Chairman Strach called the April 11, 2018 regularly scheduled meeting of the City of McHenry Planning and Zoning Commission to order at 7:35 p.m. In attendance were the following: Doherty, Meyer, Miller, Sobotta, Strach, Thacker and Walsh. Absent none. Also in attendance were: Director of Economic Development Martin, City Attorney McArdle, Economic Development Coordinator Wolf and Economic Development Assistant Conaway.

Chairman Strach opened the public portion of the meeting at 7:37 p.m. Frank Serpico, 5608 Chesapeake Dr., McHenry stated that he observed there were 19 gaming establishments within a half mile of the Metra station. Mr. Serpico inquired about the property east of Happy Jacks restaurant on Elm Street requesting someone address the multi-family violation that is evident there, in his opinion.

Chairman Strach closed the public comment portion of the meeting at 7:43 p.m.

Approval of Minutes

Director Martin stated that there is a correction to the March 7, 2018 and April 4, 2018 minutes, Commission Bromley needs to be stricken and Commissioner Walsh be added.

Motion by Walsh seconded by Doherty to approve the March 7, 2018 Special Meeting minutes of the Planning and Zoning Commission Meeting as amended:

Voting Nay: None.
Not Voting: None.
Abstaining: Miller.
Absent: None.

Motion carried 6-0.
Motion by Walsh seconded by Doherty to approve the March 14, 2018 Regular Meeting minutes of the Planning and Zoning Commission Meeting as presented:

Voting Nay: None.
Not Voting: None.
Abstaining: Miller, Sobotta, and Thacker.
Absent: None.

Motion carried 4-0.

Motion by Walsh seconded by Doherty to approve the April 4, 2018 Special Meeting minutes of the Planning and Zoning Commission Meeting as amended:

Voting Nay: None.
Not Voting: None.
Abstaining: Miller, Thacker.
Absent: None.

Motion carried 5-0.

Public Hearing: JEDCO Investments, LLC (Jexal’s)
File No. Z-927
1260 Green Street

Conditional Use Permit for an Expanded Site Plan Review in Accordance with the Downtown Overlay District to Allow a Restaurant, Bar, Outdoor Seating with Alcohol and Food Service, Live Music and Entertainment

Chairman Strach called the Public Hearing to order at 7:45 p.m. regarding File No. Z-927 an application for a Conditional Use Permit for an expanded site plan review in accordance with the downtown overlay district to allow a restaurant, bar, outdoor seating with alcohol and food service, live music and entertainment for the property located at 1260 Green Street.

Chairman Strach stated Notice of the Public Hearing was published in the Northwest Herald on March 27, 2018. Notices were mailed to all abutting property
owners of record as required by ordinance. The subject property was posted. A Certificate of Publication and Affidavit of Compliance with notice requirements are on file in the City Clerk’s Office.

In attendance were Mike Dumelle, JEDCO, 11624 Barberry Lane, Huntley, IL, Charles Bennet, DBJ Architect, 3521 Wintergreen Terrace, Algonquin, IL, and Joel Lopez, 817 Melrose Rd, McHenry, IL who were sworn in by Chairman Strach. Mr. Dumelle stated that they are here to get approval for a permit to open a restaurant (Jexal’s) that will allow for alcohol service in conjunction with a restaurant and to have live entertainment at 1260 N. Green Street.

Director of Economic Development Martin provided the Commission with the Staff Report regarding this matter stating the applicant is desirous of constructing a 4,700 square-foot restaurant with bar, outdoor seating with alcohol and food service, live music and entertainment.

Director Martin stated that Downtown Revitalization has been a priority for the City for numerous years and many actions have been taken to assist with this effort.

Director Martin stated that the Downtown Overlay District the City of McHenry established seeks to give the property owners additional opportunities to improve their properties or conversely to redevelop their property. He stated that the overlay district does include guidelines, requirements, procedures and criteria that are required in order to deviate from the zoning ordinance, outlined in the Downtown Design Guidelines.

Director Martin stated that there are two processes for review established in the DOD Ordinance and the administrative site plan review includes all applications that comply with the provisions in the zoning ordinance (a normal building permit application); however, the applicant is required to meet the criteria for review in the overlay district ordinance. All applications for expanded site plan review are required to obtain a conditional use permit and follow the conditional use permit process in the City’s Zoning Ordinance.

