



Planning and Zoning Commission Minutes
Thursday, July 7, 2022
7:00 PM, 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, Joe Yen
Also present: Village Attorney Laura Julien, Director of Community Development Sonya Abt, Village Engineers Tim Paulson and Chris Ott, Planner Zach Ewoldt, Trustee Dan Gier, Char Coulombe of Montgomery Economic Development, and members of the audience.
- IV. Approval of the Minutes of the Planning and Zoning Commission Meeting of June 2, 2022.
Motion: Motion was made by Commissioner McNeal-James to approve the minutes of the Planning and Zoning Commission Meeting of May 5, 2022.
Commissioner Brzoska Seconded the motion.
Ayes: Yakaitis, Hammond, Brzoska, McNeal-James.
Nays: None
Abstain: Bond, Yen
Motion carried.
- V. Public Comment Period
There were no comments from the public.
- VI. Items for Planning and Zoning Commission Action
 - a. 2022-009 Special Use and Variance Requests for 1975 Aucutt Rd. - Ruben and Maria Hernandez
 - i. Public Hearing and Consideration of a special use to allow outdoor storage in the M-1 Zoning District

- ii. Public Hearing and Consideration of the following variations from the Montgomery Unified Development Ordinance:
 1. Section 10.04.A.3 (Parking Design Standards) to allow for semi-truck trailer parking smaller than the required 12 ft. by 60 ft. minimum
 2. Section 11.07.B.2.b (Screening Requirements), to not provide the required perimeter fencing along the south and west property lines.
 3. Section 11.07.B.3.b (Screening Requirements) to not provide the minimum landscape screening along the south and west property lines and to provide the required landscaping on the interior of the fence along the east property line.

Chairman Hammond opened the public hearings for the special use and variations.

He asked Staff to walk through the request for the Commission. Planner Ewoldt explained that the Petitioner is proposing to operate a truck terminal at 1975 Aucutt Road. The existing building will remain as-is and the Petitioner will use the Southeast portion of the Property for outdoor storage of trucks. Outdoor storage is a special use in the M-1 Light Manufacturing District. As part of the special use for outdoor storage, the Petitioner is requesting an alternative surface for the outdoor storage area. He noted that the proposed truck terminal will also require four (4) variances from the following sections of the Montgomery Unified Development Ordinance ("UDO"): Section 10.04.A.3 (Parking Design Standards), Section 11.07.B.2.b (Screening Requirements), and 11.07.B.3.b (Screening Requirements).

The property is zoned M-1. Outdoor storage has the following standards:

- a. Location. Outdoor storage areas must be located on an improved surface in the interior side yard or rear yard. Outdoor storage areas must be located on an improved surface unless an alternative is approved by the Zoning Officer.
- b. Height. Materials in an outdoor storage area that are 20 feet or less from a lot line must not exceed eight feet in height. Materials in an outdoor storage area that are more than 20 ft from a lot line must not exceed 18 feet.
- c. Uses. Outdoor storage areas in association with a principal use on the same zoning lot such as but not limited to: garden center, gas station, light manufacturing, heavy manufacturing, machinery and equipment sales and rental, and warehousing, storage or distribution facility. Outdoor storage areas without any other principal use on a zoning lot are only permitted as Special Uses in the M-2 Zoning District.

d. Screening. The requirements of Section 11.07 (Screening Requirements) apply to all outdoor storage areas. No stackable materials or goods may be piled or stacked so that they are visible above the height of the screen. The use of slatted chain link fencing around outdoor storage areas may be approved as part of the special use.

e. Traffic Study. The Village may require a traffic study to ensure that a proposed development does not adversely affect safe and efficient traffic circulation for motorists, bicyclists, or pedestrians.

f. Alternative Surfaces. Crushed aggregate may be installed as an alternative to paved surfaces. Acceptable alternative surfaces include crushed limestone aggregate that meets standard gradation of CA-1 or CA-7, or other materials as approved by the Zoning Officer. The property owner must maintain alternative surfaces and provide periodic dust control measures. The property owner must provide the Village an access easement over all areas utilizing an alternative surface. The alternative surface must be located a minimum of 250 feet from any public right of way and any residential or commercial zoning district.

