

**MINUTES OF THE VILLAGE OF JOHNSBURG
SEPTEMBER 10, 2019 MEETING OF THE
PLANNING AND ZONING COMMISSION**

CALL TO ORDER – Chairman Husby called the meeting to order at 7:00 p.m. and opened the public hearing

Commission Members Present

Kim Husby
Mark Niggemann
Scott Letzter
Curt Larsen
Tom Benck
Ken Calhoun

Staff Present

Claudett Peters - Village of Johnsburg
Vinny LaMontagna – Village of Johnsburg

Chairperson Husby read the public notice and confirmed that all notice requirements were met. She explained the amendments are being requested by the corporate authorities and asked Village Administrator Claudett Peters to address the matter on behalf of the Village. Ms. Peters explained that in follow up to the adoption of the Downtown Planning Area Addendum to the Comprehensive Plan and the Route 31 Corridor Plan, attention has been directed at the properties along Johnsburg Road from Spring Grove Road to Route 31, as the area ties the two planning jurisdictions together. In that regard, the Planning and Zoning Commission is being asked to: 1) consider map amendments rezoning the subject parcels B-2 General Business District; 2) consider text amendments to both the Permitted and Conditional Use Charts; 3) and consider amendments to the Comprehensive Land Use Plan related to the zoning amendments being considered.

QUESTIONS FROM THE COMMISSION – Chairperson Husby remarked that perhaps the two parcels on Ivy Lane should not be included as they are residential lots that are a part of Dutch Creek Woodlands subdivision and should remain zoned with a residential zoning designation. Ms. Peters explained that after publication, the Village became aware that there was a concern regarding the two lots and upon further review, given the positioning of the parcels on Ivy Lane, the R-1 zoning is most likely more appropriate. She clarified that the parcels in question are 09-13-326-001 (Anderson Parcel) and 09-13-301-004 (Caifano Parcel).

Commission members concurred with removing the parcels from the B-2 map amendments.

Chairperson Husby suggested that each subject parcel be addressed separately beginning with the Sompel property (09-13-176-017). Mr. Sompel attended and explained that at the present time the property is being farmed. Chairperson Husby explained that the change to B-2 zoning would not impact the use and the property could continue to be farmed. Ms. Peters stated that Mr. Sompel's property consists of more than one parcel and clarified that the B-2 zoning consideration only applies to the parcel immediately adjacent to Spring Grove Road. Mr. Sompel questioned the impact to the remaining portion of his property. Ms. Peters explained that the remaining parcel is not the subject of the petition and would not be impacted.

The Commission then addressed the Anderson Parcels (09-13-177-002, 09-13-177-007 and 09-13-326-003). Chairperson Husby asked if there was anyone in attendance regarding the Anderson Parcels. Bobby Foskett, 2526 Knob Hill Road attended to question the Anderson Parcel immediately adjacent to Ivy Lane. Chairperson Husby explained that the Commission has already determined that parcel should not be included in consideration for B-2 zoning. Mr. Foskett concurred and clarified that there are sign easements on both of the parcels along Ivy Lane for Dutch Creek Woodlands subdivision and the parcel situated on the west side of Ivy Lane is owned by Mrs. Caifano and is being utilized for her septic field. No one else attended regarding the Anderson Parcels and no additional questions or comments were made.

The Commission discussed the Hughes Parcels (09-13-301-016 and 09-13-301-020). Ms. Peters explained that the parcels are currently being used in a commercial capacity but zoned A-1. No one attended regarding the Hughes Parcels and no questions or comments were made.

The Cable Parcel (09-13-301-018) was next discussed. No one attended on behalf of the Cable Parcel and no questions or comments were made.

The Commission then addressed the Ford Parcel (09-13-301-019). Attorney Mark Saladin stated that he has comments for later in the meeting regarding the Ford Parcel.

