

**Planning and Development Committee
Meeting Minutes for September 7, 2017**

Members Present:

Brad Maxwell, Chairman
Nick Petrillo
Larry Trucano
David Michael
Phillip Chapman
Ray Wesley
Mick Madison
Robert Pollard

Members Absent:

None.

Others Present:

Matt Brandmeyer	Kevin Kahrig
Andi Yancey	Clay Iberg
Breana Lamb	Kevin Franko
Chris Doucleff	Bryan Bauer
Kim Petzing	Eddie Lee

Call of Meeting to Order and Roll Call:

Chairman Brad Maxwell called the regular meeting of the Planning and Development Committee to order at 5:00 p.m. and conducted roll call.

Approval of Minutes:

Mr. Wesley made a motion to approve the minutes from July 6, 2017. Seconded by Mr. Chapman. Voice vote. All ayes. Motion approved.

Zoning Petitions and Subdivision Overview:

Mrs. Yancey discussed Z17-0040, petition of Kevin Kahrig, applicant, on behalf of Rick Kahrig, owner of record, requesting a zoning map amendment to rezone a 2.5-acre tract of land from "R-1" Single-Family Residential District to "B-4" Wholesale Business District in order to operate an office building and storage facility on site. Mrs. Yancey stated that the zoning hearing was well attended by adjacent and nearby property owners who spoke in opposition to the request. Mrs. Yancey said that an opposition petition was signed by 12 people from the area was submitted for the record. Mrs. Yancey stated that most of the concerns were about stormwater and traffic issues. The ZBA unanimously recommended denial.

Mrs. Yancey introduced Z17-0041, petition of Bryan Bauer, owner of record, requesting a zoning map amendment in order to rezone a 1-acre tract of land from "R-3" Single-Family Residential District to "B-4" Wholesale Business District in order to operate a storage facility on site. Also, a variance in order to locate a structure 5 feet from the rear property line instead of the required 20 feet. Mrs. Yancey said the applicant intends to use the facility to house RV's, boats, and other items. Mrs. Yancey stated that Eddie Lee, the Township Supervisor, and the adjoining property owner came to the hearing in support of the request. Mrs. Yancey stated the County Board representative, Art Asadorian, called her about the request stating that he had received a couple phone calls from people speaking in opposition to the petition and that he was not in favor of the request. The ZBA unanimously recommended approval.

Mr. Madison asked if the adjoining property owner was the complainant and Mrs. Yancey stated that it was not but she did not know who was complaining. Mr. Wesley asked if Mr. Asadorian said what the objection was and Mrs. Yancey stated that there were concerns about zoning it from residential to commercial and that there had been property maintenance issues on Mr. Bauer's property across the road from the subject property in the past but there

has not been a violation on the property since 2003. Mrs. Yancey stated that when ZBA was on site the property was in good condition. Mr. Maxwell asked if it was the same person who owned the property when there were zoning violations and Mrs. Yancey stated that it was.

Mr. Chapman asked if the building was built whether there are rules on how the property has to be maintained and Mr. Brandmeyer and Mrs. Yancey stated that was correct.

Mr. Madison discussed Z17-0040 and said that Indian Hills is a residential lane and that there are a lot of businesses on 143. Mr. Madison said that there will always be traffic going by Indian Hills and he does not see how it affects the neighbors with people going to the subject property on the corner. Mr. Madison asked if the lots are buildable and Mrs. Yancey said that is part of the issue, that the lots have development challenges that the owner would have to work through. Mrs. Yancey stated that the applicant had stated the potential for building a single-family dwelling on the adjoining parcel. Mr. Madison asked if Indian Hills is a township maintained road and Mr. Brandmeyer stated that if the road is developed it would have to have a concrete apron but as far as the operation of the road, if they were to change it, it would be to widen the road. Mr. Madison stated that he understood the property owners in opposition but that there is a buffer lot between the business and the neighborhood and these types of roads have commercial properties off of them and he does not understand the opposition.

Mr. Wesley asked about the second entrance to the subject property off of 143 and Mrs. Yancey stated that at this time two entrances are being proposed but the proposed entrances will not work based on her conversations with IDOT and the township because it does not meet their separation distances and IDOT has a robust review process and they would require a full hydrologic study and stormwater runoff. Mr. Brandmeyer stated that it is very unlikely that they would get a curb cut off of 143 and the township would not have a choice but to give them access but there are still spacing issues. Mr. Brandmeyer said that the entrance is right by an intersection and would have to be pushed back further down the property away from the intersection. Mr. Wesley stated that if the committee were to vote on it, that they would not be voting on the correct site plan. Mr. Brandmeyer stated that what committee is voting on is the rezoning and the suitability of the business in the area. Mr. Brandmeyer stated that the developer would need to provide accurate plans as they work through the permit process. He said at this stage a conceptual plan is provided, but it should reflect reality.

