

**MINUTES OF THE OTTAWA PLAN COMMISSION
RESCHEDULED MEETING
August 29, 2016**

Vice-Chairman John Stone called the meeting to order at 7:08 p.m. in the Ottawa City Council Chambers.

ROLL CALL

Present: Buiting, Burns, Carroll, Etscheid, Reagan, Stone, Volker, Barron (after roll call)

Absent: Volker

Others: City Planner Tami Huftel

MINUTES OF PREVIOUS MEETING

Minutes of the March 28, 2016 meeting were approved as published.

Minutes of the June 27, 2016 meeting were approved as published.

OLD BUSINESS

None

NEW BUSINESS

a. Public Hearing – Request for Rezoning 620 West Madison Street from B to C-3 by MLC Irrevocable Trust #020812, legally described as East half of lots 9 and 14, except the west 20 feet of said lot 9 and 14, in block 95 to States Addition, LaSalle County, Illinois.

Mr. Tom Reynolds advised the OPC Board that the parcels of 618 and 620 West Madison Street were purchased from Ron Calloway several years ago. The current owners, MLC Irrevocable Trust, may now wish to sell the properties and would like the long standing B zoning of 620 West Madison Street be changed to C-3 Special Business to conform with the C-3 zoning of 618 West Madison Street. As the two buildings are adjoining with an interior access between them and the main portion of the bar/business is in the west/620 half and both properties have been a commercial use for 30 years, the current owners are request the zoning change. Debby Reagan confirmed with Mr. Reynolds that the appropriate signage publicizing the zoning change request had been posted on the property in advance of this meeting. There being no further questions from the audience or OPC members, it was moved by Etscheid and seconded by Carroll that the OPC recommend the City Council approve the request for a zoning change from B to C-3 (Special Business) for the property known as 620 West Madison Street, PIN #21-11-144-006 per facts and findings of the Staff Report dated August 24, 2016.

Ayes: Barron, Buiting, Burns, Carroll, Etscheid, Howarter, Reagan, Stone

Nays: None. Motion carried.

b. Public Hearing – TMC ILLINOIS 2, LLC / CVS requests a zoning amendment from A-2 to C-3 and a conditional use for a drive-thru facility located 1621 Paul Street (Brown) 110 E. Norris (Family Video), 1625 Paul Street (Howard), 1618 Columbus (American Trust #2020), 1626 Columbus Street (Grundy Trust #1487), and Alley.

Andrew Kolb of Vanek, Larson & Kolb, attorney for TMC ILLINOIS, introduced other staff personnel and explained to the Board the 6 properties located in the NE portion of the intersection of Columbus and East Norris Drive that will be included in this 1.8+ acre CVS® project. Although the Family Video parcel is already zoned C-3, which allows a

full-service pharmacy, a “Conditional Use” request is needed for the planned drive-thru facility. The remaining 5 parcels zoned A-2 will require a zoning change to C-3-Special Business. He then referred members to the exhibits/binders they had been provided in advance for any questions. It was noted the 13,225 sq. ft. building entrance will be at the southwest corner of the structure with 2-way traffic for parking access and a northbound single lane drive-thru on the east side of the building. There will be no access to the site from East Norris Drive. Following are questions and comments from the OPC members:

