

**MINUTES OF THE VILLAGE OF JOHNSBURG
DECEMBER 11, 2024 MEETING OF THE
PLANNING AND ZONING COMMISSION**

CALL TO ORDER – Chairman Larsen called the meeting to order at 7:01 p.m.

Commission Members Present

James Barrett
Steve Dixon
Daniel Loud
Roger Block
Ken Calhoun
Tom Benck

Staff Present:

Village Administrator Claudett Sofiakis
Assistant Administrator Vinny Lamontagna

KELLEY’S MARKET - Chairman Larson opened the hearing and read the request into the record. The subject parcels are commonly known as 3614 W. Johnsburg Road and 3602 N. Richmond Road. The Petitioner, Kelley’s Market, is requesting that the Planning and Zoning Commission for the Village of Johnsburg recommend that the property commonly known as 3614 W. Johnsburg Road be rezoned from Village of Johnsburg B1 Business District to Village of Johnsburg B-2 Business District and that both parcels be granted a special use permit for Planned Development to accommodate a convenience store featuring a restaurant, car wash, and fuel sales, and that the following be incorporated into the Special Use Permit for a Planned Development: a) a minimum rear yard setback of 6 feet; b) a minimum front yard setback of 29 feet; c) a total of 28 parking spaces shall be provided (exclusive of those provided at the fueling position) with a minimum parking lot depth of eighteen (18”) feet; d) a driveway width of 36 feet at Hamlin Drive; e) a conditional use to permit the sale and consumption of alcoholic beverages on premises; f) multiple signs on the property as identified in the proposed development plan; and g) a six feet high privacy fence along the north property line. The applicant also requests that the Planning and Zoning Commission review the Final Plat/Development Plan and make a recommendation to the Village Board regarding same.

Attorney for the Village, Matthew Walters swore in the petitioner’s representatives Carl Eckland and Ryan Swanson. Mr. Eckland stated that he is the attorney for the petitioner and restated the request as read into the record by Chairman Larsen. Ryan Swanson of ARC Design also attended on behalf of Kelley Williamson Company, owner of Kelley’s Market, to review the proposed development of a fueling station/convenience store at the northeast corner of Johnsburg Road and Route 31. He reviewed the location of the site and identified surrounding uses. Mr. Swanson stated that forty parking spaces are being provided, 12 of which are at the fueling stations. He identified the location of the convenience store/restaurant, fueling station and car wash, as well as green spaces and outside seating for the Which Wich restaurant, which is located in the store. He discussed the proposed access points on Route 31 and Hamlin and explained that a traffic analysis was performed, which considered the traffic moving through the area, as well as that from the neighboring residential development. He stated that the store is not a large traffic generator since it typically draws from persons passing through the area and those living in and around the store.

Mr. Swanson stated that storm water detention will be maintained underground insuring that it would not be running into the right of way or casting onto neighboring properties. He reviewed the building elevations and architectural details, and shared images of their new location in Huntley. Elevations of the fuel canopy and car wash were reviewed as well as the stone detailing incorporated into the architecture. Mr. Swanson discussed the Which Wich sandwich shop and its location in the store. He further identified the access from Hamlin Drive and a right in/right access on Route 31. He pointed out that fencing is proposed along the back property line as well as a retaining wall in locations with grade changes on the property.

QUESTIONS FROM THE COMMISSION - Commission Member Barrett asked Mr. Swanson to describe the process involved with a traffic study and obtaining authorization for ingress and egress. Mr. Swanson reviewed the process and explained that they reached out to all agencies having jurisdiction for conceptual reviews. He explained that he knew from previous applications for the property that a direct access to Johnsbury Road would not be approved by McDOT and that IDOT would only allow for right in/right out access. Commission Member Barrett questioned why Johnsbury was selected as a location. Mr. Swanson explained that the company was looking to expand east and the site is ideal.

