

ADVISORY REPORT

TO: Planning Commissioners

FROM: Brandy Williams, Engineer and Zoning Administrator

DATE: June 20, 2024

SUBJECT: PC 24-04: Request to Rezone Properties from R-3 Two-Family Residence with a Special Use Permit to P-1 Recreation & Open Space – East Ashford Avenue, PINs 09-33-181-001 through 09-33-181-014 Cortland IL 60112
Public Hearing scheduled for July 18, 2024, 7:00 PM

**APPLICANT/
OWNER:** Brandy Williams
Town of Cortland
59 S. Somonauk Road, PO Box 519
Cortland, IL 60112

PROPOSAL

The applicant has filed with the Town of Cortland a request for a map amendment of district boundaries in accordance with Title 9, Chapter 3 of the Cortland Town Code regarding properties at East Ashford Avenue, Cortland Illinois, PINs 09-33-181-001 through 09-33-181-014. The applicant is requesting rezoning of the subject property from R-3 Two-Family Residence with a Special Use Permit to P-1 Recreation & Open Space. The petitioner's application is attached as Exhibit A.

LOCATION AND DESCRIPTION

The 14 parcels are on the south side of East Ashford Avenue nearly between South Greenbrier Street on the west and South Colonial Street on the east, PINs 09-33-181-001 through 09-33-181-014. The subject properties are unimproved.

The Town intends to utilize these properties as an expansion of the immediately adjacent Dragon Tail Pond and park recreational area. The subject properties do not have available utilities at the present time.

Existing and Surrounding Zoning: The subject properties and the properties to the west and north are zoned R-3 Two-Family Residence with Special Use Permit for the Planned Unit Development (PUD) overlay. Property to the south is zoned P-1 Recreation & Open Space.

An excerpt of the zoning map has been included as Exhibit B.

The 2023 Official Zoning Map can be found on the Town of Cortland website and at:

https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_Zoning_Map_2023.pdf

Existing and Surrounding Land Uses: The subject properties and the lands to the west and north are vacant and unimproved.

BACKGROUND

The Town purchased the subject properties from DeKalb County in 2022.

The subject properties are not served by water or sewer.

Staff has not located any variances that were granted for these properties.

COMPREHENSIVE PLAN

The Town adopted a Comprehensive Plan in September 2023, which guides development throughout the community. The Future Land Use Map associated with this document depicts this property as Recreation & Open Space use.

The proposed rezoning does coincide with the Comprehensive Plan.

Note: An excerpt of the Comprehensive Plan is attached as Exhibit C. The full Comprehensive Plan can be found on the Town of Cortland's website and at:

https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_2023_Comprehensive_Plan_v05_Final.pdf

STANDARDS UPON WHICH REVIEW SHOULD BE TAKEN

Section 9-9-2 of the Town's Zoning Code addresses the Planning Commission's role in evaluating amendments to the Code, including Map Amendments. Subsection B4 states that the Commission is to provide the Town Board with a written report, that includes your recommendation, and reasons therefore including the findings of fact used to make your recommendation. A copy of the standards to be used and some examples of how the Findings of Fact may be crafted are included in Exhibit D. Please keep in mind that these examples are suggestions only and are based upon information available at this time. Additional information may be presented during the hearing process which may impact how these points are addressed.

PLANNING COMMISSION ACTIONS

Open the Public Hearing and accept any and all testimony related to the proposal. Once all testimony has been presented the Commission may close the hearing. After closing the hearing, the Commission may discuss the merits of the presented information, establish the Findings of Fact upon which decisions may be made and render a recommendation to the Town Board.

As this is a request to rezone property, the Planning Commission may recommend to either approve or deny the request (no conditions may be imposed upon the rezoning). It is important to note that any motion must be made as a positive statement. (I.E., "I make a motion to approve the request to rezone the 14 parcels of Town of Cortland property currently known as PINs 09-33-181-001 through 09-33-181-014 in the Town of Cortland from its present classification of R-3 with Special Use Permit to P-1.")

