

City of Marengo
Planning & Zoning Commission Meeting
Council Chambers
132 E. Prairie Street
Marengo, IL 60152
May 15, 2017
7:00 P.M.

CALL TO ORDER

Commission Chairman Mike Bieniek called the Meeting of the Planning & Zoning Commission to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mr. Bieniek led everyone in the Pledge of Allegiance.

ROLL CALL

Present this evening are Commissioners Bieniek, Piwonka, Varney, Hunt, and Brackmann. Also present were Assistant City Administrator Joshua Blakemore, Attorney Carlos Arevalo and Deputy City Clerk Anna Leyrer. Commission Member Ryan Gieseke was absent.

APPROVAL OF MINUTES

Commission member Piwonka made a motion, seconded by Commission member Varney to approve the **March 20, 2017** Planning and Zoning Minutes. The motion passed with aye votes from Commission members Bieniek, Brackmann, Piwonka, Varney, and Hunt.

NEW BUSINESS- PUBLIC HEARING

Public Hearing- Application and Recommendation for a Zoning Variation from a Zoning Text Amendment to Section 11.03(4) to Permit Manufacturing of Firearms Pursuant to Alcohol, Tobacco & Firearms Regulations as a Special Use in the B-2 General Business District and Issuance of a Special Use Permit for Said Use- 20014 East Grant Highway-Marengo Guns

Commission member Varney made a motion, seconded by Commission member Hunt to open the Public hearing. The motion passed with a voice vote.

Attorney Arevalo stated that there was public notification of the Public Hearing, and requested that the verification of mailings that were sent to property owners within 250 feet surrounding the area about this public hearing be submitted for record. Documents were presented to Deputy City Clerk Anna Leyrer for the record.

Attorney Arevalo swore in Mr. Dominick DeBock and Terry McKenna, both representing Marengo Guns, Inc.

Assistantt City Administrator Joshua Blakemore explained that Dominick DeBock, owner of Marengo Guns, and his Attorney, Terry McKenna, approached the City requesting a Zoning Text Amendment and Special Use Permit to allow for manufacturing of firearms in the B-2 General

Business District, more particularly, applying Cerakote on firearms from their inventory. Mr. Blakemore introduced Mr. DeBock and Mr. McKenna for further explanation.

Terry McKenna, the petitioners Attorney confirmed that per AFT regulations, Marengo Guns would need to apply for a type 07 Federal Firearms License, to allow for the application of Cerakote and slide modifications. The Cerakote, a polymer-ceramic composite coating that would change the color of the gun, would be applied on location in a spray booth. Along with Cerakote, slide modifications would be offered. Slide modification removes non-essential metal areas of the firearm slide. This is mainly done for aesthetic reasons. Because the ATF requires that the firearm would need to be tested after the Cerakote and/or slide modification, Marengo Guns would also need to test fire the firearm after the processes are complete. Marengo Guns would purchase a device that the muzzle of the firearm is inserted into, and the firearm is discharged. These mechanisms are commonly used in this process and there is not much noise associated with the discharge of the firearm.

Attorney McKenna proceeded to explain that the proposed Zoning Text Amendment and Special Use permit would not negatively impact the City or neighboring businesses/residents and meets the standards for Special Uses.

Attorney Arevalo stated to the Commission, that if requested, the Commission can limit the definition of what would be allowed; producing guns as an example.

Dominick DeBock, of Marengo Guns stated that he would not like to see a restriction on producing guns. He stated that though it is not in his immediate plans, it may be a possibility in the future. Commission asked how much space is at the location, and how that would impact the ability to produce firearms. Mr. DeBock stated there is approximately 10,000 square feet total, and the Cerakoting would take up about 2,500 square feet of that. He stated there is plenty of space to produce in the future if needed. He stated that they would not be mass producing, it would be as request. Commissioner Brackmann asked what the definition of mass production is. It was said that there is no real number associated with mass production and it would need to be addressed if needed.