Mr. Chapman stated objections and issues that had previously been stated. Mr. Brandmeyer stated that the committee could see a better stormwater plan because it is a confluence of two drainage points. Mr. Brandmeyer stated that it could be sketched out but it does not need to be a full engineered plan as most developers do not want to do engineered plans and spend the money on that without knowing if it would be approved but there should be a greater level of what should be provided to review.

Mr. Madison said that because the neighbors decided that they do not want the development, he is not sure they have a dog in that fight because he thinks that the commercial properties have been established in the area. Mr. Madison does not think that adjoining property owners can have more power over the property than the property owner.

Mrs. Yancey introduced Z17-0037, petition of William Hanfelder, owner of record, requesting a zoning map amendment to rezone a 1-acre tract of land from "A" Agriculture District to "B-1" Limited Business District in order to operate a bakery/restaurant space and retail sales operation on site. Mrs. Yancey said that there were not any attendees on site and the ZBA recommended approval. Mrs. Yancey said Mr. Hanfelder is concurrently requesting a subdivision to subdivide the 1 acre with the existing accessory structure from the larger agriculture tract. Mrs. Yancey said that the subdivision request meets all of Madison County's requirements. Mrs. Yancey stated that there is a condition attached to the resolution and that is prior to recording the subdivision plat, it shall be reviewed and approved by the Village of Pontoon Beach. Mr. Brandmeyer stated that the zoning does not go in effect until the subdivision is approved.

Mrs. Yancey discussed Z17-0039, petition of Clay Iberg, owner of record, requesting a zoning map amendment to rezone a 5-acre tract of land from "R-1" Single-Family Residential District and "A" Agricultural District to "B-1" Limited Business District in order to operate sporting goods store for firearms sales. Also, a special use permit in order to continue utilizing the existing dwelling on site. Mrs. Yancey stated that two attendees spoke in favor of the request and one spoke in opposition and ZBA recommended approval.

Citizens Wishing to Address the Committee:

Kevin Kahrig spoke in regard to Z17-0040. Mr. Kahrig stated that behind the subject property is where he intends to build a new-single family dwelling for his family that will exceed the value of any of the homes on Indian Hills Road. Mr. Kahrig said that the neighbors failed to mention that there is a dog grooming and boarding company in that neighborhood, therefore there are businesses in the neighborhood. Mr. Kahrig said that the drainage is not going to be fixed unless he addresses it with the development and that the drainage ditch is overgrown and needs to be maintained. Mr. Kahrig stated that he would not be building a \$400,000 house in that area if he did not think he was going to be bringing value to the area. Mr. Kahrig stated that he did not have a better plan to provide because he did not know that he should have had one for the committee.

Mr. Maxwell asked Mr. Kahrig what he is proposing if it is not storage units and Mr. Kahrig said he is proposing the office building. Mr. Kahrig stated that he is proposing to plant trees to buffer the commercial building. Mr. Wesley asked what is going to be ran out of the office building and Mr. Kahrig stated he plans on directing it to law offices since it is close to the Madison County courthouse. Mr. Kahrig said he would like to get 10 offices in there. Mr. Wesley asked what he has planned for the water issues. Mr. Kahrig stated that property was left abandoned which is part of the water issues because the water cannot go anywhere. Mr. Kahrig stated that he would create a trench or a retention area if needed. Mr. Brandmeyer stated that with an engineered plan and going through the building process, that there would not be any stormwater issues.

Mr. Maxwell asked if he does not plan to put in storage units, then why rezone the property to B-4 instead of B-2 because going from "R-1" to "B-4" is a big leap. Mr. Maxwell stated that when it goes to B-4 then it proposes the possibility to have a lot more permitted uses on the parcel. Mr. Maxwell stated that B-2 would be a more accommodating use for the office buildings instead of B-4 and asked if it was a possibility to rezone to B-2. Mr. Kahrig said he would be fine to rezone to B-2.