Respectfully Submitted,



Brandy Williams
Engineer and Zoning Administrator

EXHIBIT "A"



Date Filed:	6/20/24
Job Number:	N/A
PC Number:	PC 24-04

LAND DEVELOPMENT APPLICATION

THE UNDERSIGNED RESPECTFULLY PETITIONS THE TOWN OF CORTLAND TO REVIEW AND CONSIDER GRANTING THE FOLLOWING APPROVAL ON THE LAND HEREIN DESCRIBED.
(Check all that apply)

- Annexation* Rezoning from R-3 w/SUP to P-1
- Text Amendment (attached proposed language)
- Special Use Permit for a: Planned Unit Development Other _____
- Planned Unit Development:
 - Concept Plan Preliminary Development Plan Final Development Plan
- Subdivision Plat: Preliminary Subdivision Plat Final Subdivision Plat

* Attach an original copy of the annexation petition to this application

PLEASE PRINT OR TYPE IN BLUE OR BLACK INK

PART I. APPLICANT INFORMATION

APPLICANT	LAND OWNER <i>(If not the Applicant)</i>	CONTACT PERSON <i>(If not the Applicant)</i>
Name: <u>Brandy Williams</u>	_____	_____
Company: <u>Town of Cortland</u>	_____	_____
Address: <u>59 S. Somonauk Road, PO Box 519</u>	_____	_____
<u>Cortland, IL 60112-0519</u>	_____	_____
E-mail: <u>engineer@cortlandil.org</u>	_____	_____
Phone: <u>815-756-9041</u>	_____	_____

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY? YES NO
(If the Applicant is not the owner of the subject property, a notarized letter from the Owner authorizing the Applicant to file the **Land Development Application** must be attached to this application.)

IS THE APPLICANT AND/OR OWNER A TRUSTEE OR A BENEFICIARY OF A LAND TRUST? YES NO
(If the Applicant and/or Owner of the subject property is a Trustee of a land trust or beneficiary(ies) of a land trust, a disclosure statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be verified by the Trustee and shall be attached hereto.)

Cortland Land Development Application

Date Filed:	<u>6/20/24</u>
PC Number:	PC 24-04

PART II. PROPERTY INFORMATION

ADDRESS OF PROPERTY: 408, 414, 422, 430, 436, 442, 448, 456, 462, 468, 474, 482, 490, 496 East Ashford Avenue, Cortland, IL

PARCEL INDEX NUMBER(S): 09-33-181-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014 (14 parcels, 001 thru 014)

LEGAL DESCRIPTION: A FULL LEGAL DESCRIPTION MUST BE ATTACHED TO THIS APPLICATION

TOTAL AREA OF SUBJECT PROPERTY(IES) (ACRES): 2.80

IF SUBDIVIDING, NUMBER OF LOTS BEING CREATED: _____

CURRENT ZONING: R-3 w/SUP **PROPOSED ZONING:** P-1

RECOMMENDED LAND USE: Parks and Open Space
(Based upon the recommendations of the Cortland Town Plan)

PROPOSED LAND USE: Recreation & Open Space

NAME OF PROPOSED DEVELOPMENT: Dragon Tail Pond Park Expansion

The subject property is located in which FIRE PROTECTION DISTRICT? Cortland Fire Protection District

The subject property is located in which SCHOOL DISTRICT? CUSD #428 - DeKalb

Attach relevant checklist(s) and associated information as outlined during the pre-application meeting.

I, Brandy Williams/Town of Cortland, hereby apply for review and approval of this application and represent that the application and requirements thereof and supporting information have been completed in accordance with the Zoning Ordinance and/or Subdivision Ordinance of the Town of Cortland.

