

RESOLUTION NO. 2026-26

**VILLAGE OF YORKVILLE
COUNTY OF RACINE, STATE OF WISCONSIN**

A RESOLUTION APPROVING A CONDITIONAL USE REQUEST TO OCCUPY THE ENTIRE EXISTING INDUSTRIAL BUILDING AT THIS ADDRESS WITH A MEDICAL WASTE PROCESSING FACILITY KNOWN AS “DANIELS SHARPSMART, INC.” AT 1340 GRANDVIEW PARKWAY, SEC. 13, T3N, R21E, VILLAGE OF YORKVILLE, COUNTY OF RACINE, STATE OF WISCONSIN (PARCEL ID # 194-03-21-13-029-070); DANIELS STURTEVANT WI, LLC, OWNER; DANIELS SHARPSMART, INC./DAVID TRAN, APPLICANT/AGENT

THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, COUNTY OF RACINE, STATE OF WISCONSIN, RESOLVES AS FOLLOWS:

WHEREAS, Applicant/Agent requested conditional use approval to occupy the entire existing industrial building at this address with a medical waste processing facility known as “Daniels Sharpsmart, Inc.” at 1340 Grandview Parkway, Sec. 13, T3N, R21E, Village of Yorkville, County of Racine, State of Wisconsin (Parcel ID # 194-03-21-13-029-070); and,

WHEREAS, the Village of Yorkville Plan Commission recommended approval of the request, subject to the conditions attached hereto as Exhibit A and the performance standards attached hereto as Exhibit B, for the following reasons:

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

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Yorkville, that the requested conditional use set forth above is hereby approved for the same reasons set forth above and subject to the same conditions and contingency imposed by the Village of Yorkville Plan Commission.

This Resolution was adopted by the Village Board of the Village of Yorkville, County of Racine, State of Wisconsin, this 13th day of July, 2026.

VILLAGE OF YORKVILLE

Ayes: 4

Nays: 0

Abstentions: 0

Absences: 1

By: /s/ Douglas Nelson
Douglas Nelson, President

Attest: /s/ Janine Carls
Janine Carls, Clerk

EXHIBIT A - CONDITIONS

Daniels Sturtevant WI, LLC, Owner
Daniels Sharpsmart, Inc./David Tran, Applicant/Agent

1. **Zoning Permit.** The applicant must obtain a zoning permit from the Racine County Development Services Office after paying a zoning permit fee of **\$265.00**. 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. **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.
5. **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 May 26, 2026, unless otherwise amended herein.
6. **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, as applicable to the Village of Yorkville (copy attached).
7. **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.
8. **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.
9. **Outside Storage.** Except for the vehicle parking areas 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.

10. **Waste/Transfer Material.** All waste and transfer materials must be stored inside the building at all times. Trucks may be stored out-of-doors only if they are free of untreated medical waste.
11. **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.
12. **Dust Control.** The applicant must take measures to control all dust on the site, by using watering or other palliative means to keep dust at the absolute minimum.
13. **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 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.
14. **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.
15. **Signs.** Any advertising sign on this property must conform to the Racine County Ordinance standards, as applicable to the Village of Yorkville, and will require a separate zoning permit(s) prior to installation.
16. **Fire Alarm and/or Sprinkler Plan Review.** If this approval is for an activity that requires fire alarm and/or sprinkler system plan review, written confirmation shall be provided to the Village Administrator/Clerk by Fire Safety Consultants, Inc. stating that the applicant and/or agent has submitted acceptable fire alarm and/or sprinkler system plans to Fire Safety Consultants, Inc. for review pursuant to Chapter 26 of the Village of Yorkville Municipal Code. No building or zoning permit

shall be issued for this activity until such time as said confirmation is provided. For the purposes of this condition, the term "building permit" shall mean any permit including, but not limited to, site preparation, building, electrical, plumbing, HVAC, and erosion permits. The applicant must first obtain Fire Safety Consultants, Inc. fire alarm and/or sprinkler system plan approval prior to submitting those plans to the State of Wisconsin for state review. Failure to abide by any part of this condition shall not constitute a basis for an appeal to the Village Board of any sprinkler system and/or fire alarm requirements contained within Chapter 26 of the Village of Yorkville Municipal Code. The building inspector may issue a stop work order if, in his/her opinion, construction cannot proceed any further without impeding the installation of the required fire alarm and/or sprinkler systems.

