

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

March 4, 2019

Proceedings and Recommendations made and ordered of record of said Commission in the Village of Diamond, State of Illinois, on the fourth day of March, 2019.

**Diamond, Illinois
March 4, 2019**

The special meeting of the Planning & Zoning Commission was held on Monday, March 4, 2019, and called to order at 6:00 P.M., in the Conference Room of the Village Hall, Chairman Craig VanDuyne presiding. Upon Roll Call, present were Bob Bianchetta, Lori Bonarek, Scott Tidwell and Juston McDonald. Roll Call was called by Cindy Haywood, Secretary.

Justin Ritz of WCSJ Radio was present and asked whether he could audio tape the meeting. Village Attorney John Gallo said that was acceptable.

APPROVAL OF MINUTES

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner McDonald to approve the regular meeting minutes dated September 15, 2015. **All Ayes, Motion Carried.**

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner McDonald to approve the regular meeting minutes dated December 15, 2015. **All Ayes, Motion Carried.**

PUBLIC HEARING

PZ-01-2019: Zoning Ordinance Text Amendment

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner Bonarek to open public hearing PZ-01-2019: Zoning Ordinance Text Amendment. **All Ayes, Motion Carried.**

Attorney Gallo described the proposed amendment and stated that presently, exterior finishes of commercial structures must be 100% brick or masonry construction. The proposed amendment would allow steel or aluminum construction for sports or recreation auditoriums, stadiums or arena buildings which are 65,000 square feet or larger provided they are clear span design, the building is constructed with exterior components consisting of architectural steel and aluminum panels or metal composite material panels and are subject to approval of the Site Plan Review Committee, wall panels are corrugated or flush, fastener systems are concealed and exterior finish shall be baked on enamel painted to the manufacturer's standards.

There was no Commissioner or Public comment.

MOTION was made by Commissioner Bianchetto and **SECOND** by Commissioner McDonald to close public hearing PZ-01-2019: Zoning Ordinance Text Amendment. **All Ayes, Motion Carried.**

PZ-02-2019: Map Amendment (Rezoning) with Variations – 2155 E. Division Street

MOTION was made by Commissioner Bianchetto and **SECOND** by Commissioner Bonarek to open public hearing PZ-02-2019: Map Amendment (Rezoning) with Variations- 2155 E. Division Street. **All Ayes, Motion Carried.**

Mr. Leon Baine, owner of the property, stated that he and his family are great supporters of trap shooting as a recreational and competitive sport. Based on its growing popularity, he and his wife feel an indoor range will be a great asset for the area.

Mr. Scott Prichett, project architect, said that the property consists of 5.36 acres and is presently zoned B1, R3 and R1. The surrounding zoning consists of B1 to the north, B3 and R1 to the west, B1 and R1 to the east and unincorporated property to the south. Mr. Prichett said that 2 entrance drives are being proposed off Daly Street and 1 off Tinman. Parking will be provided at the front of the building as well as the west side with additional parking being land-banked. He added that stormwater detention is being provided at the rear of the property. The proposed building consists of 69,400 square feet, 60,000 square feet of that is the trap shooting area. Mr. Prichett said a common area is proposed for the front of the building for viewing and shot resistant glass separates the two areas. The steel frame building allows for 200' of clear span which is necessary to accommodate the sport. He further stated that the building is a pre-finished insulated wall panel system. A covered gable entry feature will be provided at the front along with a wood log siding appearance to provide a rustic appeal to the structure.

Mr. Brian Hertz, project engineer, provided a detailed description of the detention being provided for the site and said that depressional storage is being provided and a detention pond. A berm will be provided along the pond and 3-1/2 foot water depth is provided which will be released at a controlled rate. Village Engineer Tim Hejny stated that the developer has been working with the Village to ensure all stormwater regulations are satisfied under the Will County Stormwater Regulations ordinance adopted by the Village.

