

MINUTES

VILLAGE OF YORKVILLE
JOINT VILLAGE BOARD/PLAN COMMISSION
COMMUNITY ROOM (1ST FLOOR)
UNION GROVE MUNICIPAL CENTER
MONDAY, OCTOBER 12, 2020

Call to Order

Village Board President Douglas Nelson called the meeting to order at 6:00 p.m.

Roll Call

The following Village Board members were present: Douglas Nelson, Robert Funk, Daniel Maurice, Steve Nelson and Cory Bartlett. The following Plan Commission members were present: Douglas Nelson, Cory Bartlett, Barbara Geschke, Aaron Alby and Timothy DeGarmo. Also present were Jordan Bookstaff representing Grandview HW II, Long-Range Planning/Ordinance Committee member Kara Vyvyan, Engineer Mark Madsen, Administrator/Clerk Michael McKinney and two unidentified attendees.

Approval of Financial Reports

Motion (Bartlett, S. Nelson) to approve the September Village and Stormwater financial reports as presented, Motion Carried (MC).

Approval of Village Invoices

Motion (Maurice, Bartlett) to approve payment of Village invoices as presented in the amount of \$106,600.30, MC.

Approval of Stormwater Invoices

McKinney noted that no Stormwater invoices were presented for payment.

No formal action was taken by the Village Board on this agenda item.

New and Unfinished Business - Discussion and possible action on the following:

Site plan application submitted by Grandview HW II, LLC (with Goodwill Retail Services, Inc./Basil J. Buchko, Jr. as applicant/agent) for the parcel located at 14125 West Grandview Parkway (Parcel ID # 194-03-21-24-001-100) in the M-3 (Heavy Industrial) Zoning District to allow for the occupancy of approximately 97,500 square feet of the existing industrial building at this address with warehousing of donated goods for Goodwill Industries

Motion (Alby, Geschke) to recommend approval of the site plan application submitted by Grandview HW II, LLC (with Goodwill Retail Services, Inc./Basil J. Buchko, Jr. as

applicant/agent) for the parcel located at 14125 West Grandview Parkway (Parcel ID # 194-03-21-24-001-100) in the M-3 (Heavy Industrial) Zoning District to allow for the occupancy of approximately 97,500 square feet of the existing industrial building at this address with warehousing of donated goods for Goodwill Industries, with the following conditions:

1. **Zoning Permit.** The applicant must obtain a zoning permit from the Racine County Development Services Office after paying the zoning permit fee of \$250.00. The card must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times until the project has been completed.
2. **Future Tenants.** Each future proposed tenant of this industrial building must at a minimum obtain site plan review approval from the Village of Yorkville Plan Commission prior to occupying the site. Each tenant must contact the Racine County Development Services Department at (262)-886-8440 to inquire about occupancy requirements.
3. **Compliance.** Failure to comply with the terms and conditions stated herein could result in the issuance of citation(s) and/or revocation of this permit.
4. **Binding Effect.** These conditions bind and are applicable to the Property Owner, Applicant, and agents of the Property Owner (collectively referred to herein as "Applicant" or "Property Owner") with respect to the uses on the Property.
5. **Expiration.** This approval will expire nine (9) months from the date of the Village of Yorkville's final approval unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not occur unless the Village of Yorkville grants a written extension. Written extension requests must be submitted to the Racine County Development Services Office thirty (30) days before permit/approval expiration.
6. **Plans.** The proposed project shall be located, constructed, and utilized in accordance with the plans and documents received by the Racine County Development Services Office on September 25, 2020, unless otherwise amended herein.
7. **Permits Required for Future Buildings.** Any future buildings or additions will require prior approval and permits from the Village of Yorkville and Racine County, as agent for the Village of Yorkville.
8. **Performance Standards.** The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances.
9. **Property Requirements.** This site must be kept neat and orderly at all times, with all refuse dumpsters out of view of passersby. All disposed items must be done in an environmentally safe manner. The continued positive appearance of

buildings and property is dependent upon proper maintenance attitudes and procedures. Maintenance programs must be established that include watering, maintaining, and pruning all landscape planting areas; cleaning up litter and emptying trash containers in a timely fashion; sweeping, cleaning, and repairing paved surfaces; replacing broken and vandalized parts; replacing burned out light bulbs; and cleaning, painting, and repairing windows and building facade.

