

CHANNAHON PLANNING AND ZONING COMMISSION
MEETING

November 13, 2012

Chairperson Karen Ciarlette called the meeting to order at 6:00 pm.

Chairperson Ciarlette led the Pledge of Allegiance.

Chairperson Ciarlette asked for a Roll Call.

Commissioners present: Karen Ciarlette, James Proffitt, Casey McCollom, Chantal Host and Phil Loizon

Also present were Director of Community Development Mike McMahon, Administrative Assistant Lydia Ledesma and Village Attorney Dave Silverman.

A quorum was declared present.

Approval of the October 8, 2012 Minutes

Phil Loizon made a motion to approve the October 8, 2012, meeting minutes. Seconded by James Proffitt.

VOTE: ALL AYES

MOTION CARRIED

Ordinance to rezone two parcels at 24165 W. Eames St. commonly known as the Hammel Property from R-1 Single Family Residence District to C-4 Automotive Service District. – *PUBLIC HEARING*

Special Use Permit Ordinance for a Preliminary Planned Unit Development for two parcels at 24165 W. Eames St. commonly known as the Hammel Property. – *PUBLIC HEARING*

Phil Loizon made a motion to open both public hearings, the first being an Ordinance to rezone two parcels at 24165 W. Eames and second public hearing, a Special Use Permit Ordinance for Preliminary Planned Unit Development for the same two parcels. Seconded by James Proffitt.

VOTE: ALL AYES

MOTION CARRIED

Mr. McMahon presented the Bluestone Retail Properties – Rezoning Request and Special Use Permit a Preliminary Planned Unit Development.

Bluestone Retail Partners has a contract to purchase a portion of the former Treasure Island Mobile Home Park at the NW corner of I-55 and U.S. Route 6 or 24165 W. Eames ST. Bluestone is proposing to develop the 13.7 acres site into a commercial center dedicated to highway service uses. The property is not currently inside the Village's Corporate limits and will have to be annexed. Upon annexation, the property will automatically be given R-1 Single Family Zoning. The attached zoning ordinance will rezone the property C-4 Automotive Service District. The attached Special Use Permit for the Preliminary Planned Unit Development (SUP) will set the actual zoning uses of the property.

Bluestone is proposing to subdivide the property into a five lot subdivision with one lot dedicated for a travel center, three lots for other highway commercial retail uses including a limited service hotel/motel and the fifth lot dedicated for stormwater facilities.

The SUP will set the general development and use of the property. Attached to the SUP are a Conceptual Development Plan and a Conceptual Site Plan Lot 2. The Conceptual Development Plan sets the general layout of the lots while the Conceptual Site Plan Lot 2 sets the more specific layout of the travel center on Lot 2. The travel center will contain a convenience store, up to 24 fuel stations for passenger vehicles, and up to five fuel stations for diesel trucks. 20 parking spaces are included for semi-trucks that will service the entire development rather than just Lot 2. Other uses found at traditional truck stops such as laundry facilities, showers, game room, etc. are not planned nor will be allowed per the SUP.

Bluestone has agreed to no overnight truck parking as part of the project. The annexation agreement will set how enforcement will be conducted. The SUP will also allow an 80' multi tenant sign visible from I-55 (attached).

The development will require the realignment of the Northwest Frontage Road through the site aligning it with the Southwest Frontage Road. Bluestone has agreed to finance the realignment of the road while being reimbursed through a proposed Tax Increment Finance District, Business District and sales tax rebates. Without the reimbursement, Bluestone could not undertake the project. A reimbursement agreement will be finalized as the project planning and engineering proceeds.

The proposed development will be on Village Water and Joliet sewer.

Final approval of the development will take place after site engineering is approved for the entire site and IDOT approves the engineering for the realigned NW Frontage Rd. A Final PUD Plat and individual Site Plans per lot will be brought before the PZC and Village Board in the future for final approvals.

Below are proposed findings-of-fact setting forth the reasons for the recommendation to be submitted to the Village Board by the Planning and Zoning Commission. The findings shall set forth with particularity in what respects the proposal would be in the public interest.

