

PLANNING & ZONING COMMISSION
MONDAY, MAY 7, 2012
MINUTES

The Rochelle Planning and Zoning Commission met at 7:00 p.m. May 7, 2012 in the Council Chambers of City Hall, 420 N. 6th Street, Rochelle, IL 61068.

Present on Roll Call were Board members: McNeilly, Snyder-Chura, Johns, Carson and Thiele. Absent: Colwill, Shaw-Dickey and Huddleston. Also present were Community Development Director Limas and City Clerk McKinney. There was a quorum.

Minutes: Johns moved and seconded by Carson, **“I move minutes of the April 12, 2012 Planning and Zoning Commission meeting be approved.”** McNeilly stated that the minutes should be amended to include discussion of a road from 20th Street to Queens Road should be planned for by the City. Motion passed, as amended, by voice vote without dissent.

Public Commentary: None.

Director’s Report:

- o Nippon Sharryo has been issued a Temporary Permit.
- o O’Reilly Auto store should be open soon.

Business Items:

1. **Case PZC-4-12 Alfano Rezoning.** Johns moved and seconded by Carson, **“I move the Planning and Zoning Commission recess into a Public Hearing for Case PZC-4-12.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, Carson, and Chairman Thiele. Nays: None. Motion passed 5-0. The Petitioner is requesting to rezone property at 703 Lincoln Avenue from B-1, Central Business District, to B-2, Highway Commercial, to allow the operation of an auto service station at this location. Currently the B-1 zoning district does not allow such a use. The existing structure was designed to be an auto service station and was in use prior to the construction of the 7th Street overpass. It has since lost a non-conforming status due to lack of use. The existing zoning lot is 24,000 square feet and is larger than the minimum required size of 15,000 square feet. Staff feels that there will be minimal impact to other businesses in the area since other similar uses are located on Lincoln Avenue. Staff finds the requested rezoning appropriate and is recommending **Approval** of the petition to rezone property located at 703 Lincoln Ave from B-1, Central Business District to B-2, Highway Commercial.

Attorney Dave Tess was present to represent Peter Alfano. Kathy Pignato, 321 N. 8th St., was present. She stated that she did not receive notice of petition. Mr. Limas said that the notice was sent to the bank since the property was in a trust. Mrs. Pignato stated that there would be an increase of traffic in the alley which would create a safety property. Mr. Limas stated that outdoor storage would need a Special Use Permit also the petitioner will need to install landscaping. Snyder-Chura moved and seconded by McNeilly, **“I move the Planning and Zoning Commission return to Open Session.”** Motion passed by voice vote without dissent.

McNeilly stated that the Commission recommends to the City to install “Residents Only” sign in alley and install Speed Bump in alley. Snyder-Chura moved and seconded by McNeilly, **“I move the Planning and Zoning Commission recommends to the City Council to approve the Petition PZC-4-12 Alfano Rezoning located at 703 Lincoln Avenue from B-1 to B-2.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, and Chairman Thiele. Nays: None. Motion passed 4-0

2. **Case PZC-5-12 Outdoor Storage/Display Special Use Permit and Sign Variance.** Johns moved and seconded by Snyder-Chura, **“I move the Planning and Zoning Commission recess into a Public Hearing for Case PAC-5-12.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, Carson, and Chairman Thiele. Nays: None. Motion passed 5-0. The Petitioner has purchased the vacant store located at 1240 N. 7th Street which use to be the location of Wal-Mart and is requesting a Special Use Permit to allow outdoor storage (display) and a sign variance for a proposed ground sign.
Outdoor Storage (display)

The petitioner is requesting to be allowed outdoor storage (display) in the parking lot along Carrie Avenue. The size of the display area would be 80 by 225 and fenced in. In discussion with other communities, an outdoor

storage area of this type is a standard for this type of business. In the communities that have a Big R, the storage area has been approved as requested in size and location that is in a parking lot.

