

DRAFT

**CITY OF WASHINGTON, ILLINOIS
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, JULY 10, 2019
WASHINGTON DISTRICT LIBRARY
380 N. WILMOR ROAD – 6:30 P.M.**

Call to Order	Chairman Mike Burdette 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, Mike Burdette, Brian Fischer, Tom Reeder, Joe Roberts, and Steve Scott. Louis Milot was absent.</p> <p>Also present was P & D Director Jon Oliphant, B & Z Supervisor Becky Holmes and City Clerk Pat Brown.</p>
Appv min 6/5/19 PZC meeting as presented	Commissioner Roberts moved and Commissioner Fischer seconded to approve the minutes of the June 5, 2019 Planning and Zoning Commission meeting as presented. <u>Motion carried unanimously by voice vote.</u>
Public Hearing: front yard variance request, Robert & Dorothy Knisley, 508 Lincoln St.	<p><u>Case No. 071019-V-1</u> – A public hearing was opened for comment at 6:31 p.m. on the request of Robert & Dorothy Knisley for a front yard variance at 508 Lincoln 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 3’ front yard variance in order to construct a wood porch that would replace an existing deteriorated concrete slab/porch; and the current front yard setback requirement in R-1 zoning is 25’.</p> <p>Petitioner comments: None.</p> <p>Public comments: None.</p>
Close Public Hearing	At 6:32 p.m. the public hearing was closed.
Approve Case No. 071019-V-1, front yard variance request	<p>Commissioner Fischer moved and Commissioner Milot seconded to approve the variance request as presented.</p> <p>Commissioner comments: None</p> <p>There was no additional discussion and on roll call the vote was: <u>Ayes: 6</u> Alexander, Burdette, Fischer, Reeder, Roberts, Scott <u>Nays: 0</u> <u>Motion carried.</u></p>
Finding of Facts	<u>Findings of Fact</u> – application was made by owners of property; fees were paid; property is zoned R-1; and a 3’ front yard variance is requested to construct a wood porch. A public hearing was held on Wednesday, July 10, 2019, all present were given the opportunity to be heard; there were no ‘interested parties’; property cannot yield a reasonable return because house currently has a porch; plight of the owner is due to unique circumstances due to shallowness of the front yard; and character of the neighborhood would not be changed as the new porch would not encroach any further than the existing porch.
Public Hearing: Annexation & Rezoning, 1774 E. Cruger Road	<p>A public hearing was opened for comment at 6:33 p.m. on the request of Barry Vineyards LLC, to annex 1774 E. Cruger Road, and staff is requesting it’s rezoning from R-1A to AG-1 concurrent with annexation. Publication was made of the public hearing notice, and there was one “interested parties” registered.</p> <p>P & D Director Oliphant gave a brief overview of the annexation request noting the following: Bob & Lisa Barry recently purchased the property from the City of Washington; the proposed property totals 51.59 acres (a land swap occurred that offered 12-acres of the original tract to the adjoining property owners Martin & Carol Voorhees in exchange for a 1-acre tract); city water and sewer are not extended to the property and are not planned in the near future; the Barry’s are looking to open a winery on the property; staff is recommending rezoning from the default zoning upon annexation of R-1A (single-family residential) to AG-1 (agriculture) for consistency with other parcels in the area, desired land use, and comprehensive plan designation as Parks and Open Space with so much of the property limited from development due to approximately two-thirds of the property being located in the 100-year floodplain; current zoning is County A1, which is one of their two agriculture zoning districts; and the parcel is suitable for the proposed zoning.</p> <p>Petitioner comments: Mr. Barry commented he had nothing more to add.</p> <p>Public comments: Mr. Scott Weaver, Township Road Commissioner, expressed the following: he is totally against and is upset that he has not been contacted about it; concerns with semi’s on the roadway with load limits; received a phone call from who he thought was the president of RC Flyers asking about widening a culvert and he said he would due to their non-profit nature and was told they are for profit so it didn’t make sense to him but he let it go; received another phone call two days later that Mr. Barry said he could do whatever he wants on the property and he said he did not say that and is not happy about this at all. P & D Director Oliphant shared that the required notice has been sent to the Township. Mr. Weaver shared that they have been flooded by taxpayers for two months regarding this and expressed his disappointment again in</p>

not being notified, that misinformation is going around, and people should be told what is going on and not have it all being done behind their backs.

