

Posted: 7/12/2017

**PLANNING AND ZONING COMMISSION
REGULAR MEETING**

Marengo City Hall
132 E. Prairie Street

AGENDA

July 17, 2017

7:00 p.m.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Minutes:** June 20, 2017 Special Meeting Minutes
5. **New Business**
 - a. **Public Hearing** - Application and Recommendation for a Special Use Permit to Allow for the Outside Display of Inventory and Sales of Motor Vehicles, Operation of Moving and Storage Business, Truck Rental and Storage Unit Rentals – 1405 North State Street – CJP Enterprises LLC
6. **Adjournment**

City of Marengo
Special Planning & Zoning Commission Meeting
 Council Chambers
 132 E. Prairie Street
 Marengo, IL 60152
 June 20, 2017
 7:00 P.M.

CALL TO ORDER

Commission Chairman Mike Bieniek called the Special 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, Brackmann, Varney, and Mazurkiewicz. Also present were Assistant City Administrator Joshua Blakemore, Attorney Carlos Arevalo and Deputy City Clerk Anna Leyrer. Commission Members Ryan Gieseke, Peter Hunt and Dick Piwonka were absent.

APPROVAL OF MINUTES

Commission member Mazurkiewicz made a motion, seconded by Commission member Varney to approve the ~~May 15, 2017~~ Planning and Zoning Minutes. The motion passed with aye votes from Commission members Bieniek, Brackmann, Mazurkiewicz, and Varney.

NEW BUSINESS- PUBLIC HEARING

Public Hearing- Application and Recommendation for a Variance from the Marengo Sign Ordinance to Allow for a Sign 20 Feet in Height within a Required Setback- 19800 East Grant Highway – Taco Bell

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

Commissioner Bieniek 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 Taco Bell approached the City with two requests. The first being the height of the sign and the second being the placement of the sign. An application for a 20 foot sign was submitted. The applicant originally submitted a request for a 32 foot sign, but was informed by staff that it would be too high. Submitted were examples for both a pole sign and an example of a sign that would be considered a pylon sign, which would include an aluminum casing over the pole to make the whole sign the same width. He also explained the need

to allow the sign to be constructed within the setback. Mr. Blakemore presented a site plan to show that it would be a challenge to place a sign in an area outside of a required setback due to lot layout and parking areas.

Commission member Brackmann asked if there would be any landscaping. Mr. Blakemore stated that those requirements would be part of the landscaping ordinance that is required and will be discussed in the future.

Mr. Blakemore stated that there has been two objections from surrounding business owners regarding this proposed sign construction. One is from Sullivan's Food and the other from the property owner of 19809 E. Grant Highway. Mr. Blakemore explained that when he was doing research for this application, he found that the Sullivan's monument sign was never issued a zoning variance for their sign. The only documentation he could find was a memo from the prior City Administrator stating it would be reviewed at a later time and a letter that it was approved by the then Building Commissioner.

Commissioner Bieniek introduced Michelle Forys, a representative of Omega Sign and Lighting. Ms. Forys explained that she is here tonight to seek approval of a variance from the sign ordinance to approve a 20 foot sign and the approval to construct the sign in the setback. Taco Bell is seeking the approval for the 20 foot pole sign, but will agree to variations or reduction in size, if needed. Commissioner Mazurkiewicz asked about the coloring of the sign. Mr. Forys stated the sign would be Taco Bell's new branding colors and would be different shades of purple and would be internally lit. Mr. Blakemore informed Ms. Forys that before the request would go before Council, the landscaping plans would be required. Mr. Forys mentioned that a pole sign would be better at the proposed location to avoid obstruction of view while at the stop sign on Lindow Lane. Commission member Bieniek stated he went out to the location earlier in the day with the intention of seeing how far back at the stop sign a view could be obstructed, and he stated it would be at least three cars deep, so there is no real concern.

PUBLIC COMMENT

Commissioner Bieniek opened the floor for public comment.

Attorney Arevalo swore in Mr. Gene Carroccia during the public comment. Mr. Carroccia expressed his concern over the proposed 20 foot height of the sign, and that there are no other signs that height in the City and feels that it is too tall.

COMMISSION MEMBER DISCUSSION

Commissioner Bieniek made the statement that he feels that there needs to be an update made to the sign ordinance. He feels the 7 foot limit currently set is not practical. He feels it's wrong to have an ordinance that is constantly issuing variances because it is not viable. He also feels that the sign ordinance should be part of the zoning ordinance.

Commission Member Brackmann stated he is in the opinion that the sign height should be reduced to match the surrounding signs.

Commission Member Mazurkiewicz stated he isn't necessarily against the 20 foot sign since it is in a business area.

Commission Member Varney stated he thinks the sign height is a little excessive, but he isn't necessarily against it.

