

**PLANNING & ZONING COMMISSION**  
**MONDAY, FEBRUARY 7, 2011**  
**MINUTES**

The Rochelle Planning and Zoning Commission met at 7:00 p.m. on February 7, 2011 in the Council Chambers of City Hall, 420 N. 6<sup>th</sup> Street, Rochelle, IL 61068.

Present on Roll Call were Board members: McNeilly, Thiele, Colwill, Rodriquez, Shaw-Dickey, and Johns. Absent: Snyder-Chura, Huddleston, and Chairman Prabhakar Also present were Community Development Director Limas and City Clerk McKinney. There was a quorum. Snyder-Chura entered the meeting at 7:02 p.m.

**Minutes:** Colwill moved and seconded by Shaw-Dickey, **"I move the minutes of January 3, 2011 Planning and Zoning Commission meeting be approved."** Motion passed by voice vote without dissent.

**Public Commentary:** None.

**Director's Report:**

- o Introduced Meggon McKinley to the Commission.
- o Wal-Mart work continues.
- o Project E-rail is finalizing site plans.
- o Up-dated the commission on Thermo-Shell.

**Business Items:**

1. **Case PZC-11-10 Pre-Manufactured Vaulted Toilet Sewage System Variance (Public Hearing).** McNeilly moved and seconded by Shaw-Dickey, **"I move the Planning and Zoning Commission recess into a continued Public Hearing for Case PZC-11-10."** A roll call vote was taken. Ayes: McNeilly, Rodriquez, Shaw-Dickey, Snyder-Chura, Thiele, Colwill, and Johns. Motion passed 7-0. At the September Planning and Zoning Commission meeting the Commission opened up the public hearing on a request by the Flagg Rochelle Community Park District to be allowed to construct a Vaulted Toilet Sewage System at Cooper Park. The public hearing has been continued to the December meeting at the request of the Park District. The following was noted at the September meeting by staff:
  - 1) The applicant is requesting a variance from Chapter 98, Article IV, Section 98-152 (a) (6) which requires a toilet facility to connect to the City sewer system. Please note this City code is not part of the Subdivision or Zoning Ordinance but under Chapter 98, Utilities of the Rochelle Municipal Code. If a variance is requested from a City Ordinance that is development related it is sent to the Planning and Zoning Commission for a public hearing and then a recommendation is sent to the City Council.
  - 2) The applicant is in the process of redeveloping Cooper Park and as part of the redevelopment they are requesting to install a Pre-Manufactured Vaulted Toilet System that will not be connected to the City sewer system. The applicant has indicated that the reasons for making this request is due to vandalism, keep them open all year and to lower operational cost.

At the meeting representatives from the Park District indicated that other communities allow the use of such a system.

Staff has reviewed this proposal and is recommending denial of the request for the following reasons:

- 1) The proposed toilet facility can be connected to the City sewer system which is in the vicinity.
- 2) The City does not make such exceptions to other non-residential property in the City.
- 3) The City has told residents who have requested a septic system that they cannot sue this form of sewerage treatment and containment and we should not be giving preferential treatment to someone else.
- 4) If this facility were constructed in Ogle County a sewer system was assessable they would be required to connect.
- 5) Vandalism is not a reason to grant a variance.
- 6) Days of use are not a reason to grant a variance.
- 7) To lower operational cost is not a reason to grant a variance.

Based on the above noted reasons, staff is recommending denying the variance to allow the Flag Rochelle Community Park District to install a pre-manufactured vaulted toilet system in Cooper Park that will not connect to the City sewer system.

Kathy Cooper, Superintendent of Water-Water Rec, spoke against allowing the vaulted facilities not being hooked up to the sewer system. Cooper contacted several communities that the Park District stated had vaulted facilities in their city limits:

1. Naperville, Tony Conn: He stated that Naperville requires a connection where the sanitary sewer system is available. I followed up with the question, "Do you have a guideline for what you consider availability of a sanitary sewer system?" Naperville does not have a specific limit, but Mr. Conn stated that within the past few years, Naperville required the Park District to install a 2,000 foot force main to connect Pioneer Park to the sanitary system.