Public Hearing:
Annexation &
Rezoning, 1774 E.
Cruger Road, Cont.)

John Christian, land owner east of City, shared that the City is a home rule entity, and under home rule, you can go a mile and half out and make objections to plans people have on their property. He shared the City should have notified everybody that is affected by this so we would have some ability to have a say so at a proper meeting. He shared he found out about it after Council had voted and notifications should have been made. He asked if the Commission is the decision maker in this and Chairman Burdette replied that the City Council is the decision maker and the Commission makes recommendation to City Council. Mr. Christian expressed his frustration in the lack of notification and that everyone within a mile and one half should have been notified because it affects all of us, that he doesn't care if there is a winery there or not, but does have concerns about how it was done.

Bob and Allison Montgomery, 1322 N. Main Street, handed out pictures of farm machinery traveling along the roadway near the proposed property. He shared they spoke at the June Planning & Zoning Commission meeting as well, and appreciated the Commission listening to their concerns. He expressed their concerns with the development which are attached and made part of these meeting minutes. He shared that a decision will be made based on whether this is the right location or not, not whether it's the City or if we were selling this property and coming to you today that you would recommend that this is the best location. He expressed his frustration that a lot of residents have expressed in that it is already a done deal and the City should have come and talked to them and that needs to change. He shared that if they tried to do something within one and a half miles (like putting in a solar farm) it goes to the County then comes to the City, and would hope the same decision would be made whether it is the City or whether it is me doing something.

Mr. Bob Barry, in regards to the Township Road Commissioner's comments, shared that he believes Mr. Weaver mischaracterized what the conversation was because he was the individual that called him. He had phoned and asked if he could meet and talk about putting in a new culvert at the roadway entrance and Mr. Weaver asked whether I was the RC club and I told him no, that I was going to be the new owner of the property. At the time I spoke to Mr. Weaver about getting the existing 20' culvert to a 30' culvert and offering to pay the Township's cost for doing it, Mr. Weaver told me it would not be a problem and to just let him know when I was ready and he would be happy to do it and would just take the existing culvert out in exchange for the 30' culvert. He shared the offer still stands to pay for the culvert and the work to change it out so it can be made wide enough for people coming in and out so they are not crowded together. He shared they will not be having semi's coming in and out as they are not a distribution center but a small winery and may have two semi's a year that would deliver bottles or bring in grapes from out of state, primarily in the fall and not during any time of the year where roads are of a concern during winter. He shared that he was just asking to replace the culvert with an offer to pay cost. Mr. Weaver stated that he is not discussing this anymore and is dead set against it, and disagreed with Mr. Barry about the conversation and was not going to argue about it.

At 6:51 p.m. the public hearing was closed.

Close Public Hearing

Commissioner Roberts moved and Commissioner Alexander seconded to recommend approval of the request as presented.

Recommend approval
of annexation

Commissioner comments: Commissioner Scott asked if the City has a long term vision of the property along Cruger Road that is not part of this annexation and P & D Director Oliphant shared there are no plans to extend water or sewer in that direction and no long term plan, so if anything it would be a combination of ag and rural residential. Commissioner Scott asked if they don't annex into the City can they do the same thing in the County and Oliphant shared they could and it would be handled through a similar special use permit process as the City. Commissioner Fischer expressed his concern with the lack of substantial contiguity with the parcel and Oliphant shared that does it meets state statute requirements for annexation. Discussion ensued on roadway maintenance of the annexed portion and Township Road Commissioner Weaver indicated that he would plow that portion of roadway for safety but the City would be responsible for any needed roadway maintenance. Comments were made and discussed on the following topics: future growth and how parcels are incorporated; how infrastructure is or is not extended and provided; the appearance of this being a forced issue; W223 location being a better fit for the proposed use; the need for separating the proposed use out of the equation and focusing on the land, how it is managed, and does it make sense; benefits of property in City vs. County as far as policing and safety controls; and how adjacent and adjoining property owners are notified.

There was no additional discussion and on roll call the vote was:

Ayes: 4 Alexander, Burdette, Roberts, Scott

Nays: 2 Fischer, Reeder

Motion carried.

