

## **Minutes of the Hearing of the Plan Commission of the City of Chetek held on July 20,2023 at 6:00p.m.**

**A Public Hearing** was called to order at 6:00 pm on July 20,2023 by Council President Scott Bachowski to hear a request from Mark Bush, petitioner ( on behalf of Kelly and Kim Cole) Petitioner is requesting to rezone property located at 814 Dallas St and 1415 8th St City of Chetek parcel number 211-1824-05-000 from C-2 (Highway Commercial) to C-1 General Commercial.

Planning Commission attendees were Scott Bachowski, Dave Swangim, Shawn Ayers, Mark Etten, & Del Wacker. Absent were Mayor Martin & Tim Esselman. Also in attendance was Secretary for the Planning Commission Mark Eby, Building Inspector Joe Atwood, Eric Barkovich- on behalf of the developer along with many community members.

**\*6:00 PM Hear a request from Mark Bush, petitioner ( on behalf of Kelly and Kim Cole) Petitioner is requesting to rezone property located at 814 Dallas St and 1415 8th St City of Chetek parcel number 211-1824-05-000 from C-2 (Highway Commercial) to C-1 General Commercial.**

Eric Barkovich is here on behalf of the developer. The developer would like to go from C-1 to C-2 this is the first step for them to start the design process. Joe Atwood said that the petition to rezone the general dollar does not fall into a c-2 because of grocery and general retail. fits more into a C1 district if you look at your comprehensive map that you have in front of that area and quite extensively north in its zone so that's why I came before you and not determined OK and it's our understanding as the planning commission that this is Good evening everyone start out with the introduction myself. My name is Eric Barkovich. I work for the engineering company that's working on this project. We're here on behalf of the developer capital Growth Buckhalter they are a development company out of Alabama and we worked with them quite extensively on Dollar Generals throughout the Midwest. The site we're here for is to request from Highway commercial the general commercial. We feel that it fits the property better with some of the other residential adjacent uses and this is really the first step before we dive into the design site plan review and all that stuff. I'm here to answer any questions anybody has. John Henneman and I am the owner and resident of 902 Dallas St., which is a property directly to the west of the proposed zoning change property that's my driveway that you see on the left side of the blueprint. My house faces east and would look directly at the dollar store parking lot. The dollar store parking lot would be 15 yards from my dining room window. I have an email that I sent to my alderperson and she said that I should read it here, verbatim I would like to voice my concern about the proposed zoning change of a new dollar store directly adjacent to my property. It is fair to say that my property will be more directly affected by this change than any other. I am, of course, adamantly opposed to this project. My property will be utterly worthless with the dollar store adjacent. A dollar store is the absolute worst thing that could be there and that's no kidding we were just talking to my neighbor he said that's absurd. There's nothing that could be worse. Do you know that there are 20 mature oak trees on Kelly Cole's property that would be destroyed so I can have an acre of blacktop for a neighbor open 7 AM to 10 PM, seven days a week since when do you place a dollar store nestled in a residential neighborhood and the most obvious argument is that a dollar store was just built 1 mile up the road. We do not need any more traffic and back ups on Dallas Street and it was already miserable enough living in my house with a constant traffic noise and excessive beeping of the forklifts at ABC truss 24 seven 365. I don't have any answers about what to do with Kelly Cole's property. It has been a zoo over there ever since John bought it six years ago as it is essentially section 8 housing but it will be a lot worse with the dollar store. Why not buy my property and Cole's and turn it into a city park? If this project goes through you may as well rezone my property, because it will have no value as a residence anymore. Also, if it goes through, I would request a 10 foot masonry privacy wall the full length of the property line. Thank you for your time. I am Alysha Jenneman 827 Schofield St. Our yard will border the northwest side of the proposed site. What I have written down is very similar to what John just said and we did not talk at all so I find that very interesting. I also live there with my two children ages 10 and 11, so our yard will directly border. My number one concern is also noise. I'll be less than 53 feet from the edge of my house to the parking lot and where the dumpster will be. You will be able to hear car doors slamming in the parking lot, noise, people talking, and when we talk about the dollar store being the worst possible thing I don't think I'm not talking about the dollar store. I'm talking about the seven days a week from seven or eight in the morning till 10 o'clock at night. That's why it's the worst propose for us because it's going to be open all day every day with constant people with noise

