



VILLAGE OF MONTGOMERY

***Plan Commission Meeting
March 1, 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. Public Comment Period- There were no comments from the public.

III. Pledge of Allegiance

All present gave the pledge of allegiance

IV. Community Development Update/New Business- Senior Planner Chipman informed the commissioners of the technical updated the board room was receiving, and also that the Village of Montgomery was awarded a Chicago Metropolitan Agency for Planning (CMAP) Local Technical Assistance Grant, which will provide for a zoning ordinance and subdivision control ordinance update. This would be an 18 month process which will require input from the public.

V. Recess- The Commissioners took a brief recess until the quorum was met, the meeting was then called back to order at 7:20 pm.

VI. Roll Call

Absent: Patrick Kelsey and Ryan Anderson.

Present: Tom Yakaitis, Mike Hammond, Mildred McNeal-James, and Tom Betsinger.
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 Trustee Theresa Sperling and members of the audience.

VII. Approval of the Minutes of January 4, 2018

Motion: Motion was made by Commissioner McNeal-James to approve the minutes of 1/4/17. Commissioner Yakaitis seconded the motion. Motion passed 4-0.

Ayes: McNeal-James, Yakaitis, Hammond, Betsinger

Nays: None

VIII. Items for Plan Commission Action

- a. 2018-002 SU Public Hearing and Consideration of a Special Use for a Motor Vehicle Service for a Gas Station and Drive through Located at the Southeast Corner of U.S. Route 30 and Gordon Road – Gas-N-Wash GLR Ventures, LLC.

Senior Planner Chipman gave a brief overview of the site and surrounding area, pointing out the adjacent subdivisions. He explained that the land used definition of “Neighborhood Commercial” is intended to service the residents living in the immediate area. The Comprehensive Plan and Annexation Agreements show a sample layout of what could exist at the site. The overall plan view shows access to the site on Route 30, Gordon and Adam Ave. Senior Planner Chipman elaborated on their particular plan, pointing out the various elements of their plans including fueling bays, car wash and a drive through restaurant. He also made note that this was only preliminary work, and the final plans will require more engineering and landscape details. The landscape details are also recommended to have additional

screening for residents to the south of the development. Senior planner Chipman invited comments from the Village Engineer.

Engineer Paulson gave several comments should the development proceed to final planning, which may include Site Plan modifications since the right turn only lane must be approved by IDOT. The drainage and storm water requirements have been met or existed already. The site does include a small detention area for the purpose of water cleanliness and conveyance.

Senior Planner Chipman pointed out that the photometric plan submitted by the petitioner was slightly deficient and must be addressed prior to final planning. He then invited the petitioner forward to speak.

The petitioner stated they will work on engineering but are just seeking preliminary approval of their plans for a gas station with car wash and drive through. He indicated they have been working with Dunkin Donuts to occupy the drive through portion of the site.

Chairman Hammond opened the Public Hearing.

Victoria Laxton of 1918 Cambridge Ln spoke in objection to the proposed plans citing noise, light and litter interferences on quality of life. She stated that she didn't believe it would benefit residents either and that the increased traffic would also compound problems with route 30. Laxton also felt her home and her neighbors would be more affected than those to the South of the site.

Amy and Gary Brito of 2246 Gallant Fox Cr. came forward with their concerns about the increased truck traffic in their neighborhood. They expressed concern for the safety of their children outside with no fences adjacent to the increased traffic area.

The Britos presented information about the intended low impact land use designation being violated by what they felt was a large development with higher impacts. They voiced their fears of fumes, underground storage tanks, crime, noise and unwanted foot traffic.

Nick Platts of 2144 Gallant Fox Cr. Also spoke in opposition. He felt the potential tax revenues did not outweigh the potential property value losses for their neighborhood. He pointed out the availability of fuel at stations within several miles, and felt that there just was not enough traffic to justify another gas station at this location. He didn't feel it would benefit the community.

Lance Thompson of 2116 Gallant Fox Cr. brought forward his concerns of overnight noise from truckers at the gas station, stating it was a big issue for a residential area. He felt that from a business perspective that it was a bad location, on top of existing traffic concerns on Route 30.