Director Martin stated that the subject property is zoned C-4 therefore, there are no building setback requirements or off-street parking required; however the
applicant is proposing the following deviations from other regulations in the zoning ordinance:

- Outdoor seating, entertainment, and service of food and alcohol outside.

Director Martin stated that the proposed use is consistent with the City’s Core Downtown Sub-Area Plan and goals for downtown revitalization. He further stated that the applicant will also complete façade enhancements to the building consistent with the Downtown Design Guideline when constructing the building and making it reminiscent of an old-time neighborhood restaurant. Director Martin opined that the use is compatible and complimentary to neighboring businesses and that the addition of another restaurant that is very architecturally pleasing with a downtown neighborhood type feel will only enhance and maximize the use of the downtown and pedestrian atmosphere.

Director of Economic Development stated Staff Recommends Approval of a Conditional Use Permit for an expanded site plan review in accordance with the downtown overlay district to allow a restaurant, bar, outdoor seating with alcohol and food service, live music and entertainment to develop on the subject property in substantial conformance with the site plan submitted subject to the conditions as presented; and Staff finds the application is in conformance with the purpose and intent, goals, and criteria for review in the DOD Ordinance.

Chairman Strach invited questions and/or comments from the Commission. Commissioner Meyer inquired the type of entertainment planned. Mr. Dumelle stated similar to the Village Squire, one or two people utilizing a sound system. Mr. Dumelle stated that Jexal’s would get the required permits from the City of McHenry for holiday events.

Commissioner Doherty asked the location of the entertainment. Mr. Dumelle stated that there would be indoor and outdoor areas with flexibility of placement and further stated that Jexal’s would be mindful of the music volume for pedestrians walking along Green Street. Commissioner Doherty asked if the entertainment would be in the walkway. Mr. Bennett stated that the existing café plan is completely on Jexal’s property, not on the sidewalk. Mr. Dumelle stated that the new building would be set back further than previous buildings on that
site. Mr. Bennet stated that Jexal’s would utilize masonry and fencing to create ambiance for the exterior. Mr. Dumelle stated the goal is to fit in with the Riverwalk and stated that safety of customers and their children is important. He opined that the fenced area would allow crowd control at Jexal’s. Mr. Dumelle opined that the design blends in with Neumann Park and the Riverwalk Gazebo.

Commission Miller inquired about employee parking. Mr. Dumelle stated there would be a maximum of 18-20 employees per shift. Mr. Lopez confirmed and stated there would be three dedicated delivery car spaces at the rear of the building. Mr. Dumelle stated the parking is precious on Green Street but stated he has a good relationship with the neighboring businesses for shared parking. Mr. Dumelle stated that he has been considering VIP Valet parking to offer a better experience to his customers.

Commissioner Doherty inquired about the 9 a.m. gaming start time on the application. Mr. Dumelle stated this in their business plan and further stated that they took great lengths to separate the dining from the gaming area.

Commissioner Meyer inquired if there was rooftop seating. Mr. Bennet stated there would not be rooftop seating and further stated that the railing on the top of the building is for equipment screening.

Chairman Strach opened the public portion of the meeting at 7:49 p.m. There was no one in attendance that wished to address the Commission regarding this matter.

Chairman Strach closed the public comment portion of the hearing at 7:50 p.m.

Motion by Commissioner Meyer seconded by Miller to recommend to the City Council with regard to File No. Z-927, an application for a Conditional Use Permit for an expanded site plan review in accordance with the downtown overlay district to allow a restaurant, bar, outdoor seating with alcohol and food service, live music and entertainment to develop on the subject property in substantial conformance with the site plan submitted on the property located at 1260 Green St, McHenry, IL 60050 as presented by applicant JEDCO, LLC, subject to the following conditions, as presented:
1. Applicant must comply with all regulations of the McHenry County Health Department;
2. Property must be developed in substantial conformance with the site plan and building elevations prepared by CBJ Architects Professional Corporation dated 3/9/18 consisting of four sheets;
3. No outside entertainment is permitted after 10:00 pm Monday through Thursday nights, or after 11:00 pm Friday through Sunday nights;
4. A decorative-style fencing or enclosure shall be utilized to enclose the proposed outdoor patio, which is transparent, less than 50% opacity and may include: decorative PVC, vinyl, or wrought iron but not include chain link, solid wood or other fencing which is more than 50% opacity;
5. The applicant shall comply with the Downtown Design Guidelines utilizing and enhancing original building elements;
6. In accordance with the Downtown Design Guidelines the use of box signs, exposed neon, flashing and moving signs is prohibited.