Commissioner Bieniek stated to Ms. Forsys that the height seems to be a concern and asked if she had any alternates for a lower height. She did have examples of a 14 foot 6 inch sign. She stated that obviously Taco Bell is seeking the higher sign, but will agree to the shorter sign.

Mr. Blakemore asked if the Commission had an issue with constructing the sign within the setback. They said they had no issue.

PLANNING AND ZONING ACTION

A motion was made by Commission member Brackmann, and seconded by Commission member Varney to recommend the approval of Variance from the Marengo Sign Ordinance to Allow for a Sign 14 foot 6 inches in height with the Aluminum Cladding within the Required Setback and incorporating the finding of facts – 19800 East Grant Highway– Taco Bell. The motion passed with aye votes from Commissioners Bieniek, Mazurkiewicz, Varney, and Brackmann.

CLOSING OF PUBLIC HEARING

Commission member Varney made a motion, seconded by Commission member Mazurkiewicz, to close the public hearing. The motion passed with a voice vote.

DISCUSSION

Assistant City Administrator stated that the Special Use Permit application for CJP Enterprises, LLC. (U-Haul business on N. State) will be on the July 17, 2017 PZC agenda.

Commission member Bieniek again stated that he feels the sign ordinance should be revisited 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. Commission member Mazurkiewicz was in agreement.

Mr. Blakemore stated that this ordinance will go before City Council on July 10th.

ADJOURNMENT

Commission member Mazurkiewicz made a motion to close the meeting. The motion passed with a voice vote. The meeting adjourned at 7:41 p.m.

Respectfully submitted,
Anna Leyrer
Deputy City Clerk

Approved at the _____ Planning and Zoning Commission meeting.

PUBLIC HEARING

TO: Planning and Zoning Commission

FROM: Joshua Blakemore, Assistant City Administrator

FOR: July 17, 2017 Planning and Zoning Commission Meeting

RE: 1405 N. State Street CJP Enterprises LLC –Special Use to Allow for the Outside Display of Inventory and the Display, Parking & Sales of Motor Vehicles

Issue Statement: The applicant is seeking a special use permit to allow for the outside display of inventory and sales and parking of used vehicles and rental trucks. The property in question (PIQ) is located at 1405 North State Street and is currently zoned M – Manufacturing. As per Section 13.02 (2) of the Marengo Zoning Ordinance (MZO), a special use is required for any business wishing to have outside display of inventory in a Manufacturing District. Section 15.04 of the Marengo Zoning Ordinance outlines the conditions of Motor Vehicle Special Use.

Neighboring Uses: The adjacent properties to the north and west of the PIQ are zoned M Manufacturing General Business. The properties to the east and south of the PIQ is zoned R-1 Single Family Residential.

The City has not received any objections to the application at this time.

Summary: The applicant had an existing special use at 136 and 154 North State Street for the sale of motor vehicles. This special use was approved in September of 2014. That property was then being used for UHaul rentals as you may have previously noticed. Earlier this year the applicant moved the UHaul operations to the address at 1405 N. State Street without going through the proper zoning process. They owner was notified and they submitted a special use application you see before you now.

The applicant is seeking a motor vehicle special use, including the operation of a moving and storage business, truck rentals, retail sales and auto/truck sales. Section 15.04 of the Zoning Ordinance outlines the following requirements for a “Motor Vehicle Special Use”:

1. The applicant shall demonstrate that the proposed use is economically compatible with existing uses.
2. The special use will not injure surrounding property values.
3. Lighting sources shall be directed away from surrounding properties.
4. Display area shall have a paved surface. (At this time only a portion of the lot is paved, in most cases, such as residential driveways, existing gravel has been allowed to be maintained, but no new gravel lot coverings are permitted)

As part of the motor vehicle special use request, the following special use provision is also requested. Section 13.02 (2) of the Zoning Ordinance states that “No outside display of inventory, sale or storage of materials, equipment, merchandise and other similar goods or containers shall be permitted expect by issuance of a special use permit.

A public hearing regarding the petitioner's application for a special use permit for the property in question is requested for the July 17, 2017, Planning and Zoning Commission meeting. If, after concluding the public hearing, the PZC feels the special use permit would be appropriate, then the adoption of the attached findings of fact and a recommendation that the City Council approve the requested special use would be in order.