- Buiting - concerned about the short distance between E. Norris Drive, Steve’s Bakery entrance and CVS® exit. Kolb advised the next property to the north is part of the abandoned Feeder Canal owned by the IDNR and no clear title is available to that land. They will only long term lease the property not sell it to anyone so that is too risky for the developers.
- Barron asked about screening provisions for adjacent residences to the north – Kolb referenced the landscaping exhibit indicating the placement of fencing, bushes, etc. for a good transition from business to residential.
- Howarter asked for # of parking spaces – total of 72, including 2 HC on each side of the front entrance.
- What traffic studies were done? – traffic patterns, counts and future traffic until 2023 were considered. All results were within IDOT guidelines and they consider the project feasible.
- Stone – concerned about the increase in traffic that will now be traveling north on Paul Street, which is narrow.
- Reagan – where & when will merchandise deliveries be made at the site? – large truck once a week on north side of building. Trucks will not be on Paul Street they will back in to unload and exit onto Columbus. Smaller (UPS size) trucks will use front door and deliver in non-peak hours.
- Will the store be open 24 hours a day? – Hours of operation are expected to be 7 or 8 am to 10 pm.
- Carroll – what time of year was the traffic study done? – in June.
- Buiting – there is no protected left anywhere – it would be good if Deleon and Nebraska Streets could be connected and have traffic lights.

Chairman Barron asked the audience for questions/comments:

- Karl Lengfelder – owner of property immediately to north – concerned about whether the fencing would eliminate the flash of headlights using the northbound lane drive-thru, the noise of unloading semi-trucks, the heavy traffic that will be created on Paul Street in a (still) residential neighborhood. Questioned if this should be considered “spot zoning”.
- Cleve Threadgill – current Superintendent of OES and former Principal at Jefferson School – this is a K-4 school, many of these little walk to school, concerned about those on Nebraska Street with the increase of traffic.
- Paul Koenig – owns property at Paul & Nebraska, asked by neighbors to represent them-Paul Street is not adequate to carry the amount of new traffic that will be created. Drivers will learn to use Nebraska to cut to Paul rather than turn off Norris Drive. This will create a strain on this residential area.
- Brenda Launius – owns properties 1706 to 1720 Columbus Street – concerned if a decision is made to straighten Nebraska to align with Deleon it will go thru her properties/business.
- Mary Ganiere – former resident of the neighborhood and OES Grade School Board member- concerned about the increase in traffic in the already highly used Nebraska Street by residents of the County Housing complex to the east as well as the clients to the

nearby day care location. Suggested perhaps a traffic study be done during the school year to get a better idea of the volume.

●Marty Reynolds – property owner – Nebraska Street curves to the south to meet with Paul Street, there is no stop sign and Paul Street can't handle more traffic. How much will his property be affected by the parking lot lights at night?

OPC follow-up:

●Barron – total # of employees? – twelve to eighteen, from 3-5 and up to 10 at one time
●Buiting – Paul & Nebraska Streets are not ready for this kind of traffic and wider sidewalks need to be created.

●Stone – there is a considerable difference in current traffic count at Family Video and the increase there will be with CVS® at that same location.

●Barron- why isn't all the existing alley being closed? Developers proposed closure but City's DRC requested west portion (north of Steve's Bakery) be left open

●Barron – which direction does the property drain? Mostly to Norris Drive, developers will be adding to the existing underground storm detention at Family Video.

●Reagan – why isn't the building being built closer to Norris Drive with parking layout redesigned? CVS® wants convenient parking with no customer having to walk more than 100 ft. to the front door.

●Burns – when Gingko performed a study of this area in the spring was a traffic impact survey included? Tami advises one was not done in conjunction with their work.

There being no further questions or discussion from the audience or Committee, it was moved by Carroll and seconded by Etscheid that this Public Hearing with TMC ILLINOIS be continued until the next regular Ottawa Plan Commission meeting on Monday, September 26, 2016 at 7 p.m.. Motion carried unanimously.

c. Public Hearing – Heritage Harbor Ottawa requests a conditional use for a Planned Unit Development including preliminary and final plat for Heritage Harbor West Peninsula Unit 1A and Unit 6 along Waterside Way, legal descriptions below.

