



Town of Cortland

Planning Commission Meeting

Town Hall, 59 S. Somonauk Road Cortland, IL 60112

July 18, 2024

MINUTES

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Mr. Hedrick called the meeting to order at 7:03 p.m. The Pledge of Allegiance was recited. Clerk Cheryl Aldis called the roll showing as present, Commissioners Mark Hedrick, Robert Barnhart, Vicky Torres, Julie Steadman, and Joelle Morken. Shown as absent were Brad Lawson and Alex Haughee. Quorum was present. Also, present was Brandy Williams, Zoning Administrator.

APPROVAL OF AGENDA

Mr. Barnhart moved to approve the agenda as presented, seconded by Ms. Morken.

Voice vote carried the motion.

PUBLIC WISHING TO SPEAK

No public wishing to speak unrelated to the Public Hearings.

APPROVAL OF MINUTES

1. Approve Minutes of May 2, 2024

Mr. Barnhart moved to approve the minutes of May 2, 2024, seconded by Ms. Morken. Voice vote carried the motion.

PUBLIC HEARING

2. **Natural Polymers, LLC 14438 North Ave, Cortland, IL PIN 09-28-100-016; 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 subject to approval of annexation.**

Chair Hedrick opened the public hearing at 7:05 p.m. Shown as present were Commissioners Mark Hedrick, Robert Barnhart, Vicky Torres, Julie Steadman, and Joelle Morken. Shown as absent were Brad Lawson and Alex Haughee. Quorum was present. Also, present was Brandy Williams, Zoning Administrator.

Clerk Aldis read the public hearing notice into the record. The notice was published in the *Daily Chronicle* June 27, 2024, meeting the requirements of the law.

Swear in those wishing to testify

Chair Hedrick swore in Brandy Williams, Zoning Administrator

Applicant Testimony

The applicant was not present.

Public Testimony

There was no public testimony.

Staff Report

Ms. Williams read her staff report into the record and further stated that there has been no correspondence received regarding this hearing.

She reported that the property is located on East North Avenue, and the use will remain the same as currently conducted. This property is a joint annexation and rezoning application. The Town Board will take action with regard to annexation. That portion does not fall within the purview of the Planning Commission. The current zoning designation is MC Commercial with Farm. The requested zoning is I-1 Light industrial as set forth in Title 9, Chapter 3 of the Cortland Town Code, subject to annexation. She reported they have been performing interior improvements to the building which require additional fire suppression. They are currently private well and septic system utilities. This request for annexation is advantageous to the Town in increased property values. The proposal has no impact on roads or utilities.

Chair Hedrick closed the public hearing at 7:16 p.m.

Findings of Fact

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

The Subject Property is improved with a large industrial building and farmed acreage, zoned County Zoning MC Commercial with Farm.

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

The land to the west and north are zoned I-1 Light Industrial and used as the LRS facility and Town yard, respectively. The lands to the east are zoned P-1 Recreation & Open Space and used as a drive for the applicant's facility and the Town Wastewater Treatment Plant 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.

Due to the annexation petition, existing regulations are not applicable. The subject property current use would not align with the Town's default zoning of agriculture (AG).

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

The applicant intends to continue to use the property facilitating the same day to day operation as the past several years. No significant improvements are required to continue such use. The property is suitable for the proposed use.

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.

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

Ms. Torres moved, and Ms. Morken seconded the motion to approve the Findings of Fact as amended; removing language in item b "and used as a recreational area with open water."

Yeas: Commissioners Torres, Morken, Hedrick, Barnhart and Steadman

Nays: None

Absent: Commissioners Haughee and Lawson

Roll call vote: 5-yea, 0-nay, 2-absent, motion carried.

Recommendation

Mr. Barnhart made a motion to recommend the Town Board approve the request to rezone the property currently known as 14438 North Street, Cortland, IL.; PIN 09-28-100-016 from its present classification of County Zoning MC Commercial with Farm to Town of Cortland I-1 Light Industrial, subject to annexation. Ms. Morken seconded the motion.

Roll call vote as follows:

Yeas: Commissioners Vicky Torres, Joelle Morken, Robert Barnhart, Mark Hedrick, and Julie Steadman

Nays: None

Absent: Commissioners Brad Lawson and Alex Haughee

Roll call vote: 5-yea, 0-nay, 2-absent, motion carried.

