

VILLAGE OF FOX CROSSING
PLANNING COMMISSION MEETING
Municipal Complex – Arden Tews Assembly Room
Wednesday, September 18, 2024 at 5:15 PM

Minutes

CALL TO ORDER

The Planning Commission meeting was called to order by Chairman Jochman at 5:15 p.m.

PRESENT: Chairperson: Chair Dennis Jochman
Commissioners: Mr. Morris Cox
Mr. Michael Scheibe
Mr. Michael Prince
Mr. Thomas Willecke
Ms. Tracy Romzek

EXCUSED: Mr. Tom Young

Staff: Community Development Director George Dearborn
Associate Planner Daniel Dieck
Village Manager Jeffery Sturgell

Other: 18 others present

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – August 21, 2024

MOTION: Mr. Cox, seconded by Mr. Willecke to approve the meeting minutes of the August 21, 2024 with superficial corrections. Motion carried 6-0-0

PUBLIC HEARING

1. Rezoning from B-3 Regional Business District to Planned Development District – Jim Tuchscherer – 679 E. Shady Ln., Parcel 121025201

MOTION: Mr. Cox, seconded by Mr. Scheibe to open the public hearing. Motion carried 6-0-0

Director Dearborn gave a brief description on the matter. He stated that discussion will be open for the rezoning of the current B3 regional business district to Planned Development District (PDD) and that the reasoning for the rezoning is to allow for the current front building setback to be used instead of the setback that's required for the present zoning of the property.

Mike Schlafman – 676 Millbrook Dr.

Mr. Schlafman introduced himself to the commission. He asked about an existing power line and whether or not it would go underground. He also asked who's responsible for the trees at the creek line of the property.

Director Dearborn stated that the property owner is responsible for the trees that reside on their property line. As for creeks and streams, he stated that you cannot damage the drainage way or the stream when removing undesirable trees or shrubs.

Jim Tuchscherer – 2151 Hidden Creek Rd.

Mr. Tuchscherer introduced himself as the owner of the project property. He responded to Mr. Schlafman that he does have plans to relocate the utilities underground and to beautify the property so that the property will appear more desirable.

Chris Lee – 640 Millbrook Dr.

Mr. Lee expressed his concern for the current conditions of the property and anticipated for some more landscaping that would act as a barricade for the surrounding residential properties.

Mr. Tuchscherer explained that the project will include beautification along the whole property to the south and that along the southern part of the property he plans to include some shops which will further improve the appearance of the property.

Mr. Lee questioned if there would be another public hearing on the proceeding phases of the project.

Director Dearborn said that typically there wouldn't be another hearing after the approval of the rezoning.

Mr. Tuchscherer stated that whenever he does a development like this he always keeps them well maintained and desirable. He acknowledged the unappealing conditions of the property and said that the property will be much more desirable to look at when the proposed project is complete.

Mr. Schlafman asked if he can plant any kind of tree he wants on his side of the creek, Director Dearborn said yes he can do so.

MOTION: Mr. Cox, seconded by Mr. Scheibe to close the public hearing. Motion carried 6-0-0

PUBLIC HEARING

2. Conditional Use Permit (CUP) Proposed Multi-Family Development – Reserve Development Group, LLC – West American Dr., Parcels 12102370203, 12102370204

MOTION: Mr. Scheibe, seconded by Mr. Cox to open the public hearing. Motion carried 6-0-0

Director Dearborn provided information on the matter. He stated that the property is zoned M-1 Mixed Use and that a CUP is required for this proposed project.

Ben Hamblin – 1445 McMahan Dr.

Mr. Hamblin introduced himself as a representative for the Reserve Development group for this project and stated that he's here to answer any questions from the audience or commissioners of the meeting.

Tim Flaherty – 1586 Cold Spring Rd.

Mr. Flaherty spoke on his concern of where the main sewers are going to be for this development and whether or not it would run through other parcels. He also commented that he's concerned about flooding if the property is not graded properly.

Director Dearborn discussed how you can't run sewer through other parcels and Chairman Jochman clarified that a drainage plan has to be submitted with this project and that the water has to be contained to their property, not others.

MOTION: Mr. Scheibe, seconded by Mr. Willecke to close the public hearing. Motion carried 6-0-0

PUBLIC HEARING

3. Rezoning from A-2 General Agriculture to R-4 Suburban High Density District – Jill Szamcki – Parcel #1210184, 1210186, 1210191

MOTION: Mr. Scheibe, seconded by Mr. Willecke to open the public hearing. Motion carried 6-0-0

Director Dearborn provided context on the topic. He discussed how there will be plans to extend utilities to this site and that the rezoning conforms to the Village's adopted Future Land Use Map.

Kathy Lang – 9396 Clayton Ave.

Ms. Lang introduced herself and questioned what the plans are for this development. She also wondered if the adjoining property owners are going to have to connect and/or pay for the planned water and sewer utilities.

