

**PLANNING COMMISSION  
MEETING MINUTES  
November 16, 2016  
CITY COUNCIL CHAMBER  
7:00 P.M.**

**I. CALL TO ORDER**

The meeting was called to order at 7:01 p.m.

**II. ROLL CALL**

**Present:** H. Jugenitz, C. Zuellig, A. Bedogne, J. Talaga, M. Dunwoodie, T. Dennis,  
L. MacGregor

**Absent:** P. Hollifield (excused)

**Staff:** Bonnie Wessler, City Planner  
Cynthia Kochanek, Associate Planner  
Nan Schuette, Executive Secretary

**III. APPROVAL OF MINUTES**

Commissioner MacGregor moved to approve the minutes of October 19, 2016 (Support: T. Dennis) and the motion carried unanimously.

**IV. AUDIENCE PARTICIPATION**

None

**V. PRESENTATION AND PUBLIC HEARING ITEMS**

1. Special Nonconforming Status: 304 Elm

Ms. Kochanek, Associate Planner, gave her staff report stating that this is a request for approval of special nonconforming status at 304 Elm Street, between Sheridan and Sherman Streets in the Normal Park area of the city. The structure has frontage on the east side of Elm Street. It is two units with a porch running the length of the house and a small upper deck on the west end of the structure, deck and stoop on the east side and 400 ft garage at the northeast corner of the parcel.

The property is currently zoned R-1 Single Family Residential and the two units are nonconforming under the current zoning ordinance. The house was built as a duplex around 1930, with zoning which allowed for dwellings for one or more families. After 1975 the zoning was changed to R-1 single family residential. No special use permits or variances have previously been approved for this property. The property has a Certificate of Compliance and Occupancy from the Building Department and is valid through August 1, 2017. There are no proposed changes to the site, the applicant is only pursuing the special nonconforming status in order to rebuild as a duplex in the event of a casualty.

Ms. Kochanek reviewed the criteria and conditions of approval.

Commissioner Zuellig moved to open the public portion of the hearing (Support: L. MacGregor) and the motion carried unanimously. Since there was no public comments, Commissioner Bedogne moved to close the public portion of the hearing (Support: M. Dunwoodie) and the motion carried unanimously.

Since there was no further comments by staff or the commissioners, Commissioner MacGregor moved that the Planning Commission approve the special nonconforming use permit for the duplex at 304 Elm Street with the following finding and conditions:

Finding

1. the application substantially complied with Sec 122-206.

Conditions

1. If the structure needs to be rebuilt, the yard setbacks cannot be more non-conforming than what currently exists on site.
2. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental/duplex

The motion was supported by Commissioner Dennis. A roll call vote was taken and carried unanimously – 7:0.

**VI. NEW BUSINESS**

None

**VII. OLD BUSINESS**

1. Alley Vacation: 211 Woodward

Commissioner Dennis moved to table this item (Support: J. Talaga) and the motion carried unanimously.

**VIII. FUTURE BUSINESS DISCUSSION/UPDATES**

Ms. Kochanek noted that there will be a meeting in December with two items on the agenda. They are both non-conforming items – 914 N. Congress and 928 Frederick.

## **IX. COMMITTEE REPORTS**

1. Non-motorized Advisory committee: October Minutes
2. Non-motorized Advisory committee: November Minutes

Commissioner Bedogne stated that he had attended a Transportation Meeting on Tuesday, November 15<sup>th</sup> which was attended by some council members, DPS Director Kirton, Economic Director Ernat, Marcus McNamara, OHM and a number of other committee members. A copy of a matrix was distributed, and the committee members are being asked to rank all of the transportation related projects from the Capital Improvement Plan and also asking the team to score all 40+ projects in a few different categories, i.e. including safety improvements, jurisdiction, asset management, etc. and also if it is a master plan objective or not. First round of scoring is due on Monday.

Commissioner Zuellig asked if cost enters into the determination and it was agreed that it would be a concern and Ms. Wessler responded that it would be her opinion that it would be a consideration.

Commissioner Bedogne asked that the Planning Commission members do the same. He will send out a copy of the matrix prior to the meeting. A meeting was scheduled for Sunday, November 20<sup>th</sup> at City Hall at 2:00 p.m. He also asked that for those members who could not attend, to score their copy and return to him by Monday.

## **X. ADJOURNMENT**

Since there was no further business, Commissioner Dunwoodie moved to adjourn the meeting (Support: A. Bedogne) and the motion carried unanimously. The meeting adjourned at 7:25 p.m.