



VILLAGE OF MONTGOMERY

Planning and Zoning Commission Minutes

October 7, 2021 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

Absent: Patrick Kelsey

Present: Marion Bond, Tom Yakaitis, Mike Hammond, Ben Brzoska, Mildred McNeal James and Joe Yen.

Also present: Trustees Gier and Marecek, Village Attorney Brandon Rissman, Director of Community Development Sonya Abt, Planner Olenka Wrobel, Director of Economic Development Charlene Coulombe, and members of the audience.

- IV. Approval of the Minutes of the Planning and Zoning Commission Meeting of September 2, 2021

Motion: Motion was made by Commissioner McNeal-James to approve the minutes of September 2, 2021. Commissioner Brzoska seconded the motion. Motion passed 6-0.

Ayes: Bond, Yakaitis, Hammond, Brzoska, McNeal-James and Yen.

Nays: None

Abstain: None

- V. Public Comment Period- There were no comments from the public.
- VI. Items for Planning and Zoning Commission Action
 - a. 2021-012 Special Use Requests Located on Route 30 east of Orchard Rd. – Strickland Brothers
 - i. Public Hearing and Consideration of a Special Use for Motor Vehicle Repair and/or Service in the B-2 Zoning District.

Planner Wrobel introduced the item and went over the request for a special use, provided the zoning and the proposed changes. The site will contain a new 1,700 square foot building with three (3) bays to operate on the motor

vehicles. The site will have five (5) parking spaces in front of the building for customers and two (2) parking spaces in the back of the building for employees. The development would be located on the western portion of the lot with green space on the east side. Setbacks and landscaping requirements are also met, and staff recommends the approval of the item.

Chairman Hammond opened the public comment period, there were no comments from the public and the hearing was closed.

Commissioner McNeal James voiced concern over fire department access for the site. Discussion was had regarding access based on exhibits on page 19 of the agenda packet.

Mike Hammond read through the findings of fact:

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

The proposed motor vehicle repair and/or service use will not negatively affect the health, safety, comfort or general welfare of the surrounding properties.

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

The motor vehicle repair and/or service use is located within an existing commercial area and is compatible with adjacent commercial uses.

C. 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 propose special use.

The proposed use does not prohibit the use or orderly development of surrounding property.

D. 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.

Adequate utilities, roads and drainage have been planned for. The property provides adequate ingress and egress continuing connections established on the adjacent lots.

E. 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 motor vehicle service and/or repair use is consistent with the Comprehensive Plan land use designation of Regional Commercial and is also consistent with the intent of this Ordinance.

Commissioner Bond inquired if it requires an amendment to the existing PUD because of the existing text amendment, Director Abt responded that was correct.

Commissioner Yen voiced concern for the traffic flow to exit service bays and asked if they have to go through the adjacent lot. Is that standard? Director Abt replied that it was standard for this subdivision

Chairman Hammond asked what the difference was between this and Christian Brothers. Director Abt replied that it was a different lot.

Motion: Motion was made by Commissioner Yen to approve 2021-012 Special Use Requests Located on Route 30 east of Orchard Rd. – Strickland Brothers with the conditions outlined by Staff. Commissioner Brzoska seconded the motion. Motion passed 4-2.

Ayes: Bond, Yakaitis, Brzoska, and Yen.

Nays: Hammond, McNeal-James

Abstain: None

- ii. Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development for Orchard Crossings.

Director Abt gave a brief explanation for the item explaining the need for the amendment to the special use for the development.

Chairman Hammond opened the public hearing.

Brian Burress of 1947 US Route 30 was sworn in.

Mr. Burress voiced concern for the shared entrance/access ways. During lunch time, he stated traffic gets so backed up that it impacts (his business) the Mike's parking lot. Director Abt stated that the engineers reviewed the plans and didn't see an issue with the layout. Mr. Burress commented that the issue is with people coming in from the side where the drive through vehicles exit. Director Abt stated that it is a two-way drive aisle so people will be able to come in and out of the Strickland drive aisle, creating that cross access. Mr. Burress stated that his staff had to wait sometimes to access the lot because of how much traffic is backed up, and with the Walmart trucks parking on the other access road, it makes it hard

to get through. He asked why an additional curb cut had not been considered with this lot. Director Abt invited the petitioner forward to comment.

