

**CITY OF WASHINGTON, ILLINOIS
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, FEBRUARY 4, 2015
WASHINGTON DISTRICT LIBRARY
380 N. WILMOR ROAD – 6:30 P.M.**

Chairman Lori Weston 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, Tom Reeder, and Lori Weston. Mike Burdette, Steve Scott and Doug Weston were absent.	Roll Call
Also present was P & D Director Oliphant, Building & Zoning Supervisor Holmes, City Clerk Pat Brown.	
Commissioner Milot moved and Commissioner Reeder seconded to approve the minutes of the January 7, 2015 Planning and Zoning Commission meeting as presented. <u>Motion carried unanimously by voice vote.</u>	Appv min 1/7/15 PZC meeting as presented
A public hearing was opened for comment at 6:34 p.m. on the request of David Robbins for a rezoning of the property located at 2119 Washington Road from R-1 (single & two family residential) to C-2 (general retail). Publication was made of the public hearing notice, and there were two “interested parties” registered.	Public Hearing: rezoning request, David Robbins, 2119 Washington Rd., R-1 to C-2
Planning & Zoning Director Oliphant gave a brief overview of the rezoning request noting the following: the residential home now on the property suffered extensive damage from a fire in September 2013 and remains vacant today; Mr. Robbins, the petitioner, recently purchased the property from Kathleen Parkhurst; Mr. Robbins is proposing to demolish the existing home and construct a commercial building that will house an IT equipment sales business on the first floor and two apartments on the second floor; and sufficient parking would be constructed as well. He shared the surrounding zoning classifications, noting that Route 8 currently has a mix of uses that include single family residential, office, and retail. He shared that the comprehensive plan designates the south side of Route 8 between School St. and Ernest St. as office and service commercial and that virtually every parcel with direct access on Route 8 or Business Route 24 is planned for commercial uses. He shared that the property will be required to adhere to the City’s landscaping requirements which will provide a buffer as well.	
Petitioner comments: Mr. Robbins shared that he has submitted his plans and site plan for the building and they should be before you this evening. He shared that the building will be a two-story structure with stone on the front and two tones on the side to be ascetically pleasing and that allowances have been made for trees and shrubs to meet the landscaping criteria as well as sufficient parking spaces to meet City requirements.	
Public comments: Mr. Ross Shride, 2123 Washington Road (next door to the west), commented that they purchased their home in a residential block and that no one would want a business next door in that setting. He went on to share that the lot currently is not big enough to build a house on per City requirements and having a commercial building next door will depreciate the value of his home by \$20-\$25,000. He shared that they would like to see the block remain residentially zoned and that homeowners should not be burdened with a business next door. He commented that he will be looking into his legal rights and would try to stop the rezoning of the property if it moves forward. He asked when the Commission will be giving their findings and P & Z Director Oliphant replied that the Commission’s recommendation to City Council will made this evening. Mr. Shride again stated that he did not want to live next door to a business, the lot would even need a variance to build a house on and has a narrow entrance, it takes away the joy of living in Washington, and he will do whatever is within the law to stop the rezoning.	
At 6:40 p.m. the public hearing was closed.	Close Public Hearing
Commissioner Fischer moved and Commissioner Reeder seconded to recommend approval of the rezoning request as presented.	Recommend approval of the rezoning request
Commissioner comments: Commissioner Fischer shared concerns with the potential lighting on the property and the fencing/barriers between the adjoining properties. Mr. Robbins shared that they could do a lower profile lighting to illuminate the walkways and not the entire area which would keep the glare down and have less impact on the neighboring properties. P & D Director Oliphant shared that the City’s landscaping requirements would come into play on the property and went over the transitional buffer yard requirements. It was noted that the property currently has some fencing along the rear and side property lines.	
Chairman L. Weston asked what type of business would be going into the building and Mr. Robbins shared that it will be an audio/visual business with no foot traffic of any kind. He shared that they might have an occasional customer stop by to see a product, the business is currently being operated out of a home, and the building was designed to be compatible with residential property. Chairman L. Weston asked if the building will have a staircase inside or outside for the upstairs apartments and Mr. Robbins shared that it will be inside.	
Commissioner Reeder asked if a grassy area is planned next to the parking spaces along the west property line and Mr. Robbins shared that it was not but they did make cutouts for trees along the area. Commissioner Reeder asked about the neighboring property’s driveway and Mr. Robbins shared that they share an entrance so Mr. Shride’s driveway does abut theirs. Mr. Robbins shared that they are planning to have a grassy area in the front.	

