

MINUTES OF THE OTTAWA PLAN COMMISSION MEETING

August 25, 2014

Chairman Brent Barron called the meeting to order at 7:06 p.m. in the Ottawa City Council Chambers.

ROLL CALL

Present: Barron, Buiting, Burns, Ganiere, Reagan, Stone, Volker

Absent: Howarter, Perry

Others: City Planner Tami Huftel

MINUTES OF PREVIOUS MEETING

Minutes of the June 23, 2014 meeting were approved as published.

Minutes of the July 14, 2014 meeting were approved as published.

OLD BUSINESS

None

NEW BUSINESS

a. Public Hearing – Conditional Use - David and Stephanie Stacy, Garden’s Gate Center and Landscaping, legally described as: lot 1 in North Ottawa Business Park, according to the plat thereof recorded October 4, 1996 as Doc. 96 16829; situated in LaSalle County, Illinois.

The Stacy’s are requesting a Conditional Use for their property located at 611 E. Dayton Road to allow living quarters above a first floor space. Their intent is to construct a new building on the property with retail space and storage on the main floor and a 2 to 3 bedroom residence on the second floor. Once the structure is completed, the Stacy’s will remove an existing building toward the front of the property that is currently used for sales and an office. The Stacy’s noted that their neighbor, MBL, had shown concern that a new structure could interfere with drainage in the area but she advised them that the building is going to be located in the center of their lot and therefore will not impede any natural drainage from the area south to the river. With questions from the Committee, Stephanie confirmed the following: the residence will not be the primary use of the structure, it will have entrances separate and lockable from the rest of the building, there will be no garage included as they already have a service garage on site, they will go through the same building permit process required by any other residential project and the living quarters are to be occupied by them and their two children. Stephanie added that since they began their business at this location, they have experienced inventory loss during non-business hours and considerable damage to their greenhouse and plants when they could not get to the site quickly enough from their current residence during inclement weather. Being able to live on site should eliminate a great percentage of these issues. Tami Huftel confirmed that when a Conditional Use is approved, that designation stays with the property not just the owners. Tom Ganiere also noted that City Ordinance refers to “a” residence being allowed so that would eliminate any concerns about property owners having more than one residence on the property. There being no further questions from the audience or OPC members, it was moved by Ganiere and seconded by Burns that the OPC recommend the City Council approve the request for a Conditional Use to allow living quarters above a retail space located at 611 E. Dayton Road per facts and findings of the Staff Report dated August 22, 2014. Motion carried unanimously.

b. **Public Hearing** – Conditional Use - Kane and Joanne Farabaugh, 736 Chapel Street legally described as: part of lots 1, 2 and 3 in block 2 of green's addition to the City of Ottawa described as follows: beginning at the southeast corner of the said lot 1, thence south 89 degrees 51 minutes 30 seconds west 181.34 feet along the south line of said lots 1, 2 and 3 to the southwest corner of said lot 3; thence north 0 degrees 01 minutes 02 seconds west 232.24 feet along the west line of said lot 3 to a point on the south line of parcel described in document #R 90-00748 recorded January 19, 1990 in the LaSalle County Recorder's Office; thence south 84 degrees 28 minutes 09 seconds east 182.33 feet along said south line to a point on the east line of said lot 1; thence south 0 degrees 01 minutes 14 seconds west 214.21 feet along said east line to the point of beginning, all situated in the city of Ottawa, LaSalle County, Illinois.

Mr. Farabaugh advised the OPC that his request is to allow him to use an existing apartment over a detached 2-car garage as a residence for his in-laws who reside in England but will be staying Ottawa at various times throughout the year. He noted that any remodeling needed will follow City codes and inspections. Decades ago the second floor of this structure was used as living quarters for the owners' chauffer and by today's standards would be considered a studio apartment. There will be no storage of inflammable objects/materials on the first floor of the structure. Tami confirmed with the OPC that the City's most current code does allow living quarters over existing structures as a Conditional Use. Kane added that he has spoken with his nearby neighbors and none have objected to his request. Debbie Burns advised the Committee that since she was involved with sale of this property, she would be abstaining from voting. there being no further questions or discussion from the audience or Committee, it was moved by Volker and seconded by Buiting that the OPC recommend the City Council approve the request for a Conditional Use to allow living quarters over an existing garage at 736 Chapel Street as per findings in the Staff Report dated August 21, 2014. Six (6) ayes, one (1) abstention. Motion carried.

There being no further business, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Nancy C. Stisser
Acting Secretary

STEPHANIE AND DAVE STACY/GARDEN'S GATE - STAFF REPORT

Stephanie and Dave Stacy, owners of Garden's Gate Garden Center and Landscaping request a conditional use to build a new commercial structure with a second floor living space. The living space would be accessory to primary use since they intend to expand business operations with first floor retail space. Typically greenhouse owners/operators live on the property. As you can read in the applicant's letter they've had many issues with not being located on site. Parcels on the south side of Dayton Road are zoned E (Industrial) and D (Commercial – Industrial) on the north side.

