

PLANNING & ZONING COMMISSION
Monday, December 4, 2017
MINUTES

The Rochelle Planning and Zoning Commission met at 6:00 p.m. on December 4, 2017 in the Council Chambers of City Hall, 420 N. 6th Street, Rochelle, IL 61068. Present on Roll Call were Board members: McNeilly, Snyder-Chura, Johns, Colwill, and Chairman Thiele. Absent: Carson, Williams, Wolter and Huddleston. There was a quorum of five present. Also present were Michelle Knight, Kip Countryman, Sam Tesreau, City Manager Jeff Fiegenschuh, and City Attorney Dominic Lanzito.

Minutes: Colwill moved and seconded by Snyder-Chura, **“I move the minutes of the June 19, 2017 Planning and Zoning meeting be approved.”** Motion passed by voice vote without dissent.

Public Commentary: Ben Baar , Eric Gordon and Jeff Newman, all residents of Rochelle, spoke about the Loves Travel Stops. Mr. Baar expressed excitement to see growth and development on the south side of Rochelle. Mr. Gordon expressed concerns and stated that he is against the development. Mr. Newman stated that he was worried about the noise and pollution from the travel stop.

Commissioner Comments: None

Business Items: Love's Travel Stops & Country Stores is a North American family-owned chain of more than 430 truck stop and convenience stores in 41 states. The company is privately owned and headquartered in The Village, Oklahoma, a suburb of Oklahoma City, and Loves Travel Stops is currently ranked No. 14 on the Forbes list of America's largest private companies.

Love's has two primary kinds of stores: country stores and travel stops. Country stores are fueling stations with a convenience store attached. The larger travel stops are located along highways and offer additional amenities such as food from restaurant chains like Subway, Arby's, Baskin Robbins, Bojangles', Burger King, Chester's, Dairy Queen, Del Taco, Denny's, Dunkin' Donuts, Friendly's, Godfather's Pizza, Green Burrito, Hardee's, IHOP Express, McDonald's, Sonic, Carl's Jr., Taco Bell, Taco John's, Wendy's, trucking supplies, showers and RV dump stations. Love's has approximately 17,000 employees.

Loves Travel Stops and Country Stores is proposing to re-zone the property B-2 and enter into an annexation agreement for 17 acres with the City of Rochelle at the corner of 251 South and Steward road south of I-88, construct a travel stop with a convenience store and Hardees restaurant attached, passenger fueling, semi-truck fueling, semi-truck parking, and a tire shop. The property is fronting I-88 on the north, route 251 on the west, Steward Road on the south, and 40 acres zoned I-1 undeveloped on the east.

Loves Travel Stops along with City staff has developed an annexation agreement with the City of Rochelle that will contain a preliminary and final plat of subdivision, Zoning for B-2 Commercial Highway, City utilities (Water, Sewer, Electric) to the easterly edge of the property, widening along Steward road for a vehicle turn lane, traffic signaling at route 251 and Steward road, and upgrades to the current lift station to serve adjoining properties as part of the Hub City Development Annexation Agreement in 2010.

Staff feels that since the petitioner has entered into an annexation agreement with the City of Rochelle that meets all the standards provided in the Rochelle Municipal Code, requests that the zoning be such that allows this use, and a development in this area will provide a gateway of growth for the community of Rochelle. The proposed development is not dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties, will not impair light to adjacent property, congest public streets, or increase the risk of fire. Staff recommends that the planning and zoning commission approve to Re-zone the parcel to B-2. Motion made by Snyder-Chura, seconded by McNeilly, **“I move the Planning and Zoning Commission recess into a Public Hearing regarding the application of Love’s Travel Stops and Country Stores, Inc. for the annexation by the City of Rochelle of 17 acres of real estate located south of Route 88 at Steward Road and Illinois Route 251, to re-zone certain property to B-2 (Commercial – Highway), for a municipal sign ordinance variance, a variance for off street parking, a variance granting relief from section 110-404 interior parkways, and a variance granting relief from section 110-407 site interior improvements subject to City Council approval of the Annexation Agreement for this property”.** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, Colwill, and Thiele. Nays: none. Countryman stated that public notices had

