

SMITHTON ZONING BOARD HEARING
JANUARY 17, 2019
7:30PM
MINUTES – 13 S. MAIN STREET

The hearing was called to order at 7:30pm by Chairman Lori Rodriguez.

Zoning board members present were: Jim Mourey, Tom Incrocci, Mark Parker, Dale Becherer, Tom Schanherr and Leo Simburger. Also present were Chairman Lori Rodriguez, Zoning Administrator and Engineer Scott Saeger, Deputy Zoning Administrator Beth Buehlhorn and Attorney Carmen Durso.

Chairman Rodriguez asked for a motion to approve the minutes for meetings held November 8, 2018, November 12, 2018 and January 7, 2019. Motion was made by Tom Incrocci and seconded by Jim Mourey to approve the three noted minutes. All were in favor. Motion approved.

Deputy Zoning Administrator Buehlhorn shared with the audience that Mayor Klein wanted to share he met with Principal Monte earlier this week regarding the concerns of St. John the Baptist.

Deputy Zoning Administrator Buehlhorn read the Notice as published in the Freeburg Tribune.

Chairman Lori Rodriguez read the letter sent to surrounding residents and the list of those residents.

All who wished to speak were sworn in by Deputy Administrator Buehlhorn.

Applicants Neal Trentman and Mike Middendorf were present. Trentman explained they own the former lumber company property and would like to renovate the buildings for a self-storage facility. They shared drawings of the proposed site plan stating they have made a lot of changes to accommodate the concerns expressed at their previous zoning meeting. They are filing for two separate special use permits and will describe them separately. He went on to read the "Special Use Permit Request #1 for the Enclosed Self-Storage Facility" plan that was submitted with their application (Attachment #1) and details of each phase of the project. Trentman noted this proposal does not include any camper or open storage areas. He proceeded with "Special Use Permit Request #2 for Open Storage on the South Lot".

Trentman then read the “...language that would be included in the lease agreement...” document that was also submitted with their application (Attachment #2). This is also in answer to concerns expressed at their previous zoning meeting.

Trentman wanted to address other concerns that were brought up from the previous meeting and also meetings with the Village. Traffic seemed to be a big concern. He explained they observed the traffic at the business center/self-storage locates south of town. They monitored for one hour in the morning during what would be school drop off time and one hour in the afternoon during school pickup time. In the morning, there were no vehicles that entered the self-storage facility located there; in the afternoon, there was one vehicle already there and one more that pulled into the facility. He also spoke with the owner of that facility, who had previously applied for a special use permit, and she stated she has an average of five vehicles that come in and out of the facility per day. She has 200 units, where this proposed facility would have less than 100 units. They also monitored the traffic around the school and the majority of vehicles dropping kids off were at the front of the school on Stoerger Street. The school bus dropping of kids was onto Julia Street but the door opened on the west side of the street so the kids did not have to cross the street. There were only a handful of cars dropping kids off on Julia Street. They also researched traffic studies on-line and found two reports – one by Brigham Young University and another by an engineering firm in Florida for a proposed facility. One had 400 units with approximately 19 vehicles entering. What they found in general is that storage facilities do not have a lot of impact on traffic. Following their original zoning board meeting, they had met with Father Stan, Mr. Monte, members of the parish and the parish counsel to get a better understanding of their concerns. Out of that meeting, Trentman and Middendorf agreed to install traffic bollards on St. John’s property across from the exit between Buildings 3 and 4; install warning signs and speed bumps on the storage property to make drivers aware of children in the area; making the primary entrance be off of Route 159 which will include access-control gates along with access control gates at the entrance/exit areas along Julia Street; and they have eliminated their request for camper storage, with the exception of the small south lot. Trentman shared he talked with Rick Stahl who operated the lumber company regarding their traffic. Stahl stated they would have two large delivery trucks per day, which included tractor-trailers, entering off of 159 and exiting on Julia Street. In addition, they had an average of 25 vehicles per day who entered off 159 and would typically exit onto Julia. Trentman feels they have put a lot of effort into the traffic issues and other concerns that the Church has expressed. Given all of this information and the fact there will be less traffic generated with this storage facility than there has been the past 60 years with the lumber company, they do not see a reasonable concern to think there will be a negative impact on the traffic on Julia Street. Security was also a concern. They have modified their plans by enclosing all the buildings, removing campers, and add security cameras and lighting.

Trentman added that, with this second proposal, they had met with Father Stan and shared the information given to the Village to have an opportunity to review and express concerns; he again followed-up with Father earlier this week. Trentman feels they have reached out to try to accommodate their concerns.