Commission Scott asked for the City Council timeline on this and P & D Director Oliphant shared that first reading of the ordinance will be on July 15th with second reading and action taken on August 5th.

Commissioner Fischer encouraged the City to work with County to avoid any problems. Commissioner Scott expressed concerns with the notification process and not fully understanding City and County regulations. P & D Director Oliphant shared in regards to

Commissioner/Staff
Comments


Commissioner/Staff
Comments, Cont.)

annexation and special use cases they are handled the same, a publication notice in the local newspaper and adjacent and adjoining property owners are each notified by mail, and regarding the sale of land statute is clear on how city's handle land transactions. He shared for better or for worse there is reason why a lot is done behind closed doors, to protect the City as well as any parties involved in the transaction. Commissioner Scott shared that if the City does its notification's he would have thought the County would also know they would have a property to be annexed into the City and would do their notifications according to County regulations. Commissioner Reeder asked if the County would do notifications on something like this and Oliphant shared that if the property is being considered through County zoning they would. He also clarified the mile and a half by sharing that if a County property were being considered for a County special use only adjoining and adjacent property owners would be notified just like in the City and that the mile and a half is jurisdictional in that if the subject property lies within the City's mile and a half jurisdiction the City would be notified so they would have an opportunity to provide their input on the case, noting that the ultimate decision is made by the County. Commissioner Fischer indicated that the City has done its notifications properly and it's up to people to build their own news networks on how they stay connected to information.

B & Z Supervisor Holmes mentioned that there will be a meeting next month.

Adjournment

At 7:23 p.m. Commissioner Scott moved and Commissioner Roberts seconded to adjourn.
Motion carried unanimously by voice vote.


Patricia S. Brown, City Clerk

We regularly attend City meetings due to the proximity of our farm business to the City. We spoke at the June Meeting and appreciate the Commission listening to the concerns of all present.

The annexation of this property is not in the best interest of county residents.

The annexation of this property and the building of a winery is not beneficial to existing Agri-businesses.

In the Peoria Journal Star June 3, 2019 story about the proposed sale to Tres Rojas it was written, "This is the 3rd attempt by Tres Rojas to expand its brand outside its small vineyard off Allentown Road in Pekin".

"Both tries were rejected by zoning boards in East Peoria in 2018 and Peoria earlier this year, mainly because of complaints by neighbors."

In that same article Mayor Manier was quoted as saying,
"(The Tarvin farm) is the best place for this type of development, the winery will impact very few folks there and it will bring people to our community."

Who are those "few folks" the winery will negatively impact?

County residents, area farmers, area land owners, and Washington Township.

Admittedly, we are few in number. However, we represent millions of dollars of tax payments to the Schools in Washington. We represent millions of dollars of investment in land, machinery and homes.

Annexation and building of the proposed winery is not beneficial and is a major safety concern due to:

- Increased automobile traffic on narrow country roads
Cruger & Dieble are used extensively by distance bikers, runners & walkers
- Drivers unfamiliar with sharing the road with large farm machines
- Drivers unfamiliar with rises in road and blind corner
- Cruger Rd and the Bypass are the same speed, 55 mph
- Increased risk of impaired drivers

Peoria residents voiced similar concerns of impaired drivers on Rte 29.

The owners stated, "The winery would not have a kitchen".
It is strictly selling alcohol by the drink or bottle.

We want the Winery to be successful – within the existing city limits.

If the winery were placed in town – the police would be in place to pick up on impaired drivers.

If the winery were placed in town – speed limits around the venue would not be 55 mph – same speed as allowed on bypass.

If the winery were placed in town – the cost of road maintenance would be placed on the entity collecting sales tax.

If the winery were placed in town – customers drawn to the venue would be far more likely to stop and shop in other Washington businesses.

In closing, this property should not be annexed into the city of Washington.
This is prime farm ground and it should stay farm ground.

The proposed annexation and the building of a venue selling alcohol is not beneficial to existing agri businesses such as our own.

The proposed annexation and drivers departing a venue selling alcohol by the drink is a serious safety concern for our neighbors and area farmers.

Please vote NO to annexation.

Respectfully, Bob & Allison Montgomery





