



**Planning and Zoning Commission Minutes  
Thursday, June 2, 2022  
7:00 PM, 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

Absent: Marion Bond, Patrick Kelsey, Joe Yen

Present: Tom Yakaitis, Mike Hammond, Ben Brzoska, Mildred McNeal-James

Also present: Village Attorney Laura Julien, Director of Community Development Sonya Abt, Village Engineer Pete Wallers, Planner Zach Ewoldt, Trustee Dan Gier, and members of the audience.

- IV. Approval of the Minutes of the Planning and Zoning Commission Meeting of May 5, 2022.

Motion: Motion was made by Commissioner Brzoska to approve the minutes of the Planning and Zoning Commission Meeting of May 5, 2022. Commissioner McNeal-James Seconded the motion.

**Ayes:** Hammond, Brzoska, McNeal-James.

**Nays:** None

**Abstain:** Yakaitis

**Motion carried.**

- V. Public Comment Period  
There were no comments from the public.

- VI. Items for Planning and Zoning Commission Action

- a. 2022-008 Variance Request for proposed carwash on Douglas Road - OKAY LLC

- i. Public Hearing and Consideration of a variation from section 10.06.C Table 10.06.1 (Maximum Driveway Width) of the Montgomery Unified Development Ordinance to allow a new carwash with a driveway width that exceeds the maximum 26 ft.

Chairman Hammond opened the public hearing for the variation. He asked Staff to walk through the request for the Commission.

Planner Ewoldt explained the proposed development. The Petitioner is proposing to build a 4,865 sq. ft. car wash on the 4.2-acre parcel located south of the SEC of Montgomery Rd. and Douglas Rd. . The site is zoned B-2 Regional Business District. The proposed use of a car wash is a permitted use in the B-2 District.

The proposed car wash includes three pay lanes and 30 vacuum stalls. The Property will be accessed by a single driveway off Douglas Rd.

The proposed plan requires one variance from Section 10.06.1(Maximum Driveway Width) of the Montgomery Unified Development Ordinance.

The variation requested is to allow the driveway width for a two-way commercial driveway to exceed the 26 ft. maximum width allowed under the UDO.

The UDO limits the width of driveways for commercial uses to a maximum of 26 ft. in width for a two-way driveway. The proposed driveway from Douglas Road is 36 ft. wide which includes right turn and left turn exit lanes exceeds this maximum width of 26 ft.

Therefore, a variation from this standard is required.

Chairman Hammomd swore in the petitioners.

**Mark W. Daniel, Esq. of Daniel Law Offices**

Mr. Daniel explained the other access points on Douglas have wider accesses or have two accesses which will not work for the proposed car wash due to wetland and culvert issues. Mr. Daniels also noted there was an issue with a handicap parking space by the vacuums with Staff recommending relocation of the space. He requested some flexibility and stated they would work with Staff to ensure the space meets ADA requirements.

He noted they will meet photometrics and landscaping requirements. He also explained that when the northern portion of the site develops, they may have to restrict car vacuums access to only after the car wash. They have currently proposed having the option to use the vacuums before or after the wash. He also noted that having three lanes at the exit will help traffic flow within the site.

He added if the variation is approved, they are targeting late summer for construction.

Mr. Daniels also explained that the Army Corps Of Engineers- has completed their review and determined that the wetlands on the site are not jurisdictional wetlands.

**Jeffrey C. Miller, P.E. of Watermark Engineering Resources**

Mr. Miller further explained the variance. They are asking for a variance to allow a 36' driveway to include a 14' inbound lane and two 11' outbound lanes; one for each right and left turns. He explained that IDOT standards allow for 35' full access points. Mr. Miller also went over internal circulation for the carwash. There are 30 car stacking spaces provided with eight stacking spaces in each of the three pay station lanes.

Mr. Miller stated that there is floodplain on the property they will be impacting and that they will be providing the required compensatory storage.

Chairman Hammond opened the hearing for public comment.

There was no comment from the public and Chairman Hammond closed public hearing.

Chairman Hammond opened the floor to questions from the Commissioners.

Chairman Hammond asked what type building material they will be using. The Petitioner, Rick Scali, stated that it will be all masonry.

Commissioner Brzoska asked if the roof would be metal. Mr. Scali confirmed it would be a standing seam metal roof.

Chairman Hammond asked what the hours of operation would be. Mr. Scali stated the hours would likely be 7:00am -9:00pm.

Commissioner McNeal-James asked if engineering has any unresolved problems. Village Engineer Wallers said there are not.

Commissioner McNeal-James also asked if this is also looked at by the Fire Department. Director Abt said Aurora Township Fire District has reviewed the plans and they have no issues with access or site design.

