

MINUTES OF THE CITY OF PONTIAC PLANNING & ZONING BOARD

The City of Pontiac Planning and Zoning Board held a meeting on Monday, July 11, 2016 at 4:30 p.m. in the City Hall Council Chambers to consider the following:

H & H Installations, petitioner, requests that variations be granted to allow them to construct a new commercial building at 1350 S. Deerfield Road. City of Pontiac Zoning Code, Sec. 6.06-3-1 states that all parking lots shall have a six inch concrete curb around the perimeter and the petitioner is requesting that curbing only be on the entrance and across the west side of the parking lot; and Pontiac Zoning Code, Sec. 8.03-9-b states that all open off-street parking areas and driveway shall be surfaces with some type of all weather dustless material and the petitioner would like to leave the East 30 feet of the rear parking area in gravel. The property is zoned M-1 (Limited Manufacturing) and has a legal description as follows: Lot 1 of the Second Addition to Pontiac Corporate Center Subdivision, Pontiac, Illinois. This land is located South of the existing Exact Packaging building and East of South Deerfield Road.

James William Mackinson, as Trustee of the Trust under the Will of John D. Mackinson f/b/o the Mildred Bradley Family and Evergreen FS, Inc., petitioners, requests that an annexation be approved with a zoning assignment of A-1 (Agricultural District) with the exception of a portion of property to be zoned M-1 (Manufacturing District) and variances requested for same. The legal description of the entire parcel is as follows: The West Half of the Northwest Quarter of Section 3, Township 28 North, Range 5 East of the Third Principal Meridian, Livingston County, Illinois, EXCEPT beginning at a point on the North line of said Section 3, which is directly North of a point 378 feet East of a concrete stake, located at the Southeast corner of the intersection of the rights of way of the highways running along the North and West sides of Section 3; running thence East along the North line of said Section 3, 443 feet, thence South 295 feet, thence West 443 feet; thence North 295 feet to the point of beginning, EXCEPT that part conveyed to State of Illinois as Document Number 344535 in Book 327 page 384.

The prospective buyer of a portion of the above-identified property, Evergreen FS, Inc., request that variations be granted and an M-1 (Limited Manufacturing) zoning classification be approved. The variances from Section 6.00 (Landscape Standards) of the Pontiac Zoning Code include the following: to allow outside storage of equipment and company vehicles; to waiver from the curbing requirement around drives and parking areas; to waiver from landscaping requirements on the property including trees shrubs and fencing and to waiver from landscaping requirements around the detention pond; and to waiver from Section 8.03-9-b of the Pontiac Zoning Code which requires surfacing of all driveways and parking areas. The legal description of the parcel that is requesting the variances is as follows:

A PART OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3, THENCE NORTH 00°16'31" WEST, 2660.53 FEET ALONG THE WEST LINE SAID SECTION 3 TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 89°14'40" EAST, 59.26 FEET ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF F.A. ROUTE 24 (ILLINOIS ROUTE 23); THENCE NORTH 00°15'09" WEST, 80.00 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUE NORTH 00°15'09" WEST, 1118.32 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE; THENCE NORTH 82°20'38" EAST, 90.00 FEET; THENCE NORTH 76°45'15" EAST, 140.00 FEET; THENCE NORTH 72°35'05" EAST, 343.87 FEET; THENCE SOUTH 00°15'09" EAST, 1258.00 FEET ALONG A LINE PARALLEL WITH SAID EASTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 89°14'40" WEST, 554.25 FEET ALONG A LINE PARALLEL WITH AND 80.00 FEET EQUIDISTANT FROM SAID SOUTH LINE OF THE NORTHWEST QUARTER TO THE POINT OF BEGINNING, CONTAINING 15.00 ACRES, MORE OF LESS, AND ALL BEING SITUATED IN PONTIAC TOWNSHIP, LIVINGSTON COUNTY, ILLINOIS. This property is located along Route 23 North, Pontiac, Illinois.

The following members were present: Bill Abraham, Bill Cole, Tom Corcoran, Paul Giordano and Matt Stock. Ron Matrisciano was absent. Also present were Dave Lopeman from the Building and Zoning Office, City Administrator Bob Karls, City Attorney Alan Schrock, City Engineer Brian Verdun, Bob Eichelberger and Kendall Miller from FS Evergreen and Millie Bradley and Glen Zehr, representatives of the Effie Mackinson Trust. With a quorum being present, the meeting began at 4:30 p.m.

