

CITY OF WASHINGTON, ILLINOIS

Planning and Zoning Commission Meeting

Wednesday, October 4, 2023 at 6:30 P.M.

Washington Fire Department Training Room - 200 N. Wilmor Road, Washington

Call to Order Chairman Mike Burdette called the regular meeting of the City of Washington Planning and Zoning Commission to order at 6:30 p.m. A quorum was established.

Roll Call *Present:* Commissioners Burdette, Milot, Reeder, Ritter, Scott, Williams
Absent: Commissioner Shelton
Also present: Planning and Development Director Oliphant, Planner Boyer and City Clerk Brod

Approve Minutes Commissioner Reeder motioned, and Commissioner Scott seconded to approve the meeting minutes from the September 6, 2023, as presented. Motion carried by voice vote.

Public Comments None provided.

Public Hearing At 6:30 p.m., Commissioner Burdette opened the public hearing to consider the rezoning request by Jakob Spitzer Properties LLC to rezone 2140 Washington Road from C-2 (general retail) to C-3 (service retail). Planning and Zoning Director Oliphant shared details from Mr. Spitzer's application including that they recently acquired the property, and they would like to rezone it to allow for their dumpster rental business currently located on Cummings Lane. He noted that the request could have been a special use of the C-2 or permitted use of the C-3. Mr. Oliphant shared that the only access is from Route 8 and there was a previous house that was demolished in 2004. He also shared that the property is very wooded towards the back. Mr. Oliphant continued to share information from Mr. Spitzer's application including their desire to put in a four-bay building, allowing three of the bays to be rented out, the possibility of up to eight dumpsters stored on the property and that the dumpsters are cleaned off-site then brought back for storage. Mr. Oliphant pointed out the permitted uses for the surrounding properties, noting that they are either C-3 or C-E and most of the properties to the south are zoned C-2. He noted that with the heavy vegetation on the property, staff recommends to maintain as much of the vegetation as possible. They recommend requiring double the number of vegetation points for the property, as well fencing around it.

*Item A: Rezoning
request of Jakob Spitzer
Properties LLC to
rezone 2140
Washington Rd., from
C-2 to C-3*

Mr. Spitzer stated that they look forward to bringing in this new business that will help beautify the otherwise vacant property. He stated that they like the landscape and want to keep as many as the mature trees as possible. He shared that they would store the dumpsters near the rear of the property. He stated that they only own eight dumpsters but will likely have only two or three in storage at the time. He noted the dumpsters at a restaurant across the street. Mr. Spitzer stated that they hope not to have to fence the back of the property, allowing for natural areas that would be undisturbed. He said the dumpster business is only 25% of the actual business that would take place on the property. His full letter is attached and made part of these minutes.

The following public comments were provided:

Randy Martin of Martin Automotive stated his property has been in his family since 1968 and the neighboring property has been overgrown and a nuisance for a while. He expressed his concern for the city allowing dumpsters to be stored there.

Stephanie Brott from Bernardi's Restaurant expressed concern with rodents and smell. She is concerned about her beautiful patio and what customers can see from her restaurant. She stated that she supports the city with tax dollars and has built a successful business.

Roger Holzhauer from Team Works asked if Mr. Spitzer is going to expand in the future. Mr. Spitzer said he has no plans to expand. Mr. Holzhauer noted that he has watched the businesses around them grow and questioned why he would not expand.

Mr. Spitzer noted that they are not forecasting to purchase more dumpsters in the next 5-10 years. He shared that they are looking forward to property management, not expanding the dumpster business. He also shared that they are rigorous about cleaning and maintain their dumpsters. He noted that 90% of the time, the dumpsters go straight to their next building. He also shared that they clean them while they are still at the landfill. He stated that he hears the concerns and if they ever happen, they will abate it immediately.

Jeremy Horton asked about the distance to the nearest neighbor. Mr. Spitzer shared that it could be a minimum 20-50 feet from foot traffic. Mr. Spitzer stated that they can move the location of the dumpster storage if needed and they don't want them to smell either.

Kristi Cape from Countryside Banquets asked about the potential rental clients. Mr. Spitzer shared that they are looking for people like contractors, electrical contractors, window tinting and other services. Ms. Cape stated that she would like to see the dumpsters put as far as way from adjoining businesses as possible and also stated that fencing the whole property is not needed just the storage area.

At 6:49 the Public Hearing was closed.

