

5. PUBLIC HEARINGS

Preliminary/Final PUD

Dairy Barn

Applicant: Imperial Investments

Project #1049.19

Project Manager: Natalie Zine

Motion: Commissioner Kuhn, second Commissioner Stine to open the Public Hearing at 7:21 p.m.

Ayes: Commissioners Cirone, Guist, Holmstrom, Kuhn, Novy, Pajor and Stine

Nays: None

Absent: None

Motion carried

Natalie Zine stated the applicant is requesting approval of a Preliminary/Final PUD Plan to allow for the development at 121 Main Street. Ms. Zine stated this property is currently zoned B-2 and is improved with the one-story Dairy Hut building. Ms. Zine stated the request would allow for the development of an approximately 4,200 square foot two-story commercial building to be a restaurant and ice cream shop called the Dairy Barn. Ms. Zine stated the building will seat approximately 122 guests inside and accommodate an additional 48 guests outside under a porch. Ms. Zine stated the building will also have a 500 square foot party room. Ms. Zine stated expected hours of operation are Tuesday – Sunday from 11am to 9pm.

Ms. Zine stated the main access to the restaurant will be along Main Street and the site will have reduced front, rear, and side yard setbacks. Ms. Zine stated parking will be provided by on-street parking and the new parking lot that is being constructed by the Village. Ms. Zine stated the proposed building will be constructed with stone on the first story and board/batten vertical siding on the second story, with a hi-rib metal roof. Ms. Zine stated the building has a gambrel style roof with cupolas reminiscent of livestock barns.

Ms. Zine stated staff is recommending the Planning and Zoning Commission accept the findings of fact and recommends approval of the Preliminary/Final PUD for 121 Main Street.

Mike Mann was sworn in
Yorkville, IL

Mr. Mann is a representative of Imperial Investments. Commissioner Kuhn asked about the planned construction style of the building. Mr. Mann stated it will be a Morton building and will have full stone around the outside. Commissioner Kuhn asked about the interior. Mr. Mann provided an example of the conceptual interior and reviewed the details. Commissioner Kuhn stated he would like the applicant to present construction options other than a Morton building. Mr. Mann stated he is willing to look at other possible options.

Bobbi Burgstone was sworn in
Oswego, IL

Ms. Burgstone stated she is opposed to the building rendering and stated there are many other design options. Commissioner Kuhn asked Ms. Burgstone for details about her opposition. Ms.

Burgstone stated she is not opposed to a Morton building or a barn look, but rather to the proposed rendering.

No additional audience members wished to speak at the public hearing.

Motion: Commissioner Holmstrom, second Commissioner Stine to close the Public Hearing at 7:36 p.m.
Ayes: Commissioners Cirone, Guist, Holmstrom, Kuhn, Novy, Pajor and Stine
Nays: None
Absent: None
Motion carried

Commissioner Comments:

Commissioner Novy asked about the proposed building's parking lot. Director Zenner stated there would be no parking lot; on-street parking and the future parking lot would be utilized. There was discussion about parking for current and future downtown businesses and restaurants. Commissioner Kuhn asked about the number of employees for the Dairy Barn and the new building at 113 Main Street. Mr. Mann reviewed the estimated number of employees at the businesses and the number of available parking spaces. Mr. Mann stated he plans to rent additional parking spaces from local businesses.

Commissioner Cirone asked how many other businesses have expressed interest in this building space. Director Zenner stated this is the first project that has come forward with an actual plan over the last several years.

There was discussion about setbacks, lot size, and square footage of the building.

Commissioner Kuhn stated he is not opposed to the barn look; he is opposed to a Morton building on Main Street. Commissioner Stine asked Commissioner Kuhn to clarify his objection to a Morton building. Commissioner Kuhn stated his objections are longevity and architectural standards. Chairman Pajor suggested the applicant provide a revised interior rendering to the Village Board.

Recommendation:

Motion: Commissioner Cirone, second Commissioner Novy to accept the findings of fact and recommends approval of the Preliminary/Final PUD for 121 Main Street.
Ayes: Commissioners Cirone, Guist, Holmstrom, Novy, Pajor and Stine
Nays: Commissioner Kuhn
Absent: None
Motion carried

Temporary Downtown Moratorium

Applicant: Village of Oswego
Project #1050.19
Project Manager: Rod Zenner

Motion: Commissioner Cirone, second Commissioner Stine to open the Public Hearing

at 8:03 p.m.
Ayes: Commissioners Cirone, Guist, Holmstrom, Kuhn, Novy, Pajor and Stine
Nays: None
Absent: None
Motion carried

