



VILLAGE OF MONTGOMERY

***Plan Commission Meeting
January 4, 2018, 2017 7:00 P.M.
Village Hall Board Room
200 N. River Street, Montgomery, IL 60538***

I. Call to Order

Chairman Hammond called the meeting to order at 7:00 pm.

II. Pledge of Allegiance

All present gave the pledge of allegiance.

III. Roll Call

Present: Tom Yakaitis, Patrick Kelsey, Mike Hammond, Ryan Anderson, Mildred McNeal-James, Butch Distajo and Tom Betsinger.

Absent: None

Also Present: Village Attorney Laura Julien, Senior Planner Jerad Chipman, Village Engineer Tim Paulson, Executive Director of the Montgomery Economic Development Corporation Charlene Coulombe-Fiore, Village Trustees Doug Marecek and Theresa Sperling and members of the audience.

IV. Approval of the Minutes of November 2, 2017

Motion: Motion was made by Commissioner Distajo to approve the minutes of 11/2/17.

Commissioner McNeal-James seconded the motion. Motion passed 6-0.

Ayes: McNeal-James, Distajo, Yakaitis, Kelsey, Hammond, Anderson

Nays: None

Abstain: Betsinger

V. Public Comment Period

There were no comments from the public.

VI. Items for Plan Commission Action

- a. 2017-014A SU Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development to allow for a second motor vehicle service located in the Orchard Crossing subdivision- Christian Brothers Automotive Corporation.

Senior Planner Chipman gave a brief overview of the site and surrounding area, as well as other businesses near the site. The PUD currently only allows for one automotive use. The petitioner is applying for a second use. Senior planner Chipman invited the petitioner forward to speak.

The petitioner elaborated on their objectives for the site, detailing the 10 bay light automotive service center. The petitioner highlighted the fact that this facility, like their others, would be a "Green" Facility. The waiting area would be built in a fashion similar to those found in a doctor's office and customers can expect to receive treatment with the utmost respect. The business would also offer a pick-up and drop off service for customers while work is being performed on their vehicle. The petitioner went on to describe the high level of landscape and building materials that would be used.

Chairman Hammond opened the Public Hearing. There were no comments from the public.

Chairman Hammond read through the findings of fact:

A. That the establishment, maintenance or operation of the special use will not be detrimental to endanger the public health, safety, comfort or general welfare;

This use should not endanger the public health, safety, comfort or general welfare;

B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish or impair property values within the neighborhood;

This use should not be injurious or diminish property values;

C. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

The proposed use does not prohibit use of surrounding property and is normal and orderly;

D. That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided; adequate utilities, roads and drainage have been planned for;

E. That adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in public streets;

The property provides adequate ingress and egress; and

F. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board pursuant to the recommendations of the Plan Commission.

Chairman Hammond opened the Public Hearing. There were no comments from the public.

Commissioner Anderson addressed the petitioner in asking if they were aware that they were not in good standing with the Secretary of State's Office, and provided them with the documentation for the petitioner to look into.

Commissioner Distajo asked if the petitioner had talked with Merlin 200,000 Mile Shop. The petitioner stated that they had not communicated, other than providing them with the same notice as everyone else in the immediate area.

Chairman Hammond inquired as to whether or not the petitioner had looked at any other sites in Montgomery. They responded that they had, but believed this was the ideal location.

Motion: Motion was made by Commissioner Kelsey to amend 2017-014A SU Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development to allow for a second motor vehicle service located in the Orchard Crossing subdivision- Christian Brothers Automotive Corporation. Commissioner Yakaitis seconded the motion. Motion passed 7-0.

Ayes: Tom Yakaitis, Patrick Kelsey, Mike Hammond, Ryan Anderson, Mildred McNeal-James, Butch Distajo and Tom Betsinger.

Nays: None

b. 2017-014B SU Public Hearing and consideration of a Special Use for a motor vehicle service located in the Orchard Crossing subdivision- Christian Brothers Automotive Corporation.

Senior Planner Chipman introduced the item by reviewing the staff report. The staff report provided a recommendation for approval.

Engineer Paulsen stated there were no major issues to resolve.

The petitioner returned to the podium and expanded upon his earlier explanation of the building details, masonry and landscaping. He pointed out their ability to exceed nearly all expectations in building standards as well as landscape. He expressed their desire to be the model other businesses are measured against.

Chairman Hammond read through the findings of fact:

A. That the establishment, maintenance or operation of the special use will not be detrimental to endanger the public health, safety, comfort or general welfare;

This use should not endanger the public health, safety, comfort or general welfare;

B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish or impair property values within the neighborhood;

This use should not be injurious or diminish property values;

C. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

The proposed use does not prohibit use of surrounding property and is normal and orderly;

D. That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided; adequate utilities, roads and drainage have been planned for;

E. That adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in public streets;

The property provides adequate ingress and egress; and

F. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board pursuant to the recommendations of the Plan Commission.