The recommendation of conditional approval of the proposed rezoning shall be forwarded to the Town Board for consideration at its July 22, 2024, meeting.

PUBLIC HEARING

- 3. 50 W Maple Ave, Cortland, IL; the Town has submitted a request for a Special Use Permit in accordance with Title 9, Chapter 10 of the Cortland Town Code. The Town is requesting a Special User Permit for a government building on the subject property currently zoned R-1 Single Family Residence**

Chair Hedrick opened the public hearing at 7:28 p.m.

Shown as present were Commissioners Mark Hedrick, Robert Barnhart, Vicky Torres, Julie Steadman, and Joelle Morken. Shown as absent were Brad Lawson and Alex Haughee. Quorum was present. Also present was Brandy Williams, Zoning Administrator.

Clerk Aldis read the public hearing notice into the record. The notice was published in the *Daily Chronicle* June 22, 2024, meeting the requirements of the law.

Swear in those wishing to testify

Ms. Williams remains sworn from previous hearing.

Applicant Testimony

The Town is the applicant. Ms. Williams stated upon acquisition by quit claim deed, discussions began on the best use of the building. In the FY 25 budget monies were allocated for a phase of work, first establishing the building for the police department. There could be two more phases, demolition of the original 2-story building and offices for town staff.

Ms. Williams reviewed her advisory report with the commission. She stated that any government building requires a Special Use per Town Code. The Standards for Review are in accordance with Title 9, Chapter 10, Section 6.

Public Testimony

There was no public testimony.

Staff Report

Ms. Williams reports that the building is approximately 22,000 square feet. The use conforms with the future land use plan as a public institution. Work needed for upgrades are a new natural gas service, electrical service, water and sewer would have no changes. The parking lot would require upgrades. Police officers would park on the west side of the building.

Deliberations

Ms. Morken inquired how the zoning became R-1.

Response: This zoning was established with the original 1965 Zoning Ordinance.

Which part of the building would be the police department?

Response: west half.

Why would they need that much space?

Response: sally port, holding cells, booking and evidence. Only the original 2-story building would be demolished. The two classrooms, kitchen, and gym would become the town hall. The far west side is phase 1, PD training, mechanical and restrooms.

Ms. Steadman inquired about the time frame for full phasing.

Response: funding and desire will drive the completion.

What about broken windows?

Response: When windows are repaired, and the building is occupied the boarding will come down.

Fencing the area was discussed. Fenced areas are to be determined.

Rear of the building and south side is anticipated for parking.

Chair Hedrick closed the public hearing at 8 p.m.

Review of Standards

9-10-3 – Standards Upon Which Review Should be Taken

A special use permit shall be granted only if evidence is presented to establish that:

A. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;

The Planning Commission agrees that the use at the particular location requested is desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community by renovating a vacant building.

B. The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare;

The Planning Commission agrees the proposed use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare. The proposed use does not require significant infrastructure as the use is similar to the originally intended use, and elementary school.

C. The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations;

The Planning Commission agrees this standard would be met.

D. Such other standards and criteria as are established by the ordinance for a particular special use as set forth in section 9-10-4 of this chapter and as applied to planned developments as set forth in chapter 7 of this title (Ord. 2008-03, 1-28-2008) – NOT APPLICABLE

The Planning Commission deemed this standard is not applicable.

Mr. Barnhart moved to approve the standards as stated, seconded by Ms. Steadman.

Yeas: Commissioners Vicky Torres, Joelle Morken, Robert Barnhart, Mark Hedrick, and Julie Steadman

Nays: None

Absent: Commissioners Brad Lawson and Alex Haughee

Roll call vote: 5-yea, 0-nay, 2 absent, motion carried.

Review of Conditions

9-10-5 – Conditions

The plan commission may recommend, and the town board may impose such conditions or restrictions upon the location, construction, design and operation of a special use including, but not limited to, provisions for off street parking spaces and the duration of such permit, as they shall respectively find necessary or appropriate to secure compliance with the purpose and intent of this title and other standards set forth herein. (Ord. 2008-03, 1-28-2008)

The Planning Commission deemed the following condition to be considered. If fencing is required or desired, recommend the fencing be allowed only in the rear yard to the extent required.

