

On Thursday, February 17, 2022 at 7:20 p.m., a regular meeting of the Plan Commission was called to order by Chair Rene Morris. Roll Call. Present: Rene Morris (Zoom), Skip McCloud, Joe Strabala-Bright (Zoom), Jamie Schwingle (Zoom), Steve Munson, Carol Corwell and Aurelio Gallardo.

Also present: City Planner Dustin Wolff, Building and Zoning Superintendent Amanda Schmidt, City Attorney Tim Zollinger, City Manager Scott Shumard, Alderman Retha Elston, and City Clerk Teri Sathoff.

Steve Munson made a motion to approve the minutes from August 8, 2021 as presented; seconded by Aurelio Gallardo. Voting – Ayes: Corwell, Gallardo, Munson, Schwingle, McCloud and Strabala-Bright. Nays: None. Motion carried.

Petitioner Martin Kapp is requesting to rezone 3818 River Road from R2-SPU to I-1 light Manufacturing. This site is not in the City limits of Sterling; however, it is within a mile and half of the City limits. Kapp would like to lease the building to DB Sales, they would be building generators and sells diesel parts.

City Planner Dustin Wolff stated this same petitioner requested the property be rezoned from R2 to R2-SPU to allow semi-trucks to be parked on the property in 2011. The City objected to the 2011 request to rezone. The City objected citing the road is not constructed to handle semi traffic, and trucks have to drive through a residential district to access the property. Wolff stated the same objections still exist with this rezoning request. The petitioner did not supply the Planning Commission with information regarding traffic that will be generated by this company. The petitioner did not appear at the meeting to answer questions.

Wolff is concerned about the plan to use the property "as-is" the owner does not plan to change to parking lot from gravel to hard surface, there would be no storm water management, nor would there be any landscaping done. Once this location is changed to light industrial zoning it will allow for another manufacturing business to operate there. The property surrounding this location is all zoned R-2, the intended use of the surrounding properties is 1 and 2 family residential. By rezoning this would conflict with the comprehensive plan.

Cindy Von Holten was present at the meeting. Von Holten lives at 3808 River Road, she is concerned with the affect a zoning change would have on her neighborhood and property values. Since the special use zoning change in 2011 there has been a lot of semi-truck traffic generated. The trucks will "engine brake" directly in front of her house causing a lot of noise in the evening. Von Holten requested the planning commission object to the change in zoning.

Steve Munson stated that the information provided by the petitioner is not enough to recommend approval of the zoning change to the City Council.

Skip McCloud would like to have the information on how much traffic will be generated. McCloud also stated that the gravel would need to be changed to hard surface.

Joe Strabala-Bright agreed with Munson and McCloud.

Carol Corwell stated she was concerned about the diesel oil and solvents that would be used on site. The quantity and disposal of the waste products are concerning.

Joe Strabala Bright made a motion to make a recommendation to the City Council objecting to the Whiteside County Board relating to a request for rezoning from Martin Kapp (R2-SPU to I-1) and authorizing a letter of non-objection to reclassification for the property at 3818 River Road, Sterling, Illinois (pin #1113100022); Seconded by Steve Munson. Voting – Ayes: Schwingle, Munson, Corwell, Gallardo, McCloud and Strabala-Bright. Nays: None. Motion carried.

Chair Morris opened a Public Hearing at 7:23 p.m. This public hearing was for two topics, the hearing was run concurrently to cover both topics.

The first item was Zoning Ordinance Text Amendments for Retail Incubators. Sterling Main Street would like to provide an opportunity to small retail businesses to have downtown presence and give them an opportunity to develop into a brick and mortar storefront. Sterling Main Street would like to do this by having small incubators available for lease in a campus type setting. These structures would have electricity but they will not have plumbing.

City Planner Wolff advised the Commission there isn't a provision in the code to provide for such structures. To permit retail incubators in the Downtown Business District as a Special Use, an amendment to the text in the Zoning Ordinance will need to be made. City Planner Wolff recommends the following changes to be made:

- Sec. 102-317 – Matrix of land uses. Add 'Retail Incubator' in the use column within the Retail and Services category. Add 'S' (Special Use) to the DB (Downtown Business) column.
- Sec. 102-215 – Temporary structures. Modify the intent of the temporary structure section and add exceptions to the temporary structure requirements for the Retail Incubator use.
- Article IV – Regulations Applicable to Specific Land Uses. Add Section 102-431. – Retail Incubators to Article IV. – Regulations Applicable to Specific Land Uses. This section will provide the specific requirements pertaining to Retail Incubators

including their approval process (Special Use in accordance with Sec. 102-919); Location (setbacks, placement, etc.); Height minimum and maximum; Accessibility; Lighting; Screening from adjacent properties; Parking (none shall be required); Hours of Operation; and Maintenance, among the other requirements as described in the attached red line Zoning Ordinance text amendment.

The Director of the Sterling Main Street, Janna Groharing, stated that there will be an application and approval process to lease the incubator spaces. The tenants will be required to attend monthly programming. The goal of the incubators is for the small business to grow into a brick and mortar storefront.

City Planner Wolff does have a concern that the State Plumbing Code may require permanent restrooms. Skip McCloud stated that the research he conducted on the code, it does not require a permanent restroom for a temporary structure. City Attorney Zollinger advised that the ordinance could state that owner of the structures shall comply with the State Plumbing Code.

The second item covered in the hearing is to permit Light Industrial uses and as Special Uses in the Regional Business (RB) zoning district. The following Zoning Ordinance text amendments be considered:

- Sec. 102-317. Matrix of land uses. Add "S" in the RB zoning district to light industrial uses, such as "Light Industrial, Processing, Manufacturing," etc. (see attached red line ordinance text amendment).⁴
- Sec. 102-115. Definitions. Add definitions for Light Industrial and Manufacturing (see attached red line ordinance text amendment).
- Sec. 102-310. Purpose statements. Add light industrial uses to the shopping and business use purpose of the Regional Business (RB) Zoning District. Sec. 102-520. Landscape and buffer regulations. Fix a small typo to change the Light Industrial acronym to (LM) instead of (PM).

City Planner Wolff stated this is something that was discussed in the 2040 Comprehensive Plan. Wolff stated that by adding a special use for light industrial it will open up different opportunities for the big box stores that are currently vacant.

With no further business to discuss by staff, commissioners or guests, Chair Morris noted publications were made, fees and signage were not applicable, notification requirements were met, and there were no phone calls or written comments received.

The Public Hearing closed at 8:03 p.m.

Steve Munson made a motion to amend the zoning code to permit retail incubators in the Downtown Business District as a Special Use; Seconded by Carol Corwell. Voting – Ayes: Schwingle, Munson, Corwell and Gallardo. Nays: None. McCloud abstained. (Strabala-Bright was present via zoom and lost connection at the time of roll call) Motion carried.

Skip McCloud made a motion to permit Light Industrial uses and as Special Uses in the Regional Business (RB) zoning district; Seconded by Steve Munson. Voting – Ayes: Schwingle, Munson, Corwell, McCloud and Gallardo. Nays: None. (Strabala-Bright was present via zoom and lost connection at the time of roll call) Motion carried.

With no further business to discuss, the meeting was adjourned at 8:11 p.m.

Teri Sathoff

City Clerk