

**VILLAGE OF OSWEGO
MINUTES OF THE PLANNING & ZONING COMMISSION MEETING
100 PARKERS MILL
OSWEGO, ILLINOIS**

July 8, 2021

1. CALL TO ORDER

Chairman Pajor called the Oswego Planning & Zoning Commission Meeting to order at 7:02 p.m.

2. ROLL CALL

Present: Dominick Cirone, Brook Henschen, Rick Kuhn, Andrew McCallum, Charlie Pajor, Judy Sollinger
Absent: Jason Kapus

There was a quorum.

Oswego community representatives in attendance were:

Present: Rod Zenner, Development Services Director; Natalie Zine, Planner; Mary Ellen Bliss, Recording Secretary

3. MINUTES

Motion: Commissioner Kuhn, second Commissioner McCallum to accept the minutes of the June 10, 2021 Planning & Zoning Commission Meeting
Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger
Nays: None
Absent: Commissioner Kapus
Motion carried

4. PUBLIC HEARINGS

Major PUD Amendment

Lots 11 & 12 of Kendall Point Business Center

Applicant: Carlos Gracia

Project #1105.21

Project Manager: Natalie Zine

Motion: Commissioner Sollinger, second Commissioner Kuhn to open the Public Hearing at 7:03 p.m.
Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger
Nays: None
Absent: Commissioner Kapus
Motion carried

Ms. Zine stated the applicant is requesting approval of a Major Amendment of a Final PUD for Lots 11 and 12 of Kendall Point Business Center Unit 6 to allow for the development of a parking lot. Ms. Zine stated the property was approved for the development of a Granite Corporation building in 2008 but is still currently vacant pending development.

Ms. Zine stated the proposed business, Lagarto Contractor Storage, will be a paved lot with 55 parking stalls for construction vehicles, boat trailers, RVs, etc., with a maximum length of 35

feet. Ms. Zine stated per the Zoning Ordinance, storage of equipment, trailers, etc., is a permitted use, but an 8' tall solid fence will be required for screening. Ms. Zine stated the site plan proposed two curb cuts along Weisbrook Drive, and the lot is designed for one-way traffic, with trucks driving in through the eastern entrance and out through the western exit. Ms. Zine stated because the property is surrounded by like zoning on either side and is not a Special Use, no bufferyards are required along the east or west property lines. Ms. Zine stated street trees are provided along Weisbrook Drive and Route 30, including five canopy trees, two understory trees, and twenty shrubs.

Ms. Zine stated staff recommends approval of a Major Amendment to Lots 11 and 12 of Kendall Point Business Center Unit 6 to allow for the development of a parking lot subject to final staff approval of the engineering plans and with the condition that an 8' solid fence be installed around the perimeter of the parking lot.

No audience members wished to speak at the public hearing.

Motion: Commissioner Cirone, second Commissioner Sollinger to close the Public Hearing at 7:07 p.m.
Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger
Nays: None
Absent: Commissioner Kapus
Motion carried

Commissioner comments:

Discussion took place regarding: the lot will be paved with asphalt and fenced; no building or office will be on site; and none of the neighboring properties have voiced concerns about the use.

Recommendation:

Motion: Commissioner Henschen, second Commissioner Kuhn to recommend approval of a Major Amendment to Lots 11 and 12 of Kendall Point Business Center Unit 6 to allow for the development of a parking lot subject to final staff approval of the engineering plans and with the condition that an eight foot (8') solid fence be installed around the perimeter of the parking lot.
Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger
Nays: None
Absent: Commissioner Kapus
Motion carried

Variance to Rear Yard Setback

5 Maple Street
Applicant: Jeremy Doonan, Property Owner
Project #1104.21
Project Manager: Natalie Zine

Motion: Commissioner Sollinger, second Commissioner Cirone to open the Public Hearing at 7:09 p.m.
Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger
Nays: None
Absent: Commissioner Kapus
Motion carried

Ms. Zine stated the applicant is requesting a recommendation of approval for a Variance in the R-2 Single Family Residence District to allow for a reduction in the rear yard setback from 30' to 5' to allow for the construction of an attached two-car garage. Ms. Zine stated the addition of the proposed garage does not require any additional Variances as it is in compliance with all other setbacks and bulk regulations. Ms. Zine stated the house was originally built with a very deep front yard setback of approximately 50' and a rear yard setback of only 20', so it was already legal-nonconforming. Ms. Zine stated as this is a historic home, the applicant has taken special care to ensure that the addition blends in with the existing structure and that the garage doors reflect the same architectural style.

Ms. Zine stated staff is of the opinion the Variance request meets the standards for a variation and therefore recommends that the Planning and Zoning Commission accept the Findings of Fact and recommend approval of a Variance for a reduction in the rear yard setback from 30' to 5' to allow for the construction of an attached two-car garage in the R-2 Single Family Residence District at 5 Maple Street.

No audience members wished to speak at the public hearing.

Motion: Commissioner Sollinger, second Commissioner Kuhn to close the Public Hearing at 7:16 p.m.
Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger
Nays: None
Absent: Commissioner Kapus
Motion carried

Commissioner comments:

Discussion took place regarding the location of the proposed garage.

