

1. Meeting called to order

President Dobbs called the meeting to order at 6:00 p.m. at the Village Hall, 5043 Chester Lane.

2. Roll Call/Introductions

Members present: Thomas Knitter, Trustee Weatherston, Nancy Pierce, President Dobbs, Scott Olley, Joseph Kiriaki, Tim Just

Also Present: Development Director Peter Wagner, Director of Public Services Anthony Bunkelman, PE, Engineer Ryan Schmidt, PE

3. Approval of Minutes

Approval of July 25, 2022, meeting minutes.

Motion by Weatherston to approve the minutes as presented.

Seconded by Pierce.

Motion carried unanimously.

4. Citizens' Comments

Steve Keller, 13000 Northwestern Ave., spoke about item 6C. He raised concerns about the two proposed new buildings and the additional personal vehicles and semi-trucks that will be accessing and parking on the site, stating it would exacerbate existing traffic problems.

Rita Mitchell, 3625 51st St., Village of Raymond, owner of the vacant parcel at 13501 Northwestern Ave., spoke on item 6C. She is concerned that it appears, "they are taking up part of our property."

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

5A. REZONE – Review a request to rezone a parcel consisting of 2.3 acres located at 6201 Douglas Avenue from B-2, Community Business District to B-3, Commercial Service District submitted by John Anderson, Applicant, Anderson Investment Holdings 6207, Owner. (Parcel ID No. 104-04-23-18-187-000)

Wagner read from his Plan Commission Report of August 29, 2022, included with the meeting packet.

Applicant and business owner John Anderson spoke, describing the operations and future plans for the business.

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

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

In favor or neutral:

David Faes, 6219 Douglas Ave., said he has raised concerns about some property conditions with owner and operator, Anderson, and said he had responded and complied with the requests.

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Village Trustee Fran Martin asked if the business (contractor yard) would be allowed to operate in a B-2 Zoning District. Wagner said a contractor yard is not allowed in B-2 districts.

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

Against:

Diana Lesnjak, 4421 Harvest Lane, said she wants to speak up for the property owners in the area, contending they don't support the Rezone. She said the area is residential with spot zoning for nonresidential. She asked the Board to table the item and zone the whole property B-2 with "variances," to allow the current business to operate. She sees the Rezone to B-3 as problematic.

Martha Hutsick, 4502 Harvest Lane, said if the Rezone is approved, violations will occur worsening the situation. She voiced concerns about outdoor storage and other uses that would be allowed on site if the parcel if it is zoned B-3, Commercial Service District. She asked the Board to table the item.

President Dobbs closed the Public Hearing at 6:27 p.m.

5A. Commission Deliberation

Kiriaki asked why the B-2 Zoning could not be considered. Wagner said it does not allow for a contractor's yard with outdoor storage, which is a conditional use in B-3 districts. The Zoning is appropriate for the area and the Rezone is not precedent setting, he added, citing other similar uses in B-3 districts. If a Conditional Use Permit is approved, there is a list of Conditions of Approval that have been presented to the applicant, who is agreeable to the restrictions. The right to revocation is now added to the Conditions of Approval for better enforcement. Knitter asked about the idea of a retail component of the business in the future. Anderson discussed his overall plan for slow and sustained growth of the business.

Motion by Weatherston that the Plan Commission recommends to the Village Board that the parcel located at 6201 Douglas Avenue be rezoned to B-3, Commercial Service District, for the following reasons:

1. The parcel is currently developed and utilized for commercial purposes and rezoning the entire parcel to the B-3 District accurately reflects the use of the property.
2. The proposed rezoning is in accord with the 2035 Land Use Plan designation as commercial for the subject property.

Seconded by Knitter

Motion carried unanimously.

5B. CONDITIONAL USE AMENDMENT – Review a request to amend the existing Conditional Use Permit for the parcel located at 6201 Douglas Avenue to allow for the commercial use of a landscape contractor's yard with outdoor storage submitted by John Anderson, Applicant, Anderson Investment Holdings 6207, Owner. (Parcel ID No. 104-04-23-18-187-000)

Wagner read from his report of August 29, 2022, included in the meeting packet.