Planner Ewoldt explained that the Proposed outdoor storage area will be for the storage of semi-tractor/trailers. The proposed outdoor storage area is approximately 225' by 500' located in the rear yard on the east side of the property and setback approximately 210 ft. from Aucutt Rd. The proposed outdoor storage area has allowed maximum height of 18 feet and will need to meet the required minimum setback of 21 feet from the east property line. The Petitioner will be providing some of the required screening, however, is requesting certain variations which will be outlined separately

The UDO allows alternative surfaces of crushed aggregate to be used for paved surfaces for outdoor storage areas. The existing storage area on the site is gravel that has not been maintained. The Petitioner is proposing to excavate the existing gravel and replace it with an approved alternative surface of CA-7 crushed limestone. Staff and the Village Engineer are requiring that all existing gravel surfaces on the site be excavated and replaced with CA-7 aggregate. The UDO also requires that outdoor storage with alternative surface must be located a minimum of 250 feet from any public right of way. The Petitioner's proposal will meet this requirement. The outdoor storage area is located 210 feet from the public right-of-way; however, the Petitioner has agreed to add concrete surface in the outdoor storage area from the fence up to the 250-foot setback requirement to meet this requirement. Consistent with the previously approved special uses for outdoor storage with alternative surfaces, the

Village further conditions this request upon Petitioner's satisfaction of the following standards:

1. The Petitioner shall submit a revised detailed plan, which must include, at a minimum, the following information: type and weight of vehicles, items to be stored on the surface, average daily vehicle trips conducted on the surface, other operations conducted on the site and dust mitigation activities. This plan is subject to final approval by the Director of Community Development and/or the Village Engineer.
2. Storage spaces or areas, drives and aisles shall be constructed of a minimum of 10 inches of material uniformly compacted and approved by the Village Engineer. Specified material shall be approved by the Village Engineer. Additional material depth may be required based on the use of the site subject to Village Engineer approval.
3. The Petitioner is required to engage in periodic dust control measures, including treating the alternative surface with calcium chloride on an as-needed basis. Petitioner's failure to maintain the site pursuant to this provision and/or to timely remediate any dust issues to the satisfaction of the Village shall constitute a violation of the special use.
4. The Petitioner shall provide the Village an access easement over all areas utilizing an alternative surface pursuant to these provisions. In accordance with said easement, the Village will conduct periodic reviews of the site's dust control and perform any mitigation actions it deems necessary. Prior to engaging in site remediation, the Village will provide the Petitioner with written notice identifying the violation and the Petitioner will be afforded seventy-two (72) hours to resolve. To the extent that the Petitioner fails to adequately address said violation to the satisfaction of the Village, thereby requiring Village to remediate said nuisance, the Village will deduct all applicable funds from the Petitioner's deposit. The Petitioner will be required to replenish said deposit within fifteen (15) days of receiving notice so that the account remains its proper balance of \$5,000.00.
5. The gravel/screenings shall be maintained to the satisfaction of the Director of the Community Development department or other designee of the Village Administrator, including re-grading or restoration as needed due to traffic use, or storm related degradation.

Planner Ewoldt went over the parking on site as well as the truck parking. The existing parking lot provides two (2) handicapped accessible spaces and 34 vehicle parking spaces for the principal structure. The outdoor storage area will contain 79 truck parking spaces: nine (9) 12' by 45' spaces and 70 12' by 75' spaces.

The existing parking lot does not meet the parking lot design requirements but is considered legal nonconforming. Since no modifications are being made to this parking lot, it can remain nonconforming and does not have to meet the requirements of the UDO. If or when the owner makes any modifications to the parking lot, it will need to be brought into conformance.

Variation from Section 10.04.A.3 (Parking Design Standards)

The UDO requires the dimensions for semi-truck trailers to be 12 feet in width, 60 feet in length, and 14 feet in vertical clearance.

The Petitioner is proposing nine (9) semi-truck parking stalls that are only 12' by 45' to accommodate smaller trucks in the outdoor storage area. These spaces are grouped together in the northwest boundary of the outdoor storage area. The remainder of the semi-truck trailer spaces meet the UDO requirements.

Landscaping:

The existing parking lot does not meet the Parking Lot landscaping requirements, however, it is considered legal nonconforming and does not have to meet the requirements of the UDO, since the parking area is not being modified. Should the parking area be modified at a later date, it would be required to come into compliance with the UDO.

