

**CITY OF WASHINGTON, ILLINOIS
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, JUNE 5, 2019
WASHINGTON DISTRICT LIBRARY
380 N. WILMOR ROAD – 6:30 P.M.**

Call to Order	Vice Chairman Brian Fischer called the regular meeting of the City of Washington Planning and Zoning Commission to order at 6:30 p.m. in the meeting room at Washington District Library.
Roll Call	<p>Present and answering roll call were Commissioners, Jay Alexander, Brian Fischer, Louis Milot, and Tom Reeder. Commissioners Mike Burdette, Joe Roberts and Steve Scott were absent.</p> <p>Also present was P & D Director Jon Oliphant, B & Z Supervisor Becky Holmes and City Clerk Pat Brown.</p>
Appv min 5/1/19 PZC meeting as presented	<p>Commissioner Reeder moved and Commissioner Milot seconded to approve the minutes of the May 1, 2019 Planning and Zoning Commission meeting as presented.</p> <p><u>Motion carried unanimously by voice vote.</u></p>
Public Hearing: front yard variance request, Eagle Point Condo Assoc., 1505 Eagle Avenue	<p><u>Case No. 060519-V-1</u> – A public hearing was opened for comment at 6:31 p.m. on the request of Eagle Point Condo Association for a front yard variance at 1505 Eagle Avenue. Publication was made of the public hearing notice, and there were no “interested parties” registered.</p> <p>B & Z Supervisor Holmes provided a brief overview of the variance request noting the following: the petitioner is requesting a 15’ front yard variance in order to construct a duplex; the southeast corner of Unit 29 is proposed to be 10’ from the front property line; and the current front yard setback requirement in R-2 zoning is 25’.</p> <p>Petitioner comments: Mr. Sam LaHood, Austin Engineering, provided a history timeline of the request that started in March when they submitted a request to purchase the Hawk Street detention basin as well as vacating the stub of Hawk Street for their development. He shared the requests are being made in order to design what fits best in the neighborhood for this next phase in their development noting that the sweeping curve on Eagle Avenue is part of why the front yard variance is being requested.</p> <p>Public comments: None.</p>
Close Public Hearing	At 6:35 p.m. the public hearing was closed.
Approve Case No. 060519-V-1, front yard variance request	<p>Commissioner Alexander moved and Commissioner Reeder seconded to approve the variance request as presented.</p> <p>Commissioner comments: Commissioners commented that the development is bringing less density to the area than the apartment buildings that were destroyed by the tornado and will be an improvement to the area.</p> <p>There was no additional discussion and on roll call the vote was: <u>Ayes: 4</u> Alexander, Fischer, Milot Reeder <u>Nays: 0</u> <u>Motion carried.</u></p>
Finding of Facts	<p><u>Findings of Fact</u> – application was made by owners of property; fees were paid; property is zoned R-2; and a 10’ front yard variance is requested to construct a duplex. A public hearing was held on Wednesday, June 5, 2019, all present were given the opportunity to be heard; there were no ‘interested parties’; property cannot yield a reasonable return because the layout of the 7 duplexes is needed to gain reasonable return; plight of the owner is due to unique circumstances due to the curved frontage of the lot; and character of the neighborhood may change as there are no front yard encroachments in the immediate vicinity however, only a small portion of the unit would encroach into the required setback.</p>
Public Hearing: rear yard variance request, John Turnbull, 109 E. Holland Street	<p><u>Case No. 060519-V-2</u> – A public hearing was opened for comment at 6:38 p.m. on the request of John Turnbull for a rear yard variance at 109 E. Holland Street. Publication was made of the public hearing notice, and there were no “interested parties” registered.</p> <p>B & Z Supervisor Holmes provided a brief overview of the variance request noting the following: the petitioner is requesting a 4’8” rear yard variance in order to construct an addition (20’x5’) to the north side of a detached garage; the addition would allow increased storage for his tenants; and the current rear yard setback requirement in R-1 zoning is 5’.</p> <p>Petitioner comments: Mr. Turnbull shared the following: the house is a duplex on the property; the space behind the garage is useless and the addition would add much needed storage for his tenants; will make area less of an eyesore; did not want to add to the front of the garage due to the unique historic doors; fits in the neighborhood; property to the east has a garage screened porch right up to property line; others properties in the area are also close to property lines; and have spoken to all neighbors and they are fine with it.</p> <p>Public comments: None.</p>
Close Public Hearing	At 6:42 p.m. the public hearing was closed.