17. **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.
18. **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.
19. **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.
20. **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.
21. **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.
22. **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, Daniles Sturtevant WI, LLC, their heirs, successors, and assigns are responsible for full compliance with the above conditions.
23. **Subsequent Owners.** It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.

24. **Recording.** The Village shall have the resolution approving this request recorded with the Racine County Register of Deeds at the applicant's expense.
25. Applicant shall not discharge more than 9,000 gallons of wastewater from the processing area per day (a 24-hour period of time). This limitation shall include all wastewater discharge, including all floor drains within the processing area. Restroom waste is excluded from the 9,000-gallon per day limit.
26. The applicant shall install a flow meter, totalizer, and automatic discharge valve that monitors and restricts the wastewater discharge from the processing area. After each 24-hour period, the totalizer will reset and monitor flow. When the flow meter reaches 9,000 gallons it will automatically close the discharge valve and the valve will remain closed until the end of the 24-hour period. When the valve is closed, no wastewater from the processing area can be discharged into the Yorkville Sewer Utility. After 24 hours, the flow meter shall reset and the valve will open. This limit will prevent Daniels Health from becoming a significant industrial user. The applicant will maintain a daily flow log that will include the flow in gallons per day and time and date flow is recorded. This log shall be submitted to the Yorkville Sewer Utility no later than the 10th of each month.
27. An overflow holding tank of an appropriate size shall be installed. The holding tank will hold any wastewater that is produced and cannot be discharged in excess of the 9,000-gallon limit. Such wastewater may be discharged on a day that the facility is not in operation and therefore would not meet the 24-hour limit that day. Applicant may also, at its option, have the wastewater removed and transported by a hauler licensed with the State of Wisconsin to a facility capable of receiving and processing such wastewater. Records of any use of the overflow tank, emptying of the overflow tank by discharge to the Yorkville Sewer Utility, or disposal by transport to another facility shall be maintained on file and will include flow in gallons per day, time and date flow is recorded, and gallons transported off site. This log shall be submitted to the Yorkville Sewer Utility no later than the 10th of each month.
28. Applicant will have a flow proportional 24-hour composite refrigerated sampler. The Yorkville Sewer Utility personnel shall have access to the sampler to monitor process effluent. The sampler is to be controlled by the flow meter. The Yorkville Sewer Utility will periodically collect a 24-hour composite sample from this sampler to verify compliance with the discharge limits. Daniels Health shall reimburse the Utility for all costs incurred for compliance testing. The sampler shall have a service contract to be serviced quarterly. Applicant shall keep a daily log of the refrigerated sampler temperature; the log must include date and time the temperature is recorded. The temperature is to be less than 6 degrees C without freezing. This log shall be submitted to the Yorkville Sewer Utility no later than the 10th of each month.
29. The following are the effluent limits on the industrial process water that the applicant may discharge to the Yorkville Sewer Utility's wastewater collection system. The limits are based on limits in the Yorkville Sewer User ordinance and the impact the applicant's discharge has on the Yorkville Sewer Utility's ability to

meet its WPDES permit discharge limits, as set by the Wisconsin Department of Natural Resources.

The limits are:

ANALYTE	LIMIT
BOD	200 MG/L
SUSPENDED SOLIDS	200 MG/L
PHOSPHORUS	6.5 MG/L
PH	6.5 – 8.0
CHLORIDES	150 MG/L
AMMONIA	15 MG/L
TEMPERATURE	20 DEGREES C

Applicant shall pre-treat all processed wastewater before discharge to meet these limits. In addition to the limits set forth above, the applicant will not discharge any mercury or metals into the Yorkville Sewer Utility that exceed limits set on the Yorkville Sewer Utility under its State of Wisconsin WPDES permit.