2. Hoffman Estates, Terry White: He stated that the Park District in Hoffman Estates has installed the vaulted toilet system, but they are required to pump them to a manhole. The toilets were installed on a golf course in the community, and the Metropolitan WRD, which services Hoffman Estates, requires a connection to the sanitary system.

3. Lombard, Dave Gorman: The Park District has installed the "Vaulted Toilets" without a permit, and the Lombard Village Code requires connection to the sanitary system. Had they been asked, Public Works would not have allowed the connection. The Public Works Division did not seem to be aware of the installations until they received my call, and "this was off their radar".

The Public Works Division is going to "have a pow-wow" to determine how they will proceed.

4. Blue Island, Joseph Werner: The Water Department Superintendent was not aware of any vaulted toilets in his community, but hedged his response, as he had been in the position for only four months. He further added that he is also the Plumbing Inspector for Blue Island, and a planning perspective dictates, (and he believes is dictated by the State Plumbing Code), that if a sanitary sewer system is available for use, then a connection is required. The only time he could foresee a variance granted is in a Forest Preserve where a remote location would make it unfeasible for a sanitary sewer connection.

She contacted Jim Brown, the State Plumbing Inspector for the Rochelle area, and he said he did not believe it was required in the State Plumbing Code, but City Code could require a connection.

Cooper Park is within the Rochelle city limits, and there is a sanitary sewer collection system available for a connection. Kathy Cooper stated that she does not recommend the granting of the variance.

Steve Liezert, Director of the Park District stated that they have installed a vaulted toilet in Skare Park. It is being used 365 days a year. A system that is hooked up to the sewer system would have to be shut down during the winter. The vaulted system is "sweet smelling". McNeilly moved and seconded by Rodriquez, **"I move the Planning and Zoning Commission return to Open Session."** Motion passed by voice vote without dissent. McNeilly stated that she has used the vaulted toilets and sees no problem with having them in the park. McNeilly moved and seconded by Colwill, **"I move the Planning and Zoning Commission recommends to the City Council to approve the request of the Flagg Rochelle Community Park District for a Manufactured Vaulted Toilet Sewage System Variance at Cooper Park."** Ayes: McNeilly, Rodriquez, Shaw-Dickey, Colwill, and Johns. Nays: Snyder-Chura and Thiele. Motion passed 5-2.

2. **Case PZC-2-11 Airport Overlay District Text Amendment.** Snyder-Chura moved and seconded by McNeilly, **"I move the Planning and Zoning Commission recess into a Public Hearing for Case PZC-2-11."** A roll call vote was taken. Ayes: McNeilly, Rodriquez, Shaw-Dickey, Snyder-Chura, Thiele, Colwill, and Johns. Motion passed 7-0. At the January 2011 meeting representatives from the Chicagoland Skydiving Center were in attendance to discuss their proposed skydiving business which would be located at Koritz Field. It was noted by staff that a skydiving business was not listed as a permitted or special use and that staff would be reviewing other airports to see how they were zoned. Staff felt that we should be taking a comprehensive approach to this issue and felt it was best to look at all of the uses related to an airport. A survey was conducted on airports in Northern Illinois and after review of the zoning of many of these airports it was determined that the best approach would be to create an Airport Overlay District (AOD). This is a similar approach taken by airports in Lansing, Waukegan and West Chicago.

The AOD is a similar to other specialized zoning classification in the City such as the TTO, Transportation Tourism Overlay District and the TOD, Technology Overlay District. In an overlay district there still is an underlying zoning for which this case is I-2, General Industrial or RD Rural Development but other requirements are placed on the development of allowed uses in the AOD. The AOD lists permitted use, prohibited uses and special uses. The proposed list of uses was developed by the review of other airport districts and discussion with City Staff on the existing and possible future uses of the airport. The AOD also discusses appearance criteria as well as the approval process. Staff recommends **Approval** of the Airport Overlay District Text Amendment.

