

PLAN COMMISSION MINUTES
City of Geneva
109 James Street - City Council Chambers

April 25, 2019 – Meeting #1208

Chairman Stocking called the meeting of the Geneva Plan Commission to order at 7:00 p.m. Roll call followed:

Present: Chairman Stocking; Commissioners Dziadus, Evans, Kosirog, Leidig, Slifka, Stevenson

Absent: Commissioners Case and Mead

Staff Present: Community Development Director David DeGroot, City Planner Paul Evans

Public Present: Jeanne Wolski, 112 N. 4th Street; Allison Wolski, 112 N. 4th Street; Patti Lane, 516 Ford Street; David Tomelle, 328 N. Third Street; Frank Guagliardo, 308 Anderson Blvd.; Planet Depos Court Rptr. Joanne Ely; Recording Secretary Celeste Weilandt

Approval of the Agenda

Commissioner Evans made a motion to approve the agenda. Second by Commissioner Stevenson. Motion passed by voice vote of 7-0.

Approval of Minutes of April 11, 2019

Minutes of the April 11, 2019 meeting were approved on motion by Commissioner Kosirog, second by Commissioner Leidig. Motion passed by voice vote of 7-0.

Public Hearing

A. Downtown Zoning Update – Review and recommendation of proposed text amendments to Title 11 (Zoning Ordinance) and Title 12 (Subdivisions) of the Geneva City Code and Zoning Map Amendments for the Downtown Area. (continued from March 28, 2019). Chairman Stocking confirmed with Commissioner Dziadus that he read the minutes and materials from the last meeting in preparation for this hearing to which Commissioner Dziadus confirmed in the affirmative. Chairman Stocking discussed the protocol for public hearing. The chairman swore in those individuals that would be providing testimony during the public hearing.

Community Development Director DeGroot read into the record the contents of the Plan Commission file. He summarized the recommendations from the March 28th meeting as it pertained to:

- Use Determination
- D-MHR District Standards
- James Street D-MHR
- 18 S. 5th Street
- State Bank of Geneva
- 3rd Street between James & Campbell
- 308, 318 and 328 Anderson Blvd.
- 35 N. Bennett Street
- South Side of E. State Street between Bennett & Crissey
- 426 River Lane
- 417 N. 1st Street
- Anderson Blvd. and State Street
- 404 and 426 S. Third Street
- 511 and 513 S. Third Street

The chairman entertained a motion to suspend some of the commission's rules for the public hearing in order to have a productive discussion.

Motion by Commissioner Evans, second by Commissioner Leidig to suspend the rules to allow the commission to deliberate and make its findings and recommendations while the public hearing is still open. Roll call:

Aye: Dziadus, Evans, Kosirog, Leidig, Slifka, Stevenson, Stocking

Nay: None

MOTION PASSED. VOTE: 7-0

Continuing the discussion on zoning, Dir. DeGroot explained he received a phone call and email from a property owner at 112 N. Fourth Street who was concerned about the zoning for her property. The current zoning was B2-HN and the proposed zoning was D-MHR (Mixed High-Density Residential). The Downtown Station Master Plan recommended that the property be zoned single-family residential. The owner was concerned that with the proposed residential zoning the existing use as a dental office would become nonconforming. The building was constructed as a dental office in the 1950s. Dir. DeGroot reviewed his analysis for the current zoning and the proposed zoning and recommended the property to be zoned Residentially Scaled Commercial Mixed-Use District.

Owner, Ms. Jeanne Wolski, 112 N. 4th Street, stated her building was constructed as a dentist office and she was concerned that if the building remained residential she could not combine her daughter and son-in-law's practices together. No improvements could be made. She intended to keep the building as a dental office. She stated she was not aware of the zoning since she purchased the building in 2014.

Ms. Allison Wolski, 112 4th N. Street, also stated the rezoning would affect her business and ability to grow it.

Discussion followed on what type of zoning was across the street from this property. Commissioner Leidig agreed the proposed change would allow the property to expand yet allow the flexibility to go to residential if desired. Consensus was received to recommend as Residentially-Scaled Commercial Mixed-Use.