Director Zenner stated in 2015, the Village adopted a new Comprehensive Plan which recommends the establishment of new zoning districts for the downtown area to encourage commercial, residential, and mixed use uses rather than B-3 or M-1 industrial uses. Director Zenner stated the Village received a grant with the Chicago Metropolitan Agency for Planning (CMAP) to do a rewrite of the Zoning Ordinance, which will begin in the next few months and be a two-year process. Director Zenner stated staff is proposing a moratorium to prohibit future new B-3 and M-1 uses from occupying the downtown area until the Zoning Ordinance rewrite has been completed. Director Zenner stated B-1 and B-2 uses would still be allowed as outlined by the Zoning Ordinance and existing B-3 or M-1 uses could remain in the downtown area as a grandfathered use. Director Zenner stated staff is proposing a 32-month maximum temporary moratorium for B-3 and M-1 uses.

Dan Kramer was sworn in
Yorkville, IL

Mr. Kramer is an attorney representing the Dodd family. Mr. Kramer stated he does not support the moratorium because it impinges on the legislative prerogative and sends a negative message to the public and potential developers that Oswego is "not open for business." Mr. Kramer stated he believes property values will be affected and that the Planning and Zoning Commission can limit uses without the need for a moratorium.

Ed Hettinger was sworn in
Oswego, IL

Mr. Hettinger stated he is the owner of Hetts Auto Sales. Mr. Hettinger stated parking is an issue in downtown.

Neal Dodd was sworn in
Oswego, IL

Mr. Dodd stated he owns property on Harrison Street. Mr. Dodd stated he wants to sell his property and a potential buyer is a construction company that would not be able to operate on the property if there is a moratorium. Mr. Dodd stated the moratorium affects his pool of potential buyers. Mr. Dodd stated parking is an issue on Harrison Street.

No additional audience members wished to speak at the public hearing.

Motion: Commissioner Stine, second Commissioner Cirone to close the Public Hearing at 8:21 p.m.
Ayes: Commissioners Cirone, Guist, Holmstrom, Kuhn, Novy, Pajor and Stine
Nays: None
Absent: None
Motion carried

Commissioner Comments:

Commissioner Cirone asked if B-3 or M-1 use could transfer from one business to another. Director Zenner stated the grandfathered use would allow an existing B-3 or M-1 business to sell to another B-3 or M-1 business and remain in place as long as there is continual use; however, if a B-3 or M-1 business closed, the moratorium would not allow a new B-3 or M-1 business to move in. Director Zenner stated an earlier statement that indicated the Village will be able to review and limit uses without the moratorium is not necessarily true. Director Zenner stated if a use is permitted by the Zoning Ordinance and there are no proposed changes to the building, a new business could move in without it going through the Planning and Zoning Commission and Village Board.

Commissioner Kuhn asked about the goal of the moratorium. Director Zenner stated the moratorium allows the Village to put on hold businesses from moving in that might conflict with the Comprehensive Plan. Chairman Pajor stated the purpose of the moratorium is to be able to carry out what was envisioned for the future of the downtown.

The Commissioners discussed the effects of the moratorium on Harrison Street businesses.

Recommendation:

Motion: Commissioner Stine, second Commissioner Novy to recommend approval of the Temporary Downtown Moratorium on certain uses located on B-3 and M-1 zoned properties in the Downtown Core for a period of 32 months.
Ayes: Commissioners Cirone, Guist, Novy, Pajor and Stine
Nays: Commissioners Holmstrom, Kuhn
Absent: None
Motion carried

6. OLD BUSINESS

None.

7. NEW BUSINESS

None.

8. CHAIRMAN'S REPORT

Chairman Pajor wished everyone a happy holiday.

9. COMMISSIONERS REPORT

Commissioner Holmstrom stated he is resigning from the Planning and Zoning Commission and that this will be his last meeting. Chairman Pajor thanked him for his service.

Commissioner Kuhn stated there are utility poles to be removed on Main Street. Director Zenner requested addresses from Commissioner Kuhn.

10. HISTORIC PRESERVATION COMMISSIONER REPORT

No report.

11. ECO COMMISSION REPORT

No report.

12. COMMUNITY DEVELOPMENT DEPARTMENT REPORT

No report.

13. OSWEGOLAND PARK DISTRICT REPORT

No report.

14. NEXT MEETING - January 9, 2020

15. ADJOURNMENT

Motion: Commissioner Kuhn, second Commissioner Novy to adjourn the Planning and Zoning Commission Meeting.

Ayes: Commissioners Cirone, Guist, Holmstrom, Kuhn, Novy, Pajor and Stine

Nays: None

Absent: None

Motion carried

Chairman Pajor adjourned the Planning & Zoning Commission Meeting at 8:52 p.m.