

OFFICIAL MINUTES
PLAN COMMISSION AND ZONING BOARD OF APPEALS
VILLAGE OF MATTESON
APRIL 17, 2008

CALL TO ORDER:

Chairman Howard-Davis called the meeting to order at 7:33 p.m.

ROLL CALL:

Commissioners Present:

1. Sebronella Howard-Davis, Chairman
2. William B. Harris
3. Dr. Eric M. Wallace
4. Regan Stockstell
5. Dr. Laurice Geanes
6. Anthony Burton, Vice-Chairman (arrived at 8:45 p.m.)

Also Present:

1. Trustee Sam Brown
2. Trustee Usher Sawyer III
3. Richard Smeaton, Director of Community Development
4. Ryan Franklin, Planner
5. Angela Simington, Recording Secretary
6. Matthew Norton of Holland and Knight
7. Ms. Arvis Renita Sanders, Petitioner
8. Mr. Loren Edman of Dan Development
9. Ms. Angie Johns, Petitioner
10. Ms. Heidi Keenan, President of Old Historic Matteson Homeowner's Association
11. Mr. Ray Bradberg, Resident
12. Mr. John Rangle, Resident

Commissioners Absent:

Albert Tyler III

ITEM #2 APPROVAL OF APRIL 3, 2008, MINUTES:

Commissioner Stockstell made a motion to table the April 3, 2008 Minutes to the May 1, 2008 Plan Commission Meeting for further review by Staff. Commissioner Harris seconded the Motion.

VOTES:

| | | | | | | |
|--------------|----------|--|--------|--------|-----------|----------|
| Burton | : Absent | | 5 Ayes | 0 Nays | 0 Abstain | 2 Absent |
| Geanes | : Aye | | | | | |
| Harris | : Aye | | | | | |
| Howard-Davis | : Aye | | | | | |
| Stockstell | : Aye | | | | | |
| Tyler | : Absent | | | | | |
| Wallace | : Aye | | | | | |

The April 3, 2008 Minutes were tabled to the next Plan Commission Meeting.

ITEM #3 CONTINUATION OF SIGN PLAN REVIEW-VALUE PLACE HOTEL TO BE LOCATED AT 940 LAKE SUPERIOR DRIVE.

The petitioner requested that this item be continued to the May 1, 2008 Plan Commission Meeting.

ITEM #3(a) CONTINUATION OF PUBLIC HEARING 08-003 FOR A SIGN VARIANCE FOR VALUE PLACE HOTEL.

The petitioner requested that this item be continued to the May 1, 2008 Plan Commission Meeting.

ITEM #4 CONTINUATION OF PUBLIC HEARING PC 681 CONSIDERATION OF ZONING CODE TEXT AMENDMENT TO 159.05(A)(85) OF THE ZONING ORDINANCE, TO ALLOW COOKING IN HOTEL/MOTEL ROOMS.

The petitioner requested that this item be continued to the May 1, 2008 Plan Commission Meeting.

ITEM #5 CONTINUATION OF PUBLIC HEARING PC 08-002 TEXT AMENDMENT TO CHAPTER 114.34(E) OF THE MUNICIPAL CODE, TO ALLOW COOKING IN HOTEL/MOTEL ROOMS.

The petitioner requested that this item be continued to the May 1, 2008 Plan Commission Meeting.

ITEM #6 ACCEPTANCE OF FINDINGS OF FACT PC #08-006 ANNEXATION OF APPROXIMATELY 36 ACRES ON THE NORTHEAST CORNER OF HARLEM AVENUE AND LINCOLN HIGHWAY.

Director Smeaton reviewed the staff memo dated April 10th, 2008, and presented the findings of fact for the Plan Commissions recommendation of approval for approximately 36 acres on the northeast corner of Harlem and Lincoln Highway.

Commissioner Wallace made a motion to accept the findings of fact as stated on the Staff Report. Commissioner Geanes seconded the Motion.