Matt Stock made a motion to approve the minutes from the June 13, 2016 meeting and with a second by Bill Abraham and a unanimous yes vote, the minutes were approved. Since there was no representative from H & H Installations, the Board heard the request of the Mackinson Trust and FS Evergreen for property along Route 23 North. Bob Eichelberger from FS Evergreen told the members that their facility on North Aurora Street sustained fire damage in May of 2014. The buildings that house some of the chemicals were burnt and there was minimal evacuation for the residences in the area and no off-site run-off due to cooperation with the Fire Department. Their options after the fire were either to re-build on North Aurora Street or obtain property outside of the City. They decided to relocate away from residential development and found property on Route 23 that would fit their needs. They are proposing to purchase approximately 73 acres, annex into the City, with 15 acres for FS Evergreen assigned an M-1 (Limited Manufacturing) zoning classification and the remaining parcel to be assigned an A-1 (Agricultural) zoning classification. Mr. Eichelberger stated he felt the proposed zoning classifications would fit in with the City's Comprehensive Plan. He then presented the requests for variations for the 15 acre parcel only. The petition details very clearly what they are requesting for variance and why they feel the variances are necessary. Tom Corcoran asked about the security measures that FS Evergreen would be implementing to keep the area safe and Mr. Eichelberger spoke of security, along with informing the members that several Illinois Departments (Illinois Dept. of Agriculture, Illinois Dept. of Transportation, Illinois E.P.A. to name a few) would

have to approve all security measures. Bill Abraham asked the City Engineer if there would be a problem with a water source (Illinois American Water) being located across the Interstate and Mr. Verdun stated that the above identified State Departments would be reviewing those matters. Bill Abraham stated that he noticed there is only one entrance to the property and he was concerned about future problems with farm equipment traffic and Route 23 traffic and Mr. Kendall Miller from FS Evergreen stated that they were working with Andrews Engineering regarding that matter. Bill Abraham asked if an M-1 zoning was appropriate, for that opens up that property to much more “denser” uses, and Mr. Karls stated that there is M-1 zoning in the area and fits in with adjacent property. There was discussion about a dedicated easement for utilities, where the water service line is located and that the house across from the entrance is planned to be demolished. There were no objectors present. Bill Abraham made a motion to recommend to the City Council to approve the petition as presented. Bill Cole seconded the motion and the motion passed with a unanimous yes vote.

Next the Board was to review the request from H & H Installation, who requested variances from curbing and wanted to leave the east 30 feet in the rear yard as gravel at 1350 S. Deerfield Road. Paul Giordano commented that he had been to the site and building construction was already started. Because there was no representative to answer questions from the Board, Matt Stock made a motion to adjourn the meeting until Friday, July 15, 2016 at 8:30 a.m. With a second by Tom Corcoran and a unanimous yes vote, the meeting was adjourned.

On Friday, July 15, 2016, the following members were present: Bill Abraham, Bill Cole Tom Corcoran, Paul Giordano and Matt Stock. Ron Matrisciano was absent. Also present were City Administrator Bob Karls, City Engineer Brian Verdun and Craig Wright, architect for the H & H Installation building. With a quorum being present, the meeting began at 8:31 a.m. Paul Giordano told Mr. Wright that several questions had been posed at the last meeting, with the first one being what will the gravel area in the rear 30 feet of the lot be used for by the business and why Mr. Huette does not want to surface it. Mr. Wright stated that he understood that the owner, Patrick Huette, was looking to the future, as he might want to construct another building and he did not want to have the expense of breaking up concrete. Also, semi-trailers could use that area for a turn-around area. Mr. Wright said job trailers and equipment could also be parked there, which would be similar to the current Forrest facility. Bob Karls asked if that area would be more for storage than parking and Mr. Wright said there are 5 to 6 employees and they would be parking in the designated parking area around the office. Paul Giordano stated that if another building was contemplated for that area, the surfacing of the area would be required at that time. Paul Giordano suggested a time limit be put on the variance allowing the gravel and Matt Stock suggested a 5 year time limit, with a review that could determine if the area should be made into “green space”, surfaced or an extension of the time limit could be requested. Next the Board discussed the curbing variance. The amount of curbing has been changed since the original request was submitted, and besides the curbing shown in yellow on the petition site plan, the owner has agreed to put curbing from the south curb to the west building facade and the north curbing will extend to line up with the office area of the building. Matt Stock

asked about water run-off, as the curbing usually helps to funnel run-off and Brian Verdun said there is a swale that will divert water to the East. Mr. Verdun said he is working with Andrews Engineering to make sure drainage is sufficient.

Paul Giordano made a motion to recommend to the City Council to approve the following: 1) to vary from the curbing requirement as submitted in original petition, with the amended additional curbing to be added, which would put curbing from the south curb to the west building facade and the north curbing will extend to line up with the office area of the building, and conditional upon City Engineer approval that efficient drainage swale plans are provided on the north side of the property to ensure that there is no run-off unto adjacent properties; and 2) to approve the request to allow a gravel area in the last 30 feet of the property, with the stipulation that this variance will be reviewed after a 5 year time period, at which time the owner must either ask for an extension, surface the area or convert the area to "green space". Bill Cole seconded the motion and the motion passed with all present voting yes.

Matt Stock made a motion to adjourn the meeting and with a second by Tom Corcoran and a unanimous yes vote, the meeting adjourned at 9:00 a.m.

Minutes written and
submitted by,

Patty Lloyd
Building and Zoning Office