Staff finds the application is in conformance with the purpose and intent, goals, and criteria for review in the DOD Ordinance.

Voting Aye: Doherty, Meyer, Miller, Sobotta, Strach, Thacker and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: None.

Motion carried 7-0

Chairman Strach closed the Public Hearing regarding File No. Z-927 at 7:51 p.m.

Public Hearing: Speedway, LLC
File No. Z-926
NW Corner of IL Route 120 and Ringwood Road
Annexation, Conditional Use Permit, and Variances

Chairman Strach called the Public Hearing to order at 7:54 p.m. regarding File No Z-926 an application for Annexation, Condition Use Permit and Variances for the
property located at the NW Corner of IL Route 120 and Ringwood Road excluding about three acres of the northern half of the parcel.

Chairman Strach stated Notice of the Public Hearing was published in the Northwest Herald on March 27, 2018. Notices were mailed to all abutting property owners of record as required by ordinance. The subject property was posted. A Certificate of Publication and Affidavit of Compliance with notice requirements are on file in the City Clerk’s Office.

In attendance was Frank Petrich and ChrisKalischefski, of both WT Group, 2675 Pratum Ave, Hoffman Estates, IL 60192, and Robert Schroedter, Speedway, LLC 8200 – 185th St, Tinley Park, IL, who were sworn in by Chairman Strach. Mr. Kalischefski presented the details for a project for IL Route 120 and Ringwood Road stating that the site is 7.59 acres and that Speedway is developing less than fifty percent of the property. Mr. Kalischefski stated that there would be a berm to separate from the residential area, at the top one hundred and fifty feet of the property. He further stated that the berm would be 5-6 feet high on one side and 10-12 feet on other side, there would be landscaping, removal of existing storage building and garage, and they would leave the mature trees. Mr. Kalischefski opined that there will be a nice buffer and added that there would be additional green space lining the detention and wetland area. Mr. Kalischefski stated they are not asking for a setback variance and stated that they are using less area ratio than allowed. Mr. Kalischefski stated that Speedway has developed many gas stations and that in Belvedere they added a cross walk when it was requested. Mr. Kalischefski stated that the site is highly landscaped. He further stated that Speedway is asking for a variance to exclude landscaping around the building and to exclude an island. Mr. Kalischefski stated the nature of business is to walk into the building. Mr. Kalischefski opined that it is arduous for the customers to have to walk around the trees and landscaping in front of the building and Speedway is asking to relocate the landscaping not eliminate it. Mr. Kalischefski opined there are special circumstances for customer convenience. He further opined that the landscaping variance request makes for a more aesthetically pleasing plan. Mr. Kalischefski stated that the request for a conditional use permit is required so that the building would be, as close to IL Route 120 and as far from, the residents as possible and they would like to annex into the City to make the property a functioning tax producing property. Mr. Kalischefski stated that there are separate entrances for autos and trucks for safety. He opined that mainly travelers,
landscape, and gravel trucks would utilize the truck lanes. Mr. Kalischefski stated that there are no truck stop amenities such as showers and/or overnight parking. Mr. Kalischefski stated the traffic study shows that trucks would not be going back into the nearby neighborhood. Mr. Kalischefski opined that the retention pond would be overly sufficient for the water run-off and the yard lighting would be LED lights controlled by sensors. Mr. Kalischefski stated that the building is a masonry structure, which he opines is a statement of Speedway’s commitment. He stated that Speedway raises funds for local charities including Children’s Miracle Network/Lurie’s Children’s Hospital.

Director of Economic Development Martin provided the Commission with the Staff Report regarding this matter stating the applicants are proposing to construct a Fueling center, which will include 16 fueling positions (8 pumps) and two Commercial truck (diesel) fueling dispensing lanes.

Director Martin stated that the property is currently unincorporated and the applicant will be seeking a zoning map amendment to C-2 Neighborhood Commercial upon annexation to the City. This zoning classification is consistent with the zoning to the east and south. The site is located on a major state highway and a lighted intersection. There is considerable traffic on both these roadways, and there is also considerable residential development within a five-mile radius of this intersection. A fueling center is a practical and ideal use at this location. Director Martin stated Staff supports the requested zoning map amendment.

