

**CITY OF MASCOUTAH
PLANNING COMMISSION
#3 WEST MAIN STREET
MASCOUTAH, IL 62258-2030**

APRIL 20, 2016

The minutes of the Regular Meeting of the Planning Commission of the City of Mascoutah.

PUBLIC HEARING – 7:00PM

PC 16-03 –Rezoning of 608 S. Jefferson Street from Light Industrial (LI) to General Commercial (GC).

Assistant City Manager Lisa Koerkenmeier explained that the applicant, Bail-Co Properties, represented by John Bailey, redeveloped the property at 608 S. Jefferson Street (Erwin Plaza) and converted the former auto dealership property into office/retail space ten years ago. The original auto dealership building was remodeled and a 5,500 square foot addition was constructed which provided for approximately 13,700 square feet of office/retail space. Over the years, the owner has leased to tenants but the property is presently vacant. Lisa explained how the LI District does allow for a variety of administrative and support services, professional services and miscellaneous store retailers, other uses such as restaurants, medical and dental clinics are allowed by special use in the LI District. The General Commercial District would allow restaurants and medical and dental clinics by right. The types of retail and office uses this property would be marketed to are better suited with General Commercial zoning than Light Industrial zoning. Lisa also stated that Linda Bailey representing Bail-Co Properties was here to answer any questions. There were no comments or questions about the requested change.

There was no further discussion.

PUBLIC HEARING ADJOURNED at 7:09 PM

PUBLIC HEARING – 7:10PM

PC 16-04 –Rezoning of 8.32 acres +/-, north of Moorland Circle Drive from General Commercial (GC) to RS-*, Single-Family Residential (RS-8).

Assistant City Manager Lisa Koerkenmeier explained that the applicant, Mascoutah Development Group, LLC, represented by Dave Kunkel, has a contract to purchase the subject property contingent upon the rezoning of a portion of this property to RS-8, Single-Family Residential and receiving Conditional Use Permit approval to construct a residential care facility. This petition includes the request to rezone the property which must precede the petition to request a conditional use permit for the residential care facility in a RS-8 District.

Lisa stated that the subject property is currently zoned GC, General Commercial and includes a total of 11 acres +/- . The rezoning petition to RS-8, Single-Family Residential is for approximately 8.32 acres of the 11 acre parcel which is located in the western portion of the 11 acre parcel. The balance of the parcel located along Illinois Route 4 will remain General

Commercial. The applicant is requesting the RS-8 zoning to allow him to apply for a conditional use permit to construct an assisted living center and a memory care center on the property.

It was also discussed that Prairie View Estates residential development south and west of the subject property is zoned Res. PDP 8.1. Although the Res. PDP provided some additional development requirements, the minimum lot size applied to this development is 8,000 square feet. Therefore, the developer is requesting the RS-8 zoning which is most similar to the zoning of neighboring properties. It should also be noted that the subject property has been for sale and marketed for commercial purposes, but has remained undeveloped for ten years.

Steve Wilke was present and was concerned about access to his land just north and west of the property that is being looked at for rezoning. He has no objections but wanted to make sure he would not be landlocked.

Larry Merriman, Norm Dunson, Christa Engel & Jessica Sylvia were in attendance and expressed their concerns on the traffic, property values, noise & drainage. They also asked the City about sidewalks to connect this facility with Harnett. These homeowners feel the location for this assisted living center and memory care center should not be allowed. They think there is a better location somewhere else in the community for this project.

Staff along with Mr. Kunkel explained the type of facility that would be built and the minimal impact it would have on any homeowner in the Prairie View Estates subdivision. Staff does not see any issues with drainage or traffic problems but IDOT will also be reviewing the plans. It was also stated that a berm between the properties was planned.

Commission members expanded on the questions asked by some of the neighboring homeowners and felt all concerns were covered for what they were approving tonight.

There was no further discussion.

PUBLIC HEARING ADJOURNED at 7:55 PM

PUBLIC HEARING – 7:56PM

PC 16-05 – Conditional Use Permit for a Residential Care Facility in a RS-8, Single-Family Residential District for property located north of Moorland Circle Drive.

