

MINUTES OF THE OTTAWA PLAN COMMISSION MEETING July 27, 2020

Chairman Brent Barron called the meeting to order at 7:05 PM in the Ottawa City Council Chambers.

ROLL CALL - Present: Barron, McConville (via video conference), Ruiz, Sesto, Hughes, Mangold, Stone. Absent: Burns, Volker. Others: City Planner Doug Carroll of Carroll Planning, LLC, Kevin Bressendorf of the Computer Spa.

MINUTES OF PREVIOUS MEETING: Approval of the minutes from the June 1, 2020 meeting. Moved by Stone, seconded by Mangold.

Ayes: Barron, McConville, Ruiz, Sesto, Hughes, Sesto, Mangold.

Nays: None

Motion Carried.

OLD BUSINESS

1. Continuation of a public hearing to consider a text amendment to Chapter 118-7 “D Commercial and Light Industrial District” of the City of Ottawa Municipal Code.

Barron opened the public hearing. Planner Carroll reviewed discussion from the 6/1/2020 public hearing. At that meeting the Plan Commission discussed whether uses allowed in C-1, C-2, and C-3 zoning districts should be allowed in D. Carroll stated after some thought he thought it would be wise to keep those uses as permitted uses in the D district. Carroll stated he anticipates an overhaul of the zoning ordinance once we are finished with the Comprehensive Plan update. Carroll noted anything underlined in the draft ordinance is proposed additions, anything stricken is proposed removal.

Barron asked what happens to current properties in the D district if we make changes. Carroll stated if they are not permitted uses in the proposed language they would become legally nonconforming.

Carroll went over the proposed changes.

McConville asked if a property becomes nonconforming because of the changes could they sell the property. Carroll answered they could.

Barron asked about lighting and if we should have stronger language. Some discussion ensued. Sesto noted you could reference the IBC building code. Carroll stated we could add lighting has to be zero (0) foot candles at the property line.

Moved by Stone to recommend approval of the changes to the D Zoning District with the additional of the additional lighting restrictions. Seconded by Ruiz.

Ayes: Barron, McConville, Stone, Ruiz, Hughes, Sesto, Mangold.

Nays: None

Motion Carried.

NEW BUSINESS

1. Public hearing to consider a rezoning request from James and Kathryn Troccoli from C-2 (General Business) to C-3 (Special Business) for property located at 1915 Champlain Street, Ottawa, IL 61350.

Barron opened the public hearing. Robert Eschbach appeared before the Plan Commission. Eschbach gave a brief overview. He stated the applicant wants to open a gaming cafe and it requires 60% of the space to be a bar. He described the subject lot as “L” shaped with a building in the front towards Champlain Street and a single family home to the rear of the lot. He stated Katie and her family own the land around the subject property and they are all zoned C-2. Across the street there are 3 single family homes, one of those home is owned by the petitioner’s daughter, the other 2 have provided letters in favor of the rezoning. Eschbach stated they are looking to rezone the property C-3 to allow the bar use.

Kathryn Troccoli spoke her own behalf. She noted she has lived on the property for her whole life and the subject property has been in the family the whole time except for a brief period when it was sold out of the family. She said she applied for and received a liquor license, state permits, and a gaming license and then the zoning issue popped up. Her husband did all the work inside the building.

Sesto asked the applicant if she had been open and then subsequently shut down; was it because of COVID-19? Troccoli stated yes and then she tried to renew the liquor license.

Stone noted he drives on Champlain Street frequently and didn’t notice it being open. Troccoli stated it was a soft opening and they were open for 2-3 months.

McConville asked for clarification about what the applicant was asking to rezone. Troccoli stated it was 1915 Champlain and it includes the old greenhouse and the single family house.

Eschbach explained the history of commercial zoning in Ottawa and noted approximately 30 years ago there was only one commercial zoning classification. They then changed it to C-1, C-2, C-3 but he noted there isn’t much difference between the three.

Eschbach referenced the planner’s Staff report and that he agreed with sections 1, 2, 5, and 6 but respectfully disagreed with sections 3 and 4. He noted the report argues against the zoning change because of the nonconforming use but Eschbach noted from a practical standpoint nothing is going to change from this rezoning request. The home will be nonconforming in C-3 just as it is in C-2. If the home burns down it won’t be able to be built again. Eschbach argued

the proposed use is pretty consistent with other uses in the C-2 district and the nonconformity doesn't make any difference in this case. Eschbach noted the nonconforming use is not a detriment to the City.