Director Martin stated that the applicant is also requesting a Conditional Use Permit to allow an automobile fueling station with a proposed three-access point. Director Martin stated the full access is proposed off Illinois Route 120; a right-in/right-out off Ringwood Road and a full access off Ringwood Road. Ringwood Road is a Class II truck route, and Route 120 is a Strategic Regional Arterial, with an average daily traffic count of 15,000 to 19,000 vehicles/day. Director Martin stated that HRGreen reviewed the submitted traffic study and that they concurred with the study.

Director Martin stated that additionally, the fueling center would not adversely impact Parkland School, even at its busiest times, during arrival and dismissal times. An eastbound left-hand turn lane is required on Route 120 and can be accommodated within the existing right-way. Director Martin stated that
documents were forwarded to District 15 for consideration. Director Martin opined that LED lighting is very concentrated unlike older lighting methods which might be used.

Director Martin stated that after reviewing the approval criteria set forth in Table 31 of the zoning ordinance for conditional uses as related to the fueling station, staff believes the applicant has done several things to mitigate any potential adverse impacts to adjacent property owners, particularly to the residential to the north including:

- LED lighting will be utilized to direct light directly to the source it is intended to serve and eliminates and/or vastly reduces glare;
- A landscape buffer along the north property line will be installed and is required by landscaping and berm. The City’s Forester will review the landscape plan to ensure compliance and plantings;
- There will be no overnight parking of commercial trucks nor any truck stop amenities such as showers or a laundry facility;
- Considerable landscaping is depicted around the site;
- Sidewalks are required along Route 120 and Ringwood Road in accordance with the City’s Municipal Code.

Director Martin stated the applicant is seeking the following variances from the zoning ordinance:

- Variance for an automobile service station to be located within 600 feet of any other service station
- Variance to allow 25 parking stalls in the front of the c-store without a parking island;
- Variance to allow for no landscaping around the building foundation;
- Variance for a larger driveway width along Ringwood Road for the truck exit.

Director Martin stated there is no guideline or definitive provision stating where the minimum spacing requirement between service stations is measured to/from. Staff does not believe this variance is necessary. The property to the east is vacant and abandoned. There are no fueling tanks in the ground; therefore, it is not an active service/fueling station.
Director Martin stated the applicant is requesting a variance from the maximum driveway width of 36 feet to an approximately 85-foot width to allow trucks to safely navigate the site and exit Ringwood Road. Staff supports this variance and completely understands this request due to space and the width of the larger vehicles. This variance is appropriate for the proposed use and will not adversely impact adjacent land uses.

Director Martin stated the applicant is requesting a variance to allow 25 parking stalls in the front of the convenience store without a parking lot landscape island. The zoning ordinance requires a parking lot landscape island every 15 spaces; therefore, the applicant would be required to place a parking lot island in front of the convenience store. The applicant states it is more efficient to plow their lot in the winter without a parking lot island in the middle of the row. While staff does understand, the applicant’s sentiment staff does not believe it is justification for approval of a zoning variance nor justification for not meeting the criteria for approval in Table 32 of the zoning ordinance. Therefore, staff does not support this variance request.

Director Martin stated the applicant is also requesting a variance from the building foundation landscaping requirements due to it being a possible tripping hazard or a wasteland and making it easier for Speedway employees to clean. While staff agrees with some of these comments staff cannot support this variance request either due to the criteria set forth in Table 32 and the fact the requirements set forth in Table 32 are not appropriately met.

Director Martin opined that the variance criteria has not been met to justify a variance for no landscaping and parking island stating he does not see a hardship.

Director Martin stated that he received communication in the form of a letter of opposition from Mr. James Rex that was forwarded to the commission and the applicant. Staff believes this is a good project for this part of town.

Director of Economic Development stated Staff Recommends Approval of Annexation into the City of McHenry and Zoning Map Amendment to C2 Neighborhood Commercial upon annexation to the City of McHenry, Conditional
Use Permit to allow an Automobile Fueling Station and a Variance for a Larger Driveway Width Along Ringwood Road for the Truck Exit to develop on the subject property in substantial conformance with the site plan submitted subject to the conditions as presented and Staff finds that the requirements in Tables 31 (Conditional Use Permit) have been met.

Chairman Strach invited questions and/or comments from the Commission.

