RECAP

DOCKET NO:

2020-002

Ward # 4

ADDRESS:

1501 Griffiths

PETITIONER:

Steven K. Ray and Karen A. Ray, as Contract Purchasers.

PRESENT ZONING

CLASSIFICATION:

S-2, Community Shopping and Office District, Section

155.031,

REQUESTED

ZONING RELIEF:

A petition to reclassify to B-2, General Business Service

District, Section 155.034.

COMMENTS:

Petitioner respectfully request reclassification from S-2 to B-2 to convert the existing building from its current design to a Plumbing and Sewer business. Petitioner further requests if the B-2 zoning is not afforded, consideration for a use variance to allow operation of a plumbing and sewer

business in the S-2 zoning district.

OBJECTORS:

None

SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION

RECOMMENDATION:

- Recommend denial of the requested B-2 zoning. B-2 zoning allows some uses that are too intense given the residential areas to the north, east, and south. In the alternative, staff recommends approval of a Use Variance to allow a plumbing and sewer business on the subject property provided: (1) there is no outside storage of trailers, materials, and supplies; and, (2) all vehicles are parked inside at the close of business daily. This property contains a commercial building in a predominantly residential area. Adaptive re-uses of the building to balance commercial usage with concerns about minimizing adverse effects on the adjacent residences have historically been handled through the granting of Use Variances by the City Council. In 1989, 2016, and 2018, Use Variances were granted with various stipulations for, respectively: a banquet hall, various S-2 uses with 5,000 square feet storage per whole establishment, and the storage of Asset Relocation Containers (ARC). The unique history of this property creates some plight for the petitioner if a similar or less intense use of the property is not allowed when others have been granted permission to use the property for more intense uses, e.g. ARC storage, through Use Variances in the past. The Standards for Variation are met.

<u>AMENDED</u>: Recommend denial of the requested B-2 zoning. B-2 zoning allows some uses that are too intense given the residential areas to the north, east, and south. In the alternative, staff

recommends approval of a Use Variance to allow a plumbing and sewer business on the subject property provided: (1) there is no outside storage of trailers, materials, and supplies outside storage is limited to an area north and west of the eastern edge of the existing building in a solid fenced in area in compliance with the code; and, (2) all vehicles are parked inside at the close of business daily. This property contains a commercial building in a predominantly residential area. Adaptive re-uses of the building to balance commercial usage with concerns about minimizing adverse effects on the adjacent residences have historically been handled through the granting of Use Variances by the City Council. In 1989, 2016, and 2018, Use Variances were granted with various stipulations for, respectively: a banquet hall, various S-2 uses with 5,000 square feet storage per whole establishment, and the storage of Asset Relocation Containers (ARC). The unique history of this property creates some plight for the petitioner if a similar or less intense use of the property is not allowed when others have been granted permission to use the property for more intense uses, e.g. ARC storage, through Use Variances in the past. The Standards for Variation are met.

PLANNING AND ZONING

COMMISSION

RECOMMENDATION:

Accept amended recommendation from SSCRPC

DATE:

January 15, 2020

CITY COUNCIL ACTION:

DATE:

February 18, 2020

SPRINGFIELD PLANNING AND ZONING COMMISSION SPRINGFIELD, ILLINOIS

IN THE MATTER OF THE PETITION) DOCKET NO. 2020-002
) PROPERTY LOCATED AT:
Steven K. Ray and Karen A. Ray,) 1501 Griffith Ave.
As contract purchaser	

RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION

THIS MATTER, coming on for a hearing before the Springfield Planning and Zoning Commission of the City of Springfield, Illinois, and it appearing to said Commission that a petition for a reclassification of property from S-2, Community Shopping and Office District, Section 155.031, to B-2, General Business Service District, Section 155.034, of said City has been filed herein by the above-captioned Petitioner; that legal publication has been made pursuant to law; and that a public hearing was held on January15, 2020, pursuant to law, and that said Commission took testimony of witnesses, examined the evidence, otherwise being fully advised in the premises, therefore finds as follows:

