

CITY OF OLNEY
PLAN COMMISSION
JANUARY 3, 2017

AGENDA #1 “CALL TO ORDER” The meeting of the Plan Commission was called to order at 7:30 p.m. in the Council Chambers of the Olney City Hall, 300 S. Whittle Avenue, Olney, Illinois, with Steve Eichhorst presiding.

AGENDA #2 “ROLL CALL” The following Plan Commission members were present: David Abell, Greg Eyer, Vicki Lobacz, Scott Jones, Belinda Henton, Steve Eichhorst, and Pat Everette. Wesley Tolliver was absent. Plan Commission member Barb Roberts was present as a member of the public and not engaged in the meeting as a Commission member. Also present were Code Enforcement Officer Mike Mitchell, Mayor Ray Vaughn, City Attorney Bart Zuber and City Clerk Kelsie Sterchi.

AGENDA #3 “APPROVE MINUTES OF THE PLAN COMMISSION MEETING ON AUGUST 1, 2016” Mr. Everette moved to approve the minutes of the Plan Commission meeting on August 1, 2016, seconded by Mrs. Henton. Mr. Abell, Mr. Eyer, Mrs. Lobacz, Mr. Jones, Mrs. Henton, Mr. Eichhorst, and Mr. Everette voted yes. There were no opposing votes. The motion carried.

AGENDA #4 “SWEARING IN” Mr. Eichhorst asked that anyone wishing to testify on behalf of the item being discussed to stand and be sworn in. City Clerk Sterchi asked those standing to raise their right hand and “swear to tell the truth, the whole truth and nothing but the truth so help me God.” Kenneth Kuhn, Tania Cullison, Barb Roberts, and Charles Roberts were sworn in.

AGENDA #5 “REZONING: 121 S. CAMP STREET FROM R-3 (TWO-FAMILY RESIDENCE DISTRICT) TO C-2 (COMMERCIAL DISTRICT)” Kenneth Kuhn came before the Plan Commission to request a rezoning for 121 S. Camp Street from R-3 (Two-Family Residence District) to C-2 (Commercial District).

Mr. Kuhn was requesting the change in zoning so that Prairie Farms Dairy, Inc. could create a parking area for trucks and trailers.

City Clerk Sterchi mentioned that Kenneth and Betty Crites, property owners of 121 ½ S. Camp Street, had visited her office earlier in the day to make a statement regarding the proposed rezonings. The Crites’ stated that their property has been rented to the same individual for the past 15 years. Their tenant would not be in favor of the proposed use, and the Crites’ wished to do right by their tenant.

Mr. Eyer noted that Prairie Farms originated in Olney in the 1930s, and had acquired additional properties each decade. The acquisition of properties had resulted in various demolitions and some infrastructure improvement. Mr. Eyer was curious what Prairie Farms’ plan was for expansion in the future.

Mr. Kuhn replied that there had been no expansions since 1995. The business was not growing, and that was of concern to Mr. Kuhn. To meet today's needs, Prairie Farms needed to enlarge their cooler. In order to do that, trucks and trailers would need to be moved across the road. Mr. Kuhn planned to construct a concrete lot with fences.

Mr. Kuhn continued that Prairie Farms employs approximately 100 people in the community. With continued growth, that number could increase. Mr. Kuhn stated that Prairie Farms was proud to be a part of the community, and was asking for help to get Prairie Farms progressing.

Mr. Everette wondered in which direction Prairie Farms would expand, should the rezoning be granted. Mr. Kuhn replied that the cooler would be added on to the south.

Mrs. Roberts asked if any expansion was planned for the area north of the Camp Street alley. Mr. Kuhn explained that the area at that location was not deep enough to meet expansion needs for anything other than parking. Additionally, an electric line was in the area that would be much too expensive to move.

Mrs. Cullison noted that her property at 235 W. Chestnut Street was the place of her residence and her business. Any additional traffic in the area would directly affect her. She wondered if the lot would house existing trucks, or if the amount of trucks would increase. Mr. Kuhn felt that the number of trucks and trailers would most likely not change.

Mrs. Cullison then stated that she had heard about other potential plans for Prairie Farms such as the closing of that portion of S. Camp Avenue. Mr. Kuhn indicated that Prairie Farms had requested the closure of a portion of S. Camp Avenue through the City Council for safety purposes, but the request was denied. While Mr. Kuhn admitted that he could not make any promises, he could no longer see the closure of S. Camp Avenue as an option.

Mrs. Roberts felt that Prairie Farms was most likely not aware of the nuisance caused by their noises and truck fumes. The fumes do not allow her to open her windows in warm weather, and she stated that the beeping noises were continuous through the night and day. Trees had also been cut down in the area which makes the noise even worse. Mrs. Roberts felt that additional refrigeration units would only create more noise, fumes and vibrations.

