

CITY OF WASHINGTON, ILLINOIS
Planning and Zoning Commission Meeting
Wednesday, June 2, 2021
Five Points Washington Banquet Room at 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 6:31 p.m. in a banquet room in Five Points, Washington

Roll Call Present and answering roll call were Commissioners, Burdette, Milot, Reeder, and Ridder, and Scott.

Absent were Commissioners Rodrigues and Williams

Also present was P & D Director Jon Oliphant, Planner Aaron Paque and City Clerk Valeri Brod.

Appv min 5/5/21 PZC Commissioner Milot moved and Commissioner Reeder seconded to approve the meeting as presented minutes of the May 5, 2021 Planning and Zoning Commission.

Motion carried unanimously by voice vote.

Request of Angela Whalen and Bill and Virginia Hexamer to Rezone from I-1 (light industrial) to R-1 (single- and two - family residential) Case No. 06022021-V-1 – A public hearing was opened for comment at 6:32 p.m. on the request of Bill and Virginia Hexamer, to rezone 704 Catherine I-1 (light industrial) to R-1 (Single- and Two-family residential).

Planning and Zoning Director, Jon Oliphant shared details regarding this rezoning request which originated due to a house fire at 708 Catherine Street in March of 2021. Mr. Oliphant noted that these properties currently have Zoning Code designations that were placed when the railroad ran adjacent to them. The railroad is no longer there. Mr. Oliphant shared that there are only a few I-1 properties within the City that are located in residential areas and that rezoning these properties would allow them to be the same as other neighboring properties and that two neighbors agree with the rezoning. It was also noted that one neighboring property owner was not available.

Public Comments: Chairman Burdette invited anyone to provide public comments and none were provided.

Commissioner Ritter moved and Commissioner Scott seconded to approve the rezoning request.

Mr. Oliphant shared that they are all single-ownership properties. It was noted that a current commercial storage building would remain as-is with this rezoning as it has a special use permit. Commissioner Milot asked if the other area properties are used as residential or industrial. It was noted that this would only limit the potential for future industrial use.

Ayes: 5 Burdette, Milo, Reeder, Ritter, Scott

Nays: 0

Motion carried.

Close Public Hearing At 6:37 p.m. the public hearing was closed.

Public Hearing: Case No. 06022021-S-1 – A public hearing was opened for comment at 6:40 p.m. on the request of Barry Vinyards, LLC, to permit an amendment of the conditions of the special use; 1) repeal the restriction of public hours and 2) repeal the restriction of outside noise time currently contained in the special use.

Special Use request of Barry Vinyards, LLC., to amend some of the previously approved conditions

Mr. Oliphant shared that there were two special use provisions made when the winery opened that related to the hours of operation and the amount of amplified sound. They are requesting to repeal the two provisions.

Bob and Lisa Barry, owners of Tres Rojas Winery, stated that they wished to be treated as any other business in Washington by removing the closing time and noise special use restrictions. Mr. Barry explained that their outside noise is mostly acoustic music with light amplification. He also shared that on a recent week night they would have closed at 6:00pm but a scheduled private event went until 9:00pm. It provided dance lessons inside with no external music. The Barrys feel that the special use restrictions restrict their ability to do normal business within normal business hours in the City. They express their desire to be a regular business.

James Chapman, who resides on Cruger Road and is the closest neighbor to the winery, stated that he's not against the request completely. He noted that they can hear weddings but is mostly concerned with the idea of amplified noise. He stated that this was originally proposed as a winery, not a party hall and the party aspect is the only thing concerning.

Close Public Hearing At 6:42 p.m. the public hearing was closed.

Commissioner Ritter moved and Commissioner Milot seconded to approve the request.

A brief discussion took place regarding if standard city codes apply to the Winery. Commissioner Scott clarified that the Winery just wants to operate like any other business in the City. Commissioner Burdette noted that there is a house directly across the street from the Winery and his concern for them. He also noted that 11:00pm could be considered late for older residents. Commissioner Milot asked for the clarification of the meaning of "loud" in terms of decibels. Mr. Oliphant shared that the City code relates to hearing sound 100 feet from the property boundary. Commissioner Milot noted that there were other areas of concern and noted his worry that there would be a domino effect. He noted that there may be other things to consider and that this is a relatively quiet area of town. Commissioner Scott noted his concern that we should not pick and choose for different businesses and shared that we may have more latitude on the weekends which would not encourage partying on the weekdays. He also shared that he was concerned at first but feels we can't direct only one business. Commissioner Reeder noted that at some point the Winery could be sold and wondered what could happen then. Commissioner Reeder stated that this is a city surrounded by county residents referring to the rural setting. Commissioner Milot expressed his concern for the increase in traffic. Commissioner Scott agreed. Mrs. Barry shared that they have outside businesses that would like to schedule indoor events similar to the current events hosted by Art at the Bodega. Commissioner Reeder noted a big difference between operating an event inside rather than outside. Commissioner Milot brought forth the idea of limiting amplified music during the week only and Commissioner Scott stated that extending the hours should be a reasonable consideration. Commissioner Scott shared that the amplified sound would have to be policed. Mrs. Barry stated that they would like businesses to hold events