- 1. That said Commission has jurisdiction to consider the petition filed.
- 2. That the above-captioned petitioner is the owner and/or has a beneficial interest in the property more particularly described as: Part of the Northwest Quarter of the Northwest Quarter of Section 23, Township 16 North, Range 5 West of the Third Principal Meridian, bounded and described as follows: Commencing at a point on the South line of said Quarter Quarter Section 120 feet East of the Southwest corner of said Quarter Quarter Section; thence East, on the South line, 204 feet to a stone in the Southwest corner of Lot 10, Block 4 of Saunders subdivision thence North, along the East line of Lot 11, Block 4 of said subdivision; measure 550 feet to a stone in the Northwest corner of Lot 4, Block 4 of said subdivision; thence West, along the South line of Lot 3, in Block 4 of said subdivision measure 200 feet to a stone in the Southwest corner of said Lot 3;thence, continuing on the last described course, measure 4 feet; thence deflecting to the left 89 degrees 46 minutes 54 seconds, measure 550 feet along a line parallel to and 120 feet _East of the West line of Section 23 to the point of beginning. Situated in _Sangamon County, Illinois. Tax ID# 14-23.0-105-004.
- 3. The present zoning classification is S-2, Community Shopping and Office District, Section 155.031.
- 4. That the present land use of said property is a steel building approximately 10,000 square feet which has been used as a banquet hall in the past.
- 5. The proposed land use of said property is to convert the existing building from its current design to a Plumbing and Sewer business.
- 6. That the changes requested for said property is for reclassification of property from S-2, Community Shopping and Office District, Section 155.031, to B-2, General Business Service District, Section 155.034, Petitioner further requests if the B-2 zoning is not afforded, consideration for a use variance to allow operation of a plumbing and sewer business in the S-2 zoning district.
- 7. That the required findings and standards of the Planning and Zoning Commission are accurately stated on the attached exhibits.
- 8. That the evidence adduced at the hearing **did** support the proposition that the adoption of the proposed request is in the public interest.

BELOW is the RECOMMENDATION of the Springfield Planning and Zoning Commission:

Motion made by: Commissioner Wood

Motion seconded by: Commissioner Johnson

RECOMMENDATION OF THE PLANNING & ZONING COMMISSION:

Accept the amended recommendation from SSCRPC

The vote of the Commission was as follows:

Yes: 10

No: 0

Absent: 0

Recording Secretary

Chairman

FINDINGS OF FACT

Case #: 2020-002

Address: 1501 Griffiths Avenue

(i) Existing uses of property within the general area of the property in question.

North, East, South: Residences. West: Railroad track.

(ii) The zoning classification of property within the general area of the property in question.

North, East, South: R-2. West: I-1.

(iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

It is felt the existing S-2 zoning is a better fit for the subject property due to the intensity of some of the allowable uses in B-2, particularly as there are residential areas immediately to the north and east.

(iv) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.

The general area is predominantly residential. There is a body shop slightly west of the subject property across the railroad tracks. Use Variances were granted in 1989 (banquet hall with restrictions), and 2016 (various S-2 uses with 5,000 square feet storage per wholesale establishment). The subject property was also rezoned to S-2 with a Use Variance to allow Asset Relocation Container (ARC) storage with restrictions in Zoning Case # 2018-060.

(v) The relationship of the uses allowed under the proposed zoning classification to the Official City Plan.

The City Plan designates the subject property as commercial.

(vi) If the Commission finds that both existing zoning classification and the zoning classification requested in the proposed amendment are inappropriate, the Commission shall make a finding on the appropriate zoning classification for the property.

B-2 zoning allows some uses that are too intense given the residential areas to the north, east, and south. However, due to the subject property's history of Use Variances, staff believes a Use Variance is appropriate.

Chairman

Case # 2020-002

AMENDED STANDARDS FOR VARIATIONS

Case #: 2020-002

Address: 1501 Griffiths Avenue

(i) Can the property in question be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations?