there's gonna be semi idling unloading how many times a day are they coming out snow removal in the winter when is that gonna be done or all these things even going to be able to happen during our noise ordinance if it's going to open at seven or eight in the morning when are they going to move their snow stuff like that? Second parking lot lights on the back of the building when cars pull in the lot they're gonna pull in and they're gonna shine directly at my dining room window at my kids bedrooms whether there's a fence there or not we're still gonna have some light come through. If you look, there are no other dollar generals in our area that border residential properties. If you look at Rice Lake, if you look at Bloomer, Barron, Ridgeland Turtle Lake as far as I know, none of them have a residential property by them. Then finally the intersection which I think is a big concern for a lot of people in town coming off a street it's already extremely busy. There's cars coming off the intersection there's cars coming in and out to Dairy Queen and out of the drive-through at Dairy Queen. You have all the cars parked on the side. It's hard to get out there with a car now. I never pull down 8th St and try to go left. If I try to go to elementary school with my kids and walk or bike to get across it's impossible, I've stood there for probably 10 minutes trying to cross because nobody will stop. I can't see that with the cars at norms already. It's crazy crazy busy and if you add more cars and then throw semi's in there, I think that intersection is going to be a nightmare. Brad Ingram, 672 Railroad Ave. As they have been mentioning about traffic as a former truck driver I can tell you the status of a lot of people making deliveries they're gonna be trying to get off the road they won't be able to get in there won't be able to back out they're going to be creating all kinds of hazards. I've been a truck driver for years and years that kind of quality drivers long gone people don't even know how to back up their equipment anymore not only that this point you had that if you got a turn, I don't know how many hundred feet or probably 200 yards down you got a 90° turn people coming into town you're going to try and back up you're gonna be doing more business for me because you're gonna have accidents. I can go get them but as far as traffic flow it's just gonna create a nuisance. You're gonna have to put a light in there. We don't have lights where we need them so why would you want to result in something that's going to require you to have a traffic light and the noise is going to be a problem. I know everybody's anxious to do something with that property. I don't think this is the answer. There are better things to do with that property. Why rezone and put up a parking lot with another business that we don't really need. The other thing is this is also going to be a magnet. You might get rid of one aspect of the problems in that neighborhood but you might get another because a lot of times in the towns when you have a dollar store and they close up at night. Guess where all the kids hang out, that's where everybody goes. I think you're gonna be asking for a lot more problems than what you're gonna be solving so I think there's better uses. I don't think we should jump on the first opportunity. I wanna see this town excel but this is in the direction and he's going to thank you for your time. Linda Turauski I live at 1629 Dallas St., so eighth Street that comes down to Dallas is a block over. I do not come out. I'm down the street even when I have to go pick up my grandkids. I go down Pleasure and Schofield to get out because it is so dangerous. And then you have Dairy Queen people. Another concern is we have little kids across the street for me. Dave Nelson 721 Schofield I'm looking at this drawing I do not see anything that will provide for rain drainage, and the house that it's to the south of me that is facing eighth Street between him and I every winter and in the spring it floods back there so if there's no drainage here for them what is that gonna do to that house behind him behind me and that street because there's always in the spring standing water in that area plus my bedroom faces the west side. John Bishop I live at 802 Schofield I wasn't going to speak but the gentleman encouraged me. I drove a truck for 42 years. In those 42 years I backed into hell holes every week. This is a hell hole you're creating when you get into places with small children, cars, people who don't look where they're going. This is exactly the situation you're going to get into if you have to back in off of Dallas Street you're creating a double hazard. The trailer is 53 feet long. The tractors are at least 17 feet long. You're looking at a 70 to 75 foot truck to put in there. If you get it up in there straight you can't get it back out you're gonna have to have all sorts of help and you could hurt someone. I have a lot of things to say but that's my main concern right there. Mark did read a couple comments from facebook. Scott told Erik I'll give you the opportunity to reply. All right, so I just want to start by saying that those are all super valid concerns and it's some stuff that we've heard before, especially with the proximity to residential districts. I wrote down a list of what you guys brought up in no particular order. I'll start with drainage. Just wanna remind you guys that this is just a conceptual site plan. There's a lot of features of our engineering design that aren't included because of the early stages of the project. Our proposal for stormwater on