The use standards for outdoor storage requires that screening be provided in accordance with Section 11.07 of the UDO. The landscape screening requirements for outdoor storage areas require landscaping to provide 75% coverage along the perimeter of the storage area and must include a mix of evergreen, shade, and ornamental trees. Additionally, any outdoor storage area with a line of sight from the public right-of-way is required to be bermed and 50% of the landscape screening must be evergreen. The requirements also state that the landscaping must be provided on the exterior of the fencing.

The UDO requires that outdoor storage areas must be completely enclosed by a wall or fence a minimum of six feet (6') in height. The fence shall be a solid fence with no more than 25% open spaces.

The landscape plan indicates that there are existing trees along the north side of the outdoor storage area. A berm and additional evergreen landscaping are being added to the north side of the outdoor storage area to meet the screening requirement. The landscape plan also provides a mix of shade, ornamental, and evergreen trees along the eastern property line. Additional trees and tree species will need to be provided to

meet the screening requirements as well as the species diversity requirements of the UDO. Staff approval of the Final Landscape Plan will be a condition of approval.

The Petitioner is requesting two variations from the Landscape Screening requirements for outdoor storage areas.

Variations from Section 11.07.B.3.b (Screening Requirements):

The UDO requires that landscaping shall be provided along the exterior perimeter of the required fence or wall consisting of evergreen and deciduous shrubs. If materials to be stored outdoors are in excess of eight feet (8') in height, then landscape screening shall be provided along the outside perimeter of the fence or wall, equal to or exceeding the height of the materials to be stored outdoors to provide 75% coverage along the perimeter of the storage area. Petitioner is specifically requesting that landscaping be allowed on the interior of the perimeter fencing on the east lot line only. The fence along this property line is an existing fence. The Petitioner is also requesting a variation from providing the required landscape screening along the south and west boundaries of the outdoor storage area. The Property has existing vegetation along the south and west sides where it abuts the Village's Crescent Lake detention area.

The Petitioner is providing an eight-foot (8') fence with slatting and a gate along the north side of the proposed outdoor storage area. An existing six-foot (6') fence along the east property line will be utilized to meet the fencing requirements; they will be adding slatting to meet the maximum 25% open requirement for the required solid fencing.

Variation from Section 11 .07.B.2.b (Screening Requirements):

Planner Ewoldt explained that the UDO requires that outdoor storage areas must be completely enclosed by a wall or fence. The Petitioner requests a waiver of the fencing requirements along the south and west boundaries of the outdoor storage area. The western paved area, not being utilized for outdoor storage has existing vegetation along the western property line and to the south is existing vegetation and abuts the Village's Crescent Lake detention area.

Planner Ewoldt noted that there were several conditions outlined in the Staff Report, that Staff recommends be included in the Commission's recommendation. Additionally, Staff would like to add a condition that the brick display area be removed due to the deterioration of all the brick display signs. This would

require the petitioner to restore the area and meet the UDO's perimeter parking landscaping requirements.

Chairman Hammond swore in petitioners.

Chairman Hammond then opened the hearing to the commissioners.

Chairman Hammond asked the Petitioner why they are requesting no fence to the south.

Mr. Hernandez, the Petitioner explained they may need to remove some trees if they put the fence in, however he is willing to add if the Commission desires.

Chairman Hammond asked if the fence would encroach on the truck parking. Mr. Hernandez stated it would not.

Commissioner McNeal-James stated she would also like more landscaping. She is not in favor of alternative surfaces and stated she needed more information before feeling comfortable voting on this.

Chairman Hammond asked about the outstanding engineering items and what The Village approve for the other truck terminals. Director Abt stated that Trans Lines had requested no landscaping on the train and Yellow Freight sides of the property, however they did propose a fence around the entire site. She added Central States Bus has similar alternate surface as part of their special use with the same conditions outlined in the Staff Report.

Mr. Hernandez responded that he will do whatever the Village requests of him. He noted his bank is requesting approval of the special use, he stated the other items can happen later and he will address.

Chairman Hammond asked if anyone had further questions. There were no further questions from the Commission.

Chairman Hammond said he appreciates the Petitioner's cooperation.

Chairman Hammond opened the hearing for public comment.

