



## **VILLAGE OF MONTGOMERY**

### ***Planning and Zoning Commission Minutes***

***July 1, 2021 7:00 P.M.***

***Village Hall Board Room***

***200 N. River Street, Montgomery, IL 60538***

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- 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: None  
Present: Marion Bond, Tom Yakaitis, Patrick Kelsey, Mike Hammond, Ben Brzoska, Mildred McNeal James and Joe Yen.  
Also present: Trustee Gier, Village Attorney Brandon Rissman, Director of Community Development Sonya Abt, Village Engineer Pete Wallers, Montgomery Economic Development Corporation Charlene Coulombe-Fiore and members of the audience.
  - IV. Approval of the Minutes of the Planning and Zoning Commission Meeting of June 3, 2021  
Motion: Motion was made by Commissioner McNeal-James to approve the minutes of June 3, 2021. Commissioner Bond seconded the motion. Motion passed 7-0.  
Ayes: Bond, Yakaitis, Kelsey, Hammond, Brzoska, McNeal-James and Yen.  
Nays: None  
Abstain: None
  - V. Public Comment Period- There were no comments heard from the public.
  - VI. Items for Planning and Zoning Commission Action
    - a. 2021-008 Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development for the Jericho & Orchard Planned Unit Development – Gas N Wash  
Director of Community Development Sony Abt introduced the item, provided the zoning (B-2) and surrounding property information. Abt stated that the property was previously approved for a special use in 2019 and that the case before the commission was for an amendment to that Planned Unit Development. Abt stated that it conforms to the comprehensive plan and staff recommends approval with the listed conditions.  
  
The petitioner’s architect, Chris Kalischefski, came forward and gave a presentation of the Gas N Wash site (formerly approved for Ricky Rockets) highlighting the location, survey, and site plan. The proposed development was reported to be slightly smaller than what was

previously approved with masonry buildings and residential inspired design. The proposed curb cuts are all exactly the same as the previous application and generally the same amount of signage, just different placement. The signage need was explained as having four different areas of the business on one site. The landscaping was reduced in one area to maintain the sidewalk widths and turning radius. The Car wash building design lacks windows into the utility and storage areas for aesthetics, but they have provided increased landscaping along that side to soften the solid masonry wall.

Chairman Hammond asked if the Village Engineer had any additional comments, Engineer Wallers stated that there was nothing that could not be overcome.

Chairman Hammond opened the public hearing.

Kevin Ellis of Audubon Lane in Aurora inquired if the facility would be open 24 hours a day, which it would. He also inquired if there would be truck parking on site. The petitioner replied that there was no designated truck parking, only for fueling (which typically takes approximately 20 minutes). Ellis inquired if there would be 24/7 gaming inside, which the petitioner replied that there would be what is allowed by the state, and yes the businesses hours would be, 24/7. He also asked if there would be a berm with the landscaping along Jericho Road, the petitioner replied that it would only be slight. The petitioner stated that all trees would also be removed from the site and the trees planted would be smaller when planted and grow to size. Ellis stated that the noise for the car wash was addressed but what about the vacuums? The petitioner stated that the motors would be located inside the masonry building using the latest equipment.

Kevin Pennington, also of Audubon Lane in Aurora stated his displeasure with another gas station along the corridor. He also expressed concern for traffic and trying to exit his subdivision, along with the traffic from Jericho Park. The petitioner stated that the site has been looked at extensively with a full-blown traffic study and is proposed with a dedicated turn lane and safety in mind throughout the site.

Director Abt read a message staff received from a resident (See Exhibit A).

With no further comments, Chairman Hammond closed the public hearing and read through the findings of fact:

#### Special Use

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

This use should not endanger the public health, safety, comfort or general welfare as the neighboring residential uses are predominately on the other side of the roadways and are buffered by landscaping.

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

The proposed development is compatible with the character of the adjacent properties. There is commercial to the south. There is more than 100 ft. and an access road separating the proposed use and the residentially zoned property to the west. Additionally, county roads separate the property from the residentially zoned areas to the north and east.

3. The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

The proposed development should not impede normal and orderly development and improvement of the surrounding properties. The areas to the north and east are already developed and the development includes connections to the undeveloped property to the south.

4. The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

The proposed development will provide adequate utilities, access roads, drainage, etc. for the development and will not place an undue burden on existing development.

5. The proposed special use is consistent with the intent of the Comprehensive Plan, this Ordinance, and the other land use policies of the Village.

The proposed development is consistent with the intent of the Comprehensive Plan which designates the property as Regional Commercial.

#### Planned Unit Development

A. The proposed planned unit development fulfills the objectives of the Comprehensive Plan and the other land use policies of the Village, through an innovative and creative approach to the development of land.

The proposed development provides for additional commercial development while providing additional access and connections desired by the Village on the west side of Orchard Road.

B. The proposed planned unit development will provide walkways, driveways, streets, parking facilities, loading facilities, exterior lighting, and traffic control devices that adequately serve the uses within the development, promote improved access to public transportation, and provide for safe motor vehicle, bicycle, and pedestrian traffic to and from the site.