President Dobbs opened the Public Hearing at 6:15 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 or is neutral about this proposal.

Against or neutral:

Diana Lesnjak, 4421 Harvest Lane, had a list of questions she asked about the proposal, including what changes may be made to the front area that is visible from the road. She asked whether a topsoil screener makes noise and how long it usually runs each time it is used. Would the greenhouses be maintained as they are? Or will some be razed to make room for parking of machinery or trucks? Where would heavy equipment such as snow removal trucks be parked in off-season? Will there be a change to the lighting for either security or evening use? Will there be a change to the current front landscaped area? Would a garbage truck be stored on site either partially or completely full? How noisy is a tub grinder that is used to make mulch? How often, at what times, and how long would it be expected to run? In rezoning from B-2 to B-3, even if only part of the property, what you're suggesting is that a business is there now that can't be called B-2, in other words it's not a nice clean community business. It's a business with smells, sights and safety issues. In B-3 Zoning, businesses have the potential to be a problem in residential area, she said.

David Meyers, 6149 Douglas Ave., asked that dumpsters not be stored full and not be located close to the shared lot line with property. He asked about the hours of operation and dust control for the screeners.

Martha Hutsick, 4502 Harvest Lane, asked that there be a requirement for evergreens or another type of planting screen around the property. She asked that better and additional conditions be added to the permit.

President Dobbs closed the Public Hearing at 6:45 p.m.

5B. Commission Deliberation

President Dobbs called applicant and business owner John Anderson to the podium to answer some of the questions asked during the Public Hearing. He asked Anderson to provide information about hours of operation, noise and odor generation, and processes and equipment used in the operation of the business.

Anderson said the hours of operation are generally from 7 a.m. to 5 p.m., Monday through Friday, incidental Saturday and Sunday. Snow removal operations entail trucks leaving the site and returning at the end of the workday, limited to when it snows. The topsoil spinner is a trailer-mounted 50-horsepower model, the sound of which is similar to that of a skid loader or small tractor. The model can process up to 50 yards per hour, versus larger models that process over 100 yards per hour. The tub grinder is similar to a hay bale processor and is a small with a 50 horsepower or less engine. It does not make wood chips and likely could not be heard from the road. He said staff members are aware the property is within a residential area and will take that into account, using the equipment only for a couple hours at a time and likely just a few times each month. Composting involves processing vegetative materials such as grass, leaves, mulch and brush, into material that will be used for growing operations.

President Dobbs asked if the composting part of the business could be halted if it became a problem for the neighbors. Wagner referenced the Performance Standards of the Racine County Code of Ordinances that govern noise, odors and the condition of a property.

Anderson described how the company's garbage trucks and dumpsters will be used in operations. The garbage trucks will be empty when parked on the site.

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Motion by Pierce that the Plan Commission recommends to the Village Board that a Conditional Use Amendment allowing for the operation of a landscaping contractor’s yard with outdoor storage of equipment and materials for the parcel located at 6201 Douglas Avenue be approved for the following reasons:

1. The parcel is currently developed and utilized for a commercial greenhouse and the proposed use is similar in nature.
2. The applicant will submit a Building, Site and Operations plan prior to storing equipment and materials on site.

Seconded by Weatherston

Motion passed 7-0 in a roll call vote.

ROLL CALL

Scott Olley	Aye
Thomas Knitter	Aye
Trustee Weatherston	Aye
Nancy Pierce	Aye
Joseph Kiriaki	Aye
President Dobbs	Aye

6. New Business

6A. CERTIFIED SURVEY MAP – Review a certified survey map creating three lots for parcels located south of 13515 Northwestern Avenue submitted by Jason Lueders, Applicant, TI Investors of Caledonia LLC, Owner. (Parcel ID Nos. 104-04-22-30-038-000 & 104-04-22-30-047-000)

Schmidt read from his Memorandum of August 24, 2022, pertaining to parcels at the southeast corner of USH 41 and CTH K (Northwestern Avenue). The CSM includes the creation of three lots and a dedicated public right-of-way. The parcels are located in the sewer and water service area and those roads will contain all sewer, sanitary and watermain to service all three lots. However, the southernmost portion of Lot 1 will potentially have a building that will be serviced by a separate off-site sanitary sewer service system through easements on adjacent parcels. The Village Board has approved a Development Agreement. A Traffic Impact Analysis (TIA) has been started at the State and County levels. The Village is working with the County regarding access.

