

PLANNING COMMISSION

January 3, 2019

The City of Portage Planning Commission meeting of January 3, 2019 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Twelve citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Stoffer led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

Michael West, Senior City Planner, and Matthew Quardokus, Assistant City Attorney.

ROLL CALL:

Mr. West called the role: Pezzoli (yes); Baldwin (yes); Harrell-Page (absent); Joshi (yes); Schimmel (yes); Stoffer (yes); and Corradini (yes). A motion was then made by Commissioner Corradini, seconded by Commissioner Joshi, to Approve the Roll excusing Commissioner Patterson. The motion was unanimously approved 6-0.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the December 20, 2018 meeting minutes contained in the agenda packet. A motion was made by Commissioner Baldwin, seconded by Commissioner Schimmel, to approve the minutes as submitted. The motion was unanimously approved 6-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

1. Rezoning Application #18/19-3, 129 Boston Avenue. Mr. West referred the Commission to the letter from the applicant, contained in the final agenda packet, requesting that the public hearing for Rezoning Application #18/19-3 be adjourned to the January 17, 2019 meeting.

The public hearing was reconvened by Chairman Stoffer. No citizens spoke regarding the proposed rezoning. After a brief conversation, a motion was made by Commissioner Schimmel, seconded by Commissioner Joshi, to adjourn the public hearing for Rezoning Application #18/19-3, 129 Boston Avenue, to the January 17, 2019, at the request of the applicant. The motion was unanimously approved 6-0.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Accessory Building (Taylor), 10525 Portage Road. Mr. West summarized the December 27, 2018 staff report concerning a request from Scott Taylor to construct a 2,000 square foot (40-foot by 50-foot) detached accessory building along the northcentral portion of the property. According to the applicant, the accessory building will be of pole barn construction and will be utilized for storage of a large RV, two hobby trailers and personal items and will not be used for any business related

purposes. Mr. West discussed the location of the pole building on the property and associated setbacks from adjacent property lines and nearby residences. Mr. West also discussed the wooded nature of the property and the staff recommended three conditions of approval for the proposed accessory building.

The applicant, Mr. Taylor, and Dan Lewis (applicant engineer) were present to support the request. Mr. Lewis reaffirmed that the proposed accessory building would not be utilized for any business related purpose and would allow the applicant to store his large RV and hobby trailers indoors, further away from the adjacent neighbors, which would represent a “win-win” for both the applicant and the neighbors. Mr. Lewis also stated the applicant concurs with the staff recommended conditions of approval. Mr. Taylor presented to the Commission a letter of support signed by 19 area residents, along with photographs of his excavating company storage yard in Galesburg. Mr. Taylor restated that the proposed accessory building would not be utilized for any business activities. Mr. Taylor indicated the proposed location of the accessory building on the property will result in the least amount of trees having to be removed (2-3 trees) and provides significant setbacks from his neighbors. Mr. Taylor stated he had no objections to the staff recommended conditions of approval and would also agree to an earth tone color siding for the building.

The following citizens spoke regarding the proposed accessory building: 1) William Frakes, 10528 Portage Road; 2) Jeff Przekora, 1811 Vickery Road; 3) Jim Climp, 10625 Portage Road; and 4) Rick Church, 10526 Woodlawn Drive. Mr. Frakes indicated that previous comments made by area residents during the Zoning Board of Appeals (ZBA) variance consideration were not accurate and he supported the applicant’s request for the accessory building. Mr. Przekora stated that Mr. Taylor has been very neighborly and also supports the proposed accessory building. Mr. Przekora indicated he would rather look at an earth tone colored pole barn tucked in the woods, than the large RV and hobby car trailers parked outdoors, and also indicated that he did not desire installation of evergreen trees along his property line, as recommended by staff. Mr. Climp stated that Mr. Taylor has done nothing but make improvements to the property since he purchased approximately 1½ years ago and also expressed support for the proposed accessory building. Mr. Church indicated that 13 area residents signed a letter in opposition to the proposed accessory building when the variance was being considered by the ZBA and was surprised that staff did not provide this letter to the Planning Commission. Mr. Church then circulated copies of this letter to the Planning Commission. Mr. West indicated that the letter referenced by Mr. Church was presented to the ZBA back in December as part of the variance consideration, and was not submitted by Mr. Church for inclusion in the Planning Commission agenda packet. Mr. Church indicated that he would withdraw his opposition to the proposed accessory building if the applicant agreed to 1) No work being conducted on race cars at the site, and 2) No business activities conducted from the site.

Mr. Taylor responded to the comments from Mr. Church and indicated several of the statements contained in the letter that was provided to the ZBA were not truthful. Mr. Taylor restated that no business activities would be conducted from the site, however, indicated that he should be allowed to occasionally work on his hobby race cars from the building. The Commission and staff next discussed the application and whether a condition restricting any work on race cars could be attached to an accessory building approval. Mr. West stated that such a condition would be highly unusual and that other ordinances exist to address nuisance related issues such as noise, disturbance of the peace, refuse/debris, parking, etc. Mr. West indicated the Planning Commission review should focus on the proposed building size, location, setbacks, natural features present on the property and the surrounding land use characteristics. Mr. Church disagreed indicating the ordinance does allow the Planning Commission to attach a condition that would prohibit the applicant from working on race cars. Mr. West stated that surrounding residential property owners can work on personal vehicles, as long as they do so in a manner that does not create a public nuisance, and it would be highly unusual to restrict Mr. Taylor from doing the same activity. Mr. West then provided a review of other accessory buildings that were recently approved

by the Planning Commission including their size, setback from property lines and distance from the nearest adjacent residence.

After a short discussion, a motion was made by Commissioner Pezzoli, seconded by Commissioner Schimmel, to approve the 2,000 square foot accessory building for Scott Taylor, 10525 Portage Road, subject to the following conditions: 1) The accessory building be of an earth tone color; 2) Planting of eight, six-foot tall spruce trees in a staggered configuration within 20 feet of the east wall of the proposed pole barn, as an alternative to the berm proposed by the applicant; and 3) That no business-related items be stored in the pole barn and other existing accessory buildings, nor on the exterior grounds of the property. After additional discussion on the motion, Chairman Stoffer offered an amendment to the motion, seconded by Commissioner Schimmel, to add staff recommended condition 4) The planting of 10 six-foot tall spruce trees within 20 feet of the north property line of 1811 Vickery and east half of 1729 Vickery to fill in gaps in existing trees. The amendment to the original motion was then unanimously approved 6-0. The amended motion with the four conditions of approval was then approved 5-1 with Commissioner Joshi voting No citing concerns about the number of area residents that expressed opposition to the proposed accessory building.

2. 2019 Planning Commission Meeting Dates. Mr. West discussed the scheduled Planning Commission meeting dates for 2019 and indicated the 1st Thursday in July was the 4th of July holiday. The Commission and Mr. West next discussed possibly changing the meeting dates in July to the 11th and 25th (2nd and 4th Thursday) and possibly changing the August meeting dates to the 8th and 22nd (2nd and 4th Thursday) to avoid back-to-back meeting dates. Mr. West indicated that he would have to see if there were any other activities scheduled for the 2nd and 4th Thursdays in July and August. After a brief discussion, the Commission agreed to continue discussion of this matter at the January 17th meeting.

STATEMENT OF CITIZENS/COMMISSIONERS:

Commissioner Pezzoli indicated that he would not be present at the February 19, 2019 meeting.

ADJOURNMENT:

There being no further business to come before the Commission, the regularly scheduled meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Michael West, AICP
Senior City Planner