Tom Heimsoth presented Unit 6 preliminary and final plat. He stated these lots will be single family as planned in the preliminary plat. Then he presented preliminary and final plat of Unit 1A, stating this will subdivide an outlot adjacent to the harbor containing the harbor walk. Property owners expressed interest in building a path to the water either on their own or with the adjacent property. Each parcel will be joined with adjacent parcel. No building will be allowed at they are in the floodplain. Moved by Al Howarter that the OPC recommend the City Council approve the conditional use for a planned unit development including preliminary and final plat of Heritage Harbor West Peninsula Unit 1A and Unit 6 per staff report including the following conditions on Unit 1A:

- 1.) Lots shown, 13A to 21A shall be joined together with adjacent lot and neither lot shall be sold or transferred without the other.
- 2.) Structures shall not be permitted on lots 13A to 21A.

Second by Doug Carroll.

Ayes: Barron, Buiting, Burns, Carroll, Etscheid, Howarter, Reagan, Stone

Nays: None. Motion carried.

There being no further business, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Nancy C. Stisser
Acting Secretary

Heritage Harbor Ottawa, legal descriptions:

UNIT 1A: THAT PART OF OUTLOT "H" AND OUTLOT "I" IN WEST PENINSULA UNIT 1 AT HERITAGE HARBOR OTTAWA, BEING A SUBDIVISION OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 33 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED ON SEPTEMBER 26, 2008 AS DOCUMENT NUMBER 2008-21917 IN THE OFFICE OF THE LASALLE COUNTY RECORDER OF DEEDS, ALL IN LASALLE COUNTY, ILLINOIS, BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS: COMMENCING AT THE EASTERNMOST CORNER OF SAID OUTLOT "H", SAID POINT ALSO BEING ON THE SOUTHWESTERLY LINE OF MARINA UNIT 1 AT HERITAGE HARBOR OTTAWA ACCORDING TO THE PLAT RECORDED JUNE 15, 2009 AS DOCUMENT NUMBER 2009-15400 IN THE OFFICE OF THE LASALLE COUNTY RECORDER OF DEEDS; THENCE SOUTH 19°16'45" WEST ALONG THE SOUTHEASTERLY LINES OF SAID OUTLOT "H" AND SAID OUTLOT "I", 135.74 FEET TO TO THE SOUTHERNMOST CORNER OF SAID OUTLOT "I", ALSO BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WATERSIDE WAY, AS PLATTED IN SAID WEST PENINSULA UNIT 1 OF HERITAGE HARBOR OTTAWA; THENCE NORTH 70°43'15" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, 48.00 FEET TO THE WESTERNMOST CORNER OF SAID OUTLOT "I"; THENCE NORTH 19°16'45" EAST, 92.00 FEET TO THE NORTHERNMOST CORNER OF SAID OUTLOT "I"; THENCE NORTH 70°43'15" WEST ALONG THE SOUTHWESTERLY LINE OF SAID OUTLOT "H", 155.48 FEET; THENCE NORTH 83°50'57" WEST ALONG THE SOUTHERLY LINE OF SAID OUTLOT "H", 65.05 FEET; THENCE SOUTH 77°10'13" WEST ALONG SAID SOUTHERLY LINE, 56.37 FEET; THENCE SOUTH 71°28'57" WEST ALONG SAID SOUTHERLY LINE, 197.23 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE, 15.70 FEET ALONG AN 81.50 FOOT RADIUS CIRCULAR CURVE TO THE RIGHT WITH A CHORD BEARING OF SOUTH 76°59'59" WEST AND CHORD DISTANCE OF 15.67 FEET TO THE NORTHWESTERLY CORNER OF LOT 13 IN SAID WEST PENINSULA UNIT 1 AT HERITAGE HARBOR OTTAWA; THENCE NORTH 7°05'31" WEST ALONG THE NORTHERLY EXTENSION OF THE WESTERLY LINE OF SAID LOT 13, 54.30 FEET TO THE NORTHERLY LINE OF SAID OUTLOT "H"; THENCE SOUTH 63°23'42" EAST ALONG SAID NORTHERLY LINE, 15.49 FEET; THENCE NORTH 71°28'57" EAST ALONG SAID NORTHERLY LINE, 175.04 FEET; THENCE CONTINUING ALONG SAID NORTHERLY LINE, 200.54 FEET ALONG A 304.00 FOOT RADIUS CIRCULAR CURVE TO THE RIGHT WITH A CHORD BEARING OF SOUTH 89°37'09" EAST AND A CHORD DISTANCE OF 196.93 FEET; THENCE SOUTH 70°43'15" EAST ALONG THE NORTHEASTERLY LINE OF SAID OUTLOT "H", 167.80 FEET TO THE POINT OF BEGINNING. CONTAINING 28,144 SQUARE FEET (OR 0.646 ACRES), MORE OR LESS.

