

PLANNING & ZONING COMMISSION
Monday, June 3, 2019
MINUTES

The Rochelle Planning and Zoning Commission met at 6:00 p.m. on Monday, June 3, 2019 in the Council Chambers of City Hall, 420 N. 6th Street, Rochelle, IL 61068. Present on Roll Call were Board members: McNeilly, Carson, Myers, Snyder-Chura, Wolter, and Thiele. Absent: Colwill. There was a quorum of six present. Non-voting members present were: Chiavini and Leisher. Absent: Huddleston. Also present were Michelle Pease, Rose Hueramo, Mayor John Bearrows and City Attorney Dominic Lanzito.

Minutes: Wolter moved and seconded by Snyder-Chura, **“I move the minutes of the May 6, 2019 Planning and Zoning Commission meeting as presented be approved.”** Motion passed by voice vote without dissent.

Public Commentary: None

Commissioner Comments: None

Business Items: Andy Shaw presented the Enterprise Zone for Pilot. Motion made by Wolter, seconded by Snyder-Chura, **“I move the Planning and Zoning Commission open the Public Hearing for the Enterprise Zone.”** A roll call vote was taken. Ayes: McNeilly, Myers, Wolter, Carson, Snyder-Chura and Thiele. Nays: none. Motion carried 6-0. There was no public discussion on the Enterprise Zone. Motion made by Myers, seconded by Carson, **“I move the Planning and Zoning Commission close the Public Hearing.”** Motion passed by voice vote without dissent. Motion made by Wolter, seconded by Snyder-Chura, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the amended Enterprise Zone.”** A roll call vote was taken. Ayes: McNeilly, Myers, Wolter, Carson, Snyder-Chura and Thiele. Nays: None. Motion passed 6-0.

Motion made by McNeilly, seconded by Carson, **“I move the Planning and Zoning Commission open the Public Hearing regarding Quest/Pilot Flying J proposed plat of annexation and rezone, sign variances, and a preliminary and final plat of subdivision for a travel stop with a convenience store.”** A roll call vote was taken. Ayes: McNeilly, Myers, Wolter, Carson, Snyder-Chura and Thiele. Nays: none. Motion carried 6-0. Pilot Flying J is proposing a plat of annexation to enter into an annexation agreement for 50.40 acres with the City East of I-39 on Route 38, and re-zone 11.995 acres of the property as B-2 to construct a travel stop with a convenience store, passenger fueling, semi-truck fueling and semi-truck parking, and the remaining 38.405 acres re-zoned as Rural Development with the extension of utilities through this property. The property is fronting Route 38 and borders the property to the south with 50.40 acres to the west to be annexed into the city and zoned Rural Development, which will be undeveloped. Staff feels that the petitioner has proposed to enter into an annexation agreement with the City of Rochelle that meets all the standards provided in the Rochelle Municipal Code, that the request for zoning is such that allows this use, and a development in this area will potentially provide a gateway of growth for the community of Rochelle. The proposed development is not dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties,

will not impair light to adjacent property, congest public streets, or increase the risk of fire. Staff recommends that the Planning and Zoning Commission consider recommendation of approval of the plat of annexation and to re-zone the property to B-2 to the City Council.

The petitioner is requesting a variance granting relief from the requirements of Section 110-675 Signs identifying the Property shall be in accordance with the City's sign regulations in effect at the time of the execution of this Agreement, unless variations from such sign regulations have been granted by the City. After all sign variations have been submitted to and granted by the City and all required fees are paid, the City will permit Developer to install and erect signs during the development of the Leased Premises as follows. All signs shall be maintained by the Developer and be kept in good repair and condition. Strict enforcement of the City sign ordinance would create a hardship by making the marketing of the store difficult. This is a multi-use facility adjacent to an Interstate Highway. The petitioner needs to be allowed to safely market themselves to high speed traffic in such a way that allows for safe merging and exit from an interstate. The multiple uses also create the need to more square footage of signage to be allowed. Petitioner asks that the following signs be allowed.