The proposed development will provide adequate access, utilities, etc. to serve all the gas station and carwash and will improve access and circulation for the area. The access points from Jericho and Orchard will need to be approved by Kane County.

C. The proposed planned unit development will provide landscaping and screening that enhances the Village's character and livability, improves air and water quality, reduces noise, provides buffers, and facilitates transitions between different types of uses.

The proposed development will provide landscaping and will provide adequate screening for gas station and carwash that will enhance the Village's character in this area, reduce noise and provide adequate buffers between uses.

D. The proposed planned unit development will incorporate sustainable and low impact site design and development principles.

The proposed development will provide for sustainable landscaping, provide adequate drainage.

E. The proposed planned unit development will protect the community's natural environment to the greatest extent practical, including existing natural features, water courses, trees, and native vegetation.

The proposed development will protect the community's natural environment.

F. The proposed planned unit development will be provided with underground installation of utilities when feasible, including electricity, cable, and telephone, as well as appropriate facilities for storm sewers, stormwater retention, and stormwater detention

The proposed development will provide underground utilities and adequate stormwater facilities to serve the development. All stormwater and public improvements will require approval by the Village Engineer.

Commissioner Bond stated that she thought the plan was well thought out and was very different than the previous proposal from Gas N Wash on Route 30, which lacked turn lanes.

Commissioner McNeal-James expressed concern that that intersection is an important gateway into Montgomery and that development here should be done thoughtfully. Commissioner McNeal-James inquired if there would be sprinklers installed to water landscaping, the petitioner replied that yes, there would be an irrigation system.

Commissioner Yen asked for clarification as to whether the car wash would also be a 24/7 operation. The petitioner replied that it would not run overnight and would comply with state sound standards. The petitioner also stated their intention to place welcome signage for Montgomery at the corner of the site.

Commissioner Kelsey clarified the turning radii and throat depth of the access lanes with the petitioner, which all met highway standards.

Chairman Hammond asked if the fire department had any comments, Director Abt indicated that they were sent plans and she had not received any comments back prior to the hearing.

Commissioner Yen inquired about the traffic lanes and drive through area for the Dunkin Donuts. The petitioner replied that there was a very long stacking area, with space for 15, despite only being required 4.

Commissioner Yen inquired if there were any plans for a light at the intersection, which there were presently not.

- b. Motion: Motion was made by Commissioner Bond to approve 2021-008 Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development for the Jericho & Orchard Planned Unit Development – Gas N Wash with the conditions outlined in the Staff Report. Commissioner Kelsey seconded the motion. **Motion passed 7-0.**  
Ayes: Bond, Yakaitis, Kelsey, Hammond, Brzoska, McNeal-James and Yen.

Nays: None  
Abstain: None

Note: The agenda items will be forwarded to the Village Board Meeting on Monday, July 12, 2021.

VII. Community Development Update/New Business

Director Abt informed the commission that staff will be bringing forward a few proposed housekeeping updates to the recently passed UDO, along with a discussion for fence heights at the next meeting.

VIII. Next Meeting: August 5, 2021

Adjournment- Having no further business, Chairman Hammond adjourned the Meeting at 8:20 pm.

Respectfully submitted,

*Chris Wagner*

# Exhibit A

**Sonya Abt**

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**From:** Lisa Branning <lisabranning@gmail.com>  
**Sent:** Thursday, July 1, 2021 6:48 PM  
**To:** Sonya Abt  
**Subject:** Village Board Meeting- Comment on Gas N Wash

Good Evening.

Please consider the following comments on the proposed Gas N Wash building.

We have been residents of the Lindens subdivision in Aurora at the corner of Orchard and Jericho for almost 18 years. We are fully against having a gas station built right across the street from the neighborhood we live in and we are not alone. Our neighborhood is in a high traffic area backing up to these streets and the noise has grown since the Covid lockdowns have been lifted. Having a gas station near our neighborhood is not only going to bring more of this traffic and noise, it will certainly affect future home values. No one wants to come home to a brightly lit, noisy gas station that emits fumes and creates more noise.

We already have several gas stations on Orchard Road between I-88 and Route 30 and we certainly don't need this one. There is also a Gas N Wash down the road in Yorkville near Raging Waves. This project is completely unnecessary.

When this property was under vote for approval to build on Route 30 near the Foxmoor, Fairfield Way and Blackberry Crossings subdivisions, it was voted down by Trustees Steve Jungermann, Theresa Sperling and Stan Bond. It is my understanding that trustee Jungermann and Mayor Brolley live close to this area, so it is understandable why this location was voted down by them--They do not want this gas station near their neighborhood either! I am hoping they will take our feelings into consideration and not approve this project. We want to keep more noise and disruption away from our homes. As neighbors of Montgomery, we help fund your businesses, churches and special events, and our children attend McDole Elementary. **We support your community. Please support ours as well.**

Thank you for your consideration in this matter. We hope you will do what is right for the people in this neighborhood and those that will come after us.

Sincerely,  
Mark and Lisa Branning