

1. Meeting called to order

President Dobbs called the meeting to order at 6:03 p.m. at the Village Hall, 5043 Chester Lane.

2. Roll Call/Introductions

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

Also Present: Development Director Peter Wagner and Director of Public Services Anthony Bunkelman PE

3. Approval of Minutes

Approval of April 25, 2022, meeting minutes.

Motion by Trustee Weatherston to approve the minutes as presented.

Seconded by Folk. Motion carried unanimously.

4. Citizens' Comments

None

5. Public Hearing and Possible Action on Items set for Public Hearing

5A. REZONE - Review a request to rezone two parcels consisting of ±92.3 acres located on Northwestern Avenue, south of 13501 Northwestern Avenue from A-2, General Farming and Residential District II, and B-4, Planned Business District to M-3, Heavy Industrial District submitted by Jason Lueders, Applicant, Badger Land Company, Owner. (Parcel ID Nos. 104-04-22-30-038-000 & 104-04-22-30-047-000)

Wagner read from his report.

The applicant is requesting the rezoning of two parcels, consisting of ±92.8 acres located on Northwestern Avenue, south of 13501 Northwestern Avenue, from A-2, General Farming and Residential District II, and B-4, Planned Business District to M-3, Heavy Industrial District. The purpose of this rezoning is to provide a zoning district that can accommodate the future development of a business park. This change in zoning is similar to what was done for the DeBack Farms Business Park.

The M-3 zoning District is being requested due to the proposed use as a business park with multiple buildings to accommodate distribution facilities and other potential industrial uses. Rezoning to the M-3 District is consistent with the adopted 2035 Village Land Use Plan and the proximity to the highway makes an industrial zoning classification on the property suitable for these parcels.

At this time, the applicant has not identified any specific uses. If in the future, a proposed use is not a permitted use, but rather a conditional use, in the M-3 District, the property owner will need to come before the Village requesting a conditional use permit.

President Dobbs opened the Public Hearing at 6:06 p.m.

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:

Kristin Menszel, 13100 Northwestern Ave., said she lives directly across from the subject property and when she and coresident William Boehm saw the notice about the rezoning, they were concerned about traffic issues. She made a request that any development have an entrance off Frontage Road (USH 41) instead of Northwestern Avenue. Northwestern is two-lane highway that drops down to a divided road. Traffic problems include congestion, injury accidents, speeding and skidding. Semis could aggravate the situation. She asked that the Village take into consideration that it is not a good situation for that area right now.

They also are concerned with how property values in the area will be affected by commercial development. She thought the value of their property might go down if all the land around it is built up into commercial properties and they would not be able to sell it at a reasonable price.

Stephen Keller, 13000 Northwestern Ave., said he is a 25-year resident and when the original land use plan was being done he was told most of the area was going to be residential. Then it was decided the area would be for industrial uses. He said there is outrageous speeding on Northwestern and little enforcement. Since the other industrial park (DeBack) went in he has had issues with runoff and drainage on his property. The two sump pumps in his house rarely ran before and now run consistently. With all the industrial parks around, he doesn't see the value of his property being that great because no one wants to live next to an industrial park.

President Dobbs closed the Public Hearing at 6:15 p.m.

Wagner addressed a Board Member's concern that the graphic representations of the buildings in the proposed industrial park are general depictions and not actual representations of future buildings. He explained that during the Rezone process there usually is no layout showing the orientation of the buildings.

A Traffic Impact Analysis is required for any proposed intense development within the Village.

Wagner showed building samples and said it isn't unusual for a developer to ask for a Zoning change as the first step in development. The requested Zoning is consistent with the Village's Comprehensive Plan.

The applicant, Jason Lueders of the Zilber Property Group, said the planned buildings are similar to others they have built. He said that his company is familiar with Zoning and Special Use conditions, and the requirements for applying for building permits. He confirmed that a traffic study will be conducted and talked about maintaining proper drainage.

5A. Commission Deliberation

Motion by Pierce to approve and forward to the Village Board the request to rezone ±92.8 acres located on Northwestern Avenue, south of 13501 Northwestern Avenue (Parcel ID Nos. 104-04-22-30-038-000 & 104-04-22-30-047-000) be rezoned from A-2, General Farming and Residential District II, and B-4, Planned Business District to M-3, Heavy Industrial District as illustrated in Exhibit A for the following reasons:

1. Due to the subject property's proximity to I-94, industrial uses should be encouraged in this area.
2. The 2035 Land Use Plan designates this area of the property as Industrial/Business Park. The proposed rezoning is in accord with the 2035 Land Use Plan designation for the subject property.

