

**CITY OF MASCOUTAH
PLANNING COMMISSION
#3 WEST MAIN STREET
MASCOUTAH, IL 62258-2030**

JULY 15, 2015

The minutes of the Regular Meeting of the Planning Commission of the City of Mascoutah.

PUBLIC HEARING – 7:00PM

PC 15-07 – Rezoning of property at 618 E. Main Street from GC, General Commercial to DC, Downtown Commercial

Assistant City Manager Lisa Koerkenmeier explained that the applicant, Joseph “Scott” Hutchison, is the property owner of 618 E. Main Street and is requesting the property be rezoned from GC, General Commercial to DC, Downtown Commercial. The property is located on the south side of E. Main Street between August Street and Bernard Street. The legal notice for the public hearing was published and notices were sent to 20 property owners within 250’ of the subject property. Staff heard from Dwight O’Dell one of the partners of Mascoutah Acres Mobile Home Park. He received notice of the public hearing and had no issues with the rezoning.

Koerkenmeier informed the Commission that the subject property includes a single-family dwelling built approximately in 1951 and a newer detached double-car garage built in 2004. The property has continuously been used for a single-family dwelling prior to the City of Mascoutah’s adoption of a zoning ordinance in 1969. The block includes the NAPA Auto Parts store and five (5) residential dwelling units. The NAPA store, the subject property and the residential lot west of the subject property are presently zoned General Commercial. Under the present GC Zoning District requirements, the single-family dwellings are legal non-conforming structures. The GC District permits residential uses provided they are located on the second floor of the building or at the rear of the building. If the dwelling was destroyed by more than 50% of its fair market value, the dwelling would lose its legal non-conforming status and would not be able to be reconstructed. This restriction would likely impede the sale of the property and/or the ability to secure financing to purchase the property. The applicant desires to rezone the property to a district which would allow the structure to be used for residential or commercial (office) purposes.

There are several single-family dwelling units to the west of the subject property that front Main Street and are presently zoned O, Office which allows the property to be used for residential or commercial (office) purposes. The O, Office District and DC, Downtown Commercial District permits residential uses by right so long as the residential zone designations (RS-5, RS-8 and RS-10) standards are maintained. The Office District has a minimum district size requirement of one (1) acre while the DC District does not include a minimum district size. The applicant inquired with the property owner to the west if he wanted to join the rezoning petition to either Office or Downtown Commercial, but the adjoining owner declined at this time. Given the minimum district size requirement, the applicant applied for a rezoning to Downtown Commercial.

Koerkenmeier believes the rezoning request should not be considered “spot zoning.” Both General Commercial and Downtown Commercial are “commercial” zone designations. It would be desirous to have all commercial land use in the downtown area zoned DC instead of GC to meet the purpose or intent of Downtown Commercial zoning which allows and encourages a mix of residential, office and commercial land use. The subject property is depicted as Commercial on the Land Use Map in the City’s Comprehensive Plan, and the DC zoning is appropriate for commercial land use. Additionally, if the subject property and the single-family dwelling to the west would have petitioned and been approved for Office zoning, then the NAPA lot would have been the only remaining commercially zoned property and would appear as a location of “spot zoning.”

Staff recommends approval of the rezoning request for property at 618 E. Main Street from GC, General Commercial to DC, Downtown Commercial, subject to the Findings for Approval attached.

There was no further discussion.

PUBLIC HEARING ADJOURNED at 7:21 PM

CALL TO ORDER at 7:22 PM

Chairman Ken Zacharski called the meeting to order.

PRESENT

Commission members Charles Lee, Jack Klopmeier, Glenn Shelley, Jim Connor and Chairman Ken Zacharski were present.

ABSENT – Rich Thompson & Bruce Jung

ALSO PRESENT

Administrative Assistant Melissa Schanz, Assistant City Manager Lisa Koerkenmeier, Councilman Paul Schorr & Applicant Mr. Hutchinson.

ESTABLISHMENT OF A QUORUM

A quorum of Planning Commission members was present.

GENERAL PUBLIC COMMENT

None

AMEND AGENDA

There was no need to amend Agenda.

MINUTES

Lee moved, seconded by Klopmeier, to approve the minutes of the June 17, 2015 Planning Commission Meeting.

THE MOTION BY ROLL CALL

Charles Lee aye, Jack Klopmeier aye, Glenn Shelly aye, Jim Connor aye and Chairman Ken Zacharski aye
5 ayes, 0 nays

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Discussion was held during the Public Hearing Process. Please see Public Hearing section of these minutes for details.

MOTION

Klopmeier moved, seconded by Lee that the Planning Commission approve the rezoning request for the property located at 618 E. Main Street from GC, General Commercial to DC, Downtown Commercial, subject to the attached Findings for Approval.

THE MOTION BY ROLL CALL

Charles Lee aye, Jack Klopmeier aye, Glenn Shelly aye, Jim Connor aye and Chairman Ken Zacharski aye
5-ayes, 0-nay

WORK SESSION TO UPDATE CHAPTER 34

Lisa Koerkenmeier and the Planning Commission continued the review of Unified Land Development Code, (Chapter 34), Mobile Housing Code (Chapter 23) and Building Codes (Chapter 6). The review process was completed and Lisa Koerkenmeier will put the information in the Code and bring it to the Commission for final review.

MISCELLANEOUS

None

ADJOURNMENT

Lee moved, seconded by Conner, to adjourn at 7:45 p.m.