Eddie Lee spoke in regard to Z17-0041. Mr. Lee stated that he is the supervisor of Choteau Township and he wanted to show his support for Bryan on the project. Mr. Lee stated that the piece of property had been a trouble location for quite some time for the township as it was overgrown and had a lot of trash. Mr. Lee said the property is a lot better than what it was after Bryan cleaned it up. Mr. Lee also stated that he solved some of the drainage problems on the parcel that the township had been dealing with.

Unfinished Business:

None.

New Business:

Mr. Chapman made a motion to postpone Z17-0040, petition of Kevin Kahrig, applicant, on behalf of Rick Kahrig, owner of record, requesting a zoning map amendment to rezone a 2.5-acre tract of land from "R-1" Single-Family Residential District to "B-4" Wholesale Business District in order to operate an office building and storage facility on site until the next month's meeting until there are more precise plans. Seconded by Mr. Petrillo. Voice vote. All ayes. Motion approved.

Mr. Petrillo asked about the opposition that Art Asadorian called Mrs. Yancey about and what they were wanting to put in the storage facility and if there was any opposition. Mrs. Yancey stated that there was not any opposition at the hearing and that the adjoining property owner was in favor of the request. Mrs. Yancey stated that Art Asadorian had been in contact with Charles McCoy and that Mr. Asadorian was not in support of any variance.

Mr. Michael made a motion to approve Z17-0041, petition of Bryan Bauer, owner of record, requesting a zoning map amendment in order to rezone a 1-acre tract of land from "R-3" Single-Family Residential District to "B-4" Wholesale Business District in order to operate a storage facility on site. Seconded by Mr. Madison. Voice vote. All ayes. Motion approved.

Mr. Petrillo asked if they were going to use the existing building for the new bakery and Mrs. Yancey stated that they are going to use the existing building and they are proposing an addition on to it.

Mr. Trucano made a motion to approve Z17-0037, petition of William Hanfelder, owner of record, requesting a zoning map amendment to rezone a 1-acre tract of land from "A" Agriculture District to "B-1" Limited Business District in order to operate a bakery/restaurant space and retail sales operation on site. Seconded by Mr. Madison. Voice vote. All ayes. Motion approved.

Mr. Petrillo asked if there was any opposition to the request and Mrs. Yancey said there was one person voicing opposition and they were concerned that there would be an increase in shooting on site and the applicant stated that members of the public are not invited to shoot on the property. The applicants other stated concern was operating a business in a residential area. Mr. Petrillo asked if he is only wanting to sell firearms and not operating a shooting range and Mrs. Yancey stated that was the case. The committee discussed shooting firearms on personal property.

Mr. Chapman made a motion to approve Z17-0039, petition of Clay Iberg, owner of record, requesting a zoning map amendment to rezone a 5-acre tract of land from "R-1" Single-Family Residential District and "A" Agricultural District to "B-1" Limited Business District in order to operate sporting goods store for firearms sales. Also, a special use permit in order to continue utilizing the existing dwelling on site. Seconded by Mr. Michael. Voice vote. All ayes. Motion approved.

Mr. Maxwell stated that Z17-0038 has been withdrawn.

Mr. Madison made a motion to approve Hanfelder Subdivision. Seconded by Mr. Wesley. Voice vote. All ayes. Motion approved.

Mr. Chapman made a motion to approve a Resolution Authorizing the Demolition of Unsafe Buildings and Structures – 119 Kinder Lane & 5120 Lakeview Drive. Seconded by Mr. Petrillo. Voice vote. All ayes. Motion approved.

Ms. Petzing said that the end of the fiscal year is getting closer and there is some leftover grant money to fund the local municipalities and those that were not granted money in the first round were provided funds for their projects. Mr. Brandmeyer stated this all but two applicants who applied for grant money will be funded.

Mr. Michael asked the total every year for grants. Mr. Brandmeyer stated that the initial amount is \$150,000 but if there is savings towards the end of the fiscal year then the money is used to fund the other projects.

Mr. Michael made a motion to approve the Resolution for Supplemental Environmental Grants FY 2017. Seconded by Mr. Chapman. Roll call vote. All ayes. Motion approved.

Mr. Madison made a motion to approve the Purchase Order Report. Seconded by Mr. Chapman. Roll call vote. All ayes. Motion approved.

Administrator's Report:

None.

Adjournment:

Mr. Madison made a motion to adjourn the meeting. Seconded by Mr. Chapman. Voice vote. All ayes. Motion approved. Meeting adjourned.