Commissioner Meyer stated that he concurs with the developer regarding the landscaping and asked Director Martin why an island is necessary. Director Martin stated that the criteria has not been met according to the ordinance. Attorney Mc Ardle reiterated the technicality of the issue and stated that this procedural issue could be addressed within the annexation agreement. Chairman Strach stated that Table 32 lists the requirements to be considered for the request and a motion could be made for approval if a commissioner wishes to do that.

Commissioner Thacker inquired where the larger trucks would park in the event they entered the store. Mr. Kalischefski stated that there is an area for trucks to pull forward.

Commissioner Strach asked about the time for fueling the larger trucks. Mr. Schroedter stated the large tanks take longer to fill and opined that there would be time to enter the store while the truck behind refuels.

Commissioner Miller asked for confirmation for perimeter lighting. Mr. Kalischefski stated that there would be nearly 500 feet between the residents and the lighting and further stated that there would be three layers in between the residents and the lights including lights, trees, grass berm and mature trees stating that the lights would be forward/down facing away from the residents.

Commissioner Miller stated that she concurs with Commissioner Meyer's comment in regards to the landscaping and parking island variance request. Commissioner Miller further stated that she would like to see the variance worked on because she opined that Speedway's landscaping plan appears attractive. She further opined that some islands within the City are not maintained very well.
Commissioner Sobotta inquired how many employees are present per shift. Mr. Schroedter stated five and further stated that employee parking would be at the furthest point on the sides of the building.

Commissioner Doherty asked if there would be additional lanes added to Ringwood Road and Route 120. Mr. Kalischefski stated there would be a lane within the existing right of way and the left hand turn lane on Route 120 would be extended and that with the granting of the variance that they would not need an additional lane on Ringwood Road. Commissioner Doherty inquired about berm maintenance. Mr. Kalischefski stated they would work with the city forester to determine the type of landscape materials needing to be planted. Commissioner Doherty concurred with Commissioners Meyer and Miller in regards to the landscape and parking island variance. He stated that the Speedway in Lake Barrington has close parking and opined that it works well not to have front landscaping.

Commissioner Meyer asked for verification of the elevations near Chesapeake Drive. Mr. Kalischefski stated it is twenty feet from corner to corner. Commissioner Miller inquired if Speedway intended to sell the three acres to north. Mr. Schroedter stated there were no definite plans yet but opined it could be sold in the future.

Chairman Strach opened the floor to questions and comments from the audience.

James Rex, 5606 Chesapeake Drive, thanked Commissioner Meyer for mentioning the Chesapeake neighborhood. Mr. Rex read his letter of opposition, which was presented to Mr. Strach and the commissioners prior to the meeting. Mr. Rex inquired if Speedway plans to add gaming.

Mr. Serpico stated that large truck traffic near Parkland School is unacceptable.

Ms. Judy Walter, 5618 Chesapeake Drive, stated her biggest concern is for the school. She inquired about the current road construction on Ringwood Road. Director Martin stated that it was a resurfacing project. Ms. Walter inquired about the prospect of the berm property being sold. Director Martin stated that when this project goes before the City Council that would need to be addressed in the annexation agreement. Ms. Walter stated that she would like to concur with Mr.
Rex’s statement and inquired if there would be any more public meetings. Director Martin stated the next step is the City Council meeting. Ms. Walter stated her opposition to Speedway being open 24/7. She stated that she was not opposed to the plan at first but is now concerned because of the size of the project. She also stated her concern about the request for an eighty-foot sign. Director Martin stated that the sign variance would be considered by City Council. Ms. Walter inquired about city regulation of liquor and cigarettes in relation to a school. Mr. Martin stated the city municipal code is one hundred feet distance from a school for alcoholic beverages and that there is no code for cigarettes. Ms. Judy Walter opined that the berm is not enough to protect the residents and suggested taller trees or a fence on the berm. Ms. Walter inquired why there are two driveways on Ringwood Road. Mr. Kalischefski stated that one is for truck traffic only and the other is for automobiles further stating the intent is to keep truck and auto traffic separate.

Mr. John Wsol, 5604 Chesapeake Drive, opined that the project is a truck stop and it would be a place for motorcycles to congregate. Mr. John Wsol further stated he had concern for gas spills and fumes and for the trash that would accumulate. He stated that he did not understand why Speedway chose this spot with so many other places available in the City.