Sharon Catich of 2900 Tanner, North Aurora

Ms. Catich stated she owns the adjacent property at end of Commerce. She shared concerns of oil leaking into ground and wetlands. Asked about oil changes on site. She noted they like to have the windows open in their building however this use

raises concerns about noise, exhaust, dust having negative impact on their property. She noted that the Petitioner has additional properties in the area, one on Bohr Ave that has a mechanic shop, and trucks parked there and another on Aucutt Road which is a higher quality. Ms. Catich believes the buyer owns a concrete company and should be able to pave the area for a minimal cost rather than using gravel. She also expressed concerns about inadequate lighting which could cause security concerns for the area.

Dan Micek of 1731 Commerce ,

Mr. Micek owns property to the east side. Mr. Micek expressed his concerns about air quality and imperfect air intake. He manufactures sterile products and dust is a concern with the alternative surface. He stated his business had to pave property and believes the Petitioner should have to as well.

Doug Catich of 2900 Tanner, North Aurora

Mr. Catich stated the floor of their building is below subject property fence line. He also expressed concerns about the semi-trucks leaking next to the wetlands and floodplain.

Dan Belar - 1995 Greenfield A ve.

Stated he was the owner of Aurora Metals on Greenfield. he noted concern of no foliage in the winter months allowing the area to be seen. He also has additional concerns of the traffic turn over, how long will the trucks be parked and how often do they leave?

Chairman Hammond asked if there is anyone online, Director Abt said yes one.

Austin Rayfiel d-via Zoom

Mr. Rayfield stated he owns the adjoining property to the west. He has similar concerns as the others, including truck leakage into the wetlands and what the traffic impact will be with this use.

Chairman Hammond closed the public comment period and asked the Petitioner to respond to the questions.

Mr. Hernandez stated that he has a potential tenant that owns their own trucks, this would not be for individual truck storage. He stated he already has the equipment to maintain if spills occur on the gravel. He also stated that his property's impact on traffic will be much less than other truck terminals the Village has already approved.

The Commissioners asked about what would be stored in the trucks, what the hours of operation would be and if Mr.

Hernandez could address some of the security and lighting concerns. Chairman Hammond also asked if drivers would be sleeping on the property.

Mr. Hernandez stated that at this time he is not sure if any goods would be stored in the trucks and what the hours would be because he has not finalized a tenant yet, however he stated the hours would most likely not be fixed. He was also unsure if any drivers would be sleeping on the property. He did state that they are providing lighting in the outdoor storage area along with a gate and that there would be cameras on the site.

Planner Ewoldt and Director Abt read the Findings of Fact.

Findings of Fact: Special Use - Outdoor Storage with Alternative Surface

1. The proposed special use will not endanger the health, safety, comfort, convenience, and general welfare of the public.
The proposed truck terminal is located in an existing M-1 Light Industrial area and will not negatively affect the health, safety, comfort, convenience and general welfare of the surrounding properties.
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 truck terminal is located within the existing M-1 Light Industrial area and is compatible with adjacent commercial 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 the surrounding property. Most of the property within this M-1 zoned area is fully developed.
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 adequate utilities, roadway, access drive and drainage systems on the existing site. No improvements will be required for the access drive or storm sewer system.

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

The proposed special use is consistent with the intent of the Comprehensive Plan, this ordinance and other land use policies of the village.

Findings of fact: Variation Parking Design Standards

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

Petitioner: It is the Petitioner's opinion that the proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Staff Comments: Staff concurs with the Petitioner. The proposed variation will not have a negative impact on the public.

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

Petitioner: The variance will not affect the harmony and enjoyment of the existing lots in the neighborhood and will not impact the area around the existing detention pond to the south.

Staff Comments: It is staff's opinion that buildings and parking are compatible with the character of the adjacent industrial properties and will not negatively impact the adjacent properties. The Petitioner has stated that the area is designed to meet their business needs.

3. The proposed variation alleviates an undue hardship created by the literal enforcement of the UDO.

Petitioner: It is the Petitioner's opinion that the UDO creates an undue hardship or practical difficulty because smaller trucks do not require the spaces to be 12 ft. wide by 65 ft. long to accommodate them.

