



**GARRELTS PETITION FOR CONDITIONAL USE** – Steve Garrelts was in attendance with his attorney Tom Zanck regarding a request for an amendment to the Johnsburg Zoning Ordinance to add “Automobile Outdoor Sales” as a conditional use in the B-2 zoning district and request the use for his property at 3420 N. Richmond Road. Mr. Zanck stated that Gary Lang is interested in pursuing the sale of high end used cars valued at \$10,000 or greater on the property. He submitted a letter to the board from Mr. Lang regarding the matter. Mr. Zanck stated that Mr. Lang expects to sell 18-24 vehicles monthly on the property resulting in as much as \$30,000 annually in sales tax revenues. He submitted a copy of an email received from Tom Gallenbach with the Illinois Department of Transportation. The email limits the number of vehicles to 30 which could be placed for sale on the property utilizing the current access off of Illinois Route 31 and lists the conditions that would be required of Mr. Garrelts if he pursues the matter. Mr. Zanck stated that the use would not impact the septic field and Mr. Garrelts understands that he must comply with all storm water regulations. He pointed out that Mr. Garrelts does not need a variance for signage.

Mr. Garrelts stated that he would move his existing plumbing supply and water conditioning business to the rear of the building as Gary Lang plans to lease the front of the facility and operate the used vehicle sale business. He stated that the automobile sales operation is expected to employ one person. He added that he hopes to have Gary Lang pursue the business long term.

Mr. Zanck explained that he added language to the proposed ordinance which would require the operator of any used outdoor sales lot to be the operator of a new car dealership as well. Additionally, he proposed language that would limit the use as a conditional use only in the Route 31 area therefore businesses zoned B-2 in the downtown district would not be able to request the use.

Trustee Huemann questioned how internet sales would be handled. Mr. Garrelts stated that he was not sure of the details but would expect that it would be on an honor system. Trustee Huemann questioned if the Johnsburg location would be a separate point of sale with a separate sales tax number. Attorney Smoron stated that he is not sure that would be the case. Trustee Huemann expressed concern with the Village’s ability to accurately track sales from the site. Mr. Zanck stated that the lease would require the operator to honor the conditions of the special use permit.

Village Engineer Tim Hartnett requested clarification of what areas are actually currently paved as compared with what is depicted in the sketch plan submitted? Mr. Garrelts explained that some of the area in the sketch plan depicted with pavement is not currently paved but is proposed to be in order to accommodate the sales lot. Mr. Hartnett expressed concern with how the actual property lines, setbacks and other features of the property may limit the area that could be used for the sales lot. He questioned at what point Mr. Garrelts plans to pursue some engineering to be certain that what he is proposing can be done on the property. Mr. Garrelts stated that he did not plan to pursue any engineering of the site until he has a lease in place and Mr. Lang does not wish to pursue a lease until it is known whether or not the conditional use is approved. Mr. Hartnett stated that Mr. Garrelts engineers have reviewed the property for previous improvements and much of the information that is needed is already available and could be obtained at a minimal cost. Mr. Garrelts explained that he plans to pursue additional engineering once he knows the conditional use is approved. He clarified that he had a 9000 square feet addition planned for the property that he does not plan to build at this time.

Trustee Klemstein explained that the Village needs to consider the highest and best use of the property. He expressed concern that by pursuing a long term lease, Mr. Garrelts will be prevented from pursuing the highest and best use of the property in the future.

Trustee Janusz and Trustee Klemstein questioned the sales projections being forecasted. Trustee Huemann questioned landscape screening that would be pursued along the north and west property lines.

Mr. Hartnett stated that car dealers do not want heavy landscaping as it blocks visibility of the vehicles which they wish to display. President Hettermann expressed that the proposal is not visually pleasing and does not meet the Village's criteria for developing in the Route 31 corridor. Trustee Huemann emphasized that he would like to see some low landscaping incorporated into the plan to make it more aesthetically pleasing.

Trustee Hutchinson questioned why so much effort is being put into trying to come up with conditions for a use that doesn't seem to fit. She explained that the use is not consistent with what has been identified in the Route 31 corridor. Trustee Huemann stated that he believes this may be an economic development opportunity which could generate some sales tax dollars for the Village. He added that it could lead to a possible car dealership in the future if it is successful.