Motion to Recommend: *Motion to adopt the attached finding of facts as presented and recommend that the City Council approve a planned development and special use permit as requested for the property in question.*

Findings of Fact

1405 North State Street

Application for Special Use Permit – Outside Display of Inventory and Motor Vehicle Sales

Based on the evidence and testimony provided during the public hearing for this application which commenced on July 17, 2017, the Planning and Zoning makes the following findings of fact in support of the application:

SPECIAL USES

Marengo Zoning Ordinance Section 15.03, "Standards for Special Uses," states that the City Council may authorize a special use permit upon determining and finding as fact, the following:

1. That the proposed use will not be detrimental to the public health, safety, comfort or general welfare, nor substantially diminish or impair the value of other properties or improvements in the vicinity.
2. That the proposed use will comply with the regulations of the zoning district in which it is located and this Zoning Code generally, including but not limited to all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, wetlands and flood plain regulations, building and fire codes, and all other applicable City ordinances, or if exceptions are requested, that such exceptions are justified.
3. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and if appropriate or required, will contribute financially, in proportion to its impact, to upgrading roadway systems.
4. That the proposed use will not negatively impact existing public utilities, facilities and municipal service delivery systems without due consideration for adequate means of upgrading such utilities, facilities and systems.
5. That the proposed use will not negatively impact the environment by creating air, noise or water pollution, ground contamination, or unsightly views without due consideration for, adequate means of controlling, mitigating or buffering such impacts.

6. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; and provide appropriate landscaping.
7. That the proposed use will meet standards and requirements established by jurisdictions other than the City, such as federal, state, county or other governmental units or agencies requiring licensing, permitting or health/safety inspections, and submit written evidence thereof.
8. That the proposed use shall conform to the regulations established for specific special uses as provided in this Section 15 [of the Marengo Zoning Code].

cc: Mayor & City Council
Attorney Terry McKenna

REQUEST FOR SPECIAL USE APPLICATION

Instructions to applicant: A special use has unusual operational, physical, or other characteristics which distinguish it from the permitted uses of a district but which may be made compatible with the intended overall development within a district. A special use permit is issued to regulate development of a special use. These may be public service uses which, although generally considered desirable or compatible with other uses in the zoning district, require special review. This review is performed by the Planning and Zoning Commission at a public hearing.

The Applicant should be able to show, by a site plan and documentary evidence that the proposed development will be in harmony with the general purpose and intent of the Zoning Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

All information requested below- a site plan as described on the attached sheet and development schedule providing reasonable guarantees for the completion of the construction-must be provided before a hearing will be scheduled. Applicants are encouraged to visit the office of the City Administrator for any assistance needed in completing this application.

1. Applicant information:

Name GJP Enterprises LLC Telephone # (815) 345-6645
Address 1405 N. State St., Marengo, IL 60152
Street City Zip Code

2. Property interest of applicant:

(X) Owner () Contract purchaser
() Lessee () Other

3. Name of owner (if other than applicant):
(attach additional sheets if necessary)

Name Telephone #
Address Street City Zip Code

4. Location of property:

Street address 1405 N. State St., Marengo, IL 60152
Legal description (lot, block and subdivision): See attached
PIN 11-25-100-028, 11-25-100-029

5. Present zoning classification of the area manufacturing

6. Present use of property (if any uses or buildings on property are non-conforming, so state):
self storage units, truck rentals

Request for Special Use Continued

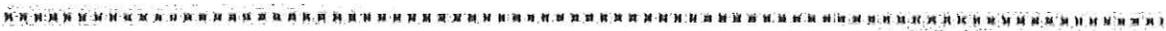
7. Special use request:

State exactly what is intended to be done with the property that requires a Special Use Permit. outside display of inventory and motor vehicle special use including, specifically, operation of a moving and storage business, truck rentals, storage unit rentals, related retail sales, auto/truck sales

8. I certify that all the above statements and the statements contained in any papers or plans submitted herewith are true and accurate.