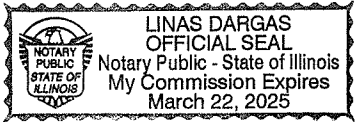
Brandy Williams 6/20/24
Signature of Applicant Date

State of Illinois
County of DeKalb

Signed before me on 06/20, 2024 by Brandy Williams
Applicant

(Seal)

[Signature]
Signature of Notary Public



Lot 196 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-001

Property Address: 496 E. Ashford Ave., Cortland, IL 60112

Lot 197 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-002

Property Address: 490 E. Ashford Ave., Cortland, IL 60112

Lot 198 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-003

Property Address: 482 E. Ashford Ave., Cortland, IL 60112

Lot 199 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-004

Property Address: 474 E. Ashford Ave., Cortland, IL 60112

Lot 200 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-005

Property Address: 468 E. Ashford Ave., Cortland, IL 60112

Lot 201 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-006

Property Address: 462 E. Ashford Ave., Cortland, IL 60112

Lot 202 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-007

Property Address: 456 E. Ashford Ave., Cortland, IL 60112

Lot 203 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-008

Property Address: 448 E. Ashford Ave., Cortland, IL 60112

Lot 204 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-009

Property Address: 442 E. Ashford Ave., Cortland, IL 60112

Lot 205 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-010

Property Address: 436 E. Ashford Ave., Cortland, IL 60112

Lot 206 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-011

Property Address: 430 E. Ashford Ave., Cortland, IL 60112

Lot 207 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-012

Property Address: 422 E. Ashford Ave., Cortland, IL 60112

Lot 208 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-013

Property Address: 414 E. Ashford Ave., Cortland, IL 60112

Lot 209 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-014

Property Address: 408 E. Ashford Ave., Cortland, IL 60112

Search

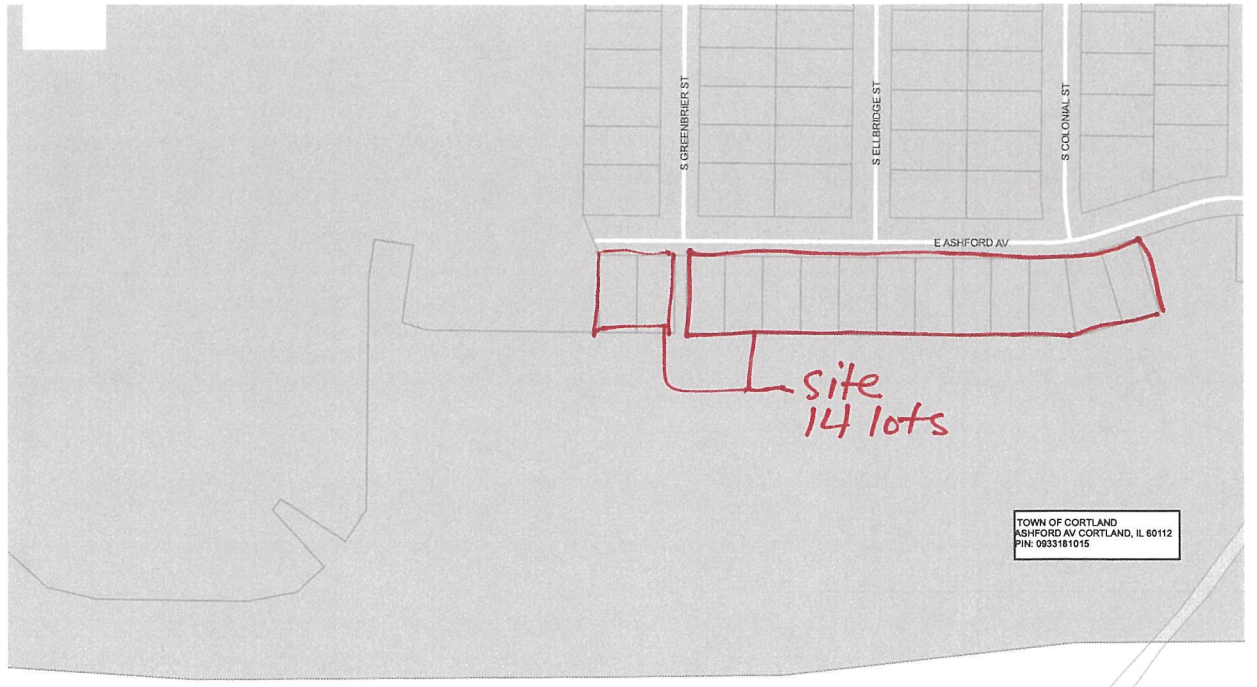
Map Content

Categories

- Aerials
- Base Map
- Census Blocks
- Enterprise Zone
- Fiber
- Political Areas
- Sex Offender Info
- Soils
- Topography

