

September 18, 2017 (Planning Commission Meeting)

**PLANNING COMMISSION MEETING  
MONDAY, SEPTEMBER 18, 2017  
5:00 P.M., DENMARK VILLAGE HALL**

CALL TO ORDER/ROLL CALL

Chairperson Mleziva called the meeting to order at 5:00 p.m.

Present: Debbie Kralovetz, Leah Goral, Mary Lax, Alan Schilke, Gregory Mleziva

Also Present: Clerk Sherri Konkol, Treasurer Kim Coogle, Building Inspector/Zoning Administrator Ralph Witte

CONDITIONAL USE PERMIT FOR 217 NORTH WALL STREET (VD-19-20)

Mleziva explained United Cooperative had met with the Planning Commission in February with a petition to rezone the property at 217 N Wall Street (VD-19-20) to Heavy Industrial (I-2). The Plan Commission recommended the rezoning to the Village Board, but it was denied. He stated the Board had more questions about the plan for the parcel once rezoned:

- Will the use be specifically for a parking lot?
- Once the parcel is rezoned to the I-2 classification, can they do whatever they want with it if it falls under Heavy Industrial?
- What is it going to look like?
- Will there be a sight barrier?

Mleziva stated after the Board denied the rezoning Joe Berghuis, Building Coordinator for United Cooperative contacted him and asked if they come up with a plan would the Village be willing to look at the plan, and work with them to try to come up with a solution for them to be able to put a parking lot on the parcel. Mleziva contacted the Village Building Inspector, Ralph Witte for input as to how to proceed. The floor was turned over to Witte.

Witte explained United Cooperative could apply for a Conditional Use Permit, which is what we are here to discuss. A Conditional Use Permit allows the Village to grant Conditional Uses or exceptions if not specific in the Zoning Code. The Plan Commission will put conditions (plantings, fencing, and lighting) on the use of the property and make a recommendation to the Village Board. If the Village Board approves the Conditions recommended by the Plan Commission, United Cooperative will need to come in front of the Planning Commission again for a Site Plan Review. The Site Plan Review requires lighting, landscaping, utility easements, erosion control, etc. to be on the plan. The Plan Commission will again have to make a recommendation to the Village Board for final approval.

Berghuis and Bryan Kligora of United Cooperative presented plans to the Planning Commission. Berghuis stated the plans will show water drainage (which will not adversely affect the neighbor's property), appearance, and function or use of property.

- Intent was never for any buildings.
- Area will mostly be used for 30-35 fertilizer trailers.

- There will be ingress only on North Wall Street.
  - \* Ingress will only be used 20-25 times per day.
  - \* The ingress can be closed off at 6:00 p.m.
  - \* Will not be used at night.
- There will not be any lighting in the lot unless required.
- There will be 6' vinyl fencing around the property.
- There will be a 10' green space area (set back area)
- The trees on the back side of the property and front corner are staying.
- They will not be loading the trailers in that parking lot.
- The trailers are used for fertilizer.
- Pick-up trucks will be hooking up to the trailers and leaving.
- It will be basically a drop off and pick-up point for empty trailers.

**Laura Chada, 133 Pine Street** asked if there will be trucks idling in the lot, as there are in the lot at the current facility and if trucks will be idling in the proposed new lot that will be right across from her house.

**Scott Wagner, 212 North Wall Street concerns:**

- Why did you pick our neighborhood?
- Could you put shrubbery around the property to block what we have to look at every day, because we live right across the street?
- A fence will not cover what I am seeing 24/7
- All summer we have lived in misery knowing this was coming.
- Are you going to create an echo system for the noise?
- What are you going to do about the dust?
- Show us you are a good neighbor.
- United Cooperative is going to strong arm the Village Board.

Discussion

- Commission struggles with having an access in the front on North Wall Street.
- Feel there are safety concerns with the ingress
- With trucks coming in 20-25 times per day is a lot when the school traffic is present.
- A lot of walking traffic creates another safety issue.
- North Wall is very busy during the school year.
- Has there been a traffic study done?
- Berghuis stated they can function without an ingress on North Wall Street
- Witte stated there is no need for striped parking spaces.

