

PLANNING & ZONING COMMISSION MEETING MINUTES

June 6, 2006 - 7:00 p.m.

Chairman Stafford called the meeting to order at 7:00 p.m. City Clerk Wells called roll. Commission members present: Glenda Miller, Jim Pagles, John Killeen, Mark Hinterlong, Carl Opper and Harry Stafford. Commissioner Ken Gabrys was absent. Also present were Alderman Marzahl, Alderman Logan, Alderman Adams, Alderman Perkins, City Administrator Nelson, City Attorney Fetzner and members of the press and audience.

Planning and Zoning Commission Minutes of May 2, 2006 – Approved

Chairman Stafford asked for any corrections or additions to the May 2, 2006 minutes of the Planning and Zoning Commission. There were none. Moved by Hinterlong, seconded by Miller to approve the minutes as presented. Commission members voting aye: Glenda Miller, Harry Stafford, Jim Pagles, John Killeen, Mark Hinterlong and Carl Opper. All ayes. Motion carried.

Appoint Hearing Officer – Approved

Moved by Miller, seconded by Pagles to appoint Attorney Rob Fetzner as hearing officer for the hearing. Commission members voting aye: Glenda Miller, Harry Stafford, Jim Pagles, John Killeen, Mark Hinterlong and Carl Opper. All ayes. Motion carried.

Wal-Mart Super Center – Annexation, Zoning, Conditional Use and Preliminary Plat of Subdivision

Attorney Fetzner opened the hearing in the petition of Leon W. and Meredith E. Henson, Elvis J. and Carolynn Henson, Jay T. and Sandra Nolan (owners) and Wal-Mart Stores, Inc. (contract purchasers). City Clerk Wells confirmed that the fees have been paid. The Certificate of Publication was noted and entered into the record. Certified notices were sent to adjacent property owners, Dunham Twp. officials and appropriate taxing bodies. Clerk Wells presented into record three petitions submitted by the petitioners: annexation, rezoning and conditional use and plat of subdivision. The parties of interest in the petition were present. There were no objectors present.

The petitioners and witnesses were identified as follows: Attorney Sanford Stein of Gardner Carton & Douglas; Cindy Flower and Kevin Carrier, engineers with McClure Engineering Associates, Inc.; John Waggoner, architect with pb2 and Daniel Loftus, traffic engineer with GC Engineering, Inc. Clerk Wells swore in those presenting testimony. Attorney Stein reviewed the petitions for the construction of a new Wal-Mart facility on the south side of McGuire Rd. approximately 250' east of the southeast intersection of McGuire Rd. and Route 14. The total site is approximately 19 acres, of which 16 acres exists in city limits with a B-3 zoning. The re-zoning petition is to reclassify the remaining two parcels (.9 and 1.9 acres), upon annexation, to B-3 Commercial to be consistent with the balance of the site. The petitioners are requesting approval of a preliminary plat of subdivision as well as a conditional use for an automotive/oil change facility.

The following individuals presented evidence on behalf of the petitioners:

1. John Waggoner, architect with pb2, reviewed the proposed Wal-Mart super center which consists of approximately 142,000 sq. ft. and will contain retail grocery, a TLE, a garden center and an internal pharmacy.
2. Daniel Loftus, traffic engineer with GC Engineering, Inc, reviewed the potential traffic impact that the proposed facility will have along McGuire Rd. The firm completed a traffic impact analysis in accordance with the Institute of Transportation Engineers and the Illinois Dept. of Transportation. The study area was composed of the existing traffic signal at Route 14 along McGuire Road out to Schultz Rd. The study included existing counts and projected 2025 accounts. The study includes a proposed traffic signal about 790' east of Route 14 on McGuire Rd. which would serve as the main entrance to the proposed Wal-Mart site and a proposed intersection further east that would be stop sign controlled which would bring in traffic in behind the building which would primarily serve as a truck access. The intersection design studies for both signalized intersections have been completed. The firm has determined that with the inclusion of an exclusive use bound right turn lane into the facility along McGuire Rd. and the inclusion of left turn channelization from the east into the facility, that the signalized intersection at the entrance would work at an acceptable level of service. In addition to the Wal Mart site, at the direction of the City, they also looked at three other potential developments in the general vicinity in putting together the traffic impact analysis. At the intersection of Route 14 and McGuire Rd., they are proposing an improvement for the inclusion of a northbound to eastbound exclusive right turn lane which will pull right turn vehicles that are generated by the Wal-Mart out of the through lane which will then make that intersection operate at an acceptable level of service.

3. Cyndi Flower, engineer with McClure Engineering who prepared the site civil design elements, reviewed the proposed design for the drainage area, parking (733 stalls) and the landscaping plan.

Presentation of evidence by objectors; no objectors were identified.

Testimony from supporters of petition. There was none.

There was no further testimony to be presented by the petitioners.

Attorney Fetzner opened the floor to public comment. The following individuals addressed the Planning and Zoning Commission:

1. Robert W./Lydia Breul, 5410 U.S. Route 14 South, Harvard – inquired if more property would be needed for the right hand turn lane off of Route 14
2. Linda Bowlick, 9907 Knickerbocker Rd., Harvard – inquired about the status of the old Wal-Mart building and suggested they build an even larger super center than what is being proposed

Attorney Stein addressed the Planning and Zoning Commission with a final argument for approval of the petitioners' requests as submitted.

Upon reviewing all evidence and testimony and after deliberation it was moved by Miller, seconded by Pagles to recommend to the City Council annexation of the land described in the petition filed before the Planning and Zoning Commission. Roll call vote: Glenda Miller, aye; Jim Pagles, aye; John Killeen, aye; Mark Hinterlong, aye; Carl Opper, aye and Harry Stafford, aye. Motion approved seven to zero.

Moved by Pagles, seconded by Miller to recommend to the City Council approval of the Petitioner's requests as follows:

1. Preliminary Plat of Subdivision as presented (prepared by McClure Engineering Associates, Inc., and dated 5-10-06);
2. Conditional Use for an oil change facility on the subject property;
3. Rezone property, subject to annexation, to B-3 Commercial Zoning District.

Roll call vote: Jim Pagles, aye; John Killeen, aye; Mark Hinterlong, aye; Carl Opper, aye, Harry Stafford, aye and Glenda Miller, aye. Motion approved seven to zero.

Clerk Wells advised the petitioner that the Planning and Zoning Commission recommendations would be brought before the City Council at their next regular meeting on June 13, 2006, at 7 p.m.

Attorney Fetzner turned the meeting over to Chairman Stafford who requested that the petitioners remain and keep the exhibits on display for members of the audience.

At 7:44 p.m., moved by Miller, seconded by Pagles to adjourn the meeting. Commission members voting aye: Glenda Miller, Harry Stafford, Jim Pagles, John Killeen, Mark Hinterlong and Carl Opper. All ayes. Motion carried.

Submitted by:

City Clerk Andy Wells

Date: _____