Daniel Peters of 1912 Cambridge Ln. spoke in objection to the proposed gas station and car wash. He felt the mini mart would attract unsupervised youngsters, and was concerned about those youngsters attempting to cross the busy road. He also echoed concerns about the potential traffic hazards.

Discussion ensued between Commissioners and audience members regarding the traffic concerns and other site details. Senior Planner Chipman explained what the Planned Unit Development allows and how the Plan Commission process works. Director of Community Development, Rich Young, further informed the audience that the plan Commission is simply a recommending body that takes comments. No final decisions would be made tonight, only a recommendation to the board. At the final review data can be brought forward that was requested earlier in the meeting.

Young also outlined all the possible actions that could be taken by the commissioners, and the process that would follow at subsequent board meetings.

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;

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

Contemplation of lighting and screening requirements will be incorporated into the final plan review;

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.

Commissioner McNeal-James cited concerns for item B in the findings of fact. She stated she knew two (2) of the neighbors that have already decided to move away after learning of the proposed development. Commissioner Yakaitis spoke in agreement.

Commissioner Yakaitis clarified with Senior Planner Chipman that 'Neighborhood Commercial' was the land use for that area, and asked if that was comparable to sites in front of Wal-Mart. Chipman responded that it certainly could be, staff considered the fact that there would be a convenience store and restaurant component that would provide services.

Chairman Hammond inquired to Engineer Paulson if this would impact the plans to widen Route 30. Engineer Paulson stated that the 4 lane highway with median they are considering would not change anything except perhaps at access points.

Chairman Hammon asked the petitioner if there were 3 queuing lanes for the car wash, vacuum locations and which direction cars would stack up. The petitioner responded that there is enough room for 12 cars across the 3 lanes of the car wash and that it takes less than 1 minute to go through the wash to maximize convenience and minimize wait time. The drive aisle is long enough that the car wash line would not block other services or access.

Commissioner McNeal-James asked the petitioner if this was similar to the location at 126 and Steiner, and why they chose to put that location out in the open and not on a corner. She also inquired as to why they do not move toward hybrid and electric services. The petitioner responded that long term plans indicate it being surrounded by homes, which is their intent. That parcel also had water and sewer service available. He stated that it was a business investment and that as demand increases, they would move toward other services such as e85 or electric.

Chairman Hammond asked if there was a fence indicated around the detention area on the site and if they would be open 24 hours. The petitioner replied that there was not a fence around the detention area. The fuel bays and convenience store would be open 24 hours but the car wash and drive through would have other hours and be closed overnight.

Chairman Hammond inquired if the car wash would be automated or staffed during business hours. Petitioner answered that the car wash would be an automated system, in that no one would touch the vehicles, but there would be a staff member present to ensure smooth operations. Hammond clarified if the vacuums would be operational during the same hours. The petitioner elaborated that the vacuums would in fact have the same hours as the car wash, and the vacuum motors would be inside the building limiting the noise. The petitioner went on to explain that the lighting on site is designed not to spill over onto adjacent property, but still provide the necessary lighting for safety and convenience of their customers. He explained that over the road truckers tend to go elsewhere for fuel, as the spaces here would be too tight for them to maneuver. He elaborated that the sales they usually see at their diesel bays are from landscape trucks, short beds and gravel trucks. These trucks are already in and around neighborhoods. Hammond asked where there are other locations similar to this. Another location included Plainfield, where a Dunkin Donuts is in place with the drive through. They have locations also in Shorewood (which is larger), Mokena and LaGrange, all of which neighbor residential areas.

Commissioner Betsinger voiced his concern that this would be more destructive than convenient and that he does not believe it to be low impact and would diminish the neighborhood. Betsinger stated he did not feel this was the appropriate use for the site and that he cannot support it, on top of his concerns for the traffic problems. Commissioner Yakaitis agreed. Commissioner McNeal-James also agreed, in stating she was very impressed with what she saw at their other location but simply felt this was not the right location in Montgomery.

Chairman Hammond addressed the Commissioners in asking if they were opposed to all gas stations, or just this one. They unanimously were against all gas stations.

Motion: Motion was made by Commissioner Yakaitis to approve the Special Use for a Motor Vehicle Service for a Gas Station and Drive through Located at the Southeast Corner of U.S. Route 30 and Gordon Road – Gas-N-Wash GLR Ventures, LLC. Commissioner Betsinger seconded the motion. Motion failed 4-0.

