

E-MAIL MEMORANDUM

TO: Michael McKinney (michael@villageofyorkville.com)
Village of Yorkville Administrator

FROM: Shaun T. Maiter
Assistant Development Services Superintendent

SUBJECT: RSKM, LLC, Owner
Ray Stibeck, Applicant
Parcel ID # 194032113014020

March 10, 2025, Site Plan Review request to construct a ±1,612 square foot addition to an existing commercial building.

DATE: March 5, 2025

Overview:

The ±1.25-acre property is zoned B-3 Commercial Service District and is located at 14001 Washington Avenue. Route 20 Outhouse has been in operation at the subject property since 2012. On July 9, 2018, the Village of Yorkville Board approved a site plan review to construct two additions to the existing commercial building and expand/repair parking lot. One of the additions required variance approval from the Village of Yorkville Board of Appeals, which was approved on September 12, 2018. At this time, the applicant is requesting site plan review approval from the Village of Yorkville Board to construct a ±1,612 square foot addition to an existing commercial building. This addition was approved by the Village of Yorkville Board in 2018 but was never constructed. Construction is projected to start immediately upon receiving all necessary approvals/permits and should be completed within a few months.

If the Village feels that the proposed use is appropriate approval is recommended as:

1. Based on other things going on in the area, the proposed use appears to fit with the uses in the zoning district.
2. The proposed addition to the commercial building is allowed by underlying zoning through the conditional use process.

RSKM, LLC, Owner
Ray Stibeck, Applicant
March 5, 2025

If the Village feels that the proposed use is appropriate approval is recommended subject to ****DRAFT CONDITIONS****:

1. **Zoning Permit.** The applicant must obtain a zoning permit card from the Racine County Development Services Office after paying a zoning permit fee of \$1,000.00. This 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. **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.
3. **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.
4. **Compliance with Previous Conditions of Approval.** All applicable conditions from previous approvals shall remain in effect, unless otherwise amended herein.
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 February 24, 2025, unless otherwise amended herein.
7. **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 (copy attached).
8. **Substantiated Complaints.** The Village of Yorkville reserves the right to require the owner to appear before the Board to address substantiated complaints involving this operation. The Board may direct the owner to implement possible corrective measures to address the complaints. The Conditional Use Permit could be subject to revocation proceedings if substantiated complaints are not addressed by corrective measures.
9. **Exterior Lighting.** Any changes to the existing exterior lighting on the property shall meet the provisions of Section 20-1065 of Chapter 20, Zoning, Racine County Code of Ordinances, as applicable to the Village of Yorkville. Any exterior lighting installed prior

RSKM, LLC, Owner
Ray Stibeck, Applicant
March 5, 2025

to December 15, 2022, must remain in conformance with the approved exterior lighting plan on record. If any exterior lighting installed prior to December 15, 2022, was not part of an approved exterior lighting plan, the exterior lighting must continue to be arranged, oriented, or shielded in a manner that direct radiation or glare from such source does not penetrate adjacent or nearby parcels or the public right-of-way, and will not endanger the safety of pedestrian or vehicular traffic.

10. **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.
11. **Parking.** Parking must comply with the provisions of Section 20-1088, Chapter 20, Zoning, Racine County Code of Ordinances, as applicable to the Village of Yorkville.
12. **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.
13. **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.
14. **Construction.** During construction, this site must have graveled roads, access drives, and/or parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road must be removed by street cleaning (not flushing) before the end of each work day or as determined by the jurisdictional highway authority.
15. **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.
16. **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.
17. **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

RSKM, LLC, Owner
Ray Stibeck, Applicant
March 5, 2025

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.

18. **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.
19. **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.
20. **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, RSKM, LLC, Ray Stibeck, his heirs, successors, and assigns are responsible for full compliance with the above conditions.
21. **Subsequent Owners.** It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.
22. **Recording.** The Village shall have the resolution approving this request recorded with the Racine County Register of Deeds at the applicant's expense.

c: Tim Pruitt, Eileen Zaffiro, Doug Nelson, Mark Eberle
File