Attorney Durso asked if it were possible to eliminate any access to Julia Street. Trentman stated they did consider this, but if a large delivery truck enters it would not be safe for them to back out of the lot. Durso asked about adding an entrance off Stoerger Street; Trentman stated there are utility power lines with guide wires which would not make that possible. Durso asked about having only the one entrance/exit off of 159; Trentman wasn't sure if the Village building codes would allow that. Engineer Saeger stated there is not anything in the ordinance that would not allow just one entrance, but as for escape routes it does depend on the distance and the number of people. Trentman noted that number is 75 feet, so they would be required to have a second access.

Board Member Incrocci confirmed that there will not be any vehicles stored in Buildings 1 – 5, which Trentman agreed. Incrocci asked what type of walls would be constructed between units and how high they would go; Trentman stated the walls would be from floor to rooftop. Incrocci asked with Building 1 if there would be one or multiple businesses; Trentman stated it could be either but if there were multiple, they would each be separated with fire walls. Incrocci asked how they will insure that hazardous or non-acceptable items are being stored; Trentman stated with them living in Smithton, he would be able to monitor on a regular basis and use of the proposed security cameras. Trentman added that the tenants do have a right to their privacy so unless there is a legitimate concern, they could not go through their items. Incrocci asked about the customer base; Trentman stated they will review the applications and where they reside and make that determination. Middendorf added they will be selective of who they rent to. Incrocci confirmed the gate off Route 159 is a sliding gate and if it will be big enough for large trucks which Trentman stated it would be. Incrocci asked how they would handle a situation if somebody defaults on their payment; Trentman stated they would be responsible for removing the contents. Incrocci asked if they will require a security deposit; Trentman stated no but they do have a right to put a lock on their unit and sell the items to recoup their cost of the rent. Incrocci asked if their company would use Building 1 for office space; Trentman stated not at this time, but if needed they could put in a small office. Incrocci asked how they would monitor any unauthorized parking on the front lot; Trentman explained they would address it with the area business owners and if the problem remains they would leave it to the police department to deal with. Middendorf added this would be private parking and a vehicle would be towed at the owner's expense. Incrocci asked if there would be any sales tax generated; Trentman stated there could be tax revenue depending on the business or businesses that will move into Building 1. There would also be increased EAV (Equalized Assessed Value) and real estate taxes but no sales tax from the storage.

Board Member Becherer confirmed that the exterior of the storage buildings will all be painted in phase 1; Trentman confirmed and added that anything facing Route 159, the library and Stoerger Street will have new walls; Julia Street and between the buildings will all be painted to match the new walls. Becherer referred to the fence around the South lot; Trentman confirmed with Saeger that the ordinance states any existing fence can be replaced with a new fence. Saeger added that is correct, but if it is a different style the Village would review it. Becherer asked Saeger if these requests are approved, would he review their plans as for the asphalt and how the run-off would be affected, which Saeger stated with an existing parking lot there

would not be a drainage study. Trentman added that the existing lot will need to be milled down in the front prior to asphalt because it is too high for the building – curbing, stripes and handicap parking would then be added. Becherer asked Trentman about the area marked as being leased to the Village; Trentman explained this was something discussed with the Village but there is nothing definitive.

Board Member Parker asked if it would be milled down to the level of the existing sidewalk; Trentman stated it would not and the entrance would not change much as for the slope. Parker asked about the floors in the storage units; Trentman stated they would all have concrete floors and the walls would be wood studs with metal walls. Trentman had also checked with Fire Chief Schutzenhofer regarding fire codes and required material, which Schutzenhofer stated there were none. Parker asked if the entrance on Julia Street is critical to their plans; Trentman stated yes – it would be too difficult for anybody to turn their vehicle around. Trentman explained the access-controlled gates would have a keycode with a code assigned to each person. Once they move out, their code would be eliminated from the computer system. Parker asked about the gates; Trentman explained when they open, they have a set time to automatically close. After specified hours, you could not enter off of Julia Street but you would still be able to exit the facility onto Julia Street. Parker asked if they will still allow parking on Julia Street; Trentman stated they do not own that space – their property is only about one-foot off of the building. Parker asked how long they anticipate before Phase 1 is ready; Trentman and Middendorf are hopeful to have it ready within 6-months following approval.

Board Member Mourey asked about the 60-foot noted in the plans; Trentman explained they need approximately 19-feet on each side of the lot for parking spaces and 22-feet for the turn lane. Trentman confirmed that the gate will also be 6-foot high. Mourey asked if the rear doors will remain closed; Trentman stated they are controlled with the access panel and would be closed with the timer.