Many area residents expressed concern regarding the overall drainage and on-going flooding in the area. They were also concerned about the additional impact on the area as a result of the project. Those residents included Sam and Donna Gervase (130 S. School Street), Becky Johnson (2210 E. Border Street), Betsy Cowherd (70 S. School Street), Tara Cload (175 S. Redmond Street). Village Engineer Hejny reiterated that the Developer is providing stormwater detention in accordance with the Will County Stormwater Regulations adopted by the Village and the development of the property would not have additional impact on the area. Following discussion of the overall drainage issues in the area, Mayor Kernc assured the residents that she would address the concerns with the Village Board and develop a solution to alleviate the drainage problems. She added that the Village has already begun to take steps to improve drainage in that area and she understands how concerning it is.

Debra Olson, 1985 E. Division Street, expressed concern regarding safety. Mr. Baine explained that they are subject to Illinois Firearm Laws which are very strict. Ammunition must be purchased on site and fire arms will be checked into the armory when not in use. He further stated that they are installing a “shot stop net” that will catch the fired shots safely which can then be discarded. They are installing 9” thick insulated walls and heavier insulation in the ceiling to absorb the sound. Also, he plans to have a range safety officer present.

Ms. Corine Leonard, 2020 E. Border, said she was not in favor of the use of firearms and would prefer the property be used for something different.

In response to Mr. Paul Sparrow (2060 E. Border Street) and Mr. John Leonard (2020 E. Border Street), Mr. Baine said there will be 2 employees per shift and 4-8 for a tournament. He anticipates the hours to be 9 AM to 8 PM.

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner Tidwell to close public hearing PZ-02-2019: Map Amendment (Rezoning) with Variations- 2155 E. Division Street. **All Ayes, Motion Carried.**

NEW BUSINESS

Consideration of PZ-01-2019: Zoning Ordinance Text Amendment Including Findings

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner Tidwell to recommend to the Village Board approval of an amendment to the text of the Village of Diamond Zoning Ordinance to add Section 151.135(c) (6), adding regulations for exterior construction standards for amusement, sports or recreation auditoriums, stadiums or arena buildings or structures of 65,000 square feet or larger, including and based on the following findings:

- The proposed text amendment meets the challenge of a changing condition and is consistent with adopted plans and policies of the Village.

All Ayes, Motion Carried.

Consideration of PZ-02-2019: Map Amendment/Rezoning with Variations Including Findings

MOTION was made by Commissioner Bonarek and **SECOND** by Commissioner Tidwell to recommend to the Village Board approval of the application in Case PZ 02-2019 to rezone the property commonly known as 2155 E. Division Street to the B-3 Service Business District and variations from Sections 151.137(C)(2)(d)(2)(a), 151.137 (C)(2)(d)(2)(d) and 151.137 (C)(2)(d)(2)(f) of the Village of Diamond Zoning Ordinance- required landscape standards, including and based on the following findings:

Rezoning:

- 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.

- 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.
- The property is suitable for development under the Zoning District proposed and is consistent with the Village Comprehensive Plan.
- 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.
- 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.

Variance:

- The variance will not alter the essential character of the locality.
- The particular physical surroundings, shape or topographical conditions of the property involved will bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
- The conditions upon which the variance application is based would not be applicable generally to other property within the same zoning classification.
- The purpose of the variance is not based exclusively upon a desire to make more money out of the property.
- The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
- The granting of the variance will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located.
- The requested variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the damage of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

All Ayes, Motion Carried.

Consideration of Final Plat of Subdivision – Diamond Indoor Trap Range Subdivision

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner McDonald to recommend to the Village Board approval of the Final Plat of Subdivision for the Diamond Indoor Range Subdivision. **All Ayes; Motion Carried.**

OLD BUSINESS

No discussion or consideration.

VILLAGE LEGAL COUNSEL

There was no comment.

BOARD MEMBERS OPEN FORUM

There were no comments.

PUBLIC COMMENT

There were no comments.

ADJOURNMENT

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner Bonarek to adjourn at 7:12 P.M. **ALL AYES, MOTION CARRIED.**

Respectfully Submitted,

/s/ Cindy Haywood

**Cindy Haywood
Planning & Zoning Secretary**