

**CHANNAHON VILLAGE BOARD
COMMITTEE MEETING
APRIL 16, 2007**

Village President Joe Cook called the meeting to order at 6:00 p.m. with Trustees Nash, Militello, McMillin, Lyons and Greco present. Trustee Davidson entered at 6:50 p.m.

Also present were Village Administrator Jamie Bowden, Village Attorney David Silverman, Finance Director Robert Guess, Chief of Police Steve Admonis, Director of Public Works Ed Dolezal, Director of Community Development Mike McMahon and Deputy Village Clerk Leti Anselme.

VILLAGE PRESIDENT

A Request for a Variance for the First Baptist Church

Village President Joe Cook received a letter from Pastor Randy Blan from First Baptist Church in regards to an oversight on their sign. Village President Cook stated that the church put up a sign. The church should have come in and spoke with staff to obtain permit for their temporary construction sign. They measured the sign that is on Route 6 and Navajo Drive, which is the Town Center sign, and had a sign built the same size. Village President Cook stated that the church was pressured to get the sign up.

He continued to say that the First Baptist Church is coming to the Village Board for approval of the signage that has been put up. The variance is due to that the sign size is not in compliance. He stated that it go before the Board for approval because the church has invested money into this sign and it would be a lost to them.

Village President Cook stated that he suggested to Pastor Blan to have someone on board as a general contractor. Trustee Scott McMillin stated that someone should be on site that would call here to the Village Hall to verify if something is or is not allowed, before proceeding with it.

Trustee Lyons stated that since the Town Center sign was part of the annexation agreement, could there be a way to tag the sign. Director of Community Development Mike McMahon stated that the sign company who put the sign up for the Town Center was the same company that put it up for the First Baptist Church. The sign company was aware of it.

Village President Cook stated that there was a lack of communication with First Baptist Church. They should have come to the Village first and obtain the permit before putting up the sign.

Trustee Sam Greco stated that he did speak with Pastor Blan and informed him to keep the communication open. He stated that a lot of the people that are doing the work are from the church.

COMMUNITY DEVELOPMENT DEPARTMENT

First Baptist Church – Pavilion Building Material

Director of Community Development Mike McMahon stated that on June 26, 2006, the Planning and Zoning Commission and the Village Board approved the First Baptist Church Site Plan.

During concept plan review, the materials identified for the pavilion were brick veneer and EIFS material, a.k.a. synthetic stucco, with metal roofing.

Pastor Blan of the First Baptist Church is requesting to use a cedar bevel siding on the Pavilion instead of the approved brick veneer and EIFS material and asphalt shingles instead of the metal roofing. Staff feels this is an upgrade to a more natural and aesthetic look for the Pavilion, which is located between the two baseball diamonds.

Staff recommends the Village Board of Trustees approve the request to utilize a cedar bevel siding and asphalt shingles replacing the materials previously approved.

River of Life Concept Review and Special Use Request

River of Life is proposing to build a new church on Minooka/Ford Rd on a 5 acre parcel that sits east of Three Rivers School and north of Lake Shakakana. The property directly abuts a cemetery that lies to the south as seen on the aerials of the River of Life booklet. The subject property is currently zoned R-1 and the applicant will require a special use permit to construct a church in this zoning district.

The proposed church is approximately 6000 sq. ft. and is located at the southern portion of the parcel abutting the cemetery. A buffer of 150 feet exists between the church and its northern lot line and 120 feet from the eastern lot line. This placement of the site will help shield many of the abutting residential properties from any light or noise nuisance.

Building materials will be brick, stone and EIFS material. The applicant has requested that a metal siding be used on the north elevation of the church for future expansion. Staff is agreeable with this request; however, the material must match the dominant color of the church and heavy landscape screening must be provided.

A Church is considered a permissible use in an R-1 district with a Special Use Permit and the institutional use would remain consistent with Three Rivers School neighboring the site. The applicant is also proposing to have a day care for the members of the church, which will be decided at a later date.

On April 9, 2007, the Planning and Zoning Commission held a public hearing for the River of Life's request of a Special Use Permit. The Commission recommended approval of the Special Use Permit, conditioned on Site Plan approval.

The applicant is requesting the Village Board of Trustees approve the Special Use Permit allowing River of Life to construct a church in an R-1 District, conditioned on Site Plan approval.

