

PLANNING & ZONING COMMISSION
Tuesday, September 6, 2022
MINUTES

The Rochelle Planning and Zoning Commission met at 6:00 p.m. on Tuesday, September 6, 2022 in the Council Chambers of City Hall, 420 N. 6th Street, Rochelle, IL 61068. Present on Roll Call were Board members: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Absent: None. Non-voting members absent: None. There was a quorum of seven present. Also present were Michelle Pease, Geoff Starr and Rose Hueramo. Colwill moved, seconded by McKibben, **“I move the minutes of the August 1, 2022 Planning and Zoning Commission meeting as presented be approved.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

Public Commentary: None

Commissioner Comments: None

Business Items: Pease stated that a notice was published in the paper and mailed to property owners and that the City of Rochelle has requested to continue their petition. Motion made by Myers, seconded by McLachlan, **“I move the Planning and Zoning Commission Continue the Public Hearing to October 3, 2022 regarding the proposed Preliminary and Final Plat of Subdivision for the City of Rochelle located at 1123 N. 7th Street.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

Pease stated that a notice was published in the paper and mailed to property owners and that the Rochelle Hospitality, LLC has requested to continue their petition. Motion made by Myers, seconded by McLachlan, **“I move the Planning and Zoning Commission Continue the Public Hearing to October 3, 2022 regarding the proposed Preliminary and Final Plat of Subdivision for the Rochelle Hospitality, LLC located at 1133 N. 7th Street.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

PZC-12-22 Seldal Properties, LLC rezone from B2 to R5. Pease stated that a notice was published in the paper and mailed to property owners. Motion made by McLachlan, seconded by McNeilly, **“I move the Planning and Zoning Commission open the Public Hearing regarding the proposed rezone for the property located at 450 Willis Ave.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0. 450 Willis Avenue, parcel number 24-36-127-001, is vacant land and sits at the corner of Willis Avenue and Lake Lida Lane. It is 1.59 acres and is currently zoned B2, Commercial Highway. The petitioner is requesting to rezone the subject property from a B2 Commercial Highway to an R5 Multi-Family, High Density Residential. The purpose for the request to rezone to an R5 is to build an apartment building. The property is surrounded by B-2 Commercial Highway on the west, north and south and R5 Multi-Family, High Density Residential immediately to the east, northeast and southeast. Section 110-314 – Buffer Yards. Multiple-family residential districts. A minimum fifteen (15) foot wide planting strip shall be provided along the entire length of the buffer yard. Bruce Seldal was present to answer any questions. Motion made by Myers, seconded by McKibben: **“I move the Planning and Zoning**

Commission close the Public Hearing.” A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

Findings:

1. Is the proposed zoning allowed in the proposed zoning district?

Yes: 7

No: _____

Explanation: _____

If the answer to any of the following questions is “Yes”, then the Commission should recommend that the City Council deny the petition for a special use permit. If the answer to all of the following questions is “No”, then the Commission may recommend that the City Council approve or deny the petition for a special use permit. Each question should state an answer and give an explanation. If the answers to all of the questions is “No”, but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed zoning detrimental or dangerous to public health?

Yes: _____

No: 7

Explanation: _____

3. Will the proposed zoning impair property value in the neighborhood?

Yes: _____

No: 7

Explanation: _____

4. Will the proposed zoning impede the normal development of the surrounding properties?

Yes: _____

No: 7

Explanation: _____

5. Will the proposed zoning:

(a) impair light and air to adjacent property;

(b) congest public streets;

(c) increase the risk of fire;

(d) substantially diminish property values within the vicinity; or

(e) endanger the public health?

Yes: _____

No: 7

Explanation: _____

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that:

7 That the Petitioner be granted zoning for the proposed use at the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

Motion made by Myers, seconded by McLachlan, **“I move the Planning and Zoning Commission recommend to the City Council that it Approve the proposed rezone from B2 to R5 Multi Family High Density Residential for the property located at 450 Willis Ave., based on the report of findings.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

PZC-13-22 Toby and Betsy Petrie variance of setbacks for a fence. Pease stated that a notice was published in the paper and mailed to property owners. Motion made by McLachlan, seconded by McKibben, **“I move the Planning and Zoning Commission open the Public Hearing regarding the proposed variance of setbacks for a fence for the property located at**

