

Planning and Zoning Commission Minutes

October 19, 2020

Meeting was called to order at 6:30pm by Chairman Hauser in conjunction with a public hearing by the City Council.

Members present: Patrick Kretzer, Scott McClure, Jim Altman(online), Joe Hauser, & Matthew Yard.

Excused: Tony Verardi and Kevin Hammell

Minutes from previous meeting were presented and approved with no changes noted.

Purpose of the meeting: consider the rezoning request of Jeffrey Peabody to rezone from R2 to C2 property located at 602 E Park in Taylorville.

Mr. Peabody was introduced and spoke, thanking everyone for their time. He stated he purchased this property based on the traffic count of the area. He is requesting C2 designation to have full options available for the use of the property and doesn't want to be limited by needing a special use permit. The property was originally a gas station and more recently was a flower shop for many years, but has been vacant for a few years. Peabody's intention is to clean up the property and return the building to its original footprint that would allow for many potential uses.

Alderman Driskell thanked Peabody for his work on the property and inquired if IDOT would require a traffic study to use the property as a commercial location with a drive up.

Chairman Hauser inquired to City Attorney Romano if spot zoning would even be allowed at this site. Romano stated that spot zoning is illegal, but would be allowed if it falls within the city's comprehensive plan for business development. He stated that even though the property had been used as commercial prior to the zoning laws, after 12 months of non-use, the property reverts to R2.

Peabody stated he was told by the seller that the property was zoned Commercial but didn't investigate further. He believes the property should have always been commercial based on its use.

Mayor Barry stated he thinks the entire Park Street corridor should be zoned commercial.

Driskell asked if C1 would be a compromise. Peabody said based on his reading of zoning code, C2 would be needed to allow for a drive thru.

Alderman Olive asked if Peabody had checked with IDOT on requirements. He had not.

Mr. Kretzer asked Peabody if he would have purchased the property if he knew it wasn't zoned commercial, Peabody stated he would not have.

Driskell stated she did receive an email from a neighbor objecting to the rezoning request. Email was read.

Further discussion took place about the difference in C1 and C2 classifications and the fact that once zoning changed, the property could be used for anything under that designation.

Mr. Kretzer made a motion to table the request and have owner consider an R2 designation with special use. Mr. Altman seconded motion.

Vote: Kretzer abstained. McClure, Altman, Hauser, and Yard voted No, motion failed.

McClure made a motion to recommend to the city council to approve rezoning of the property to C-1.

Mr. Yard seconded.

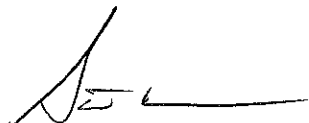
Vote: Kretzer abstained, McClure, Altman, Hauser, and Yard voted yes- motion passed.

Mr. Kretzer made a motion to adjourn at 7:15pm, Yard seconded, all voted in favor.

Respectfully submitted,



Joe Hauser, chairman



Scott McClure, Secretary