(a) Hi-Rise Signs:

- a. One 9'2" x 24' internally illuminated Pilot cabinet
- b. One 7'3" x 20' internally illuminated PJ Fresh Marketplace cabinet
- c. One 6'5" x 21' Sunshine LED pricer
- d. Each Hi-Rise Sign may be built with an overall height up to 100' with a total square feet of 560.7

(b) Street Sign

- a. One 9'5" x 27' internally illuminated Pilot/PJ Fresh/Sunshine digital pricer goalpost sign

(c) DEF Canopy Pricer

- a. One 6'5" x 6'5" DEF LED Sunshine pricer to be mounted on diesel canopy of truck approach

(d) Directional Signs

- a. Five 5' x 3'2" internally illuminated directional signs

(e) Building signs

Front Elevation

- a. One 10'6" x 4' internally illuminated Pilot wall sign
- b. One 9'2" x 3' internally illuminated PJ Fresh Marketplace sign
- c. One 15' x 10' food graphic sign
- d. One 8'6" x 1' Welcome channel letters

Rear Elevation

- a. One 10' x 10' food graphic sign
- b. One 16' x 1' Welcome Drivers channel letters

(f) Cat Scale Signs

- a. One 5' 4½" x 20' internally illuminated Cat Scale sign
- b. One 2' X 3' internally illuminated Cat Scale sign

Staff feels that since the petitioner has provided documentation of all requested sign variances and previous variances have been granted to other businesses near I 39 along Route 38 such as Petro, with a 100' sign with additional signage and Road Ranger with an 80' sign and additional signage, (see attached list for additional references) the Planning and Zoning Commission should consider approval of the requested variances. The high traffic marketing creates a unique and diversified market approach that the cities current sign ordinance does not address entirely. The proposed signage is not in the City avigation easement and the building meets the proper setbacks required in the International Building Code under heights and areas. The proposed variances are not dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties, will not impair light to adjacent property, congest public streets, or increase the risk of fire. Staff recommends that the Planning and Zoning Commission consider approval of the requested sign variances.

City staff and the Planning and Zoning Commission have reviewed the preliminary and final plat of subdivision for conformance with the comprehensive plan, the provisions hereof, and all other applicable ordinances of the Rochelle Municipal Code. Pursuant to 65 ILCS 5/11-12-8, the Planning and Zoning Commission shall deny or recommend approval of the preliminary and final plat of subdivision within 60 days of the acceptance of the annexation agreement.

The petitioner has proposed to enter into an annexation agreement with the City of Rochelle that meets all the standards provided in the Rochelle Municipal Code, staff has reviewed the proposed preliminary and final plat of subdivision, land improvements have been proposed, a guarantee for completion of improvements have been met per the Rochelle Municipal Code, section 86, easements have been dedicated, and a development in this area will provide a gateway of growth for the community of Rochelle. The proposed development is not dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties, will not impair light to adjacent property, congest public streets, or increase the risk of fire. Staff recommends that the Planning and Zoning Commission consider recommendation of approval of the preliminary and final plat of subdivision to the City Council. Motion made by Wolter, seconded by Carson, "**I move the Planning and Zoning Commission close the Public Hearing.**" Motion passed by voice vote without dissent.

Findings:

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

Yes: 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 variance. 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 variance. Each question should state an answer and give an explanation. If the answer 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: Explanation: _____

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

Yes: No: Explanation: _____

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

Yes: No: 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: 1 No: 5 Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be granted annexation of the Subject Property, without conditions, other than the applicable requirements of the Rochelle Municipal Code.

Motion made by Wolter, seconded by Carson, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed plat of annexation and rezone to Rural Development for 38.405 acres and B2 for 11.995 acres for a travel stop with a convenience store based on the report of findings.”** A roll call vote was taken. Ayes: McNeilly, Carson, Myers, Snyder-Chura, Wolter, and Thiele. Nays: None. Motion passed 6-0.

Findings:

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

Yes: X 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 variance. 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 variance. Each question should state an answer and give an explanation. If the answer 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 variances detrimental or dangerous to public health?

Yes: _____ No: X Explanation: _____

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

Yes: 1 No: 5 Explanation: _____

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

Yes: _____ No: X Explanation: _____

5. Will the proposed variances:

- (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: 1 No: 5 Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be granted the variances for the proposed use at the Subject Property, without conditions, other than the applicable requirements of the Rochelle Municipal Code.

Motion made by Wolter, seconded by Snyder-Chura, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed sign variances based on the report of findings.”** A roll call vote was taken. Ayes: McNeilly, Carson, Myers, Snyder-Chura, Wolter, and Thiele. Nays: None. Motion passed 6-0.

Findings:

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

Yes: 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 variance. 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 variance. Each question should state an answer and give an explanation. If the answer 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 subdivision detrimental or dangerous to public health?

Yes: No: Explanation: _____

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

Yes: No: Explanation: _____

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

Yes: No: Explanation: _____

5. Will the proposed subdivision:

- (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: Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be granted a subdivision for the Subject Property, without conditions, other than the applicable requirements of the Rochelle Municipal Code.