Staff Comments: Staff believes that the UDO requirement creates a practical difficulty. While the UDO allows for some compact parking spaces for vehicles, it does not afford similar flexibility to semi-trailer parking. Granting the requested variation would alleviate this hardship.

4. The proposed variation is necessary due to the unique physical attributes of the Property, which were not deliberately created by the Petitioner.

Petitioner: It is the Petitioner's opinion that the variation is necessary, and the condition was not created by the Petitioner. The existing location of the access drive and the existing infrastructure also impact the ability to locate semi-trailer parking spaces meeting the code requirements.

Staff Comments: Staff agrees the Petitioner has not deliberately created the need for the variation and that existing conditions impact the outdoor storage area/parking design.

5. The proposed variation represents the minimum deviation from the regulations of the UDO necessary to accomplish the desired improvement of the Property.

Petitioner: It is the Petitioner's belief that the variation represents the minimum deviation from the regulation of the UDO.

Staff Comments: Staff agrees with the Petitioner that this is the minimum deviation from the UDO. They are requesting relief for only nine (9) parking spaces.

6. The proposed variation is consistent with the intent of the Comprehensive Plan, the UDO, and the other land use policies of the Village.

Petitioner: It is the Petitioner's belief that the variation is consistent with the intent of the Comprehensive Plan and the UDO.

Staff Comments: It is staff's opinion the use and parking are consistent with the intent of the Comprehensive Plan and the general intent of the UDO.

Findings of fact: Variation Fence Screening

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

Petitioner: It is the Petitioner's opinion that the proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Staff Comments: Staff concurs with the Petitioner. The proposed variation will not have a negative impact on the public.

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

Petitioner: It is the Petitioner's opinion that the variation is compatible with the character of adjacent properties. The surrounding area is industrial.

Staff Comments: It is staff's opinion that the development is compatible with the with the character of the adjacent industrial properties and will not negatively impact the adjacent properties. The required landscaping is being provided along the eastern property line where the outdoor storage area directly abuts an adjacent business.

3. The proposed variation alleviates an undue hardship created by the literal enforcement of the UDO.

Petitioner: It is the Petitioner's opinion that the UDO creates an undue hardship or practical difficulty requiring fencing around the entirety of outdoor storage. The current south and west property lines have existing landscaping that provides screening.

Staff Comments: The intent of this section of the UDO is to provide for a higher quality development and provide screening from the right-of-way and between users while still providing for higher intensity industrial/manufacturing uses. Staff believes that the proposed variation would still meet the UDO's intent.

4. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Petitioner: It is the Petitioner's opinion that the existing site's landscaping, and fencing provide adequate screening. The outdoor storage area is 210 feet from the public ROW on Aucutt.

Staff Comments: Staff agrees the existing conditions on the Property, including existing vegetation and existing utilities, impact Petitioner's ability to meet the UDO requirements and were not deliberately created by the Petitioner.

5. The proposed variation represents the minimum deviation from the regulations of the UDO necessary to accomplish the desired improvement of the Property.

Petitioner: It is the Petitioner's belief that the variation represents the minimum deviation from the regulation of the UDO.

Staff Comments: The Petitioner is providing the required solid fencing on the northern and eastern side of the outdoor storage area to screen it from the public ROW and adjacent properties. Existing vegetation along the south and west property lines will provide screening for the outdoor storage area as well.

6. The proposed variation is consistent with the intent of the Comprehensive Plan, the UDO, and the other land use policies of the Village.

Petitioner: It is the Petitioner's belief that the variation is consistent with the intent of the Comprehensive Plan and the UDO.

Staff Comments: It is staff's opinion the use and fencing are consistent with the intent of the Comprehensive Plan and the general intent of the UDO. The existing vegetation provides some screening of the outdoor storage area.

Findings of fact: Variations Landscape Screening

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

Petitioner: It is the Petitioner's opinion that the proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Staff Comments: Staff concurs with the Petitioner. The proposed variations will not have a negative impact on the public.

2. The proposed variations are compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Petitioner: It is the Petitioner's opinion that the variations are compatible with the character of adjacent properties. The surrounding area is industrial.

Staff Comments: It is staff's opinion that the development is compatible with the with the character of the adjacent industrial properties and will not negatively impact the adjacent properties. The required perimeter landscaping is being provided along the north and east sides of the outdoor storage area. There is

existing vegetation along the south and west sides of the property that will provide adequate screening. While the landscaping on the east side will be inside the fencing, the fence is an existing condition, and the tree canopies will be visible above the fence providing the required additional screening for the trucks stored in the outdoor storage area.