Chairman Strach closed the public comment portion of the hearing at 9:12 p.m.

Chairman Strach asked if there were additional questions from the commissioners. Commissioner Miller asked Attorney McArdle if she could ask attendees a question. Attorney McArdle stated she could. Commissioner Miller asked if the presentation changed the opinions of anyone in attendance in relation to concerns of setbacks, berm, preservation, and water detention areas.

Mr. James Rex responded that he is still bothered by the expanse of vacant land between the protected berm and his land and the possibility of future expansion.

Mr. John Wsol stated quality of life is still a major concern. He further stated that they would prefer a normal business with normal hours not the noise and smell of diesel fuel. Mr. Wsol stated that Lake In The Hills and Lake Barrington do not have truck stops and inquired why the decision was made to erect one in McHenry. Mr. Wsol is asking for denial of the variance.
Commissioner Doherty inquired if there were any modifications that could be done to the berm. Mr. Kalischefski stated that they will be working with the city forester and that they would consider modifications.

Chairman Strach stated that an amended motion could be made in regards to the Staff denial. Commissioner Meyer asked for clarification. Chairman Strach stated that the PZ Commission is a recommending body for the City Council. Attorney McArdle clarified the process for the commission. Discussion ensued.

Motion by Meyer seconded by Walsh, to recommend to the City Council with regard to File No. Z-926, as presented by applicant Speedway, LLC:

Chairman Strach asked the commissioners for additional comments or commissioners before the vote. Commissioner Miller stated that she would like the city council during the annexation agreement to readdress the berm screening to maximum the buffer to be the best for the residents.

Approval of a Zoning Map Amending to C-2 Neighborhood Commercial upon annexation to the City of McHenry. Staff finds the requirements set forth in Table 33 have been met.

Approval of the Conditional Use Permit to allow an automobile fueling station subject to the following conditions:

- The project is developed in accordance with the Improvement Plans prepared by W-T dated 1/25/18 with a latest revision date of 2/16/18 and consisting of two pages, Landscape Plans prepared by Corporate Design + Development Group, LLC. dated 3/16/18 consisting of three pages;
- Sidewalks shall be installed along Illinois Route 120 and Ringwood Road along the entire frontage of the property;
- The existing barn, garage and gravel driveway shall be razed when the site work commences;
- The applicant shall enter into an annexation agreement with the City of McHenry, at which time the existing on site signs and billboard will be addressed as well as the area the City is looking for to site a future booster pump along the west side of the property;
• There will be no overnight parking of commercial trucks nor any truck stop amenities such as showers or a laundry facility;
• As much of the natural vegetation as practicable be maintained along the northern property line and western lines;

And Staff finds the requirements set forth in Table 31 have been met.

Approval of a Variance for a wider driveway width along Ringwood Road for the truck exit, approximately 85 feet from 36 feet.

Approval of a Variance to eliminate the landscaping requirement around the building foundation.

Approval of a Variance to allow 25 parking stalls in the front of the convenience store without a parking island.

Voting Aye: Doherty, Meyer, Miller, Sobotta, Strach, Thacker, and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: None.

Motion carried 7-0 with comments.

Commissioner Miller stated that when the case is heard by city council and in the annexation agreement she would like city council to readdress the berm size and consider an increase in the berm to buffer the residents.

Commissioner Sobotta concurred with Commissioner Miller’s comments.

Commissioner Thacker concurred with Commissioner Miller’s comments.

Chairman Strach closed the Public Hearing regarding File No. Z-926 at 9:24 p.m.
Public Hearing: Speedway, LLC  
File No. Z-928  
SE corner of IL Route 31 and Dayton Street  
Zoning Map Amendment, Conditional Use Permit and Variances

Chairman Strach called the Public Hearing to order at 9:25 p.m. regarding File No Z-928 an application for a Zoning Map Amendment, Conditional Use Permit and Variances for the property located at the SE Corner of IL Route 31 and Dayton Street.
Chairman Strach stated Notice of the Public Hearing was published in the Northwest Herald on March 27, 2018. Notices were mailed to all abutting property owners of record as required by ordinance. The subject property was posted. A Certificate of Publication and Affidavit of Compliance with notice requirements are on file in the City Clerk’s Office.