Recommendation:

Motion: Commissioner Henschen, second Commissioner Sollinger to accept the Findings of Fact and recommend approval of a Variance for a reduction in the rear yard setback from thirty feet (30') to five feet (5') to allow for the construction of an attached two-car garage in the R-2 Single Family Residence District at 5 Maple Street.
Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger
Nays: None
Absent: Commissioner Kapus
Motion carried

Text Amendment

Pet Boarding in B-3 Commercial Service & Wholesale
Applicant: Village of Oswego
Project #1106.21
Project Manager: Natalie Zine

Motion: Commissioner Kuhn, second Commissioner Sollinger to open the Public Hearing at 7:17 p.m.
Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger
Nays: None
Absent: Commissioner Kapus
Motion carried

Ms. Zine stated as the Ordinance is currently written, pet shops, kennels and animal hospitals are permitted uses in the B-3 District as long as they are conducted entirely within an enclosed building, which means uses like a dog daycare business or an animal hospital would not be permitted to allow any dogs outside for any amount of time. Ms. Zine stated staff has received a request for a new dog daycare facility at the property located at 260 Merchants Drive which requires an outdoor space for interactive dog play, dog socialization, and physical activity and training. Ms. Zine stated the property is currently zoned B-3 Commercial Service and Wholesale District and as such would not allow for an outdoor space. Ms. Zine stated staff has received similar requests in the past.

Ms. Zine stated staff compared the regulations around animal-related uses in three neighboring communities:

- Yorkville – kennels, pet stores, and vet clinics are permitted uses in their business districts
- Aurora – pet stores and animal hospitals are permitted uses in the business and manufacturing districts; kennels with outdoor runs are permitted uses in the manufacturing district only
- Montgomery – animal boarding, hospitals, or shelters are allowed as Special Uses in the business and manufacturing districts subject to certain conditions including location, outdoor boarding, drainage, and safety

Ms. Zine stated staff is recommending that the Planning and Zoning Commission recommend approval of the Text Amendment to Section 8.03 of the Zoning Ordinance to allow for Pet Boarding as permitted use in the B-3 Commercial Service & Wholesale District subject to the following conditions:

- A. Pet shops, kennels, animal hospitals, and pet boarding facilities that are not entirely enclosed are not allowed directly adjacent to any residential use.
- B. Animals may be allowed outside between the hours of 7:00 a.m. and 8:00 p.m.

No audience members wished to speak at the public hearing.

Discussion took place regarding: the proposed setback requirements from residential units; the potential noise that could be generated from a dog daycare use in the commercial district; the need for a fence enclosure; and that an animal causing a nuisance will be taken inside.

Motion: Commissioner Sollinger, second Commissioner Cirone to close the Public Hearing at 7:49 p.m.
Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger
Nays: None
Absent: Commissioner Kapus
Motion carried

Recommendation:

Motion: Commissioner Henschen, second Commissioner Sollinger to recommend approval of the Text Amendment to Section 8.03 of the Zoning Ordinance to allow for Pet Boarding as a permitted use in the B-3 Commercial Service & Wholesale District subject to the following conditions:

- A. Pet shops, kennels, animal hospitals, and pet boarding facilities that are not entirely enclosed are not allowed to be directly adjacent to any residential use.
- B. All pet boarding facilities must have a minimum separation of 200 feet from any residential building.
- C. All pet boarding facilities must be enclosed with a fence that is a minimum

height of six feet (6').

D. Animals causing a nuisance outside shall be controlled or taken inside if the animal cannot be controlled immediately.

E. Animals may be allowed outside between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m.

Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger

Nays: None

Absent: Commissioner Kapus

Motion carried

5. NEW BUSINESS

Final PUD and Subdivision Plat for Harvest Gate Pod 8, Phase 1

Harvest Gate at Southbury

Applicant: Harvest Gate Development LLC

Project #1107.21

Project Manager: Rod Zenner

Director Zenner stated the applicant is requesting approval of a Final PUD and Subdivision Plat for Harvest Gate at Southbury Pod 8, Phase 1 to allow for the development of 22 single family residential lots. Director Zenner stated the petitioner has recently taken over ownership of the project and wishes to complete the Harvest Gate development as proposed. Director Zenner stated the plat is consistent with the approved Preliminary and Final Plat in regard to lot sizes and layout, and the plat has been revised to reflect the change in ownership of the property. Director Zenner stated Phase 2 will be brought before the Planning and Zoning Commission at the August meeting. Director Zenner stated staff is of the opinion that the proposed Final PUD and Subdivision Plat is in substantial conformance to the approved Preliminary Plat and recommends approval.

Paul Mitchell, representing the petitioner, stated the only revision from the approved Preliminary and Final Plat is the change in ownership, and that Phase 1 and Phase 2 will be developed simultaneously.

Recommendation:

Motion: Commissioner Kuhn, second Commissioner Sollinger to recommend approval of the Final PUD and Subdivision Plat for Harvest Gate at Southbury Pod 8, Phase 1

Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger

Nays: None

Absent: Commissioner Kapus

Motion carried

6. OLD BUSINESS

None.

7. PUBLIC FORUM

None.

8. CHAIRMAN'S REPORT

Chairman Pajor welcomed Commissioner Judy Sollinger, who was recently appointed to the Planning and Zoning Commission.

9. COMMISSIONERS REPORT

None.

10. HISTORIC PRESERVATION COMMISSIONER REPORT

No report.

11. ECO COMMISSION REPORT

No report.

12. DEVELOPMENT SERVICES DEPARTMENT REPORT

None.

13. OSWEGOLAND PARK DISTRICT REPORT

No report.

14. NEXT MEETING - August 5, 2021

15. ADJOURNMENT

Motion: Commissioner Sollinger, second Commissioner Cirone to adjourn the Planning and Zoning Commission Meeting.

Ayes: Commissioners Cirone, Henschen, Kuhn, McCallum, Pajor, Sollinger

Nays: None

Absent: Commissioner Kapus

Motion carried

Chairman Pajor adjourned the Planning & Zoning Commission Meeting at 7:57 p.m.