It was questioned whether the Special Use permit would follow Mr. DeBock, Marengo Guns or the location in case location was moved. It was stated the ATF license would be issued to Marengo Guns, Inc, so the Special Use would be the same, to Marengo Guns, Inc. and an address change would void the Special Use permit.

PLANNING AND ZONING ACTION

A motion was made from Commissioner Hunt for the recommendation of a Special Use permit to allow Cerakote and the associated testing only. The motion died for a lack of a second.

A motion was made by Commissioner Brackmann, and seconded by Commissioner Piwonka to recommend the Zoning Text amendment and to issue a Special Use Permit to Marengo Guns, Inc. with the conditions that it is limited to the ATF type 07 license and that the applicant would need to return for an amendment, if the use changes for example, if Marengo Guns expanded and wanted to do mass production or other types of modifications, not allow by the ATF type 07 license. The motion passed with aye votes from Commissioners Bieniek, Piwonka, Varney, and Brackmann. No vote casted by Commissioner Hunt.

NEW BUSINESS- PUBLIC HEARING

Public Hearing- Application and Recommendation for a Special Use Permit to allow Two Drive Through Facilities on a Proposed Future Commercial Strip Center- 20009-20015 East Grant Highway.

Commission Member Corey Brackmann recused himself from the meeting.

Commission member Varney made a motion, seconded by Commission member Hunt to open the Public hearing. The motion passed with a voice vote.

Attorney Arevalo stated that there was public notification of the Public Hearing, and requested that the verification of mailings that were sent to property owners within 250 feet surrounding the area about this public hearing be submitted for record. Documents were presented to Deputy City Clerk Anna Leyrer for the record.

Assistant City Administrator Joshua Blakemore explained that the applicant is requesting a Special Use Permit to allow for two drive through facilities at a future development. This development will be coming before PZC and City Council again in the future, once more specifics regarding turn lanes and allowable uses are determined. He introduced Corey Brackmann, the developer on this project for further explanation.

Mr. Brackmann explained that this property is currently zoned B-2, General Business District, and a Special Use permit is required for drive thorough.

Attorney Arevalo stated that because this development is still being worked out, more components of this development will be coming forward in the future. This Special Use is just for the drive through and are required in order to get the process moving with various other entities like IDOT and Engineering firms.

Mr. Brackmann stated that another vital component of this development is the issuance of a liquor license and TIF funding.

PUBLIC COMMENT

Commission Chairman Bieniek opened the floor for Public Comment. There was none.

PLANNING AND ZONING ACTION

Commission member Piwonka made a motion to recommend the Application and Recommendation for a Special Use Permit to allow Two Drive Through Facilities on a Proposed Future Commercial Strip Center- 20009-20015 East Grant Highway, with the condition that the applicant must present future plan developments to the Commission, Commissioner Varney seconded. The motion passed with aye votes from Commissioners Hunt, Bieniek, Varney, and Piwonka.

CLOSING OF PUBLIC HEARING

Commissioner Piwonka made a motion, seconded by Commissioner Varney, to close the public hearing. The motion passed with a voice vote.

DISCUSSION

Assistant City Administrator stated that PZC members should have received a memo stating that future packets would need to be emailed or picked up. The PD will not be delivering packets any longer. Please make arrangements with Megan on your preferred method of future delivery. A June meeting is highly likely for the Storage rental business at Route 23 and 8th Avenue, and a sign variance for Taco Bell.

Commissioner Bieniek stated that he feels the sign ordinance should be re-visited since it is very restrictive. It was agreed that in the future, it should be addressed, so we do not have to keep issuing variances for business signs.

ADJOURNMENT

Commission member Varney made a motion to close the meeting. The motion passed with a voice vote. The meeting adjourned at 8:13 p.m.

Respectfully submitted,
Anna Leyrer
Deputy City Clerk

Approved at the June 20, 2017 Special Planning and Zoning Commission meeting.