VOTES:

| | | | | | | |
|--------------|----------|--|--------|--------|-----------|----------|
| Burton | : Absent | | 5 Ayes | 0 Nays | 0 Abstain | 2 Absent |
| Geanes | : Aye | | | | | |
| Harris | : Aye | | | | | |
| Howard-Davis | : Aye | | | | | |
| Stockstell | : Aye | | | | | |
| Tyler | : Absent | | | | | |
| Wallace | : Aye | | | | | |

Findings of fact were accepted regarding the annexation of 36 acres on the northeast corner of Harlem and Lincoln Highway.

ITEM #7 PUBLIC HEARING #08-009 MXD USE ZONING FOR APPROXIMATELY 36 ACRES, ON THE NORTHEAST CORNER OF HARLEM AND LINCOLN HIGHWAY.

Commissioner Howard-Davis opened public hearing #08-009.

Commissioner Harris questioned why the petitioner did not request C-4 Highway Commercial Zoning. Petitioner, Mr. Matthew Norton, of Holland and Knight, stated that the MXD District would allow for uses that are more retail in nature versus some uses in the C-4 Highway Commercial with are more light industrial in nature. Additionally, the MXD District would allow for entertainment uses like a Bowling Alley or Movie Theater. The petitioner is going primarily for a development that is commercial in nature.

Commissioner Harris stated that he had concerns about the residential uses being permitted and that it would alter the character of the development.

The Commission stated that this site is the *Gateway to Matteson* and whatever is developed at that location must be *top-notch*.

Mr. Norton stated that anything that is built there must be approved by the Commission.

The Commission stated its concern that the petitioner's ideas for the property are conceptual and that no letters of intent exist.

The Commissioner requested that removal of the current billboard on the site be guaranteed.

Mr. Smeaton stated that the billboard must be removed within 90 days of the adoption of the Ordinance or the project will not go forward.

Commissioner Stockstell suggested that the residential use in the MXD district remain as a special use.

The Commission asked who would follow up on Staff's recommendation (item number ten of the findings of fact) that jobs be created for the Community. Staff stated that item could be part of the development agreement.

Commissioner Stockstell asked if the petitioners had submitted a study to the Economic Development Committee. Mr. Norton stated that the study was shared with the Economic Development Committee.

Trustee Usher Sawyer III was asked if he recalled a Market Analysis regarding this property being presented to the Village Board in January 2007. Trustee Sawyer III said he could not recall as that was over a year ago.

Trustee Brown stated that a mixed-use type development may be the only kind of residential development that might be acceptable to the Village at this point in time.

Commissioner Howard-Davis asked the petitioner if he would be willing to construct an entry feature on corner of the property similar to what was constructed on the corner of Lincoln Highway and LaGrange Road. Mr. Norton said his client would be open to discussing the idea further with staff.

Public Hearing 08-009 was closed at 8:10 p.m.

Commissioner Geanes made a motion recommend approval of the Map Amendment to the Village Board, with the condition that the billboard on the site be removed within 90 days of the adoption of the Ordinance. Commissioner Wallace seconded the Motion.

VOTES:

| | | | | | | |
|--------------|----------|--|--------|--------|-----------|----------|
| Burton | : Absent | | 5 Ayes | 0 Nays | 0 Abstain | 2 Absent |
| Geanes | : Aye | | | | | |
| Harris | : Aye | | | | | |
| Howard-Davis | : Aye | | | | | |
| Stockstell | : Aye | | | | | |
| Tyler | : Absent | | | | | |
| Wallace | : Aye | | | | | |

The Map Amendment was recommended to the Village Board for approval with the Condition stated above.

ITEM #8 CONTINUATION OF PUBLIC HEARING PC #08-007 SPECIAL USE FOR PLANNED UNIT DEVELOPMENT OF APPROXIMATELY 36 ACRES, ON THE NORTHEAST CORNER OF HARLEM AND LINCOLN HIGHWAY.

