



## VILLAGE OF MONTGOMERY

### *Planning and Zoning Commission Minutes*

*June 3, 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, Trustee Jungermann, Village Attorney Brandon Rissman, Director of Community Development Sonya Abt, 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 May 6, 2021
- Motion: Motion was made by Commissioner Brzoska to approve the minutes of May 6, 2021. Commissioner Yen seconded the motion. Motion passed 7-0.  
Ayes: Bon, 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. 2021-005 Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development for the Montgomery Business Center – J.B. Commodities  
*Continued from May 6, 2021 public hearing.*
- Director of Community Development, Sonya Abt, stated that item A had been continued from the previous meeting. Abt gave an overview of the requested special use amendment for unit two of Montgomery business Park. The petitioner requests outdoor storage areas with a maximum height of 40 feet. Abt 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.

The proposed industrial/business park development is in an industrial area and should not endanger the public health, safety, comfort or general welfare.

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 which are also zoned either M-1 or M-2.

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 proposed connection of Knell Road to Commerce Road will provide adequate connections and access that will benefit the surrounding area.

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 Heavy Industrial.

#### 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 industrial development while still preserving floodplain areas. It also provides for the extension of Knell Road to provide the connectivity recommended by the Village's Transportation Plans.

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 proposed 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 will provide adequate screening for outdoor storage 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 and preserve floodplain areas creating a conservation area around the delineated floodplain.

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. The floodplain and wetlands within the development will be protected with a conservation easement.

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.

Staff recommends approval of PC 2021-005 amendment to a special use for a planned unit development located north of the intersection of Commerce Drive and Aucutt Road with the following conditions:

1. Outdoor storage on Lot 5 shall not exceed a maximum height of 40 (forty) vertical feet from grade. Any outdoor storage shall be subject to all applicable adopted building and fire codes and shall be reviewed for compliance at time of Site Plan Review.

2. Knell Road shall be extended to connect to Commerce Drive 24 months following the issuance of a building permit for Lot 5 or 36 months from the date of execution of this agreement, whichever is sooner. The plans for construction of Knell Road shall be submitted to the Village for approval. An engineer's opinion of probable cost (EOPC) for the construction of Knell Road shall be submitted to the Village for approval. The Owner shall provide a performance bond in the amount of 110% of the approved EOPC to insure completion of the Road. The performance bond shall be submitted to the Village 18 months following approval of the agreement or at the time of issuance of the building permit for Lot 5. TIF funds may be requested for extraordinary costs associated with the extension of Knell Road consistent with the TIF study.

Director Abt noted that there had been some changes to the staff recommendation of improvements, Knell road would not be extended, and the detention would be provided on lot 5. Engineering will review those site plans.

The petitioner stated that approximately 117 acres can be developed in unit two of the park, which was originally started in 2008. He stated that the transportation study resulted in the elimination of the Knell Road extension. The petitioner stated he would like to see approval for the item for potential clients.

Chairman Hammond opened the public hearing, there was an email read that staff received from Lab Media with concerns for general traffic levels in the park, necessary intersection, and traffic light improvements to handle said traffic, and truck traffic. Hammond closed the public hearing.

Commissioner Kelsey inquired as to the area of the proposed 40' outdoor storage area, what was the nature of the storage. The petitioner replied that it was for stacked rail containers. Kelsey asked if this was for short or long term, which he replied it was long term.

Commissioner Bond stated her displeasure in the aesthetic of stacked containers as well as concern for severe weather, should they topple. The petitioner replied that the containers would be anchored, but could not provide the details under contract, but have landscaping on the site plan.

Commissioner Keley inquired what the traffic study determined. Village Engineer Tim Paulson stated that there was little feasibility of getting Knell Road through, it has many challenges with railroad crossings as well and that Edgelawn was an option. Kelsey inquired if the traffic light improvements could be done using TIF funds, which Kelsey replied, they could.

Director Abt stated that the outdoor storage would be inspected by village staff and fire.

Commissioner Yakaitis inquired about how many lanes would be part of Aucutt Road improvements, Engineer Paulson replied that it was still under planning phases and could be three or four and may take a couple years to get underway.

Commissioner Bond stated that she preferred to see a manufacturing or commercial development to bring employment rather than a parking lot. Commissioner Yakaitis agreed.

Director Abt clarified that the lots discussed were only three and five.

Commissioner Kelsey stated support for the use, as the lot had challenges for development with access and wetlands.

Commissioner Yakaitis inquired how far into the future the traffic study considered, Paulson indicated it was for 2040 to 2050 and run with existing condition as well as with expansion options.

- b. Motion: Motion was made by Commissioner Kelsey to approve a. 2021-005 Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development for the Montgomery Business Center – J.B. Commodities with conditions:

1. Outdoor storage on Lot 5 shall not exceed a maximum height of 40 (forty) vertical feet from grade. Any outdoor storage shall be subject to all applicable adopted building and fire codes and shall be reviewed for compliance at time of Site Plan Review.

2. Knell Road shall be extended to connect to Commerce Drive 24 months following the issuance of a building permit for Lot 5 or 36 months from the date of execution of this agreement, whichever is sooner. The plans for construction of Knell Road shall be submitted to the Village for approval. An engineer's opinion of probable cost (EOPC) for the construction of Knell Road shall be submitted to the Village for approval. The Owner shall provide a performance bond in the amount of 110% of the approved EOPC to insure completion of the Road. The performance bond shall be submitted to the Village 18 months following approval of the agreement or at the time of issuance of the building permit for Lot 5. TIF funds may be requested for extraordinary costs associated with the extension of Knell Road consistent with the TIF study.

Commissioner Yen seconded the motion. Motion passed 5-2.

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

Nays: Bond, Yakaitis

Abstain: None

Note: The agenda items will be forwarded to the Village Board Meeting on Monday, June 14, 2021.

VII. Community Development Update/New Business

Director Abt informed the commission that a new gas station request would be forthcoming to a future meeting and that the process was underway for a new Village Planner.

a. Chair and Vice-Chair Vote.

No new nominations were made for Chair or Vice Chair.

A vote was held nominating Mike Hammond as the Chairman of the Planning and Zoning Commission.

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

Nays: None

Abstain: Hammond

A vote was held nominating Patrick Kelsey as the Vice Chairman of the Planning and Zoning Commission.

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

Nays: None

Abstain: Kelsey

VIII. Next Meeting: July 1, 2021

IX. Adjournment

Having no further business, Chairman Hammond adjourned the Meeting at 7:39 pm.

Respectfully submitted,

*Chris Wagner*