

MINUTES OF THE OTTAWA PLAN COMMISSION MEETING

January 27, 2014

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

ROLL CALL

Present: Barron, Buiting, Ganiere, Howarter, Perry, Stone, Volker

Absent: Burns, Reagan

Others: City Planner Tami Huftel

MINUTES OF PREVIOUS MEETING

Minutes of the November 18, 2013 meeting were approved as published, with 1 abstention.

Minutes of the November 25, 2013 meeting were approved as published, with 1 abstention.

Minutes of the January 13, 2014 meeting were approved as published, with 1 abstention.

Chairman Barron welcomed Tom Ganiere back to the Ottawa Plan Commission board. Tom is a former member of the OPC and was appointed by the City Council to fulfill the current term of James Less who now serves as a City Commission filling the term of the late Ed Whitney.

OLD BUSINESS

None

NEW BUSINESS

a. **Public Hearing** – Request for Conditional Use Permit for living space above a garage at 738 E. Main Street (lot 15 in block 18 in Green's Addition to the town (now city) of Ottawa, in the city of Ottawa, county of LaSalle and State of Illinois.

Attorney Tom Justice, representing the property owner Keith Nugent, advised members that Nugent is requesting a Conditional Use for living quarters above an existing detached garage at 738 E. Main Street. He noted that: the property already has a B zoning classification which allows for multi-family and apartments, the use would fit in with the existing neighborhood and that such use is in compliance with a City Ordinance passed 7/13 that allows such living quarters, based on Conditional Use approval. The existing deck off the back of the upper level of the structure already has a 6 ft. privacy fence and one down the stairs to ground level which eliminates future residents from viewing adjacent properties. Tami Huftel said that a neighbor expressed concern about the view and noise from a second floor occupancy. Justice said that because of the existing privacy fence and the fact that the property owner is very conscientious about his tenants' behavior, these matters should be of no concern. It was also noted that the living quarters were originally built for occupancy by the owner's parents. All inspections have been made and the work is above codes. Although the structure is on the property line, that was allowed at the time of the garage construction and if the structure would need to be rebuilt in the future a five ft. set-back from the property line would be required. Barron added that this request for Conditional Use is for a residence only and does not include any other uses that could be covered by the term Conditional Use. There being no further questions from the audience or OPC members, it was moved by Howarter and seconded by Ganiere that the OPC recommend the City Council approve the request for a Conditional Use to allow living quarters above a detached garage at 738 E. Main Street per facts and findings of the Staff Report dated January 20, 2014. Motion carried unanimously.

b. **Public Hearing** – Zoning amendment for A-2 to C-3 for vacant parcel north of 410 W. Norris Drive.

As there was no one present representing the petitioners and Tami advised that proper written notification to adjacent property owners had not been accomplished, it was moved by Volker and seconded by Buiting that this Public Hearing be continued until the next regular Plan Commission meeting scheduled for February 24, 2014. Motion carried unanimously.

c. Members agreed to begin the OPC meeting on February 24, 2014 at 6:30 p.m. to allow enough time for that night's agenda. Tami will advise interested parties and the absent OPC members of the time change.

d. Tami encouraged members to attend the upcoming Public Meeting on February 3, 2014 being presented at 6:30 p.m. by representatives from the University of Kansas regarding the building, land uses, possible grants, etc.

e. Informal discussion on Comprehensive Plan: Land Use Map update.

Tami presented the future land use map drafted by Ginkgo Planning. The commission discussed limiting the residential areas, proposed bridges and routes, changing business to industrial at the I-80 & Route 71 interchange and etc.

Chairman Barron adjourned the meeting at 7:55pm

Respectfully submitted,

Tami Huftel
on behalf of secretary, Debbie Burns

STAFF REPORT:

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.*

Both sides of Main Street are zoned multi-family. The detached garage is at or on the side property line with a large second story deck located about a foot away from the back property line. As you may recall in April of 2006 the ordinance was changed to require five foot setbacks on accessory structures. These setbacks could be of concern to adjacent property owners.

- 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. However, the proximity of this accessory structure to an adjacent property is very close.

- 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 structure is from Main Street, then back to the accessory structure. 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.*

Main Street has eighty (80) feet of right-of-way (ROW) which is adequate to handle the traffic for the multi-family 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.*

This existing structure will accommodate any necessary fire or police protection.

- 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 of living space located above the detached structure at 738 East Main Street be approved.