

**Planning & Zoning Commission  
Regular Meeting-Proceedings and Minutes  
Diamond, Illinois**

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**February 18, 2014**

**Proceedings and Recommendations made and ordered of record of said Commission in the Village Of Diamond, State of Illinois, on the eighteenth day of February, 2014.**

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The **regular meeting of the Planning & Zoning Commission** was held on Tuesday, February 18th, 2014, and called to order at 6:00 P.M., in the Conference Room of the Village Hall, Chair Mark Adair presiding. Upon Roll Call, present were Kim Voichescu, Craig VanDuyne and Bob Bianchetta. Absent was Rusty Elberts. Roll Call was called by Cindy Haywood, Secretary.

**APPROVAL OF MINUTES**

**Motion** was made by Commissioner Voichescu and **Second** by Commissioner VanDuyne to approve the October 15, 2013 Special Meeting Minutes. **All Ayes, Motion Carried.**

**PUBLIC HEARINGS**

**Motion** was made by Commissioner Voichescu and **Second** by Commissioner Bianchetta to open public hearing PZ-01-2014: to receive and consider testimony, public comment and other evidence pertaining to the application of 113 Land, LLC, James Back and Jeffrey C. Sperling, as Trustee of the Patio Land Trust, dated April 5, 2012 and amended March 28, 2013 with Raymond Stajszczak as the its beneficiary as to Parcel 1 and Parcel 2, and the Village of Diamond as to Parcel 3 to rezone the property commonly known as 2655-2695 E. Division Street, Diamond, IL from the B1 – Retail Business District to the B-3 – Service Business District. **All Ayes, Motion Carried.**

Mr. Bob Schmude, of Chamlin Associates, stated that he represents owners, Mr. Jim Back and Ms. Kristina Back, who propose to rezone the subject property from the current B1 Retail Business District to the B3 Business District and subdivide the property into 2 lots. They plan to construct a 3,000 square foot building on the eastern lot containing 2 tenants, one being a Little Caesar's Pizza and the other a possible coffee shop and both would have a drive-through. Also, there are no present plans to develop the second lot.

Mr. Schmude referred to the final plat and added that vacation of the rear alley is proposed. Assuming the adjacent property owner has no interest in the alley, they will improve it as part of the development of the property.

In response to the Commission, Mr. Schmude stated that right in/right out is shown off Rt. 113 and final IDOT approval is needed. The Commission expressed concern regarding the parking and 2 drive-through lanes. In response to Commissioner Voichescu, Mayor Kernc stated that this development will not trigger signalization at Will and Route 113; however, she anticipates any additional development on any of the four corners would.

The Commissioner further discussed the proposed layout and reiterated their concerns about entrance to site, the congested parking lot and traffic flow. It was suggested that some delineator posts be installed at the 113 entrance to facilitate the flow and eliminate some of the safety concerns. Painted pavement directional arrows would also be added.

**Motion** was made by Commissioner Voichescu and **Second** by Commissioner Bianchetta to close public hearing PZ-01-2014. **All Ayes, Motion Carried.**

### NEW BUSINESS

#### Consideration of Case PZ-01-2014: Rezoning of 2655-2695 E. Division Street

**MOTION** was made by Commissioner Voichescu and **SECOND** by Commissioner Bianchetta to recommend to the Village Board approval of the application in Case PZ 01-2014: to rezone the property commonly known as 2655-2695 E. Division Street from the B1 Retail Business District to the B3 Service Business District

Also, including and based on the following findings with respect to the requested map amendment:

1. The proposed map amendment and uses are compatible with the existing uses and zoning of nearby property in light of the zoning regulations in place.
2. The proposed use will not cause a diminution of property values by the particular zoning restrictions. The evidence presented by Petitioner establishes that based upon the location, configuration, both existing and reasonably probable uses of the site and other properties in the immediate area, the proposed uses are the highest and best use for the property and that no significant loss in value will occur as a result of the zoning proposed or the uses proposed.
3. It is not anticipated that the uses will change.
4. The property is suitable for development under the Zoning District proposed.
5. There is a public need for the proposed use. The Petitioner has presented evidence relating to the public need to continue to protect and preserve the proposed uses as well as to the benefit to the public.
6. The need for the proposed use and gain to the public that results from the proposed use will exceed any hardships imposed on property owners. The Petitioner has presented information relating to the proposed uses will have minimal off-site impacts to nearby property owners.
7. The Village has given the proposed request and uses thorough consideration and has considered the long term aspect of the public interest to best insure that any development occurs in a reasoned and uniform manner within the property. **4 Ayes, 1 Absent, Motion Carried.**

**Consideration of Preliminary and Final Plat – Diamond Center Subdivision**

A **MOTION** was made by Commissioner Voichescu and **SECOND** by Commissioner Bianchetta to recommend that the Village Board approve the Preliminary and Final Plat and site plan for development of 2 unit building for Diamond Center Subdivision, located at the southwest corner of Route 113 and Will Road. **4 Ayes, 1 Absent, Motion Carried.**

**Presentation by Teska & Associates – Diamond Zoning Ordinance Update**

Mr. Pete Iosue, of Teska Associates, stated that they have begun review of the Village's Zoning Ordinance and said they anticipate providing Diamond with an updated, user friendly ordinance that will be consistent with the Village's comprehensive plan. Mr. Iosue referred to the outline presented to the Commission and briefly described the various stages of review. Members of Commission noted that it would be a beneficial to include a process for site plan input by either the Planning and Zoning Commission or a member representative prior to official recommendation for a proposed development.

**OLD BUSINESS**

No discussion or consideration.

**VILLAGE LEGAL COUNSEL**

There were no comments.

*Commissioner Voichescu left at 7:30 P.M.*

**BOARD MEMBERS OPEN FORUM**

There were no comments.

**PUBLIC COMMENT**

There were no comments.

**ADJOURNMENT**

The Commission determined there were no further matters for discussion. **MOTION** was made by Commissioner Bianchetta and **SECOND** by Commissioner VanDuyne to adjourn at 7:40 P.M. **ALL AYES, MOTION CARRIED.**

Respectfully Submitted,



Cindy Haywood  
Planning & Zoning Secretary