inside which would not receive outside noise complaints. A brief discussion took place concerning the difficulty in enforcing the level of noise.

Commissioner Ritter moved and Commissioner Milot seconded to amend the request allowing for an 8:00p.m. closing Sunday-Thursdays and a 10:00pm closing on Friday and Saturdays.

Ayes: 5 Burdette, Milo, Reeder, Ritter, Scott

Nays: 0

Motion carried.

Preliminary Plat
Discussion - Trails
Edge Subdivision,
Sections 9-10

Planning and Zoning Director Jon Oliphant shared details about the proposed revisions to the Trails Edge Subdivision Preliminary Plat for Sections 9 and 10.

Property owner and developer Sam LaHood was present to answer questions regarding the Preliminary Plat amendment from single family homes to duplexes in Trails Edge Subdivision. He noted that Stephanie Court would extend to Debates and there would be two single family homes and 23 duplexes (56 units). Mr. LaHood noted that the properties are zoned R1 and this new Preliminary Plat fits the zoning requirements. He shared that this undeveloped property has been sitting since 2005. Mr. Oliphant reminded the audience and committee that the purpose of this agenda item is to listen to concerns and not rush this development and that there will be no vote tonight as this may help in future revisions. Mr. Oliphant also stated that the Subdivision Plat was approved in 2001 then revised in 2014 and that this discussion is for sections 9 and 10.

Commissioner Burdette then read a letter from Dean Heffta which is attached and made part of these minutes.

Jamy Noreuil was present and asked Mr. LaHood to clarify the number of units and what he means by the word "upscale". Mr. LaHood shared these are not like the Eagle Point Condos and that they want to build zero lot line duplexes that are about 33% larger than the Eagle Point condos. He also shared that this isn't the proposal, but the Preliminary Plat. Ms. Noreuil shared her concerns which included not knowing who the renters could be, her concerns for her children's safety, not knowing all of her neighbors, if the school district could handle the influx of students, why this proposal is impromptu and why rentals are going in the middle of a single-family home neighborhood. Mr. LaHood stated that they were looking for a new project. Mike Cochran, owner of Austin Engineering, answered a few questions including the number of units, that this is only 11 units more, lots were added when the road was reconfigured. Mr. Cochran asked if the concern was with rentals or duplexes and stated that issues with rentals is not zoning question and could borderline discriminatory.

Katie Beale shared that she sent a packet to several people regarding rainwater. She said another community in Burnsville Minnesota did a stormwater study that retrofitted stormwater management and cut it by 90%. Ms. Beale also stated that the City needs affordable housing but recognizes this concern and feels the biggest concern is rainwater and run-off. She asked if the City has looked at alternatives with the rainwater study. Ms. Beale noted that there is always standing water in the cement that runs through detention basins and that this can breed mosquitoes. She shared that a resident built a berm on her street that now directs 25% more neighborhood water towards her property. Mr. LaHood shared that the road design had changed to help direct water drainage issues. He also stated that they are not seeking any government funds for this project and that they do not want to reduce the quality of life.

Mr. Cochran shared that he has put thought into the drainage issues and has been doing this for 21 years. He also noted that there wasn't a lot of thought put into the

drainage issues by developers several years ago and this has changed. He also shared that once the infrastructure is in, they don't have a lot of say with what the homeowner does to their property but noted that they have reviewed the plan and came up with a solution for drainage issues.

Jeff Keebob, who lives on Grandyle, shared that his house faces where this development will be. He shared comments that focused on the aspects a subdivision that was sold as single-family residential properties. He stated that he would look at a rental unit differently than an owned home. Mr. Keebob shared that he has made a significant investment in his property and renters won't invest in a rental home. He went on to share his concerns about what does the word "upscale" mean, the increase the neighborhood density, and the increase of cars on the roadways. Mr. Keebob also noted the possible increase in signage in the neighborhood including large signage at the head of the neighborhood.