Discussing the R6 to D-MHR Mixed High Density Residential zoning from last month, Dir. DeGroot recalled for the commissioners there were properties shown in the Downtown Station Master Plan as being single-family residential but were brought forward by the working group as mixed high-density residential because many of the properties would have become non-conforming under the single-family residential zoning. Approximately 42 out of the 108 properties would become non-conforming. DeGroot shared what the thought-process was from the working group. He proceeded to explain that when the Historic Preservation commissioners (HPC) reviewed the same area, they, along with this commission (from last month), recommended that a special use be required for any building containing 3 or more units and building height to not exceed 35 feet. However, both commissions could not reach a consensus on the boundaries, recalling the Plan Commission at last month's meeting, voted 4-4 and decided to revisit the matter tonight.

Director DeGroot explained that the overhead map was since updated to reflect those parcels (outlined in blue line) identified as existing multi-family buildings in the study area as well as some single-family buildings. He stated the area had been zoned has allowed single-family as well as multi-family dwellings since 1956. The Comprehensive Plan also identified the area as multi-family with the exception on the south side of Peyton between Second and Third Streets, until 2003. In 2003 the Comprehensive Plan then reflected, as long-term, to convert it into a single-family neighborhood, which was also emphasized in the Downtown Station Area Master Plan. Director DeGroot asked whether the

area should be mixed-density residential, single-family residential or should the boundaries be re-drawn?

Chairman Stocking opened up the matter to public comment.

Ms. Patti Lane, 516 Ford Street, believed the current R3 zoning and the R6 zoning for this area were very similar in their development and she felt that while there was much time spent on the creation of the Downtown Station Area Master Plan, to change it within a couple hours in a focus group was "rushed." She reminded the commissioners that the redundant transitional areas were a part of the plan to preserve the single-family homes. She discussed how the neighborhood's character would change if the city allowed 3 or more units.

Referring to the six-units being constructed on the site of the former Cetron building, Ms. Lane pointed out how very small the townhome parcels were that were being constructed as compared to the residential area of her neighborhood, making it too dense. She believed there was demand for single-family homes coming into her neighborhood and believed the entire area would be better suited for R-3 type zoning. (On another matter discussed last month, Ms. Lane pointed out to staff that a home depicted in the R5 section of James Street was not multi-family but was actually a single-family home -- making it 4 out of 10 homes as being multi-family.)

Director DeGroot reminded commissioners that for the area under discussion, the mixed-density residential district would require a special use permit for anything over 3 units and building height maximum would be 35 feet under the proposed zoning district. This is a deviation from the text in the packet which will be updated once the Plan Commission completes its recommendation. Clarification followed by DeGroot.

Ms. Patti Lane returned and reminded the commissioners the area was originally zoned for R3 residential and it was reflected in future plans for the city. She did not believe there was much difference between the two zonings -- by the makeup of the neighborhood -- and the two zonings should be treated equally. She cited examples and emphasized that the working group, when working on the Downtown Station Area Master Plan, was trying to preserve the single-family nature of the northern part of the historic district. Ms. Lane recalled from the last Plan Commission meeting the commissioners were leaning toward having the purple-colored triangle on the map as multi-family -- a transitional area -- due to the nearby factory and could probably fit more townhomes in that area. She clarified that the whole west side of Sixth Street could be R6 (D-MHR Mixed High Density Residential) from Ace Hardware to Stevens Street.

Discussion followed by Commissioner Evans and Director DeGroot that the homes in the area under discussion would have to go before the HPC for review if they had any architectural significance, and that the HPC acted as a general protection to the character of the neighborhood even if the zoning were to change. Chairman Stocking also recalled the HPC, when discussing this same topic, was struggling with building scale associated with the change and if larger buildings were created they may or may not be able to mitigate them through the review process. He provided examples. DeGroot confirmed that was one of the reasons the HPC recommended that anything more than 3 units should require a special use permit.

Commissioner Evans also recalled the reason for making the area R6 was that 1) it was somewhat of a transition area; 2) there would be many non-conforming uses if the zoning was changed to R3 (D-SFMR); and 3) to allow another area of the downtown to develop into a higher density area to support the commercial businesses and provide a greater variety of housing. On that analysis, she believed it was a question of how did the City want this area to develop: return it to single-family or multi-family? Evans also believed that with the HPC's recommendations of protection, she did not feel

the character of the area was threatened and was surprised the working group recommended single-family.

