

## **MINUTES OF THE ZONING BOARD OF APPEALS MEETING HELD ON NOVEMBER 15, 2018**

The meeting was called to order by Chairman Ken Hartman at 7:30 PM.

Roll call was taken: **Present: Goessling, Hagenow, Loerch, Kaempfe, Gibbs and Hartman.**  
**Absent: Boothman**

Chairman Hartman asked if there were any additions or corrections to the minutes of the October 18, 2018 meeting. A motion was made by Kaempfe and seconded by Goessling to approve the minutes of the October 18, 2018 meeting as presented. Motion carried.

The Chairman asked if there were any citizens to address the Zoning Board of Appeals. There were none.

The Chairman also asked if there were any corrections or deletions to the agenda. There were none.

### **OLD BUSINESS:**

The Chairman asked if there was any old business. There was none.

### **PETITIONS:**

**Z-18-10-02 A Petition by David Wittenauer for a Zoning Map Amendment for property located at the southwest corner of Gall Road and Illinois State Route 3: rezoning a portion of Parcel #07-23-400-001-000 from I-1 Industrial to R-3 Residential and B-3 Central Business, rezoning portions of Parcel #07-24-300-012-00 from I-1 Industrial to B-3 Central Business, partial rezoning portions of Parcels #07-24-100-015-000 & #07-24-300-016-000 & #07-300-015-000 & #07-24-300-014-000 & #07-24-300-013-000 from B-3 Central Business to R-3 Residential.**

Mr. David Wittenauer, Waterloo Crossing Property, LLC, was present to speak on behalf of this petition, and presented his postal notification receipts to the acting Zoning Administrator. The petition is a request to rezone portions of several lots along the west side of Route 3 between Gall Road and Columbia Avenue. Mr. Wittenauer co-owns approximately 61 acres of land that is currently zoned I-1, Industrial and B-3 Central Business. He is working with Mr. Brian Thompson on a residential development on roughly 38 acres. The residential development would be located in the rear of the property, and commercial property would remain along Illinois State Route 3. Mr. Wittenauer envisions commercial lots 1,2 and 3 to be offices and retail strip centers. The residential development and the street located between the proposed R-3 and B-3 zoned areas would be completed in two phases. Phase I of the residential development would start off of Gall Road, progress southward and comprise about 50 lots. Phase II will incorporate the remaining property and street. Mr. Brian Thompson projected that 40% of the residential

lots would be sold within the first 18 months. He stated that he was a custom home builder and was the developer for County Crossing and North Winds. He envisions the homes to be minimally 1,700 square feet, brick fronts, pillars, lap siding and each would be built with a two car garage. There will be detailed building restrictions to ensure continuity. The restrictions will contain an approval site that will need to be signed off on by the developer and by the owner. The anhydrous ammonia storage tanks that Gateway FS maintains on the adjoining property are subject to setback requirements by the State of Illinois Department of Agriculture. The Zoning Administrator reviewed an overhead map of the area and the residential development should meet or exceed these setback requirements.

**Motion was made by Gibbs and seconded by Kaempfe to recommend approval on the petition by David Wittenauer for a Zoning Map Amendment for property located at the southwest corner of Gall Road and Illinois State Route 3: rezoning a portion of Parcel #07-23-400-001-000 from I-1 Industrial to R-3 Residential and B-3 Central Business, rezoning portions of Parcel #07-24-300-012-00 from I-1 Industrial to B-3 Central Business, partial rezoning portions of Parcels #07-24-100-015-000 & #07-24-300-016-000 & #07-300-015-000 & #07-24-300-014-000 & #07-24-300-013-000 from B-3 Central Business to R-3 Residential.**

**Members voted as follows: YES – Goessling, Hagenow, Loerch, Kaempfe, Gibbs and Hartman.**

**Motion carried.**

**Z-18-11-01 Review and Comment on a Petition by Angela Briggs and Dawn Ivers for a Special Use Permit for the construction and operation of a Day-Care Center at Lot 3 Remlock Professional Park, Phase II, addressed approximately as 714 North Roger Street. (Parcel ID# 08-19-167-003-000).**

Ms. Angela Briggs and Ms. Dawn Ivers were present to speak on behalf of this petition, and presented their postal notification receipts to the acting Zoning Administrator. The petitioners would like to open a child care center on the property which will be capable of hosting 150 children between the ages of six (6) weeks to twelve (12) years, and have approximately 20 teachers. For older children, the school would provide a need for after school studies or a location for the child to go after school. The other day care facilities are almost at capacity and this facility would also allow parents to look for additional programs for their children. In particular, the Kennel Club at Gardner is completely full and unable to take any additional students. Mr. Gibbs asked if they had specific numbers indicating capacity and utilization for other day-care facilities. Although the petitioners stated they gathered the statistics during their research on a need for an additional day-care facility, none were presented with by the petitioner except that approximately 350 children need child care services in the Waterloo area. They expect to be open for business on or around July 1, 2019. Access to the facility will be off Covington Drive.

Ms. Kris McMath Brower, 1 Grandview Bluff Drive, Columbia, IL, spoke on behalf of the petition. Ms. Brower stated that Dawn Ivers is the principle at Gardner Elementary School and has made a huge impact in the lives of children, and that she is passionate about what she does.

Mr. Sam Hand, 705 Mahala, Waterloo, IL, spoke in opposition to the petition. Mr. Hand's wife owns Bumlebeez Child Care Center, which will be next door to the proposed Day-Care Center. Mr. Hand is concerned that the new facility will have a negative impact on all the other day care business in Waterloo. He stated that statically there are 530 child care spots available and about 150 of these are still open, which means 3 out of 4 day care facilities are not operating at capacity. An additional daycare facility will impact the other daycare facilities and teacher positions, which are hard to come by. Bumlebeez currently has 7 children positions open, Caywood has 100 children positions open and Foundations Montessori is  $\frac{3}{4}$  full. The Planning Commission recommended approval of the Special Use Permit unanimously with no concerns or discussions. The Planning Commission felt the proposed day care would complement the neighborhood and was a better fit than the permitted uses by ordinance.

Mr. Kaempfe pointed out that the Board of Appeals does not decide if there are too many or too few day care facilities. The Board of Appeals only decides if this should be a permitted use for the property.

**Motion was made by Kaempfe and seconded Gibbs by to recommend approval on a Petition by Angela Briggs and Dawn Ivers for a Special Use Permit for the construction and operation of a Day-Care Center at Lot 3 Remlock Professional Park, Phase II, addressed approximately as 714 North Roger Street. (Parcel ID# 08-19-167-003-000).**

**Members voted as follows: YES – Goessling, Hagenow, Loerch, Kaempfe, Gibbs and Hartman.**

**Motion carried.**

**NEW BUSINESS:**

The Chairman asked if there was any old business. There was none.

**COMMENTS:**

The Chairman asked if there were any comments. There were none.

**Motion to adjourn the meeting at 8:25 PM was made by Kaempfe and seconded by Loerch. Motion carried.**

Minutes respectfully submitted by Mechelle Childers.