- 10. Operation Requirements.** *The operation shall not locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might run off, seep, percolate, or wash or be harmful to human, animal, plant or aquatic life. Any oil or other hazardous fluids must be stored in a designated containment area that complies with all Wisconsin Department of Natural Resources (WI-DNR) regulations.*
- 11. Loading Requirements.** *Adequate loading areas shall be provided so that all vehicles loading, maneuvering, or unloading are completely off the public ways and so that all vehicles need not back onto any public way. Reference Section 20-1087, Chapter 20, Zoning, Racine County Code of Ordinances as applicable to the Village of Yorkville.*
- 12. Hours of Operation.** *Hours of operation shall be Monday through Saturday, 7:00 am – 5:00 pm, closed Sundays.*
- 13. Warehouse Goods.** *There shall be no public drop-off/pick-up of goods at the site. All goods to be stored in the warehouse shall be either dropped off or picked up by the trucks operated by Goodwill Industries.*
- 14. Exterior Lighting.** *All exterior lighting must be energy efficient and must be located, oriented, and of an intensity to illuminate only the building site or lot without detrimentally affecting activity on adjacent sites or lots or traffic on streets or highways.*
- 15. Signs.** *Any advertising sign on this property must conform to Racine County Ordinance standards and will require a separate zoning permit(s) prior to installation. Contact the Racine County Development Services Office at 262-886-8440 for further information regarding sign permits.*
- 16. Parking.** *Parking must be provided as shown on the submitted site plan. Each automobile parking space must be a minimum of nine feet wide and 180 square feet in area, exclusive of the space required for ingress and egress. Handicapped spaces must be provided in accordance with State requirements. Aisles and spaces must be clearly marked. The driveways serving this operation must be located according to the submitted plan. The driveways and all parking areas must be maintained in an all-weather, dust-controlled condition.*
- 17. Outside Storage.** *Except for the vehicle parking area as shown on the submitted plans, outside storage is prohibited, and this property must be kept free of any*

accumulation of refuse or debris. Refuse bins and/or scrap material (recycle) bins must be screened from public view. This includes the Village of Yorkville's prohibition on the outside storage of aged vehicles, wrecked vehicles, or parts vehicles.

- 18. Stormwater Requirements. The property owner or designated agent must contact the Village of Yorkville regarding stormwater regulations for the site. Compliance with all regulations and requirements, as determined by the Village of Yorkville is required.**
- 19. Drain Tiles. Do not break or damage any underground tile. If encountered, any underground agricultural tile line must be rerouted or fixed. If any underground tile is encountered that has anything but clean water flowing through it, contact Racine County Development Services at (262) 886-8440 to investigate.**
- 20. Access. The applicant must allow any Racine County or Village employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.**
- 21. Compliance with Law. The applicant is responsible for obtaining all necessary federal, state, and local permits, approvals, and licenses. The applicant is required to comply with all applicable local, state and federal regulations.**
- 22. Amendments to Conditional Use Permit. No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Village of Yorkville's prior approval. All addition, deletion, and/or change requests must be submitted to the Village of Yorkville or the Racine County Development Services office in writing. A minor change to the conditions of this permit, as deemed by the Zoning Administrator, may be made at a staff level, if authorized by the Zoning Administrator.**
- 23. Liability. Racine County and the Village of Yorkville does not warrant that the plans for this project are functionally and/or structurally adequate. Racine County and the Village of Yorkville does not certify that the design is adequate for this site and Racine County and the Village of Yorkville accepts no liability through this approval.**
- 24. Reimburse Village Costs. Applicant shall reimbursement to the Village all costs incurred by the Village for review of this conditional use including but not limited to engineering, legal and planning review that occurred prior to permit issuance and during the implementation of the plans and construction of the improvements.**
- 25. Agreement. Your accepting the conditional use approval/zoning permit and beginning the project means that you have read, understand, and agree to follow all conditions of this approval. Therefore, Grandview HW II, LLC, Goodwill Retail Services, their heirs, successors, and assigns are responsible for full compliance with the above conditions.**

26. Subsequent Owners. It is the property owner's responsibility to inform any subsequent owner or operator of these conditions, MC.

Motion (S. Nelson, Funk) to accept the Plan Commission's recommendation and to approve the site plan application submitted by Grandview HW II, LLC (with Goodwill Retail Services, Inc./Basil J. Buchko, Jr. as applicant/agent) for the parcel located at 14125 West Grandview Parkway (Parcel ID # 194-03-21-24-001-100) in the M-3 (Heavy Industrial) Zoning District to allow for the occupancy of approximately 97,500 square feet of the existing industrial building at this address with warehousing of donated goods for Goodwill Industries, with no additional conditions beyond those recommended by the Plan Commission, MC.

Request for an amendment to the Village of Yorkville's Zoning Code as it relates to the maximum height allowed for self-service storage facilities in certain zoning districts

McKinney stated that the Long-Range Planning/Ordinance Committee recommended at their October 6 meeting that the proposed changes to the Village's zoning code be enacted.