Chairman Hammond inquired as to the access points to the property, Senior Planner Chipman elaborated on the cross access points available.

Commissioner Distajo clarified if the gas station offered access, which it does not. Senior Planner Chipman stated that the gas station was not part of the PUD and they were not required to provide access.

Chairman Hammond asked Senior Planner Chipman if anyone had reached out to the Village regarding the item at hand. Burger King had been the only communication received by the Village with a question.

Motion: Commissioner Anderson made a motion to approve 2017-014B SU Public Hearing and consideration of a Special Use for a motor vehicle service located in the Orchard Crossing subdivision- Christian Brothers Automotive Corporation. Commissioner Betsinger seconded the motion. Motion passed 7-0.

Ayes: Tom Yakaitis, Patrick Kelsey, Mike Hammond, Ryan Anderson, Mildred McNeal-James, Butch Distajo and Tom Betsinger.

Nays: None

c. 2017-015 SU Public Hearing and consideration of a Special Use for an indoor/outdoor sports facility located at 170 Montgomery Road- Don Bosco Sport Complex.

Senior Planner Chipman gave a summary of the item, description of the proposed site along with current Zoning description of R-3, which requires special use for a sports facility. The proposed parking plan is deficient, for which a variance is requested through the Zoning Board of Appeals to follow. Senior Planner Chipman also pointed out the landscape plan is also deficient and will need adjustments. More detail is required for the trash receptacle, its existence appears on the plan, but no further descriptions or drawings. Signage will need to be submitted if the process moved forward as well. The driveway will require review by Kane County as well as emergency access reviews by the Fire District. Senior Planner Chipman

stated that the Village Staff's comment was that the driveway must be widened to twenty feet.

Engineer Paulsen commented that was still work to be done, as many items were incomplete. The findings of the pending traffic study would need review, a permit would be required from Kane County for the entry as well as any required turn lanes. Engineer Paulsen stated the floodplain needed finalized plans on the basin, outlets and flows. A number of items in need of revision include the parking lot and handicap requirements along with water and sewer routing in respective easements. Commissioner Kelsey voiced concern with the overland flow and outlet for storm water. Engineer Paulsen addressed his concerns, and stated that the necessary storm water requirements were met, many of which were already existing. Commissioner Kelsey inquired as to the design of the retaining walls, which had not been submitted according to Engineer Paulsen.

Commissioner Kelsey questioned the completeness of the Engineer Review submitted by the petitioner, which Engineer Paulsen affirmed, was incomplete in parking and driveway but felt the other issues could be resolved. Senior Planner Chipman invited the petitioner forward to speak about their item. Commissioners were presented with information from the property owner, Mr. Rodriguez, who shared his aspirations to bring the culture of soccer to the Community.

The petitioners Engineer, Mr. Coolman gave a presentation on the sports complex addressing the floodplain, adding volume for storm water, updating the landscape and traffic plans, as well as emergency access. Engineer Coolman stated lighting and photometric information was also pending. He went on to say the retaining walls would be done by a structural engineer to ensure their viability. Engineer Coolman stated the developer was willing to loop the necessary water mains and

allow the Village to use their emergency access driveway to access these mains for maintenance when necessary.

The petitioner's Architect, Mr. Shemansky, came forward to detail information on the building itself. It was described as very simple, small locker room and concession areas with small seating area at the center. Mr. Shemansky provided a sample color scheme, window configurations and vestibule.

Commissioner McNeal-James questioned the building mater, which Mr. Shemansky replied was steel, with a vinyl looking insulation interior.

Chairman Hammond asked how many field would be inside, which was replied to be three fields.

Commissioner Distajo asked if the playing field would come right up to the walls, or right up to the perimeter. The petitioner replied that there would be a five foot margin. Commissioner Distajo voiced concern for safety along with a questions on the height of the ceiling. The commissioners and petitioner discussed that most indoor facilities for this use are similar in design, and concluded that it would not impede the overall function of the use. Several other area sports facilities were discussed, citing them as comparative successes.

Commissioner Betsinger agreed the building wasn't outside the norm, it was the parking of concern to him, which would overflow into the adjoining subdivision via the emergency access driveway. Commissioner Betsinger stated he felt the site isn't big enough, but voiced support for the overall idea.