Board Member Schanherr confirmed that the privacy fence on the south lot is 6-foot. Durso commented that with a 6-foot tall fence, campers will still be visible from the outside. Middendorf added that they will dictate what campers will be stored in the lot. Durso asked how many will fit; that will depend on the size of the campers, but they would have to be parked at an angle. Because of access to the storage units on the south side of Building 5, they have to allow for a driving lane in the lot. Durso asked about the surface of the south lot; Trentman stated that would be asphalt along with the others that would be done in phases – they have agreed to have them all complete within five years.

Board Member Simburger confirmed there would be speed bumps at the exits on Julia Street. Simburger does not feel traffic will be a concern coming off or onto Julia Street.

Resident Dallas Dlouhy stated there will be no sales tax but agreed that the EAV will increase. He asked Trentman and Middendorf if they have an idea of what the expected increase would be. Trentman does not have any numbers but stated the EAV should increase significantly. Dlouhy questioned the Village ordinance no. 40-10-31 which states if a request is denied, it

cannot be resubmitted for at least six months. Durso explained that is for a variance and not a special use request. Dlouhy commented there will not be any permanent jobs offered with this business. Trentman explained that with Building no. 1, there could be a business which would offer employment.

Resident Jolene Pierpoint, also school board president, stated all along her concerns have been for the safety of the children. She explained that the Illinois Office of Environmental Health and Safety, the criteria for school sitting states when a school is built there is a distance criteria. After the school is built, it does not have to be maintained but should be up to the city officials to ensure the safety of the school's occupants. She stated St. John's is located 90-feet from the storage facility and there are risks involved with storage facilities – drugs, weapons, hazardous materials, burglary, etc. She believes the city officials are responsible and ask they consider the risks. Trentman asked Pierpoint if she was aware of how much hazardous material was previously stored at the lumber company over the years. Pierpoint's concern is not being able to monitor what is being stored; Trentman agreed but also noted you cannot monitor what all your other neighbors are doing. The church and school were build next to a business district that has always been there.

Father Stan agreed that he has met with Trentman and Middendorf and discussed this proposal. He asked who would be responsible when somebody unknowingly puts something in storage that's going to be a problem and cause problems to St. John's. When they did meet, there was a clearer picture of what will be going into Building 1 – a batting cage which would be a benefit to kids in the area. He is concerned about the uncertainty of what will go into the building. He is also disappointed that walls on the north, south and east sides of the building will be replaced but the west side facing the school is being painted. Trentman explained that they did apply for a business license for batting cages but at this point have determined it is not a viable option. They have not ruled it out but it is too late to make it work this year. As for painting the back of the building, they cannot afford to replace the siding of all of the buildings but if the business succeeds down the road, they may be able to finish it at a later date. The painted siding will match the new and will be a huge improvement over the rusty walls that currently exist.

Resident Chad Jennings asked Durso about the previous variance requests that were denied. Durso explained the fence along the front of the property and parking vehicles on a rock surface were denied and cannot be reapplied for at least six months. Jennings questioned the lots not having to be paved for five years. Durso explained if the area is not being used, it can remain as rock for up to five years. Jennings confirmed there are four entrance/exits off Julia Street; Trentman agreed adding they were already there.

Resident Nick Ruetters stated he knows Trentman and Middendorf very well and if they are aware of any hazardous materials being stored, they will take care of it. In reference to the aesthetics of the buildings, they have a very good reputation and suggests looking at some of their other work around town. He supports this business proposal and believes it will be a big improvement for this town.

Durso addressed the board stating they may attach conditions or changes they feel are necessary to their motions. They need to determine if the special use would expire if the property were to be sold. Durso also noted the decision of the zoning board will go before the full board on February 5, 2019 for a final decision.

A motion was made by Tom Incrocci and seconded by Leo Simburger to approve request no. 1 for a special use permit for Buildings 2 – 5 for self-storage. Said permit would expire with transfer of ownership of property. Roll call was taken. Tom Incrocci, aye; Leo Simburger, aye; Jim Mourey, nay; Mark Parker, nay; Dale Becherer, aye; Tom Schanherr, aye. Motion approved.

A motion was made by Jim Mourey and seconded by Tom Incrocci to deny request no. 2 for special use permit for outdoor storage located on the south lot. Roll call was taken. Jim Mourey, aye; Tom Incrocci, aye; Mark Parker, aye; Dale Becherer, aye; Tom Schanherr, aye; Leo Simburger, aye. Motion approved.

A motion was made by Tom Incrocci and seconded by Mark Parker to adjourn. The board approved the motion. Meeting was adjourned at 9:05pm.