Wayne Wright, who is the Project Manager, was present with some materials for the building and any questions the Village Board may have. Trustee Greco asked when they were going to be breaking ground. Mr. Wright stated as soon as possible.

Rezoning and Development Agreement of 25850 W. Eames Street

McMahon stated that this is basically the second read from the last meeting. Mike McMillin requests a rezoning of his property at 25850 Eames Street from R-2 Single Family Residential to C-3 General Business District. Mike McMillin is looking for approval tonight for two actions the ordinance to execute the development agreement and rezoning from R-2 to C-3.

Village Administrator Jamie Bowden stated that there was a Public Hearing at the March meeting with Planning and Zoning Commission (PZC). He stated that there have been discussions with Trustee Nash, Village Attorney Silverman and McMahon in regards to the Development Agreement.

Trustee Nash stated that there are a number of issues that are still outstanding and causing confusion. She appreciated that the Village Board letting her research the past two weeks. She felt that this rezoning was getting passed on too quickly. When something with zoning is affecting property owners, it is something we need to give a lot of credence to. When she spoke with the PZC, they informed her that the Development Agreement was not discussed, it was more about the straight C-3 zoning. Bowden and McMahon stated that the Development Agreement was read. Trustee Nash wanted to know if it was just read, or was it read and discussed.

Trustee Nash also stated that one of the provisions was to prevent a drive-through. Is staff saying that it is allowed now? McMahon stated that if a drive-through is requested they will need to come before the PZC and then the Village Board. A concern that the PZC had was the traffic that would be created with a drive-through.

Trustee Nash continued with in comparing the Development Agreement to C-1 Zoning and then looking at the language of C-1 Zoning, it is clear that if you look at the purpose of C-1 Zoning, this small piece of property is more contusive to a C-1 Zoning oppose to a C-3 Zoning. C-1 and C-7 should be fine.

Bowden stated that Developer's Agreement was suggested in discussion with the Village President Cook to give the petitioner some latitude.

Village President Cook stated that this came about when Mike McMillin came to staff and asked for a C-3 Zoning. He asked him if we could remove some of the intensive uses from the C-3. It wasn't staff or his request for the C-3, it was Mike McMillin. He told him the only way he could support it is if it didn't have the intensive uses. Also under the C-3, he could have had a drive-through without a Special Use Permit for anything other than a bank, Village President Cook felt that was too much latitude for the parcel that is in question.

Trustee Nash stated that working with the petitioner is great, but it is a lot of work for the Board and the Village President. The PZC clearly voted against this. The message she received from staff at the last meeting is that this was a staff recommendation, but then when talking to staff, this was indeed not a staff recommendation. What troubles her the most is there is a difference in saying we recommend this and here it is.

Bowden stated that staff feels comfortable with the commercial zoning. He doesn't feel that the PZC would have approved it if it were a C-1, C-2, or C-3 with a Developer's Agreement, it would have been voted down.

Trustee Nash stated that was not the message she got from the PZC. Trustee Nash stated that the Village Board needs to respect what PZC says. It troubles her a great deal with the mixed messages she is receiving from staff. Her opinion is that her vote will be no. She would be more comfortable with supporting this with a C-1 or C-7 Zoning and when she talked to a member from the PZC, that person felt better with the C-1 or C-7, because of the traffic issues specifically. PZC did not feel comfortable doing anything with more commercial development on that stretch of road, she has to respect what PZC have to say.

Mike McMillin stated that 11.8 acres which is adjacent to his property is zoned C-3, which was voted yes by Trustee Nash on March 6, 2003. There is a street dividing that property, there is also 14 residential duplexes that bud up against that property. Mike McMillin and staff worked for the past five months to put this Development Agreement, and he hopes it helps him sell the property.

Mike McMillin presented Mike Fleming, who is with Marquette Properties to sell the piece of property. Mr. Fleming stated that this piece of property is well suited for the C-3 Development Agreement. He stated that the property that immediately adjoins it to the west, when it was voted on, was not 50' west it was to his fence line, less than 30' of his driveway. Mike McMillin is now dealing with a traffic count that is making a turn across his driveway into this new street Shady Glen.

Mr. Fleming continued with putting the property as a C-1 or C-2 Zoning would be wrong, it would be a disadvantage in the market place. It would not be seen by the buyers looking for Route 6 road frontage. This property could generate good sales tax dollars for the community and the schools.