Ayes: None

Nays: Tom Yakaitis, Mike Hammond, Mildred McNeal-James, and Tom Betsinger.

- b. 2018-003 SU Public Hearing and Consideration of a Special Use for Motor Vehicle Services Located at 1460-1480 Douglas Road – Velasquez Mufflers and Brakes.

Senior Planner Chipman introduced the item, pointing out the fact that there were actually two different services coming before them, a muffler shop and vehicle sales. Chipman gave a brief overview of the site, neighboring businesses and land uses. The staff report presented that no outdoor storage was proposed and other similar businesses have had issues. Staff recommends no outdoor storage, 50% of parking must be allotted for customers, and the other 50% can be cars for sale. Any damaged or inoperable cars must stay behind the front of the building similar to the neighboring business. Landscape plans have also been requested by staff. Senior Planner Chipman invited the petitioner forward to speak.

The petitioner addressed the commissioners asking them to approve the businesses. He stated he had five (5) other locations in Aurora and has this site cleaned up and is getting it ready to open. He was waiting for warmer weather to finish painting and making exterior improvements. He concluded in asking the Commissioners if they had any questions.

Chairman Hammond asked if he owned the locations on Lake Street, which the petitioner replied that he and his partner owned seventeen (17) locations, including in Bolingbrook, Dekalb and Villa Park as well.

Commissioner McNeal-James asked how many cars they could have on site. The petitioner responded that fifteen (15) cars could be on site, their building accommodated six (6) lifts for work.

Chairman Hammond opened the public hearing

Ray Shenouda addressed the commissioners asking them to approve the businesses. He is the property owner of the site and was pleased to have an experienced and established tenant after the loss of two (2) defaulted tenants. He expressed how impressed he was with their business and had actually turned down a number of prospective tenants previously because he didn't feel confident in their businesses.

Having no further comments Chairman Hammond closed the public hearing.

Commissioner Betsinger stated he thought everything appeared straightforward.

Chairman Hammond clarified that both spaces on the site would be occupied by the tenant, and it was answered in the affirmative.

Commissioner Yakaitis asked if this was the first venture for their company into vehicle sales, the petitioner replied that it is not, their Lombard location has vehicle sales as well.

Senior Planner Chipman went through the additional conditions from staff again to be considered by Commissioners.

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;

It is staff's opinion that in the event that the proposed special use conditions are implemented, 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; It is staff's opinion that in the event that the proposed special use conditions are implemented the proposed use does not prohibit the use of surrounding property in a normal and orderly fashion;

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 and provided;

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.

Motion: Commissioner Betsinger made a motion to approve a Special Use for Motor Vehicle Services Located at 1460 Douglas Road – Velasquez Mufflers and Brakes.

Commissioner McNeal-James seconded the motion. Motion passed 4-0.

Ayes: Tom Yakaitis, Mike Hammond, Mildred McNeal-James, and Tom Betsinger.

Nays: None

Motion: Commissioner Betsinger made a motion to approve a Special Use for Motor Vehicle Services Located at 1470-1480 Douglas Road – Supreme Motors.

Commissioner Yakaitis seconded the motion. Motion passed 4-0.

Ayes: Tom Yakaitis, Mike Hammond, Mildred McNeal-James, and Tom Betsinger.

Nays: None

- c. 2018-001 Z Public Hearing and Consideration of the 2018 Official Zoning Map – Staff.

Senior Planner Chipman gave a summary of the item, stating that the Zoning Map must be approved annually before the end of March each year.

Chairman Hammond opened the Public Hearing.

There were no comments from the public.

Motion: Commissioner McNeal-James made a motion to approve 2018-001 Z Public Hearing and Consideration of the 2018 Official Zoning Map – Staff. Commissioner Betsinger seconded the motion. Motion carried 4-0.

Ayes: Tom Yakaitis, Mike Hammond, Mildred McNeal-James, and Tom Betsinger.

Nays: None

IX. Next Meeting: April 5, 2018

X. Adjournment

Having no further business to discuss, the meeting was adjourned at 8:43 PM by
Chairman Hammond.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Wagner". The signature is written in a cursive style with a large, prominent "C" at the beginning.

Chris Wagner, Plan Commission Secretary