#### DIVISION 6. AOD, AIRPORT OVERLAY DISTRICT

##### **Sec. 110-260. Purpose.**

The purpose of the Airport Overlay District (AOD) is to promote development of Airport related-businesses, and other uses compatible with the City Airport Koritz Field in specified AOD zones within the City, by restricting the permitted uses within the AOD beyond the restrictions contained in the underlying zoning district and by imposing certain other requirements necessary to protect the interest of airport-related businesses within the AOD.

##### **Sec. 110-261. Standards and Special Requirements.**

Property located within the AOD is subject to the regulations contained within the underlying zoning classification as well as the additional requirements imposed by the AOD. In cases where the provisions of the AOD conflict with the regulations of the underlying zoning classification, the provisions of the AOD shall be controlling.

##### **Sec. 110-262. Location.**

The AOD District location is commonly known as Koritz Field and is described as an area of approximately 137 acres located northwest intersection of Illinois Route 251 and Gurler, and shall be bounded by:

Part of the Southeast Quarter of Section 34, Part of the South Half of Section 35 and Part of the Southwest Quarter of Section 36, Township 40 North, Range 1 East of the Third Principal Meridian, and Part of the Northwest Quarter of Section 2, Township 39 North, Range 1 East of the Third Principal Meridian, bounded and described as follows:

Beginning at a Point at the Southeast corner of said Section 34; thence North 89 degrees 29 minutes 34 seconds West along the South Line of said Southeast Quarter of Section 34, a distance of 149.31 feet; thence North 74 degrees 05 minutes 54 seconds East a distance of 99.95 feet; thence Northeasterly along a curve of radius 3944.72' curving to the left, a chord bearing of N 65°16'37" E, a chord length of 1216.41' and an arc length of 1221.27'; thence North 73 degrees 10 minutes 06 seconds East a distance of 156.28 feet;

thence North 56 degrees 26 minutes 00 seconds East a distance of 165.24 feet;

thence South 01 degrees 05 minutes 00 seconds West a distance of 304.22 feet;

thence North 71 degrees 12 minutes 00 seconds East a distance of 5547.17 feet;

thence South 00 degrees 28 minutes 09 seconds East a distance of 183.00 feet;

thence South 04 degrees 59 minutes 31 seconds East a distance of 314.88 feet;

thence South 00 degrees 35 minutes 36 seconds West a distance of 256.78 feet;

thence Southwesterly along a curve of radius 1011.51' curving to the right, a chord bearing of S 03°57'13" W, a chord length of 141.01' and an arc length of 141.12';

thence North 89 degrees 29 minutes 00 seconds West a distance of 563.28 feet;

thence South 71 degrees 12 minutes 00 seconds West a distance of 172.52 feet;

thence South 00 degrees 36 minutes 50 seconds West a distance of 637.55 feet;

thence South 54 degrees 08 minutes 04 seconds West a distance of 100.00 feet;

thence South 35 degrees 51 minutes 56 seconds East a distance of 200.00 feet;

thence South 54 degrees 08 minutes 04 seconds West a distance of 235.47 feet;

thence Southwesterly along a curve of radius 1011.00' curving to the right, a chord bearing of S 43°43'04" W, a chord length of 365.59' and an arc length of 367.61';

thence North 89 degrees 30 minutes 31 seconds West a distance of 1136.49 feet;

thence North 00 degrees 48 minutes 39 seconds East a distance of 687.39 feet;

thence South 71 degrees 12 minutes 00 seconds West a distance of 1420.32 feet;

thence South 01 degrees 06 minutes 40 seconds West a distance of 221.22 feet;

thence North 89 degrees 28 minutes 48 seconds West a distance of 626.68 feet;

thence South 71 degrees 13 minutes 30 seconds West a distance of 1285.61 feet;

thence North 18 degrees 48 minutes 00 seconds West a distance of 450.16 feet;

thence North 89 degrees 28 minutes 49 seconds West a distance of 995.80 feet

to the Point of Beginning, containing 137.15 acres, more or less, subject to all easements, agreements county codes and/or ordinances of record if any, all situated in the Township of Flagg, the County of Ogle and also in the Township of Reynolds, the County of Lee and the State of Illinois.

The AOD may be expanded from time to time for Airport related uses described in Division 6, AOD, AIRPORT OVERLAY DISTRICT upon approval of the City Council after a public hearing before the Planning and Zoning Commission.