Director DeGroot shared some of the reasons the working group may have decided upon the R3 single-family zoning. He reminded commissioners that the area was zoned R6 multi-family zoning since 1956. He further asked whether commissioners wanted to review a larger map to see what other multi-family area opportunities existed outside the discussion area. Commissioners concurred.

Mr. David Tomelle, 328 N. Third Street, a 35-year resident, noticed there has been an upgrade in the housing toward single-family uses versus multi-family. He suggested keeping the proposed R6 zoning and let nature take its course to the single-family use.

Ms. Patti Lane returned and voiced concern that she has seen a couple of multi-family buildings having their basements excavated for future rental units and questioned how that was being regulated.

Reviewing a larger map outside the discussion area, Director DeGroot pointed out the mixed density opportunities. Rules for bed and breakfasts were also clarified, with DeGroot confirming that in the Mixed High-Density zoning bed and breakfasts would require a special use.

Commissioner Slifka supported the proposed zoning and saw the area as a natural progression from commercial to a higher-density residential, eventually progressing towards a lower-density residential. Given the (HPC's) 3-unit constraint, Commissioner Slifka believed many of the parcels would not develop that way, pointing out how that progression was already seen from First Street heading west for the next three to four blocks. He supported the zoning as proposed.

Commissioner Dziadus supported the single-family zoning and wanted to keep the residential feel of what Geneva is known for. Chairman Stocking, also believed that it was the residential mix and residential character of the neighborhoods adjacent to the downtown that were as critical as Third Street because they provided a general atmosphere of the town. In addition, he believed the area needed to be nurtured and to give the HPC a chance to address the scaling issues up front. Further explanation followed and the fact that it could come down to a case by case basis.

Chairman Stocking emphasized that if the area was zoned as high-density since 1956 and it had not occurred since, then the area should return to the D-SFMR (new single-family) district, citing that the southern end of the City had residentially-scaled commercial areas abutting single-family homes. Commissioner Evans did not want to see a situation like the tear-down infill developments occurring such as those being seen south of the railroad tracks, which she believed destroyed the character of the area.

Ms. Patti Lane returned, stating she did not recall any tear-downs in her area and any remodeling that had been done in the area had been to scale.

Discussion followed on commissioners' thoughts to have the south side of Peyton Street remain as R6 zoning but not the north side, as a compromise. Director DeGroot provided the options that were discussed for the commissioners to consider.

Commissioners' consensus was to keep the proposed D-MHR Mixed Density Residential District zoning for the all of the properties on the south side of Peyton Street and all of the properties west of Sixth Street. The remaining two blocks bordered by Fifth Street on the east, Sixth Street on west, Stevens Street on the north, and Peyton Street on the south, would be zoned D-SFMR Single Family Medium Density Residential.

Mr. Frank Gaugliardo, 308 Anderson Blvd., asked for clarification on how the new zoning affected his property and if it affected who he could rent his space to.

Director DeGroot confirmed his building would be legal non-conforming but the use (restaurant) would remain conforming. He explained that if the site was cleared the new zoning requirements would have to be met. Examples were explained to Mr. Guiardo.

Director DeGroot recommended to keep the public hearing open since new recommendations were made and to allow those property owners an opportunity to ask questions and attend another public hearing.

Motion by Commissioner Kosirog, second by Commissioner Dziadus to continue the public hearing to a date certain date, that date being May 23, 2019. Roll call:

Aye: Dziadus, Evans, Kosirog, Leidig, Slifka, Stevenson, Stocking

Nay: None

MOTION PASSED. VOTE: 7-0

Public Comment – See above.

Other Business

Staff announced the charette process for the Mill Race Inn project has been approved by City Council and will be held the week of June 24 - 27, 2019. All commissioners were invited to attend. The May 9th agenda will include the proposed Oberweis drive-through and the At Home sign variation.

Adjournment

Meeting was adjourned at 8:32 p.m. on motion by Commissioner Evans, seconded by Commissioner Leidig. Motion carried unanimously by voice vote of 7-0.