Having a use of this type at this property with the suggested limitations would benefit the community by improving a vacant and underutilized property in a manner that will not have a significant negative effect on the surrounding residential areas over existing conditions.

AMENDED: Having a use of this type at this property with the suggested limitations would benefit the community by improving a vacant and underutilized property in a manner that will not have a significant negative effect on the surrounding residential areas over existing conditions. Testimony was provided that outside storage, limited to the a solid fenced area northwest of the existing building, will help improve an underutilized portion of the subject property. Testimony was also provided the property has not been used for eight (8) years.

(ii) Is the plight of the owner due to unique circumstances?

This property contains a commercial building in a predominantly residential area. Adaptive re-uses of the building to balance commercial usage with concerns about minimizing adverse effects on the adjacent residences have historically been handled through the granting of Use Variances by the City Council. In 1989, 2016, and 2018, Use Variances were granted with various stipulations for, respectively: a banquet hall, various S-2 uses with 5,000 square feet storage per whole establishment, and the storage of Asset Relocation Containers (ARC). The unique history of this property creates some plight for the petitioner if a similar or less intense use of the property is not allowed when others have been granted permission to use the property for more intense uses, e.g. ARC storage, through Use Variances in the past.

(iii) Will the variation, if granted, alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality?

Provided the suggested limitations are approved, negative impacts from the proposed Use Variance over existing conditions are unanticipated.

AMENDED: Provided the suggested limitations, as amended, are approved, negative impacts from the proposed Use Variance over existing conditions are unanticipated. Testimony was provided that the solid fenced in area where the outside storage will be is away from the residential areas to the north, east, and south; and, the outside storage will be on the other side of the railroad tracks from the residences, auto body shop, and car business shed to the west.

hairman

Chairmán

Docket 2020-002 1501 Griffiths Avenue

PETITIONER: Steven K. Ray and Karen A. Ray

OBJECTORS: None

SUPPORTERS: None

PRESENT ZONING

CLASSIFICATION: S-2

<u>REQUESTING</u>: Petitioner respectfully request reclassification from S-2 to B-2 to convert the existing building from its current design to a Plumbing and Sewer business. Petitioner further requests if the B-2 zoning is not afforded, consideration for a use variance to allow operation of a plumbing and sewer business in the S-2 zoning district.

Staff Recommendation- Recommend denial of the requested B-2 zoning. B-2 zoning allows some uses that are too intense given the residential areas to the north, east, and south. In the alternative, staff recommends approval of a Use Variance to allow a plumbing and sewer business on the subject property provided: (1) there is no outside storage of trailers, materials, and supplies; and, (2) all vehicles are parked inside at the close of business daily. This property contains a commercial building in a predominantly residential area. Adaptive re-uses of the building to balance commercial usage with concerns about minimizing adverse effects on the adjacent residences have historically been handled through the granting of Use Variances by the City Council. In 1989, 2016, and 2018, Use Variances were granted with various stipulations for, respectively: a banquet hall, various S-2 uses with 5,000 square feet storage per whole establishment, and the storage of Asset Relocation Containers (ARC). The unique history of this property creates some plight for the petitioner if a similar or less intense use of the property is not allowed when others have been granted permission to use the property for more intense uses, e.g. ARC storage, through Use Variances in the past. The Standards for Variation are met.

Steve Keenan read the Staff Recommendation for this case. A copy of the report is attached and made a part of the original record.

TJ Heavisides read the Traffic Engineer's recommendation for this case. A copy of the report is attached and made a part of the original record.

Steve Ray from Sherman, Il is sworn.

Chairman Moore – You have an essentially a positive recommendation even though your initial petition was recommended as denial. Is anything you'd like to add to the statement that was made by the staff?

Steve Ray -No, I think the recommendation came through as a variance and obviously we're trying to obtain B-2 for that property. So that would be the reason for the hearing, correct?

Chairman Moore- That's correct.