Assistant City Manager Lisa Koerkenmeier explained that the applicant, Mascoutah Development LLC, represented by Dave Kunkel, has submitted a Conditional Use Permit (CUP) application to develop an assisted living and memory care center operated by Legacy Place on 8.32 acres located north of Moorland Circle Drive and Prairie View Estates residential development. The applicant has the subject property under contract to purchase the real estate with a condition that the City of Mascoutah approves this CUP. In order for the petitioner to apply for the CUP for a residential care facility, the subject property must first be rezoned to RS-8, Single-Family Residential. Hence, the applicant's rezoning petition preceded the CUP application.

Lisa stated that the applicant desires to construct a one-story building, approximately 52,000 square feet in size, consisting of 60 units of which 36 would be assisted living (mostly 1-bedroom, but some 2-bedroom and studios) and 24 memory care units. The facility's exterior would consist of brick, stone and hardi board. The preliminary site plan includes a total of 43 parking spaces and areas of green space and landscaping. Access to the property would be provided by a street constructed from Illinois State Route 4. Illinois Department of Transportation (IDOT) will have to approve an Intersection Design Study and an access permit. The land area to be utilized for the facility is great enough to accommodate expansions of both the assisted living center and memory care center. The applicant has constructed similar facilities in Highland, Waterloo and Breese.

Residence in attendance from Prairie View Estates once again stated their concerns.

Mr. Kunkel explained again what he was proposing and Mr. Kunkel along with staff explained to the residence that this property is currently zoned General Commercial and the residence should be glad they are not getting something much larger in their back yards.

There was no further Discussion.

PUBLIC HEARING ADJOURNED at 8:39 PM

PUBLIC HEARING – 8:40PM

PC 16-06 –Conditional Use Permit for Outdoor Storage in a GC, General Commercial District for property located at East Church and North Lebanon Streets.

Assistant City Manager Lisa Koerkenmeier explained that the applicant, Millikin LLC, represented by Bill Millikin, has submitted a Conditional Use Permit (CUP) application to allow outdoor storage on property he owns at the northwest corner of East Church and North Lebanon Streets. Outdoor storage is permitted by conditional use in the GC, General Commercial District. Mr. Millikin recently renovated the former Mascoutah Hardware store which is situated across the street at 101 E. Main Street and now operates the store as Ace Hardware. The redevelopment project also included constructing a new 10,972 square foot warehouse which fronts N. Market and E. Church Streets. An outdoor sales area along N. Market Street was approved for the project as part of the site plan review process.

Lisa stated that the applicant is requesting outdoor storage across the street from Ace Hardware on property he owns at E. Church and N. Lebanon Streets. The subject property is an irregular shape, and although most of the parcel is zoned GC, there is a small portion of the property located north of the alley right-of-way which is triangular shaped and is zoned RS-8, Single-Family Residential. This CUP request is only for the portion of the property with frontage along E. Church Street and zoned GC. Mr. Millikin desires to expand the existing gravel lot for the purpose of storing and servicing materials related to the hardware business and to construct a propane filling station. He also stated his desire to use the property for employee parking. However, staff informed him that if the property was used for off-street parking, the lot would need to be improved to meet the parking design and maintenance standards in accordance with Article IX. Off-Street Parking and Loading. At this time, the applicant does not want to upgrade

the lot to meet the parking standards and will only use the lot for inventory storage and the propane filling station.

Mr. Millikin was in attendance and answered many questions and concerns that residence and commission members had.

John Hinkle a neighbor to the property stated some concerns about semi's parking overnight at the location off of Church Street. He also would like to see the Green storage container removed from the property or fenced in. Mr. Hinkle explained how the property looks like an industrial overload and we need to be concerned about the sidewalks and how the City needs to look at having safe sidewalks for our kids to get back and forth to school.

Stacy Stein who is also a neighboring business expressed concerns about noise, appearance and parking issues. She is a mental health and substance abuse counselor and needs to provide a calm place for her patience.

Commission members had varying thoughts on this proposal. Some members thought that it is not a good location for such a business. Other members thought that as long as Mr. Millikin follows the conditions they do not see a problem since this is a piece of property zoned General Commercial.

There was no further discussion.

PUBLIC HEARING ADJOURNED at 9:44 PM

CALL TO ORDER at 9:45PM

Chairman Ken Zacharski called the meeting to order.

PRESENT

Commission members Charles Lee, Jack Klopmeier, Glenn Shelley, Rich Thompson, Bruce Jung, Jim Connor and Chairman Ken Zacharski were present.

