

**MARYVILLE PLANNING COMMISSION**  
**October 28, 2019**

The meeting of the Maryville Planning Commission was called to order at 7:00 p.m. on October 28, 2019 by Chairperson Covarrubias in the Village Hall.

**Roll Call:**

**Members in Attendance: R. Covarrubias, M. Floyd, S. Frey, T. Nemsy, G. Peck**

**Members Absent: D. Keene, C. Vincent**

**Additional Attendees: K. Flaughner, R. Massa, C. Short, W. White**

Chairperson Covarrubias called for a review of the minutes from the September 23, 2019 meeting of the Planning Commission. M. Floyd made a motion to approve the minutes as presented. The motion was seconded by T. Nemsy. Motion carried, all ayes.

**Recommendation of Preliminary Development Plan – Maryville Retail Center, Lot #2**

Mark Ratterman – SMLE, LLC and Tom Schenk – broker, were present to answer questions regarding the preliminary development plan.

Lot #2 is located immediately to the North of Walgreens (Lot #1) on the East side of Illinois Rte. #159. Lot #2 was platted in 2007. K. Flaughner stated that all fees had been paid and the required submissions had been made. Review memos were received from Juneau Associates, Inc., P.C.

R. Covarrubias asked why this was not considered as an MVOB plan. K. Flaughner stated that in review with the Mayor and the Village Attorney it was determined that the planned development did not meet the requirements of an MVOB because orders would not be placed at the drive-through window, but electronically via phone or on-line application. The window would be a “pick-up” window not a “drive-through” window. Therefore, there would not be an order speaker or stacking of automobiles.

S. Frey read the definition of a Motor Vehicle Oriented Business (MVOB) from 156.130 (B) and questioned why this plan does not reflect a usage consistent with the “drive-in” or “drive-through” definition of an (MVOB). K. Flaughner stated that you cannot place an order at the drive-through window; you can only “pick-up” an order that was previously made.

K. Flaughner stated that the developer had originally submitted the plan as an MVOB and that they were advised to re-submit without meeting the requirements of an MVOB.

R. Covarrubias inquired what the differences were for an MVOB vs. the development plan as shown. B. Massa and K. Flaughner were uncertain of the additional requirements.

R. Covarrubias ascertained that the developer had responded to all the requests from Juneau Associates, Inc., P.C.

R. Covarrubias asked for comments from those present on behalf of the developer.

Mark Ratterman – Dominoes Franchisee stated that he has wanted to put a Dominoes in this area for some time. He stated that 80% of their business was on-line and pre-paid; therefore, stacking of cars would not occur and use of a loud speaker would not be needed. The business would not be serving alcohol.

The developer stated that there were no objections to submitting the development as an MVOB, as the original site plan was envisioned as a MVOB. It would have to be reviewed by Juneau Associates, Inc., P.C. as an MVOB.

The developer stated that there may be a possibility that the space would be shared with a complementary business (possibly a Dunkin Donuts) which would also need to be planned as an MVOB.

A motion was made by S. Frey and seconded by M. Floyd to recommend to the Village Board that the Preliminary Development Plan – Maryville Retail Center, Lot #2 be approved contingent upon the final plan being submitted and reviewed as an MVOB. Roll Call: Covarrubias-yes, Floyd-yes, Frey-yes, Nemsky-yes, Peck-yes. Motion passed – all ayes.

A motion was made by S. Frey and seconded by M. Floyd to recommend to the Zoning Board of Appeals the approval of a variance from the zoning ordinance requiring 100 ft. between property lines of MVOB businesses and to recommend a special use permit for a MVOB for Maryville Retail Center, Lot #2. Roll Call: Covarrubias-yes, Floyd-yes, Frey-yes, Nemsky-yes, Peck-yes. Motion passed – all ayes.

### **Recommendation of the Final Plat – Schiber East Industrial Minor Subdivision**

Minor subdivision is a split of a property owned by the Village of Maryville, segregating the Village Library from the Village Public Works shed.

No fees were paid as the property belongs to the Village.

The purpose of the separation is in preparation of a possible purchase of the building currently being rented from the Village by the library. This will allow the Village to enter into negotiations with the Village of Maryville Library Board for that purchase.

Mayor Short stated that he expected that the Village and the Library would still reciprocate in using the facility for Village events, as the Library also uses Village services.

Mayor Short stated that the legal agreement states which easement stays with the Library and which easement stays with the Village.

A motion was made by M. Floyd and seconded by T. Nemsky to recommend approval to the Village Board for the final plat – Schiber East Industrial Minor Subdivision. Roll Call: Covarrubias-yes, Floyd-yes, Frey-yes, Nemsky-yes, Peck-yes. Motion passed – all ayes.

There being no further agenda items, Chairperson Covarrubias called for any other business to come before the Planning Commission and/or public comments.

R. Covarrubias recommended that the Village Engineer should review and give a summary of all plans brought before the Planning Commission.

There being no further business to discuss, T. Nemsy made a motion to adjourn the meeting at 7:47 p.m. The motion was seconded by G. Peck. The motion carried all ayes.