- The proposed use is designated by this chapter as a special use in the district in which the use is to be located.
- The proposed use will comply with all applicable regulations in the district in which the use is to be located.
- The location and size of the proposed use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- The location, nature and height of buildings, walls and fences, and the nature and extend of the landscaping on the site are such that the use will not unreasonably hinder or discourage the appropriate development and use of adjacent land and buildings.
- Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining uses, and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.

- The proposed use will not cause substantial injury to the value of other property in the neighborhood.
- Conditions in the area have substantially changed, and at least one year has elapsed since any denial by the Village Board of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.

Mr. McMahon introduced the applicant Mr. Rick Claes with Bluestone Retail Partners.

Chairperson Ciarlette then swore in those wishing to speak or give testimony during the public hearing.

Mr. Claes We do have the all the notices for the rezoning and annexation, we do have that they followed all the public notice procedures. The Wunderlich piece has not been annexed, but Rick Claes will talk a little about that as well.

Mr. Claes went through a power point presentation.

Commissioner Loizen asked about the Wunderlich property. Mr. Claes stated that the Wunderlich parcel is not part of this project but he plans to contact the family about acquire the piece. He stated not having it doesn't impede the development of our property although it would be nice to clean up all the frontage area and make it one unified development.

Mr. Claes further stated that Bluestone has entered into an agreement with the Hammel Family who currently owns the property and we were given a very short time frame in order to close on the property. We would have to close on this property before the end of the year, and staff has been very accommodating trying to accelerate our application to the point to get before the PZC and Village Board in a timely manner.

Mr. Claes further stated that back in the summer of 2008 we had a more intensive site plan for this property and has and are now, targeting a different type of commercial driver that Pilot is attracting. The driver that we are after is not the long haul driver, rather the intermodal driver doing day trips, who wouldn't require the full service amenities. Our facility is designed around getting fuel to the commercial and passenger vehicle, giving them food, restroom facility. It was mentioned that we agreed to a 2 hour parking limitation and we would do that through video surveillance and operational execution. Our customer is the type that wouldn't need to be there any more than an hour to an hour and a half.

Mr. Claes further stated that the new development for Lot 2 is a 6,500 sq. ft. building with 12 multi product fueling positions and 5 diesel fueling positions which are both downsized from our original proposal. The convenience store and fuel center is a 24/7 operation but it would have a prohibition on overnight commercial vehicle parking with a 2 hour maximum. We oriented the circulation of the commercial vehicle site. One of the questions/concerns that were brought up last time we came forward was the opportunity to get as many trucks off of Route 6 and away from the Route 6 intersection as possible. So we reconfigured the way the site is designed to circulate, so we can get far more trucks into a stacking position and get them off of Route 6 and away from the interchange. We did add two prospective quick service restaurants and added a limited service hotel. We also submitted to staff a plan that would replace the hotel with a casual dining restaurant. It is still our intention to market the hotel site for a period of time to see if we can generate that interest.

The other enhancements to this plan are we included an architectural feature that is a perimeter wall that is 3 feet 6 inches high with some landscaping and integrating a Welcome to Channahon monument sign at the very corner which will be the entrance into the village. We've updated the design of the convenience store as well as the canopy's over the fuel islands. We incorporated the ability to increase the decorative landscaping on site. We've also incorporated IDOT's updated design for the interchange and relocation of the northern frontage road.

Commissioner Loizon asked for clarification on trucks entering from route 6.

Mr. Claes replied that the trucks traveling west on U.S. Route 6 would to enter into the facility by making a right hand turn on to the relocated frontage road, go around the back of the site make a right turn into the site and pull into the fueling islands. When they exit they will make a left turn on the frontage and a left or right turn back onto U.S. Route 6.

He continued by stating the relocated frontage road will line up with the McDonald's and along with the frontage road across the street. The architectural rendering shows what the street scape wall will look like and the Thornton's convenience store and fueling facility. We designed the sign to stop at the right in right out. There is an existing bike path which is not in good condition and we would improve the condition. Staff requested and we agreed to extend the bike path on the Westside of the frontage road up and around the perimeter of our site, with the intention that over the long haul that it may be extended further down the frontage road. In lieu of the sidewalk we agreed to improve the existing bike path and extend it along the west side of the frontage road.