Commissioner Alexander moved and Commissioner Milot seconded to approve the variance request as presented.	Approve Case No. 060519-V-2, rear yard variance request
Commissioner comments: There were several comments concerning the 4” distance that would remain between the fence and garage that could cause maintenance issues, how an overhang on the addition would affect the distance, and possible water runoff issues on neighboring properties. Discussion ensued on the concerns and were alleviated through Mr. Turnbull’s comments.	
There was no additional discussion and on roll call the vote was: <u>Ayes: 4</u> Alexander, Fischer, Milot, Reeder <u>Nays: 0</u> <u>Motion carried.</u>	
<u>Findings of Fact</u> – application was made by owners of property; fees were paid; property is zoned R-1; and a 4’8” rear yard variance is requested to construct an addition to a detached garage. A public hearing was held on Wednesday, June 5, 2019, all present were given the opportunity to be heard; there were no ‘interested parties’; property cannot yield a reasonable return because the property has limited outdoor storage; plight of the owner is due to unique circumstances as the lot is narrow and shallow for a two-family home; and character of the neighborhood would not change as many properties have both principal and accessory structures on or near their property lines.	Finding of Facts
A public hearing for the purpose of hearing comment pertaining to proposed amendments to the Zoning Code for the purpose of adding or deleting text was opened for comment at 7:00 p.m.	Public Hearing: proposed Zoning Code text amendments
P & D Director provided the following information noting that the City recently approved a sale agreement with Tres Rojas Winery and while not directly associated with the sale the proposed text amendments would allow for wineries: 1) the proposed amendments would insert language pertaining to breweries, distilleries, and wineries; 2) would cover the various components of the manufacturing and bottling processes; 3) would only be allowed as special uses in an AG-1 zoning district; 4) would cover off-street parking requirements; and 5) would cover ground and wall signage requirements.	
Petitioner comments: None.	
Public comments:	
<ul style="list-style-type: none">• Dan Wissel, 1795 E. Cruger Road, shared that the property Tres Rojas purchased is right across the street from his and expressed his concerns with the maximum signage size at 50 s.f. for a ground sign and the potential for a business to use their signage to get the attention of drivers on the Bypass.• Bob and Allison Montgomery, 1322 N. Main Street, shared that they own 3 tracts of agriculture farm land within 1.5 miles of the City with one tract located .5 miles from the proposed Tres Rojas Winery and expressed the following concerns and changes: 1) the proposed §154.004 definition for “brewery, distillery, winery” has no provision for growing related crops so will they be allowed to grow crops on the property for use in the production of their spirit or alcohol?; 2) §154.172(B)(8) regarding parking and facility lighting. Soybeans are negatively impacted by lights so will any lighting in connection with off-street parking and signage be arranged to reflect the light away from adjoining farm fields, and will farmers be compensated for lost soybean yields due to light pollution?; 3) will §154.721 “Off-street Parking” ban parking along the E. Cruger Road ditch as large farm equipment on this narrow roadway should have priority over street parking; and 4) the impact and possible conflicts with winery events and farming impacts and schedules.• Sue Freeburg asked if Barry’s plan to plant a vineyard and P & D Director shared that they do plan on growing 8-acres initially which will likely be on the southeast corner of the property. He shared a proposed building dimension of 6,000 s.f. noting that a special use would be required for this type of use in AG-1 zoning and site-specific concerns would be addressed through the special use process.• Mitch Gregory expressed concerns with driving speeds in the area of the winery; potential noise generation; and the amount of additional lighting. He shared that he is part of the federal program path of monarch butterflies which could be negatively impacted by additional lighting in the area.• Tom Bielema asked about the zoning of the property and P & D Director Oliphant shared that it is currently County AG and upon annexation City would be looking at AG-1 zoning. He shared that the proposed text amendment would allow for a winery as a special use in AG-1 zoning noting that the two future components would be annexation of the property and a special use to allow for a winery in AG-1. Tom asked when the entertainment phase would come in and Oliphant shared that it is not part of their plan but realistically they may want to provide. He noted that this would be something that would be addressed through the special use process. He also mentioned that the proposed text amendments make allowance generally for these types of uses and are not site-specific.	