30. Applicant must have a service contract for the flow meter. Semi annually, the flow meter shall be calibrated, and a copy of the calibration certificate sent to the Yorkville Sewer Utility.
31. Applicant must monitor pH daily when discharging to the Yorkville Sewer Utility. A pH log must be kept documenting daily pH readings that includes recording time and date of the measurement, most recent calibration of pH equipment, and any service work on pH equipment. This log shall be submitted to the Yorkville Sewer Utility no later than the 10th of each month. Applicant shall have a service contract for all pH monitoring equipment that meets manufacturer recommendations for their application.
32. If the applicant is out of compliance with any of these requirements, they are to notify the Yorkville Sewer Utility within 24 hours.

If the applicant is out of compliance, the Yorkville Sewer Utility may take the following actions:

1. Notice by email of permit violation
2. Notice of Noncompliance – The applicant will have 14 days to correct the violations and respond with a written response.

3 months of continued violations or more than 3 violations in a 30-day period may result in disconnection from the Yorkville Sewer Utility.

33. **Village Board and Plan Commission Review.** The Village Board and Plan Commission shall review this approved conditional use 90 days after the date of its first approval, and at a future date(s) thereafter as determined by the Village Board and Plan Commission.

EXHIBIT B - PERFORMANCE STANDARDS

Daniels Sturtevant WI, LLC, Owner
Daniels Sharpsmart, Inc./David Tran, Applicant/Agent

DIVISION 4. - PERFORMANCE STANDARDS [15]

Footnotes:

--- (15) ---

Cross reference - Schedule of deposits for violation of the provisions in this division, § 5-3.

Sec. 20-1061. - Compliance.

This chapter permits specific uses in specific districts; and these performance standards are designed to limit, restrict, and prohibit the effects of those uses outside their premises or district. All structures, lands, air and waters shall hereafter, in addition to their use, site and sanitary, floodland and shoreland regulations, comply with the following performance standards.

(Code 1975, § 7.091)

Sec. 20-1062. - Water quality protection.

No residential, commercial, industrial, institutional or recreational use shall 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. This section shall not apply to uses other than those enumerated in it.

(Code 1975, § 7.092)

Sec. 20-1063. - Noise.

All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittence, duration, beat frequency, impulse character, periodic character or shrillness.

(Code 1975, § 7.093)

Sec. 20-1064. - Radioactivity and electrical disturbances.

No activity shall emit radioactivity or electrical disturbances so as to endanger the use of neighboring premises.

(Code 1975, § 7.094)

Sec. 20-1065. - Exterior lighting.

Any lighting source on any use, lot or parcel which is for the purpose of illuminating any structure exterior, sign, parking lot or outdoor area shall be established in a manner which satisfies the following conditions:

- (1) Such lighting shall be arranged, oriented or shielded in such a manner that direct radiation or glare from such source does not penetrate adjacent or nearby parcels or the public right-of-way.
- (2) The source of such illumination shall be arranged, oriented or shielded in a manner which will not endanger the safety of pedestrian or vehicular traffic.

(Ord. No. 86-86, § 7.095, 8-26-86)

Sec. 20-1066. - Maintenance.

Any fence, wall, hedge, yard space or landscaped area required by this chapter or grant of variance or conditional use shall be kept free of an accumulation of refuse or debris. Plant materials must be well kept in a healthy, growing condition; and structures, such as walls and fences, shall be maintained in sound conditions, good repair and appearance at all times.

(Ord. No. 86-86, § 7.096, 8-26-86)

Sec. 20-1067. - Odors.

No residential, commercial, industrial, institutional or recreational use shall emit an odor of such nature or quantity as to be offensive or unhealthful which is detectable at the lot line. The guide for determining odor measurement and control shall be Chapter NR 429 of the Wisconsin Administrative Code and amendments thereto.

(Ord. No. 93-3, 5-11-93)

Cross reference - Outdoor burning, § 13-51 et seq.

Sec. 20-1068. - Reserved.

Editor's note - Ord. No. 2011-131S, adopted April 10, 2012, repealed § 20-1068 which pertained to floodproofing and derived from Ord. No. 94-155, § 11, adopted Nov. 10, 1994.

Secs. 20-1069 - 20-1085. - Reserved.