Mr. Claes concluded by introducing Peter Lemmon their traffic engineer and will be happy to answer any questions you may have, as well as Mike MacKinnon and Tom Burney our council.

Chairperson Ciarlette questioned whether there is Village water available.

Mr. McMahon explained that there is water along U.S. Route 6 available to the site along with sewer.

Commissioner Host commented on the soil and lands itself with regard to the history of the property, is this subject to any soil studies or anything like that?

Mr. Claes commented the real poor soil quality is actually on the south west corner U.S. Route 6. That is all been filled with a lot of debris from the first project that IDOT incorporated. The soil in the north quadrant is in relatively good condition. There is the flood plain issue and minor wetland mitigation that needs to be resolved there. The suitability of the soil is pretty good in the northwest quadrant.

Commissioner Host commented that in order to facilitate this building up of the floodplain area are you subject to the EPA reviews, the adjacent farm land is higher elevation wise.

Mr. McMahon explained that they would have to get a permit through the State of Illinois.

Commission Loizon expressed concern about monitoring the trucks that will be there. Who will be enforcing this?

Mr. McMahon explained that the initial enforcement will be put on the operator of the convenience center.

Mr. Silverman commented that he thinks it's fair to say that enforceability is going to be difficult, but if we get enough built into the document we can do the best we can and work with the operators to report violations and then the police will have to go down there and take some action.

Chairperson Ciarlette commented about if there has to be a right turn lane that it would affect the Wunderlich property.

Mr. Claes stated IDOT would have to determine whether it's warranted to put the right turn lane in and we are going to do whatever IDOT tells us to do. If they require it, there is not enough existing right of way to put the right turn lane in. IDOT will have to do a taking; we will give them as much right of way as they need to accommodate the right turn lane along route 6. The Wunderlich property has a short amount of frontage and they would have to take that right of way. They can protest compensation, but they can't protest the fact that they have to give it up.

Mr. Silverman commented that they could delay it and try to protest it but at the end of the day, IDOT would have the power to take it and then there is a fight about money.

Mr. McMahon explained that you can see the way it's configured, it's not optimal but it doesn't need to be taken for this property to be workable.

Chairperson Ciarlette questioned about the quick service restaurants, except if there is a restaurant put in where the hotel would go, would this quick service be something like a taco bell?

Mr. Claes stated it's generally the type that likes to be located near an interchange. The population of Channahon is not sufficient to support more than what restaurants are already in town. It's going to be operators more oriented to highway traffic. Starbucks I'm sure would be interested, Chili's, Friday's or Applebee's all tend to take highway locations. It's just a combination of immediate population density and the amount of traffic they can draw off the interstate.

Mr. Silverman commented that at this time you wouldn't be approving the footprints of the buildings on the other lots, it would be the footprints of the buildings and such for the Thornton's Center.

Mr. McMahon explained that this is the attachment that is in the Special Use Permit, this is what you would be approving, and this is Lot 2 Conceptual Site Plan.

Chairperson Ciarlette asked if anyone in the audience wish to give testimony. See and hearing none she asked again. See and hearing none she as for a motion to close the Public Hearing.

Phil Loizon made the motion to close the public hearing. Seconded by Chantal Host

VOTE: ALL AYES

MOTION CARRIED

Chairperson Ciarlette asked for the motion to approve the Ordinance to Rezone the parcels from R-1 Single Family to C-4.

Phil Loizon made the motion to approve the rezoning. Seconded by Chantal Host.

VOTE: 4
ABSTAIN: 1

MOTION CARRIED

Chairperson Ciarlette asked for the motion to approve the Special Use Permit Ordinance.

Chantal Hose made the motion to approve the Special Use Permit Ordinance. Seconded by Phil Loizon.

VOTE: 4
ABSTAIN: 1

MOTION CARRIED

Residential Lot Consolidation Policy

Mr. McMahon presented the Residential Lot Consolidation Policy Memo.