3. The proposed variations alleviate an undue hardship created by the literal enforcement of the UDO.

Petitioner: It is the Petitioner's opinion that the UDO creates an undue hardship or practical difficulty requiring landscaping around the entirety of outdoor storage. The current south and west property lines have existing vegetation that provides screening.

Staff Comments: The intent of this section of the UDO is to provide for a higher quality development and provide screening from the right-of-way and between users while still providing for higher intensity industrial/manufacturing uses. Staff believes that the proposed variation would still meet the UDO's intent because the existing vegetation provides adequate screening along the west and south property lines. Additionally, the proposed landscaping along the eastern boundary while located inside the perimeter fencing will still meet the other landscape screening requirements. The required landscape screening from Aucutt Rd. is also being provided.

4. The proposed variations are necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Petitioner: It is the Petitioner's opinion that the existing vegetation provides enough screening and the existing fence location on the property line prohibits planting the required landscaping on the exterior of the fence.

Staff Comments: Staff agrees that the existing conditions on the site were not deliberately created by the Petitioner.

5. The proposed variations represent the minimum deviation from the regulations of the UDO necessary to accomplish the desired improvement of the Property.

Petitioner: It is the Petitioner's belief that the variations represent the minimum deviation from the regulation of the UDO.

Staff Comments: The Petitioner is providing landscaping on the northern and eastern sides of the outdoor storage area to screen it from the public ROW and adjacent businesses to the east. Existing landscaping along the south and west property lines provides screening of the outdoor storage area. The property to the south is a Village owned detention area and floodplain.

6. The proposed variations are consistent with the intent of the Comprehensive Plan, the UDO, and the other land use policies of the Village.

Petitioner: It is the Petitioner's belief that the variations are consistent with the intent of the Comprehensive Plan and the UDO.

Staff Comments: It is staff's opinion the outdoor storage use proposed by the Petitioner for the Property is consistent with the goals of the Comprehensive Plan and support the general intent of the UDO.

The Commissioners generally concurred with the findings of fact.

Chairman Hammond stated he would accept a motion on the special use for outdoor storage.

Motion: Motion was made by Commissioner Yakaitis to approve PZC 2022-009 Aucutt Truck Terminal Special Use Request for outdoor storage with an alternative surface 1975 Aucutt Rd. with the following conditions:

1. Removal of existing gravel and the Installation of crushed limestone aggregate that meets standard gradation of CA-1 or CA-7 on the entire site.
2. The outdoor storage area is restricted to the area shown and labeled on the site plan. Any additional outdoor storage would require a new special use.
3. Staff approval of the Final Landscape Plan prior to building permit approval that provides for the required landscape screening along the north and east property lines and the required parking lot perimeter parking lot landscaping.
4. Village Engineer Approval of Final Engineering prior to building permit approval.
5. Approval of the parking and screening variations.
6. The Village further conditions the special use for an alternative surface on the following standards:

- The Petitioner shall submit a revised detailed plan, which must include, at a minimum, the following information: type and weight of vehicles, items to be stored on the surface, average daily vehicle trips conducted on the surface, other operations conducted on the site and dust mitigation activities. This plan is subject to final approval by the Director of Community Development and/or the Village Engineer.
- Storage spaces or areas, drives and aisles shall be constructed of a minimum of 10 inches of material uniformly compacted and approved by the village Engineer. Specified material shall be approved by the Village Engineer. Additional material depth may be required based on the use of the site subject to Village Engineer approval.
- The Petitioner is required to engage in periodic dust control measures, including treating the alternative surface with calcium chloride on an as-needed basis. Petitioner's failure to maintain the site pursuant to this provision and/or to timely remediate any dust issues to the satisfaction of the Village shall constitute a violation of the special use.
- The Petitioner shall provide the Village an access easement over all areas utilizing an alternative surface pursuant to these provisions. In accordance with said easement, the Village will conduct periodic reviews of the site's dust control and perform any mitigation actions it deems necessary. Prior to engaging in site remediation, the Village will provide the Petitioner with written notice identifying the violation and the Petitioner will be afforded seventy-two (72) hours to resolve. To the extent that the Petitioner fails to adequately address said violation to the satisfaction of the Village, thereby requiring Village to remediate said nuisance, the Village will deduct all applicable funds from the Petitioner's deposit. The Petitioner will be required to replenish said deposit within fifteen (15) days of receiving notice so that the account remains its proper balance of \$5,00.00.
- The gravel/screenings shall be maintained to the satisfaction of the Director of the Community Development department or other designee of the Village

Administrator, including re-grading or restoration as needed due to traffic use, or storm related degradation.