Sign Variance

The petitioner is requesting a variance to allow the installation of a 520 square foot ground sign which would be made up of a 14 foot by 14 foot sign with a 64 square foot reader board. The maximum allowed signage is 300 square feet by code. Please note that both sides of the sign face are counted as signage. In discussion with other communities, the requested signage is standard for the Big R, and meets their current sign ordinance and has been approved. I believe that allowing this sign request will help to start the redevelopment of the north ILL Route 251 by bringing more traffic to the area. We are already having businesses closing which they indicate are due to the vacant Wal-Mart store and decrease in traffic.

RECOMMENDATION

Staff finds the request appropriate and is recommending **Approval** of the petition for a Conditional (Special Use) Permit to allow outdoor storage (display) and a variance from Chapter 110, Article XIII, Section 110-675 (3) of the Rochelle Municipal Code to allow a 520 square foot ground sign instead of the allowable 300 square feet for property located at 1240 N 7th Street.

Jerry Gibbs, Managing Partner of Illiana Realty, LLC, was present to present the petition and answer questions. Snyder-Chura and McNeilly want the outdoor storage moved farther east because the outdoor site would be seen by residence and people coming out of doctor and insurance offices. One concern by engineer was that it would put the outdoor storage need the area that floods. Also, the Planning and Zoning commission wants the south side of fence to be covered so no one can see through it. Mr. Gibbs stated that the Outdoor area could be further east towards Route 251. Snyder-Chura moved and seconded by Johns, **“I move the Planning and Zoning Commission return to Open Session.”** Motion passed by voice vote without dissent. McNeilly moved and seconded by Snyder-Chura, **“I move the Planning and Zoning Commission recommends to the City Council to approve the Petition PZC-5-12 Illiana Realty, LLC for Conditional (Special Use) Permit to allow outdoor storage(display) located at the south-east corner of parking lot with slats in fence on south side, and a variance from Chapter 110, Article XIII, Section 110-675 (3) of the Rochelle Municipal Code to allow a 520 square foot ground sign instead of the allowable 300 square feet for property located at 1240 N. 7th Street.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, and Chairman Thiele. Nays: None. Motion passed 4-0.

3. Case PZC 6-12 Resubdivision of Lot 4 Caron Ridge Subdivision Final Planned Unit Development.

McNeilly moved and seconded by Snyder-Chura, **“I move the Planning and Zoning Commission recess into a Public Hearing for Case PZC-6-12.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, and Chairman Thiele. Nays: None. Motion passed 4-0. On March 12, 2012 the City Council Approved the Rezoning of the subject property from B-2 Highway Commercial to Planned Unit Development – Commercial and the Preliminary Planned Unit Development Plat and Plan for the Resubdivision of lot 4 in Caron Ridge Subdivision. The petitioner has requested approval of the Final Planned Unit Development for this development. Two buildings are proposed to be constructed this construction season. A building at the southeast corner of the development will contain a new medical facility which will be run by Swedish American Hospital and a building just to the north will be a multi-tenant building. The Preliminary Planned Unit Development Plat and Plan contained four buildable lots and two lots for storm water management. The Final Planned Unit Development contains four buildable lots and one lot for stormwater management. The petitioner decided not to create a lot for the existing stormwater pond along IL Route 38. Stormwater management will be handled the same as was proposed in the Preliminary Plan using the existing pond along IL Route 38 and constructing a new one at the south end of the subdivision. Part of the proposed parking lot will be constructed in the first phase with access to the parking spaces from the main entrance off of IL Route 38 from an existing aisle, or from the existing parking lot. Secondary access to the parking lots will be provided by a secondary entrance to IL Route 38 at the east end of the development. As proposed before, a side walk along IL route 38 will be provided from the main entrance to the east property line in the right-of-way. The submitted landscape plan is appropriate and the petitioner has added landscaped islands in the secondary access drive as well as in the existing parking lot for the original development of the shopping center.