Commission Member Benck questioned the anticipated customer base. Mr. Swanson stated that they anticipate passenger vehicles and some smaller trucks such as UPS vehicles. Mr. Eckland explained that their customers are typically people regularly traveling through the area as most people do not change their route to go to a gas station.

Commission Member Dixon questioned why Johnsbury rather than another smaller town. President of Kelley Williamson Company, Clif Morris, explained that they are seeking to expand brand recognitions and don't have a store in the area. He added that the site is well suited based upon its location and the availability of sewer and water to the site. He explained that they are a small business that wants to provide customers a one stop shop where they can purchase fuel, get lunch, wash their car and pickup convenience groceries. Mr. Morris added that it is good business for Johnsbury from a sales tax perspective and they want to be a part of the community and a positive customer experience.

Commission Member Dixon questioned if the sandwich shop provides carry out only or will tables be provided to dine in. Mr. Swanson reviewed the floor plan, identifying the dining location within the store as well as the location of coolers and sandwich prep area. Commission Member Dixon questioned if liquor consumption is anticipated on site. Mr. Eckland explained that they plan to provide video gaming consist with what is allowed at other convenience/fueling stations in the Village and the State requires a liquor license to obtain a video gaming license.

Commission Member Dixon questioned the road improvements proposed on Hamlin Drive. Mr. Swanson stated that Hamlin will be widened to three lanes at the intersection of Johnsbury Road -one coming onto Hamlin and a right turn lane and left turn lane exiting onto Johnsbury Road. The road will then taper back to two lane section as it continues north to Grant Road.

Commission Member Dixon questioned if signage will be included prohibiting semi-trucks? Mr. Eckland stated that other than fuel trucks accessing site, the site is not designed for 18 wheelers. Mr. Swanson stated that they can add signage prohibiting truck traffic at Hamlin. Commission Member Calhoun stated that he drives a large semi-truck and the way the site is designed will deter large truck traffic.

Commission Member Calhoun questioned the proposed hours of operation. Mr. Swanson stated 24 hours. Commission Member Calhoun questioned if access from Hamlin Drive was not authorized and they were limited to right in /right out on Route 31, would they still proceed with the location. Mr. Swanson stated no. Commission Member Calhoun questioned if the sandwich shop is exclusively their shop. Mr. Swanson explained that it is a franchised shop. Commission Member Calhoun questions where the underwater detention drains. Mr. Swanson stated that it drains south under Johnsbury Road. Commission Member Calhoun questioned what efforts the company makes to give back to the community. Mr. Morris stated that they do give back to communities and discussed educational alliances they've pursued.

Commission Member Loud questioned if it is a family owned business. Mr. Morris stated that it is family owned. Commission Member Loud questioned if they've had to shut down any of their locations in the past. Mr. Eckland stated that the business has been in place for 98 years and the family has worked hard to make it sustainable. Mr. Morris added that over the years some of the older, smaller gas stations have closed because they do not meet the needs of today's consumer and new stations have opened incorporating new designs. He added that many studies go into determining whether a store will be sustainable before it is pursued.

Commission Member Loud questioned if the Which Wich restaurant were to close, would they bring in another food option. Operations Manager for Kelley Williamson Company, Suzanne Dorsey Sterling stated that they do not expect the Which Wich restaurant to close but if that were to occur, the store offers a variety of other food options. She added that the sandwich shop closes around 8:00 p.m. and because they are a 24-hour store, they offer other food options at all times. She encouraged people to stop in at one of their locations. Commission Member Block sought confirmation that it is a convenience store as well. Ms. Dorsey Sterling confirmed that it is a convenience store offering milk, bread, eggs and other products.

Commission Member Calhoun questioned the number of anticipated employees. Mr. Morris stated that their new stores have at least 30 employees. Commission Member Calhoun questioned the location of their Lake Geneva store. Mr. Morris stated that it is located on Edwards Blvd in Lake Geneva.