Josh, who also lives on Grandyle, shared his concern for the traffic on Kingsbury. He stated that the Police Department is getting more calls about traffic and speeding. He also shared that he feels the originally planned 47 single-family homes would fine and noted that houses are currently selling with only two weeks on the market. Josh stated that the developers don't care about the integrity of the neighborhood if they are building two-story duplexes and that he has nothing against rentals.

Jennifer Swanson, who lives on Debates. Noted that there are 17 duplexes currently in the neighborhood and all are single-story, all are 120+ feet wide, and none are zero lot line. She stated that the City would like to be more walkable and bikeable and the increased traffic wouldn't help that goal. Ms. Swanson asked about who provides the permissions and asked for clarification about the meaning up "upscale". She also stated that corners will be cut due to cost of construction right now. She shared that she isn't concerned about the aspect of rentals but is concerned that these maintain the integrity of the neighborhood. Ms. Swanson stated that the LaHood's previous duplexes are assessed at \$113,000. She also shared that she started a petition for the neighborhood which has 140 signatures and understands that they a developer needs to make money but they need to make it look like the rest of the community.

Dave King, who lives on Kingsbury added his concern for the density of the rental development. He shared that current neighborhood duplexes are spread out around the edges of the neighborhood and not grouped together and noted that traffic is already bad on some neighborhood streets. Mr. King stated that this doesn't fit where it was plotted and noted that if Grandyle is extended to Cruger in the future, it would add even more traffic. He went on to share that there is already limited ability for traffic to get in and out of the neighborhood and that he is not against the idea but thinks this is the wrong location due to traffic access.

A gentleman who didn't share his name stated he bought near the proposed development and was told, at that time, that it will be single family homes. He stated that he loves the neighborhood and that he wouldn't have bought where he did, had he known this could happen. He also asked to see a picture of what they will look at.

Michael McIntyre, who lives on Kingsbury stated that this directly affects him because the development is right behind him. He shared that he moved to Washington because it's a great place to raise his family. He noted that the out of the 34 current neighborhood duplexes, only four are rentals and all the others are owner occupied. Mr. McIntyre stated that the neighborhood is about home ownership and noted the difficulty to control rentals but owner-occupied units give integrity to the neighborhood. He stated that he personally would like to purchase some of the land. He went on to state that the current single-family homes are beautiful and they pay almost \$9,000 - \$10,000 in taxes and now these are going behind those houses.

Casey Jane, who lives on Debates stated that the Eagle Avenue Condos are nice because they replaced apartments that were there before the tornado. She asked for clarification on where the two proposed single-family homes will be. Mr. LaHood

noted that the one is on Stephanie Court might purchase a lot to add to his existing finished residential lot and the other is nearby. Mr. LaHood stated that they will share an elevation and clarified that these are not two-story units as assumed. He went on to share that he wants to keep the integrity of the neighborhood and shared that he is part of the Washington community as well. He also stated that he would be happy to share more information.

Many residents spoke at the same time making it difficult to hear. They did not provide their names.

Mr. LaHood stated that these units will be valued at about \$450,000-\$500,000 for both units together and noted the previous amounts quoted before are for one side. One resident asked what the projected rental cost would be and Mr. LaHood said \$1850 per month. Another resident asked for clarification about the meaning of zero lot lines and how the units will fit on the lots. Mr. LaHood shared that he is looking for long term investments in the area. Mr. LaHood shared how the unit size and placement was determined. Mr. LaHood shared that the units contain a two-stall garage. He also noted that if market is good, he may sell some of the units. It was also clarified that this is in the conceptual stage. Conversation continued related to the possible increase in traffic on Kingsbury and where the increase in cars will park.

A brief discussion took place regarding the size of the lots and the number of units.

Dave, who lives on Grandyle, asked for clarification about the extension of Stephanie Court to connect to Debates. He shared that he respects that the road extension would allow for more houses but feels the duplexes do not fit well with the neighborhood.

Tom Brown, who lives on from Grandyle, asked if they are going to extend the sale of the land to current homeowners.

One resident clarified that as long as the zoning codes are being met, the board would approve this and asked how to stop this from happening. Commissioner Burdette explained that the Planning and Zoning Commission is not voting on this tonight and when it is time for the final presentation, they will vote but it will still go to Council for consideration. Commissioner Scott clarified that the Planning and Zoning Commission only recommends items but Council votes independently.

Dave Jane, who lives on Debates, had no problem knowing that the development would happen but the concern is the addition of lots plus doubling up on those extra lots. He asked if there is time for further consideration.