421 S. 3rd Street. A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0. The petitioner is seeking a variance of setbacks to construct a proposed four-foot chain link fence beyond the building line at 421 S. 3rd Street. The property is zoned R5, Multi Family High Density Residential. The petitioner is requesting to extend the fence beyond the building line from the southeast corner of the driveway, south up to the public sidewalk, west parallel along the public sidewalk, then back north to the front southeast corner of the house. Sec. 110-545- Residential, Security and Farm Fences (1). On corner lots, no fence or wall will extend beyond the street setback requirements, or building line, whichever is greater. Compliance with Sec. 110-545 would place the petitioners fence directly through the middle of their usable yard, reducing the enclosed area to a 10' wide strip. The petitioner's reason for the request is to "ensure the safety of children by providing a minimally adequate enclosed play area along a busy street." Motion made by McLachlan, seconded by Myers: **"I move the Planning and Zoning Commission close the Public Hearing."** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

Findings:

1. Is the proposed variance allowed in the proposed zoning district?

Yes: 7

No: _____

Explanation: _____

If the answer to any of the following questions is "Yes", then the Commission should recommend that the City Council deny the petition for a special use permit. If the answer to all of the following questions is "No", then the Commission may recommend that the City Council approve or deny the petition for a special use permit. Each question should state an answer and give an explanation. If the answers to all of the questions is "No", but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed variance detrimental or dangerous to public health?

Yes: _____

No: 7

Explanation: _____

3. Will the proposed variance impair property value in the neighborhood?

Yes: _____

No: 7

Explanation: _____

4. Will the proposed variance impede the normal development of the surrounding properties?

Yes: _____

No: 7

Explanation: _____

5. Will the proposed variance:

(a) impair light and air to adjacent property;

(b) congest public streets;

(c) increase the risk of fire;

(d) substantially diminish property values within the vicinity; or

(e) endanger the public health?

Yes: _____

No: 7

Explanation: _____

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that:

That the Petitioner be granted a variance for the proposed use at the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

Motion made by Myers, seconded by Swinton, **“I move the Planning and Zoning Commission recommend to the City Council that it Approve the proposed variance of setbacks for a fence for the property located at 421 S. 3rd St., based on the report of findings.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

PZC-14-22 Robert Kuehl variance of setbacks and landscaping. Pease stated that a notice was published in the paper and mailed to property owners. Motion made by McLachlan, seconded by Myers, **“I move the Planning and Zoning Commission open the Public Hearing regarding the proposed variance of setbacks and landscaping buffer for the property located at 323 W. 2nd Ave.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0. The petitioner is seeking a variance of setbacks to construct a proposed Body/Mechanic Shop, located at 323 W. 2nd Ave. The subject property is zoned I1, Light Industry. The petitioner is requesting a variance of building setbacks and landscape buffer. Sec. 110-313. - Interior parkways, (3) a. Industrial districts, A minimum 50’ interior parkway from the Right of Way is required for a landscape buffer. The property at 323 W. 2nd Ave. is a corner lot which gives the property two frontages. Sec. 110-140, I-1 Light Industry District requires a 15’ side yard setback and corner lots have a 20’ setback requirement on both frontages. The petitioner is requesting the following variances: Variance of landscaping buffer (Sec. 110-314) (3) a. 38’ variance on the west side and 28’ variance on the south side.

Variance of building setbacks (Sec. 110-140) 5’ variance on the east side and 8’ on the west side. The petitioner is requesting to construct a building that requires setback variances because where his business is currently located is being sold and he is being forced to relocate. No alternative locations are available; therefore, he purchased the adjacent lot. The petitioner wants to continue to be located close to the downtown central business district and continue to run a successful business that is supported by our community. This has been a viable business for ten years. The size of the building he is requesting the variance for is the smallest possible footprint to fit the paint booth and everything necessary to operate his body shop. With the required building setbacks combined with landscaping buffer requirements, there is no buildable area left on the property without a variance. Mr. and Mrs. Kuehl were present to answer any questions. Motion made by Myers, seconded by McLachlan: **“I move the Planning and Zoning Commission close the Public Hearing.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

Findings: (Variance of Building Setbacks)

1. Is the proposed variance allowed in the proposed zoning district, but only with a variance?

Yes: 7

No: _____

Explanation: _____

If the answer to any of the following questions is “Yes”, then the Commission should recommend that the City Council deny the petition for a special use permit. If the answer to all of the following questions is “No”, then the Commission may recommend that the City Council approve or deny the petition for a special use permit. Each question should state an answer and

give an explanation. If the answers to all of the questions is "No", but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed variance detrimental or dangerous to public health?