Commission Member Benck questioned what considerations are being made for impacts to the adjacent neighbors. Mr. Swanson stated that all lighting is LED placed on lower poles, casting downward with shields to prevent light from spilling onto neighboring properties. He added that a solid six feet high fence is included along the back property and there is a grade difference which will also help to buffer the neighboring properties as well as a retaining wall with fencing on top of it. He reinforced that lighting is much more subdued and sound takes place in the front of the store so the building also acts as buffer. He remarked that ambient noise from Route 31 is likely louder than that which will occur on the property.

Attorney Matthew Walker opened the hearing to public questions and comments at 7:48 p.m.

Laurie Tomsa of Hamlin Road questioned the traffic study results. Mr. Swanson stated that the study indicated that the access locations as proposed can accommodate the traffic. Ms. Tomsa remarked that traffic has increased significantly in the area and with the new apartment complex across the street there will be more traffic. She questioned why the owners choose the location in Johnsbury rather than by Walmart or on Chapel Hill Road. She remarked that Johnsbury doesn't need more gas stations and residents can go to Walmart if they need items 24 hours. She expressed concern with video gaming being allowed and persons walking around drinking alcohol beverages. She questioned if there will be cameras and if police will be monitoring traffic.

Mr. Eckland address Ms. Tomsa's concerns explaining that the two exits lanes from Hamlin onto Johnsbury Road will improve current conditions and help reduce stacking. He added that the property is currently zoned business and the Village's planning efforts reflect a business use at the location. Mr. Eckland pointed out that video gaming is currently allowed at the other gas stations in the Village and the State requires a liquor license to have video gaming. He explained that a patron can request a beer and take it to a gaming terminal to consume while gaming but they cannot walk around store with it. He reinforced that lighting is situated on smaller poles with shields that cast light downward. Any lighting from parking stalls will not be cast onto neighboring property. Additionally, the neighboring property will be shielded by the building and fencing. Mr. Eckland added that the majority of the traffic coming to the site is from persons already traveling through the area and that the traffic study took into consideration traffic from the apartments.

Rich Janusz of 3416 James Way stated that traffic in the area has increased significantly. He added that access from Hamlin Drive onto Johnsbury Road is already a problem and will be further impacted by the proposed development causing people to go into the subdivision and travel past homes and the day care center to get to Route 31. He expressed that he feels that it is the wrong place for the business and added that alcohol consumption and gambling is something we need to get rid of in the community. He stated that he doesn't agree with traffic study and doesn't feel the proposed use is good for Village as he believes it will devalue homes.

Salley Beake of 3718 Claremont Road questioned if anyone has recently tried to get out on Hamlin Drive or Grant Road.

Laura Moysey of 3615 Garfield Road asked the Commission not to change the zoning from B-1 to B-2. She stated that she understands the desire to get new businesses, but she feels the proposal is not good for the neighborhood. She added that traffic is a real problem and questioned if the traffic study considered the events that take place in the area. She stated that the community does not need more gaming and alcohol. She questioned if the property will be served by sewers or an onsite septic system and if sewers, who will pay to extend them. She questioned if the Village is providing incentives to the petitioner. Mr. Swanson stated that the property will be served by the Village's sewer system which will be extended at cost of petitioner and that the Village's system has sufficient capacity. Mr. Eckland added that no incentives have been requested of the Village.

Karen Sahm of 3721 Buchanan Road stated that she is concerned with traffic, not just on Hamlin Drive but also on Johnsborg Road.

Salvador Flores of 3604 Hamlin Drive stated that he lives adjacent to the property and is concerned with traffic impacts to his home. He questioned how much of his property will be taken for the road improvements. Mr. Swanson stated that no property is being taken from Mr. Flores as the improvements can be accommodated within the existing right of way on Hamlin Drive.

Kathleen Sevier of 3804 Fillmore stated that there are small children in the subdivision that cross Johnsborg Road to get to the current gas station and the new residential development will also have children that will cross the road to get to this development. She expressed concern for their safety and water quality impacts.

