

MINUTES OF THE OTTAWA PLAN COMMISSION
March 28, 2016

Chairman Brent Barron called the special meeting to order at 7:00 p.m. in the Ottawa City Council Chambers.

ROLL CALL

Present: Brent Barron, Mike Buiting, Doug Carroll, Alan Howarter, Debby Reagan, Todd Volker

Absent: Debbie Burns, John Stone

Others: City Planner Tami Huftel

MINUTES OF PREVIOUS MEETING

It was moved by Todd Volker and seconded by Doug Carroll that the minutes of the December 14, 2016 meeting be approved.

Ayes: Barron, Buiting, Carroll, Howarter, Reagan, Volker

Nays: None. Motion carried.

It was moved by Doug Carroll and seconded by Todd Volker that the minutes of the March 7, 2016 meeting be approved. Motion Carried unanimously.

Ayes: Barron, Buiting, Carroll, Howarter, Reagan, Volker

Nays: None. Motion carried.

OLD BUSINESS

- a. *Public hearing on a proposed amendment to Section 118 of the City of Ottawa Municipal Code, Zoning Ordinance. The proposed amendment would add an Estate Zoning District. Moved by Doug Carroll that the public hearing be continued until next month. Second by Mike Buiting.*

Ayes: Barron, Buiting, Carroll, Howarter, Reagan, Volker

Nays: None. Motion carried.

- b. *Public hearing to hear a request from Vegrzyn, Sarver & Associates, Inc for a zoning amendment from B to C-2 at 2112 Somerset Drive, legally described as: lot 4 in Somerset Subdivision, a re-subdivision of part of lots 21 and 22 of Assessor's Subdivision of lots the northeast quarter of section 2 and a re-subdivision of lots 1 through 7 in block 2 in Brush's Addition to the City of Ottawa, all in Township 33 North, Range 3, East of the Third Principal Meridian, according to the Plat thereof, recorded 1 November, 1982 in plat cabinet A, page 159, as Doc #82 05661; situated in LaSalle County Illinois. No one representing the applicant was present. Tami Huftel stated Mr. Rice planned to attend and requested a vote. Commission discussed this case has gone on long enough and were ready to vote. Moved by Alan Howarter that the OPC recommend the City Council deny the zoning amendment from B to C-2 per staff report for 2112 Somerset Dive. Second by Doug Carroll.*

Ayes: Barron, Buiting, Carroll, Howarter, Reagan, Volker

Nays: None. Motion carried.

NEW BUSINESS

- a. *Review and recommendation of Mary Lane Subdivision preliminary and final plat. Tami presented information on behalf of the applicant. All duplexes on Mary Lane are subdivided except this one. This is a formality; nothing is changing except the ability to sell each side separately. Moved by Debby Reagan that the OPC recommend the City Council approve preliminary and final plat for Mary Lane Subdivision. Second by Todd Volker.*

Ayes: Barron, Buiting, Carroll, Howarter, Reagan, Volker

Nays: None. Motion carried.

b. *Nordstrom Investment Properties - Heritage Project Series LLC for a conditional use of a planned unit development in Heritage Harbor Ottawa East Peninsula, Unit 301 including preliminary and final plat located on Leeward Way, legally described as: being a resubdivision of lots 9,10,11,20 and outlot H2 of east peninsula unit 101 and outlot H1 of east peninsula unit 201 at Heritage Harbor Ottawa of the fractional southeast quarter of section 8 and the fractional northeast quarter of section 17, township 33 north, range 4 east of the third principal meridian, all in LaSalle County, Illinois.* Tom Heimsoth on behalf of Heritage Harbor explained ownership of this development has changed. Homeway Homes sold remaining eight lots to John Nordstrom and Shawn Miller, Nordstrom Investment Properties – Heritage Project Series, LLC. Homeway wants to be a builder only. John Nordstrom also explained the project. Residence requested a pool be built. They are proposing to convert 3 lots into a pool. Pool will have its own homeowners association; \$9600 buy in and a yearly maintenance fee. Pool will be the same size, fencing and landscaping as the other two. Small pump house. Also proposing to rotate lot 9 as Ameren located an electrical box where the front door should be. A Chicago architect created a new cottage with an upgraded spec level. Cottages have been the leader in home sales. They will be stick built using local labor. Looking into a “Village concept” for the next plan. Moved by Todd Volker that the OPC recommend the City Council approve the conditional use request for a planned unit development including preliminary plat and final plat per staff report, with the conditions below. Second by Mike Buiting. Ayes: Barron, Buiting, Carroll, Howarter, Reagan, Volker
Nays: None. Motion carried.

