

CITY OF OLNEY  
PLAN COMMISSION  
AUGUST 5, 2013

AGENDA #1 “CALL TO ORDER” The meeting of the Plan Commission was called to order at 7:35 p.m. in the Council Chambers of the Olney City Hall, 300 S. Whittle Avenue, Olney, Illinois, with Rob McClain presiding.

AGENDA #2 “ROLL CALL” The following Plan Commission members were present: Steve Eichhorst, Mike Winter, Pat Everette, Neva Casstevens, Amber Jared and Rob McClain. Wesley Tolliver and Scott Jones were absent. Also present were City Attorney Larry Taylor, Code Enforcement Officer Mike Mitchell and City Clerk Belinda Henton.

AGENDA #3 “APPROVE MINUTES OF THE PLAN COMMISSION MEETING ON JULY 1, 2013” Mr. Eichhorst moved to approve the minutes of the Plan Commission meeting on July 1, 2013, seconded by Mr. Winter. Mr. Eichhorst, Mr. Winter, Mr. Everette, Mrs. Casstevens, Mrs. Jared and Mr. McClain voted yes. There were no opposing votes. The motion carried.

AGENDA #4 “SWEARING IN” Mr. McClain asked that anyone wishing to testify on behalf of the item being discussed to stand and be sworn in. City Clerk Henton asked them to raise their right hand and “swear to tell the truth, the whole truth and nothing but the truth so help me God.” Bartley Zuber was sworn in.

AGENDA #5 “REZONING: 310 W. BUTLER FROM R-3 (TWO-FAMILY RESIDENCE DISTRICT) TO C-1 (NEIGHBORHOOD SHOPPING DISTRICT)” Bradley E. Cooley, Jr. submitted a petition to change the zoning from R-3 (Two-Family Residence District) to C-1 (Neighborhood Shopping District) on the property at 310 W. Butler Street. If the request for rezoning is granted, the property will continue to be used as a hair salon.

Mrs. Casstevens questioned if Mr. Cooley lives at 310 W. Butler. Mr. Cooley indicated he does not live at this address. Mrs. Casstevens asked if Mr. Cooley considered moving his shop to his present home. Mr. Cooley answered no.

Mr. Zuber explained Mr. Cooley has two children and one on the way and he lives on Florence Avenue. The location of his current home is far more residential than the location of his salon on W. Butler Street.

Mr. McClain understood that Mr. Cooley lived at property when the shop was opened, but now he does not. Mr. Zuber explained Mr. Cooley learned that the property needed to be rezoned when he called City Hall about putting parking behind the salon.

No comments were received from the public.

Bobbie Stover, 211 N. Camp, objected to the request. She has two small children that play in the alley. She has lived at this location for four years and has not had to worry about her kids crossing into the alley.

Mr. Zuber presented the Commission with a stack of letters on Mr. Cooley's behalf.

Mr. Eichhorst asked Ms. Stover if she owned or rented. Ms. Stover replied she rents.

Mr. Zuber commented that Mr. Cooley has been at this location for seven years and has done extensive remodeling of the place.

Mr. McClain asked if Mr. Cooley if he had any plans for changes if this property is rezoned. Mr. Cooley explained he has two other stylist that work with him. He has considered making a parking lot in the rear of the property to free up parking on the street. The alley behind his shop does need some upkeep, but it is a public alley. The property will remain a hair salon. If he sold the property, he had no problem with rezoning it back to residential.

Mr. Zuber looked at property today, and believed there is not going to be any high speed traffic in the alley. The alley is currently gravel and grass.

Mr. McClain asked how Mr. Cooley currently handles parking. Mr. Cooley explained he tries to park off to the side of his driveway to free up parking.

Mr. Zuber pointed out Hurns and Prairie Farms are in close proximity to Mr. Cooley's location.

An unidentified person expressed an objection. She lives next door to Mr. Cooley. Mr. Cooley has driven through her yard even though he was asked not to. The Police have been called about a limousine she parks in front of her house on the street. Mr. Cooley's customers usually park in front of her house. She understood it was a public street, but it is aggregating. According to this woman, Mr. Cooley asked for permission to cut down a tree in her yard with the agreement he would haul the wood away. He was given permission, but the wood was not hauled away. Mr. Cooley commented that was not the original agreement. They had a dead tree that was dropping limbs on cars. He told her he had a chain saw and agreed to cut it down for her. He told her son it was her responsibility to get rid of the wood.

Mr. Cooley commented the neighbors purposely move the limousine out front when they have adequate parking at the side of their house. They have several vehicles, but have plenty of parking on the other side of their house.

Mr. McClain asked Mr. Mitchell if he had any concerns or objections considering this property. Mr. Mitchell answered no.