the site will be catch basins with in the parking lot it'll go to an underground storm chamber system that storm chamber system is like a plastic box underground essentially at a hold of water and it will outlet be a slow release to the city sewer that just means that we're not gonna be sending a bunch of water there all at once. It's gonna hit a wall with the orifice so it'll go slowly so it doesn't max out your city system so there is definitely a plan for drainage there. We're not gonna float out the site, we're gonna make sure that there's no additional runoff caused by the additional impervious area and that'll be factored into our storm design by the sizing of our chamber system. Deliveries to clarify that the frequency of the deliveries are going to be looking at a full-size semi trailer once a week moreover, you'll have smaller box trucks coming in a little bit more frequently but the large WB 67 semi truck trailers are gonna be once a week and those delivery hours. That's when you're gonna expect to see the truck during the hours that the store is open. Scott asked a truck or more than just the one truck once a week? That's the full-size semi trailer yeah so we're looking at the site plan. The delivery area is at the north west corner of the building and will go onto that sidewalk and into the door. No loading dock. They will cart the product off. So along the same lines the trucks or route through the side they're not gonna have to back out. That's why we have entrance is the one on Dallas and the one on eighth Street it'll route through the site and come out on eighth Street and then go to the south so regardless of the traffic concerns they're one one thing there's not as the idea that there's gonna be trucks backing out on the Dallas Street after they come into the site to deliver I wrote down screening that's a valid concern the property to the west that that one's a commercial use as well but what we are proposing is a 6 foot solid fence and landscaping that exceeds the ordinance requirement is there will be a fence screen and also a landscape screen along the west side and along the north side of the site so I wrote down screening lighting. We do our best to make sure the foot handle rate at the property line is as close to zero as possible. That means we do all we can to make sure there's no light spilling over onto other properties and that'll be reflected in our lighting plan that we issue with our site plan package. As far as another dollar store that's a valid concern as well. The only thing I would say to that is it might help drive prices down to have some competition. Any questions further feel free to ask. John Henneman asked about the 6 foot screening fence on the west side that you're talking about. What exactly is that? Is that a chain-link fence with plastic strips through it or something Eric said it would be wood. Brad Ingram asked about the catch basin and snow removal. Eric didn't address anything about snow removal and he knew that the catch tank would not support the snow because he already plows another Dollar General. I know that for a fact you're stores and we have to just dump and it goes right up and over the curbs and doesn't go back in the Catch so he still has a valid concern because of the spring melt. The other thing is you're talking about deliveries from 7 to 10 you sure drivers are not gonna be showing up at six because I know when I was a driver I wanna get there early, so yeah they may be delivering during business hours that doesn't mean there's not gonna be trucks coming in during business hours. John Bishop-I'd like to address the hours of service by the DOT. Do you get someone in here a guy short on hours. He can't do it whatever reason he gets short on hours he gets in that like he's got to stay there 10 hours. If he's in here in the winter, any weather is going to idle a truck and you gotta listen to that thing all night long. This diagram here if you come out Dallas Street you're not gonna hit that hole you've got the diagram and 53 foot trailer you're not gonna hit that hole he's got a diagram when you go to leave if anybody has put a dumpster if they have parked screwball things out there you're not gonna be able to get that truck off his property without backing out to Dallas Street and then if you can make that turn and you get down there too eighth Street there's chances if there's junk and garbage down there you can't make that turn to get back out you have no option to go right because you're too big to do it. This is just not a good idea. Eric did address the last 2 comments. We don't have a showing on this plan yet but we do have a software where we draw the full semi truck trailer and it models the routing of the truck through the site and our whole layout is based on that being able to fit so there's error built into it because there's human error obviously so the WB 67 I know it's not on the drawing. I apologize for that but it does work with the site and it can get out on the eighth Street so that's what I would say to that. A lot of the concerns that have been voiced obviously in relation to the dollar general but all I wanna remind everyone of tonight that we're here for the rezoning of the parcel and when it when it comes to especially that adjacency say to the residential properties that general commercial district is going to be more favorable than the highway commercial district if you read through the permitted uses so whether it's a dollar general or something else that comes in might be more favorable, There's no further comments

or questions public hearing was closed.

### **City of Chetek – Planning Commission Meeting Minutes – July 20,2023.**

**A regular meeting of the Planning Commission for the City of Chetek** was called to order at 6:29 pm on July 20,2023 by Council President Scott Bachowski.

Roll call for the Planning Commission meeting was taken. Present were Scott Bachowski, Dave Swangim, Shawn Ayers, Mark Etten, & Del Wacker. Absent were Mayor Martin & Tim Esselman.

Also present was Mark Eby, Planning Commission Secretary, Building Inspector Joe Atwood, Eric Barkovich- on behalf of the developer, Matt Schiltz, Nicholas Semling along with many community members.

Compliance with the open meeting law was verified.

Dave Swangim made a motion to approve the prior month meeting minutes. 2nd by Del Wacker Motion carried.

