

**Minutes to the City of Wilmington**  
**Planning and Zoning Commission Meeting**  
**Wilmington City Hall**  
**1165 South Water Street**  
**Thursday, February 2, 2017 at 5:00 PM**

**Call to Order**

The February 2, 2017 meeting of the Wilmington Planning & Zoning Commission was called to order at 5:00 p.m. by Deputy City Clerk Joie Ziller in the Council Chambers of the Wilmington City Hall.

**Roll Call**

Upon Roll Call by the Clerk the following members answered "Here" or "Present":

Commissioners Clennon, Tryner, Wysocki, Kulpa, Jones

**Commissioners Absent**

Smith, Humphries

**Quorum**

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

**Other Officials in Attendance**

Also in attendance were the City Planner Carrie Hansen of Schoppe Design Associates, Inc., City Engineer Colby Zemaitis and Deputy City Clerk Joie Ziller

**Elect Pro-Tem Chairman**

Commissioner Clennon made a motion and Commissioner Jones seconded to elect Commissioner Tryner as Chairman of tonight meeting.

Upon roll call, the vote was:

**AYES:**     5 Clennon, Tryner, Wysocki, Kulpa, Jones

**NAYS:**     0

The motion carried.

**Approval of Minutes**

Commissioner Clennon made a motion and Commissioner Wysocki seconded to approve the January 5, 2017 Planning & Zoning meeting minutes as written and have them placed on file.

Upon roll call, the vote was:

**AYES:**     5 Clennon, Tryner, Wysocki, Kulpa, Jones

**NAYS:**     0

The motion carried.

**Public Hearing**

**Annexation & Rezoning R2 County to I2 City**

**Location:** West of RT 53 on south side of Stripmine Road  
**Petitioner:** Castillo, Barney  
**PIN:** 03-17-35-100-003-0000

Commissioner Kulpa made a motion and Commissioner Jones seconded to open the public hearing at 5:03 p.m.

Upon roll call, the vote was:

**AYES:** 5 Clennon, Tryner, Wysocki, Kulpa, Jones

**NAYS:** 0

The motion carried.

The Deputy City Clerk confirmed that the public hearing notice was published (not less than 15 days and not more than 30 days) accordingly and made part of the record. In addition, the applicant's affidavit, certified copies of the notices sent adjacent property owners within 250 feet. Also included with the agenda packet was the letter from IDNR with their recommendations for protection to the land and endangered species found in the neighboring property known as the Hitts Siding Prairie Nature Preserve, along with Interim City Administrator Frank Koehler's memo and recommendation.

Petitioner Barney Castillo explained to the Commission that he would like to annex his property, approximately 2.3 acres located on the south side of Stripmine Road into the City's Corporate limits, along with re-zoning the property to I2-Light Industrial. Mr. Castillo informed the Commission that he cannot use the property for outside storage under its current Will County zoning. The Will County Land Use Department suggested that he annex the land to the City of Wilmington. He currently stores his company vehicles, trailers, materials and equipment inside two cargo containers.

Chairman Tryner explained to the Committee that Petitioner Castillo did email the City a response regarding the six recommendations made by the IDNR in their letter dated December 13, 2016. They are as follows:

***Recommendation #1: As a condition of approval, the City should consider requiring the petitioner to develop a policy and procedure to train employees to recognize these endangered species, to avoid handling them, and to report them to the Department when observed.***

***We will develop a policy and procedure to train our employees to recognize these endangered species, to avoid handling them, and to report them to the Department when they are observed.***

***Recommendation #2: The Department recommends the City require the storage and handling of lawn chemicals (fertilizers and pesticides) to occur on a paved or impermeable surface protected from the weather, so that any spilled or leaching***

*chemicals can be prevented from entering surface or ground water, and be easily cleaned-up.*

*All fertilizers and pesticides are stored and contained on an impermeable surface protected from the weather. This is a completely sealed and enclosed 8' x 40' steel container. The fertilizers and pesticides we use are designed for home and garden use.*

***Recommendation #3: The City should prohibit the temporary storage, composting, or permanent disposal of landscaping waste on the property.***

*We dispose of landscaping debris off site or in an onsite dumpster. We do not do mowing or have any lawn clippings.*

***Recommendation #4: The City should prohibit the washing or cleaning of landscaping equipment on the property.***

*We clean our landscaping equipment at a facility off site. We have no water available on site.*

***Recommendation #5: The City should impose a wetland buffer zone and filter strip.***

*We will keep a 10' vegetative buffer zone and filter strip between the wetlands and the parking area.*

***Recommendation #6: The City should impose a buffer yard on the edges of the parcel facing the Nature Preserve.***

*We propose to install a buffer on the west edge of the parcel facing the Nature Preserve. The buffer will be a berm of dirt at least 10' wide with vegetation. A silt fence will be installed at the base of the berm 5' from the lot line. This will create a minimum buffer zone of 15'. The majority of the south edge of the parcel is wetlands.*

Jerry Stewart questioned the letter submitted by Wilmington Township Road Commissioner. Commissioner Jones stated the letter was submitted by a private citizen and that it was submitted for the public hearing held on August 4, 2016. It was made part of the permanent record for that meeting.

Commissioner Jones made a motion and Commissioner Clennon seconded to close the public hearing at 5:22 p.m.

Upon roll call, the vote was:

**AYES:**        5    Clennon, Tryner, Wysocki, Kulpa, Jones

**NAYS:**        0

The motion carried.