In attendance was Christian Kalichefski and Frank Petrich, both of WT Group, 2675 Pratum Ave, Hoffman Estates, IL 60192, who were sworn in by Chairman Strach. Mr. Petrich stated that Speedway is requesting rezoning of the 4.85 acres of property on the Southeast corner of IL Route 31 and from Industrial 1 to C5-Commercial Highway. He stated that they would like to connect with Albany Street, which he opined would benefit the entire industrial park. Mr. Petrich stated they are requesting a conditional use permit for a gas station and stated that Speedway is asking for a variance to widen the entrance for better truck access. Mr. Petrich stated that Speedway is asking for a variance to exclude landscaping around the building and to exclude a parking island. Mr. Petrich stated that Speedway has placed the site to the west side of the property because of the Route 31 future expansion. Attorney McArule inquired about the truck traffic exiting left onto Route 31. Mr. Kalichefski stated that the desired exit would be the road connecting to Albany with an exit at the light onto Route 31. Mr. Kalichefski stated that IDOT is reviewing the plans. Discussion ensued. Chairman Strach reiterated that IDOT would make the decision on IL Route 31.

Director of Economic Development Martin provided the Commission with the Staff Report regarding this matter stating the applicant is proposing to construct a Fueling center, which will include 16 fueling positions (8 pumps) and two Commercial truck (diesel) fueling dispensing lanes.
Director Martin stated the Subject Property is currently zoned industrial, has been for numerous years, and has gone undeveloped. The applicant is seeking a zoning map amendment to C-5 Highway Commercial. This zoning classification is consistent with the zoning to the west and the more intense surrounding industrial zoning adjacent to the remainder of the site.

Director Martin stated the site is located on a major state highway and City industrial park roadway (Route 31) and will seek access to a lighted intersection. Director Martin stated that there is considerable traffic on Illinois Route 31, including considered truck, business and industrial traffic and many industrial parks in the area. A fueling center is a practical and ideal use at this location. Staff supports the requested zoning map amendment.

Director Martin stated the applicant is requesting a Conditional Use Permit to allow an automobile fueling station with a proposed five access points. Three access points are proposed off Dayton Street; a right-in/right-out off Illinois Route 31 and a full access off Albany Street to allow vehicles to access the lighted intersection. Illinois Route 31 is a Strategic Regional Arterial with approximately 23,500 vehicles per/day. Dayton Street is a designated Class II truck route. Director Martin stated that HRGreen did look at the traffic study and concurred with it. Director Martin stated that IDOT would need to state if a deceleration lane is necessary.

Director Martin stated traffic study was done and was discussed which concludes the design of the site and access points work well with the surrounding area. The study recommends roadway improvements on Dayton as well as on Illinois Route 31, and the applicant is installing a driveway to Albany. Staff believes the applicant has adequately addressed the comments in the traffic study and the conditional use permit should be recommended.

Director Martin stated the applicant is seeking the following variances from the zoning ordinance:

- Variance for two larger driveway widths along Dayton for a truck entrance and truck exit;
- Variance to allow 16 parking stalls in the front of the convenience store without a parking lot island and to have striping instead of parking islands by the tank farms for easier circulation for the fuel tanker;
• Variance to allow for no landscaping around the building foundation.

Director Martin stated the applicant is requesting a variance from the maximum driveway width of 36 feet to an approximately 83-foot and 124 foot width to allow trucks to safely navigate the site and exit Dayton Street. Staff supports this variance and understands this request due to space and the width of the larger vehicles. Director Martin stated that due to traffic and radius, this variance is appropriate for the proposed use and will not adversely impact adjacent land uses. There are many heavier industrial land uses around this area which will utilize this site, and the larger radiuses are required to accommodate these trucks.

Director Martin stated that the applicant is requesting a variance to allow 16 parking stalls in the front of the convenience store without a parking lot landscape island. He further stated the zoning ordinance requires a parking lot landscape island every 15 spaces; therefore, the applicant would be required to erect one parking lot island. Director Martin stated the applicant stated it is more efficient to plow their lot in the winter without a parking lot island in the middle of the row. While staff does understand the applicant’s sentiment, staff does not believe it is justification for approval of a zoning variance nor justification for not meeting the criteria for approval in Table 32 of the zoning ordinance. Therefore, staff does not support this variance request.

Director Martin stated the applicant is requesting a variance from the building foundation landscaping requirements due to it being a possible tripping hazard or a wasteland and makes it easier for Speedway employees to clean. While staff agrees with some of these comments staff cannot support this variance request due to the criteria set forth in Table 32 and the fact the requirements set forth in Table 32 are not appropriately met.

