

Town of Cortland
Town Hall
59 S. Somonauk Road
Cortland, IL 60112
Planning Commission
Regular Meeting
January 4, 2024
7:00 PM

Call to Order/Pledge of Allegiance/Roll Call

Mr. Hedrick called the meeting to order at 7:06 p.m. Deputy Clerk Kaity Siewierski called the roll showing as present, Commissioners Mark Hedrick, Vicky Torres, Brad Lawson, Joelle Morken and Robert Barnhart. Shown as absent was Alexis Bower and Alex Haughee. 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.

Approval of Minutes

Mr. Barnhart moved to approve the minutes of December 7, 2023, seconded by Ms. Morken. Voice vote carried the motion.

Public Hearing

Mr. Hedrick opened the Public Hearing at 7:10 p.m.

Deputy Clerk Kaity Siewierski read the Public Notice into the record, published in the Daily Chronicle on December 19, 2023, in accordance with the law.

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

Applicant Testimony

Ms. Willams, representing the Town of Cortland stated the parcel is currently zoned single-family residence. She would like to see this parcel rezoned to industrial for the purpose of creating a larger material storage yard for the Town of Cortland. Material like stone, concrete and leaves are stored here. Currently the storage yard being used is becoming too small and is very unorganized. There is no truck route to enter or exit the existing parcel. Should the new parcel be rezoned, the town would only occupy about two acres, the remaining acres would still be farmed since the parcel is a part of a leasehold.

Public Testimony

No testimony from the public.

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 property at East North Avenue, Cortland Illinois, PIN 09-28-200-007.

The applicant is requesting rezoning of the subject property from R-1 with a Special Use Permit to 1-1 Light Industrial. The petitioner's application is attached as Exhibit A.

LOCATION AND DESCRIPTION

The 25.6-acre property is between East North Avenue and the Wastewater Treatment Plant (WWTP) on the south side of East North Avenue, east of the drive to the Wastewater Treatment Plant, PIN 09-28-200-007. The subject property is unimproved and is being used for row crops.

The Town intends to relocate the existing materials yard located near the west side of the WWTP to the subject property. This move facilitates ingress/egress ease as well as allows the west buildable parcel to be available for development. The relocated materials yard would occupy about 2 acres of the 25.6-acre parcel with the remaining continuing to be used for row crop. The subject property does not have available utilities at the present time.

Existing and Surrounding Zoning:

The subject property and the property to the east are zoned R-1 Single Family Residence with Special Use Permit for the Planned Unit Development (PUD) overlay. Property to the west and south is zoned P-1 Recreation & Open Space. Property to the north, across North Avenue, is not annexed to the Town of Cortland.

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:

The subject property and the lands to the east and north are used for agricultural purposes with row crops. The properties to the west and south comprise the Town of Cortland's wastewater treatment plant.

BACKGROUND

The Town purchased the subject from DeKalb County in 2017. In 2020, the Town retained ownership in a settlement indicating a potential municipal need in the future. The Town leases the property, and other town-owned tillable lands, as part of the cash farm Lease. The subject property is not served by water or sewer. 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 Single Family Residential use.

The proposed rezoning does not coincide with the Comprehensive Plan. Staff views granting rezoning as an expansion of a municipal use footprint.

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_v0S_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 25.6-acre Town of Cortland property currently known as PIN 09-28-200-007 in the Town of Cortland from its present classification of R-1 with Special Use Permit to I-I.11)

Deliberation

With no questions to be asked, Ms. Torres made a motion to close the public hearing, seconded by Ms. Morken. Voice vote carried the motion. The Public Hearing closed at 7:25 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 unimproved, used for agricultural purposes which is a legal non-conforming use in the R-1 Single 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 east and north, across North Avenue, are unimproved, used for agricultural purposes. The property to the west and south consists of the town's wastewater treatment plant with a building, equipment, and dams to facilitate operations.

The land to the east of the subject property is also zoned R-1 Single Family Residence with a Special Use Permit (SUP) for the Planned Unit Development (PUD) overlay. The property to the north, across North Avenue, is not annexed to the Town. The lands to the south and west are zoned P-1 Recreation and Open Space.

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

Developing the property for residential purposes is appropriate. No infrastructure exists to support such a purpose. An entire network of roads and utilities would need to be constructed to serve any residential development. Proximity to a wastewater treatment plant could be considered less desirable.

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

The applicant intends to use the property as a relocated materials yard. The property is suitable for the proposed use due to lack of nearby structures and the compatible adjacent uses. 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-1 Single Family Residence with SUP since 2004. 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 a deviation from the Future Land Use Map included in the Comprehensive Plan. However, the granting of the request would permit an expanded footprint of an immediately adjacent municipal use.

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

Recommendation

Mr. Barnhart made a motion to recommend that the Town Board approve the rezoning of the subject property from R-1 with a Special Use Permit to 1-1 Light Industrial. seconded by Ms. Morken. Roll call vote carried the motion.

Chair Report

Mr. Hedrick reported the Town Board meeting will be held at the Cortland Fire Department for those interested.

Zoning Administrator Report

No report made.

Adjournment

Mr. Barnhart moved to adjourn, seconded by Ms. Torres. Voice vote carried the motion. Meeting adjourned at 7:39 p.m.

Next Planning Commission Meeting is February 1, 2024

Respectfully submitted,

Kaity Siewierski
Deputy Clerk