

**CITY OF ROCHELLE
PLANNING & ZONING COMMISSION
REPORT OF FINDINGS - SPECIAL USE PERMIT**

Case No.: 08-15
Applicant: Keith Scott
Subject Property: Part of 1310 N. 7th Street, Rochelle, Illinois 61068

Summary:

Current Zoning: B-2 Comm. Highway **Proposed Zoning:** B-2 Comm. Highway
Current Use: Parking Lot **Proposed Use:** Outdoor Storage

Narrative:

The applicant owns approximately 0.86 acres at the address above which is zoned B-2 Commercial Highway. Currently, it is improved with a former restaurant (Pizza Hut) which has since been redeveloped at another location. The property fronts Illinois Route 251 North on the East side, and North 8th St on the west side. The petitioner is seeking a special use for outdoor storage.

The petitioner plans on using the former restaurant as a similar use, and the additional parking area not required for the restaurant, to be used in conjunction with his towing business. The area will contain perimeter fencing, pervious paving, and the storage of vehicles consistent with a towing business. The property is currently zoned B-2, Highway Commercial, and "Storage Outdoor" is a permitted use in this zoning district if a special use permit is issued.

The Planning and Zoning Commission, on November 2, 2015, heard the original petition and recommended that the City Council deny the request for a special use permit. On November 23, 2015, after due notice and a public hearing, the Rochelle City Council referred the petition back to the Planning and Zoning Commission in order for the petitioner to appear before the Commission, which had not occurred on November 2, 2015.

The applicant has agreed to provide 6' tall wood fencing along the East and West lines of the proposed special use, with a 15' setback from the West property line that abuts the public right-of-way. The applicant has agreed to place louvered chain-link fencing along the North and South lines of the proposed special use, setback 20' from the North and South property lines. The applicant has agreed to provide the City with a 20' wide utility easement along the North and South property lines from the East property line to the West property line. All of which could be conditions to the granting of the special use permit.

Findings:

1. Is the proposed use allowed in the proposed zoning district with a special use permit?

Yes: No:

Explanation: **Section 110-291 Storage Outdoor**

If the answer to any of the following questions is "Yes", then the Commission should recommend that the City Council deny the petition for a special use permit. If the answer to all of the following questions is "No", then the Commission may recommend that the City Council approve or deny the petition for a special use permit. Each question should state an answer and give an explanation. If the answer to all of the questions is "No", but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed use detrimental or dangerous to public health?

Yes: No:

Explanation: **Possible infestation of rodents, fluid run off that might leak into the ground, and stormwater drainage.**

3. Will the proposed use impair property value in the neighborhood?

Yes: No:

Explanation: **Because you wouldn't want to own property there with concerns of rodents and an empty restaurant with only outdoor storage facility.**

4. Will the proposed use impede the normal development of the surrounding properties?

Yes: No:

Explanation: **Because the properties are already developed with consistent land uses.**

5. Will the proposed use:

- (a) impair light and air to adjacent property; or
- (b) congest public streets; or
- (c) increase the risk of fire; or
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: No:

Explanation: Same reason's as #2 and #3.

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council:

_____ That the Petitioner be granted a special use permit for the proposed use at the Subject Property, without conditions other than the requirements of the Rochelle Municipal Code.

_____ That the Petitioner be granted a special use permit for the proposed use at the Subject Property, with the following conditions attached thereto, in addition to the requirements of the Rochelle Municipal Code:

X_____ That the Petitioner be denied a special use permit for the proposed use at the Subject Property. If this recommendation is based on any reason other than a "Yes" response above, the Planning and Zoning Commission explains as follows:

Passed by the Planning & Zoning Commission: _____

Vote:

Ayes: 6 **Nays:** 0 **Abstain:** 0

CHAIRMAN