Chairman Hammond asked if anyone had further questions. There were no further questions from the Commission.

Chairman Hammond read the Findings of Fact for the Driveway Width Variance (Variation from 10.06.C | Table 10.06.1)

1. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Petitioner: The wider entry drive will permit vehicles to exit in either a northbound or southbound direction and to allow those making a right turn north to exit without backups caused by the left turning vehicles. Additionally, the alternative of a right-only exist at this location is not recommended since it only increases traffic movements in the public right of way for all of the vehicles forced to turn north before finding a location to make either a lawful U-turn or a change in direction using a nearby driveway. KLOA (traffic engineer) recommends a 36-foot-wide driveway (face of curb to face of curb) The central driveway is the best planning option for this site inasmuch as it has the proper offset with opposing driveways and is more distanced from the north driveway serving the adjacent neighbor.

Staff Comment: The intent of this section of the UDO is to provide a limitation of driveway sizes in accordance with the use of the property. The proposed 36-foot-wide driveway would not negatively impact the adjacent properties and will allow for safer ingress and egress from the Site.

2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Petitioner: Nearly every full-access driveway in the area is wider than 26 feet. Those that are shorter serve a loading area or operate as a secondary access. Even the restricted driveway to the south is wider than 26 feet. The planning for and location of the driveway is appropriate for the area. Additionally, the plan for the wider driveway will further consolidation of access points along Douglas Road an effort that has been ongoing for a few decades.

Staff Comment: It is staff's opinion that the proposed driveway wider than 26 feet is compatible with the with the character of the adjacent commercial properties and will not negatively impact the adjacent properties.

3. The proposed variation alleviates an undue hardship created by the literal enforcement of the UDO.

Petitioner: The literal enforcement of the code would disregard proper traffic planning. Cars leaving an exit for a lawful permitted use would be unable to make efficient exiting movements from the 26-foot wide, two-lane driveway. There is

no option to use two driveways since the radius of an adjacent driveway encroaches north and the offsets are best with the shared driveway.

Staff Comment: Staff believes that the UDO requirement that limits the maximum width of driveways to 26 feet for commercial uses when applied on this particular site would create a practical difficulty on designing the site to meet the UDO.

4. The proposed variation is necessary due to the unique physical attributes of the Property, which were not deliberately created by the applicant.

Petitioner: Applicant did not have a role in the creation of the driveway south of the property, the driveways on the west side of Douglas Road or the water features within Douglas Road and within the Property.

Staff Comment: Staff agrees with the Petitioner that the unique physical characteristics of the Property and adjacent properties impact the need for the proposed variation.

5. The proposed variation represents the minimum deviation from the regulations of the UDO necessary to accomplish the desired improvement of the Property.

Petitioner: The 36-foot driveway (37 feet back of curb to back of curb) is the minimum recommended width for the driveway at this location. KLOA and Petitioner's civil engineer concur that a narrower driveway could pose problems.

Staff Comment: Staff agrees with the Petitioner that this is the minimum deviation from the UDO needed to provide for safe vehicle movements within the site and for ingress and egress from the Site.

6. The proposed variation is consistent with the intent of the Comprehensive Plan, the UDO, and the other land use policies of the Village.

Petitioner: The Comprehensive Plan does not speak to driveway widths. The Comprehensive Plan calls for efficient transportation networks and encourages the use of shared access driveways.

The Commission concurred with the findings. Chairman Hammond commented that this is a great location for a car wash and was a good-looking building.

Motion: Motion was made by Commissioner Yakaitis to approve PZC 2022-008 Variance Request for proposed carwash on Douglas Road - OKAY LLC with the following conditions:

- Staff approval of the Final Landscape Plan prior to building permit approval.
- Staff approval of Photometric Plan prior to building permit approval.
- Village Engineer approval of Final Engineering prior to building permit approval
- The Petitioner will work with Staff regarding the location of one (1) handicapped accessible parking space to meet ADA compliance.
- Security chain must be relocated further south.

Commissioner Brzoska Seconded the motion.

**Ayes:** Yakaitis, Hammond, Brzoska, and McNeal - James.

**Nays:** None

**Abstain:** None

**Motion carried.**

- VII. Community Development Update/New Business  
Director Abt stated Village Board approved Trans Lines. She had also stated there were a couple pending applications for the July 7 meeting.
- VIII. Next Meeting: July 7, 2022 Director Abt stated that if there is a questionable quorum the meeting may possibly be rescheduled to July 14th. The Commissioners did not have any issues with the regular meeting date.
- IX. Adjournment: With no further business, Chairman Hammond adjourned the meeting at 7:41 PM.

Respectfully Submitted,

Jill Hoover

Secretary