Commissioner Milot asked about the other C-2 uses that could potentially locate there in the future. The types of other C-2 uses were shared from the zoning code. Commissioner Fischer asked the zoning history of this section of Route 8 sharing a concern on how it is misleading to have a long section of C-2 zoned properties with two blocks of residentially zoned properties in the mix. P & D Director Oliphant shared that the zoning of this area was done years ago. Further discussion ensued on the dynamics of how this area moves forward if the property is rezoned to commercial and how it impacts the surrounding residential properties. It was noted that the commercial development of this property could also increase the value of the surrounding residential properties as it could gain a wider population of interest in the area. Mr. Shride again shared his concerns with having a commercial property next to his home and doesn't understand how a business could be located on a property that can't even have a house rebuilt. He shared if another type of business were to come in that had more foot traffic it will take away from their lifestyle of living next door to a residential property. Mrs. Shide asked how many parking spacing they were planning to have and Mr. Robbins shared that their site plan is showing 13. He shared that they aren't needing 13 but thought they were required. P & D Director Oliphant shared that their site would only need 9 parking spaces to meet code requirements. Mr. Robbins shared that they could eliminate the 4 spaces along the west property line. Mrs. Shide shared her desire to see a fence in lieu of trees along the property line and P & D Director confirmed that if both parties agree that fencing would be allowed over the landscaping along the property line.

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

Ayes: 5 Milot, L. Weston, Reeder, Fischer

Nays: 1 Benson

Motion declared carried.

Findings of Fact Findings of Fact – application was made by owners of property; fees were paid; property is zoned R-1 with a request to rezone to C-2; a public hearing was held on Wednesday, February 4, 2015, all present were given the opportunity to be heard; there was one ‘interested party’; there was an objection to the rezoning request; adjacent properties are zoned R-1 and C-2; the property fits in with adjacent land uses; the public benefit does outweigh any negative impacts to adjoining property owners by bringing in a new business and removing a blighted property; the property has been vacant since September of 2013; and the requested use is consistent with the City’s Comprehensive Plan.

Public Hearing: side yard variance request, David Robbins, 2119 Washington Rd. A public hearing was opened for comment at 7:09 p.m. on the request of David Robbins for a side yard variance located at 2119 Washington Road. Publication was made of the public hearing notice, and there were two “interested parties” registered.

Building & Zoning Supervisor Holmes gave a brief overview of the side yard variance request noting the following: the variance is being requested on the basis that the rezoning of the property is approved by the City Council; the house has been vacant since September of 2013 due to extensive fire damage; Mr. Robbins is requesting a 5’ side yard variance in order to construct a commercial building on the property; and the side yard requirement for a commercial use abutting a residential district is 10’.

Petitioner comments: Mr. Robbins corrected his first name which was listed as Daniel but is actually David.

Public comments: Mr. Shride expressed his disappointment once again and felt that laws were being written to suit someone and that families are taking a second seat to businesses.

Close Public Hearing At 7:11 p.m. the public hearing was closed.

Appv side yard variance request Chairman L. Weston moved and Commissioner Reeder seconded to approve the variance request contingent on City Council’s approval of the rezoning request.

Commissioner comments: B & Z Supervisor Holmes mentioned that the property owner in the rear off McGinley had stopped in to see the site plan which shows a 20’ rear yard between her property and the commercial building. Commissioner Fischer asked what the purpose of the 10’ side year served and P & D Director Oliphant replied that it provides more of a buffer yard when abutting a residential zoning and if it were abutting another commercial property it would only have a 0’ side yard requirement. Commissioner Fischer asked the basis for Staff’s approval of the variance and B & Z Supervisor Holmes indicated it is on the basis that it would be a 5’ side yard requirement if it were residential. Commissioner Reeder asked why the 5’ variance is being requested and Mr. Robbins shared that it would be difficult for his cargo van to make the swing into the garage doors that face west. Further discussion ensued on the dynamics of the area and the likelihood of commercial zoning in the future and how the City’s zoning code requirements would factor in. Mr. Shide again expressed his disappointment in having a commercial building next door to his home. Following further discussion Chairman Weston assured Mr. Shride that it is not the intention of the P & Z Commission to offend or hurt anyone.

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

Ayes: 5 Milot, Fischer, Benson, Reeder, L. Weston

Nays: 0

Motion declared carried.

Findings of Fact – application was made by owners of property; fees were paid; property is zoned R-1 with a request to rezone to C-2; 5’ side yard variance request to allow a commercial building to be located 5’ from the side yard that abuts a residential district. A public hearing was held on Wednesday, February 4, 2015, all present were given the opportunity to be heard; there was one ‘interested party’; there was an objection to the granting of the variance; property

Findings of Fact

cannot yield reasonable return because the lot is too narrow to rebuild without a variance; plight of the owner is due to unique circumstances because the lot is narrower than the required 65’ for a residential lot and has limited lot square footage for a commercial building; and character of the neighborhood will not be changed because if the property remained residential it would only be required to have a 5’ side yard setback.

None.	Old Business
None.	Commissioner’s Comments
B & Z Supervisor Holmes reported that there is no business to come before the Commission in March.	Staff Comments
At 7:26 p.m. Commissioner Milot moved and Commissioner Fischer seconded to adjourn. <u>Motion carried unanimously by voice vote.</u>	Adjournment

Patricia S. Brown, City Clerk