Mr. Eyer asked if Prairie Farms was at a maximum capacity. Mr. Kuhn replied that Prairie Farms was struggling with capacity. Mr. Eyer then asked if Prairie Farms would be able to expand without the rezoning. Mr. Kuhn felt expansion without the new parking lot would be impossible.

Mr. Eyer then commented that Prairie Farms' area had seemed to turn into a light industrial park. He wondered if any other nearby properties had been looked at for expansion. Mr. Kuhn was uncertain. Prairie Farms never solicited purchase of property. Any properties that Prairie Farms had acquired were after the properties had gone up for sale, or if they had been approached by the property owner.

Mr. Everette wondered if Prairie Farms would be at risk for a shut down if the rezoning was not granted. Mr. Kuhn told the Commission that he could not say what the future held. WalMart would be transitioning to their own dairy products after completion of their four year contract with Prairie Farms. On another note, Prairie Farms recently picked up a Save-a-Lot warehouse which would help to offset some of the WalMart loss. Again, Mr. Kuhn was asking for help in keeping Prairie Farms on track for success.

Mrs. Cullison and Mrs. Roberts noted that the current parking lots in the area were dirty and poorly maintained. Mrs. Cullison wondered if Prairie Farms would consider a more attractive parking lot since it was proposed to be placed in the downtown area. Mr. Kuhn answered that Prairie Farms would do the best that they could.

If the rezonings were not granted, Mrs. Cullison wondered what Prairie Farms would do with 121 S. Camp, 129 S. Camp, and 300 W. Chestnut. Mr. Kuhn replied that if the requests were not granted, they would simply continue to mow the lots and possibly plant some trees.

Mr. Roberts pointed out that the application for rezoning did not include any documentation for water retention. Mr. Kuhn replied that it was not required. He has the information ready for when a building permit could be submitted. He did not feel it made sense to pay for a building permit if the rezonings were not granted.

Mr. Roberts asked if there were currently any water retention systems in the 200 blocks of W. Main and W. Chestnut, or near their parking area off of W. Butler. Mr. Kuhn replied that there were no water retention systems in those areas.

Mr. Roberts indicated that since Prairie Farms had acquired and demolished a few properties near his residence, all water was now draining to the west. He had phoned Mr. Kuhn at one point to make him aware, and felt that Mr. Kuhn's response was not acceptable. Mr. Kuhn replied that no changes or disturbances were made to have caused additional drainage problems. Mr. Roberts disagreed, commenting that water was now draining into the alley, which had never happened before. Subsequently, the problematic drainage had caused much damage to property in his basement. Mr. Roberts felt that the City had done exceptional work to help the situation, but that Prairie Farms did not respond.

Mr. Roberts felt that Prairie Farms' operations in the 200 block of W. Main fit into the light industrial operation category. Mr. Roberts pointed out that the area was zoned C-3 (Central Business District), but that bottling was an M-1 (Light Industrial District). Additionally, Mr. Roberts noted that Mr. Kuhn was requesting a C-2 (Commercial District) zoning for the three properties, but Mr. Roberts felt that such distinction would not allow Mr. Kuhn to utilize the area for parking of trucks and trailers. For such parking, Mr. Roberts believed that Mr. Kuhn would need an M-1 (Light Industrial District) designation.

Code Enforcement Officer Mike Mitchell stated that he advised Mr. Kuhn that a C-2 (Commercial District) zoning would be necessary for the addition of off street parking.

Mr. Roberts commented that he would like to work with Prairie Farms on conforming to the area. He was curious if it would be possible to place the commercial offices in a commercial zone, and transfer the parking and docking of trucks to the area currently grandfathered into the zoning ordinance.

Referencing Section 17.88.020 (Nonconforming uses of land) in the City of Olney Municipal Code, Mr. Roberts stated that nonconforming use of land existing at the effective date of the zoning ordinance could be continued if the nonconforming use of land was not expanded on the same or adjoining property. Prairie Farms had expanded since the initiation of the zoning ordinance.

Before the meeting, Mr. Roberts distributed a three page comment, a four page petition, and five pages of various definitions. Referencing his documents, Mr. Roberts requested that the Commission accept the petitions and written documents, and asked that the Commission to consider the area residents, and their rights to a quality of life in their homes and neighborhoods.

Mayor Vaughn noted that the intent behind the proposed rezonings was so that Prairie Farms could expand their cooler. He wondered if the expanding of the cooler would reduce the need for reefer trucks to run all night. Mr. Kuhn replied that unfortunately, the amount of reefer trucks would still be the same.

Noting that Peavler Corporation was a main transporter for Prairie Farms, Glenn Stout wondered if there would be room on the Peavler property for trucks. Mr. Kuhn replied that would not be feasible.