Rita Mitchell, 3625 51st St. Rita Mitchell, owner of the vacant parcel at 13501 Northwestern Ave., addressed the board and said she is concerned with storm water runoff. President Dobbs said a storm water analysis will be conducted as part of the development process. Mitchell said she observed surveying stakes that have been set in the area and that it appears they are on her property. Schmidt said the Village will work with the contractor regarding the issue.

6A. Commission Deliberation

Motion by Weatherston to recommend that the Plan Commission conditionally approve the Caledonia Corporate Park Certified Survey Map, subject to the conditions listed in Schmidt’s Memorandum of August 24, 2022, included in the Planning Commission packet.

Seconded by Knitter.

Motion carried unanimously.

6B. BUILDING, SITE, AND OPERATIONS PLAN REVIEW – Review a Building, Site and Operation plan for the construction and utilization of at ±141,535 square-foot industrial building located on Northwestern Avenue, south of 13501 Northwestern Avenue submitted by Jason Lueders, Applicant, TI Investors of Caledonia LLC, Owner. (Parcel ID Nos. 104-04-22-30-038-000 & 104-04-22-30-047-000)

Wagner read from his report of August 29, 2022, included in the Planning Commission packet.

6B. Commission Deliberation

Motion by Knitter that the Plan Commission recommends to the Village Board that the Building, Site and Operational plan for the construction of a ±141,535 square-foot industrial building located on Northwestern Avenue, south of 13501 Northwestern Avenue, be approved with conditions in Exhibit A for the following reasons:

1. The proposed use is allowed by underlying zoning through the Building, Site and Operation plan review process.
2. This use is consistent with the 2035 Comprehensive Land Use Plan designation of Industrial/Business Park.

Seconded by Weatherston

Motion carried unanimously.

6C. BUILDING, SITE, AND OPERATIONS PLAN REVIEW – Review a Building, Site and Operation plan for the construction and utilization of at ±233,249 square-foot industrial building located on Northwestern Avenue, south of 13501 Northwestern Avenue submitted by Jason Lueders, Applicant, TI Investors of Caledonia LLC, Owner. (Parcel ID Nos. 104-04-22-30-038-000 & 104-04-22-30-047-000)

Wagner read from his report included in the Planning Commission packet.

6C. Commission Deliberation

Motion by Weatherston that the Plan Commission recommends to the Village Board that the Building, Site, and operational plan for the construction of a ±233,349 square-foot industrial building located on Northwestern Avenue, south of 13501 Northwestern Avenue, be approved with conditions in Exhibit A for the following reasons:

1. The proposed use is allowed by underlying zoning through the building, site and operation plan review process.
2. This use is consistent with the 2035 Comprehensive Land Use Plan designation of Industrial/Business Park.

Seconded by Knitter.

Motion carried unanimously.

6D. CERTIFIED SURVEY MAP – Review a Certified Survey Map creating two lots for the parcel located at 7521 5 Mile Road submitted by Michael Leiber, Applicant, Edward Phillips, Owner. (Parcel ID No. 104-04-22-22-001-000)

Schmidt read from his Memorandum of August 9, 2022, included in the Planning Commission packet. He recommended denying the Concept CSM because Lot 1 and the Outlot are both less than 5 acres and do not meet Title 14-1-5(g)(3)(a), which requires lots of not less than 5 acres for the District.

6D. Commission Deliberation

Members discussed the fact that the request does not meet Village Municipal Code. Trustee Martin addressed the board stating a concern about setting a precedence. Pierce asked that legal options be explored.

Motion by Knitter to table the item.

Seconded by Kiriaki.

Motion approved unanimously.