- 1.) No unit is occupied as a primary or principal residence; refer to Ordinance No. 014-2011.
- 2.) Updating preliminary and final plat with a revised list of deviations from standards, see below:
 - a. Municipal Code, Section 110-59 variance is requested from tree ordinance. Trees are being planted within the development.
 - b. Municipal Code, Section 118-4(A)(4)(a through c): Variance is requested regarding the front, rear, and side yard setbacks. A minimum of a one foot building setback from the lot line is requested.
 - c. Municipal Code, Section 118-4 (A)(5) variance is requested to allow residential dwellings with its accessories to occupy up to ninety-five percent (95%) of the area of any lot.
 - d. Municipal Code, Section 118-4 (A)(6) and Subdivision Ordinance Section 90-8 D variance is requested to waive the obligation requiring buildings to face or abut a public street.
 - e. Municipal Code, Section 118-4 (A)(7) variance is requested to waive the obligation requiring 20% green space on each residential lot.
 - f. Municipal Code, Section 118-13(C)(2)(d) variance is requested to allow 30 on-site parking spaces and waive the obligation requiring one and one-half (1-1/2) parking spaces for each two bedroom unit and two (2) parking spaces for each three bedroom unit. Over flow parking can be accommodated in the parking lot provided for marina traffic which is immediately adjacent to this property.
 - g. Municipal Code, Section 118-13 (C)(15) variance is requested to waive the obligation requiring all primary structures be a minimum of twenty five feet (25’) from the perimeter property line.
 - h. Municipal Code Section 90-5 (H)(J) variance is requested for minimum block length and maximum cul-de-sac length.
 - i. Municipal Code, Section 90-16 (d) variance is requested to waive the requirement of sidewalks on both sides of the street.
 - j. The enlargement of the existing marina channels and basin as part of this PUD will have the beneficial effect of creating additional flood storage capacity along the Illinois River. This has been documented in HHO’s Joint Permit Application to the US Corps of Engineers and State of Illinois. Because of its location directly on the river, the City will not require stormwater detention for the project.

- c. *McDonalds Corporation for a conditional use permit for a drive-through facility in a C-3 Special Business District at 127 East Norris Drive.* Applicant requested a continuance. Moved by Mike Buiting that the public hearing be continued until next month. Second by Debby Reagan.
Ayes: Barron, Buiting, Carroll, Howarter, Reagan, Volker
Nays: None. Motion carried.

Chairman Brent Barron adjourned meeting at 7:50pm.

Respectfully Submitted,

Tami Huftel, City Planner

2112 Somerset Drive, Staff Report

The applicant, Vegrzyn Sarver & Associates own a pole building located at 2112 Somerset Drive. This structure is currently being used for storage. The property is for sale they did learn of the existing zoning classification until recently.

Section XIX of the City of Ottawa Zoning Ordinance states the Plan Commission shall submit an advisory report to the City Council. The Plan Commission shall not recommend nor shall the City Council grant an amendment to alter the zoning district boundary lines unless it shall make findings based upon the evidence presented to it concerning the following matters:

1. *Existing use(s) and zoning of the property in question;*

The subject site is currently zoned B (Multi-Family) which is intended for single family, two-family and apartments. Existing use of storage is legal non-conforming.

2. *Existing use(s) and zoning of other lots in the vicinity of the property in question;*

When analyzing the impacts of this rezoning it is necessary to look at the surrounding property uses and their zoning. Below is a list of the uses and the zoning of the properties surrounding the subject parcel:

North: County Zoning, large residential parcel
South: A-2 (Single and Two-Family Residential)
West: B (Multi-Family)
East: A-2 (Single and Two-Family Residential)

3. *Suitability of the property in question for uses already permitted under existing regulations;*

With the property housing a pole structure it's not suitable for multi-family. On the other hand the surrounding area is all residential it's questionable whether the pole building fits in.

4. *Suitability of the property in question for the proposed use;*

Since the parcel has a pole building it could be suitable for commercial zoning. However, steady traffic and a commercial use surrounded by residential doesn't fit.

