



## VILLAGE OF MONTGOMERY

### *Planning and Zoning Commission Meeting Minutes*

*November 4, 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: None  
Present: Marion Bond, Tom Yakaitis, Patrick Kelsey, Mike Hammond, Ben Brzoska, Mildred McNeal James and Joe Yen.  
Also present: Trustees Gier and Marecek, Village Attorney Laura Julien, 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 October 7, 2021.

Motion: Motion was made by Commissioner Brzoska to approve the minutes of the Planning and Zoning Commission Meeting of October 7, 2021. Commissioner Bond Seconded the motion.  
Ayes: Bond, Yakaitis, Hammond, Brzoska, McNeal-James and Yen.  
Nays: None  
Abstain: Kelsey
- V. Public Comment Period- There were no comments from the public.
- VI. Items for Planning and Zoning Commission Action
  - a. 2020-012 Annexation, Rezoning, Special Use – Planned Unit Development and Preliminary Plat – The Grid (325 N Route 31 LLC)
    - i. Public Hearing and Consideration of Annexation and Rezoning upon annexation to M-2/PUD with partial flexible zoning for B-2/PUD.
    - ii. Public Hearing and Consideration of a Special Use for a Planned Unit Development and Preliminary Plat of Subdivision.

Director Abt informed the commissioners that due to timing of public hearings; it was requested that both items be continued to the next meeting on December 2, 2021.

Chairman Hammond opened the public hearing for the items, there were no comments from the public at that time.

Motion: Motion was made by Commissioner Kelsey to continue all items for 2020-012 Annexation, Rezoning, Special Use – Planned Unit Development and Preliminary Plat – The Grid (325 N Route 31 LLC) to December 2, 2021. Commissioner Yakaitis Seconded the motion.

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

Nays: None

Abstain: None.

- b. 2021-015 Amendment to Special Use Requests Located at 211 N. River Street – Gray’s Mill Estate
  - i. Public Hearing and Consideration of an Amendment to a Special Uses for Expansion of a Banquet Hall including the Silo and Outdoor Dining in the MD Zoning District.

Director Abt introduced the item and stated that due to the relocation of the silo, expansion of the dining hall and subsequent additional outdoor dining, a special use is required. The silo is to be located over the creek, elevated at such a level that it is above the base flood elevation. A setback variance will also be forthcoming and approval of the special use will be contingent upon obtaining the variation. All plans will be subject to reviews on engineering, landscape, and bike rack requirements.

Chairman Hammond opened the public hearing, there were no comments from the public.

Hammond read through the findings of fact, asking commissioners for comments on each item as they are addressed.

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

The proposed new location for the banquet expansion and the additional outdoor dining will not have a negative impact on the health, safety, comfort or convenience off general welfare of the public. They are located in a mixed-use commercial district and the new location of the expansion will not increase any impact and the additional outdoor dining area will be located along the river and should have minimal impact on any residential areas.

*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 uses are compatible with the character of the adjacent properties and is envisioned within the Comprehensive Plan.

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 uses do not prohibit the use of surrounding property or its normal and orderly development. Neighboring properties within the area are able to develop, per the restrictions of the Mill District, in the event that this development is approved.

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.*

There are existing utility connections on the site, and adequate utilities are available in the event that the site requires utility connections to be enlarged. Village staff and EEI will ensure that proper stormwater drainage and detention is accounted for as plans are finalized.

Commissioner Kelsey commented that it has not been the practice of the commission to approve an item ahead of stormwater approvals and asked if the Army Corps had already been notified. Director Abt stated that since everything was to be elevated above the base flood elevation, their involvement should be minimal, per discussions with the village engineer.

Commissioner Bond clarified that the silo would be located over the channel, which Director Abt replied that it would, the channel was to remain untouched.

Chairman Hammon asked Commissioner Kelsey if, in his professional opinion, felt okay approving before contact is made with the Army Corps. Kelsey replied that he was not convinced all requirements had been met, and felt the practice of approvals should have been discussed previously before changing the process.