Motion (Funk, S. Nelson) to recommend the drafting of an amendment to the Village of Yorkville's Zoning Code as proposed by the Village's zoning administrator as it relates to the maximum height allowed for self-service storage facilities in certain zoning districts, MC.

Final certified survey map application submitted by the Bruce and Vicki Funk Trust for 15952 58th Road (Parcel ID # 194-03-21-23-011-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the division of this parcel into a 3.06-acre parcel on 55th Drive and an approximately 76.8-acre remnant parcel, with a 0.25-acre right-of-way dedication on 55th Drive

D. Nelson and Funk recused themselves from any discussion of or action on this agenda item.

Madsen stated that the floodplain elevation on this map must be changed to reflect the actual floodplain elevation. He added that a section corner coordinate on this map also needs to be corrected.

Motion (Geschke, DeGarmo) to recommend approval of the final certified survey map application submitted by the Bruce and Vicki Funk Trust for 15952 58th Road (Parcel ID # 194-03-21-23-011-000) in the A-2 (General Farming and Residential II) Zoning District to allow for the division of this parcel into a 3.06-acre parcel on 55th Drive and an approximately 76.8-acre remnant parcel, with a 0.25-acre right-of-way dedication on 55th Drive, with no conditions and to recommend that a waiver be granted for Section 28-225(a) of the Village of Yorkville Code of Ordinances, which requires that all parcels created by certified survey map, including the remnant parcel, be depicted on the certified survey map, MC.

Motion (Maurice, Bartlett) to accept the Plan Commission's recommendation and to approve the final certified survey map application submitted by the Bruce and Vicki Funk Trust for 15952 58th Road (Parcel ID # 194-03-21-23-011-000) in the A-2 (General

Farming and Residential II) Zoning District to allow for the division of this parcel into a 3.06-acre parcel on 55th Drive and an approximately 76.8-acre remnant parcel, with a 0.25-acre right-of-way dedication on 55th Drive, with no conditions or additional waivers beyond those recommended by the Plan Commission, MC.

Payne & Dolan, Inc. Pay Request #2 for the 2019 67th Drive paving and drainage program project

Madsen stated that the retainage and performance bond held by the Village for this project would cover the repair of any deficiencies in the roadway.

Motion (S. Nelson, Funk) to approve payment of Pay Request #2 submitted by Payne & Dolan, Inc. in the amount of \$298,085.45 for the 2019 67th Drive paving and drainage program project, MC.

2020 audit proposals

Motion (S. Nelson, Maurice) to approve the proposal submitted by Huberty for 2020 audit services as presented, MC.

2021 General Fund annual budget

Discussion focused on the 2021 annual Union Grove-Yorkville Fire Department contribution.

No formal action was taken by the Village Board on this agenda item.

Highway-related expenditure policy

Motion (S. Nelson, Bartlett) to adopt the highway-related expenditure policy as presented, MC.

Scheduling a fall tire and electronics collection event at the Village's waste and recycling collection site, 19040 Spring Street (CTH C)

Motion (Maurice, Funk) to schedule a fall tire and electronics collection event at the Village's waste and recycling collection site, 19040 Spring Street (CTH C), on Saturday, November 14, 2020, from 8:00 a.m. to 3:00 p.m., MC.

2020-2021 annual Operator License applications submitted by the following:

- Stephen Kozenski
- Jane Studebaker-Harlan

Motion (Funk, Bartlett) to grant all listed 2020-2021 annual Operator Licenses as presented, with no conditions, MC.

November 3 election update

No formal action was taken by the Village Board on this agenda item.

Reports

Building Inspector's Report: The Building Inspector was not present to provide his report to the Village Board.

Motion (Funk, S. Nelson) to approve and file the Building Inspector's report as presented, MC.

Engineer's Report: Madsen reported to the Village Board on the following:

- The survey completed of the property located at 2209 South Colony Avenue (USH 45)
- Ongoing issues related to the development of the parcels located at 1925 and 2012 Grandview Parkway

Yorkville Stormwater Utility District Report: S. Nelson stated that the Utility District Commission held their annual budget meeting on October 7.

Roads/Public Works Committee Report: Funk stated that a damaged drain tile was repaired in the 50th Road right-of-way.

Long-Range Planning/Ordinance Committee Report: Maurice stated that the Committee met on October 6.

Village President's Report: D. Nelson stated that he had no information to report to the Village Board.

Administrator/Clerk's Report: McKinney stated that the replacement of three bridges on Washington Avenue (STH 20) will be completed soon.

Public Comments, Questions and Suggestions

No public comments, questions or suggestions were provided.

Adjournment

Motion (Maurice, Bartlett) to adjourn, MC. The meeting was adjourned at 7:21 p.m. The next scheduled Village Board meeting is Monday, October 26, 2020, at 6:00 p.m.

Michael McKinney
Administrator/Clerk