

Town of Cortland
Town Hall
59 S. Somonauk Road
Cortland, IL 60112
Planning Commission
Regular Meeting
December 7, 2023
7:00 PM

Call to Order/Pledge of Allegiance/Roll Call

Mr. Hedrick called the meeting to order at 7:00 p.m. Deputy Clerk Kaity Siewierski called the roll showing as present, Commissioners Mark Hedrick, Vicky Torres, Brad Lawson, Alex Haughee, Joelle Morken and Robert Barnhart. Shown as absent was Alexis Bower. Quorum was present. Also, present was Brandy Williams, Zoning Administrator.

Approval of the Agenda

Mr. Barnhart moved to approve the agenda as presented, seconded by Mr. Lawson. Voice vote carried the motion.

Public Comment

No public wishing to speak unrelated to the public hearing.

Approval of Minutes

Ms. Torres moved to approve the minutes of November 2, 2023, seconded by Ms. Morken. Voice vote carried the motion.

Public Hearing

Mr. Hedrick opened the Public Hearing at 7:02 p.m.

Deputy Clerk Kaity Siewierski read the Public Notice into the record, published in the Daily Chronicle on November 17, 2023, in accordance with the law.

Mr. Hedrick swore in the individuals who wished to testify.

Applicant Testimony

Brian Blazyk, Applicant, presented his case to the planning commission. Mr. Blazyk is requesting rezoning of the subject property, 45 W Chestnut Ave, from R-1 Single Family Residence with Special Use to C-1 Limited Retail Business as set forth in Title 9, Chapter 3 of the Cortland Town Code, for the purpose of not only maintaining a church but creating something favorable for the town.

Public Testimony

Tracy Johnson, who sent written correspondence via postal service, is in opposition to the request to rezone.

Adam Benn, who does work within the town, supports the vision of Mr. Blazyk.

Nicole Esposito stated she works with Mr. Blazyk and would like to see this church building come back to life. Without the change in zoning, the church has little purpose.

Pat Renick stated he would not like to see the church turned into a bar/restaurant.

Doug Corson stated he believes the church could be turned into something better. The fear is it may be torn down should the zoning not change.

Gigi Statler who lives across the street and was a former parishioner of the church, stated she would love to see the church become something, but not a gathering place/ bar/restaurant as stated in the applicant's application.

Heather Black stated she agrees with everyone who has testified. She believes the church is a valued building. If the zoning is not changed, nothing could be made of the church. She wants something done with the building. She also fears that if the zoning is not changed, the building may be torn down or boarded up.

Charles Simpson stated he believes the town is a peaceful community and would not like to see the church made into a tavern/ beer joint.

Charlie Alsip stated he believes this proposal would be a good opportunity for the town. He also stated that something needs to be done with the church. Residents want business within town, but do not want it in their back yard. It needs to start somewhere.

Roger Olson stated he believes the church should stay a church. He is not interested in seeing the church be made into a bar/ restaurant. He believes it would be beneficial to move the church all together.

Libby Witty stated she is not interested in having a bar/restaurant that would overlook property lines.

Kathy Pugh stated she is not interested in a bar/restaurant in the church. She is not opposed to business there but feels that specific use could be counterproductive.

Brenda Peterson stated she feels the town needs to keep an open mind to change and opportunity.

Mr. Hedrick asked if any other persons wished to testify. No other testimonies were presented.

Rebuttal

Mr. Blazyk thanked everyone who spoke up and voiced their opinions and concerns. He was hoping for more positive feedback from residents. He stated if it were to remain R-1 there are little to no opportunities for this parcel. He stated his intentions are to remain family oriented.

Staff Report

Ms. Willaims presented her report to the Planning Commission as follows:

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 his property at 45 West Chestnut Avenue, Cortland Illinois, PIN 09-29-130-008. The applicant is

requesting rezoning of the subject property from R-1 with a Special Use Permit to C-1 Limited Retail Business. The petitioner's application is attached as Exhibit A.

LOCATION AND DESCRIPTION

The subject property is located at 45 West Chestnut Avenue, at the northwest corner of West Chestnut Avenue and South Ottawa Street. This property includes Lots 9, 10, 11, and 12 together with the south half of the vacated alley lying northerly of the above-described property all in Block 5 in the Original Village of Cortland, platted in 1855. The total area is 15,246 sq ft.

The subject property is improved with a one-story frame structure and asphalt parking lot. The current use of the structure is not confirmed. A Change of Use or Certificate of Occupancy has not been requested by the owner since the transfer of the property from the Methodist Church to Transcend Properties.

