

PLANNING & ZONING COMMISSION

July 11, 2022

6:00 p.m.

Channahon Municipal Center (Board Room)  
**24555 S Navajo Drive**  
**Channahon, IL 60410**

**1. Call to Order**

Meeting called to order at 6:00 p.m.

**2. Pledge of Allegiance**

**3. Roll Call**

Present: Commissioners Madding, Blackburn, Larson, Thurlby, Weaver and Chairman Ciarlette.  
Commissioner Gray, absent.

Others Present: Karen James, Planner; Tom Durkin, Village Administrator; David Silverman,  
Village Attorney; Mary Jane Larson, Inspections Coordinator

Chairman Ciarlette read the meeting recording statement. Ciarlette had all members of the  
audience who planned to speak during the meeting stand and be sworn in.

**4. Public Comment**

None

**5. Approval of Minutes – May 9, 2022**

Motion to approve the minutes of the May 9, 2022 meeting of the Planning and Zoning  
Commission subject to adding Commissioner Thurlby was not listed as absent in the minutes  
made by Commissioner Blackburn. Seconded by Commissioner Thurlby. All Ayes, Motion Carried.

**Approval of Minutes – May 17, 2022**

Motion to approve the minutes of the May 17, 2022 meeting of the Planning and Zoning  
Commission made by Commissioner Madding. Seconded by Commissioner Thurlby. All Ayes,  
Motion Carried.

**6. Public Hearing – Application for Zoning Change from C-1 Community Shopping District to R-3  
Multi-Family Residence District and a Special Use Permit for a Planned unit Development (PUD)  
for the Central Park East Apartments project consisting of two (2) three-story multi-family  
buildings with 24 units each, on-site parking, dog park, gazebo and stormwater management  
facilities: 24740 W Eames Street filed by Equity Trust Custodian FBO Paul Swanson.**

Motion to open the public hearing made by Commissioner Blackburn. Seconded by Commissioner  
Larson. All Ayes, Motion Carried.

Karen James presented the staff report.

Swanson said he is happy to answer any questions.

Madding asked what other strip malls would be comparable to the 24,000 square foot and asked if Riverhawk's strip mall could be used for comparison.

Durkin stated this strip mall is a bit bigger and longer in size.

Larson stated she is having a hard time picturing more parking spaces for a retail facility. She asked what other facility do we have that is C-1 with that many parking spaces.

James explained commercial parking is based on use not zoning classification.

Blackburn asked on the traffic memo was anything looked at to handle the morning and afternoon when school busses are coming in and out. Was anything looked at or computer graphics done.

Swanson stated they conducted study all day. They have it in the memo how many trips are done in the morning and in the afternoon.

Blackburn said the memo didn't show in some of the graph's information on the amount of kids being dropped off.

Swanson stated the road is much lighter than other roads in the area.

James said Dove Drive has twice as much traffic on it than Roberts Road and Navajo Drive in front of the village hall.

James explained the data on the Placer.ai is constantly updating. The data collected was over a period of time so the school year was taken into consideration.

Durkin clarified the Placer.ai data software generates traffic data for retail locations. It is a software that is utilized based upon people's various trips throughout the day to various types of uses based on cell phone data. People having cell phones where they go at particular times. That is where this information is based on. The Village acquired a license for the software to help in efforts such as this and economic development. Where people are and what businesses they go to and used to attract other businesses to the area.

Blackburn said he is trying to zero in on the traffic at schools at particular times. Mornings seem not to be bad. In the afternoon parents are lining up an hour before school is out and cars are backing up fairly quick. Do they have any information on those 2 hours in the afternoon?

Larson said on the graph the traffic is the highest between 2:00 p.m. and 4:00 p.m.

Swanson said the traffic from the apartments would pick up after 5:00 p.m. or 5:30 p.m. when people get off work not during the 2:00 to 4:00 time frame.

Weaver asked Mr. Swanson how long has he been doing the luxury apartments.

Swanson did multi-family units in Arlington Heights 25-30 years ago. He currently has 2 projects under construction in Darien and Crystal Lake.

Larson asked if the management company has changed in Arlington Heights.

Swanson believed the management company had maybe changed twice. He stated that he lived not far from the development.

Madding asked if the management company changed could the requirements of the lessees change.

Swanson said yes but the owner of the development would decide on requirements for lease and not the management company. The property would be required to follow all applicable village codes regardless of ownership or management. Swanson mentioned that lease review included credit check and background for government required registrations

Ciarlette asked if the management company changed could the requirements of the lessees change.