UNIT 6: THAT PART OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 33 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN LASALLE COUNTY, ILLINOIS, BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS: COMMENCING AT THE EASTERNMOST CORNER OF OUTLOT "H" IN WEST PENINSULA UNIT 1 AT HERITAGE HARBOR OTTAWA, ACCORDING TO THE PLAT RECORDED ON SEPTEMBER 26, 2008 AS DOCUMENT NUMBER 2008-21917 IN THE OFFICE OF THE LASALLE COUNTY RECORDER OF DEEDS, SAID POINT ALSO

BEING ON THE SOUTHWESTERLY LINE OF MARINA UNIT 1 AT HERITAGE HARBOR OTTAWA ACCORDING TO THE PLAT RECORDED JUNE 15, 2009 AS DOCUMENT NUMBER 2009-15400 IN THE OFFICE OF THE LASALLE COUNTY RECORDER OF DEEDS; THENCE SOUTH 70°43'15" EAST ALONG SAID SOUTHWESTERLY LINE, 361.28 FEET; THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE, 22.91 FEET ALONG A 104.00 FOOT RADIUS CIRCULAR CURVE TO THE RIGHT WITH A CHORD BEARING OF SOUTH 64°24'38" EAST AND A CHORD DISTANCE OF 22.86 FEET TO THE NORTHEASTERLY EXTENSION OF THE NORTHWESTERLY LINE OF OUTLOT "P" IN WEST PENINSULA UNIT 2 AT HERITAGE HARBOR OTTAWA, ACCORDING TO THE PLAT RECORDED ON APRIL 14, 2011 AS DOCUMENT NUMBER 2011-08649 IN THE OFFICE OF THE LASALLE COUNTY RECORDER OF DEEDS; THENCE SOUTH 19°16'45" WEST ALONG SAID NORTHEASTERLY EXTENSION AND ALSO SAID NORTHWESTERLY LINE, 133.98 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WATERSIDE WAY, AS PLATTED IN SAID WEST PENINSULA UNIT 2 AT HERITAGE HARBOR OTTAWA; THENCE FOLLOWING SAID NORTHEASTERLY RIGHT-OF-WAY LINE, 8.03 FEET ALONG A 43.00 FOOT RADIUS CIRCULAR CURVE TO THE LEFT WITH A CHORD BEARING OF NORTH 65°22'11" WEST AND A CHORD DISTANCE OF 8.02 FEET; THENCE NORTH 70°43'15" WEST ALONG SAID NORTHEASTERLY

RIGHT-OF-WAY LINE, 376.02 FEET TO THE SOUTHERNMOST CORNER OF OUTLOT "I" IN AFORESAID WEST PENINSULA UNIT 1 AT HERITAGE HARBOR OTTAWA; THENCE NORTH 19°16'45" EAST ALONG THE SOUTHEASTERLY LINES OF OUTLOT "I" AND OUTLOT "H" IN SAID WEST PENINSULA UNIT 1 AT HERITAGE HARBOR OTTAWA, 135.74 FEET TO THE POINT OF BEGINNING. CONTAINING 52,109 SQUARE FEET (OR 1.196 ACRES), MORE OR LESS.