Existing and Surrounding Zoning:

The subject property is zoned R-1, Single Family Residence with Special Use Permit. All adjacent properties including across road right of way are zoned R-1 Single Family Residence. An excerpt of the zoning map has been included as Exhibit B.

The 2022 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_2022.pdf

Existing and Surrounding Land Uses:

With the exception of a vacant lot owned by the petitioner to the northwest of the subject property, all adjacent land uses are single family residences located within an established neighborhood.

BACKGROUND

The basis of the subject property was created in 1855 via platting in the Original Village of Cortland. The subject property was recently modified when the petitioner joined two parcels to create the boundary as it exists today.

Until June 2022, the structure was used as a church. Religious institutions are permitted use in R-1 Single Family Residence districts per Cortland Zoning Code. In 2007, the Cortland United Methodist Church received a Special Use Permit to establish and operate a carillon on the property.

Due to the age of the structure, records are limited. From all indications received, the structure has been used as a church since its construction, which roughly coincides with the founding of the Original Village of Cortland. Prior to the town's re-addressing system, the address of this property was 4409 Chestnut Street.

Staff have not located any variances that were granted for this property.

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 Public Institutional uses.

The site was constructed and operating as a church prior to the development of the adjacent neighborhood. The Town's Comprehensive Plan was created after this property was

developed. The proposed rezoning does not coincide with the Comprehensive Plan. Staff views granting rezoning as a deviation from the vision 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](https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland%202023%20Comprehensive%20Plan%20v05%20Final.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 COMISSION 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 15,246 sq ft Transcend Properties property known as Lots 9, 10, 11, and 12 and adjacent half of vacated alley in Block 5 of the Original Village of Cortland from its present classification of R-1 with Special Use Permit to C-1."}

Deliberation

Mr. Lawson asked Mr. Blazyk if he will be seeing a Liquor License. Mr. Blazyk responded he personally will not be. He will develop the property for use of others.

Mr. Barnhart asked, if approved, what will your next action be? Mr. Blazyk responded he would complete remodeling of the interior and create conceptual renderings of permitted uses.

With no more questions to be asked, Mr. Barnhart made a motion to close the public hearing, seconded by Mr. Haughee. Voice vote carried the motion. The Public Hearing closed at 7:50 p.m.

Review Findings of Fact

Commissioners deliberated, discussed, and reviewed the findings of fact, which are as follows:

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

The subject property is improved with a one-story frame structure and asphalt parking lot. The current use of the structure is not confirmed. A change of use or certificate of occupancy has not been requested by the owner since the transfer of the property from the Methodist Church to Transcend Properties. The subject property is zoned R-1, Single Family Residence with Special Use Permit.

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

Except for a vacant lot owned by the petitioner to the northwest of the subject property, all adjacent land uses are single family residences located within an established neighborhood. All adjacent properties including across road right of way are zoned R-1 Single Family Residence.

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

Developing the property for residential use is appropriate as the Subject Property is in an established neighborhood adjacent to roadways and has access to existing utilities.

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

The applicant intends to use the existing structure for commercial use. Developing the property for commercial use is appropriate as the site has existing adjacent roadways and utilities.

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-1 since town records were kept. There have been no recent changes in zoning to the subject property. The use of the property has been for religious purposes since the construction of the building. The trend of development would be a continuation of the current zoning.

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

The proposed amendment would have an impact on the Town's ability to implement the Comprehensive Plan.

Mr. Barnhart made a motion to accept the findings of fact, seconded by Ms. Morken. Roll call vote carried the motion.

Recommendation

Ms. Morken made a motion to recommend that the Town Board approve the rezoning from R-1 single family residence with a special use permit to C-1 Limited Retail Business; with a request to consider specific conditions, seconded by Mr. Barnhart. Roll call vote carried the motion.

New Business**2024 Planning Commission Meeting Schedule**

Ms. Williams reviewed the 2024 planning commission dates with the commissioners. After brief discussion, Mr. Barnhart made a motion to change the July meeting from July 4, 2024, to July 11, 2024, seconded by Mr. Hedrick. Unanimous voice vote carried the motion.

Chair Report

No report made.

Zoning Administrator Report

No report made.

Adjournment

Mr. Barnhart moved to adjourn, seconded by Ms. Morken. Voice vote carried the motion. Meeting adjourned at 8:37 p.m.

Next Planning Commission Meeting is January 4, 2024

Respectfully submitted,

Kaity Siewierski
Deputy Clerk