

To: Planning and Zoning Commission Members

From: Kenneth Garrett, Zoning Administrator

Date: August 23, 2022

RE: Special Use – Off Site Parking Lot – Finding of Facts

Hearing Date: August 24, 2022 at 6:00 p.m.

Findings of Fact

Per section 8-5-7(D) of the Village of Poplar Grove Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

1. The establishment, maintenance or operation of the special use would not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The property comprises of zoning districts General Business (GB) and Residential (R-1). The use is a trucking business and is adjacent R-1 and agricultural uses. The business operates mostly construction vehicles. A four foot proposed security fence has been proposed. Based on the proximity of the property along Poplar Grove Road and Orth Road and most of this area is undeveloped there is not a detriment to the public health, safety, morals, comfort or general welfare.

2. The special use would not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish or impair property values within the neighborhood.

The property is predominately zoned GB as noted above. Commercial uses are a permitted use. A trucking business is only allowed via Special Use. Based on the property being surrounded by R-1 Zoning District and unincorporated Boone County it will limit the potential for other compatible uses for development. This would diminish /impair property values within the area.

3. The establishment of the special use will not impede the normal or orderly development and improvements of the surrounding property for uses permitted in the district.

As stated above in item 2, the property is zoned GB. Uses permitted by right are as follows; Personal or Professional Services, Indoor Retail sales/services, Indoor Repair Sales/Service, Public Parks and Open Space, Utilities, Wireless communication Facility, Indoor Lodging (bed and breakfast), Indoor Lodging (commercial), Daycare Facility and Boarding Houses. A stand-alone truck parking business does not fit well with these uses. Adding truck traffic to this area will impact the surrounding areas.

4. Adequate utilities, access roads, drainage and/or necessary facilities will be provided.

There are currently no utilities on the site. The Village Engineer report dated August 10, has a number of outstanding items. Until those items have been brought into compliance, approval of the special use cannot be granted.

5. Adequate measures have been taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

The engineering plan provides for ingress and egress and does not provide congestion issues based on the proposed 20 vehicle spaces. A traffic study shall be provided to insure there is no traffic congestion to the public streets. Approval of the special use cannot be acted upon until a traffic study has been submitted and approved.

6. The special use shall, in all other respects, conform to the applicable regulations of the districts in which it is located.

a) As stated in the staff report, staff recommended the entire parcel be rezoned to GB instead of the current arrangement of a mix of GB and R-1. The applicant does not wish to rezone the property as staff has recommended.

b) There is no criteria for parking spaces for off street parking. The proposed building is 4400 square feet. By calculating the office criteria for parking at 250 square feet per space that equates to 17.6 spaces or 18. This would require the building be used as office space.

c) Additional landscaping is required along Poplar Grove Road per the staff report.

Items a, b and c will need to be brought into compliance before the special use can be recommended for approval.

Should you have any questions regarding this report feel free to contact me at your convenience.

Respectfully Submitted,

Kenneth Garrett
Zoning Administrator – Village of Poplar Grove