Mr. Fleming stated since the property has adjacent was zoned C-3, Mike McMillin's driveway is dangerous and unsafe for residential use for his family. Mike McMillin just wants it to become a marketable property for commercial use, not residential use because today a young family is not going to want to live on that property.

Trustee Nash asked if Mike McMillin or Mr. Fleming have tried to sell it as a residential property. Mr. Fleming stated that it was listed as commercial potential. Trustee Nash asked why the property is being advertised as commercial and it is not zoned as commercial yet. Mr. Fleming stated that the sign stated potential, Trustee Nash stated that it does not state potential.

Trustee Lyons asked Village Attorney Silverman how does the Development Agreement protect the Village. Can anyone take that piece of property and put up a drive-through since they would be a C-3 Zoning? How can we prevent that, is this Development Agreement good in court? Village Attorney Silverman stated that it could be used in court, if that were the case.

Bowden stated that when the PZC had the public hearing about 30 residents came. There was a discussion to not accept the decision as proposed because of the traffic and that it should stay residential. Village President Cook stated that the Board and staff should work with the homeowners. The next step if a user does come forward is the site plan review process.

Trustee Nash stated that she has no problem with this property becoming a commercial, but does not feel the C-3 Zoning is appropriate with or without a Development Agreement. She feels it is too risky and would be comfortable with the C-1 or C-7, which was PZC decision.

Trustee Nash asked who initiated the Development Agreement. Village President Cook stated that he suggested it. Trustee Nash stated that staff recommends or staff does not recommend. She stated that it should be policy that first reads not be waived on any Development Agreements.

Carl Ullina, 25900 Timber Ridge Drive, was present at the PZC during the public hearing. He stated that he would like to see a professional office for that property. He would like to know what might possibly become of the property.

Village President Cook stated that there is a process to follow before anything can be put on that property. There needs to be an approval for the site plan and etc.

Mr. Ullina is just concerned and would like to be kept informed of anything that would be happening with that piece of property. Village President Cook stated that the residents will be kept up to date with what is going on with this situation.

Adopt Official Zoning Map

McMahon stated that in accordance with Illinois State Statutes, the Village is required to annually adopt the Village's Official Zoning Map. A copy of the revised Zoning Map is attached. Some of the zoning map amendments include:

- Whispering Oaks rezoning from R-1 to R-3 and resubdivision
- North Hansel Estates Annexation
- Henneberry Farms Resubdivision
- Ritter Commercial P.U.D.
- Barr Vavv Annexation Agreement amendment-Ravines of Channahon

On April 9, 2007, the Planning and Zoning Commission held a public hearing to adopt the Official Zoning Map. The Commission recommended approval of the Ordinance.

Brownstone Housing – Town Center

McMahon stated that when the amended annexation agreement was approved for the Town Center Development there was no specific language in the design guidelines for Brownstones, however the master plan that was approved in 2005, included Brownstones and use.

This is more informational for the Village Board.

FINANCE DEPARTMENT

Consideration of accepting Blue Cross/Blue Shield Hospitalization and MetLife Dental Rates for FY 07-08

Finance Director Bob Guess stated that the budget process for FY 07-08 showed the impact of the medical hospitalization and dental rates on the total budget and the Village Board was supplied with the rate increases. We are therefore asking for formal approval of the rates as submitted by Blue Cross/Blue Shield and MetLife.

POLICE DEPARTMENT

No Formal Items for Discussion.

PUBLIC WORKS DEPARTMENT

Approval to Advertise and Hire Summer Help

Director of Public Works Ed Dolezal is requesting that the Village Board to ask for approval for two hires to come in for summer help, it will be for 13 weeks. He is also asking that the Village Administrator to make the approval of the summer hires.

A Resolution Authorizing Acceptance of a Storm Water Drainage Easement for 26457 and 26461 Stonebriar Way

Dolezal stated that these resolutions would accept easement on two adjacent lots. When reviewing the engineering for North Hansel Estates it was determined that the existing easements, which are typically 7.5' wide on each lot to make it a 15' easement, the downstream pond overflow was not sufficient. The developer went to each property owner to secure an additional 2.5' from each owner making it 20' wide easement.

If we accept the easements the plans become compliant and they will be recorded.

ADMINISTRATION

No Formal Items for Discussion.

Minutes Submitted by
Leticia Anselme
Deputy Village Clerk