Steve Ray- Okay. So the property has been vacant for eight years. It's going to take a substantial amount of money to put this together and make this work. We got to cut in several overhead doors. The parking lot needs work. I promised a barrier fence for Springfield regional planning commission. The outside alone has got \$50,000.00 and plus what we're putting inside the building on the inside. So I have this huge

investment that I'm willing to put into it, but to get the B-2 Zoning so that it's valued at what it is worth when it's completed would be what we're needing. When it gets converted over to having five overhead doors, the ventilation system that can clear the area, it's all for storage of trucks. The trucks that we have are very expensive. They are full of tools. They need to be inside and protected. But once it's completed, it will never be a banquet hall or a retail establishment again. It's strictly just going to be a shop. That's the reason we're going to be upwards of 350,000. The people in the neighborhood have an investment in their property, but we're putting quite a bit in here as well. So we'd like to have to B-2 if it's possible.

Chairman Moore - Well, and at this point I'm going to open up to the commissioners to ask questions and then if it doesn't come out from somebody else, I have a question for staff.

Commissioner Johnson - I heard him say, I've already said denial. And then I heard somebody say, you want B-2. What are we really looking at?

Steve Keenen - The gist of this is that we're recommending denial of the B-2. There are several uses in the B-2 category that would be too intense for this particular property because of the residential that's in the area. So in the alternative we asked for alternate relief as well, which was a use variance.. That's what we're recommending approval of . The use variance will allow a plumbing and sewage business with a couple of stipulations, no outside storage, and then the other was to have all vehicles parked inside of the close of business each day.

Chairman Moore- That's exactly what I wanted to be pointed out to the petitioner that that you're really not getting a B-2. You're getting what you're asking for specific to your business. Any other questions?

Commissioner Gooden - Over the life of the property, would you anticipate adding onto the building?

Steve Ray- I don't particularly think we'll probably add on the building. If we had to do anything, I think we would probably put up a separate dry storage unit. And basically what that's for is if we outgrow the building that we're getting, then I would still have to have more storage area. We don't like to really keep anything outside in the weather, just detrimental to equipment. So we keep a mini excavator, mini skid, we've got trailers. There's, there's a lot of things. And even in the size of building that's there's 10,000 square feet, but 8,000 will be eaten up pretty quick by all of the trucks and they will be inside at the close of business every day cause that protects my investment. So they will be in, but in the future there might be another dry storage building and that's, that was one of the attractions of the property is two and a half acres there. We can put another building on there if we need to. Again, when you go to borrow money or need to do upgrades, the B-2 zoning's always something that they're always asking about if you want to continue.

Commissioner Gooden - So the two conditions that the regional planning commission has recommended, are those acceptable to you that you will always have all vehicles and they're indoors?

Steve Ray - So when I met with Steve and Molly up there before any of this, I submitted what I was going to do. One of the things that we did talk about is they have two dump trailers that we leave outside. We won't have room for them inside and therefore rock and sand just to deliver it to our sewer jobs back and forth and then we parked in the back corner the property itself has residential on the East side and North side of the property, the other sides, the trees and a railroad tracks. One of the things that we put in there was eight foot privacy fence all the way across the back and then all the way down the side to keep

that buffer that they wanted for the residential people there.

You would never see it from the front anywhere. I'm not going to park them out front. They would be in the back corner. This was previously discussed. So at the time they were like, okay, if you that have it out of the way. I said, yes.

Commissioner Gooden - The regional planning commission recommendation states that there would be no outside storage of trailers. You would like to at least have storage of two trailers.

Steve Ray - I was confused by that when I do intend like to have a least storage of two trailers. I mean basically what was previously discussed and at that time it was okay, you put them at the back. Yes. They will be at the back. They're not going to be out front. They won't be visible.

Commissioner Gooden - I just don't want to put you in a box where what you want to do eventually it becomes a violation of the code. You don't anticipate any trenching equipment or piping or anything that you would store outdoors at all?