Steve Kudwa, Knoche Engineering for the Petitioner was sworn in.

Mr. Kudwa stated that they deal with shopping centers like this regularly. The goal is to not add more entry points from the main road. When Burger King was developed, they included those access ways, so it was meant to have those access points to the adjacent lot. He stated if the Commission has an issue with the cross access, it is unlikely Strickland would have an issue adding a third access point. Commissioner Bond stated that there was also access into the bank lot, so that's a way for traffic to come in and out of the lot. Mr. Kudwa stated that patterns are habitual, people are going to find the easiest route and will get used to taking that. Mr. Burrell inquired if anyone would maintain the bank's lot. Mr. Kudwa stated that they would have to look at their agreements.

There were no further comments, and the hearing was closed.

The property owner came forward and thanked the commissioners for considering this development. He gave some historical background on the area as the owner of the shopping center. He stated that adding those north and south side accesses will alleviate some traffic and requested the approval of the use because he felt it is a good use and would add to the shopping center.

Chairman Hammond read through the findings of fact:

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 commercial development options in the Orchard Road Corridor with shared access from Route 30.

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 provides adequate access, utilities, etc. to serve all the lots and will improve access and circulation for the area.

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 screening 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 provides for a sustainable and low impact site design with shared access and interconnectivity.

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 have been provided.

Commissioner McNeal-James inquired if the driveway/entryway to the bank is being considered an access also for Strickland, which it was. McNeal-James voiced concern that there would be enough of a flow to prevent traffic backups out onto the street. She also voiced concern for the Burger King drive through intersection and agreed with the petitioner that people should use the bank site for safer access. She believed the cross access connections would help.

Motion: Motion was made by Commissioner McNeal-James to approve 2021-012 Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development for Orchard Crossings. – Strickland Brothers with the conditions outlined by Staff. Commissioner Yakaitis seconded the motion. Motion passed 5-1.

Ayes: Bond, Yakaitis, Brzoska, McNeal-James and Yen.

Nays: Hammond.
Abstain: None

This item will be forwarded to the Village Board on Monday, Oct 11, 2021.

- b. 2021-014 Public Hearing and Consideration of Text Amendments to Various Sections of the Montgomery Unified Development Ordinance.

Director Abt introduced the item and explained the text amendments in the staff report, calling out fence height discussion specifically.

Chairman Hammond opened the public hearing. Director Abt stated that emails had been received by staff but not brought tonight as they have all been discussed at previous meetings.

Joyce Koehler of Red Fox Run in Seasons Ridge subdivision came forward and spoke in favor of changing the fence height back to six feet.

With no further comments the public hearing was closed.

Chairman Hammond inquired if there was also a material change that needs to be addressed, which director Abt replied that materials were adopted with the full UDO, the only material comment in the proposed amendment is about the use of slatted chain link fencing for outdoor storage areas.

Commissioner Yen pointed out a typo on page 28 for the payday/title loan establishments. This should also say 'GFA' on it, correct? Commissioner Brzoska agreed. Director Abt replied that staff would add that.

Motion: Motion was made by Commissioner Yakaitis to approve 2021-014 Public Hearing and Consideration of Text Amendments to Various Sections of the Montgomery Unified Development Ordinance. Commissioner Bond seconded the motion. Motion passed 6-0.

Ayes: Bond, Yakaitis, Hammond, Brzoska, McNeal-James and Yen.

Nays: None.

Abstain: None

Note: The agenda items will be forwarded to the Village Board Meeting on Monday, October 11, 2021.

VII. Community Development Update/New Business

Director Abt informed the commissioners that ALDI was moving along quickly with their parking lot updates and the Gas n Wash has made some movement on their lot with tree clearing. Chairman Hammond inquired if a tree inventory had been performed, which Abt replied that it had and the Village ended up doing a fee in lieu because there were so many trees on the lot.

VIII. Next Meeting: November 4, 2021

IX. Adjournment- Having no further business, Chairman Hammond adjourned the Meeting at 7:54 pm

Respectfully submitted,

Chris Wagner _____
Secretary