ABSENT – None

ALSO PRESENT

Administrative Assistant Melissa Schanz, Assistant City Manager Lisa Koerkenmeier, City Manager Cody Hawkins, Danny Schrempp.

ESTABLISHMENT OF A QUORUM

A quorum of Planning Commission members was present.

GENERAL PUBLIC COMMENT

None

AMEND AGENDA

There was no need to amend Agenda.

MINUTES

Lee moved, seconded by Klopmeier, to approve the minutes of the March 16, 2016 Planning Commission Meeting.

THE MOTION BY ROLL CALL

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Rich Thompson aye, Bruce Jung aye, Jim Connor aye and Chairman Ken Zacharski aye

7-ayes, 0-nays

PC 16-03 –Rezoning of 608 S. Jefferson Street from Light Industrial (LI) to General Commercial (GC).

Discussion was held during the Public Hearing Process. Please see Public Hearing section of these minutes for details.

MOTION

Jung moved, seconded by Lee that the Planning Commission approve the rezoning request for 608 S. Jefferson Street from LI, Light Industrial, to GC, General Commercial, subject to the Findings below.

1. The proposed zone change of the site is appropriate, in terms of land patterns in the entire City and the City's Zoning Code requirements.
2. The proposed zone change is in accordance with the City's Comprehensive Plan Land Use Map.
3. The rezoning application is consistent with good general planning.
4. The proposed zone change encourages land use compatibility with adjacent uses.
5. The proposed zone change is deemed desirable to promote the general welfare of the City.

THE MOTION BY ROLL CALL

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Rich Thompson aye, Bruce Jung aye, Jim Connor aye and Chairman Ken Zacharski aye

7-ayes, 0-nays

PC 16-04 –Rezoning of 8.32 acres +/-, north of Moorland Circle Drive from General Commercial (GC) to RS-*, Single-Family Residential (RS-8).

Discussion was held during the Public Hearing Process. Please see Public Hearing section of these minutes for details.

MOTION

Thompson moved, seconded by Shelley that the Planning Commission approve the rezoning request for 8.32 acres +/-, located north of Moorland Circle Drive from GC, General Commercial, to RS-8, Single-Family Residential, subject to the Findings below.

1. The proposed zone change of the site is appropriate, in terms of land patterns in the entire City and the City's Zoning Code requirements.

2. The proposed zone change is compatible with surrounding residential and commercial uses and the GC, General Commercial, and RS-8, Single-Family Residential zoning of nearby property.
3. The rezoning application is consistent with good general planning.
4. The proposed zone change encourages land use compatibility with adjacent uses.
5. The proposed zone change is deemed desirable to promote the general welfare of the City.

THE MOTION BY ROLL CALL

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Rich Thompson aye, Bruce Jung aye, Jim Connor aye and Chairman Ken Zacharski aye

7-ayes, 0-nays

PC 16-05 – Conditional Use Permit for a Residential Care Facility in a RS-8, Single-Family Residential District for property located north of Moorland Circle Drive.

Discussion was held during the Public Hearing Process. Please see Public Hearing section of these minutes for details.

MOTION

Lee moved, seconded by Klopmeier that the Planning Commission approve the Conditional Use Permit for a residential care facility for the 8.32 acres in a RS-8, Single-Family Residential District, located north of Moorland Circle Drive and Prairie View Estates, subject to the Findings and Conditions of Approval as amended

Findings:

1. The proposed conditional use permit is appropriate, in terms of land patterns in the entire City and its comprehensive plan.
2. The proposed conditional use permit is compatible with surrounding uses and the zoning of nearby property.
3. The land is suitable for the use proposed in the RS-8 Single-Family Residential Zoning District.
4. The proposed conditional use permit is consistent with good general planning.

Conditions:

1. The conditional use permit shall be granted to Mascoutah Development Group, LLC, to construct Legacy Place, an assisted living center and memory care center.
2. The conditional use permit may be transferred or conveyed to another entity to continue to operate an assisted living center and memory care center following construction of the facility.
3. The conditional use permit shall allow the future expansion of the assisted living center and memory care center provided that all present and future amendments to site plan, building code and zoning ordinance requirements are met.