Steve Ray - No. There'd be none of that stored outside. That's all inside. My business is a service business. Our box vans carry everything that we need on them with the exception of some pipe .Our excavator, mini-excavator, and our mini skid and all that goes inside. It's just one of those things where we just currently we're at a space where we're at. We needed this much space to get in there. Typically I could probably get the trailers inside. It's just that the functionality inside the building between the offices, the restrooms, the mechanical room and everything else takes up over 2000 square feet on one side of the building. So putting the overhead doors and there'll be five of them and getting that, the amount of equipment in there it just makes it harder to get in and out and what not with those in there. So that was the reason why it was discussed previously.

Chairman Moore - Any other questions?

Commissioner Gooden – I want to ask staff what is the purpose of prohibiting outside storage?

Steve Keenen-We just looking at it from the perspective that he seemed amenable to be doing that. But if I could establish a couple of things for the record, we might be willing to amend our staff recommendation a little bit too.

Commissioner Gooden - They do intend to construct eight foot privacy fence on the property lines that is joined residential. It would seem onus on the owner to not be allowed when other businesses that have been granted use variances or B-2 are allowed provided the screen.

Steve Keenen If you don't mind chairman, can I ask a couple of questions? Okay. Would you be willing, from our perspective, the biggest thing we're looking at if, if we do some outside storage is we would like to keep it as far away from the residential areas as possible. And you talked about yet at this point you just wanted a couple trailers outside. Would you be amenable to storing and kind of that Northwest area of the property kind of behind the building and maybe limiting it to like the Eastern property? Would that be okay with the building?

Steve Ray- It would actually be toward the West side, kind of North to the, behind the building. Would that be okay for now would not be where it's visible at all from the front.

Steve Keenen- That's okay. Okay. And then would you, you'd be willing to comply with the code as to the East and North fence.

Steve Ray- I submitted that and I think that I'm just trying to get the best buffer we can in between them. It was either that or landscaping and that wasn't going to work.

Commissioner Gooden - So has the staff, have you amended your recommendation?

Steve Keenen - I was about to do so. Give me an opportunity. Mr. Chairman, we'd like to amend our staff recommendation at this time. We would like to change on page one where it States staff recommends approval of a use variance to allow a plumbing and sewer business on the subject property. We're going to strike number one after provided and replace as follows. Outside storage is limited to an area North and West of the Eastern edge of the building and a solid fence fenced in area in compliance with the code. And then on page four we would amend finding number one to read as follows. Having a use of this type at this property with the suggested limitations would benefit the community by improving a vacant and underutilized property in a manner that will not have a significant negative effect on the surrounding residential areas over existing conditions. Testimonial was provided. The outside storage limited to a solid fenced in area in Northwest of the existing building will help improve an underutilized portion of the subject. Property testimony was also provided that the property has not been used for approximately eight years and then under finding number three will the variation of granted alter the essential character of the locality et cetera. We are changing what we're going to add some and say amended as follows. Provided the suggested limitations as amended are approved. Negative impacts from the proposed use variants over existing conditions are unanticipated testimony was provided that the solid fenced in area where the outside storage will be is away from the residential areas to the North, East and South and the outside storage will be on the other side of the railroad tracks on the residences, auto body shop and business to the West. And that concludes our amended staff analysis in plain terms with the saying is that the outside storage or that you have has to be in a solid fenced in area basically behind the building, kind of West of that Eastern edge and then kind of in that Northwest corner as we discussed.

Steve Ray- Steven, you're talking about the fence that I'm providing within that area, but in the background.

Steve Keenen- yes

Steve Ray - Okay. I just wanted to make sure we're clear.

Chairman Moore-Is everybody good? I'm going to close the public portion and entertain a motion.