6E. PRELIMINARY PLAT - Review a proposed preliminary plat that will create 30 single-family residential lots for the parcel located at 6020 Erie Street and three parcels located west of 5945 Erie Street (now Water's Edge Drive) submitted by John Wahlen, Applicant, Village of Caledonia, Owner. (Parcel ID Nos. 104-04-23-16-021-000, 104-04-23-21-016-010, 104-04-23-21-016-000 & 104-04-23-21-021-000)

Bunkelman read from his Memorandum of August 25, 2022, included in the Planning Commission packet. He recommended approval of the plat.

6E. Commission Deliberation

Motion by Kiriaki to approve the Preliminary Plat of The Glen at Waters Edge, subject to the conditions listed in the Memorandum of August 25, 2022, from the Public Services Director.

Seconded by Weatherston.

Motion carried unanimously.

6F. FINAL CONDOMINIUM PLAT REVIEW – Review a final condominium plat for the second phase of Briarwood of Caledonia Subdivision consisting of ten condominium units submitted by Nancy Washburn, Applicant, Briarwood of Caledonia LLC, Owner. (Parcel ID No. 104-04-23-21-061-000)

Schmidt read from his memo of August 24, 2022.

6F. Commission Deliberation

Motion by Weatherston to approve the Briarwood Condominium Plat, subject to the following conditions:

- All technical corrections and comments made from Village of Caledonia Staff and Commissions will be addressed prior to recording.
- Plat must conform to all ordinances in Title 9,14, and 18 as necessary.
- Plat is subject to Land Division per Lot Fee.

Seconded by Kiriaki.

Motion carried unanimously.

6G. BOUNDARY AGREEMENT REVIEW – Review a building, site, and operations plan to construct and utilize a ±709 square-foot addition for the commercial building located at 4133 Courtney Street submitted by Gene Bohn, Applicant, Merz North America, Owner. (Parcel ID Nos. 168-04-21-36-001-120 through 168-04-21-36-001-220)

6G. Commission Deliberation

Wagner read from his report of August 29, 2022.

Motion by Pierce that the Plan Commission recommends to the Village Board that the Building, Site and Operation plan for construction and utilization of a ±709 square-foot addition to the existing building located at 4133 Courtney Street in the Village of Raymond be approved with the conditions listed in the report of August 29, 2022.

Seconded by Weatherston.

Motion carried unanimously.

6H. BUILDING, SITE, AND OPERATION PLAN REVIEW – Review a building, site, and operations plan for the construction and utilization of two building additions. A ±52,700 square-foot industrial addition on the south side of the building and a ±1,705 square-foot office addition on the west side of the existing industrial building located at 12725 4 Mile Road submitted by Curtis Schroeder, Applicant, Central Storage Warehouse, Owner. (Parcel ID No. 104-04-22-30-015-201)

Wagner read from his report of August 29, 2022.

6H. Commission Deliberation

Motion by Kiriaki that the Planning Commission recommends the Village Board approve the Building, Site and Operations plan with the conditions listed Exhibit A of the August 29, 2022, report.

Seconded by Olley.

Motion carried unanimously.

7. Old Business

7A. CONDITIONAL USE AMENDMENT - Review a request for a conditional use amendment to expand the use of the existing fueling station and convenience store to include the operation of a U-Haul business located at 7952 USH 41 submitted by Joy Peter, Applicant, Kidangayil Inc. Owner. (Parcel ID No. 104-04-22-07-076-000)

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Wagner read from his report of August 29, 2022, included with the Planning Commission packet. He noted the revised plan addresses concerns Members raised when the proposal was reviewed at the November 29, 2021, meeting.

7A. Commission Deliberation

Motion by Weatherston that the Plan Commission recommends to the Village Board approve a Conditional Use Amendment to include the operation of a U-Haul business with outdoor storage of equipment as illustrated in the submitted site plan with conditions as shown in Exhibit A for the property located at 7952 USH 41 for the following reasons:

1. The proposed use is allowed by underlying zoning through the conditional use process.
2. The proposed use appears to be compatible with the existing use on the parcel.
3. The proposed use does not negatively impact the surrounding properties.

Seconded by Pierce.

Motion carried unanimously.

8. - Adjournment

Motion by to adjourn by Pierce. Seconded by Knitter. Motion carried unanimously.
Meeting adjourned at 8:32 p.m.

Respectfully submitted,
Helena Dowd
Planning & Zoning Technician