Mr. Barnhart moved to approve the recommended condition, seconded by Ms. Steadman.

Unanimous voice vote carried the motion.

Recommendation

Ms. Steadman moved to approve the request for a Special Use Permit for a Government Building located at 50 W Maple Ave; PIN 09-29-176-003 with the condition if fencing is required or desired, the fencing be allowed only in the rear yard to the extent required. Mr. Barnhart seconded the motion.

Yeas: Commissioners Joelle Morken, Mark Hedrick, Vicky Torres, Robert Barnhart, and Julie Steadman

Nays: None

Absents: Commissioners Brad Lawson and Alex Haughee

Roll call vote of 5-yea, 0-nay, 2 absent. The motion carried.

The recommendation of a request for a Special Use Permit for a Government Building shall be forwarded to the Town Board for consideration at its July 22, 2024, meeting.

PUBLIC HEARING

4. **Chestnut Grove Subdivision 14 Lots on East Ashford Ave, PINs 09-33-181-001 through 09-33-181-014, Cortland, IL; The Town has submitted a request for a map amendment of district boundaries in accordance with Title 9, Chapter 3 of the Cortland Town Code..The Town is requesting rezoning of the subject properties**

from R-3 Two-Family Residence with a Special Use Permit to P-1 Recreation & Open Space.

Chair Hedrick called the public hearing to order at 8:26 p.m.

Shown as present were Commissioners Mark Hedrick, Robert Barnhart, Vicky Torres, Julie Steadman, and Joelle Morken. Shown as absent were Brad Lawson and Alex Haughee. Quorum was present. Also present was Brandy Williams, Zoning Administrator.

Clerk Aldis read the public hearing notice into the record. The notice was published in the *Daily Chronicle* June 22, 2024, meeting the requirements of the law. No correspondence was received regarding this hearing.

Swear in those wishing to testify

Ms. Williams remains sworn from previous hearing.

Applicant Testimony

The Town is the applicant.

Public Testimony

There was no public testimony.

Staff Report

Ms. Williams reviewed her advisory report with the commission. She stated that town had, 18 months ago, completed an application to purchase the lots from the county. The lots under petition adjoin Dragon Tail Pond. These lots are intended to expand that recreational area. The remainder of the lots in the subdivision are under contract so now is the appropriate time to request rezoning. No utilities are required for these lots. She stated this purpose, and request is in line with current zoning to the south (pond) and no infrastructure is needed.

Deliberations

There were no deliberations.

Chair Hedrick closed the public hearing at 8:38 p.m.

Findings of Fact

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.

The Planning Commission agrees.

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 Planning Commission agrees.

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.

The Planning Commission states that the land to the south and east 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.

The Planning Commission agrees.

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 Dragon Tail pond. The property is suitable for the proposed use. The existing road and driveway will provide any required infrastructure needs.

The Planning Commission agrees.

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.

The Planning Commission states that the subject property has been zoned R-3 Two-Family Residence with a SUP since 2007. There have been no recent changes in zoning. The use of the adjacent property changed from strictly storm water basin to the added use of recreational area, Dragon Tail Pond.

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.

The Planning Commission agrees.

Mr. Barnhart moved to approve the Findings of Fact as amended, seconded by Ms. Steadman. Unanimous voice vote carried the motion.

Recommendation

Ms. Steadman moved to approve a recommendation to rezone the 14 parcels of Town of Cortland property currently know 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 Recreational & Open Space. Mr. Barnhart seconded the motion.

Yeas: Commissioners Robert Barnhart, Vicky Torres, Joelle Morken, Mark Hedrick, and Julie Steadman

Nays: None

Absent: Commissioners Brad Lawson and Alex Haughee

Roll call vote of 5-yea, 0-nay, 2 absent. The motion carried.

The recommendation of a request for rezoning shall be forwarded to the Town Board for consideration at its July 22, 2024, meeting.

REPORT OF THE CHAIR

No report made.

COMMISSIONER'S REPORT

No report made. The meeting of September 5 is cancelled as there is no business. The next meeting is October 3, 2024.

STAFF REPORTS

There were no staff reports.

ADJOURNMENT

Mr. Barnhart moved to adjourn, seconded by Ms. Steadman. Voice vote carried the motion. Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Cheryl Aldis
Town Clerk

Approved: