

**CITY OF WASHINGTON, ILLINOIS
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, NOVEMBER 2, 2016
WASHINGTON DISTRICT LIBRARY
380 N. WILMOR ROAD – 6:30 P.M.**

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.	Call to Order
Present and answering roll call were Commissioners, Rich Benson, Brian Fischer, Louis Milot, and Tom Reeder. Commissioners Mike Burdette, Steve Scott, and Doug Weston were absent.	Roll Call
Also present was P & D Director Jon Oliphant, B & Z Supervisor Becky Holmes and City Clerk Pat Brown.	
Commissioner Milot moved and Commissioner Benson seconded to approve the minutes of the October 5, 2016 Planning and Zoning Commission meeting as presented. <u>Motion carried unanimously by voice vote.</u>	Appv min 10/5/16 PZC meeting as presented
<u>Case No. 110216-V-1</u> – A public hearing was opened for comment at 6:31 p.m. on the request of Washington Area Community Center (WACC) for a waiver of setback requirements variance at 360 N. Wilmor Road. Publication was made of the public hearing notice, and there were no “interested parties” registered.	Public Hearing: waiver of side & rear setbacks & front yard variance request, WACC
P & D Director Oliphant provided a written overview of the variance request that noted the following: the petitioner has applied for a variation of the front, side, and rear yard setback requirements; the property is zoned R-1; the standard front yard setback is 25’, the side yard setback is 5’ (with a total of 12’ for the two sides), and the rear yard setback is 20’ or 20% of the lot depth, whichever is greater; an agreement was entered into that requires the real estate underlying the Library to be conveyed to the Library in fee simple no less than 10-years after the signing of the agreement; and this conveyance would allow the Library to split into a separate parcel with a party wall separating the Library from the remaining Community Center on the west and part of the south sides. He shared the following in regards to each setback: 1) front yard: a proposed 5,000 s.f. addition is being planned for the future which would be constructed within 10’ of the proposed front property line thus requiring a 15’ variance; 2) side yard: the southwest corner of the Library would have a party wall with no setback thus requiring a 5’ variance; and 3) rear yard: the west side of the Library would have a party wall with no setback thus requiring a 38’ variance. He shared that this is a very unique case and it is staff’s opinion that it would not change the character of the neighborhood and there does not appear to be a self-imposed hardship and due to these factors staff supports the request for a waiver of the side and rear yard setbacks and a 15’ front yard variance.	
Petitioner comments: Mr. Bob Brown, and on behalf of Mr. Bob Schmidt, both representing Washington Area Community Center, shared that P & D Director Oliphant has accurately stated their position.	
Public comments: None.	
At 6:34 p.m. the public hearing was closed.	Close Public Hearing
Vice Chairman Fischer clarified with Mr. Brown that the waiver of the setbacks will be mutual waivers for both the Washington Area Community Center and the Washington District Library as stated on Page 3, Statement #4 of the submitted application for variation. Vice Chairman Fischer entertained a motion of the waiver of the side and rear yard setbacks for Washington Area Community Center and the Washington District Library so the properties can be separated properly and for a 15’ front yard variance for the Washington District Library parcel once separated. Commissioner Reeder moved and Commissioner Milot seconded to approve the variance request as stated.	Approve Case No. 110216-V-1, variance request
Commissioner comments: A discussion ensued on the common walls that will be shared and how both parties are dealing with situations surrounding the maintenance, etc. of those walls and the need for the 15’ front yard variance to allow for an expansion of the Library at a future point in time. Both Mr. Brown and Mr. Schmidt assured the Commission that the original agreement addresses the common components and that all code requirements were satisfied during the initial building process.	
There was no additional discussion and on roll call the vote was: <u>Ayes: 4</u> Benson, 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; waiver of side and rear yard setbacks and 15’ front yard variance request to allow conveyance of underlying real estate and a proposed addition. A public hearing was held on Wednesday, November 2, 2016, all present were given the opportunity to be heard; there were no ‘interested parties’; there were no objections to the granting of the variance; character of the neighborhood would not be changed; and the hardship is not self-imposed due to the requirement of state law.	Finding of Facts

Public Hearing: rear yard variance request, Washington Village Estates, LP c/o Christian Homes, Inc.	<p><u>Case No. 110216-V-2</u> – A public hearing was opened for comment at 6:46 p.m. on the request of Washington Village Estates, LP c/o Christian Homes, Inc. for a rear yard variance at 1150 Newcastle Road. Publication was made of the public hearing notice, and there were no “interested parties” registered.</p> <p>B & Z Supervisor Holmes provided a written overview of the variance request that noted the following: the property is zoned R-2; the petitioner is requesting to construct two 2-unit buildings and four 4-unit buildings on the site; three of the buildings on the south side of Newcastle Place encroach into the required 50’ rear yard setback requiring a 26’ rear yard variance; the east half of the lot contains an existing 3-story assisted living facility; and the property abuts Five Points Washington on the south and Central Grade School on the south and west.</p> <p>Petitioner comments: Mr. Phil Martin with Martin Engineering introduced himself and Mr. Bill Glore from Christian Homes. He shared that they are requesting the variation from the 50’ setback requirement in order to extend the private roadway from the parking lot to meet with Newcastle Road. He shared they are proposing six buildings with 20-units and if they had to go with the 50’ setback we wouldn’t get enough density to make it work financially and that the proposed layout fits with the neighborhood.</p> <p>Public comments: None.</p>
Close Public Hearing	At 6:47 p.m. the public hearing was closed.
Approve Case No. 110216-V-2, variance request	<p>Commissioner Milot moved and Commissioner Fischer seconded to approve the variance request as presented.</p> <p>Commissioner comments: Commissioner Reeder asked if rear decks are being planned and Mr. Martin shared that some will be decks and some will be patios. The following information was confirmed by Mr. Martin and B & Z Supervisor Holmes: the buildings are one story; Christian Homes will retain ownership of the entire parcel which includes the proposed development as well as the assisted living facility which is located on the east half of the parcel; the proposed roadway is already stubbed in from the parking lot of the assisted living facility; all parking requirements are being met; the setback requirement on the west property line is a side yard setback of 5’: it was shared by Mr. Martin that Central Grade School is not opposed to the development; and the entire parcel is approximately 5 acres in size.</p> <p>There was no additional discussion and on roll call the vote was: <u>Ayes: 4</u> Benson, Fischer, Reeder, Milot <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; 26’ rear yard variance in order to allow for the construction of one 2-unit and two 4-unit buildings. A public hearing was held on Wednesday, November 2, 2016, all present were given the opportunity to be heard; there were no ‘interested parties’; there were no objections to the granting of the variance; property cannot yield a reasonable return because a lower density would not be financially feasible; plight of the owner is due to unique circumstances as the existing stub road from the assisted living facility limits the layout options of the development; and character of the neighborhood would not be altered as the adjacent properties are a community center and a school.</p>
Public Hearing: zoning code text amendments, Definitions & Special Flood Hazard Area Regulations	<p>A public hearing for the purpose of hearing comment pertaining to proposed amendments to the Zoning Code for the purpose of adding/deleting text was opened for comment at 6:56 p.m.</p> <p>P & D Director Oliphant shared that §154.004, “Definitions” will reinstate the ‘front yard’ definition that was inadvertently deleted in July when the amendment that clarified the definition of a corner lot was approved. He shared a brief update on FEMA’s process of modernizing the floodplain maps for Tazewell County which are scheduled to become effective on February 17, 2017. He shared the City currently has a floodplain ordinance based on the state’s model ordinance and the IL Department of Natural Resources is requiring communities to adopt the regulations in the latest model ordinance prior to the new maps becoming effective. Following are the minor amendments to each section: 1) §154.186 (Definitions) adds and revises existing definitions; 2) §154.187 (Base Flood Elevation) substitutes effective dates; 3) §154.188 (Duties of the Building Official) revising section references; 4) §154.189 (Development Permit) requires applicant to submit any other local, state, and federal permits; 5) §154.190 (Preventing Increased Flood Heights & Resulting Damages) pertains to bridge and culvert crossings of streams in rural areas; 6) §154.191 (Protecting Buildings) sets and revises various items related to the protection of buildings; 7) §154.192(A)(3) (Subdivision Requirements) encourages public grounds, streets, and parks to preserve natural streams and channels; 8) §154.193(A)(5) (Public Health and Other Standards) requires critical facilities to be 3’ above the 100-year floodplain in situations where a 500-year floodplain has not been determined; 9) §154.194(C) (Variances) establishes conditions for which variances to the building protection requirements can be considered for historic structures; 10) §154.196(B) (Penalty) establishes the conditions for the issuance of a stop-work order; 11) §154.197 (Abrogation and Greater Restrictions) date substitution for the floodplain ordinance amendment; 12) (Carrying Capacity and Notification) adds a new section that requires projects to maintain the existing flood carrying capacity of watercourses and notification requirements to adjacent communities; and 13) §154.199 (Severability) adds that any particular provisions and sections are deemed separable and the invalidity of any portion of the ordinance does not affect the validity of the remainder. He shared that staff has also added an amendment</p>

in §154.193(A)(6) to address the need to restrict any fencing within a floodplain which mirrors what we have been doing all along in the permitting process.	Public Hearing Cont.)
At 6:59 p.m. the public hearing was closed.	Close Public Hearing
Commissioner Benson moved and Commissioner Reeder seconded to recommend the text amendments as presented.	Recommend approval of zoning code text amendments
Commissioner comments: None.	
There was no additional discussion and on roll call the vote was: <u>Ayes: 4</u> Fischer, Milot, Reeder, Benson <u>Nays: 0</u> <u>Motion carried.</u>	
None.	Commissioner Comments
P & D Director Oliphant shared that he may have some general items for December’s meeting but if nothing comes in by the deadline we may hold off until January.	Staff Comments
At 7:00 p.m. Commissioner Milot moved and Commissioner Benson seconded to adjourn. <u>Motion carried unanimously by voice vote.</u>	Adjournment

Patricia S. Brown, City Clerk