

**MINUTES OF A REGULAR MEETING OF THE
PLANNING & ZONING COMMISSION OF THE
VILLAGE OF SPRING GROVE
SEPTEMBER 22, 2010**

Council Chambers, Spring Grove, Illinois, September 22, 2010; a Regular Meeting of the Planning and Zoning Commission was held this date at 6:03 p.m., at the Municipal Centre, 7401 Meyer Road; Chairperson Gajewski presiding.

Roll Call. Roll call vote showed the following commissioners to be present at the meeting: Chairperson Mike Gajewski and Commissioners Joe Broz Sr., Ed Glavin, Carla MacKey, Bill Greenhill and Lloyd Simonson - 6. Absent: Commissioner Mike Bukolt - 1. Also present for the Village were Sandi Rusher, Village Clerk; Scott Puma, Village Attorney and Trent Turner, Building and Zoning Officer.

Approval of the September 15, 2010 Regular Minutes. Commissioner MacKey moved, seconded by Commissioner Glavin to approve the minutes from the September 15, 2010 meeting. All ayes, motion carried.

Public Hearing – Repealing and replacing the entire text of the current Zoning Ordinance of the Village with a comprehensive new Zoning Ordinance. Commissioner Simonson moved, seconded by Commissioner MacKey to reconvene the Public Hearing. All ayes, motion carried. The hearing reconvened at 6:04 p.m.

The commission then continued their reviewed of the Zoning Ordinance.

Appendix D – Standards for Specific Special Uses. Standards pertaining to athletic field (private), auditorium, automobile, boat and truck wash, automobile, boat, RV and truck rental and sales, automobile, RV and truck self-service fueling center, campground, community center, drive up facility, golf course-county club, golf driving range, outdoor display, sales and storage, outdoor seating, storage facility and veterinary clinic were added. The standards for bed and breakfast, cemetery, child care, church or place of worship, group dwelling, horse farm or stable, hospital, kennels, pet day care, pet agility, pet obedience and pet training facility, and school were amended.

Discussion ensued as to whether a motel should be identified as a use in Appendix B, Uses Permitted in Zoning Districts. Staff explained that motel was removed as they are not a desired use due to their appearance and some communities experiencing issues with them being converted into apartments. Staff will reword the definition to differentiate between a motel and a hotel as the existing definition is not clear.

Appendix E – Sexually Oriented Business. In response to an inquiry from the previous meeting as to what a “natural person” is, Attorney Puma stated a “natural person” was intended to differentiate between a real live person versus a dummy, blow up doll or the like.



Appendix G – Overlay Planned Development District (OPDD). As a follow up from the previous meeting, Attorney Puma stated there is nothing in the Thelen Annexation Agreement that would prohibit the removal of this appendix and the removal would not take away from the enforcement of the OPDD. However, the village would be obligated to continue that classification for the Thelen property as there was a concept plan approved. Staff commented that even though the appendix only affects one property, it would be beneficial to remain a part of the ordinance for future reference. Chairperson Gajewski informally polled the commission as to their preference. Commissioners Glavin and Simonson supported the removal of the appendix while Commissioners Broz, Gajewski, Greenhill and MacKey preferred it remain in the Zoning Ordinance. It was the consensus that the appendix will remain in the ordinance.

Appendix I – Planned Unit Development. The commission recommended the words “Planned Unit Development” be abbreviated to “PUD”.

Appendix J – Personal Wireless Telecommunication Facilities. This is a new appendix added to provide specific regulations for the placement, construction and modification of cell towers that are allowed with a special use permit in the B-2 and Industrial zoning districts. The maximum height of a tower would follow the height allowed in Appendix C – Lot Area, Yard and Bulk Regulations, which varies from 20 – 40 ft. depending on if it is a principle or accessory use and zoning district it would reside in. With respect to the minimum setback from the property lines, the setback was increased from 1/3 of its height to 110% of its height.

Appendix K – Standards for Specific Temporary Uses.

- **Circus, Carnival or Fairgrounds.** The commission recommended the following paragraph be added to the temporary use standards. “A circus, carnival or fairground shall be conducted at least 30 feet from the right-of-way of any highway or public street.”
- **Roadside Stands, Seasonal Sales.** The commission recommended paragraph 2 be amended as follows: “The permit shall be valid for 2 months per year, but may be renewable.” The commission would like the ordinance to address “farmers markets”. Staff will prepare language for the commission’s approval.

Appendix L – Standards for Specific Accessory Uses. The village heard from Alan Kogerup opining the proposed amended language to the Towers and Antenna section violates the FCC regulation of “reasonable accommodation” which enables the Village Board to deny a waiver. Chairperson Gajewski stated it is the village’s opinion that the language is “reasonably accommodating”.

