

1. Meeting called to order

President Dobbs called the meeting to order at 6:00 pm at the Village Hall, 5043 Chester Lane, Racine, WI.

2. Roll Call/Introductions

Members present: Joseph Minorik, Bill Folk, Nancy Pierce, Tim Just, Trustee Weatherston, and President Dobbs.

Absent: Tom Knitter was excused.

Also present: Trustee Stillman, Trustee Martin, Village Attorney Elaine Ekes, Law Clerk Rebecca Shepro, Development Director Peter Wagner, Village Administrator Kathy Kasper, and Police Chief Christopher Botsch.

3. Approval of Minutes

Motion by Trustee Weatherston to approve the minutes from September 27, 2021. Seconded by Minorik. Motion carried unanimously.

4. Citizens' Comments

Theresie Bodie, 756 Waters Edge Road, is specifically here for the 4949 Erie Street project, but in addition to that she is wondering about the map of Caledonia as a whole and the zoning that is currently in place. She asked if whether the land use of the map is still currently relevant to today.

5. Public Hearing Items

5A. CONDITIONAL USE - Review a request for a conditional use and building, site, and operations plan for the construction and utilization of a ±10,792 square-foot commercial retail building, Dollar General, located at 4949 Erie Street, submitted by Peter Oleszczuk, Applicant, Manveer & Chaman Real Estate Inc., Owner. (Parcel ID No. 104-04-23-28-002-000)

President Dobbs explained the process of the Public Hearing.

Wagner gave an overview of the proposed Dollar General located at 4949 Erie Street and the timeline of this proposal. At the August 30th meeting, the Planning Commission recommended approval to the Village Board. At that September 27th meeting the Village Board had some questions about the traffic impact analysis report and tabled the matter. The Legal team investigated the process and determined that there is a section of code that any use that generates more than 100 trips per day requires a conditional use.

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The traffic analysis was updated to reflect school traffic and the condos on Waters Edge Drive. In addition, a third party was hired to look at the traffic impact analysis report and recommended that there be a barrier that is constructed at the entrance and exit point of the lot.

Racine County identified the need to expand the right of way along 4 Mile Road and Erie Street, which pushed the building south and east. This will result in the buffer area being reduced from the original plan. Because of modification to the parking lot entrance, some parking lot stalls were relocated to the south side of the lot which still allows the minimum requirement of parking stalls for this size of commercial development.

Michael May from Traffic Analysis and Design was present to explain the traffic impact analysis report. He recommends that a stop sign be installed on the south driveway and that the east driveway should include a stop sign and left in, right in, right out sign.

Scott Knowlton, the developer of this proposal, does not have a particular presentation, but he would like to answer any questions that anyone would have regarding this proposal. This proposal complies with all ordinances and setbacks of the Village. This proposal would bring in about 6-10 employees.

Public hearing opened: 6:25 pm

President Dobbs asked three times if anyone wanted to speak in favor of this proposal.

In favor:

None.

President Dobbs asked three times if anyone wanted to speak against this proposal.

Against:

Cindy Krispopeit, 4845 Alcyn Drive, called in and asked to be on record. She is in opposition of this development.

Lisa Cervantes, 4928 Erie Street, is in opposition of this development. She asked that her opinion go on record.

Theresie Bodie, 756 Waters Edge Road, states that she has many concerns about this development. She wondered if the impact would change if the Dollar General were to be built on Three Mile Road and Main Street or anywhere else along Douglas Avenue. She investigated the B1 zoning district and found that there were different zoning levels. She believes that if you were to apply a label to the Dollar General that you would label it as a variety store which would meet the B2 zoning district and not a B1 zoning district. She brought up a conditional use permit that went to the Minnesota Supreme Court that was declined. She states that this could be a livability issue and that this proposal should be declined.

Terry Baker, 416 West Point Lane, is asking if a representative from the Dollar General would be present at this meeting. She is wondering if the building size of the proposal will be similar to that of the Casey's gas station building.

Sharon Leiber, 4825 Alcyn Drive, she doesn't believe that this development is not a good fit for the neighborhood as it will decrease the value of the surrounding homes and properties. She also states that there are other shopping locations in this area and believes that the Dollar General could eliminate other shopping locations like the Piggly Wiggly and Pick N Save. Traffic will increase and cause safety issues in the area. She believes that this store will bring an increase of violence. Rodent infestation is a major problem that can occur and cause surrounding homeowners to pay to keep their homes sanitary. She did not receive a letter regarding the public hearing because her address is not within the 300-foot perimeter and believes that more people should have been notified in the surrounding area.

Kathi Villarreal, 4910 Alcyn Drive, states that she is directly affected by this proposal. At the last meeting, the Dollar General was asked to remove all dead trees and noxious weed. After they have been removed, she feels that she will be able to see the store from her house even though the vegetation buffer has increased. She feels that the Dollar General should be responsible for erecting a privacy fence between the surrounding homes and the business. She wishes that the Dollar General not be built.