Settings

Overview

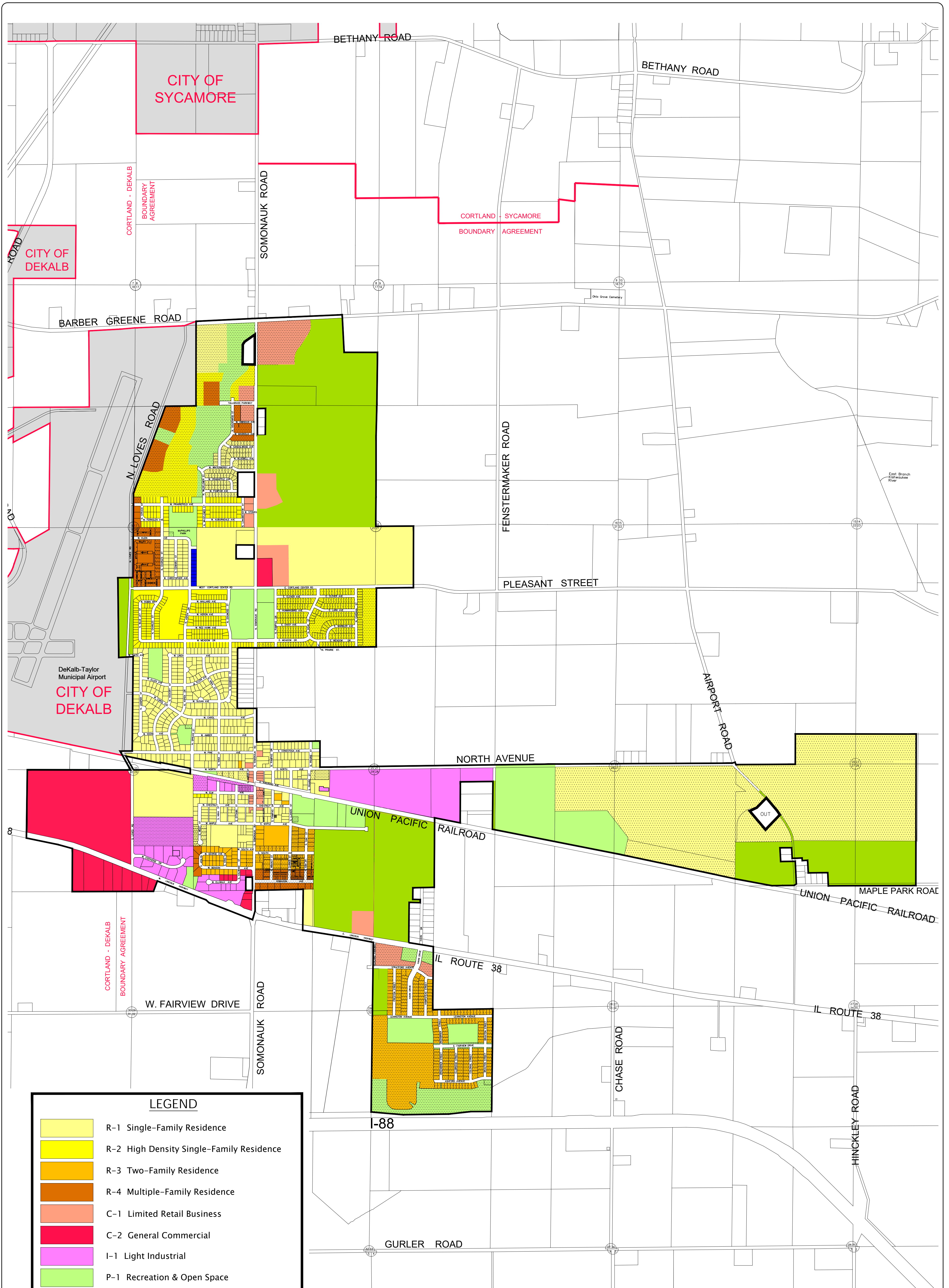


TOWN OF CORTLAND
ASHFORD AV CORTLAND, IL 60112
PIN: 0933181015

X: 272017.7 Y: 581334.99

188 W

188 E



LEGEND	
[Light Yellow Box]	R-1 Single-Family Residence
[Yellow Box]	R-2 High Density Single-Family Residence
[Orange Box]	R-3 Two-Family Residence
[Dark Orange Box]	R-4 Multiple-Family Residence
[Light Orange Box]	C-1 Limited Retail Business
[Red Box]	C-2 General Commercial
[Pink Box]	I-1 Light Industrial
[Light Green Box]	P-1 Recreation & Open Space
[Green Box]	AG Agricultural
[Blue Box]	AO Aspen Drive Overlay