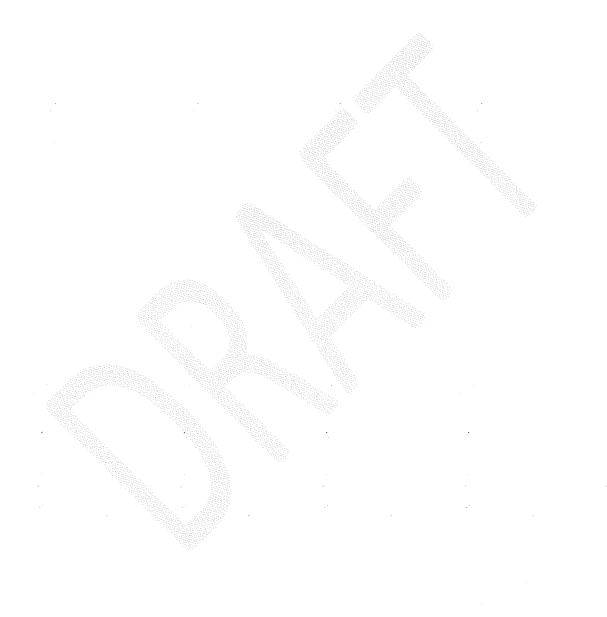
Commissioner Wood- I make a motion that we accept the amended recommendation of staff.

Commissioner Johnson- I second the motion.

Motion carries 10/0/0 absent

AMENDED Staff Recommendation: Recommend denial of the requested B-2 zoning. B-2 zoning allows some uses that are too intense given the residential areas to the north, east, and south. In the alternative, staff recommends approval of a Use Variance to allow a plumbing and sewer business on the subject property provided: (1) there is no outside storage of trailers, materials, and supplies outside storage is limited to an area north and west of the eastern edge of the existing building in a solid fenced in area in compliance with the code; and, (2) all vehicles are parked inside at the close of business daily. This property contains a commercial building in a predominantly residential

area. Adaptive re-uses of the building to balance commercial usage with concerns about minimizing adverse effects on the adjacent residences have historically been handled through the granting of Use Variances by the City Council. In 1989, 2016, and 2018, Use Variances were granted with various stipulations for, respectively: a banquet hall, various S-2 uses with 5,000 square feet storage per whole establishment, and the storage of Asset Relocation Containers (ARC). The unique history of this property creates some plight for the petitioner if a similar or less intense use of the property is not allowed when others have been granted permission to use the property for more intense uses, e.g. ARC storage, through Use Variances in the past. The Standards for Variation are met.



CITY OF SPRINGFIELD



PETITION FOR RECLASSIFICATION

DEPARTMENT OF BUILDING AND ZONING SPRINGFIELD, IL

STATE OF ILLINOIS)	SPRINGFIELD	
)	SS	
COUNTY OF SANGAMON)		

IN THE MATTER OF THE PETITION OF STEVEN K. RAY AND KAREN A. RAY OF SHERMAN, ILLINOIS, RESPECTFULLY PETITIONS FOR AMENDMENTS OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, ILLINOIS, TO RECLASSIFY PROPERTY COMMONLY KNOWN AS 1501 GRIFFITHS AVENUE FROM S-2 WHICH IS COMMUNITY SHOPPING AND OFFICE DISTRICT IN SECTION 155.031 OF THE CITY CODE TO B-2 GENERAL BUSINESS DICTRICT WHICH IS DESCRIBED IN SECTION 155.034 OF THE CITY CODE.

TO THE HONORABLE MAYER AND MEMBERS OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS: AND

TO THE SPRINGFIELD PLANNING AND ZONING COMMISION OF THE CITY OF SPRINGFIELD, ILLINOIS:

COMES NOW Petitioner, <u>Steven K. Ray</u> and Karen A. Ray and respectfully petitions the Council of the City of Springfield as follows:

1. The Petitioner is the Contract Purchaser of <u>1501 Griffiths Ave</u>, Springfield,

Illinois, legally described as:

Part of the Northwest Quarter of the Northwest Quarter of section 23,
Township 16 north, range 5 West of the Third Principal Meridian, bounded and
described as follows: Commencing at a point on the South line of said Quarter
Quarter section 120 feet East of the Southwest corner of said Quarter Quarter
Section; thence East on the South line, 204 feet to a stone in the Southwest

2020-002

1501 Griffiths Ave

corner of Lot 10, Block 4 of Saunders Subdivision thence North, along the East line of Lot 11, Block 4 of said Subdivision, measure 550 feet to a stone in the