RECOMMENDATION

After review of the request Staff finds the Resubdivision of Lot 4 in Caron Ridge Subdivision Final Planned Unit Development in conformance with the approved Preliminary Planned Unit Development Plan and Plat and is recommending **approval** subject to:

- 1) Final Stormwater management plan be approved by staff.
- 2) Final Engineering being approved by staff.

- 3) The Final Plat being modified where necessary from staff comments prior to recording.
- 4) Posting of required surety prior to the recording of the Final Plat.
- 5) That site development review for lots 7 and 9 will be handled administratively.

Dave Diamond, President of Walter Wayne Realty and representing Sullivan Foods was present to answer questions. Updated the commission on new signage.

Snyder-Chura moved and seconded by Johns, **“I move the Planning and Zoning Commission return to Open Session.”** Motion passed by voice vote without dissent. Snyder-Chura moved and seconded by McNeilly, **“I move the Planning and Zoning Commission recommends to the City Council to approve the Petition PZC-6-12 Caron Ridge Subdivision Final Planned Unit Development in conformance with the approved Preliminary Planned Unit Development Plan and Plat subject to:**

- **Final Stormwater management plan be approved by staff**
- **Final Engineering being approved by staff**
- **The Final Plat being modified where necessary from staff comments prior to recording.**
- **Posting of required surety prior to the recording of the Final Plat.**

That site development review for lots 7 and 9 will be handled administratively.” A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, and Chairman Thiele. Nays: None. Motion passed 4-0.

4. **Case PZC-7-12 FBC Front Yard Variance Request.** McNeilly moved and seconded by Snyder-Chura, **“I move the Planning and Zoning Commission recess into a Public Hearing for Case PAC-7-12.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, Carson, and Chairman Thiele

The Petitioner is requesting a variance from Section 110-321 which requires a 20 foot front yard setback to allow the construction of a building addition and loading dock which will only be 14 feet from the property line along Quarry Road. Please note that the zoning lot for this business has two front yards along Avenue H and Quarry Road and a Corner Yard along Wood Street.

After staff review of the industrial area around this site, it is made up of a number of buildings that do not conform to the required front yard or corner yard setbacks. The building adjacent to the site at 103 Quarry Road has almost a zero lot line front yard setback. Because of these two noted facts in regards to other building in the area not meeting the required setbacks, staff has not a problem with the request. The proposed addition and loading dock would still maintain a 14 foot setback. Staff has one request that the petition dedicate a small triangular piece of right-of-way at the intersection of Quarry Road and Wood Street that will be needed in the future when the City does street improvements in the area.

RECOMMENDATION

Staff finds the requested six foot front yard variance along Quarry Road appropriate and is recommending **Approval** subject to:

- 1) Staff approval of Final Engineering.
- 2) That the petitioner dedicate a small triangular piece of right-of-way at the intersection of Quarry Road and Wood Street upon engineering approval of future street improvement work in the area by the City.

Noah Carmichael was present to answer questions for petitioner. Business has increased and need additional docks. Company has no problem with corner right-of-way. Snyder-Chura moved and seconded by Johns, **“I move the Planning and Zoning Commission return to Open Session.”** Motion passed by voice vote without dissent.

McNeilly moved and seconded by Johns, **“I move the Planning and Zoning Commission recommends to the City Council to approve the Petition PZC-7-12 FBC Industries Inc. variance from Section 110-321 to allow for a 14 foot instead of the required 20 foot front yard setback to allow the construction of a building addition and loading dock located at 110 Avenue H subject to:**

- **Staff approval of Final Engineering.**
- **That the petitioner dedicates a small triangular piece of right-of-way at the intersection of Quarry Road and Wood Street upon engineering approval of future street improvement work in the area by the city.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, and Chairman Thiele.

Nays: None. Motion passed 4-0.