Commissioner Yakaitis inquired if there was a timeframe to get in touch with the Army Corps. Director Abt reaffirmed that since the channel is untouched and the structures are elevated, there is nothing for them to be involved with. Commissioner Kelsey disagreed, stating that a letter would still be necessary since a structure was to be built over water. Director Abt stated that the petitioner, staff and Village Engineer have been working closely and the village engineer is comfortable with the plans, and not overly concerned. Engineering must be approved before any permits would be issued. As far as the timeline, Abt stated, it is up to the petitioner on how quickly things move forward.

The petitioner stated that the village engineer indicated that as long as they stay above the 100 Year flood line, there would be no need to involve the Army Corps. Other options had been explored by the petitioner, but any involvement with the Army Corps would take a long time, so this option worked best to stay outside those parameters.

Commissioner Yen inquired if any of the piers for the silo would be located in the channel. The petitioner stated they would not.

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 uses are consistent with the intent of the Comprehensive Plan.

Motion: Motion was made by Commissioner Kelsey to approve PZC 2021-015 amendment to special uses for outdoor dining and the expansion of the banquet hall including the silo located at 211 N River Street with the following conditions:

- Village Board approval of a front setback variation for the addition
- Village Engineer's approval of the engineering plans
- Staff approval of the Landscape Plan
- Installation of the minimum required seven (7) bicycle parking spaces
- Letter of no objection or letter of permission from the Army Corps of Engineers

Commissioner Yakaitis Seconded the motion.

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

Nays: None

Abstain: None

- c. 2021-016 Special Use Request at 211 N. River Street – HH Shufeldt Whiskey Co.
- i. Public Hearing and Consideration of a Special Use for a microdistillery in the MD Zoning District.

Planner Wrobel introduced the item, stating that the distillery will be located within the proposed silo for the Gray's Mill Estate. The microdistillery will occupy the lower level of the proposed silo. A small portion of the silo will contain the tasting room/bar for the distillery while most of the area will be for the blending and storage of the whiskey. The tasting room/cocktail bar will have a maximum capacity of 20 people. The microdistillery will be open to the public from 5PM to 10PM Fridays and Saturdays and 3PM to 10PM on Sundays. The microdistillery being an addition on the primary site, has the same access points as the principal structure. Wrobel stated that staff recommends the approval of the item.

Chairman Hammond opened the public hearing for the items, there were no comments from the public.

Chairman Hammond read through the findings of fact.

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

The proposed microdistillery use will not negatively affect the health, safety, comfort, convenience, or general welfare of the surrounding properties.

2. *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 microdistillery use is located within an existing commercial property and is compatible with adjacent Mill District uses.

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

4. *The proposed microdistillery 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.

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 microdistillery use is consistent with the Comprehensive Plan land use designation of Downtown Mixed Use and is consistent with the intent of this Ordinance.

Chairman Hammond clarified that there would be storage on the first floor, which Wrobel replied that it was. The petitioner came forward and gave a description of the planned space, with storage for approximately 15-20 barrels and equipment in addition to the small tasting area. He stated that it would be a very small operation.

Motion: Motion was made by Commissioner Bond for the approval of 2021-016 Special Use Request at 211 N. River Street – HH Shufeldt Whiskey Co. Use for a microdistillery in the MD Zoning District.

Commissioner Kelsey Seconded the motion.

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, November 8, 2021.

VII. Community Development Update/New Business

Director Abt informed the commissioners that the items for Strickland and the text amendments to the UDO that approved earlier had gone through. At the next meeting the commissioners can expect to see the items for the former caterpillar site and variances for Gray's Mill.

VIII. Next Meeting: December 2, 2021

IX. Adjournment - Having no further business, Chairman Hammond adjourned the Meeting at 7:36 pm

Respectfully submitted,

Chris Wagner  
Secretary