been mailed out as well as the taxing bodies had received notification of the public hearing. Chad Bruner with Loves Travel Stops gave a presentation providing a brief history of the family owned company and the plans for the pending future project. Bruner also answered questions from the Commission and the public. Jim Planey, an adjacent property owner to the Loves site spoke. He stated that his property was annexed in 2010 and it does not have sanitary which makes it difficult to develop. With Loves providing the infrastructure, many opportunities for future development will open up because of the sanitary being in place. Public objections to the project were heard from local residents Jeff Newman, Eric Gordon, Chad Capes, and Richard Demask. City Engineer Sam Tesreau spoke on the infrastructure and current truck traffic on Steward Road and I88, commenting that with the Loves project there will be signalization at Steward Road with a minimum of three lanes. Tesreau stated this will be a benchmark for future retail growth for the area and will bring future sales tax for the community. Motion made by McNeilly, seconded by Colwill, **“I move the planning and zoning commission return to open session.”** Motion passed by voice vote without dissent.

Findings:

1. Is the proposed allowed in the proposed zoning district, but only with a variance?
Yes: No: Explanation: _____
2. Is the proposed detrimental or dangerous to public health?
Yes: No: Explanation: _____
3. Will the proposed impair property value in the neighborhood?
Yes: No: Explanation: _____
4. Will the proposed impede the normal development of the surrounding properties?
Yes: No: Explanation: _____
5. Will the proposed:
 - (a) impair light and air to adjacent property;
 - (b) congest public streets;
 - (c) increase the risk of fire;
 - (d) substantially diminish property values within the vicinity; or
 - (e) endanger the public health?Yes: No: Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the Petitioner be granted a variance for the proposed use at the Subject Property, with the following conditions attached thereto in addition to the requirements of the Rochelle Municipal Code: **Subject to City Council approval of the annexation agreement.**

Motion made by Snyder-Chura, seconded by Colwill, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the annexation of 17 acres of real estate located south of Route 88 at Steward Road and Illinois Route 251, and to approve the re-zoning of the property to B-2 (Commercial – Highway), subject to City Council approval of the Annexation Agreement for this property.”** A roll call vote was taken. Ayes: Thiele, Colwill, Johns, Snyder-Chura, McNeilly. Nays: None. Motion passed 5-0.

Under Section 110-101, a variance may be granted where practical difficulties or unusual hardships are determined to exist, but only after a public hearing has been duly advertised and held by the board of zoning appeals which may recommend such restrictions and conditions upon the premises benefitted by the variance as it considers necessary, so that the public health, safety and general welfare may be secured and substantial justice done.

Motion made by Colwill, seconded by Johns, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the off-street parking variance requested by Love’s Travel Stops and Country Stores, Inc., subject to City Council approval of the Annexation Agreement for this property.”** A roll call vote was taken. Ayes: Snyder-Chura, Johns, Colwill, Thiele, McNeilly. Nays: None. Motion passed 5-0.

Motion made by McNeilly, seconded by Snyder-Chura, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the municipal sign ordinance variance requested by Love’s Travel Stops and Country Stores, Inc., subject to City Council approval of the Annexation Agreement for this property.”** A roll call vote was taken. Ayes: Colwill, Thiele, McNeilly, Snyder-Chura, and Johns. Nays: None. Motion passed 5-0.

Motion made by Snyder-Chura, seconded by Johns, "**I move the Planning and Zoning Commission recommend to the City Council that it approve a variance granting relief from section 110-404 interior parkways requested by Love's Travel Stops and Country Stores, Inc., subject to City Council approval of the Annexation Agreement for this property.**" A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, Colwill, and Thiele. Nays: None. Motion passed 5-0.

Motion made by Johns, seconded by Snyder-Chura, "**I move the Planning and Zoning Commission recommend to the City Council that it (Approve/Disapprove) a variance granting relief from section 110-407 site interior improvements requested by Love's Travel Stops and Country Stores, Inc., subject to City Council approval of the Annexation Agreement for this property.**" A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, Colwill, and Thiele. Nays: None. Motion passed 5-0.

Adjournment: Motion made by Johns, seconded by McNeilly, "**I move the planning and zoning commission meeting be adjourned.**" Motion carried by voice vote. The Planning and Zoning Commission adjourned at 7:30 p.m.

Michelle Knight
Administrative Assistant, City of Rochelle