Commissioner Burdett clarified that this is a public hearing which is a moment for the public to share their ideas and when the public hearing is closed, then, the Commission can discuss it further.

Ms. Clark asked about the risk on vacant rentals.

Mike M. who lives on Kingsbury asked the commission to not move forward and a brief discussion took place in that Mr. LaHood stated that he is open to hearing from the residents and to sharing his ideas.

Commissioner Burdett stated that he appreciates all the provided comments. Commissioner Scott thanked everyone and shared that this is the way it should work. He noted that the viewpoints are valid and hopefully they will listen. He also shared that most developers do not open this process up for comments. Commissioner Milot echoed the other Chairman's comments and stated that he appreciates the community coming to the meeting. Mr. Oliphant shared that he doesn't have a vote and noted that this could be cut and dry but bringing this to the meeting to discuss this could provide compromise moving forward. Commissioner Burdette shared that the Zoning Board cannot guide residents. Mr. Oliphant said the City is somewhat limited but these kinds of discussions are helpful. Commissioner Ritter said the best forward is to try to work together with the developer.

Commissioner Burdette expressed his appreciation for everyone for coming. Commissioner Scott agreed and expressed his appreciation that the developer

provided this opportunity because this is not required. He also stated that it would be good to have further communication between the residents and the developer. Commissioner Milot added that the City should review the plan and how it might fit in with the Comprehensive Plan.

Commissioner Scott moved and Commissioner Reeder seconded to differ the conversation until a later date.

Ayes: 5 Burdette, Milo, Reeder, Ritter, Scott

Nays: 0

Motion carried.

Comprehensive Plan Update & Discussion	Comprehensive Plan Update & Discussion, Mr. Oliphant shared this item was postponed due to the length of the current meeting and will be discussed at a later date.
Old Business	None
Commissioner/Staff Comments	Mr. Oliphant shared that we have at least one case for next month and we will have a meeting on July 6, 2021
Adjournment	At 8:32 p.m. Commissioner Milot moved and Commissioner Reeder seconded to adjourn. <u>Motion carried unanimously by voice vote.</u>

Valeri L. Brod, City Clerk

LETTER PROVIDED BY DEAN HEFFTA

To: Daniel Cobb <dcobb@ci.washington.il.us>; John Blundy <jblundy@ci.washington.il.us>
Cc: Jon Oliphant <joliphant@ci.washington.il.us>; Valeri Brod <vbrod@ci.washington.il.us>
Subject: P&Z - Trails Edge

Daniel and John (cc: Val and Jon)

I'm writing as a resident of Ward 1 to share my thoughts regarding the upcoming plat change proposal for the undeveloped area of Trails Edge subdivision. Since 2007, I have lived on Debates on the north side of the area under discussion.

While I understand the need for periodic changes for development projects, I'm apprehensive about a few things regarding the latest change:

1- The proposed increase of 20 units over the current plan. This will add to the already often clogged Kingsbury (considering the two side of the street parking) for residents there as well as increase hard-surface in an area that appears to already have storm water concerns.

2- The comment in the proposal identifying the planned use to be "upscale rental units." This looks to be an undefined term and a significant deviation from the intent of the Trails Edge subdivision. I don't know what *upscale* means nor do I understand if there are requirements/standards the owner of a complex would be held to over the course of time. We purchased our home being told the future development next to us would be additional single-family homes.

The differences in the proposed plat are the following: 1) Stephanie Court would connect with Debates Street. Stephanie is a cul-de-sac as part of the current preliminary plat; and 2) The existing plat consists of 38 single-family lots whereas the proposed plat would consist of 30 lots with 28 of those as duplexes and two as single-family, resulting in a net increase of 20 units. The duplexes are planned to be more upscale rental units at the current time.

3- Process and community comment. While I have no doubt the planning and zoning team has done effective due diligence, the perception among area residents could be that this is being jammed through with a May 24th Memo, June 2nd P&Z meeting, and June 7th Council meeting. This seems to risk residents viewing changes that are this significant to the future of their neighborhoods as occurring without their knowledge. This current proposal seems significantly different than for example a proposed change of a street in a plat development or the increase in the height of curb requirement.

I appreciate your service to the community and hope that decisions like this consider not only the short-term interests of the developers and tax revenue of the city, but that community leaders continually consider current decisions regarding the city and neighborhoods over the next 20 years and well beyond. An expansive rental unit project inside the desirable Trails Edge neighborhood is unlikely to get better with age. While homeowners are motivated to take pride in their home which will continue to support the tax base for decades to come.

Thank you again.

Sincerely,

Dean Heffta