Northwest corner of Lot 4, Block 4 of said subdivision; thence west, along the south line of Lot 3, in Block 4 of said subdivision Measure 200 feet to a stone in the Southwest corner of said Lot 3; thence, continuing on the last described course, measure 4 feet; thence deflecting to the left 89 degrees 46 minutes 54 seconds, measure 550 feet along a line parallel to and 120 feet East of the West line of section 23 to the point of beginning. Situated in Sangamon County, Illinois. Parcel ID 14-23.0-105-004; and

- 2. Said property is located at 1501 Griffiths Ave Springfield, Illinois 62702, contains approximately 112,000 square feet (2.58 acres) more or less and is improved with a steel building approximately 10,000 sq. ft. that has been used as a banquet hall in the past.
- 3. One building of steel and concrete has sat vacant in the last 8 years. Prior to that, this building was used as a banquet hall and storage.
- **4.** The subject real estate is currently classified in the S-2, is Community Shopping and Office District.
- **5.** The Petitioner, Steven K. Ray and Karen A. Ray, desires to convert the building from its current design to a Plumbing and Sewer Business.
 - Trim bushes at front entrance
 - Install new 8' wood privacy fence as a buffer between the property and the neighboring properties to the East and North side of said property.
 - Parking lot will get resurfaced as needed
 - Trees on West side of said property will be trimmed and cleaned up.
 - We will be cutting in three new overhead doors on both the South and North side of the building

7050-009

1501 E. Griffiths Ave

to allow us access for our trucks and equipment storage.

- Offices will be installed inside of the building for staff.
- Ventilation will be upgraded as needed for our business needs
- Employee parking will either be directly across from entrance or out front by the road.
- Our hours of operation are Monday thru Friday
 7:00am to 5:00pm. Saturday and Sunday for
 emergency service needs for certain vehicles and
 equipment.
- There will be other work on the inside of the building based on upgrades needed for our setup for business.

This is a Plumbing and Sewer business. We are a service company that provides services based on our customers needs, which are usually same day needs. We have seven trucks to provide these services. All our vehicles will be parked inside the building by close of business daily.

We have been in business since 1999. Our current facility is too small as we have grown over the last two years. Our current location is at 1100 North Park Avenue, Springfield, Illinois. We purchased this building in 2007 and remodeled it to fit our needs, installed new overhead doors, painted the building and asphalted the parking lot. It is also a building that has residential neighbors on two sides of the property.

1501 E. Griffiths Avenue

6. The Petitioner to be in compliance with the Zoning Ordinance respectfully petitions to reclassify the above-mentioned property from S-2, Community Shopping and Office District, to B-2, General Business District which will allow the Petitioner to operate a Plumbing and Sewer Business.

WHEREFORE, Petitioner prays that the Springfield Planning and Zoning Commission of the City of Springfield, Illinois, after proper notice by publication and hearing on this petition, and all of the findings by the Section applicable to the proposed (requested) zoning reclassification have been met, recommend approval of the reclassification of the property herein described, to the City Council of Springfield, Illinois.

WHEREFORE, Petitioner prays to the council of the City of Springfield, Illinois after proper notice and hearing on the petition and recommendation by the Springfield Planning and Zoning Commission, as follows:

That the Council of the City of Springfield, Illinois will amend Chapter 155. Section 155.005 of the code of the City of Springfield, Illinois, as amended, by changing the zoning classification of the described property from an <u>S-2</u>, <u>Community Shopping and Office District to B-2</u>, <u>General Business District</u>, and that Section 155 and 155.005 of the Springfield Zoning Ordinance (Chapter 155. Springfield City Code), passed on June 28, 1966, and all amendments thereto, be amended in accordance therewith.

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Respectfully submitted

IF 8-2 15 not afforded, petitioner

Steven K. Ray

Karen A Ray

Mr. Steven K Ray and Mrs. Karen A. Ray

1050 Brittin Place

A F

Sherman, Illinois 62684

Telephone: (217) 306-3090

steverayplumbing@gmail.com

2020-003

1501 E. Griffiths Avenue

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STANDARDS FOR VARIATION

(i) Can the property in question be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations?