Seconded by Trustee Weatherston

Motion carried unanimously.

5B. CONDITIONAL USE – Review a request for a Conditional Use to operate a child daycare business in an existing commercial building located at 10502 Northwestern Avenue submitted by Jermesha McHenry, Applicant, 10502 Northwestern Avenue LLC, Owner. (Parcel ID No. 104-04-22-33-208-000)

Wagner read from his report:

The applicant is requesting approval of a conditional use to operate a child daycare facility in an existing commercial building located at 10502 Northwestern Avenue. This type of use is permitted as a Conditional Use in the B-3 District.

The existing commercial building has three tenant spaces. One is currently a liquor store, another is an acupuncture business, and the other was a dental office. The applicant intends to occupy the former dental business on the north end of the building. The site has access from Roberts Street to the west and an alleyway to the east. Access from Roberts Street is wide enough to accommodate the type of traffic that will occur during pick up and drop off times. The neighboring businesses are not open during the peak traffic time in the morning for daycare drop off and Drop-off times are often spread out over a longer period of time, which should not create a conflict with neighboring business.

At this time, the applicant has not provided a site plan showing any outdoor play area for the facility. The applicant has indicated that an outdoor play area will eventually be part of the business and understands that she will need to come back before the Village Board for site approval. Included with this report is the applicant's narrative explaining the size of the business and hours of operation.

Although the neighboring liquor store may be of concern, the requested use fits within the B-3 zoning district as a conditional use. The use will be required to meet all State regulations regarding the operation of a daycare facility prior to requesting occupancy. Staff believes the location along Northwestern Avenue is a suitable site for this type of business even if abutting a liquor store. If the Plan Commission is comfortable with the proposed conditional use, staff has drafted a suggested motion shown on the first page of this report.

President Dobbs opened the Public Hearing at 6:38 p.m.

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: None.

President Dobbs closed Public Hearing at 6:39 p.m.

5B. Commission Deliberation

Applicant Jermesha McHenry, 3149 N 41 St.; Milwaukee, spoke about the State regulations the facility will follow pertaining to number of children per adult caregiver, total number of children per building area, and the layout of the retail unit, which she said is ideal because it has several rooms that can be used to separate children in different age groups. The location's proximity to I-94 makes it convenient for parents to drop off their children. She discussed security measures and said the parking lot is well lit.

Motion by Trustee Weatherston to approve and forward to the Village Board the request for a Conditional Use to operate a licensed child daycare business located at 10502 Northwestern Avenue, Parcel ID No. 104-04-22-33-208-000, be approved for the following reason:

1. The proposed use is allowed by underlying zoning through the conditional use review process.
2. The proposed use does not negatively impact the surrounding properties.

Seconded by Knitter

Motion carried unanimously.

5C. CONDITIONAL USE AMENDMENT – Review a request to amend an existing Conditional Use Permit to extend, for an additional 36 months, the operation of outdoor parking of undamaged and damaged vehicles for an online auto auction business located at 7213 USH 41 submitted by IAA Inc, Applicant, Hribar Holdings LLC, Owner. (Parcel ID No. 104-04-22-07-100-000).

Wagner read from his report:

The applicant is requesting a 36-month extension to the existing conditional use permit which allows the operation of an online vehicle auction site with outdoor storage for used, damaged, and undamaged vehicles located at 7213 USH 41. IAA Inc. was approved for this type of use in December 2020. The business has been operating with no complaints. This use is similar to the Copart conditional use that was approved by the Plan Commission and Village Board at this location which expires in 2025. Since operations started, the applicant has been compliant with the conditions of approval and provided the Village with the necessary documentation as it relates to environmental and well testing.

During a recent site visit, staff observed sections of fencing surrounding the area were in poor condition and should be repaired. If the Plan Commission were to extend the use, staff recommends adding a condition to the motion requiring the repair of the fence by June 27, 2022.

IAA Inc. currently has few cars in the lot allocated for this use. The existing cars are parked on an angle to reduce the potential glare from vehicle windshields to the north. In addition, the location of these vehicles is further east than the Copart location and is screened by an existing wooded parcel to the north, reducing the visual impact to the neighbors on 6 ½ Mile Road.