Richard Kubis, 4915 Conlaine Drive, he understands that the applicant is in compliance with the code. The master plan created back in 2006/2007 said that no development over 10,000 square feet would be built outside of the Douglas Avenue Corridor or the I-94 Corridor, but Wagner corrected him that it has been amended. A Planning Commission report that he read that was generated in 2014 stated that this Planning Commission group has the ability to amend the master plan at their discretion.

Joe Majowski, 4857 Alcyn Drive, states that the neighborhood has issues with water and that their sump pumps run all day. If this development were to move forward, he is looking for guarantees that the water will not come into their basements or in the back of their yards. He is curious about the traffic pattern and would like to know how many cars per hour come by. He doesn't appreciate that the Dollar General representative did not come to this meeting.

Richard Karls, 5050 Birch Creek Lane, states that he walks past this property every day and would hate to see it go because the developer has no vision of the property. He believes that this store is meant to take over the 3 Mile Road store and that one of these stores will die.

Jane Batten, 704 Waters Edge Road, states that she has many questions about this proposed development. The first is about noise and air pollution. She is asking how to measure noise and air pollution when semis are coming in, the exhaust from those semis, and an increase in vehicle traffic and if this will be part of this plan. Since a traffic study was done, she thinks that a noise and pollution study should be done. She asked the Planning Commission if the land has been sold to the developer. She would love to have a conversation with the developer to choose a different site.

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Sherri Phillips, 5138 Erie Street, states that there used to be a fruit stand at the same corner of the proposed Dollar General and that it went out of business. She feels very disrespected that a representative from Dollar General did not show up. She doesn't believe that the Dollar General will be busy enough to stay open.

John Urban, 4830 Alcyn Drive, this is the second meeting that he has been to with a proposal of a building along 4 Mile Road. There was a lot of tension with Casey's, and no one wanted it. He doesn't believe that he has been to any meetings about Danny's Meats but believes that this business wants to grow and invest and believes it would be a shame for them to not get customers because of this new development.

Greg Devereux, 700 Waters Edge Drive, with the zoning being a B1, he felt that the traffic was way too intense for the location.

Chuck Miles, 624 Royal Park Road, is asking the Planning Commission who would be responsible for the maintenance of the property. He is asking if the developer will be maintaining the exterior of the building.

William Streeter, 4835 Ruby Ave, states that no one in the neighborhood wants this proposed development. He states he went to a Dollar Store on Douglas Ave and they parking lot was dirty and believes that this will happen at this proposed store. He is asking why a Dollar General is building in a place where people do not want it.

Michelle Frank, 4925 Erie Street, states her and her children will be impacted by this development. She is wondering if there will be sidewalks installed to create safety and if the intersection will be controlled.

Paul Moore, 510 West Point Lane, is asking the Planning Commission to consider the consequences that will be created from the traffic.

Emily Ross, 5118 Erie Street, she states that traffic is intense down Erie Street and that she will never walk her children to a store on that road. She believes that this will cause a safety issue. She states that multiple ambulances and emergency vehicles drive down the street multiple times a day and is wondering how it will affect the residents that need care or the emergency vehicles getting to their destination.

Barbara Brown, 500 West Point Lane, states that 4 Mile Food has been empty for a year and is wondering what is going to happen with that property as well as the other properties across and kitty corner of the proposed Dollar General.

Ralph Lipari, 534 4 Mile Road, is wondering about people leaving the parking lot, leaving east and north, and has concerns about headlights shining onto his house. He believes that the traffic will be a nightmare and that the traffic is already bad. He thinks that this will be a big issue.

Terry Baker, 416 West Point Lane, is wondering what the Police Chief's thoughts are on this proposed development with traffic increases and increases in crime.

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Melody Streeter, 4835 Ruby Ave, respectfully asked everyone on the Planning Commission to drive the neighborhood and see the residential aspect and to then ask themselves if this is the right thing to do.

Sharon Leiber, 4825 Alcyn Drive, she states that there are people moving into the area buying homes over 300 thousand dollars and she can't image what they are going to do when the depreciation comes. She is wondering about alcohol licenses and the processes of that. The storm sewer is an issue, which floods constantly leaving water sitting in the ditches. She is also wondering about the 2035 Plan and why it was not zoned commercial on that plan and how that plays into future use, when it was changed and how was it changed without the community's input.

Theresie Bodie, 756 Waters Edge Road, doesn't believe that this is a done deal and that the Planning Commission has heard factual statements to decline this project. She is asking about a protest petition for the conditional use permit and wants to know how the representative of the Dollar General will be informed of this meeting and wants them to understand that they are not welcome.

Nathan Lynn, 700 Waters Edge, recently moved 2-3 months ago and states that if you haven't had a chance to visit a Dollar General, they should. He has not seen a Dollar General bring a neighborhood up but has seen it be brought down.

