

**MINUTES OF THE BEECHER PLANNING AND ZONING COMMISSION  
(THE PZC)**

***Thursday, January 23, 2014 at 7:15 p.m.  
Washington Township Center  
30200 Town Center Road***

At 7:15 p.m., Chairman Phil Serviss called the meeting to order.

All present joined in the pledge to the flag.

ROLL CALL. Members present: Kevin Bouchard, Paul Lohmann, Althea Machtemes (arrived at 7:20 p.m.), Lance Saller, George Schuitema, Phil Serviss and Denis Tatgenhorst.

Staff present: Pete Iosue from Teska Associates, Attorney Tim Kuiper and Administrator Robert Barber.

Guests: President Greg Szymanski, Artie VanBaren, Bryce Loring of Casey's, Nathan Nohren and Patrick Moone of Farnsworth Group, Brian Cleary, Gayle Ahrendt, Ron Kuhlman, Marcy Meyer, Scott Wehling, Jonathan Kypuros, Gordon Wilson, Harold Karstensen, Jean Adduci, Noel Biery, Stephanie Loftin, Nancy Buletty, Mr. & Mrs. Dale Bell, Dave Bunte, Larry Hermen and Dan Strick.

CONSIDER APPROVAL OF THE MINUTES OF THE DECEMBER 19, 2013 MEETING. Commissioner Bouchard made a motion to approve the minutes of the December 19, 2013 PZC meeting. Commissioner Schuitema seconded the motion.

AYES: (6) Commissioners Bouchard, Lohmann, Saller, Schuitema, Serviss and Tatgenhorst.

NAYS: (0) None.

ABSENT: (1) Commissioner Machtemes.

Motion carried.

PUBLIC HEARING: CONSIDER A REQUEST FOR VARIANCE FOR A FENCE IN A FRONT YARD SETBACK AT DUTCH AMERICAN FOODS, 1362 DUTCH AMERICAN WAY. Commissioner Schuitema made a motion to open the public hearing at 7:18 p.m.

Commissioner Bouchard seconded the motion.

AYES: (6) Commissioners Bouchard, Lohmann, Saller, Schuitema, Serviss and Tatgenhorst.

NAYS: (0) None.

ABSENT: (1) Commissioner Machtemes.

Motion carried.

The petitioner, Artie VanBaren, provided a brief explanation of his variance request.

There was no public testimony regarding the Dutch American Foods variance request.

Commissioner Bouchard made a motion to close the public hearing at 7:19 p.m. Commissioner

Tatgenhorst seconded the motion.

AYES: (6) Commissioners Bouchard, Lohmann, Saller, Schuitema, Serviss and Tatgenhorst.

NAYS: (0) None.

ABSENT: (1) Commissioner Machtemes.

Motion carried.

CONSIDER A RECOMMENDATION TO THE VILLAGE BOARD: REQUEST FOR VARIANCE FOR A FENCE IN A FRONT YARD SETBACK AT DUTCH AMERICAN FOODS, 1362 DUTCH AMERICAN WAY. Commissioner Lohmann made a motion to recommend to the Village Board approval of the variance for a fence in the front yard setback at Dutch American Foods, 1362 Dutch American Way. Commissioner Saller seconded the motion.

AYES: (6) Commissioners Bouchard, Lohmann, Saller, Schuitema, Serviss and Tatgenhorst.

NAYS: (0) None.

ABSENT: (1) Commissioner Machtemes.

Motion carried.

PUBLIC HEARING: CONSIDER A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW FOR AN AUTOMOTIVE MINI-MARKET (CASEY'S) AT 730 DIXIE HIGHWAY (SOUTHWEST CORNER OF DIXIE AND MILLER). Commissioner Schuitema made a motion to open the public hearing at 7:20 p.m. Commissioner Lohmann seconded the motion.

AYES: (6) Commissioners Bouchard, Lohmann, Saller, Schuitema, Serviss and Tatgenhorst.

NAYS: (0) None.

ABSENT: (1) Commissioner Machtemes.

Motion carried.

Commissioner Machtemes arrived at 7:20 p.m.

Patrick Moone of Farnsworth Group provided a presentation regarding the Special Use permit request.

Administrator Barber stated the Village's desire for the fence to come to the back corners of the building, not along the back of the building, to avoid a 15' loitering area between the back of the building and the fence.

Administrator Barber asked about video security. Monitors would be in the pump area only.

Administrator Barber asked about snow removal. Light snow would be piled on the grassy area in the northwest corner of the parcel. Heavy snow would have to be trucked away.

Administrator Barber stated that the shared easement agreement has been recorded with the plat, and there is no time limit on the shared easement agreement.

Commissioner Lohmann asked about the maintenance of the shared easement. Mr. Moone stated

that maintenance of the shared easement is the responsibility of Dollar General, however, Casey's will do whatever maintenance necessary if it affects their business.

Commissioner Lohmann asked if stormwater retention was required. No retention is required for less than one acre.