Director Martin presented requirements in the Subdivision Control and Development Ordinance regarding this request. The applicant shows three driveways. Staff supports this variance. The applicant needs to separate the truck traffic from the passenger vehicle traffic and there is limited space to do so. Mr. Kalischefski inquired about the request for a third driveway. Discussion ensued.

Director of Economic Development stated Staff Recommends Approval of a Zoning Map Amendment from I-1 Industrial to C-5 Highway Commercial, Conditional Use
Permit to allow an Automobile Fueling Station and a Variance for a Larger Driveway Width Along Ringwood Road for the Truck Exit to develop on the subject property in substantial conformance with the site plan submitted subject to the conditions as presented and Staff finds that the requirements in Tables 31 (Conditional Use Permit) have been met.

Chairman Strach invited questions and/or comments from the Commission.

Commissioner Meyer inquired if the through road would be on Speedway’s property and if it would be a dedicated road. Mr. Kalischefski stated it would and that Speedway would maintain the road. Discussion ensued on the roadway. Commissioner Doherty asked in the roadway would be built to city specifications. Mr. Kalischefski opined probably more than city specifications, more to IDOT specifications.

Chairman Strach opened the floor to questions and comments from the audience.

John Brunner, 4100 Albany Dr. asked if there was a fence between the property at 4100 Albany Drive and the driveway. Mr. Kalischefski stated there would not be a fence and further stated there was green space. Mr. Brunner thanked him for his response.

Chairman Strach closed the public comment portion of the hearing at 9:47 p.m.

Motion by Miller seconded by Meyer to recommend to the City Council with regard to File No. Z-928:

Approval of a Zoning Map Amending to C-5 Highway Commercial from I-1 Industrial. Staff finds the requirements set forth in Table 33 have been met.

Approval of the Conditional Use Permit to allow an automobile fueling station subject to the following conditions:

- The project is developed in accordance with the Improvement Plans prepared by W-T dated 8/10/17 and consisting of two pages, and Landscape Plans prepared by Corporate Design + Development Group, LLC. dated 3/16/18 consisting of three pages;
• Sidewalks shall be installed along Illinois Route 31 and Dayton Street along the entire frontage of the property;
• There will be no overnight parking of commercial trucks nor any truck stop amenities such as showers or a laundry facility;

And staff finds the requirements set forth in Table 31 have been met.

Approval of a Variance for a wider driveway width along Dayton Street for the truck exit, approximately 83 and 124 feet from 36 feet.

Approval of Variance from the Subdivision Control and Development Ordinance to allow three driveways off of Dayton Street as depicted on the site plan.

Approval of a Variance to allow elimination of the landscaping requirement around the building foundation. Staff finds the requirements set forth in Table 32 have been met.

Approval of a Variance to allow 16 parking stalls in the front of the convenience store without a parking lot island and to have striping instead of parking islands by the tank farms for easier circulation for the fuel tanker. Staff finds the requirements set forth in Table 32 have been met.

Voting Aye: Doherty, Meyer, Miller, Sobotta, Strach, Thacker and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: None.

Motion carried 7-0.

Chairman Strach closed the Public Hearing regarding File No. Z-928 at 9:48 p.m.

Chairman Strach stated that he received a resignation letter, effective April 12, 2018 from Commissioner Meyer. Chairman Strach thanked Commissioner Meyer for his years of service.
Staff Report
Director Martin thanked Commissioner Meyer for his service and congratulated him on his retirement from the Planning & Zoning Commission. Director Martin stated the next meeting might be a Special Meeting May 9, to discuss the Comprehensive Plan if it is needed. Director Martin also stated that the May 16, 2018 regularly scheduled meeting would be held at 7:30 p.m. in the Council Chambers. There are presently two cases for the May 16 meeting and it is possible the discussion of the Comprehensive Plan could just be added to this agenda.

Adjournment
Motion by Meyer seconded by Doherty to adjourn the meeting at 9:50 p.m.

Voting Aye: Doherty, Meyer, Miller, Sobotta, Strach, Thacker and Walsh.
Voting Nay: None.
Not Voting: None.
Abstaining: None.
Absent: None.

Motion carried 7-0. The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

[Signature]
Tina Conaway, Economic Development Asst.
City of McHenry