Mrs. Cullison asked how the proposed rezonings could affect employee count. Mr. Kuhn estimated that anywhere from 10 to 15 employees could be added in the future.

Mrs. Roberts asked if there would be any places in the Industrial Park that would be suitable for the trucks. Mr. Kuhn was uncertain, but stated that having the trucks and trailers nearby would be very convenient.

Mr. Eyer asked if the Prairie Farms lot off of W. Butler Street was being utilized to its full extent for parking. Mr. Kuhn felt that more trucks could be moved to that location.

Mrs. Henton pointed out that the City spends a lot of time and money to get jobs into the community and keep jobs in the community. She understood the concerns of those present, but wanted to do whatever possible to keep jobs. She wondered what could be done to help Prairie Farms.

Mr. Roberts offered that a stoplight could be added at the Main and Camp Avenue intersection.

Mr. Eichhorst asked if a C-2 (Commercial District) designation would be adequate for Mr. Kuhn's plans. Mr. Mitchell replied that he felt that such designation would be adequate for

commercial parking. Setback requirements would be five feet on the side and fifteen feet from the front property lines.

Mr. Everette wondered if construction of a large fence on the proposed lot would help with the noise issue. Mr. Kuhn indicated he was willing to try, and that trees could also be planted there. Mr. Mitchell noted that such recommendations for fencing and tree planting could be included in the Plan Commission's recommendation to the Council. Mrs. Henton disagreed that such recommendations could be mandated by the Council, but Mrs. Lobacz pointed out that such recommendations were suggested for the Verizon Special Use Permit.

Mrs. Henton asked Mr. Kuhn if he had any thoughts of creating a parking lot for employees. Mr. Kuhn did not have any plans for such a lot. Mr. Roberts commented that he would be in favor of a lot for automobile parking.

Mr. Eyer noted that the challenges faced at this evening's meeting were due to a lack of foresight from decades ago. He felt that the parking area off of W. Butler could easily accommodate the extra 10 to 12 reefer trucks.

Mrs. Henton wondered if there would be objections for zoning Prairie Farms to M-1 (Light Industrial District). Mr. Roberts felt that would be spot zoning, and he would not be in favor of that.

Mrs. Henton then asked if Mr. Kuhn wanted to continue consideration of a C-2 (Commercial District) designation at this evening's meeting. Mr. Kuhn felt that if it would not allow for his proposed use, then no. Mrs. Henton replied that he had already paid the application fee. In that case, Mr. Kuhn felt that continuing would be fine.

Mayor Vaughn pointed out that under the acceptable uses under C-2 (Commercial District), milk distributing stations were listed. Mr. Roberts felt that a milk distributing station would be a business selling milk in individual packages.

Mr. Eichhorst asked the Mayor if he felt the areas proposed for rezoning would be appropriate for a C-2 (Commercial District) zoning. Mayor Vaughn replied that his trust would be deferred to the Code Enforcement Officer and the City Attorney.

Mrs. Henton moved to approve the rezonings for 121 S. Camp, 129 S. Camp, and 300 W. Chestnut from R-3 (Two-Family Residence District) to C-2 (Commercial District), seconded by Mr. Everette. Mr. Abell, Mr. Jones, Mrs. Henton, Mr. Eichhorst, and Mr. Everette voted yes. Mr. Eyer, and Mrs. Lobacz voted no. The motion carried.

Mrs. Henton also suggested that Mr. Kuhn add fencing and trees to the area to help with some of the concerns of the residents.

The recommendation would be presented to the City Council for final approval on Monday, January 9, 2017, at 7:00 p.m.

Mrs. Roberts asked for clarification on the action. Mr. Eichhorst replied that the Plan Commission would be recommending to the City Council to approve the rezonings to a C-2 (Commercial District). If approved by the Council, allowable uses for the designation would be acceptable.

AGENDA #6 “REZONING: 129 S. CAMP STREET FROM R-3 (TWO-FAMILY RESIDENCE DISTRICT) TO C-2 (COMMERCIAL DISTRICT)” Action on this item was taken under Agenda #5.

AGENDA #7 “REZONING: 300 W. CHESTNUT STREET FROM R-3 (TWO-FAMILY RESIDENCE DISTRICT) TO C-2 (COMMERCIAL DISTRICT)” Action on this item was taken under Agenda #5.

AGENDA #8 “PUBLIC COMMENTS/PRESENTATIONS” No one from the public wished to speak under this item.

AGENDA #9 “ADJOURN” Mr. Eyer moved to adjourn, seconded by Mrs. Henton. A majority affirmative voice vote was received. The Plan Commission meeting adjourned at 8:38 p.m.

Kelsie J. Sterchi
City Clerk