McConville noted she was concerned this was spot zoning.

Stone stated the comprehensive plan has this area as commercial but he thinks that's a mistake. He noted the residential in the area, the sidewalks, and the bike path. He said he didn't think this zoning is appropriate for the area.

Eschbach stated it is relatively minor going from C-2 to C-3 and Champlain Street is a major collector.

Sesto noted he had a problem with cleaning up something the City apparently messed up. He noted he doesn't necessarily think that's the correct business for the area but he also feels for the applicant in that they were already granted their permits.

Mangold stated he agreed with McConville in that he doesn't like rezoning a lot in the middle of the block.

Hughes stated she was trying to understand the timeline and asked if any of the other property owners had any opinions. Some discussion ensued about ownership of the surrounding lots.

Barron asked who should have been notified, Carroll stated adjacent property owners.

McConville noted she was concerned we are setting a precedent.

Barron stated whether we zone it C-3 or not we still have a nonconformity. Eschbach agreed.

Barron wondered why the whole chunk of surrounding properties wasn't zoned C-3 originally.

Trocolli speculated it was done in error.

Barron recapped: the City issued a liquor license last year, the State issued a gaming license, the County Health Department did their inspections but you don't have a current City license because the zoning is wrong.

Mangold questioned what the permits had to do with the rezoning request.

Some general discussion ensued about zoning classifications of properties from Norris Drive north past Bellevue.

Barron asked Carroll if the zoning request is rejected what uses could go in the building. Carroll noted uses in C-2.

Being no further discussion, Sesto made a motion to recommend rezoning 1915 Champlain Street from C-2 to C-3 to operate a bar with video gaming. Barron seconded.

Ayes: Sesto, Barron

Nayes: McConville, Stone, Ruiz, Hughes, Mangold.

Motion fails.

2. Consideration of the Final Plat of Lot 4 of Janko Plaza Planned Unit Development located north of East Etna Road and east of Columbus Street.

Michael Shamsie (remote via phone) spoke on behalf of the petitioner. He stated the applicant is intending on constructing an automatic car wash on lot 4 in Janko Plaza. He noted there will be one to two employees per shift and access is provided via a private drive.

Barron asked for clarification on the access points. Shamsie noted there are two access points off of Fairfield Lane which is a private drive. Barron asked how many parking stalls are planned. Shamsie thought there were twenty.

Stone asked if there was a similar car wash in the area. Shamsie said there is one in Peru by Menards. Stone then asked about car stacking and hours of operation. Shamsie said the facility would close at about 7:00 or 8:00 pm and there is enough stacking for twelve cars.

McConville noted she is concerned with the northwest entrance conflicting with the Culver's located to the west. Shamsie said they could also use the southwest entrance.

Barron asked about future development with the remaining lot. Carroll stated the City has been in discussion with a user.

Sesto said he is concerned with the amount of traffic and conflict with he Culver's. Hughes agreed that traffic is an issue. Ruiz also agreed that traffic is a concern but the car wash is permitted and he noted some days traffic will be less than others.

Being no further discussion, motion was made by Stone to recommend approval of the final plat of lot 4 of Janko Planned Unit development. Seconded by Ruiz.

Ayes: Barron, McConville, Stone, Ruiz, Hughes, Sesto, Mangold.

Nays: None

Motion Carried.

DISCUSSION

Barron asked what kind of safety measures does the City have on landscaping when a developer comes in and then two years later it is dead. Carroll stated it would fall under the design review ordinance. He wasn't sure what the time frame is.

Stone asked about the repaving on Norris Drive and if anything different was being done at Paul St. Carroll stated IDOT did a traffic study and it warranted some different striping but no other improvements.

Barron asked about the comprehensive plan. Carroll stated Teska would be in town the following week to look at the study areas.

McConville stated she was in Rochester, Minnesota and what they have done with their bike lanes is impressive.

Being no further business, Barron adjourned the meeting at 9:00 PM.

Respectfully submitted,
Douglas Carroll, AICP
Carroll Planning, LLC