Attorney Silverman said the owner of the development would decide on requirements of the lease not the management company. The property would be required to follow all applicable village codes regardless of ownership or management.

Larson has concerns for how often the management checks the tenants' information as roommates move in and out or more people move in and increase the number of tenants in a unit as well as sex offenders moving in.

Attorney Silverman mentioned that the Police Department is notified of registered offenders.

Ciarlette noted that the PZC should keep in mind that if single family homes have guests, they do not get vetted.

Thurlby asked if the village could control what dog breeds would be allowed.

Attorney Silverman clarified that the village cannot control dog breed or limit the size of a dog within any household.

Thurlby asked whether the village looked at Sunset Drive and whether IDOT had been contacted yet regarding the access drive.

Staff mentioned that this project was the only time concerns have been brought to the village regarding Sunset Drive design and traffic. The applicant has hired a consultant to coordinate with IDOT should the project progress forward.

Larson asked if a commercial plan would need access to Roberts Road.

James said IDOT would not allow 2 exits on Route 6 and they would have to exit on Roberts Road.

Larson asked if there are more call-outs to police to multi-family developments vs residential properties.

Durkin stated without the benefit of accurate data they are not aware of more calls to Mallard Point than single family neighborhoods.

Brad Denton, owner of Cherry Bomb Sweets stated that he believed it would be in Channahon's worse interest to down-zone the property. He shared his concerns for the speculation of IDOT wanting to consolidate the access drive with the adjacent commercial properties and no berms on Route 6 to reduce noise for the development as traffic increases over time on Route 6. He questioned the timing of replacement of dead plant materials from the landscape plan as he believed there was no ordinance to require it. He questioned how the management company would deal with day-to-day operations. He believes that the R-3 zoning would be out of place in the area as the next R-3 was a mile down the road. He cited the Comprehensive Plan's goal of reenforcing neighborhoods, the resident survey results of the desire for more retail opportunities, and property value analysis indicating that average commercial property values in Channahon were higher than multi-family property values. He questioned why the elevations would not be all brick if the development was proposed as "luxury". He mentioned that he reviewed the R-3 district requirements and thought the 3.61-acre development does not meet the minimum lot size of the R-3 district. He stated that he believed Channahon needs apartments, just not in this location. He believes that a commercial project could do underground detention. He mentioned he had tried to get ahold of the realtor to purchase the property but did not get an answer.

Durkin read the ordinance cited by Denton and explained how he miss read the contents of the ordinance.

Larson commented she does not feel 800 to 1,200 square foot apartments does not say "luxury", nor does a credit score of 620.

Janice Sartori, a resident, asked if the traffic data was taken on school days. She had concern for the traffic patterns of the school buses and increase in traffic, and that the traffic memo may not take into consideration special events that happen at the school during non-school hours. She stated she would rather see commercial uses on the property. She expressed concerns for the project being close to the school and background checks on only the lease holder and not others who may stay as guests or roommates of the tenant.

James stated some of the data collected was from the last week of school.

Swanson said the leaseholders will be required to have background checks.

Tina Wills, a Shorewood resident whose mother lives in the adjacent neighborhood expressed concern with the “so called progress” in Channahon and doesn’t understand why we want to be Naperville. She stated she didn’t want to see dense housing and wanted to see open area. She described the current apartments at Blackberry and Bridge Streets as “projects” with absentee property owners and sub rents. She questioned the proposed rents as being high and not appealing to young people who would have to pay a mortgage rate for rent. She believes that Sunset Drive should not be a divided street without stop signs. She was concerned that traffic is already bad at school pick up times and the project would add to the traffic and need another stop light. She stated that the project was ridiculous all around.

Patti Leslie, a resident who lives on Sunset Drive expressed frustration that Sunset Drive had no trees in the median and that the one-way and two-way traffic patterns on the streets are confusing. She felt the streets were unsafe for pedestrians and cyclists. She does not want three-stories looking down on their properties. She believes a commercial project would not be open 24-hours a day and would close. She stated it was not fair to put this project in an existing subdivision and she would prefer a store or industrial park.

Nora Gruenberg, the Illinois Realtors Governmental Affairs Director, stated she had presented to the Will County CED that Will County trails woefully behind the rest of the state in the number of multi-family units. She mentioned that four (4) projects for rental multi-family in Will County were all signing leases while still under construction.