Mr. Smeaton reviewed the Staff report and read the requested list of variations in Staffs Addendum to Report. In the report staff suggested that that the following changes in uses made as part of the Planned Unit Development:

Permitted:

Drive-Thru Pharmacy, on Lot 3 (special-uses on other lots)

Apparel Stores

Convenience Store

Produce Store

Fruit Shop

Home Improvement Store

Dairy Shops

Movie Theaters (was a permitted use)

Bowling Alley (was permitted use)

Multiple Family Dwellings, above the second floor

Special Use:

Carwash

Savings and Loan

Business Schools (was permitted use)

Community Center Buildings (was a permitted use)

Fraternal Organization (was permitted use)

Prohibited Use:

Payday Loan Operations

Multiple Family Dwellings, on the ground floor (was a special use)

The Commission's opinion was divided as to whether Auto Sales on the site should be special use or prohibited. Some of the views expressed by the Commission being that the Village is committed to the success of the Auto mall and that allowing the sale of autos on this site would be a good idea.

Commissioner Stockstell requested that automobile sales be removed from the special-use list and placed as a prohibited use.

Trustee Brown stated that he thought that auto mobile sales should remain as a special-use.

Mr. Norton said that removing the sale of autos would cause a problem for his client.

Commissioner Harris questioned Mr. Norton as to what would be in Anchor "A". Mr. Norton stated that the space comprises of 126,000 square feet and would be advertised to big box users.

Commissioner Stockstell asked that the Bowling Alley and Movie Theater remain as a Special Use.

Commissioner Stockstell asked if a Movie Theater Entertainment Tax could be part of the Annexation Agreement.

Commissioner Stockstell asked what the stacking standards are for a Pharmacy Drive-Thru. The Petitioner stated that the current plan is a two lane drive-thru with three cars per lane.

Mr. Smeaton stated that the Commission could determine the stacking requirements and can write those requirements into the PUD Ordinance. That typically stacking for fast food uses are 4 to 5 stacking spaces per queue and that drugstores should have a requirement of 3 stacking spaces per queue.

Mr. Norton stated that he agrees with 95% of Staffs report but feels that:

- Auto Sales should remain special use (instead of a prohibited uses)
- Theater and Bowling be moved to permitted to make site more attractive to potential tenants

Mr. Norton stated that he and his client have made some compromises and asks that the Plan Commission do the same.

The Commission stated that there was some question as to placement of signage. Staff stated that the location of signs will be determined during approval of the final plan.

Trustee Brown asked if there will be security cameras and/or a security person provided by the petitioner. Mr. Norton said that currently the Tenants are allowed to decide if they want Security Cameras or not.

It was suggested that the Annexation Agreement could reflect that the Tenant is to provide Security or share cost with the Village.

Commissioner Burton arrived at 8:45 p.m.

Public Hearing #08-0007 was closed at 8:50 p.m.

The Commission asked if Lincoln Mall is still planning a Movie Theater. Trustee Brown stated that Lincoln Mall is still planning on a Movie Theater, but that has been promised since 2001 and that it was seem fair at this point to allow someone else the opportunity to bring the a Movie Theater to the Village.

Trustee Brown stated that he would like to see the movie theater and bowling alley as permitted uses. He stated that he was reluctant to risk economic development.

Commissioner Stockstell stated that Lincoln Mall is pursuing a theater and that the Village Board could override the Commissions decisions.

Commissioner Wallace stated that he would like to keep the option open for an auto mall and would like it to remain as a special use.

Commissioner Stockstell made a motion for approval to the Village Board of the Special Use Permit for a Planned Unit Development with the uses and site plans that have been presented with the following changes: Drive-Thru Pharmacy, Movie Theater and Bowling Alley become special use and Motels and Auto Sales are prohibited. Commissioner Geanes seconded the Motion.