Public Hearing: proposed Zoning Code text amendments, Cont.)	<ul style="list-style-type: none"> Allison Montgomery shared her major concern is for potential bands and programs that could bring overnight weekend concerts similar to Three Sisters in Chillicothe and does not see the winery as compatible with the area. She would rather see this on Business Route 24 and is deeply concerned that farmers will be taking the hit if it locates off E. Cruger Road. Dan Wissel expressed his concern again with the maximum 50 s.f. sign and Oliphant shared that the Commission and Council could cut back the maximum and he would be open to that as well, or it could also be addressed through the special use process. Sue Zehr expressed her concerns with increased traffic and noise. She shared it does not directly affect them but they share these concerns on behalf of those that are being affected as well as the agricultural community overall and its impact to agricultural farming. She shared the following concerns: winery events of 50 or more would become a populated area risk to livestock farming; is the growing of grapes for production use or just for visual enhancement; will they be making wine on site; will there be tastings offered; will there be police protection; entrance on E. Cruger Road; concerns on noise from farming activity is a concern; farm spraying can be dangerous and how will grapes be affected; is it compatible with the area; and too often residents in town don't realize what the farming community does and would like to see their concerns be brought under consideration.
Close Public Hearing	At 7:38 p.m. the public hearing was closed.
Recommend approval of text amendments	<p>Commissioner Reeder moved and Commissioner Milot seconded to recommend approval of the text amendments as presented.</p> <p>Commissioner comments: Commissioner Fischer shared that the Commission's role is very defined where they will be making recommendation to the City Council on the proposed text amendments who will ultimately have the final decision. He shared the City arranged for the purchasing of the land and some of the things brought up during public comments will be determined now and some later in the process. P & D Director Oliphant shared that the City's code does not address what is prohibited and the purpose of the proposed regulations is to establish general allowance for the use as a special use in AG-1 zoning, to define the use, and regulate parking and signage. Discussion ensued on the proposed regulations and how they affect proposed development, specifically the E. Cruger Road property, as well as how they affect the surrounding area properties and uses. It was noted that many of the concerns brought forward were site-specific and could be addressed through the special use phase of the development process. Discussion was held on possibly tabling the item until next month after more information could be obtained regarding the proposed winery development but failed to move forward as site-specific concerns could be addressed in the next phase of the process. Discussion was held on possibly lowering the maximum 50 s.f. for a ground sign and after discussion the general consensus was signage size could be addressed through the special use process.</p>
Amended Motion	<p>Following further discussion on the growing of crops being omitted from the definition, Commissioner Reeder moved to amend his motion to add a sentence that would allow for the growing of crops that was stated by Bob Montgomery during public comments, with the exception of including bees in the definition and was seconded by Commissioner Milot.</p> <p>There was no additional discussion and on roll call the vote was: <u>Ayes: 3</u> Alexander, Fischer, Milot <u>Nays: 1</u> Reeder <u>Motion carried.</u></p>
Take from Table: Rezoning request, Barbara Garrett & Jeanine Herbst, 104 Zinser Place	<p>Commissioner Alexander moved and Commissioner Reeder seconded to take from the table for consideration the rezoning request of Barbara Garrett & Jeanine Herbst, to rezone 104 Zinser Place from R-1 (Single- and Two-Family Residential) to C-2 (General Retail) that was placed on the table at the April 3, 2019 meeting. On roll call the vote was: <u>Ayes: 4</u> Alexander, Fischer, Milot, Reeder <u>Nays: 0</u> <u>Motion declared carried.</u></p> <p>P & D Director Oliphant shared that this item was tabled for further consideration in obtaining a 5' easement along the east property line. He shared that in C-2 zoning buildings are allowed to be built right up to the property line and there was hesitation in recommending the zoning without the easement as the City has a 12' sanitary sewer line that runs down the center of the 16' alley. He shared that further discussions with the petitioners resulted in the allowance of a 5' setback on the east property line as a restrictive covenant that will run with the property for maintenance of the sanitary sewer.</p> <p>Petitioner comments: None.</p> <p>Public comments: None.</p>
Recommend approval of rezoning request	<p>Commissioner Reeder moved and Commissioner Milot seconded to recommend approval of the rezoning request as presented.</p> <p>Commissioner comments: Commissioner Fischer expressed his appreciation for making the accommodation but feels the C-2 zoning threatens the residential character of the neighborhood.</p>

There was no additional discussion and on roll call the vote was: <u>Ayes: 3</u> Alexander, Milot, Reeder <u>Nays: 1</u> Fischer <u>Motion carried.</u>	Recommend approval of rezoning request, Cont.)
P & D Director mentioned that there will be a meeting next month.	Commissioner/Staff Comments
At 8:46 p.m. Commissioner Milot moved and Commissioner Reeder seconded to adjourn. <u>Motion carried unanimously by voice vote.</u>	Adjournment

Patricia S. Brown, City Clerk