[Dotted Box]	Special Use

Official Zoning Map of Town of Cortland illustrating existing zoning districts, regulations, and classifications of the Town of Cortland in effect on and prior to December 31, 2023, is available for public inspection at the Town Hall, 59 S. Somonauk Road, Cortland, Illinois, during business hours. This is provided in accordance with the requirements of Chapter 65 ILCS 5/11-13-19 of the Illinois Compiled Statutes.

2023 Official Zoning Map
Town Of Cortland, Illinois

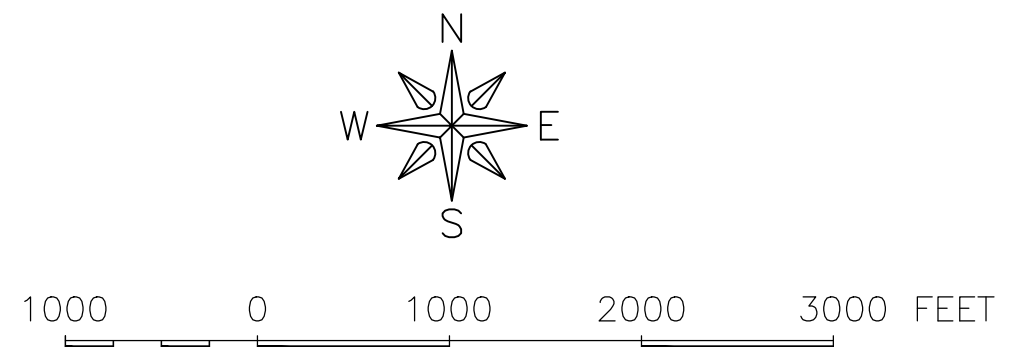
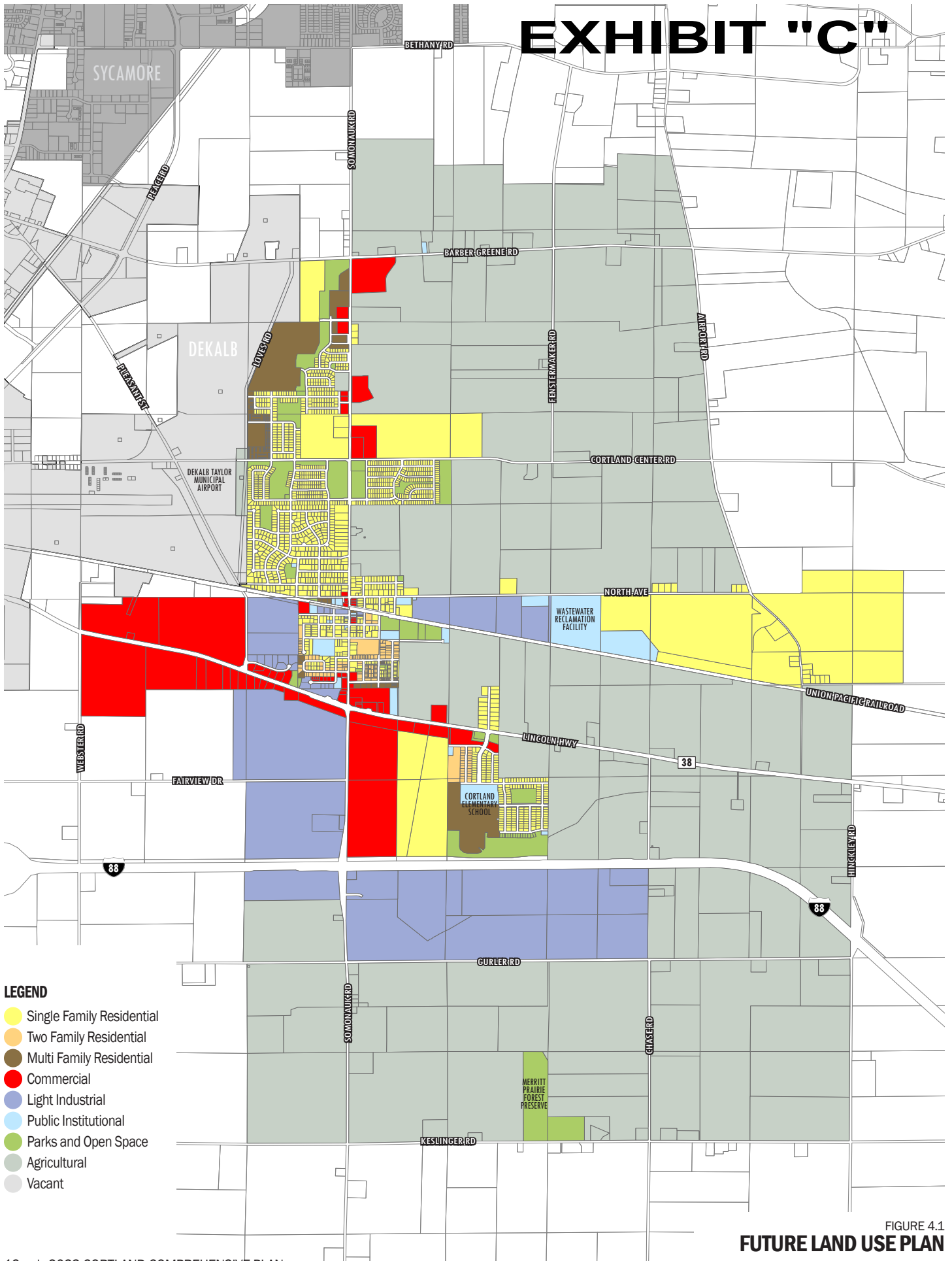


