

PLANNING & ZONING COMMISSION MINUTES

March 8, 2021

6:00 p.m.

Meeting provided in-person and via Google Meets.

Channahon Municipal Center (Board Room)

24555 S. Navajo Dr.

Channahon, IL 60410

1. Call to Order

Meeting called to order at 6:01 p.m.

2. Pledge of Allegiance

3. Roll Call

Commissioners Gray, Pershey, Madding, Sullivan, and Chairman Ciarlette present. Commissioners McCollom and Warren absent.

Other present – Mike Petrick, Director of Community Development and Karen James, Planner

4. Approval of Minutes – February 8, 2021

Motion to approve the minutes of the February 8, 2021 meeting of the Planning and Zoning Commission made by Commissioner Sullivan. Seconded by Commissioner Madding. All Ayes, Motion Carried.

5. Public Hearing – Application for a Rezoning from R-1 Single Family Residence District to RE-1 Rural Estate Single Family Residence District, with a variance to reduce the side yard setback to accessory structures on the properties noted: 26655 S McKinley Woods Road; 26726 S McKinley Woods Road, variance sought; 26745 S McKinley Woods Road; 26765 S McKinley Woods Road; 26819 S McKinley Woods Road, variance sought; 26839 S McKinley Woods Road, variance sought; 26849 S McKinley Woods Road, variance sought; 26859 S McKinley Woods Road, variance sought; 26935 S McKinley Woods Road; 26963 S McKinley Woods Road; 27019 S McKinley Woods Road; 27035 S McKinley Woods Road; 27055 S McKinley Woods Road, variance sought; and Outlot A – Between 26963 & 27019 S McKinley Woods Road filed by Village of Channahon.

Motion to open the public hearing made by Commissioner Pershey. Seconded by Commissioner Sullivan. All Ayes, Motion Carried.

Karen James presented the staff report and read the list of properties included in the proposed zoning change and which needed variances for existing accessory structure.

Mike Petrick provided background regarding similarities to prior rezonings to R-2 and history of the Zoning Ordinance R-1 detached garage amendment and how many were constructed before that amendment. The RE-1 zoning change would bring the existing detached garages into compliance with zoning regulations.

Chairman Ciarlette asked if the variances would allow for rebuilding a detached garage without Commission approval and confirmed that any new structures would comply with the RE-1 standards.

Chris Biesack, resident at 26935 S. McKinley Woods Road, expressed concern for an accessory structure being built in the rear yard at the maximum allowable size and blocking the view of neighbors, concern for both the size and location of any future structures.

Ciarlette asked what would be the answer to Mr. Biesack's concern. James replied that a text amendment of the RE-1 zoning district to reduce the allowable size would be needed as the zoning district has already been created and it couldn't be done on a case-by-case basis. James explained that if someone already has a structure it would eat away at the amount of square footage they could have for a new structure.

Gray inquired about the allowable maximum height of an accessory structure. James answered no taller than the height of the principal structure and the maximum height of the dwelling is 35'.

Kevin Canaday, resident at 27019 S McKinley Woods Road, stated he had a 36' by 40' building built in 1989. He asked whether he would need a variance for it. James replied that the current structure would not need a variance with a RE-1 zoning. Petrick clarified that it was built in conformance in '89 and zoning ordinance changed and it is not in conformance today, something happened to the building it would not be able to be rebuilt. As it stands right now it is not a variable regulation if the zoning stayed R-1. If the RE-1 is approved, a variance would not be needed.

Kevin Canaday asked if there was an extra tax with RE-1 as opposed to R-1. Petrick stated that there should not be, but the village does not control property values, the Assessor's office does that. Typically, taxes are based on the use of the property not the zoning. If extra buildings are put on the property, the value would go up and the taxes presumably go up. Canaday also asked if this is the first of this zoning. Petrick answered that this would be the first change to RE-1 and the next item on the agenda would be another new district.

Mike Dauzvardis, resident at 26638 S McKinley Woods Road, asked what the difference between the A-2 and A-1 districts. James stated that the A-1 district is true agricultural district with 10 acres minimum and has no limitation on accessory structures and animals. The A-2 is the rural residence district with 5 acres minimum. They can have some animals based on the proportionate size of their land and still has restrictions on accessory structures with regard to setbacks from the property lines and how much they can have. It is a transition from the residential areas to farming. Petrick pointed to the online zoning ordinance for complete details.