**Sec. 110-263. Permitted Uses.**

A. The following shall be permitted uses in the AOD District:

1. Airports
2. Heliports
3. Restaurants
4. Schools
5. Airplane maintenance facilities
6. Airplane technology based businesses
7. Flight related fueling facilities
8. Retail

**Sec. 110-284. Prohibited Uses.**

The following uses shall be prohibited in the AOD:

1. Any uses, including without limitation that interfere with the Airport Hazard Zoning (AHZ).
2. Any uses, including without limitation that interfere with the Airport Layout Plan (ALP).
3. Any uses in the I-2, General Industrial and RD Rural Development zoning districts which is not listed as a permitted or special use in this Division.

**Sec. 110-285 Special Uses**

The following uses shall be special uses in the AOD.

1. Skydiving Operations
2. Warehousing facilities
3. Distribution facilities
4. Corporate professional offices
5. Cargo facilities

**Sec. 110-286. Appearance Criteria.**

No building permit approval shall be granted for the development of any building, structure or improvement on any parcel in the AOD until the Zoning Administrator or his designee has determined that the proposed development will conform to the following criteria:

**A. Relationship of Buildings to Site and context.**

1. The site shall be planned to provide for efficient screening, airplane movement, auto movement and parking areas.
2. Buildings location, mass, scale, and orientation shall be harmonious with the character of the adjoining structures and ALP.
3. Lot Standards and Setbacks shall follow the underlying zoning regulations except for they must meet any requirements of the ALP, AHZ and FAA.

**B. Building Design**

1. To incorporate an architectural theme for the buildings and other structures in the AOD District, such buildings and structures shall have an airport related theme.
2. Any building or structure in the AOD shall meet the requirements of the AHZ, ALP and FAA in design.

**110-287. Application and Contents.**

Applications for development within the AOD shall be accompanied by the boundary survey, architectural drawings, elevations, landscape plan and site engineering.

- A. The property owner or his agent shall meet with the Community Development Director and Superintendent of Streets/Cemetery/Airport and any other required City staff, to explain the development proposed, discuss procedures and obtain an application form.
- B. The applicant shall file the completed application form, together with the required exhibits and the filing fee, with the Community Development Department.
- C. The Community Development Director or designee shall transmit the application to the Planning and Zoning Commission for review and consideration.
- D. The Planning and Zoning Commission shall determine whether the proposed development is consistent with the requirements of the AOD, including without limitation whether the appearance and arrangement of buildings, off street parking, lighting, landscaping, ingress and egress, drainage, signs and other improvements are designed in a manner that will promote safety and convenience for the public and - preserve property values of surrounding property. Following its consideration, the Planning and Zoning Commission will recommend approval, denial or conditional approval of the application.
- E. The Planning and Zoning Commission's recommendation will be referred to the City Council for final action.

**110-288. Land Use and Development Regulations.**

The land use and development regulations for the underlying zoning classifications shall apply except where they conflict with the AOD regulations. Any site development shall comply with the requirements of the Rochelle Municipal Code.

Commissioner McNeilly suggested that instead of creating a TOD to make it a Commercial District as a B-4 Airport and that would take care of everything. It makes it to confusing to have several districts under the Overlay. Director Limas stated that it would be possible.

McNeilly moved and seconded by Johns, **“I move the Planning and Zoning Commission return to Open Session.”** Motion passed by voice vote without dissent. Colwill moved and seconded by Rodriquez, **“I move the Planning and Zoning commission recommends to the City Council to approve the request of the City of Rochelle for an Airport Zoning District Test Amendment.”** A roll call vote was taken. Ayes: McNeilly, Rodriquez, Shaw-Dickey, Snyder-Chura, Thiele, Colwill, and Johns. Motion passed 7-0.

**Discussion Items:**

Director Limas reported that the Sign Committee has not met so Signage will be on next agenda.

The Planning and Zoning Commission adjourned at 8:26 p.m.

***Bruce W. McKinney***

Bruce W. McKinney, CMC  
City Clerk, City of Rochelle