Commissioner Lohmann asked about parking location of tankers when unloading fuel. Mr. Moone stated that the semi would block a couple of fuel pumps when unloading.

Nathan Nohren from Farnsworth Group provided a presentation regarding traffic studies and explained the LOS (level of service) grading system.

Administrator Barber asked Mr. Nohren to clarify that the references to AM and PM are for peak periods only, not a complete 12 hour period.

Mr. Bell raised concerns if Miller Street east of Dixie Highway was considered in the traffic studies. His concern will be addressed after the presentation has been completed by Mr. Nohren.

Mr. Nohren finished his presentation on traffic study with build/no build scenarios regarding the South Suburban Airport and Illiana Expressway.

Administrator Barber read aloud a letter from Clarence Bechtel, 463 Miller Street. Mr. Bechtel stated objection to the grant of the special use and urged denial of the request. A copy of the letter was provided in the packet for review.

Pete Iosue of Teska Associates provided a staff report. Many issues have been addressed. B3 criteria has been met. He wants clarification of the type of trucks that would be using the delivery dock. It looks like too much signage is proposed. Other B3 uses may generate even more traffic than what Casey's projections show. Mr. Iosue questioned proposed hours of operation.

Mr. Moone stated that entering and exiting of box trucks and fuel trucks have not been an issue at other Casey's locations. Hours of operation would be 6 a.m. until 11 p.m., but they would like the option to be open 24 hours if the need arises.

It was stated that Casey's does not sell x-rated materials.

Noel Biery, 741 Dunbar Street, commented that children from the High School and Elementary School will likely frequent Casey's to purchase pop and candy. He asked petitioner to consider another location.

Gordon Wilson, 925 Hodges Street, expressed several concerns: 1) There would be some advantage to having three lanes at Miller Street onto Dixie Highway, to relieve traffic backup. 2)

Site seems small in consideration of semis entering and exiting property. 3) Asked about drainage and procedure if there is a large spill. 4) Fencing, lighting and emergency egress. Access drives cannot be blocked off in case of an emergency.

Administrator Barber explained lot sizes in comparisons to Circle K Shell and Circle K (formerly Huey's).

Mr. Wilson asked if Casey's could use a portion of their own property as their entrance/exit onto Dixie Highway, rather than the 40' shared easement.

Mr. Moone stated that there would be no doors on the back side of the building.

Chairman Serviss asked if drainage was consistent with other Casey's locations.

Mr. Wilson expressed concerns regarding spills and safety, with spillage going into storm sewer system.

Administrator Barber asked if there would be a separator in the catch basin. Mr. Moone stated that a filter could be installed in the basin to collect oils. Mr. Loring stated that Casey's will look into the installation of separators.

Commissioner Schuitema asked about loss data and risk management information that he requested at the PZC Workshop. Mr. Loring spoke regarding Casey's safety program, tear away hoses, and emergency shutoff valves. Mr. Loring did not have loss data that was requested, stating that he was advised by his legal counsel that it was proprietary information and could not be shared. Proximity to the High School was expressed as a concern. Commissioner Schuitema asked that Mr. Loring provide information as to how many losses have occurred during fueling operations, such as spills, fires, etc., and their safety record, for at least the past 5 years.

Dale Bell, 423 Miller Street, expressed concerns regarding safety issues, safety records, and Casey's proximity to the High School.

Stephanie Loftin, 241 Fairway Drive, expressed concerns regarding the existing center turn lane on Dixie Highway between Fairway Drive and Miller Street, and if this area was considered in the traffic study.

Mr. Nohren stated that traffic counts near Fairway Drive did not raise a red flag.

Administrator Barber stated that perhaps IDOT could stripe the turn lane area from Fairway Drive to Miller Street, one turning lane each for northbound and southbound traffic. Mr. Barber asked Ms. Loftin to send a letter to the Village with her concerns and he would forward her letter to IDOT with the Village's request.

Commissioner Machtemes asked about the frequency of fuel deliveries. Mr. Moone stated that there are normally one to three fuel deliveries per week, each taking approximately 30-40 minutes.

Jean Adduci, 313 Miller Street, expressed concerns about the already congested and awkward intersection of Miller Street and Dixie Highway. She was concerned about children walking to school, inexperienced drivers driving to school, and student safety. Concerns were expressed over spills, possible school evacuation, and also regarding noise level.

Dan Strick, 520 Catalpa Street, President of Beecher School Board, stated that Administrator Barber and Casey's have been very accommodating to the school district's concerns. Casey's will be helping the school district with current drainage concerns. School district still wants full length fence in the back. The district doesn't want to consider an evacuation plan due to possible spill. Traffic is an on-going issue. Many students currently go west from High School parking lot to avoid Dixie Highway congestion. The district has no immediate concerns regarding alcohol sales, since the school and Casey's are at least 100' apart. There will be issues no matter what use is permitted for that parcel. The School District wants to encourage economic development.