Yes: _____ No: 7

Explanation: _____

3. Will the proposed variance impair property value in the neighborhood?

Yes: _____ No: 7

Explanation: _____

4. Will the proposed variance impede the normal development of the surrounding properties?

Yes: _____ No: 7

Explanation: _____

5. Will the proposed variance:

- (a) impair light and air to adjacent property;
- (b) congest public streets;
- (c) increase the risk of fire;
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: _____ No: 7

Explanation: _____

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that:

7 That the Petitioner be granted a variance for the proposed use at the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

Motion made by McKibben, seconded by Swinton, **"I move the Planning and Zoning Commission recommend to the City Council that it Approve the proposed variance of setbacks for the property located at 323 W. 2nd Ave., based on the report of findings."** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

Findings: (Variance of Landscape Buffer)

1. Is the proposed variance allowed in the proposed zoning district, but only with a variance?

Yes: 7 No: _____

Explanation: _____

If the answer to any of the following questions is "Yes", then the Commission should recommend that the City Council deny the petition for a special use permit. If the answer to all of the following questions is "No", then the Commission may recommend that the City Council approve or deny the petition for a special use permit. Each question should state an answer and give an explanation. If the answers to all of the questions is "No", but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed variance detrimental or dangerous to public health?

Yes: _____ No: 7

Explanation: _____

3. Will the proposed variance impair property value in the neighborhood?

Yes: _____ No: 7

Explanation: _____

4. Will the proposed variance impede the normal development of the surrounding properties?

Yes: _____ No: 7

Explanation: _____

5. Will the proposed variance:

- (a) impair light and air to adjacent property;
- (b) congest public streets;
- (c) increase the risk of fire;
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: _____ No: 7

Explanation: _____

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that:

7 That the Petitioner be granted a variance for the proposed use at the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

Motion made by Myers, seconded by McLachlan, **“I move the Planning and Zoning Commission recommend to the City Council that it Approve the proposed variance of landscape buffer for the property located at 323 W. 2nd Ave., based on the report of findings.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

PZC-15-22 City of Rochelle text amendments to the Zoning Code. Pease stated that a notice was published in the paper. Motion made by Myers, seconded by McLachlan, **“I move the Planning and Zoning Commission open the Public Hearing regarding the proposed text amendment to B1 District regarding Special Use requirements.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0. The City of Rochelle is proposing text amendments to the Zoning Code, Section 110-120, B-1 Central Commercial District to add the following: (2) Special uses and developments. The following alterations to any vacant land or existing structure may be permitted within the B-1 Central Commercial District under the conditions and requirements specified in (Sec. 110-31. Special Uses):

- a. The new construction of any primary or accessory structure.
- b. Any addition to an existing structure.
- c. Any project that would change the physical appearance of any elevation of any side of an existing structure. By adding this language to the B-1 Central Commercial District, the Planning and Zoning Commission will have the opportunity to review each potential new special use/construction project on a case-by-case basis. Motion made by Myers, seconded by McLachlan: **“I move the Planning and Zoning Commission close the Public Hearing.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

Findings:

1. Does the proposed text amendment assist with the Comprehensive Plan and future growth and land use?

Yes: 7

No: _____

Explanation: _____

2. Will the proposed text amendment adversely affect the public health, safety, or general welfare?

Yes: _____

No: 7

Explanation: _____

3. Is the proposed text amendment necessary because of changed or changing social values, new planning concepts, or other social, technological, or economic conditions in the areas affected?

Yes: 7

No: _____

Explanation: Special Uses to Downtown

4. Will the proposed amendment impede the normal development of the surrounding properties within the zoning district?

Yes: _____

No: 7

Explanation: _____

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that:

7 That the Petitioner be granted a text amendment for the proposed Zoning Code, Section 110-120, B-1 Central Commercial District, without conditions other than the other applicable requirements of the Rochelle Municipal Code. Motion made by McKibben, seconded by McLachlan, **“I move the Planning and Zoning Commission recommend to the City Council that it Approve the proposed text amendment to B1 District regarding Special Use requirements, based on the report of findings.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

Discussion Items: None

Adjournment: Motion made by Colwill, seconded by McLachlan, **“I move to adjourn the regularly scheduled meeting of the Planning and Zoning Commission of September 6, 2022.”** A roll call vote was taken. Ayes: Colwill, McKibben, McLachlan, McNeilly, Myers, Swinton and Wolter. Nays: none. Motion carried 7-0.

The Planning and Zoning Commission adjourned at 6:45 p.m.

Michelle Knight
City of Rochelle