Commissioner Scott clarified that the rental companies would have to be a permitted C-3 use. He and Mr. Spitzer discussed the need and benefits of fencing the property. Commissioners Burdette and Scott concluded that the dumpsters should be behind in the building to block the view from neighbors. Mr. Oliphant shared that any complaints would require an inspection to determine if there is a nuisance and a notice would be sent that contains a minimum of seven days to abate. If they don't conform, there could be fines. It was noted that if the trees at the back of the property were counted, they would probably have enough points if the trees are in good condition. Commissioner Scott felt the points don't have to be doubled and only fencing the storage area or providing some sort of visual block would be needed. He feels the dumpsters should not be sitting in the open. Mr. Spitzer agreed to fence or contain the dumpsters. Commissioner Williams and Mr. Spitzer clarified that the dumpsters are used mostly for construction projects, not food. Mr. Spitzer explained that they do not have food waste dumpsters that require a special permit. He also shared that they don't have any front-load dumpsters. Commissioner Milot asked about increased traffic with a C-3 versus a C-2. He shared that it is a heavy traffic area already. He expressed concern for the location of the dumpsters but is not sure that the commission can place a condition on the placement of the dumpsters. He expressed concerns with noise which could affect local neighbors. He then expressed concern with the possibility of the future sale of the business, noting decisions can't be made to only affect a current owner. Commissioner Milot shared that he appreciates the heart to own a local business but wants to secure the future of the location. Commissioner Scott stated that a C-2 retail, would have more car traffic and noted that both properties next door are zoned C-3. Mr. Oliphant clarified that the zoning code is pyramidal, and C-1 only allows C-1 permitting, then C-2 allows C-1 and C-2, and then C-3 allows all three permitted uses. Mr. Oliphant also clarified that although it is a busy area, the intersection at Route 24 and Cummings is one of the busiest in Tazewell County. Commissioner Scott stated that he feels more comfortable granting a C-2 with a special use instead of rezoning a to C-3. Mr. Oliphant noted that that this Public Hearing was not advertised to rezone the property to a C-2. Mr. Spitzer shared that he intends this property to be similar to the HUB on Cummings Lane that has multi-use service bays. Commissioner Scott feels comfortable with the C-3 designation, with restrictions. Mr. Oliphant clarified that there is no side-yard setback, and the code only allows a fence up to seven feet in height, so a taller fence would need special consideration. It was agreed upon that a fence would need to block the view and not be transparent.

Commissioner Scott motioned to zone the property C-3, include double points for landscaping where the new facility will go, any outside storage should be a minimum 15 feet from side yard property line and a privacy fence a minimum of seven feet tall.

Mr. Oliphant said they recommended the double landscaping points so that no one removes all the trees. He stated that there are minimums for landscaping towards the road, parking lot landscaping and a transitional buffers yard between residential neighbors. It was also clarified that the setback would only apply to the storage.

Commissioner Milot seconded the motion.

Commissioner Scott suggested they extend the roof of the building to cover the dumpster storage. Commissioner Ritter noted that this is more restrictive than either side property next to this property.

On roll call the vote was:

6 Ayes: Burdette, Milot, Reeder, Ritter, Scott, Williams

0 Nays:

Motion carried.

New Business Mr. Oliphant shared that there will be a November meeting.

**Commissioner/Staff
Comments** None were provided.

Adjournment At 7:25 p.m. Commissioner move Ritter; Commissioner Scott seconded to adjourn.
Motion carried by voice vote.

Valeri L. Brod, City Clerk

Spitzer Properties LLC

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Washington, IL 61571
309.472.4090

City of Washington
301 Walnut St
Washington, IL 61571

October 4, 2023

To the Planning and Zoning Commission,

First and foremost, my wife and I sincerely thank you for the opportunity to present our rezoning case before you this evening. We are looking forward to the adventure of building a new business right here in Washington, our lifelong hometown. I would like to briefly paint the picture of our end-goal with the subject property at 2140 Washington Road. We have near-term plans to construct a four bay building and rent out the space. The requested C-3 zoning would allow for a wider spectrum of businesses to be able to rent the space. We love the landscape and mature tree offerings at the subject property and keeping those mature trees remains the forefront of our designing and building plans. Near the rear of the property, we hope to store our dumpster inventory contingent on this rezoning. Next, I would like to address a few items in the Memorandum written by the Planning and Zoning Director. Our company owns eight dumpsters, however we average 2-3 in storage at any given time. In the last year, we have never had all eight dumpsters in storage. As a result of that, we plan to use less than one half acre for dumpster storage. Set back over 240 feet from the street, we are surrounded by brush & large trees. We feel it is unnecessary to fence all nine acres as suggested which would keep out wildlife in the back portion of the property that has no plans for development. With unsightliness in mind, we understand, but request reconsideration of doubling the minimum quantity of landscaping points. Our primary business focus with the subject property is to construct a four bay building as described above.

With these points in mind, we would ask the Planning and Zoning Commission to consider our rezoning request and amend or remove the two recommendations submitted by the Planning & Zoning Director.

Warm Regards,

Jakob Spitzer

Owner, Spitzer Properties LLC