5. **Case PZC-8-12 Quest Addition Subdivision Preliminary and Final Plat.** The petitioner is requesting to subdivide four existing parcels into four new lots. Lots 1 and 2 would contain an existing house, lot 3 would contain an existing storage building and lot 4 would be vacant. All of the lots conform to the minimum lot size of 6,000 square feet and minimum lot width of 80 feet and meet all other zoning regulations. The two homes are permitted uses in the R-5 zoning district and the storage building has a non-conforming use status. Right-of-way is being dedicated along West 1st Avenue since the current parcels property line go to the centerline of the street. Staff comments are:

An additional 8 feet of right-of-way should to be dedicated along Main Street for future public improvements.

Note: The petitioner objects to this requirement and feels that is not required for this subdivision. The dedication is needed in order to install sidewalks, grading and utilities in the future.

- 1) Proper drainage, flood hazard, and access easements need to be provided on the Final Plat.
- 2) Proper notation needs to be placed on the Final Plat in regards to stormwater management.
- 3) Approved City easement certificates need to be provided prior to recording of the Final Plat.
- 4) A Sidewalk should be provided along Main Street per City Code or the cost of the sidewalk be paid to the City if the installation is to be done in the future.

Note: The petitioner objects to this. This has been required of subdivisions approved by the City in the past. Staff has reviewed the situation and is recommending that the sidewalk only be extended south on Main Street from West 1st Avenue to ten feet south of the north lot line of lot 4. This will provide connectivity to the existing sidewalk system along West 1st Avenue and lot 4. Also there is no need to provide sidewalk further south because currently there is no way to provide connectivity to property south of the creek because of the existing bridge structure and creek crossing. Surety should be posted for this recommended public improvement.

RECOMMENDATION

Staff finds the Preliminary and Final Plat for the Quest Addition Subdivision in general conformance with Rochelle Municipal Code and is recommending **Approval** subject to:

- 1) An additional 8 feet of right-of-way should to be dedicated along Main Street.
- 2) Drainage, flood hazard, and access easements need to be provided on the Final Plat per staff comments.
- 3) Proper notation needs to be placed on the Final Plat in regards to stormwater management.
- 4) Approved City easement certificates need to be provided prior to recording of the Final Plat.
- 5) A Sidewalk should be provided south along Main Street from West 1st Avenue to ten feet past the north lot line of lot 4.
- 6) Surety needs to be posted with the City for this public improvement.

Spencer Hayden was present to represent the petitioner. He stated that this should not be a subdivision and that the petitioner objects to the sidewalk along Main Street since it would be going to no place and there is not a sidewalk there now. The property has four parcels. This is just a reconfiguration of the property.

Several members agreed with the petitioner that this petition is not a subdivision. Carson stated that he feels that this is a subdivision. Motion made by Snyder-Chura and seconded by Johns, **“I move the Planning and Zoning Commission recommends to the City Council to reject the Petition PZC-8-12 Quest Addition Subdivision Preliminary and Final Plat located at 105 Main and 300 W. 1st Avenue as the Commission feels it is not a subdivisions this commissions feels it is not a subdivision and allow petitioner to reconfigure into four new lots.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, and Chairman Thiele. Nays: Carson. Motion passed 4-1.

6. **Case PAC-9-12 Transloading Text Amendment.** Johns moved and seconded by Snyder-Chura, **“I move the Planning and Zoning Commission recess into a Public Hearing for Case PAC-9-12.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, Carson, and Chairman Thiele. Nays: None. Motion passed 5-0. Recently the City has been contacted by potential developers about constructing transloading facilities in the City. Currently transloading, as I interpret the zoning ordinance, is only allowed in the I-3, Heavy Industrial District. As per the attached definition, transloading is “the process of transferring a shipment from one mode of transportation to another.” It is clearly listed in Section 110-9 Definitions under the definition of “Rail Hub Facility” which is a permitted use in the I-3 district and not listed in the I-2, General Industry District as a permitted or Special Use thus it would not be allowed outright. It may be allowed in an I-2, General Industrial District if the transloading was done in conjunction with a permitted