**Commissioner Review, Approval & Recommendation on Annexation and Zoning request by petitioner, Castillo, Barney**

After some discussion the Commission agreed and recommended the following language be included with the annexation agreement:

1. I2-Light Industrial zoning be granted to the petitioner with the recommendations made by the IDNR are met and followed by the petitioner
2. Petitioner be granted I2-Light Industrial zoning with the restriction that he can only operate as a landscape business on the subject property and not any other businesses that would be applicable under the I2-light Industrial Zoning
3. Petitioner is required to grant to the City of Wilmington any easements needed in the in the event the City needs to extend sewer and/or water beyond the subject property
4. Business must be owned and operated by Barney Castillo or the immediate Castillo family. Upon sale of property and business the property will revert back to R1-Single Family Residential

Commissioner Jones made a motion and Commissioner Wysocki seconded to recommend to the City Council to annex the Castillo property and zone the property to I2-Light Industrial subject to the conditions that it be operated only as a landscape business and not other business entities that are applicable to the I-2 zoning, comply with restrictions which were agreed to by the petitioner for the IDNR issues based on the memo submitted, the property would revert to uses consistent with R-1 zoning at anytime which Mr. Castillo or his family no longer owned and operated the business, and he would be required to grant the City any easements needed in the event that water or sewer service is extended to or beyond his property.

Upon roll call, the vote was:

**AYES:**        5    Clennon, Tryner, Wysocki, Kulpa, Jones

**NAYS:**        0

The motion carried.

### **Review and Approve 2017 City of Wilmington Zoning Map**

City Planner Carrie Hansen informed the Commission that this will be reviewed at the March 2, 2017 meeting.

### **Citizen's Comment**

None

### **Adjournment**

Motion to adjourn the meeting made by Commissioner Clennon and seconded by Commissioner Kulpa. Upon voice vote, the motion carried. The Wilmington Planning & Zoning meeting held on February 2, 2017 adjourned at 5:34 p.m.

Respectfully submitted,



Joie Ziller  
Deputy City Clerk

**BEFORE THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF WILMINGTON ON FEBRUARY 2, 2017**

**THE MATTER OF A  
MAP AMENDMENT FROM R-2 RESIDENTIAL SINGLE FAMILY (WILL COUNTY ZONING)  
TO I-2 LIGHT INDUSTRIAL – STRIPMINE ROAD  
PIN 03-17-35-100-003-0000  
PETITIONER, CASTILLO, BARNEY**

**PZC MAP AMENDMENT FORM FOR FINDINGS AND RECOMMENDATIONS**

**JURISDICTIONAL REQUIREMENTS FOR A HEARING**

- Yes  No      Published Public Hearing Notice was made not less than 15 days and not more than 30 days prior to hearing.
- Yes  No      Public Hearing Notice made part of the record.
- Yes  No      Applicant's Affidavit that signage was posted not less than 15 days and not more than 30 days prior to hearing.
- Yes  No      Copy of the Notice was sent to each property owner within 250 feet of the proposed variance.
- Yes  No      Applicant's Affidavit of Service of Notice to each property owner was filed.

**PLANNING AND ZONING COMMISSION FINDINGS RELATIVE TO THE PETITION FOR  
MAP AMENDMENT**

After giving due consideration and weight to the following factors: (1) the potential benefits and detriments of the proposed zoning change to the public health, safety and welfare; (2) the extent to which the proposed amendment is in compliance with and/or deviates from the adopted comprehensive plan; (3) the suitability of the property in question for the uses permitted under the proposed zoning; and (4) the adequacy of appropriate public facilities, such as sewer, water and roads and of other required services, the Planning and Zoning Commission hereby finds as follows:

- Yes  No      (1) The proposed rezoning conforms to the comprehensive plan; or conditions or trends of development have changed in the area of the request, since the adoption of the comprehensive plan, to warrant the need for different types of land uses or densities. Furthermore, the proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding area's trend of development.
- Yes  No      (2) The proposed rezoning conforms to the intent and purpose of Chapter 150 of the City of Wilmington's Code of Ordinances.

Yes  No (3) The proposed rezoning will not have a significant detrimental effect on the long-range development of adjacent properties or on adjacent land uses.

Yes  No (4) Adequate public facilities and services exist or can be provided.

Facts supporting map amendment as to issue 1: \_\_\_\_\_

Facts supporting map amendment as to issue 2: \_\_\_\_\_

Facts supporting map amendment as to issue 3: \_\_\_\_\_

Facts supporting map amendment as to issue 4: \_\_\_\_\_

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The final vote of the Planning and Zoning Commission to recommend APPROVAL of the requested map amendment from R-2 Residential Single Family (Will County Zoning) to I-2 Light Industrial on Stripmine Road, by ayes and nays, was as follows:

Chris Smith absent Larry Clennon aye Jonathan Jones aye

Ken Kulpa aye Bryan Humphries absent Gina Wysocki aye

John Tryner aye

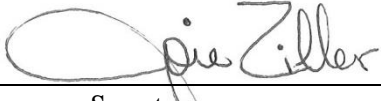
PZC hereby recommends the granting of the map amendment from R-2 Residential Single Family (Will County Zoning) to I-2 Light Industrial on Stripmine Road based upon the conditions and restrictions, if any, set forth below:


1. I2-Light Industrial zoning be granted to the petitioner with the recommendations made by the IDNR are met and followed by the petitioner
2. Petitioner be granted I2-Light Industrial zoning with the restriction that he can only operate as a landscape business on the subject property and not any other businesses that would be applicable under the I2-light Industrial Zoning
3. Petitioner is required to grant to the City of Wilmington any easements needed in the in the event the City needs to extend sewer and/or water beyond the subject property
4. Business must be owned and operated by Barney Castillo or the immediate Castillo family. Upon sale of property and business the property will revert back to R1-Single Family Residential

OR

- PZC hereby recommends against the granting of the map amendment from R-2 Residential Single Family (Will County Zoning) to I-2 Light Industrial on Stripmine Road in this matter.

Dated: February 2, 2017

  
Secretary

  
Chairman