Pedro Villareal, 4910 Alcyn Drive, is asking how invested the part time employees will be in protecting the surrounding properties from crime. He states that if you have unhappy employees, you will not have a good store.

Chris Brooks, 5022 Hearthside Lane, believes that crime will come with the proposed development. He doesn't want this store and doesn't believe that there is no way to not decline this proposal.

Michelle Frank, 4925 Erie Street, moved her family here because she did not want her children to grow up with the way that she did. She states that they are so against this that they have considered moving.

Jane Batten, 704 Waters Edge Road, wants the Planning Commission to feel the public passion as to see where they are coming from. She would like the Planning Commission to have an honest conversation with themselves as to whether this is right or not.

Sherri Phillips, 5138 Erie Street, is wondering if wind point was notified of this proposal.

Pedro Villareal, 4910 Alcyn Drive, asked how close Trustee Weatherston and President Dobbs lived to a Dollar Store.

Joe Majowski, 4857 Alcyn Drive, appreciates that the Planning Commission was present for tonight's meeting and hearing the comments from the public.

Dave Caucutt, 4840 Alcyn Drive, asks what the liability would be if the project were not to go through and what that would cost if the Commission would say no to this project.

President Dobbs asked three times if anyone wanted to speak against this proposal.

Closed public hearing 7:51 pm

5A. Commission Deliberation

President Dobbs asked Wagner about the B1 and B2 zoning code and if the proposal could go on the proposed property. The Dollar General is a retail establishment that fits under zoning code B1, retail establishment.

The Board adopted an amendment that any non-residential development must have a 20-foot buffer in addition to building setbacks for that district. In this case the setbacks exceed the requirements and include the 20-foot buffer.

Dollar General would be responsible for the maintenance of the interior and exterior of the building. One semi-truck per week will bring merchandise and smaller box trucks will run throughout the week. Semi-trucks would be present at the store for about 30 minutes to 1 hour. The hours of delivery would be subject to municipal ordinances, otherwise if there are none, it would be throughout the day. Hours of operation of the store was brought up and they typical store hours would be 9am-9pm or 8am-8pm. This would depend on the demand of the store. The water management plan still must be submitted to the Utility District.

Discussion was had regarding the resident in opposition to the development and the frustration of the Dollar General representatives not being present.

Motion by Pierce to approve and recommend to the Village Board to approve a conditional use and building, site, and operations plan for a ±10,972 square-foot commercial building with additional conditions and that the Dollar General Representative be present at the Village Board meeting. Conditions are outlined in Exhibit A for the property located at 4949 Erie Street for the following reasons:

1. The proposed use is allowed through the conditional use and building, site, and operation plan review process and is a permitted use in B-1 Zoning District.

Seconded by Folk

ROLL CALL

Trustee Weatherston	Aye
Nancy Pierce	Aye
Tim Just	Aye
Bill Folk	Aye
Joseph Minorik	Aye
President Dobbs	Aye

Motion carried unanimously.

6. Non-Public Hearing Items

6A. SIGN PLAN REVEIW – Review a sign plan for the commercial site, Pilot Travel Center, located at 13712 Northwestern Avenue submitted by Michael Everett, Applicant, Pilot Travel Centers, Owner. (Parcel ID No. 104-04-22-30-022-001)

The applicant is requesting approval for a master sign plan for Pilot Travel Center. The signs that are being proposed includes replacing a monument sign, wall signs, and directional signs. The applicant is seeking to replace seven signs in total. Signage does not the exceed 1200 square foot rule. Staff recommends approval for this proposed sign plan.

Motion to approve by Trustee Weatherston. Seconded by Folk.

ROLL CALL

Trustee Weatherston	Aye
Nancy Pierce	Aye
Tim Just	Aye
Bill Folk	Aye
Joseph Minorik	Nay

Motion carried 4/1.

6B. BOUNDARY AGREEMENT REVIEW – Review a certified survey map and rezone request from A-1, Farmland Preservation District and A-2, General Farming and Residential District II to M-2, General Industrial District for the parcel located at 3205 3 Mile Road submitted by Briohn Land Development LLC, Applicant, Anthony and Carol Janicek, Owner. (Parcel ID No. 168-04-21-36-008-000)

The applicant is requesting approval of a certified survey map creating three lots. An addition, the applicant is requesting to rezone to and industrial district to accommodate for future development of a semi-truck repair and storage business. The land use plan is identified with the Village of Raymond. The certified survey map meets the subdivisions rules and regulations.

Motion to approve by Trustee Weatherston. Seconded by Folk. Motion carried unanimously.

7. Adjournment

Motion to adjourn by Trustee Weatherston. Seconded by Pierce. Motion carried unanimously.
Meeting adjourned at 9:25 pm.

Respectfully submitted,
Megan O'Brien
Deputy Village Clerk