Appendix B – Uses Permitted in Zoning Districts. The discussion was prefaced with a brief overview of the Village Board’s deliberations and recommendations to the proposed appendix. The Village Board and staff differed on if retail uses should be allowed in the industrial zoning district. Staff recommended retail uses be removed from the industrial district to encourage those property owners along Route 12 to rezone their property to B-2 if they want retail businesses operating on their property. The Village Board agreed to some extent that property owners should be encouraged



to rezone their property but thought retail uses should be allowed as a special use permit and this could be used as a negotiation tool to encourage the rezoning.

The commission voiced concern with allowing retail uses in an industrial zoning district as it would create mixed uses in buildings and developments thus creating a hodgepodge of zoning, which is not what the commission wants. In addition, the commission did not want retail customers driving through an industrial park to make a purchase. The commission opined the village should want to control the zoning on Route 12 by encouraging the redevelopment and rezoning to B-2. The village also needs to take a hard line by not allowing retail/commercial uses by a special use permit to achieve the ultimate goal of the Land Use Plan of commercial along Route 12. Chairperson Gajewski informally polled the commission as to their preference. The commission unanimously agreed that retail/commercial uses should not be allowed in an industrial zoning district to encourage the redevelopment and rezoning of industrial properties to B-2. The commission added nothing would prevent an industrial business to sell their property and keep the industrial zoning classification and industrial uses permitted by the Zoning Ordinance.

The commission recommended the following changes.

- **Antique Sales.** Amend to only allow as a permitted use in the B-1 and B-2 zoning districts.
- **Appliance – Sales and Service.** Amend to only allow as a permitted use in the B-2 zoning district.
- **Automobile – Storage.** Amend to read Automobile – Storage (Indoor).
- **Boat – Storage.** Amend to read Boat – Storage (Indoor).
- **Clothing Sales.** Delete as it is “Retail – General” use.
- **Craft Shop.** Delete as it is “Retail – General” use.
- **Floor Covering Sales.** Delete as it is “Retail – General” use.
- **Florist.** Delete as it is “Retail – General” use.
- **Furniture – Sales.** Amend to only allow as a permitted use in the B-1 and B-2 zoning districts.
- **Grocery – Convenience Store.** Amend to only allow as a permitted use in the B-1 and B-2 zoning districts.
- **Home Improvement Center – Retail.** Amend to only allow as a permitted use in the B-1 and B-2 zoning districts.
- **Hospital.** Amend to only allow as a special use in the B-1 and B-2 zoning districts.
- **Hotel.** Amend to only allow as a special use in the B-1, B-2 and O-R zoning districts.
- **Ice Cream Shop.** Delete as it is “Retail – General” use.
- **Library, Public.** Amend to only allow as a special use in the A-1, E-5, E-2, E-1, R-1, R-2, B-1, B-2, and O-R zoning districts.
- **Martial Arts Instructions.** Amend to only allow as a permitted use in the B-1 and B-2 zoning districts.
- **Markets: Fish, Fruit, Meat or Vegetables.** Amend to only allow as a permitted use in the B-1 and B-2 zoning districts.
- **Motorcycle, ATV, Small Engine or Snowmobile – Storage.** Amend to read Motorcycle, ATV, Small Engine or Snowmobile – Storage (Indoor).



- **Museum.** Amended to only allow as a permitted use in B-2 zoning district and as a special use in the Industrial zoning district.
- **Outdoor – Display.** Amend to only allow as a special use in the B-1 and B-2 zoning districts.
- **Outdoor – Sales.** Amend to only allow as a special use in the B-1 and B-2 zoning districts.
- **Pharmacy.** Amend to only allow as a special use in the B-1 and B-2 zoning districts. In addition, the commission would like staff to prepare language that would allow a “pharmaceutical supply house” or “mail order prescription” company to operate in the Industrial zoning district.
- **Print Shop – Retail.** Delete as it is “Retail – General” use.
- **Recreational Vehicle – Storage.** Amend to read Recreational Vehicle – Storage (Indoor).
- **Restaurant – Banquet-Recreation/Conference Room.** Amend to only allow as a special use in the B-2 zoning district.
- **Restaurant – Beer Garden.** Amend to only allow as a special use in the B-1 and B-2 zoning districts.
- **Restaurant – Brew Pub, Microbrewery.** Amend to only allow as a special use in the B-1 and B-2 zoning districts.
- **Restaurant – Dine In.** Amend to also allow as a permitted use in the B-1 and B-2 zoning district.
- **Restaurant – Outdoor Seating.** Amend to only allow as a special use in the B-1 and B-2 zoning districts.
- **Tanning Spa.** Amend to only allow as a permitted use in the B-1 and B-2 zoning district.

Public Comment. *Chairperson Gajewski then opened the hearing up for comments by the public.* There was no one from the public in attendance.

Motion to Continue Public Hearing. Commissioner Greenhill moved, seconded by Commissioner Broz to continue the public hearing until October 13, 2010 at 6:00 p.m. All ayes, motion carried.

There being no further business before the commission, Commissioner Simonson moved, seconded by Commissioner Greenhill to adjourn the meeting. All ayes, motion carried. Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Sandi Rusher, Village Clerk