

PLANNING & ZONING COMMISSION
Special Meeting, Monday, December 11, 2017
MINUTES

The Rochelle Planning and Zoning Commission met at 5:45 p.m. on December 11, 2017 in the Council Chambers of City Hall, 420 N. 6th Street, Rochelle, IL 61068. Present on Roll Call were Board members: McNeilly, Snyder-Chura, Colwill, and Chairman Thiele. Absent: Johns, Carson, Williams, Wolter and Huddleston. There was a quorum of four present. Also present were Michelle Knight, Kip Countryman, Michelle Pease, City Manager Jeff Fiegenschuh, and City Attorney Dominic Lanzito.

Minutes: Colwill moved and seconded by McNeilly, **“I move the minutes of the December 4, 2017 Planning and Zoning meeting be approved.”** Motion passed by voice vote without dissent.

Public Commentary: None.

Commissioner Comments: None

Business Items: The City of Rochelle City Council approved a development agreement and the sale of the historic downtown theater on June 13, 2016. Part of the agreement was for the purchaser of the building to use the building to manufacture liquor, a banquet hall, conduct tours, and hold events. The purchaser will manufacture liquor in the building, and store the product elsewhere. The City of Rochelle passed a zoning ordinance in June of 2016 to allow this type business in the B-1 district. As part of the re-development of the property the petitioner would like to remove the current marquee and replace it with a balcony that would closely resemble the original marquee and use the balcony for assembly events. Since the property lot line is the edge of the building, as is the case with most properties in the downtown, the balcony will actually encroach on city right of way 7 feet out and 37 feet in width. The petitioner is requesting a conditional use to encroach on city right of way a distance of 7 feet out from the property line and 37 feet in width to construct a balcony that will serve as a place of assembly for events. According to Division 2, Conditional Use Permits, the Planning and Zoning Commission shall hold a public hearing on the proposed conditional use. The commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, drainage, and the proposed operation for a recommendation for approval by the planning commission to the city council.

Recommendation: Staff feels that the property has always had a marquee that encroached on city right of way and the petitioner is going to restore the balcony similar to the original design. The use will not endanger the public health (ingress, egress, and guard rails will be present) safety, morals, comfort, and general welfare; is consistent with the land use plan, nor will it diminish or impair property value in the neighborhood, will not impede normal and orderly development of the surrounding property for uses permitted in the district, adequate facilities are being provided, and the use conforms to the applicable regulations of the district in which it is located, and is recommending the conditional use for a balcony for assembly purposes encroaching on city right of way a distance of 7 feet by 37 feet wide. Motion made by McNeilly seconded by Colwill, **“I move the Planning and Zoning Commission recess into a Public Hearing regarding the application of Kenney Farms Distillery LLC, located at 416 Lincoln Highway, for a conditional use to encroach on city right of way a distance of 7 feet out from the property line and 37 feet in width to construct a balcony that will serve as a place of assembly for events.”** A roll call vote was taken. Ayes: McNeilly, Snyder-Chura, Colwill, and Thiele. Nays: none. Motion passed 4-0. Representatives from Gary W. Anderson, architects for the distillery, provided visuals and a description of the proposed balcony. Motion made by McNeilly, seconded by Colwill, **“I move the planning and zoning commission return to open session.”** Motion passed by voice vote without dissent.