Director Dearborn discussed that the Village has been working with the developer on extending water and sewer utilities and that the proposed use of this development will be a senior living facility. He stated that adjoining properties will not have to connect or pay for the new water and sewer lines.

Ms. Lang asked if the residents would be able to see the proposed concept plan and questioned if there would be a tax increase as a result of the rezoning. Director Dearborn confirmed that residents are welcome to view the current plans for this development and that there wouldn't be any increase to their taxes.

Todd Luebke – 9546 Clayton Ave.

Mr. Luebke discussed his concern on the stormwater plans. Director Dearborn stated that the stormwater flow will not have any impact onto surrounding properties.

Patti Haase – W. 6593 Cedar Ln.

Ms. Haase introduced herself as a resident of Greenville and a property owner of land on Clayton Avenue. She expressed concern that her farm fields will be assessed for the planned water and sewer utilities. Director Dearborn stated that they will not be assessed.

MOTION: Mr. Cox, seconded by Mr. Willecke to close the public hearing. Motion carried 6-0-0

OLD BUSINESS**1. Conditional Use Permit (CUP) Residential Duplexes – Gloss Construction, Inc. – West American Dr.**

Director Dearborn spoke on the matter. He informed the planning commission that staff met with the developer and a representative from the HOA board but have yet to receive any information on what the next steps in the process would be. He recommends that the CUP be postponed or denied until further information is presented.

MOTION: Mr. Scheibe, seconded by Mr. Prince to **postpone the CUP until the next planning commission meeting on October 16th, 2024.** Motion carried 6-0-0

2. Certified Survey Map (CSM) – West American Dr. Parcel #1210253 – Gloss Construction, Inc.

There was a brief discussion between staff, commissioners, and meeting attendees.

MOTION: Mr. Scheibe, seconded by Mr. Willecke to **postpone the CSM until the next planning commission meeting on October 16th, 2024.** Motion carried 6-0-0

NEW BUSINESS**1. Rezoning from B-3 Regional Business District to Planned Development District (PUD) – Jim Tuchscherer – 679 E. Shady Ln.**

Chairman Jochman asked if the commissioners had any additional thoughts or comments on the item.

Commissioner Willecke questioned the age of the standing building. Director Dearborn stated that the building has been standing for many years.

Commissioner Prince asked why they couldn't adjust the setback within the limits. Director Dearborn clarified that the owner desires to do this because the foundation for the building is very substantial and that the owner wants to preserve that.

MOTION: Mr. Cox, seconded by Mr. Willecke to approve the PUD with the following conditions:

1. The reconstruction of the current building at the current setback.
2. All uses allowed in the B-3 Zoning district be allowed.
3. The applicant shall provide staff with a site plan for any new construction and meet all other current requirements for this development.

Motion carried 6-0-0

2. Conditional Use Permit (CUP) Proposed Multi-Family Development – Reserve Development Group, LLC – West American Dr.

Director Dearborn gave a brief overview of the requested CUP and stated that staff recommends approval of this item.

MOTION: Mr. Prince, seconded by Mr. Cox to approve the CUP with the following conditions:

1. A site plan shall be prepared and approved.

2. The exterior façade shall be approved by staff.
3. A stormwater plan shall be prepared and approved.
4. A CSM may be needed to combine the parcels.

Motion carried 6-0-0

3. Rezoning from A-2 General Agriculture to R-4 Suburban High Density District – Jill Szamcki – Parcels 1210186, 1210189, 1210191

Director Dearborn stated that staff recommends approval of this item.

MOTION: Mr. Cox, seconded by Mr. Scheibe to approve the rezoning as it conforms to the Village’s adopted Future Land Use Map and Comprehensive Plan. Motion carried 6-0-0

OTHER BUSINESS

1. Development Activity Report

Director Dearborn reviewed the August Building Report.

COMMUNICATIONS

1. Sustainability Committee

Director Dearborn informed the commission that there was no quorum for the last Sustainability Committee meeting held on September 4th, 2024. He added that there’s an Electronic Recycling event taking place on October 12th, 2024.

PUBLIC FORUM

John Lehman - 747 Copperhead Dr

Mr. Lehman asked the commission if there are any plans to resurface the road and extend the bike path from Shady Lane and Old Buggy Drive. Director Dearborn stated that the Village does plan on doing so within the next couple of years with awarded grant funds. Mr. Lehman also asked about utility work being done near his residence. Village staff informed Mr. Lehman that ATC is replacing some poles and wires.

ADJOURN

At 6:25 p.m., **MOTION:** Mr. Cox, seconded by Mr. Scheibe to adjourn. Motion carried 6-0-0.

Respectfully submitted,

Daniel Dieck
Associate Planner

Note: These minutes are not considered official until acted upon at an upcoming meeting; therefore, are subject to revision.