CONDITIONAL USE:

The Zoning Ordinance specifies the Plan Commission shall not recommend, nor shall the City Council grant a conditional use unless it makes findings based upon the evidence presented to it in each special 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:

- (a) *That the location and size of the proposed use and the nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the area and compatible with other existing uses.*

Since they are proposing to live on the second floor of a commercial structure this building will be in harmony with the surrounding area.

- (b) *That the kind, size, location and height of the structure and extent of landscaping on the lot are appropriate for the use and will not hinder or discourage the appropriate use of adjoining property or diminish the value thereof*
- (c) *That the design elements of the proposed development, including landscaping, are attractive and suitable in relation to the site characteristics and style of other buildings in the immediate area, and that the proposed use will not alter the essential characteristics of the area or adversely affect property value in the neighborhood.*

The proposed structure would be appropriate for this property and surround areas. Or course it will be well landscaped.

- (d) *That the parking and loading facilities, if applicable, are adequate and properly located and that entrance and exit driveways are laid out to achieve maximum safety.*

Site access is from Dayton Road then into the large parking lot. The current parking and loading facilities are adequate.

- (e) *That the electric wiring, water supply, the sewage disposal, and the stormwater drainage shall conform with all municipal codes and ordinances; comply with all standards of the appropriate regulatory authority; and not unduly burden the capacity of such facilities.*

All proposed construction will comply with codes and ordinances. Also, the site will accommodate any necessary fire or police protection.

- (f) *That the proposed use will provide for the conservation of natural features, drainage basins, the protection of the environment of the area, and sustained maintenance of the development.*

The property does not have any natural features.

- (g) *That the proposed use will not have any detrimental effects on upon the public health, safety, welfare, or property values, and that the proposed use will not conflict with the purpose of this ordinance.*

The proposed use will not have any detrimental effects on the public health, safety, or welfare.

RECOMMENDATION:

Staff recommends the conditional use for a new dwelling unit at 611 East Dayton Road be approved with the following condition: 1.) the dwelling unit shall be accessory to the commercial use.

KANE AND JOANNE FARABAUGH – 736 CHAPEL ST. - STAFF REPORT

Potential purchaser, Kane and Joanne Farabaugh, of 736 Chapel Street is requesting a conditional use to construct living space above the existing detached garage to be used as a “mother-in-law” apartment.

As you may recall last fall we revised city ordinance to permit living space above an existing detached structure, as a conditional use.

CONDITIONAL USE:

The Zoning Ordinance specifies the Plan Commission shall not recommend, nor shall the City Council grant a conditional use unless it makes findings based upon the evidence presented to it in each special 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:

- (a) That the location and size of the proposed use and the nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the area and compatible with other existing uses.*

The home and detached garage is located on rather large city lot (size: 80’ by 190’). The proposed use will be located within the current garage structure and used for family members. This is compatible with the neighborhood.

- (b) That the kind, size, location and height of the structure and extent of landscaping on the lot are appropriate for the use and will not hinder or discourage the appropriate use of adjoining property or diminish the value thereof.*
- (c) That the design elements of the proposed development, including landscaping, are attractive and suitable in relation to the site characteristics and style of other buildings in the immediate area, and that the proposed use will not alter the essential characteristics of the area or adversely affect property value in the neighborhood.*

The proposed use is located inside the structure and will not alter the character of the neighborhood.

- (d) That the parking and loading facilities, if applicable, are adequate and properly located and that entrance and exit driveways are laid out to achieve maximum safety.*

Access to the garage structure is from Chapel and Grafton Street. There appears to be sufficient room for parking within the driveway.

- (e) That streets providing access to the proposed uses are adequate in width, grade, alignment, visibility, and have adequate capacity for the additional traffic and parking generated by the proposed use, and the proposed use will not impede traffic circulation.*

Chapel Street has eighty (60) feet of right-of-way (ROW) which is adequate to handle the traffic for the proposed use.

- (f) That the proposed use shall have easy accessibility for fire apparatus and police protection.*
- (g) That the electric wiring, water supply, the sewage disposal, and the stormwater drainage shall conform with all municipal codes and ordinances; comply with all standards of the appropriate regulatory authority; and not unduly burden the capacity of such facilities.*

The existing structure will accommodate any necessary fire or police protection. All proposed construction will comply with codes and ordinances.

- (h) That the proposed use will provide for the conservation of natural features, drainage basins, the protection of the environment of the area, and sustained maintenance of the development.*

The property does not have any natural features.

- (i) *That the proposed use will not have any detrimental effects on upon the public health, safety, welfare, or property values, and that the proposed use will not conflict with the purpose of this ordinance.*

The proposed use will not have any detrimental effects on the public health, safety, or welfare.

RECOMMENDATION:

Staff recommends the conditional use for living space above the existing detached structure at 736 Chapel Street be approved.