Mr. Zanck suggested that a condition could be added which would require Mr. Garrelts to submit a landscape plan for approval by the Village before proceeding.

Trustee Hutchinson stated that she would feel more comfortable if Mr. Garrelts were the owner of the business as someone leasing the property may just come and go because they have no investment in or commitment to the community. She pointed out that Mr. Lang was not in attendance for the meetings. Trustee Janusz stated that the petitioner is asking the Village to make decisions with speculative numbers on car sales and too many unknowns regarding what can be done on the property. Mr. Zanck stated that he understands the Village's concerns but he feels that conditions can be placed upon any approval which can control what can be done on the property. Trustee Hutchinson stated that the property is of a limited size and there have already been several conditional uses granted for the property. Mr. Zanck informed the board that Mr. Garrelts is aware that one of his conditional uses has expired and he is going to go before the Planning and Zoning Commission to request an extension of the use.

Trustee Janusz stated that he would like to see a realistic site plan that incorporates storm water and other requirements as well as some realistic sales projections before taking action on the petition. He explained that the Village spent a great deal of effort and money developing its comprehensive plan and ordinances and he does not feel it is appropriate to just set them aside for this request.

Trustee McEvoy stated that he is concerned that engineering has not been done for the site to determine what can actually be done however he does not see it as a great risk for the Village. He explained that if conditions of the approval can't be met, the number of vehicles that could be kept on the site would decrease and in that instance, the dealer would probably elect not to proceed. Trustee Hutchinson expressed that although that may be the case, she believes that the Village should know that information before changing its ordinances.

President Hettermann stated that it appears that the main concern is that the request will not work as there are already too many uses being pursued on the property. Discussion was had regarding additional information needed to consider the matter further. President Hettermann summarized that a copy of the lease, a landscape plan and a preliminary site plan reflecting storm water accommodations are needed. Trustee Hutchinson suggested that before directing the petitioner to pursue additional information that will require the expenditure of funds, perhaps the board should indicate whether or not they feel they could support the request if additional information was provided. President Hettermann requested an informal vote as to whether or not the board would support the request if more information was provided. Trustees Huemann and McEvoy responded yes. Trustees Hutchinson, Klemstein, Sisk and Janusz responded no. Mr. Zanck requested the matter be tabled. The matter was tabled to the June 3<sup>rd</sup> meeting.

Trustee Hutchinson and Chief Von Allmen left the meeting at this time.

**SEWER EXTENSION STATUS** - Mr. Hartnett and Ms. Peters reviewed sewer connection costs for residents along Fairview Avenue and a portion of Church Street. Ms. Peters explained that the information was previously presented to the Board and at a meeting with the residents in the fall. A follow up meeting is being scheduled with the residents therefore the information was again being reviewed with the board to keep them informed. Ms. Peters discussed the cost to date for the entire wastewater treatment system. She pointed out the grants received and how the grants have been utilized to reduce the cost of the project to existing residents. Special Project Coordinator Rick Quinn emphasized that new development fully pays their share of the cost and have not received any grants dollars. He explained that previously some have alleged that Walmart and other developments did not have to pay their fair share to connect to the system and those statements are untrue.

Mr. Hartnett explained that the connection cost for the residents on Fairview Avenue/Church Street is \$37,138 after reducing the cost by their fair share of the grant money received for the project. He added that the cost for residents on Sunnyside Beach to connect is estimated to be \$38,545. If the Village combines the two areas into one SSA, the cost for both areas would be reduced to approximately \$20,718 which results in an annual cost of \$1,662 for twenty years as compared with SSA 23 which would have been \$1,250 for twenty years. President Hettermann pointed out that costs continue to go up each year and the Village is always working to try and keep the cost contained as much as possible. Trustee Huemann requested some additional information regarding the combined project cost. President Hettermann stated that the follow up meeting would be held shortly with the residents on Fairview Avenue and Church Street.

**ADJOURNMENT** – Trustee McEvoy moved to adjourn the meeting. Trustee Janusz seconded the motion. All Trustees present voted aye. Motion carried at 9:21 p.m.

Respectfully Submitted

*Claudett E. Peters*  
*Village Administrator*