If the Plan Commission is comfortable with the proposed extension length of 36 months, staff recommends amending the existing Condition Number 24: Duration of Conditional Use to state that the use expires June 27, 2025. If approved, IAA Inc. will continue to utilize the easternmost portion of the parcel as shown in Exhibit B.

Just asked how many times the permit has been extended and Wagner confirmed this is the first request to extend the use. The first approval was for 18 months during which time he had not heard complaints about the operation. The applicant is now asking for a 36-month extension.

President Dobbs opened the Public Hearing at 7:57 p.m.

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

In favor: Bob Prochaska, 11430 4 Mile Road, said he supports the use because it provides jobs and is in a good location for continued business use.

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

Against:

None.

President Dobbs closed Public Hearing at 7:00 p.m.

5C. Commission Deliberation

Motion by Folk to approve and forward to the Village Board the request for a Conditional Use Amendment extending the duration of the conditional use until June 27, 2025, which allows the far eastern portion of the existing site at 7213 Hwy 41 to be occupied with an online vehicle auction platform with outdoor storage for used, undamaged, and damaged vehicles for the following reasons:

1. The proposed use is allowed by underlying zoning through the conditional use process.
2. The proposed use is being incorporated into an existing sales, service and rental of semi-tractors and trailers business and the proposed use is of a similar nature.
3. The owner will repair the existing fencing surrounding the proposed use by July 27, 2022.

Seconded by Trustee Weatherston

Motion carried unanimously.

6A. New Business

A. COOPERATIVE BOUNDARY AGREEMENT REVIEW – Review a building, site, and operation plan to construct a ±30,000 square-foot warehouse building located on the parcel directly south of 4221 Courtney Road submitted by Robb Sterr, Applicant, Jack Takerian, Owner. (Parcel ID No. 168-04-21-36-001-240)

Wagner read from his report:

The applicant is requesting approval of a ±30,000 square-foot warehouse building located on the parcel directly south of 4221 Courtney Road. The purpose of this building is to be used as a parts and supplies warehouse for the power coat industry. Hours of operation for the business will be 7am to 6pm Monday through Friday. The Village of Raymond approved this proposal in April of 2022.

The intent of the Boundary Agreement is to ensure that development occurring along the Interstate has a consistent and high-quality appearance. The following is a review of the proposed development as to relates to the design standards included in Exhibit K of the Boundary Agreement. It is the Plan Commission’s discretion to determine whether the proposed development meets the standards and should be considered a “spectacular” development.

6B. Commission Deliberation

Motion by to approve and forward to the Village Board the building, site, and operation plan for the construction of a ±30,000 warehouse building located on a parcel located directly south of 4221 Courtney Road (Parcel ID No. 168-04-21-36-001-240) in the Village of Raymond be approved for the following reasons:

1. The Village of Raymond Plan Commission and Village Board granted approval of the proposed building, site, and operation plan.
2. The proposed use meets the intent of the Village of Caledonia development standards and find that the proposed use is a spectacular use for this parcel without connecting to sewer and water in accordance with the Cooperative Boundary Agreement between the Villages of Caledonia and Raymond.
3. Any change of use will require review by the Village of Raymond and the Village of Caledonia.
4. The applicant agrees to screen all building mechanicals from the public right-of-way.

Seconded Knitter.

Motion carried unanimously.

**Planning Commission Meeting
Monday, May 23, 2022**

B. BUILDING, CERTIFIED SURVEY MAP - Review a Certified Survey Map (CSM) creating four lots for the parcel located at the northwest corner of 4 Mile Road and CTH H submitted by Peter Zimmerman, applicant, Zimmerman-Et al, owner. (Parcel ID No. 104-04-22-20-049-000)

Director of Public Services Anthony Bunkelman P.E. said the item came before the Plan Commission and Village Board earlier this year as a concept CSM when it was approved with modification waivers. He said the applicants have accepted the conditions imposed by the Village recommended approval of the final CSM.

Motion by Folk as written.

Seconded by Pierce

Motion carried unanimously.

7. - Adjournment

Motion by to adjourn by Trustee Weatherston. Seconded by Knitter. Motion carried unanimously. Meeting adjourned at 7:20 p.m.

Respectfully submitted,
Helena Dowd
Planning & Zoning Technician