5. *The trend of the development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last zoned; and*

The development trend is residential. The only zoning change taken place is 341 Bellevue Avenue. This was rezoned from residential to commercial. Bellevue Avenue has a mix of residential and commercial uses, so the rezoning fit in the neighborhood.

6. *The effect the proposed rezoning would have on the City's plans for future development.*

The land designations for existing mature and historic neighborhoods in Ottawa that exemplify best practices in creating livable and walkable neighborhoods. These areas are intended to have a mix of land uses and mixed use buildings woven together but predominantly residential in use and character. They include reduced building setbacks, alleys, a variety of street designs. More public open space, squares and greens, civic and commercial uses in prominent locations.

It appears the requested rezoning is not in compliance with the criteria identified in the City of Ottawa Zoning Ordinance. As always, Staff recommends Plan Commission discussion and public comment.

RECOMMENDATION:

Staff recommends the zoning amendment of 2112 Somerset Drive to C-2 (General Business District) be denied.

Heritage Harbor Ottawa, East Peninsula Unit 301, Staff Report

John Nordstrom, Nordstrom Investment Properties Heritage Project Series LLC purchased several lots from Homeway Homes in Heritage Harbor East Peninsula. These are the cottage south of Red Dog. Previously discussed the cottages cannot be used as a primary residence. He is requesting preliminary and final plat approval to consolidate lot 10, 11 and 20 into one lot for an in ground pool. Also, lot 9 is slightly rotated so the front door doesn't face an electrical transformer.

Since this is a condition use for a planned unit development. The following is the list of requirements from the Zoning Ordinance for Planned Unit Development. The Zoning Ordinance specifies the Plan Commission shall not recommend, nor shall the City Council grant a PUD unless it shall make findings based upon the evidence presented to it in each specific case that the conditions noted in the analysis have been met. The following is an analysis in terms of the standards as outlined in the City of Ottawa Zoning Ordinance:

1 The PUD meets the requirements and standards of the PUD regulation.

The plans submitted meet the requirements stated in the Zoning Ordinance under PUD regulations. Heritage Harbor Ottawa is a great example of a planned unit development.

2. The physical design of the PUD efficiently utilizes the land and adequately provides for transportation and public facilities while preserving the natural features of the site.

Proposed change does not affect transportation or natural features.

3. Open space areas and recreational facilities are provided.

Development includes common land for open space. The entire harbor development provides recreational facilities.

4. The modifications in design standards from the subdivision regulations and the waivers in bulk regulations from the zoning regulations fulfill the intent of those regulations.

Clarifications and deviations list is enclosed and will be included on the plat.

5. The PUD is compatible with the adjacent properties and the neighborhood.

Since this area was a marina, this development is compatible with the adjacent parcels.

6. The PUD fulfills the objectives of any comprehensive plan and the planning policies of the City.

The Comprehensive Plan Future Land Use Map identifies the subject site as River Valley Conservation District. This development fits perfectly into the plan.

RECOMMENDATION:

Staff recommends approval of the conditional use permit of the planned unit development with preliminary and final plat approval of the East Peninsula, Unit 301 at Heritage Harbor Ottawa conditional on the following items:

- 3.) No unit is occupied as a primary or principal residence; refer to Ordinance No. 014-2011.
- 4.) Updating preliminary and final plat with a revised list of deviations from standards, see below:
 - A. Municipal Code, Section 110-59 variance is requested from tree ordinance. Trees are being planted within the development.
 - B. Municipal Code, Section 118-4(A)(4)(a through c): Variance is requested regarding the front, rear, and side yard setbacks. A minimum of a one foot building setback from the lot line is requested.
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 - G. Municipal Code, Section 118-13 (C)(15) variance is requested to waive the obligation requiring all primary structures be a minimum of twenty five feet (25') from the perimeter property line.
 - H. Municipal Code Section 90-5 (H)(J) variance is requested for minimum block length and maximum cul-de-sac length.
 - I. Municipal Code, Section 90-16 (d) variance is requested to waive the requirement of sidewalks on both sides of the street.
 - J. The enlargement of the existing marina channels and basin as part of this PUD will have the beneficial effect of creating additional flood storage capacity along the Illinois River. This has been documented in HHO's Joint Permit Application to the US Corps of Engineers and State of Illinois. Because of its location directly on the river, the City will not require stormwater detention for the project.