

PLANNING & ZONING COMMISSION MEETING MINUTES
February 5, 2008 - 7:00 p.m.

City Clerk Wells called the meeting to order at 7:00 p.m. and called roll. Commission members present: Glenda Miller, Jim Pagles, John Killeen and Carl Opper. Commission members absent: Harry Stafford, Mark Hinterlong and Ken Gabrys. Also present were Mayor Nolan, City Administrator Nelson and Community Development Director Santeler .

Moved by Pagles, seconded by Killeen to nominate Glenda Miller to serve as Chairman Protem for the meeting. All ayes. Motion carried.

Planning and Zoning Commission Minutes of December 4, 2007 – Approved

Moved by Opper, seconded by Killeen to approve the minutes of the Planning and Zoning Commission meeting of December 4, 2007, as presented. All ayes. Motion carried.

Ryan Peters/Conditional Use for Apartments Above a First Floor Business Use @ 59 N. Ayer St.

Chairman Pro-Tem Miller opened the hearing in the petition of Ryan Peters for a Conditional Use for Apartments Above a First Floor Business Use at 59 N. Ayer St. The fees have been paid. The Certificate of Publication was noted and entered into the record. Certified notices were sent to adjacent property owners. Clerk Wells presented into record the signed petition for a conditional use as submitted by the petitioner.

Support/Objections

Chairman Pro-Tem Miller asked for the identification of any objectors or supporters. There were none.

Petitioner Ryan Peters, 1709 Walnut Dr., Woodstock, IL 60098 was present. Upon being sworn in, the petitioner reviewed his petition for a conditional use to allow four apartments above a first floor business use located at 59 N. Ayer St. The petitioner reviewed the layout of the building which is currently set up for four apartments; each unit is approximately 950 sq. ft. with two bedrooms, eat-in kitchen and living room. The petitioner noted he is working with the Historic Preservation Commission on exterior building improvements and felt that reinstating the four apartments would benefit the Downtown Historic Preservation District.

Chairman Pro-Tem Miller opened the floor to questions from the Commissioners.

The Commission discussed reducing the number of apartments and utilizing some of the square footage for offices instead of apartments.

The Commission discussed off-street parking provisions. The petitioner suggested that tenants could park by the railroad tracks or wherever the City deemed appropriate. He has also had conversations with Castle Bank to use their parking lot for four parking spaces. The petitioner stated he was willing to purchase property somewhere around the downtown district for parking and noted there was property at 4th/Diggins which could be split into two lots and used for parking. Commissioner Killeen noted he wasn't aware of any property for sale convenient to the property and recommended that the petitioner provide a specific plan for parking per city requirements to provide 2 parking spaces per unit.

Staff Report

Community Development Director Santeler noted that off-premise parking would require additional approval and stated that the apartments have been vacant for over a year resulting in a loss of their legal non-conforming status. Historically, over the last twelve years, businesses on Ayer St. have been granted only one upstairs apartment. Steve further noted the property is located in the Downtown Historic Preservation District which will have a specific set of rules and criteria for exterior work as established by the Historic Preservation Commission.

Mayor Nolan stated that it has been the practice of the City Council to limit the number of apartments in the downtown area after they have lost their non-conforming status to one apartment. The last conditional use granted was for a single apartment with a garage in the back to provide for off-street parking. The Mayor did not think the City Council would approve four apartments and suggested the petitioner work with the Community Development Director to put together plans to reduce the number of apartments with appropriate off-street parking provisions.

After further discussion, moved by Killeen, seconded by Opper to table the hearing until the next regular Planning and Zoning Commission meeting on March 4th, 2008, with the petitioner to resubmit plans for a reduced number of apartments. All ayes. Motion carried. The petitioner was advised to have plans re-submitted the week before the hearing to be mailed to the Commission.

Moved by Opper, seconded by Pagles to close the Peters hearing. All ayes. Motion carried.

City of Harvard/Text Amendment Regarding Accessory Uses for Non-Profit Purposes/Community Use

Chairman Pro-Tem Miller opened the hearing in the petition of the City of Harvard. The Certificate of Publication was noted and entered into the record. Clerk Wells presented into record the signed petition submitted by the petitioner.

City Administrator Dave Nelson reviewed the City's petition and proposed ordinance amending Section 17.36.050, Size of Accessory Uses. The City has worked with non-profit agencies such as Milk Days, Jaycees, Lion's Club, etc. throughout the years to build accessory use structures in the parks and has reached the maximum limit of accessory uses on any given zoning lot as allowed under the zoning code. As a result, under the zoning code, any future accessory use structures would require a public hearing before the Planning and Zoning Commission for a variation. The City is requesting that the Planning and Zoning Commission consider the proposed text amendment which provides an exception to the size requirements for City-owned property subject to the following conditions:

1. The accessory uses shall be limited to those used for non-profit purposes and/or community use; and
2. All plans, schematics and blueprints shall be submitted to and approved by the Community Development Director; and
3. Final placement and permission to erect such accessory uses shall be determined and approved by the City Council.

Moved by Opper, seconded by Pagles to recommend to the City Council approval of the petitioner's request as presented for a text amendment to the Harvard Zoning Ordinance Regarding Accessory Uses for Non-Profit Purposes and Community Use. Roll call vote: Pagles, aye; Killeen, aye; Opper, aye and Miller, aye. Motion approved four to zero.

At 7:45 p.m., moved by Opper, seconded by Killeen to adjourn the meeting. All ayes. Motion carried.

Submitted by:

City Clerk Andy Wells

Date: _____