Ciarlette asked if there were any comments from the Commission.

Sullivan stated that looking at the aerial there were some pretty good-sized pole barns on the properties already. Not sure why someone would want to build a 35' pole barn but rather build a decent size shop or garage.

Biesack provided information regarding some of the existing large accessory structures and when they were built, which was all before the ordinance changed. New residents on the street want accessory structures. He restated that he has concern for the view with new structures.

Canaday inquired again as to whether he needed to apply for a variance. James states that if the RE-1 zoning was approved, his structure would be permitted and it didn't need a side yard setback variance.

Ciarlette called for any comment from online.

Canaday asked who owned the Outlot if it wasn't the Forrest Preserve District. James answered that as far as staff could tell it was the original developer/land owner. Petrick provided background on the plan for a road to extend to the east on the Outlot to provide access to the land in back. Since the District purchased the property to the east, the road wasn't needed for future development.

Motion to close the public hearing made by Commissioner Gray. Seconded by Commissioner Madding. All Ayes, Motion Carried.

6. Review and Recommendation - Zoning Change from R-1 District to RE-1 District, with a variance to reduce the side yard setback to accessory structures on the properties noted: 26655 S McKinley Woods Road; 26726 S McKinley Woods Road, variance sought; 26745 S McKinley Woods Road; 26765 S McKinley Woods Road; 26819 S McKinley Woods Road, variance sought; 26839 S McKinley Woods Road, variance sought; 26849 S McKinley Woods Road, variance sought; 26859 S McKinley Woods Road, variance sought; 26935 S McKinley Woods Road; 26963 S McKinley Woods Road; 27019 S McKinley Woods Road; 27035 S McKinley Woods Road; 27055 S McKinley Woods Road, variance sought; and Outlot A – Between 26963 & 27019 S McKinley Woods Road filed by Village of Channahon.

Motion to recommend the Rezoning to RE-1 by Commissioner Gray. Seconded by Commissioner Pershey. Gray, madding, Pershey Ayes, Sullivan Nay, Motion Carried.

Motion to approve Variances to reduce side yard setback for existing accessory structures as listed in the staff report and agenda subject to approval by the Village Board of the Rezoning to RE-1 by Madding. Second by Gray. All Ayes, Motion Carried.

7. Public Hearing – Application for a Rezoning from R-1 and R-2 Single Family Residence Districts to RE-2 Estate Single Family Residence District, with a variance to reduce the side yard setback to accessory structures on the properties noted: 23110 S Terrapin Court, variance sought; 23128 S Terrapin Court; 23146 S Terrapin Court, 23204 S Terrapin Court; 23226 S Terrapin Court filed by Village of Channahon.

Motion to open the public hearing made by Commissioner Gray. Seconded by Commissioner Sullivan. All Ayes, Motion Carried.

Karen James presented the staff report and read the list of properties included in the proposed zoning change making note of 23110 S terrapin Court needing a variance in south side yard setback for the dwelling.

No public in the room or online provided comment. No further comment or direction provided by the Commission.

Motion to close the public hearing made by Commissioner Pershey. Seconded by Commissioner Sullivan. All Ayes, Motion Carried.

- 8. Review and Recommendation** - Zoning Change from R-1 and R-2 Districts to RE-2 District with a Variance to reduce the side yard setback to accessory structures as noted: 23110 S Terrapin Court, variance sought; 23128 S Terrapin Court; 23146 S Terrapin Court, 23204 S Terrapin Court; 23226 S Terrapin Court filed by Village of Channahon.

Motion to recommend the Rezoning to RE-2 by Commissioner Gray. Seconded by Commissioner Pershey. All Ayes, Motion Carried.

Motion to approve Variances to reduce the south side yard setback to the dwelling at 23110 S Terrapin Court subject to approval by the Village Board of the Rezoning to RE-2 by Madding. Second by Gray. All Ayes, Motion Carried.

