



VILLAGE OF MONTGOMERY

Planning and Zoning Commission Minutes

September 2, 2021 7:00 P.M.

Village Hall Board Room

200 N. River Street, Montgomery, IL 60538

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- 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: None
Present: Marion Bond, Tom Yakaitis, Patrick Kelsey, Mike Hammond, Ben Brzoska, Mildred McNeal James and Joe Yen.
Also present: Trustees Gier and Sperling, Village Attorney Brandon Rissman, Director of Community Development Sonya Abt, Planner Olenka Wrobel, and members of the audience.
 - IV. Approval of the Minutes of the Planning and Zoning Commission Meeting of August 5, 2021

Motion: Motion was made by Commissioner McNeal James to approve the minutes of August 5, 2021, with amendment to correct the nay vote on item A from Brzoska to McNeal James. Commissioner Kelsey seconded the motion. Motion passed 7-0.
Ayes: Bond, Yakaitis, Kelsey, Hammond, Brzoska, McNeal-James and Yen.
Nays: None
Abstain: None
 - V. Public Comment Period- Mr. Thomas of 1200 N Kirk Road commented on the closure of Mayfield Road impacting sales at a business. Director of Community Development Sonya Abt responded that she would be happy to discuss the matter further and bring the concern to the Village Board, as it was the Board's decision, and not under Planning and Zoning Commission's purview.
 - VI. Items for Planning and Zoning Commission Action
 - a. 2021-011 Public Hearing and Consideration of a Parking Variation from Section 10.02.C of the Unified Development Ordinance for 2050 Mayfield Drive – ALDI

Planner Wrobel introduced the item, explaining the variance requested from the petitioner to increase the number of parking spaces through a redesign of the existing parking lot. Staff recommends approval based on the increase in safety measures of the new plan with better sidewalk access. Planner Wrobel also noted Staff had one condition of approval in the Staff Report.

The petitioner went through descriptions of the site plan and explained the redesign as an investment in the property.

Commissioner Kelsey inquired about lighting on the site, which the petitioner replied that all existing lighting was to remain, with relocation of one pole by a few feet.

Commissioner Bond asked the petitioner if the site accommodated handicap spaces for van parking as well. The Petitioner replied that the plan meets ADA standards and does accommodate van parking.

Commissioner Yen inquired if the size of the spaces were being reduced to accommodate the increase in parking spaces. It was replied that the only variance was in the distance of the drive aisle, which also meet requirements.

Chairman Hammond opened the public hearing, there were no comments from the public.

Chairman Hammond read through the findings of fact:

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. The improvements will increase the number of parking spaces and provide an updated parking lot layout with better traffic flow and safer paths for pedestrians to walk from the store to their cars.

Staff: Staff agrees with the Petitioner and is of the opinion that the intent of the UDO is to regulate the size of off-street parking lots and number of spaces to improve mobility and connectivity.

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 increase in off-street parking spaces is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Staff: It is staff's opinion that the increase in off-street parking spaces is compatible with the character of the adjacent commercial properties and will not impact the adjacent residential properties as the increase in spaces does not change the size or location of the parking lot or increase the amount of impervious surface on the lot.

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

Petitioner: It is the Petitioner's opinion that the proposed variation would alleviate undue hardship created by the ordinance because this is an existing parking lot and its size is not increasing. Additionally, the demand for parking exceeds the maximum allowed by the UDO for this store.

Staff: Staff agrees with the Petitioner that the proposed variation would alleviate undue hardship because the existing parking lot is a nonconformity caused by the UDO adoption. The Petitioner would need to eliminate 25 parking spaces to meet the current code, which would create an undue hardship for them.

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 proposed variation is necessary due to the existing condition and nonconformity of the current parking lot caused by the UDO adoption.

Staff: Staff agrees with the Petitioner that the unique physical attributes of the subject property impact the proposed variation. The parking lot, building, and access points are all existing conditions. To bring the parking lot into conformance would require significant changes to the overall site. Allowing this variation would permit the reconfiguration of the existing parking lot and improve pedestrian connectivity, traffic flow, and safety while maintaining the existing footprint and access points.

5. The proposed variation represents the minimum deviation from the regulations of this Ordinance necessary to accomplish the desired improvement of the subject property.

Petitioner: It is the Petitioner's belief that the variation represents the minimum deviation from the regulation of the UDO as the parking lot size will not change and, while the number of parking spaces exceeds the requirement in the UDO, it does not negatively impact the safety, appearance, or connectivity of the property.

Staff: Staff agrees with the Petitioner that the proposed layout represents the minimum deviation from the UDO. The existing parking lot became nonconforming with the UDO adoption, so this variance would allow the Petitioner to accomplish the desired improvements of the lot with minimal deviation from the off-street parking regulation.

6. The proposed variation is consistent with the intent of the Comprehensive Plan, this Ordinance, 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.

Commissioner McNeal James voiced concern for lighting in the parking lot. The petitioner replied that all existing lighting is to remain on site, with just one pole relocated a few feet. He stated that a photometric plan could be provided, if necessary, but it was not required since it was such a small change.

Chairman Hammond spoke in favor of the redesign over the old plan. The petitioner agreed and explained the process leading up to present.

Commissioner McNeal James inquired if a remodel of the store was also planned, which the petitioner replied that it was.

- b. Motion: Motion was made by Commissioner Bond to approve 2021-011 Public Hearing and Consideration of a Parking Variation from Section 10.02.C of the Unified Development Ordinance for 2050 Mayfield Drive – ALDI with the condition outlined by Staff. Commissioner Kelsey seconded the motion. Motion passed 7-0. Ayes: Bond, Yakaitis, Kelsey, Hammond, Brzoska, McNeal-James and Yen.
Nays: None
Abstain: None

Note: The agenda items will be forwarded to the Village Board Meeting on Monday, September 13, 2021.

VII. Community Development Update/New Business

Director Abt informed the commissioners that there would be items coming forth for the October meeting, including a text amendment and general clean up for the UDO and a special use application. She also stated the Village Board had accepted the commission's recommendation on fence height, and the Gas N Wash had also been approved with hopes to break ground this fall.

VIII. Next Meeting: October 7, 2021

IX. Adjournment

Adjournment- Having no further business, Chairman Hammond adjourned the Meeting at 7:30 pm.

Respectfully submitted,

Chris Wagner