4. The project shall receive Intersection Design Study (IDS) and access permit approval from the Illinois Department of Transportation (IDOT).
5. Any road access from Illinois State Route 4 to the east or north property lines of the lot to be created for the assisted living center and memory care center shall be located in a public right-of-way and constructed in a manner acceptable to the City Engineer that will allow further expansion of these access roads into full urban street sections when land adjacent to the lot created for the assisted living center and memory care center develops.
6. The 30 foot wide strip of land along the north property line and an additional 5 feet of right-of-way along Illinois State Route 4 of the 11 +/- acre tract, shall be dedicated as public right-of-way when the property is subdivided and a lot created to accommodate the Legacy Place development.
7. The 25 foot wide landscape buffer easement between the 11 +/- acre tract and the Prairie View Estates single-family residential development, which was required as the PDP approval for the Prairie View Estates residential development, shall be constructed and completed in accordance with Ordinance No. 05-26, Section 34-5-148 Landscape Requirements, prior to issuing an occupancy permit to Legacy Place.
8. The 25 foot wide landscape buffer out lots along Illinois State Route 4 shall be created when the property is subdivided and a lot created to accommodate the Legacy Place development.
9. All trash dumpsters shall be fully screened from view and located within a trash enclosure constructed of similar building materials used for the assisted living center facility.
10. The exterior building materials for the assisted living center and memory care center shall consist of brick, stone and hardi board and closely resemble the architectural elevations submitted with the conditional use permit application.
11. **Notice of Planning Commission Meeting to review site plan and architectural elevations for Legacy Place shall be given to property owners within 250' of the subject property.**

THE MOTION BY ROLL CALL

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Rich Thompson aye, Bruce Jung aye, Jim Connor aye and Chairman Ken Zacharski aye

7-ayes, 0-nays

PC 16-06 –Conditional Use Permit for Outdoor Storage in a GC, General Commercial District for property located at East Church and North Lebanon Streets.

Discussion was held during the Public Hearing Process. Please see Public Hearing section of these minutes for details.

MOTION

Klopmeier moved, seconded by Lee that the Planning Commission approve the Conditional Use Permit for outdoor storage for property zoned GC, General Commercial and located at the northwest corner of E. Church and N. Lebanon Streets, subject to the Findings and Conditions of Approval as amended.

Findings:

1. The proposed conditional use permit is appropriate, in terms of land patterns in the entire City and its comprehensive plan.
2. The proposed conditional use permit is compatible with surrounding uses and the zoning of nearby property.
3. The land is suitable for the use proposed in the GC, General Commercial Zoning District.
4. The proposed conditional use permit is consistent with good general planning.

Conditions:

1. The Conditional Use Permit for outdoor storage shall be granted to Millikin LLC and is not transferrable to subsequent owners of the property or **The Conditional Use Permit for outdoor storage shall be granted to Millikin LLC and is transferrable to subsequent owners of the property if accessory to a hardware business conducted at 101 E. Main Street.**
2. Concrete bumpers (or a similar material) shall be installed to identify the easement boundaries. The drainage easement and alley right-of-way shall be kept free from any encumbrances.
3. Landscape planters and/or plantings, at a height not to interfere with lateral vision between 30 inches and ten feet, shall be installed within the site distance triangle at the northwest corner of E. Church and N. Lebanon Streets to discourage any materials or vehicles from encroaching into this area and creating an obstruction.
4. No debris ~~fill material, bulk materials or debris~~ may be stored on the premises. **Bulk and fill materials shall be stored in three sided retention systems.**
5. During the period of the Conditional Use Permit, if safety concerns arise, the City shall reserve the right to review the need to require the applicant to install curb cuts and make sidewalk repairs along E. Church and N. Lebanon Streets to address concerns.
6. Outdoor storage/display of materials in public right-of-way in conjunction with Ace Hardware/Millikin LLC shall not be permitted.
7. **A plan to create a visual barrier around the perimeter of the property shall be approved by staff and adjoining property owners and shall be installed within 6 months of Conditional Use Permit approval.**

THE MOTION BY ROLL CALL

Charles Lee aye, Jack Klopmeier aye, Glenn Shelley aye, Rich Thompson nay, Bruce Jung aye, Jim Connor nay and Chairman Ken Zacharski aye
5-ayes, 2-nays

MISCELLANEOUS - Lisa Koerkenmeier announced that she is leaving the City of Mascoutah. She stated that she has taken a job with the City of Brentwood.

ADJOURNMENT

Lee moved, seconded by Jung, to adjourn at 9:52 p.m. All were in favor.