

**CITY OF MT. MORRIS
PLANNING COMMISSION AGENDA**

**March 18, 2019
6:30 p.m.**

- 1. MEETING CALLED TO ORDER:** Chairman Marc Gauze.
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES:** Approval of January 21st, 2019 Minutes.
- 5. COMMUNICATIONS:**
 - a. None.**
- 6. PUBLIC COMMENT:**
- 7. OLD BUSINESS:**
 - a. None.**
- 8. NEW BUSINESS:**
 - a. Master Plan**
- 9. PUBLIC COMMENT:**
- 10. UPDATES:**
- 11. PLANNING COMMISSION COMMENTS:**
- 12. ADJOURNMENT:**

**CITY OF MT MORRIS
PLANNING COMMISSION
January 21, 2019**

At **6:30 p.m.**, City Clerk Kristina K. Somers called the Planning Commission Meeting to Order.

PRESENT: Marc Gauze, Lillian Bigelow, Kenneth Andrews, Mayor Duane K. Dunckel, and City Manager/Treasurer Vicki Fishell.

ABSENT: Kevin Dixson, Dan Davis, and Mike Clark.

ROLL CALL:

A motion was made by Lillian Bigelow, seconded by Marc Gauze to approve the absence of Mike Clark.

4 Nays – Gauze, Bigelow, Dunckel, and Andrews

1 Ay – Fishell

Motion: Failed

A motion was made by Lillian Bigelow, seconded by Marc Gauze to approve the absence of Dan Davis.

5 Nays – Gauze, Bigelow, Dunckel, Andrews, Fishell

Motion: Failed

A motion was made by Lillian Bigelow, seconded by Marc Gauze to approve the absence of Kevin Dixson.

5 Ayes

Motion: Carried

OTHERS: DPW Superintendent Paul Zumbach and City Clerk Kristina Somers.

ELECTION OF CHAIRMAN AND OATH OF OFFICE:

City Clerk Kristina Somers opened the floor for nominations for the election of Chairman to Planning Commission at 6:32 p.m.

Nominations:

Marc Gauze

With no further nominations the floor was closed for nominations for the election of chairman at 6:33 p.m.

A motion was made by Mayor Duane K. Dunckel, seconded by Lillian Bigelow to elect Mark Gauze as Chairman of Planning Commission.

5 Ayes

Motion: Carried

Marc Gauze was sworn in as Chairman of the Planning Commission for 2019 by City Clerk Kristina Somers.

ELECTION OF VICE – CHAIRMAN AND OATH OF OFFICE:

Chairperson Marc Gauze opened the floor for nominations for the Election of Vice-Chairman to the Planning Commission at 6:34 p.m.

Nominations:
Kenneth Andrews

With no further nominations the floor was closed for nominations for the election of Vice-Chairman at 6:34.

A motion was made by Marc Gauze, seconded by Mayor Duane K. Dunckel to nominate Kenneth Andrews as Vice-Chairperson to the Planning Commission.

Motion: Carried

Kenneth Andrews was sworn in as Vice-Chairperson of the Planning Commission for 2019 by City Clerk Kristina Somers.

ELECTION OF SECRETARY AND OATH OF OFFICE:

Chairperson Marc Gauze opened the floor for nominations for the Election of Secretary to the Planning Commission at 6:36.

Nominations:
Lillian Bigelow

With no further nominations floor was closed for nominations for the election of Secretary and Oath of Office at 6:36.

A motion was made by Mayor Duane K. Dunckel, seconded by Marc Gauze to nominate Lillian Bigelow as secretary to Planning Commission at 6:36.

Motion: Carried

APPROVAL OF MINUTES:

A motion was made by Mayor Duane K. Dunckel, and seconded by Lillian Bigelow to approve the minutes of the regular meeting held on December 17, 2018.

5 Ayes
Motion: Carried

COMMUNICATIONS:

None.

PUBLIC COMMENT:

Chuck Ferguson - 11935 Walter St. – Stated that the application for ERA Ministries says it is a church. Concerned with the amount of people coming in and not having enough parking space for all. Concerned that it will be taking up too much parking and be a bad situation for downtown. Stated that there is no room for parking for trucks to load and unload.

OLD BUSINESS:

a. None.

NEW BUSINESS:

a. Public Hearing on conditional use Permit request for 700 E. Mt. Morris Road.

A motion was made by Mayor Duane K. Dunckel, and seconded by Lillian Bigelow to approve to open the public hearing at 6:43 p.m.

5 Ayes

Motion: Carried

Tim Elder – 567 Wilson – Stated Conditional Use Permit is very vague. He wants to know what they are using the church for. Asked attorney what a non- congregational church is. States changing the zoning on the building will hurt other businesses in the future. Believes that there shouldn't be a Conditional Use Permit and should get a refund if the building is going to be used as an office.

Jerry Diener – 4161 N. Linden Rd. – Described what the ERA Ministries will be doing that it is not a food pantry. It is for emergency causes and by appointment only. States that there will be no church services. Just wants to be there to make and help the community grow. Also stated that they do not have enough room to entertain the boy scouts.