#### **1) Discussion/Action:Approve or not approve land division application in Extraterritorial Zoning District for Sarah Hutzler at 2299 7 ½ Ave. West of Chetek- divide 2.5 acres from 19.5 acres.**

Joe said that this falls in our Extraterritorial Zoning District so this is something that the planning commission has to do. Matt Schiltz was present for Sarah Hutzler; Matt said that they are just looking to divide 2.5 acres from the 19.5 acres. Shawn asked Matt where the extra 1 acre from the GIS calls that an acre more than Matt had listed. Matt said that in regards to that they go off from 40 acres for a perfect square mile and that seldom ever happens. So it is then half of the ¼ ¼ section of that property. Mark Etten made a motion to approve the land division. Shawn Ayers 2nd motion. Motion carried.

#### **2) Discussion/Action:Approve or not approve land division application in the Extraterritorial Zoning District for Countrified Investments at 2756 7 ⅝ Ave. off Cty Rd D east of Chetek- divide 13.56 acres into six lots of approx 2.26 acres each.**

Joe said that this is kind of like the previous one that they are looking to divide into 6 lots but because this is being divided into more than 4 lots it falls under having to be a state review also. Dave asked what that was in detail for the state review and Joe said that the state would review it. Nick bought the property out there. He lives down in Chippewa. They bought the property to turn it into lake lots. Nick has also been working with Cooper Engineering because the road at one point in time was a public road. In 2012 all the CSM dissolved and went back into a private road so he wanted to make sure that they would be able to put it back into a public road. Nick has also been working with other people to make sure everything was done properly. Mark had one comment for the record and that dividing 6 lots into 2.26 acres the parcel map doesn't show each as 2.26 acres. Joe said the application said approx 2.26. Shawn made a motion to approve the land division as presented and Del 2nd motion. Motion carried.

#### **3) Discussion/Action:Approve or not approve zoning request for 1415 8th St from C-2 Highway Commercial to C-1 General Commercial and forward recommendation to council. (Dollar General)**

Shawn asked for a rundown of permitted uses in C-1 to C-2. Joe did read all of the uses for both. If the plan is not permitted or a conditional it is prohibited but that's a decision you make and if you feel that needs to come before you to make a decision tonight then we have to go through the application process and you have to apply for the question of whether it is permitted or not. Joe did explain the differences. Shawn asked Eric if their purchase agreement was contingent on the rezoning and he said yes. Then Joe went through the unlisted ordinance for the City. If Dollar General does not fit into C-1 or C-2 then you would jump to the unlisted ordinance and there would be an application and a review from the planning commission and an outcome within 60 days. Scott asked Joe about his professional opinion if it would fit into C-1. As zoning administrator it fits into C-1 and that is his determination. Scott did let the planning commission know that this is only a recommendation to the council and that council would decide at their August meeting. There was some discussion from Eric as to what the difference between Dollar General and Family Dollar would be. Shawn was asking about the areas that are zoned

C-1 or C-2. Del asked about discussion at the Council meeting and there would be time for public comment and discussion. Dave asked about the final decision and Scott said that it would ultimately be up to the council for the final approval whether to rezone or not. Scott did then read 2 emails, one from the Mayor that sits on the Planning Commission and the other from Tim Esselman who couldn't be at the meeting and also sits on the Planning Commission. Scott made clear again that the Commission needs to focus really on whether to rezone or not and look past what may or may not be built in that location. Dave did bring up his business and when he gets a truck and how they are able to move around in that small area also on 8th St. There was discussion about tabling the request for more information but that would delay everything by a month and it would still have to come back to the Planning Commission for their recommendation. After that discussion Shawn Ayers made a motion to recommend the denial of the rezoning request of 814 Dallas St and 1415 8th St to the City of Chetek Council. Del Wacker 2nd the motion. Dave then asked for a reading of the motion that was done for the Family Dollar/Dollar Tree. The secretary of the Planning Commission read that motion which was from November 4,2021. A roll call vote was taken.

Scott- No

Mark- Yes

Del- Yes

Dave- Yes

Shawn- Yes

With 4 yes and 1 no the motion of the denial of the rezoning was passed. The reasoning for the denial is based on the fact that it was a partially residential area in the background. But zoned commercial on the highway. We are still abutting a residential area and residential is appropriate to abut C-2. Maybe not so good to have C-1. Another reason is the increased traffic and managing that increased traffic.

Motion to adjourn by Del Wacker 2nd by Mark Etten motion carried meeting adjourned at 7:16pm

Date of the next meeting August 17,2023.

Respectfully Submitted Mark Eby