Matt Ritoff, a resident since 1978 and local real estate agent stated that he believes we have a housing problem in Channahon citing that there was only one (1) place currently for rent and one (1) lower priced house that would be comparable in mortgage to the proposed rental rates. He noted that the property was sold in tax sale and anyone could have purchased it. He mentioned times change with regard to size of what people want and land uses have changed after the pandemic. He stated he believed people need a place to live, Channahon needs apartments. People who want to live in Channahon can’t live here and they spend their money elsewhere. He cited that many churches are located on Route 6 and don’t pay taxes. He mentioned that the village can regulate the property through code enforcement. He stated that if each unit had three (3) people there would be a maximum of 142 people, and if traffic was a concern, then fests should be cancelled. He believed it was not a great commercial property.

Justin McLaughlin, a Joliet real estate agent, has been representing the seller since 2020 stated that the only inquiries on the property have been from storage units and truck

parking. He believes a commercial building could include more than retail and it could be worse than apartments.

Larson asked what is the required zoning classification for storage units.

James said Storage would need a zoning of I-1 Limited Industrial or I-2 Intensive Industrial. The adjacent existing storage buildings are non-conforming and permitted to continue.

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

7. **Review and Recommendation** – Zoning Change from C-1 Local Shopping District to R-3 Multi-Family Residence District, 24740 W Eames Street filed by Equity Trust Custodian FBO Paul Swanson
8. **Review and Recommendation** – Special Use Permit for a Planned Unit Development (PUD): Central Park Apartments, 24740 W Eames Street filed by Equity Trust Custodian FBO Paul Swanson

Ciarlette asked for a motion for agenda items 7 and 8.

A motion was made by Weaver to enter the findings of fact that the standards set forth in Municipal Code Section 156.140 had been met and recommend that the village board approve the Special Use Permit for Planned Unit Development and Rezoning from C-1 Local Shopping District to R-3 Multi-Family Residence District. Roll Call: Madding – yes; Blackburn – no; Larson – no; Thurlby – no; Weaver – no. The motion was denied by a 1-4 vote.

Following are the commissioner's statements of rationale for the votes:

Madding- voted yes, feels the issues and concerns in the May meeting had been addressed with the additional information, traffic would be better with a residential project versus a commercial project, the Comprehensive Plan calls for diversifying the housing stock.

Blackburn- voted no, should stay commercial, liked the idea of the project and the village needs apartments but too close to an existing residential neighborhood, retail space in town is very limited, concern for traffic around the school.

Larson- voted no, doesn't agree with the amount of parking spaces for the commercial plan, would rather wait for retail, no faith in management company keeping up with number of people in a unit.

Thurlby- voted no, beautiful project but concurred with Commissioner Blackburn.

Weaver- voted no, was not provided the locations of the applicant's other projects and hasn't seen an old project look good.

- 9. Review and Recommendation** – Site Plan: Central Park Apartments, 24740 W Eames Street filed by Equity Trust Custodian FBO Paul Swanson; to allow for the construction of the Central Park East Apartments project consisting of two (2) three-story multi-family buildings with 24 units each, on-site parking, dog park, gazebo and stormwater management facilities

A motion was made by Commissioner Larson to recommend the Site Plan: Central Park Apartments, 24740 W Eames Street filed by Equity Trust Custodian FBO Paul Swanson; to allow for the construction of the Central Park East Apartments project consisting of two (2) three-story multi-family buildings with 24 units each, on-site parking, dog park, gazebo and stormwater management facilities. Seconded by Commissioner Weaver. Roll call: Madding – yes; Blackburn – no; Larson – no; Thurlby – yes; Weaver – no. The motion was denied by a 2-3 vote.

Commissioner Thurlby stated he voted yes and stated the project was beautiful but he didn't think it was the right location.

Chairman Ciarlette stated that if the Chair was permitted to vote, she would have voted for the project. She clarified that she would have probably asked for a smaller number of larger units given that the developer wanted to brand the development as luxury apartments. She noted that the property has been vacant for so long and that the people of the neighborhood would not really be happy with commercial uses there. She also pointed out that four (4) of the commissioners were new and it was their first time seeing the proposal, the concept plan was received favorably by the PZC in 2021.

- 10. Other Business** – None

#### **ADJOURNMENT**

Motion to adjourn made by Commissioner Thurlby. Seconded by Commissioner Madding. All Ayes, Motion Carried. 8:15 p.m.

#### **Submitted by**

**Mary Jane Larson, Inspection Coordinator**

**Approved August 8, 2022**