VOTES:

| | | | | | | |
|--------------|-----------|--|--------|--------|-----------|----------|
| Burton | : Abstain | | 4 Ayes | 1 Nays | 1 Abstain | 1 Absent |
| Geanes | : Aye | | | | | |
| Harris | : Aye | | | | | |
| Howard-Davis | : Aye | | | | | |
| Stockstell | : Aye | | | | | |
| Tyler | : Absent | | | | | |
| Wallace | : Nay | | | | | |

Special Use Permit for Planed Unit Development was approved with the changes stated above.

ITEM #9 APPROVAL OF PRELIMINARY PLAT FOR APPROXIMATELY 36 ACRES, ON THE NORTHEAST CORNER OF HARLEM AND LINCOLN HIGHWAY.

Mr. Franklin reviewed the staff memo and stated that a similar petition was presented to the Plan Commission on April 5, 2007 and April 26, 2007.

Commissioner Harris made a motion to approve a Preliminary Plat for Bannockburn Stongate located on the northeast corner of Harlem Avenue and Lincoln Highway contingent upon approval of the Planned Unit Development and final engineering. Commissioner Burton seconded the Motion.

VOTES:

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|--------------|----------|--|--------|--------|-----------|----------|
| Burton | : Aye | | 6 Ayes | 0 Nays | 0 Abstain | 1 Absent |
| Geanes | : Aye | | | | | |
| Harris | : Aye | | | | | |
| Howard-Davis | : Aye | | | | | |
| Stockstell | : Aye | | | | | |
| Tyler | : Absent | | | | | |
| Wallace | : Aye | | | | | |

Preliminary Plat for Bannockburn Stonegate was approved with contingency stated above.

ITEM #10 PUBLIC HEARING PC #08-012 MAP AMENDMENT, FROM R-5 MEDIUM HIGH DENSITY RESIDENTIAL TO C-1 LOCAL BUSINESS, 3608 216TH PLACE.

Ms. Heidi Keenan, President of Old Historic Matteson Homeowner’s Association stated that the Homeowner’s Association did not receive notice. She asked if notice was sent to the Homeowner’s Association and to local businesses. She also stated that the public Hearing was

not on the Village's website. Staff will submit to the Plan Commission a list of everyone who was sent notice.

Ms. Arvis Renita Sanders, petitioner, stated that she had a realtor look for space in the Village of South Holland, at other locations on 216th street in Matteson, and various other locations in the Village of Matteson and that those other locations did not meet her need of 500-700 square feet.

Staff will forward Ms. Sanders request to the Economic Development Department for that Department to let Ms. Sanders know if there is any available space in the Village.

Mr. John Rangle of 3900 West 212th asked if Ms. Sander's property taxes will double when this property becomes commercial.

Mr. Ray Bradberg of 3900 West 213th Street asked why Ms. Sanders does not rent space from an existing business.

Public Hearing 08-012 was continued to the May 15, 2008 Plan Commission Meeting for staff to research/obtain information on:

- Available spaces on 216th Street
- What notification is required with regard to Public Hearings
- Contact information for the Homeowner's Association
- What impact this planned use will have on the user's property taxes.

No formal Action by the Plan Commission was required at this time with regard to Agenda item #10.

ITEM #11 APPROVAL OF PRELIMINARY PLAT 21141 GOVERNORS HIGHWAY.

Mr. Franklin presented a brief summary of the request.

Petitioner, Mr. Loren Edman of Dan Development, stated that the owners plan to market the site for retail. Mr. Edman stated that dividing the property will allow the office building to operate more effectively, that lot 2 will be used for Economic Development and a parcel will be donated back to the Village.

The Commission asked if there is adequate parking on the site for the office. Mr. Edman said yes and that lot 2 will have to maintain its own parking.

The Commission asked who the current tenants are. Mr. Edman said that the building is 60 % occupied by businesses such as a mortgage business, attorneys, financial organizations and National Signal.

Mr. John Rangle stated that the property abuts several homes on 212th Place.

Item #11 was continued to the June 5, 2008 Plan Commission Meeting.