Joseph Ratazcsak of 3725 Garfield Road submitted a petition he circulated signed by residents of Claremont Hills subdivision. He stated that the citizens of the subdivision are opposed to the proposed development and expressed concern with the increased traffic and congestion it will cause. He added that the development will have a negative impact on safety, especially on children due to the location of the day care center. He opined that it is an unnecessary development as there is already a gas station across the street and in other areas in Johnsborg and it will likely decrease property values. He asked that the zoning request be rejected and expressed concern with tobacco, alcohol, and gaming taking place by the day care center and excessive noise impacts such as those from air conditioning units on the building. He stated that he disagrees with the traffic analysis.

Ronald Zimmermann of 3612 Grant Rd stated that he lives at the corner of Grant Road and Hamlin Drive and it is a very busy corner. He discussed the difficulty he currently experiences getting into and out of the subdivision and when Johnsborg Road is busy, people will cut through Hamlin Drive, turning on to Grant Road to get to Route 31. He stated that he moved to Johnsborg for a nice quiet neighborhood for his children and stated that he was concerned when the day care center first moved in but it didn't really become a problem. He stated that the proposed building appears to be nice but the petitioners should look at a different location.

Mike Kam of 3615 Buchanan discussed current traffic impacts that cause drivers to make U-turns to get where they are doing.

Phillip Riley stated that he had no additional comments.

John Blank attended on behalf of the I Am I Can Daycare Center. He stated that he is concerned with privacy and alcohol sales. He added that his other concerns were already expressed by previous speakers.

Paul Meyer stated he had no additional questions.

Dorothy Stutzke of 3715 Claremont Road stated that everyone already addressed her concerns.

Knute Ramberg questioned if the development will take up some of his property. Mr. Swanson stated that no additional property is being sought from neighbors and explained that roadway improvements favor the Kelley's Market's side of the road. Mr. Ramberg stated that the neighborhood is nice and quiet and the development will destroy the neighborhood.

Charles Boyce Carriker of 3812 had no additional comments

Paul Flores of 3604 Hamlin stated that he is the owner of the home at the corner of Johnsbury Road and Hamlin Drive and he already has issues with traffic impacting his home as everyone uses his driveway as a turnaround. He questioned if the existing culvert will be pushed back into his yard. Mr. Swanson stated that storm water will be tied into the current drainage improvements on Johnsbury Road as will be required by the County. He stated that no property is being taken from Mr. Flores and the improvements on Hamlin will include both right and left turn lanes exiting onto Johnsbury, which will help minimize the amount of stacking that occurs on Hamlin Road as motorist looking to turn right onto Johnsbury Road will not have to wait for vehicles waiting to make a left turn onto Johnsbury Road.

A resident in attendance expressed concerns with traffic impacts. He stated that he came to Johnsbury from Des Plaines to get away from the traffic. He questioned why the property is getting rezoned and if the Village needs revenue.

With no further questions and comments from the public, the public input portion of the hearing closed at 8:49 p.m.

ADDITIONAL QUESTIONS FROM THE COMMISSION

Commission Member Barrett stated that his family has been in town for 75 years and discussed the importance of growing the community in a responsible manner. He explained that the Village has been planning for the community for many years and reviewed the process involved in developing those plans which are available at the Village Hall and on the Village's website. He encouraged residents to look at the plans and be involved in their community. Commission Member Barrett explained that if the petitioners wanted to pursue the improvement solely on the corner lot, which is already zoned B-2, they could do so without needing any zoning consideration from the Village. He stated that it is not an easy decision for any of the commission members and again urged residents to review the Village's plans.

Commission Member Calhoun questioned if the hours for liquor sales are consistent with those at liquor establishments. Administrator Sofiakis confirmed that they are.

Commission Member Calhoun moved to recess the meeting to January 8, 2025 at 7:00 p.m. in the David G. Dominguez Municipal Center, 1515 Channel Beach Avenue, Johnsbury, Illinois 60051. Commission Member Dixon seconded the motion. Motion carried at 9:12 p.m.

Respectfully Submitted,

Claudett Sofiakis
Village Administrator