7. Removal of the Brick Display Area due to the deterioration of all the brick display signs. This would require the applicant to restore the area and meet the UDO's perimeter parking landscaping requirements.

Commissioner Brzoska Seconded the motion.

Ayes: Yakaitis, Hammond, Brzoska, Yen and Bond.

Nays: McNeal - James

Abstain: None

Motion carried.

Chairman Hammond stated he would accept a motion on the parking variation.

Motion: Motion was made by Commissioner Yakaitis to approve PZC 2022-009 Aucutt Truck Terminal Variance Request for a variation from Section 10.04.A.3 (Parking Design Standards) 1975 Aucutt Rd. with the following conditions:

1. The nine (9) Semi-trailer parking spaces must not be smaller than 12 ft. wide by 45 ft. long.
2. The semi-tractor/trailer parking along the eastern property line must be setback at least 21 ft. from the east property line.
3. Staff approval of the Final Landscape Plan prior to building permit approval that provides for the required landscape screening along the north and east property lines and the required parking lot perimeter parking lot landscaping.
4. Village Engineer Approval of Final Engineering prior to building permit approval.

Commissioner Bond Seconded the motion.

Ayes: Yakaitis, Hammond, Brzoska, Yen and Bond.

Nays: McNeal - James

Abstain: None

Motion carried.

Chairman Hammond stated he would accept a motion on the fence screening variation.

Motion: Motion was made by Commissioner Yakaitis to approve PZC 2022-009 Aucutt Truck Terminal Variance Request for a variation from Section 11.07.B.2.b (Fence Screening) 1975 Aucutt Rd. with the following conditions:

6. The nine (9) Semi-trailer parking spaces must not be smaller than 12 ft. wide by 45 ft. long.

7. The semi-tractor/trailer parking along the eastern property line must be setback at least 21 ft. from the east property line.
8. Staff approval of the Final Landscape Plan prior to building permit approval that provides for the required landscape screening along the north and east property lines and the required parking lot perimeter parking lot landscaping.
9. Village Engineer Approval of Final Engineering prior to building permit approval.

Commissioner Brzoska Seconded the motion.

Ayes: None.

Nays: Yakaitis, Hammond, Brzoska, McNeal - James, Yen and Bond

Abstain: None

Motion failed.

Chairman Hammond asked for a motion on the landscape screening variances.

Motion: Motion was made by Commissioner Yakaitis to approve PZC 2022-009 Aucutt Truck Terminal Variance Request for a variations from Section 11.07.B.3.b (Fence Screening) 1975 Aucutt Rd. with the following conditions:

1. The nine (9) Semi-trailer parking spaces must not be smaller than 12 ft. wide by 45 ft. long.
2. The semi-tractor/trailer parking along the eastern property line must be setback at least 21 ft. from the east property line.
3. Staff approval of the Final Landscape Plan prior to building permit approval that provides for the required landscape screening along the north and east property lines and the required parking lot perimeter parking lot landscaping.
4. Village Engineer Approval of Final Engineering prior to building permit approval.

Commissioner Bond Seconded the motion.

Ayes: Yakaitis, Hammond, Brzoska, Yen and Bond

Nays: McNeal - James

Abstain: None

Motion carried.

- VII. Community Development Update/New Business
Director Abt stated Village Board approved the liquor license for Gas N Wash and they hope to be opening by the end of July. She added the Carwash was approved and moving forward. She added TransLines is also moving forward.
- VIII. Next Meeting: August 4, 2022 , Director Abt stated that there are no applications pending so there may not be a meeting.

IX. Adjournment: With no further business, Chairman Hammond adjourned the meeting at 8:34 PM.

Respectfully Submitted,

Jill Hoover
Secretary