- 9. Public Hearing** – Application for a Special Use Permit for a Truck Terminal: Tee Pee Enterprises, 24236 S Northern Illinois Drive filed by Litas Properties, LLC.

Motion to open the public hearing made by Commissioner Gray. Seconded by Commissioner Sullivan. All Ayes, Motion Carried.

James presented the staff report. James read into the record the letter of concern provided by Southfield Church Senior Pastor Dennis Papp who was unable to attend the meeting.

Ciarlette inquired as to the uses in the building currently. Anthony Paul, applicant and owner of TeePee Enterprises and 24236 S Northern Illinois Drive, answered that there are a couple of truck repair uses already in the building.

Ciarlette asked and if the applicant would utilize the bay doors and whether they would be any hazardous waste from the repair. Paul responded that they would move the equipment and totes from the current location in Channahon. A company picks up the oil for proper disposal.

Sullivan asked Paul about the ability of the drivers based on the concerns presented in the letter from Southfield Church. Paul stated that he understood their concerns His drivers need to have good experience and be good drivers since they are driving loads of fuel. The drivers are also familiar with the area since they already operate in Channahon. He stated that his drivers would have no need to travel further down Route 6 than the Channahon Industrial Park.

Petrick asked if the drivers were employees or contracted drivers who change. Paul answered that and that his drivers are employees of the business and not contracted drivers. He provided fuel transport for Sam's Club and Wal-Mart in the Chicago region.

Madding asked how often the oil company picks up. Paul stated about every other month and that they are also familiar with the area since they are a Morris company.

Ricky Gray stated that he is present as a representative of the buyer and seller and not as a Commissioner on this issue.

Ciarlette called for any comment from the audience and online.

Motion to close the public hearing made by Commissioner Sullivan. Seconded by Commissioner Pershey. All Ayes, Motion Carried.

10. Review and Recommendation - Special Use Permit for Truck Terminal: Tee Pee Enterprises, 24236 S Northern Illinois Drive filed by Litas Properties, LLC.

Motion was made to recommend approval of the Special Use Permit for a truck Terminal at 24236 S Northern Illinois Drive subject to the conditions listed in the staff report by Sullivan. Second by Madding. Madding, Sullivan, Pershey Ayes, Gray Abstained, No Nays. Motion Carried 3-1.

11. Review and Recommendation – Final Plat of Subdivision: Crossroads 55 Unit 2 filed by Crossroads 55, LLC

James presented the staff report. Petrick informed the Commission that an additional drainage easement to connect Lots 1 and 2 was added to the plat after the packet was sent.

Jeff Cali, Venture One Real Estate, thanked the Village for all their help.

Motion to recommend approval of the Final Plat of Subdivision for Crossroads Unit 2 subject to staff approval of final engineering by Gray. Second by Pershey. All Ayes. Motion Carried.

12. Public Comment

James read Public Comment email from Michael Morman dated March 5, 2021 regarding EV charging requesting the Village to research and consider the requirement of charging stations and designating parking spaces.

Ciarlette inquired as to whether this would be something the Commission would have to consider for new businesses or strip malls. Petrick stated that he believed that is what the author was requesting. He also informed the Commission that with the upcoming Building Code update the Village is considering adding requirements for builder to prep new homes for charging should the owners want that in the future, not requiring the builder to install the charging today but making future retrofit easier and cost effective. It is something we will have to look at as trends and technology changes, adding items to the code that may make it easier to make the transition easier and cost-effective in the future.

Sullivan provided information regarding his experience with owner an electric vehicle, the difference in manufactures' plugs and how charging works at public places and spaces of business. James stated that Will County Green is encouraging municipalities to start considering code requirements and proactive conduit installation in commercial projects as it is much cheaper to install during construction of a development versus years later.

13. Other Business

Petrick informed the Commission that Casey McCollum informed staff of his intent to resign, therefore the Village will be looking for another new Commissioner. If anyone knows of someone who might be interested, please share their name.

ADJOURNMENT

Motion to adjourn made by Commissioner Sullivan. Seconded by Commissioner Madding. All Ayes, Motion Carried. 7:16 p.m.

Submitted by

Karen James, Planner

Approved April 12, 2021