STAFF REPORTS

MEMO TO: Plan Commission
FROM: Tami L. Huftel
DATE: August 24, 2016
REQUEST: Rezoning from B (Multi-Family) to C-3 Special Business
LOCATION: 620 West Madison Street
COMPREHENSIVE PLAN: Traditional Neighborhood Residential

DISCUSSION:

The applicant proposes to rezone 620 West Madison from B (Multi-family) to C-3 (Special Business District). MLC Irrevocable Trust owns both 618 and 620 West Madison Street; 618 W. Madison is already zoned commercial (C-3). Owner states both properties have been a commercial use for 30 years. They are in the processes of selling the property.

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/or multi-family residential district.

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:** B (Multi-Family)
- South:** B (Multi-Family)
- West:** C-1 (Small Business District)
- East:** C-3 (Special Business District)

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

This parcel is not suitable for the existing zoning classification as it's a commercial building.

4. *Suitability of the property in question for the proposed use;*
Property is suitable for commercial since it's a commercial structure.

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 trend in this area is commercial.

6. *The effect the proposed rezoning would have on the City's plans for future development.*
The Comprehensive Plan recommends the future land use of this area be Traditional Neighborhood Residential. According to the comprehensive plan Traditional neighborhood Residential states" land use area incorporate the principles that are used in the mature historic residential sections of Ottawa. These areas are intended to have a mix of land use 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 spaces, squares and green, civic, and commercial uses in prominent locations. By the statements made in the comprehensive plan, this area could be either zoning classification.

It appears the requested rezoning is in compliance with the criteria identified in the City of Ottawa Zoning Ordinance. As always, Staff recommends Plan Commission discussion and public comment.

RECOMMENDATION:

Subject to any public comment, Staff recommends the rezoning of 620 West Madison to C-3 (Special Business) be approved.

TO: Members of Plan Commission
FROM: Tami L. Huftel
DATE: August 26, 2016
REQUEST: Heritage Harbor Ottawa requests conditional use for a planned unit development including preliminary and final plat for:

- West Peninsula Unit 1A
- West Peninsula Unit 6

CURRENT ZONING: C-3 Special Business
COMPREHENSIVE PLAN: River Valley Conservation District

DISCUSSION:

The applicant is requesting a conditional use permit for a planned unit development including the preliminary and final plat for the west peninsula, Unit 1A and Unit 6. Preliminary and final plat

for Unit 1A proposes to subdivide an existing outlot containing the harbor walk. The subdivided lots would be joined with the adjacent lot and an easement would be created for the harbor walk.

Preliminary and final plat for Unit 6 will create eight single family lots. Again these lots will incorporate a once planned outlot. .

Since this is a conditional 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.

Heritage Harbor Ottawa is a great example of a planned unit development project.

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.

The overall design of the subdivision utilizes the natural features, which included expansion of the harbor.

3. Open space areas and recreational facilities are provided.

This particular unit does not have much is any open space. However when looking at the entire development they will be providing a great deal of open space and recreation 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.

If applicable, variances from subdivision and zoning ordinance are listed on the plats.

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 subject site as River Valley Conservation District. Purpose of this district is not to prevent growth, but to encourage growth that celebrates and is sensitive to the area's natural assets. Land uses should not have a negative impact on Ottawa's natural assets. Future development in the district should be fitting to and benefit from the natural surroundings. This project meets the objectives of the comprehensive plan.

RECOMMENDATION:

Staff recommends approval of the conditional use permit of the planned unit development including preliminary and final plat for the **West Peninsula, Unit 1A** at Heritage Harbor Ottawa with the following conditions:

3.) Lots shown, 13A to 21A shall be joined together with adjacent lot and neither lot shall be sold or transferred without the other.

4.) Structures shall not be permitted on lots 13A to 21A.

Staff recommends approval of the conditional use permit of the planned unit development including preliminary and final plat for the **West Peninsula, Unit 6** at Heritage Harbor Ottawa.