EXHIBIT "C"



LEGEND

- Single Family Residential
- Two Family Residential
- Multi Family Residential
- Commercial
- Light Industrial
- Public Institutional
- Parks and Open Space
- Agricultural
- Vacant

FIGURE 4.1
FUTURE LAND USE PLAN

EXHIBIT "D"

Findings of Fact Example

a. Existing use(s) and zoning of the property in question.

The Subject Property is unimproved, zoned R-3 Two-Family Residence with a Special Use Permit (SUP) for the Planned Unit Development (PUD) overlay.

b. Existing use(s) and zoning of other lots in the vicinity of the property in question.

The lands to the west and north, across East Ashford Avenue, are unimproved, zoned R-3 Two-Family Residence with Special Use Permit.

The land to the south of the subject property is zoned P-1 Recreation & Open Space and used as a recreational area with open water.

c. Suitability of the property in question for uses already permitted under existing regulations.

Developing the property for residential purposes is appropriate.

d. Suitability of the property in question for the proposed use.

The applicant intends to use the property as an expansion of the immediately adjacent recreation and open space area of Dragontail pond and park. The property is suitable for the proposed use. The existing road and driveway will provide any required infrastructure needs.

e. The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned.

The Subject Property has been zoned R-3 Two-Family Residence with SUP since 2007. There have been no recent changes in zoning or use adjacent to the subject property.

f. The effect the proposed amendment would have on implementation of this Municipality's Comprehensive Plan.

Approval of the rezoning request would be in concurrence with the Future Land Use Map included in the Comprehensive Plan. Granting the request would permit an expanded footprint of an immediately adjacent municipal use.