a Parcel ID Number 194-03-21-25-015-000, which is highlighted on the attached **Exhibit A**, OBCO LLC., Owner, and

**WHEREAS**, the Plan Commission and Village Board have duly noticed and held a public hearing on the proposed amendment to the Zoning Map at 6:00 p.m. on Monday, May 11, 2020, pursuant to the Village's Zoning Code and Wisconsin Statute § 62.23(7), and

**WHEREAS**, on January 22, 1996, the Town of Yorkville Board and Racine County approved a rezoning request of the subject parcel from A-2 General Farming and Residential District to M-4 Quarrying District with a contingency that if no mining activities occurred within 5 years, the property needed to be rezoned back to an appropriate zoning district, and

**WHEREAS**, the Village of Yorkville Plan Commission recommended, via Plan Commission Resolution 2019-02, and the Village Board approved on December 16, 2019, via Ordinance 2019-07, an amendment to the Village of Yorkville's land use map and Multi-Jurisdictional Comprehensive Plan for Racine County: 2035, as it pertains to the I-94 Corridor and proposed I-94 Corridor Master Plan. This amendment changed the land use classification of this parcel from Urban Reserve to Agricultural, Rural Residential, and Open Land, and

**WHEREAS**, on May 1, 2019, the Village of Yorkville's Board of Appeals, at a contested hearing, determined that an M-4 conditional use to reestablish a non-metallic mining operation (clay extraction) for the property, including pond and Resource Conservation Area (RCA) had expired due to a lack of substantial work, and

**WHEREAS**, the Yorkville Village Board approved a motion on February 10, 2020, authorizing the Administrator/Clerk to file a rezoning request for this parcel on behalf of the Village of Yorkville to a zoning classification consistent with the Comprehensive Plan, and

**WHEREAS**, A-2 General Farming and Residential District II is a zoning district consistent with the Comprehensive Plan, and

**WHEREAS**, by letter dated April 29, 2020, the property owner has stated that it has no objection to the proposed rezoning.

**NOW, THEREFORE, BE IT RESOLVED**, that the Plan Commission finds that the proposed rezoning of land from M-4 Quarrying District to A-2 General Farming and Residential District II, Commencing at the South ¼ corner of Section 25, thence with the south line of the SW ¼ of Section 25 S88°41'07"W, a Distance of 208.80' to the point of the beginning; thence from the point of the beginning N01°33'09"W, a distance of 418.37' to a point; thence N01°32'52"W, A distance of 904.88' to a point; thence S88°42'10"W, a distance of 1645.24' to a point; thence S01°32'44"E, a distance of 905.98' to a point; thence N88°50'50"E, a distance of 208.55' to a point; thence S01°33'43"E, a distance of 417.34' to a point on the south line of the SW ¼ of section 25; thence with said south line of the SW ¼ N88°41'07"E, a distance of 1228.35' to the point of beginning, in the Village of Yorkville, Racine County, Wisconsin and located at 14520 Braun Road and contains 45.03-acres, more or less, with a Parcel ID Number 194-03-21-25-015-000, which is highlighted on the attached **Exhibit A**, OBCO LLC., Owner, is appropriate for the following reasons:

1. This rezoning will not adversely affect the surrounding property values and is consistent with the existing adjacent land use.
2. The proposed A-2 zoning district appears to fit with adjacent uses.
3. The Village of Yorkville Plan Commission recommended, via Plan Commission Resolution 2019-02, and the Village Board approved on December 16, 2019, via Ordinance 2019-07, an amendment to the Village of Yorkville's land use map and Multi-Jurisdictional Comprehensive Plan for Racine County: 2035, as it pertains to the I-94 Corridor and proposed I-94 Corridor Master Plan. This amendment changed the land use classification of this parcel from Urban Reserve to Agricultural, Rural Residential, and Open Land.
4. On May 1, 2019, the Village of Yorkville's Board of Appeals, at a contested hearing, determined that an M-4 conditional use to reestablish a non-metallic mining operation (clay extraction) for the property, including pond and Resource Conservation Area (RCA) had expired due to a lack of substantial work.
5. The Yorkville Village Board approved a motion on February 10, 2020, authorizing the Administrator/Clerk to file a rezoning request for this parcel on behalf of the Village of Yorkville to a zoning classification consistent with the Comprehensive Plan. A-2 General Farming and Residential District II is a zoning district consistent with the Comprehensive Plan.

- 6. No mining activity has occurred on the property since original approval in 1996, thus more than 5 years of inactivity has passed since the Town of Yorkville and Racine County approved the original rezoning request, and the rezone to A-2 satisfies the original approval to rezone to an appropriate district.
- 7. The property owner has gone on record as expressing no objection to the proposed rezoning.

**BE IT FURTHER RESOLVED**, that the Plan Commission does hereby recommend that the Village Board enact an Ordinance approving the rezoning and amending the Village zoning map for the Village accordingly.

This Resolution was adopted by the Yorkville Plan Commission on May 11, 2020.


**VILLAGE OF YORKVILLE PLAN COMMISSION**


Ayes: 4

Nays: 0

Abstentions: 1

Absences: 0

By:   
Douglas Nelson, Chair

Attest:   
Michael McKinney, Secretary

## Exhibit A

Rezoning Map Area from: M-4 Quarrying District to A-2 General Farming and Residential District II