Mrs. Casstevens saw an amazing number of letters, but they were all Mr. Cooley's clients. Mr. Cooley stated they are people that appreciate where he is located. She asked if he was concerned they would not come to him if he were at a different location. Mr. Cooley explained in the business world he works to get ahead. He is totally content where the salon is located. He has done a lot of renovations and remodeling, and he has employees that like the location.

Mr. Zuber point out the salon will only see five to ten people a day. He knew there was a controversial decision recently made on an eye center wanting to locate in a much more residential area than W. Butler. Mr. Zuber did not believe Mr. Cooley's business would increase traffic on W. Butler.

Mr. McClain questioned how many customers would be present at a time. Mr. Cooley explained all clients are seen by appointment only. This allows them to control the intake of business. It is rare when all stylists work at the same time. Customers park on the street and in the driveway. The creation of a parking lot in the back would alleviate some of the parking concerns.

The next door neighbor commented the only time there is a bad parking issue is on prom night. She also validated the fact that Mr. Cooley is not at the shop all the time.

Mr. Cooley commented nobody wants to hurt a child. Concerning the neighbor's comment about him driving on her property, to Mr. Cooley's knowledge Roger Charleston has never surveyed either property. The property lines are not known. If he did drive on their property, he apologized.

Mr. Winter asked if the parking lot would alleviate the parking problem. Mr. Cooley indicated the parking lot would be big enough for three cars.

Mr. Cooley explained the other stylists rent a chair from him. They are not commissioned.

Mr. McClain questioned flooding concerns for the parking lot. Mr. Mitchell explained a water retention survey and application for a parking lot would be required. Work based on the water retention survey would have to be completed.

Mr. Eichhorst questioned the materials Mr. Cooley expects to use for the parking lot. Mr. Cooley commented he would call his family the Dolls and have gravel brought in. Mr. Zuber added that will depend on what the survey requires.

Mr. Cooley has noticed that a lot of people on Butler struggle with parking and park in their yards. The neighbors behind his property that expressed concern also park behind their property.

Mr. Cooley called Mr. Mitchell to see if he needed a permit for a parking lot. He likes to follow the rules in town. Mr. Mitchell explained the rezoning needed to be done first and then talk about a parking lot.

Mr. Eichhorst commented that the alley has not been well maintained over the years. He asked if Mr. Cooley expects the City to maintain the alley and plow snow. Mr. Cooley answered absolutely not. He has no problem with mowing or trimming the alley.

Ms. Stover explained the only reason they occasionally park in the back is because there is a carport in the back. She also explained there is brush that grows along side her house near the alley. If her kids step foot into the alley, they could not be seen. She also stated that her landlord is against the rezoning. According to Ms. Stover, if Mr. Cooley backs out of his parking lot his tires would be on their property.

Mr. Eichhorst questioned the width of the alley. The exact size of the alley was not known. If it is a major issue, Mr. Zuber suggested that Mr. Charleston be asked to look at the area. Mr. Zuber commented the right of way is the right of way. All of the issues being brought up are easily fixed issues. Ms. Stover talked to her landlord and they said she did not have to cut the brush.

Mr. Cooley commented his neighbors to the west have a parking area in the rear of their property. He would like to be allowed the liberty to use his property the same as other neighbors.

Mr. McClain questioned how the parking lot is accessed. Mr. Cooley explained usually traffic comes from the west, but on occasion it is accessed from the east.

Mrs. Casstevens asked if his driveway could be used to access the parking lot. Mr. Cooley commented that would be the easiest way, but there is a garage not allowing access to the back yard from the front.

The neighbor to the east explained Mr. Cooley did live at the property when the business was started, but he then moved out. The business has never been zoned for a business. Mr. Cooley commented he had the proper zoning for the property when he moved in.

If the neighbors are concerned with the safety of their children, Mr. Winter suggested putting up signs alerting traffic that children are in the neighborhood. Ms. Stover said a sign was put up, but it was knocked down. Mr. Winter suggested putting up more signs and keeping the brush trimmed if safety is the issue. Mr. Winter also commented the responsibility of her children's safety should not be put off on the landlord.

Mr. Winter moved to recommend approval of the rezoning request for 310 W. Butler from R-3 to C-1, seconded by Mrs. Jared. Mr. Eichhorst, Mr. Winter, Mr. Everette, Mrs. Jared and Mr. McClain voted yes. Mrs. Casstevens voted no. The motion carried.

Mr. McClain advised the audience this matter will be considered by the Council at their meeting on August 12 at 7:00 p.m.

AGENDA #6 “ADJOURN”Mr. Eichhorst moved to adjourn, seconded by Mr. Winter. Mr. Eichhorst, Mr. Winter, Mr. Everette, Mrs. Casstevens, Mrs. Jared and Mr. McClain voted yes. There were no opposing votes. The motion carried.

The Plan Commission meeting adjourned at 8:00 p.m.

Belinda C. Henton  
City Clerk