Motion made by Carson, seconded by Myers, **"I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed Preliminary and Final Plat of Subdivision based on the report of findings."** A roll call vote was taken. Ayes: McNeilly, Carson, Myers, Snyder-Chura, Wolter, and Thiele. Nays: None. Motion passed 6-0.

Motion made by Wolter, seconded by Carson, **"I move the Planning and Zoning Commission open the Public Hearing regarding the proposed plat of annexation and rezone for Richard and Francis Quest/Pilot Flying J."** Pilot Flying J is proposing a plat of annexation to enter into an annexation agreement for 50.40 acres with the City East of I-39 on Route 38, West of the East tract being annexed, which will be re-zoned as Rural Development with the extension of utilities through this property. The property is fronting Route 38. Staff feels that the petitioner has proposed to enter into an annexation agreement with the City of Rochelle that meets all the standards provided in the Rochelle Municipal Code, that the request for zoning is such that allows this use, and that the extension of utilities through this property will allow for potential future development in this area. The proposed development is not dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties, will not impair light to adjacent property, congest public streets, or increase the risk of fire. Staff recommends that the Planning and Zoning Commission consider recommendation of approval of the plat of annexation and to re-zone the property to Rural Development to the City Council. Motion made by Carson, seconded by Wolter, **"I move the Planning and Zoning Commission close the Public Hearing."** Motion passed by voice vote without dissent.

Findings:

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

Yes: 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 variance. 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 variance. Each question should state an answer and give an explanation. If the answer 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: Explanation: _____

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

Yes: No: Explanation: _____

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

Yes: No: 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: Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be zoning for the proposed use at the Subject Property, without conditions, other than the applicable requirements of the Rochelle Municipal Code. Motion made by Carson, seconded by Snyder-Chura, **"I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed plat of annexation and rezone to Rural Development for Richard and Francis Quest/Pilot Flying J based on the report of findings."** A roll call vote was taken. Ayes: McNeilly, Carson, Myers, Snyder-Chura, Wolter, and Thiele. Nays: None. Motion passed 6-0.

Motion made by Carson, seconded by Wolter, **"I move the Planning and Zoning Commission open the Public Hearing regarding the proposed text amendment to allow dog training facilities in an I2 zoning district with a conditional use."** Currently within the zoning code there is no location identified for an allowable use, or with a conditional use, for a dog training facility. Recently, the City of Rochelle was approached with the request for a business registration for a dog training facility within an I2 General Industry Zoning District; however, dog training was not found within the zoning in any district. The Planning and Zoning Commission can recommend to the City Council a text amendment to expand or alter the official zoning code district classification list to allow dog training facilities within an I2 General Industry district with a conditional use. Staff feels that by adding the use for a dog training facility to the zoning code district classification list with a conditional use that this will establish an appropriate district for such facilities while allowing staff and the Planning and Zoning Commission to review each dog training facility on a case by case basis. The proposed text amendment is not dangerous to public health, will not impair property values in the neighborhood, will not impede normal development of the surrounding properties, will not impair light to adjacent property, congest public streets, or increase the risk of fire. Staff recommends that the Planning and Zoning Commission consider recommendation of approval of the proposed text amendment to the City Council. Motion made by Wolter, seconded by Carson,

“I move the Planning and Zoning Commission close the Public Hearing.” Motion passed by voice vote without dissent.

Findings:

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

Yes: 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 variance. 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 variance. Each question should state an answer and give an explanation. If the answer 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 conditional use detrimental or dangerous to public health?

Yes: No: Explanation: _____

3. Will the proposed conditional use impair property value in the neighborhood?

Yes: No: Explanation: _____

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

Yes: No: Explanation: _____

5. Will the proposed conditional use:

- (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: Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be granted a conditional use in an I2 General Industry, with a conditional use, without conditions other than the applicable requirements of the Rochelle Municipal Code. Motion made by Wolter, seconded by Carson, **“I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed text amendment to allow dog training facilities in an I2 zoning district with a conditional use based on the report of findings.”** A roll call vote was taken. Ayes: McNeilly, Carson, Myers, Snyder-Chura, Wolter, and Thiele. Nays: None. Motion passed 6-0.

Discussion Items: None

Adjournment: Motion made by Wolter, seconded by Snyder-Chura, **“I move to adjourn the regularly scheduled meeting of the planning and zoning commission of June 3, 2019.”**

Motion carried by voice vote. The Planning and Zoning Commission adjourned at 7:15 p.m.

Rose Hueramo (MK)
City of Rochelle