Mleziva opened the floor for the audience to speak.

**Laura Chada, 133 Pine Street** is concerned about the traffic. She stated when the buses are there it is very congested. With 4 schools in the area there a lot of children walking to school in that area and it would be a real issue to have ingress on North Wall. During the school year there are several groups using North Wall Street such as Cross Country, Bellin Training, and Track. Chada is also concerned about the noise coming from the diesel trucks running and would like to know the size of the trees.

Mleziva stated he has asked the police to monitor the traffic on North Wall Street.

**Cliff Kane, 283 North Wall Street** concerned about the detention basin that was talked about. He stated that the area is dry 98% of the time. The drainage ditch is totally on the United Cooperative side. It is 2 ½ feet below grade break and will never get to the lawn. Kane is also concerned about seeing over the fence.

**Dale Quick, 138 Pine Street** asked if there was any consideration of a berm. *No, a berm would get too massive. Where will trees be placed? Fence will only be placed on North Wall Street 10 feet in on property. It is not feasible to get a berm that high.*

**Scott Wagner, 212 North Wall Street** asked if there were any green space ordinances. *Witte stated there are specific green space requirements in the Zoning Code, and this would be in the Conditional Use. The 10 feet around the property and detention area will be green space. Were there any other options you looked at for this purpose? A buffer needs to be made with the pine trees so we are not handcuffed with dust, noise & stuff. Wagner talked with a realtor that stated the value of his home went down \$25,000 when the home across the street was removed. Is there anything you can do with the noise and dust you have now?*

**Lori Wagner, 212 North Wall Street**

- How accountable will United Cooperative be kept to keep up the landscaping?
- We bought our home so we didn't have to deal with this.
- We were told the entire area on North Wall would remain residential when we bought our home.
- The whole neighborhood is being torn apart.
- I can't even enjoy my house, I feel nervous inside my own house.
- Is there anything you can do with emissions? There is a cloud of dust all around you.

**Brian Opperman, 130 East Pine Street** stated vehicles move, you can park them anywhere. Why here? Why not on the west side of town? He appreciates the clean-up of the property. Will the new parking area be designed only for clean trailers? Where will the trailers be cleaned? *There will only be clean trailers in the new parking area, and they are cleaned at the shop before going to the parking area.*

**Lois Kane, 283 North Wall Street** asked why they can't go out in the country.

**Ed Novak, 203 North Wall Street** stated he has lived in his house for 22 years, and the impact of United Cooperative since he has been there is corn dust, traffic on streets, towers, and a big brown tank. Asked if the Conditional Use Permit is approved by the board, could United Cooperative still come back to re-zone I-2. *Yes, they could still come back at some time with a petition to rezone.* Is the required fence setback 10 feet? *A 2 foot setback is required in the Zoning Code.*

**Ellen Knuth, 143 North Wall Street**, stated that North Wall Street is a tremendously busy street and cannot imagine ingress on North Wall. Her concern is safety, and would hope the Village wants to keep as safe as they can.

September 18, 2017 (Planning Commission Meeting)

Discussion

- Really concerned about safety and the visual.
- Would like to see enough screening to minimize the visual impact.
- Would like to see evergreen trees around the entire property

**Conditions created by Planning Commission**

- Trees along North Wall Street, Pine Street and the north side of the property to minimize the visual impact with no sight through. Trees to be a minimum of 10 feet and not 16 feet apart.
- No access off of North Wall Street
- Service gate in fence to access sidewalk for snow blower and lawn mower on North Wall Street.

**Schilke/Lax moved to recommend to the Village the above conditions created by the Planning Commission and to accept the conditional use application. Motion carried.**

ADJOURN

**Kralovetz/Schilke moved to adjourn at 6:49 p.m. Motion carried.**

Minutes submitted by Sherri Konkol, Village Clerk