ITEM #12 PUBLIC HEARING PC #08111 MAP AMENDMENT, FROM C-2 OFFICE TO C-4 HIGHWAY COMMERCIAL, 21141 GOVERNORS HIGHWAY.

Item # 12 was continued to June 5, 2008 Plan Commission Meeting.

ITEM #13 PUBLIC HEARING #08-010 C-4 HIGHWAY COMMERCIAL ZONING FOR APPROXIMATELY 1.38 ACRES, AT 20739-20811 CICERO AVENUE.

Commissioner Howard-Davis opened public hearing 08-010.

Trustee Usher Sawyer, III stated that the Plan Commission recommended to the Village Board that the house on the property be demolished at the owner's expense yet the Village has never required this of anyone else. He stated that Ms. Johns, the owner, has had financial setbacks and is dealing with family illness as well as the burden of caring for family members. Trustee Sawyer, III asked the Commission to consider allowing Ms. Johns to Board up the property.

Commissioner Stockstell stated that residents and members of the public who were present at the time this matter was before the Plan Commission voiced concerned with squatters in the vacant building and with someone possibly being injured. The Commission stated that when this matter was before the Commission it was suggested that the home be used for Fire Department Training.

The Commission stated that no recommendations by the Plan Commission can be made at this time as the matter is at the Village Board level. The Commission stated that when the matter was being heard by the Plan Commission, there was no mention of financial hardship on the petitioner's behalf and that unless the matter comes back before the body, no changes can be made to the recommendation the Commission made to the Village Board.

Public Hearing #08-110 was closed at 9:55 p.m.

The Commission asked if the septic has been abandoned. Ms. Johns said yes.

Commissioner Stockstell made a motion to approve rezoning with the condition that the house and garage be demolished and that the applicant not be required to abandoned septic or cap well until the property is redeveloped and that the Fire Department comment through a letter to the Village Board as to use of the house by the Fire Department for training purposes. Commissioner Wallace seconded the Motion.

VOTES:

| | | | | | | |
|--------------|----------|--|--------|--------|-----------|----------|
| Burton | : Aye | | 6 Ayes | 0 Nays | 0 Abstain | 1 Absent |
| Geanes | : Aye | | | | | |
| Harris | : Aye | | | | | |
| Howard-Davis | : Aye | | | | | |
| Stockstell | : Aye | | | | | |
| Tyler | : Absent | | | | | |
| Wallace | : Aye | | | | | |

The rezoning of the property at 20739-20811 Cicero was approved with the conditions stated above.

ITEM #14 COMMUNICATIONS:

Mr. Smeaton reported that the Comprehensive Plan review will be on the next meeting’s agenda.

He stated that at the May 15, 2008 Meeting a request from a company that buys precious metal will be on the agenda as well as a brief discussion regarding home daycare facilities.

Commissioner Stockstell stated that home daycare facilities can not be regulated by Villages. He sited a case in Park Forest and Mr. Smeaton asked him to send the case to him.

Mr. Franklin reported that the sign at the North Entrance of Simply Self Storage has been removed. He was asked to double check to be sure all of the signs with the incorrect company name have been taken down.

Mr. Smeaton is working on a future Community Center update Workshop.

Commissioner Wallace asked if Minutes will always be emailed. Mr. Smeaton said that Staff is working on having the Minutes sent with the packets.

ITEM # 8 ADJOURNMENT:

Commissioner Geanes made a motion to adjourn and was seconded by Commissioner Wallace.

VOTES:

| | | | | | | |
|--------------|----------|--|--------|--------|-----------|----------|
| Burton | : Aye | | 6 Ayes | 0 Nays | 0 Abstain | 1 Absent |
| Geanes | : Aye | | | | | |
| Harris | : Aye | | | | | |
| Howard-Davis | : Aye | | | | | |
| Stockstell | : Aye | | | | | |
| Tyler | : Absent | | | | | |
| Wallace | : Aye | | | | | |

Meeting adjourned at 10:25 p.m.

Minutes submitted by: Ms. Simington

Minutes edited by: Mr. Smeaton