Commissioner Distajo inquired as to how the petitioner would address the parking issue. The petitioner responded that they do not expect 200 people all at once, and

they anticipate 3 participants per car, which would fit within the requested variance. They stated there would also be bus parking available for larger tournaments. Commissioner Yakaitis asked if the petitioner had looked at any other locations, which they replied, they had not.

Commissioner Kelsey discussed with the petitioner the lack of traffic study data being troubling, and that the building height and elevation were of concern in a residential area.

Chairman Hammond opened the Public Hearing.

Norm Weber of 141 Montgomery Rd., addressed the commissioners in opposition to the project. He said he appreciated the idea but was concerned over reduction in property values, and stated that the expectation for 3 participants to a car was unrealistic.

Mark Strausberger of 1338 S. Broadway spoke out in agreement that the sports complex was a good idea, just the wrong location. He voices concern over the lights, noise and litter that would be generated by the complex.

Kelly Palacios of 172 Maple Ridge expressed her opposition to the facility. She enjoys the current views from the cul-de-sac where she lives and feels it would also bring down her property value.

Gary Riess of 1356 Sycamore brought his concerns of lights and views to commissioners. Mr. Riess also echoed earlier notes on liking the idea, but not in this location. Mr. Riess further inquired as to future steps or meetings regarding the item. Following Mr. Riess's statement, Village Attorney Julien stated that the next steps will be determined by decisions made tonight, and later by the Village Board. The item can also be tabled by commissioners or board members.

Denise Lawrence of 1367 Sycamore spoke to commissioners and voiced concern on traffic management, and whether or not there would be a gate to block vehicles after hours. Ms. Lawrence brought up other points such as retaining walls for protection, as well lighting direction and flooding concerns. Ms. Lawrence stated she would prefer another building material than a steel building and also questioned the future uses, if other activities could be brought in. Following her statements, Senior Planner Chipman addressed her concern as to the direction of the lighting, as it is required to be down cast.

John Newborgh of 180 Maple Ridge stated his surprise to hear about this item, and spoke in opposition to it.

Having no further comments, Chairman Hammond closed the public hearing.

Chairman Hammond read through the findings of fact:

A. That the establishment, maintenance or operation of the special use will not be detrimental to endanger the public health, safety, comfort or general welfare;

The increase of traffic and noise generated at the proposed location could have a strong impact on the nearby residents' comfort and general welfare;

B. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish or impair property values within the neighborhood; The location of a large sports complex in close proximity to residential has a strong potential to be injurious to the enjoyment of other properties and impair their property values;

C. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

The proposed use does not prohibit use of surrounding property;

D. That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided;

Comments from EEI and the Fire Protection District addresses concerns regarding utilities and drainage;

E. That adequate measures have been, or will be, taken to provide ingress and egress so designed as to minimize traffic congestion in public streets;

A traffic study and communication with Kane County will contribute to determining whether adequate ingress and egress has been provided; and

F. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board pursuant to the recommendations of the Plan Commission.

Commissioner Distajo asked the petitioner if they wanted to reply to any of the comments heard. The petitioner replied that they would landscape as much as possible to minimize the concerns of neighbors.

Commissioner Distajo pointed out that there were no lights on the plans submitted. The petitioner replied that they would address that, and they would like to have lights outside that turn off at 8:00 PM.

Mr. Shemansky stated on behalf of the petitioner they would have a fence around the perimeter to mitigate trespassing.

Further discussion ensued regarding the parking insufficiency and possible remedies, which would require other plan changes.

Commissioner Kelsey stated that he didn't think the site can pass utility or drainage requirements, and they will need to modify plans or look at a new site.

Commissioners Yakaitis and McNeal-James each spoke in support that it was not the right site.

Motion: Commissioner Anderson made a motion to deny 2017-015 SU Public Hearing and consideration of a Special Use for an indoor/outdoor sports facility located at 170 Montgomery Road- Don Bosco Sport Complex. Commissioner Distajo seconded the motion. Motion carried 7-0.

Ayes: Tom Yakaitis, Patrick Kelsey, Mike Hammond, Ryan Anderson, Mildred McNeal-James, Butch Distajo and Tom Betsinger.

Nays: None

VII. Community Development Update/New Business

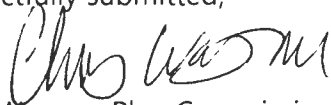
Senior Planner Chipman stated that the sports complex item would be going before the Village Board on 1/22/18. Senior Planner Chipman took a moment to thank Commissioner Distajo for his years of service for the Plan Commission Board as his term was coming to a close. There was no new business to report.

VIII. Next Meeting: February 1, 2018

IX. Adjournment

Having no further business to discuss, the meeting was adjourned at 8:33 PM by Chairman Hammond.

Respectfully submitted,



Chris Wagner, Plan Commission Secretary