Mayor Duane Dunckel – Questioned what that daily operations are going to be.

Abbie Simmonds - 422 Dolan Dr. – Stated that the ERA Ministries would be like a corporate office. That they would hold classes and studies to help anyone in hard times. They will be holding bible studies but will not be holding big groups. Main focus is to help and make the community grow and build it back up.

Lillian Bigelow – Questioning if there are trained professionals helping them.

Abbie Simmonds - 422 Dolan Dr. - Stated that there are certified help, also helps outsource to different church if that is what a person needs. They do not take in any money from anyone. States that they are a non-profit.

Richard Young - Parlor 713- Believes that this building should be sold to a retail company. Thinks it will harm the businesses in town and the future businesses. Worries about parking for that building.

Jeff Roth - 11974 Howell – Stated that the liquor store does not have enough parking for them to use and that the rest of the parking lot is used for the apartments next to the liquor store. Stated that to be tax exempt they have to be a church but if they are going to use it as an office they cannot be tax exempt. Stated that the paper work done with the State says E.R.A Ministries church of Christ. Suggested looking at the 7 reasons in the Planning commission book that are supposed to be in the Conditional permit to approve it.

Chuck Ferguson – 11935 Walter- Corrected Jerry about postal code being in the City. Stated the different parcel and zoning use for the buildings around ERA and believes that it should be zoned as a church. Does not believe that the application is a valid application.

Mark Whalen – 624 Wilson – Stated that he has used services like this in the past and believes that it does help

people in the City. Believes if they are recognized by the state as a church they should be recognized by the City as a church.

Lou Templeton – 564 Helen St. – Believes that the explanation she has got for the building is very vague. Questioning what the building is going to be used for. Was told that they need anything anyone was willing to give. Asked about them working with the boy scouts.

Dorothy Lindsey – 423 Spruce - Suggest that they have everything that they want to do in that building on paper.

A motion was made by Duane K. Dunckel, seconded by Lillian Bigelow to approve to close the hearing at 7:22 p.m.
5 Ayes
Motion: Carried

B. Action on Conditional Use Permit.

Marc Gauze Suggested a list of things that will be going on in the building, would like more information on parking.

Mayor Duane K. Dunckel discussed whether or not this is in need of a Conditional use Permit or if they need to be refunded. Discusses the 7 reasons in section 803 article 8.

City Manager Vicki Fishell states that she sat down with Doug Pickett from Rowe and suggest that there needs to be a list in the motion of what is allowed in the building. States that there needs to be 15 parking spots that 6 of them can come from the city the rest will have to get a letter from someone else to let them use 9 parking spots.

Kenneth Andrews discussed on how it is a concern to deny churches because of the tax status and how that looks about the town and any legal actions that come with that as well.

A motion was made by Duane K. Dunckel, seconded by Kenneth Andrews to approve Conditional use Permit to allow ERA Ministries Church of Christ to operate at 700 E. Mt. Morris St. as a corporate office, bible study, and counseling session based on the following 7 questions.

Question 1. The proposed conditional use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.

Answer: There is no constructing being done to the outside. There is potential beatification but size will not change and character will remain the same at this time.

Question 2. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distance, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle interfacing.

Answer: They are not a congressional church so no additional parking will be needed however if needed will find appropriate parking within 300 ft. within 120 days, if not able to find parking by then this condition is reviewable.

Question 3. The proposed use shall be designed as to the location, size intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating there from which might be

Noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.

Answer: There will be none.

Question 4. The proposed use shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

Answer: There will be none.

Question 5. The conditional use shall not place demands on public services and facilities in excess of current capacity.

Answer: There will be no changes that will need to be done.

Question 6. The proposed use shall be so designed, located, planned and operated that the public health, safety and welfare will be protected.

Answer: That is opposite of what they are there to do.

Question 7. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and /or permitted land uses in the zoning district.

Answer: It isn't a supportive business but it is not a detriment to any other businesses.

5 Ayes

Motion: Carried

COMMUNICATIONS:

None.

PUBLIC COMMENT:

Tim Elder – 567 Wilson- Questioned about a previous businesses and the parking that they needed. Stated his beliefs of not needing a Conditional use Permit for that property.

Richard Young- 1326 W. Mt. Morris- Discussed how that paper work says church but we approved them as an office.

Chuck Ferguson- 11935 Walter- States he has never seen anything on paper work that is mandatory to say Church of Christ on it.

UPDATES:

None.

PLANNING COMMISSION COMMENTS:

Kenneth Andrews thinks it is appropriate for them to file as a church to make things simpler. Doesn't think that it is fair they have to go through the conditional use permit because of religion.

Marc Gauze discussing how religion is not affecting the permit anyone else would have to go through the same steps. Thanks everyone from coming.

Lillian Bigelow discusses the cost and fees for supplies.

Mayor Duane Dunckel explains the non-congressional and non-denominational church. Wishes the business well and hopes they stay within the limits.

ADJOURNMENT:

With no further business, the meeting was adjourned at 8:04 p.m.

Lillian Bigelow, Secretary

Kristina Somers, City Clerk