By: Colt P... 6/1/17
Signature of applicant Date

Signature of owner (if different than applicant) Date



DO NOT WRITE IN THIS SPACE- FOR OFFICE USE ONLY

Date of hearing _____ PIN _____

Notice published on _____ Zoning _____

Newspaper _____ Fee paid _____ Check # _____

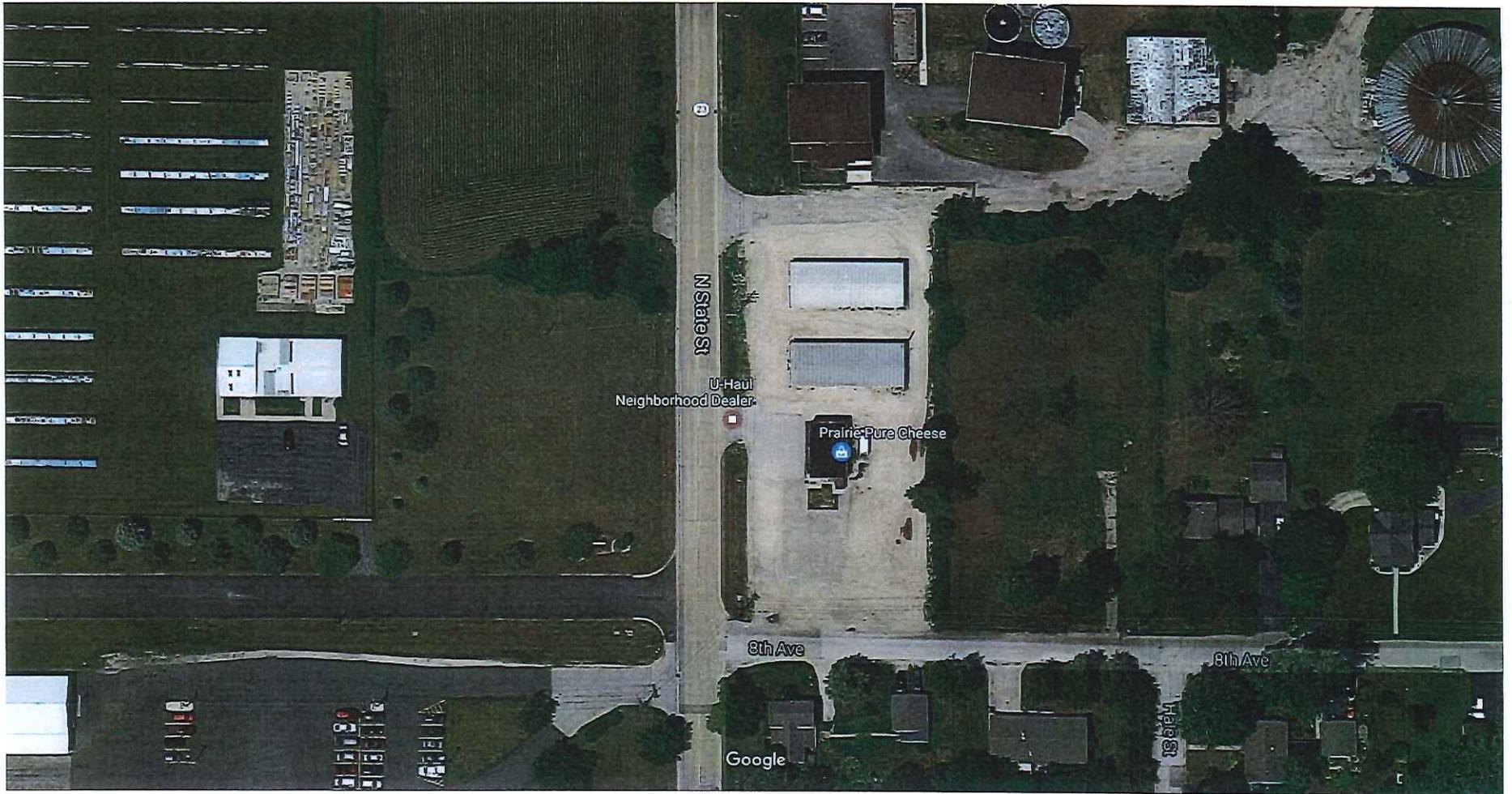
Action by Planning and Zoning Commission: _____ Date _____

Denied _____ Approved _____ Approved with modification by Commission _____

Comments: (indicate other actions such as continuance) _____

Parcel Number	Owner	Mail To Address 1	Mail To Address 2	Mail To City
11-25-100-008	MARENGO CITY OF	132 E PRAIRIE ST		MARENGO, IL 601523128
11-25-100-009	JOHN A JUSTINE SEVERA	500 WILLOW RD		MARENGO, IL 60152
11-25-100-010	ANDREW MINDOCK	190 8TH AVE		MARENGO, IL 60152
11-25-100-046	MARENGO CITY OF	132 E PRAIRIE ST		MARENGO, IL 601523128
11-25-301-001	SCHMIDT ALLEN OBRIEN RUBY	4718 LINDWALL RD		HARVARD, IL 600338893
11-25-301-002	JASON KAREN TRANNEL	6020 IRONWOOD DR		CRYSTAL LAKE, IL 600144829
11-25-301-003	CAROL FARMER	1315 N STATE ST		MARENGO, IL 601522203
11-25-301-005	DAVID P DENISE M SHADLE	175 EIGHTH AVE		MARENGO, IL 60152
11-25-301-008	JAMES E JENNIFER OHLINGER	1312 N HALE ST		MARENGO, IL 60152
11-25-301-010	TR BITTENBENDER	128 7TH AVE		MARENGO, IL 601522327
11-25-301-011	GEORGE P MARY A KANALY	1310 N HALE ST		MARENGO, IL 601522353
11-25-302-007	MICHAEL JACOBSEN	1321 N HALE ST		MARENGO, IL 60152
11-25-302-008	WRIGHT G E SMITH K S	1315 HALE ST		MARENGO, IL 601522352
11-26-200-015	VALSPAR CORP	ALTUS GRP US INC	PO BOX 92129	SOUTHLAKE, TX 76092
11-26-426-001	THOMAS LINEAR LLC	1300 N STATE ST		MARENGO, IL 60152

Google Maps



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