Administrator Barber reported that concerns have been raised regarding alcohol sales near a school. It is not permitted if alcohol sales is primary source of revenue for the establishment.

Mr. Strick stated that other schools that have a Casey's nearby were polled, and none had issues with any of the other Casey's stores.

Administrator Barber stated that if special use is approved, there would be no gap between the rear of the building and the fence.

Mr. Strick stated that a camera will be installed on the east side of the High School.

Commissioner Lohmann questioned why a fence wasn't installed behind the Dollar General. Mr. Strick stated that the school district may ask Dollar General to put a fence in the rear of their property.

Commissioner Lohmann questioned IDOT's requirement on entrance distance from an intersection, feeling that the Miller Street entrance/exit is too close to the intersection.

Commissioner Lohmann expressed his concern regarding the shared easement. Attorney Kuiper stated that the proposed Casey's parcel has two recorded entrances: the shared easement and Miller Street. Mr. Lohmann suggested that a different location would be better. He stated that the Village Board should request 3 lanes on Miller Street, all the way to the west property line of the parcel.

Administrator Barber wanted to clarify that semis exiting onto Miller Street would not have to

pull into oncoming traffic. The exit apron is tapered for trucks to avoid driving into oncoming traffic.

There being no further testimony, Commissioner Lohmann made a motion to close the public hearing at 9:00 p.m. Commissioner Schuitema seconded the motion.

AYES: (7) Commissioners Bouchard, Lohmann, Machtemes, Saller, Schuitema, Serviss and Tatgenhorst.

NAYS: (0) None.

Motion carried.

CONSIDER A RECOMMENDATION TO THE VILLAGE BOARD ON A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW FOR AN AUTOMOTIVE MINI-MARKET AT 730 DIXIE HIGHWAY (SW CR OF DIXIE AND MILLER). Commissioner Schuitema made a motion to recommend to the Village Board approval of the special use permit request to allow for an automotive mini-market (Casey's) at 730 Dixie Highway, adopting Teska Associates' report as finding of fact, based on conditions as follows:

1. Separators in catch basin, in case of spills
2. To address the issue of loitering, have the fence extend off both northwest and southwest corners of the building to the property line since there is no rear access to the building.
3. A fire alarm system be included for the building with a direct tie into EASTCOM dispatch center.
4. Evidence of losses during fueling operations for past five years, number of incidents and dollar amount per incident.
5. The employment of no registered sex offenders.
6. The sale of no pornographic material.
7. Add left turn lane on eastbound Miller from west property line to Dixie Highway.

Commissioner Tatgenhorst seconded the motion.

AYES: (4) Commissioners Saller, Schuitema, Serviss and Tatgenhorst.

NAYS: (2) Commissioners Bouchard and Lohmann.

ABSTAIN: (1) Commissioner Machtemes.

Motion carried.

Commissioner Lohmann re-stated that he can foresee problems with the shared easement.

Attorney Kuiper provided clarification on the shared easement agreement.

Commissioner Tatgenhorst wanted hours of operation clarified. Administrator Barber stated there was no stipulation on hours.

Chairman Serviss re-stated seven conditions. Attorney Kuiper stated that Board approval of the proposed special use would consider the seven conditions, and finding and standards have been met in Teska Associates' report of January 16, 2014, as provided in the packet for review. Approval will be considered at the February 10<sup>th</sup> Village Board meeting.

ILLIANA EXPRESSWAY UPDATE. Administrator Barber stated that a meeting was held that included discussions on road design. Commercial development will be allowed only along a frontage road within 1/4 mile of interchanges. There have been five qualified bidders.

SOUTH SUBURBAN AIRPORT UPDATE. Administrator Barber stated that a meeting was held at Governor's State University regarding jobs, etc. Ground is still being acquired, including Bult Field.

UPDATE OF WATER AND SEWER MASTER PLANS. The Plan was approved by the Village Board at the last meeting. Area now includes the entire school district.

UPDATE OF COMPREHENSIVE LAND USE PLAN. No report.

ROUTE #1 /#394 CORRIDOR PLAN UPDATE. Eleven qualified RFPs have been received. The committee will now narrow it down to 3 for interviews.

NEW BUSINESS. The next PZC meeting is scheduled for March 27, 2014.

Commissioner Machtemes questioned the property tax revenue from the Casey's parcel.

ADJOURNMENT. Commissioner Lohmann made a motion to adjourn the meeting. Commissioner Schuitema seconded the motion.

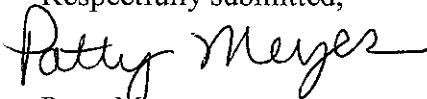
AYES: (7) Commissioners Bouchard, Lohmann, Machtemes, Saller, Schuitema, Serviss and Tatgenhorst.

NAYS: (0) None.

Motion carried.

Meeting adjourned at 9:31 p.m.

Respectfully submitted,



Patty Meyer  
Secretary