The Davidson Parcel was then discussed. Ms. Peters explained that the Davidson Parcel is sizeable and the change to B-2 zoning should likely be limited to the frontage along Johnsborg Road. Mrs. Davidson attended regarding the property and questioned how much of the property would be considered for B-2 zoning. She explained that she is agreeable to the change in zoning but does not want it to apply to the entire parcel. Discussion occurred regarding the appropriate depth needed to develop the parcel with B-2 uses. Mrs. Davidson suggested that perhaps it should be equal to the depth of the adjacent residential parcels. Ms. Peters stated the depth of the Posey Parcel situated to the west is 333 feet. The Commission questioned if that depth would be suitable for development. Chairperson Husby suggested the depth line up with the north property line of the Garrelts parcel. Ms. Peters stated that depth is 495 feet. Concern was raised as to whether or not following the Garrelts property line would render the area behind the Posey parcel unusable.

The Commission discussed the elevation of the property compared with the elevation of Johnsborg Road and its impact on access. Ms. Peters pointed out that there currently is access to the Davidson property from Johnsborg Road located closer to the Posey property. Commission Member Calhoun questioned the uses that would be allowed. Ms. Peters explained that they would be general business uses such as professional offices, cafés, bakeries etc. Commission Member Calhoun questioned if a shopping center would be allowed. Ms. Peters explained that larger retail uses would not be allowed as those uses are designated under the B-3 Large Retail district.

Commission Member Calhoun questioned the frontage along Johnsborg Road for the Davidson property. Mrs. Davidson stated that it is approximately 1000 feet. Commission Member Calhoun stated that utilizing a depth consistent with the neighboring parcel would provide an area of approximately 7 acres, which could accommodate 3 lots. Ms. Peters explained that it

would likely develop as a planned development with multiple uses on one lot to limit curb cuts on Johnsborg Road. Mrs. Davidson questioned if the change in zoning would change the assessment. She explained she has heard different views on the matter and understands that it would be up to the assessor to determine. Ms. Peters explained that the assessor does determine how the property is assessed however it should be assessed based upon its use. Attorney Barry concurred.

Lastly the Commission discussed the Fuhler property. Ms. Peters pointed out that the Fuhler property wraps around the gas station and has frontage on by Route 31 and Johnsborg Road. She added that B-2 zoning is consistent with the parcels south of the property along Route 31. No one was in attendance regarding the Fuhler property and no questions or comments were made.

PUBLIC QUESTIONS

Daniel Sompel questioned how much depth would be required on his parcel to accommodate the minimum lot requirements in the B-2 zoning district. Ms. Peters stated that the subject parcel is approximately 2.15 acres and therefore meets the requirement.

PUBLIC COMMENTS

Attorney Mark Saladin attended on behalf of Light House Church of McHenry. He stated that his client has a contract to purchase the Ford Parcel (09-13-301-019) and they object to the petition before the Planning and Zoning Commission as they believe their petition for rezoning should be heard before the subject map and text amendments. Scott Ford, owner of the Ford Parcel (09-13-301-019) attended and concurred with Mr. Saladin.

Village Attorney Gregory Barry iterated the purpose of the hearing and explained that discussions regarding plans and petitions for property that may come about later are not up for discussion at this time.

Commission Member Calhoun questioned if the properties are rezoned to B-2, are they required to hook up to the sewer. Ms. Peters stated that the forcemain is currently along Johnsborg Road, which is not ideal to connect to and the change in zoning would not result in the requirement to connect to the sewer system.

With no further questions or comments from the public, the matter was brought back to the Commission for action. Commission Member Benck expressed concern with acting on the change in zoning on the Davidson property without having determined how deep the B-2 zoning should be established. Commission members concurred and discussed tabling action until input could be obtained from the Village Engineer regarding the depth needed to develop the property with a business use.

MOTION – Commission Member Letzter moved to table the matter to September 24 2019 at 8:12 p.m. in the Village Hall. Commission Member Niggemann seconded the motion. All Commission Members voted aye. Motion carried.

HEARING REGARDING COMPREHENSIVE PLAN AMENDMENTS

CALL TO ORDER – Chairman Husby called the meeting to order at 8:12 p.m. and opened the public hearing regarding proposed amendments to the Village's Comprehensive Plan.

All members were still present. The hearing was immediately continued to September 24, 2019 in the Village Hall.

Respectfully Submitted,

Claudett Peters
Village Administrator