At the October Planning and Zoning Commission meeting, it was discussed that the Village Board Trustees requested that the PZC develop a policy on how to manage requests to consolidate two residential lots. In addition, the Board specifically requested the PZC to address the question of what to do with the extra water service from one of the two lots.

In summary, Title XV: Land Usage; Chapter 154 (Subdivision and Development) regulates all subdivisions, resubdivision, and development of residential or nonresidential territory within the corporate limits of the Village. A consolidation of lots is when more than one lot is joined together legally to create a new single lot. The Village code does not specifically address the consolidation of two or more lots.

There are several reasons why a land owner would want to consolidate property, such as:

1. For tax reasons so that a property owner receives only one bill.
2. To conform to the building code which does not allow construction across a lot line.
3. For zoning requirements to keep accessory structures such as a garage on the same lot as the primary structure.

Staff has reviewed this request from the Village Board and along with some ideas submitted, developed the following list for the PZC to consider.

1. Amend the R-1 Single Family Zoning District to restrict that only one shed or accessory storage building is allowed on either lot not to exceed 180 square feet in size and no more than fifteen feet in height. All sheds or accessory storage buildings must be located no more than 10' from the rear set back line and contain no driveways, sidewalks, stone paths, concrete paths, paver brick paths, or the like that lead to the Village right-of-way.
2. Amend the R-1 Single Family Zoning District allowing only attached garages.
3. Only one water and sewer service is allowed to service any property. In the instance where two or more services are provided, all additional services must be abandoned per Public Works Department approved method and inspected by a representative of the Public Works Water Department.
4. Amend the newly adopted two-lot consolidation ordinance to include properties where the single family home is already constructed. This would relieve the owner from having to combine the lots to install a shed or pool. Additions are noted in blue:

(9) Adjoining Lots. In the instance whereby two adjacent and contiguous single family zoned lots are under single ownership, it is permissible to construct a principal or accessory structure over the interior lot line or on either of the two lots, while conforming to all other Village ordinances to include, but not be limited to, the remaining front, side and rear setbacks for all other lot lines. Lot improvements must also conform to approved engineering design standards to include, but not limited to drainage and grading design. Prior to the issuance of a Building Permit for any structure built on or over the interior lot line, the following conditions must be met: 1) any applicable easement grantee must vacate all easements that may exist over the interior lot line; and 2) the owner must consolidate the Property Index Numbers through the respective county or township. Both lots must remain in single continuous ownership and may not be divided or conveyed in parts as long as the principal structure remains intact. On behalf of the Village, the Village Administrator is authorized to vacate any Village easements that are not required for overall site utility or drainage purposes.

Chairperson Ciarlette commented that it states that we are only allowing attached garages but all sheds or accessory storage buildings must be located no more than 10' from the rear setbacks.

Mr. McMahon explained that it wouldn't matter, if you bought two lots and consolidated them the shed would have to be within 10' of the rear setback.

No driveway could go to the shed; we are trying to discourage second garages with driveways. I termed it this way along with Dave Cavanaugh. To restrict that only 1 shed or accessory storage building could go on the property so that in general would mean garages.

The maximum size of a garage or any other accessory structure is 15 feet. That would be the maximum with the normal height for a garage being 12 – 15 feet. With the water issue, staff has differed this to Public Works. Currently what has been done by Yudzentis property in Ravine Woods, they went back to the water main and capped the line and put a stainless steel sleeve on it to protect it. The idea of building over lot lines and building an accessory structure, again if we don't require that they consolidate the lot they aren't suppose to have an accessory structure, so #4 is the new ordinance that we passed concerning the joining of the lots.

I've added some words there that will make it allowable to do an accessory structure over either lot without consolidating. I've written "Permissible to construct a principal or accessory structure over the interior lot line or on either of the two lots." Prior to the issuance of a building permit for any structure built on or over an interior lot line then they would need to vacate that. This is just some ideas for the PZC to think about.

Phil Loizon made a motion to adjourn at 6:45. Seconded by Chantal Host.

VOTE: ALL AYES

MOTION CARRIED