use such as a food distribution business along the City rail because it would be an accessory use to it. If someone wanted to use their property just for transloading, it would not be allowed currently. The City is in the process of expanding the City Rail to other areas of the City and developing a long range rail plan. Staff feels that many locations along the City Rail system currently, and in the future are areas that transloading should be allowed. Staff is recommending amending Section 110-9 of the Rochelle Municipal Code to add a definition of transloading and amending section 110-291 to allow it as a permitted use in the I-2, General Industrial District. Jason Anderson, Economic Development Director, and Scott Rozanas, Manager of Business Development, will be in attendance to discuss the need to allow transloading in other areas of the City besides the intermodal and give an overview of the City Rail system and its proposed expansion. Staff is also proposing to amend the Comprehensive Plan to expand the section on the City Rail and adopt the proposed expansion map at a public hearing at the June meeting.

RECOMMENDATION

Staff is recommending **Approval** of the proposed text amendment to Section 110-9 of the Rochelle Municipal Code adding a definition of transloading and amending section 110-291 to allow it as a permitted use in the I-2, General Industrial District. Scott Rozanas, Rochelle Economic Development Department Business Development Manager was present. Mr. Rozanas explained the petition and answer question. Johns moved and seconded by McNeilly, **“I move the Planning and Zoning Commission return to Open Session.”** Motion passed by voice vote without dissent. McNeilly moved and seconded by Carson, **“I move the Planning and Zoning Commission recommends to the City Council to approve the Petition PZC-9-12 of the City of Rochelle Text Amendment (first definition as presented) to Section 110-9 of the Rochelle Municipal Code adding a definition of transloading as a Special Use in the I-2 General Industrial District.”** A roll call vote was taken. Ayes: McNeilly, Johns, Carson, and Chairman Thiele. Nays: None. Abstain: Snyder-Chura. Motion passed 4-0 with 1 abstaining. McNeilly moved and seconded by Carson, **“I move the Planning and Zoning Commission recommends to the City Council to approve the Petition PZC-9-12 of the City of Rochelle Text Amendment to Section 110-291 to allow as a Special Use in the I-2 General Industrial District.”** A roll call vote was taken. Ayes: McNeilly, Johns, Carson, and Chairman Thiele. Nays: None. Abstain: Snyder-Chura. Motion passed 4-0 with 1 abstaining.

- 7. Case PZC-10-12 Pena Rodeo 1 ½ mile Planning Jurisdiction Review.** The City has received a copy of a petition by Maria Pena to Ogle County for a Special Use Permit to allow a Rodeo facility at 16989 Ritchie Road. Since the subject site is within one and one-half miles of the cooperate limits of the City, the City has the right to review the request and make a recommendation to the City Council that would be forwarded to the Ogle County Zoning Board of Appeals and the County Board. A negative recommendation would force a supermajority vote for approval by the County Board. The City received the petition this week and will be meeting with the petitioner Friday morning and a recommendation will be made to the Commission at the Meeting on Monday. Typically I would put this off until the June meeting but the Zoning Board of Appeals meeting is on May 24th and the City Council needs to make a recommendation at their May 14th meeting. I will send out an e-mail with the results of the meeting on Friday.

The petitioner was not present to answer questions. Snyder-Chura moved and seconded by Carson, **“I move the Planning and Zoning Commission recommends to the Ogle County Board to approve the Petition PZC-10-12 of the Pena Rodeo, 1 ½ mile Planning Jurisdiction Review for the City of Rochelle.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Johns, Carson, and Chairman Thiele. Nays: None. Motion passed 5-0.

The Planning and Zoning Commission adjourned at 9:15 p.m.

Bruce W. McKinney
Bruce W. McKinney, CMC
City Clerk, City of Rochelle