

PLANNING & ZONING COMMISSION MEETING MINUTES

September 7, 2010 - 7:00 p.m.

In Chairman Smith's absence, it was moved by Pagles, seconded by Killeen to appoint Glenda Miller as Chairman Protem for the meeting. Roll call vote: Miller, aye; Pagles, aye; Killeen, aye and Moede, aye. Motion approved four to zero.

Chairman Protem Miller called the meeting to order at 7:00 p.m. Clerk Wells called roll. Commission members present: Glenda Miller, Jim Pagles, John Killeen and Don Moede. Members Terry Smith, Jim Carbonetti and Ken Gabrys were absent. Also present were Mayor Nolan and Community Development Director Santeler.

Planning and Zoning Commission Minutes of July 6, 2010 – Approved

Moved by Killeen, seconded by Pagles to accept the minutes of the Planning and Zoning Commission meeting of July 6, 2010, as presented. All ayes. Motion carried.

Richard Lind/Jessica Castellanos, Drop N Wash and M & A Investment Group, LLC c/o Marc Hathaway, Managing Member(property owner) – 22 N. Ayer St.

Chairman Protem Miller opened the hearing in the petition of Richard Lind/Jessica Castellanos, Drop N Wash and M & A Investment Group, LLC, c/o Marc Hathaway, Managing Member (property owner) for property located at 22 N. Ayer St., Harvard, Illinois. The Certificate of Publication was noted and entered into the record. All fees required by said petition have been paid and certified notices were sent to adjacent property owners. The completed petition was entered into the record to amend the zoning code to allow for a non-retail laundry service at 22 N. Ayer Street, Harvard, IL. Petitioners Richard Lind and Jessica Castellanos were in attendance.

Presentation of Evidence by Petitioners

Upon being sworn in by City Clerk Wells, petitioner Richard Lind, 1502 Pheasant Run Rd., Harvard, IL gave an overview of the petition to amend the zoning code to allow for a non-retail laundry service at 22 N. Ayer Street. Mr. Lind testified that the proposed use is private laundry service and not a coin operated laundromat for public use. Mr. Lind passed out a handout outlining details of the proposed business (wash, dry, fold, press) and stated that he may partner with a dry cleaner in the future. Services would include hemming, sewing and light alterations. The proposed business would be open six days a week with times determined by traffic.

Supporters/Objectors

Chairman Protem Miller asked if there was anyone present who wished to speak in support of or in opposition to the petition. There were none.

Clerk Wells noted that the zoning code currently allows a non-retail laundry as a permitted use in a B3, M1 or M2 zoning District, but not in a B-2. The Planning and Zoning Commission could amend the zoning code to allow a non-retail laundry either as a permitted use or a conditional use in the B-2 Central Business District.

Moved by Pagles, seconded by Killeen to amend Section 17.20.100, Uses Permitted in Zoning Districts, to allow a non-retail laundry as a conditional use in a B-2 District. Miller, aye; Pagles, aye; Killeen, aye and Moede, aye. Motion approved four to zero.

Moved by Pagles, seconded by Moede to grant the petitioner's request for a conditional use to allow the operation of a non-retail laundry in a B-2 District at 22 N. Ayer St., Harvard, with the stipulation that the conditional use permit shall not run with the land and shall expire at such time as petitioner's lease interest in the Property ceases to be in effect. Roll call vote: Pagles, aye; Killeen, Moede, aye and Miller, aye. Motion approved four to zero.

Clerk Wells stated that the Planning and Zoning Commission's recommendation will come before the City Council at their next regular meeting on Tuesday, September 28, 2010, at 7 p.m. The petitioner was advised to be in attendance.

Moved by Pagles, seconded by Moede to close the public hearing. All ayes. Motion carried.

City of Harvard Text Amendment

Chairman Protem 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.

Upon being sworn in, Mayor Nolan reviewed the City's petition for text amendment to delete Section 17.44.068, Tattoo Parlor which states "After one year of being in business, an existing tattoo parlor located in either a B-2 or B-3 zoning district may relocate to another location within a B-2 or B-3 zoning district". City staff recommends that we not allow a moveable conditional use and that said section should be deleted.

Supporters/Objectors

Chairman Protem Miller asked if there was anyone present who wished to speak in support of or in opposition to the petition. There were none.

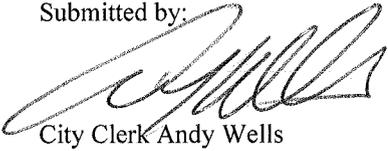
Moved by Killeen, seconded by Moede to approve the City's petition to delete Section 17.44.068, Tattoo Parlor. Roll call vote: Killeen, aye; Moede, aye; Miller, aye and Pagles, aye. Motion approved four to zero.

Clerk's Report

Clerk Wells gave a follow-up report on the conditional use for a tattoo parlor as discussed at the last commission meeting and noted that he worked with the City Attorney and included language in the ordinance that the conditional use be tied to the lease agreement. In the event the petitioners would like to relocate their business, they would have to come before the Planning and Zoning Commission.

At 7:21 p.m., moved by Pagles, seconded by Killeen to close the hearing. All ayes. Motion carried.

Submitted by:



City Clerk Andy Wells

Date: 09/16/10