<u>Use Variance:</u> The property has been on the market for several years, judging by the time between the zoning cases. This could indicate difficulty for the property to yield a reasonable return in its current state, even with the numerous S-2 uses granted in Zoning case # 2016-47.

- (ii) Is the plight of the owner due to unique circumstances?

 Use Variance: The subject property has been granted at least two Use

 Variances over the years to allow a banquet hall (Zoning Case # 1989
 97) and several S-2 uses (Zoning Case # 2016-47).
- (iii) Will the variation, if granted, alter the essential character of the locality, impair as adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality?

Negative impacts over existing conditions are not anticipated.

In the event B-2 is not appropriate, the petitioner will accept use variance.

Map data ©2019

100 ft ⊾





Staff Findings and Recommendation

12-30-19 by SK & EP) (inspected

REAR YARD

253

Would the proposed zoning be spot zoning?

Is the proposed zoning in accord with the City Plan?

If not in accord, is the request an acceptable variation?

AMENDED

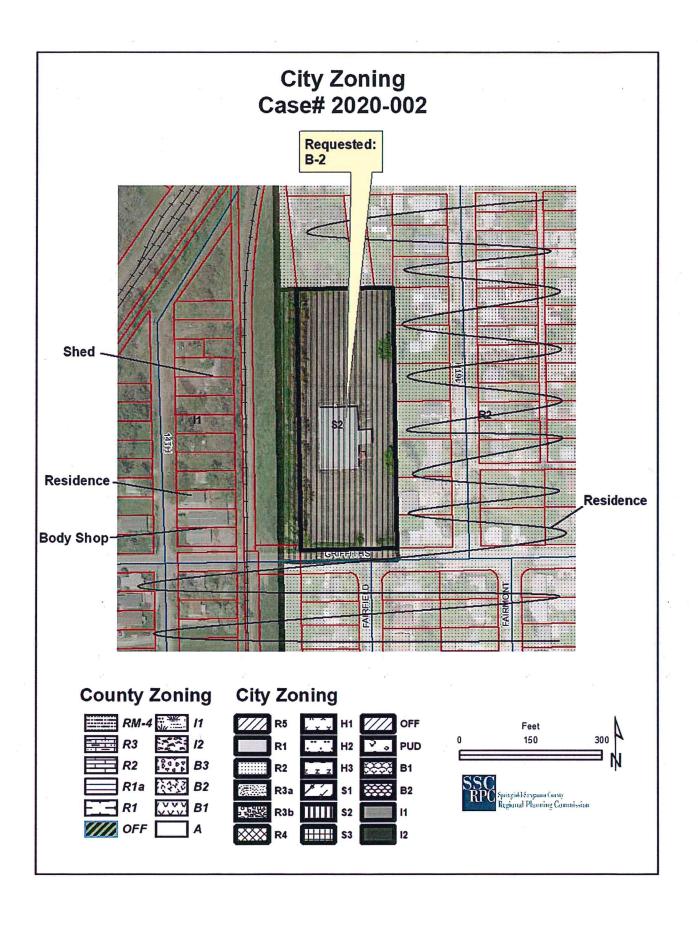
SPRINGFIELD ZONING CASE # 2020-002 ADDRESS 1501 Griffiths Avenue

Property Index # 14-23-105-004 B-2, General Business District, Section 155.034. Petitioner further requests if the B-2 zoning is not afforded, consideration for a use variance to allow operation of a REQUESTED ZONING plumbing and sewer business in the S-2 district. PROPOSED LAND USE Plumbing and sewer business. **EXISTING:** ZONING S-2, Community Shopping and Office District, Section 155.034. LAND USE Steel building approximately 10,000 sf that has been used as a banquet hall in the past. **ROAD FRONTAGE** 204' Good STRUCTURE DESIGNED FOR Banquet hall CONDITION OF STRUCTURE Good **LOT AREA** 112,384.8 sq. ft. (2.58 ac.) FRONT YARD 170' SIDE YARDS West - 43' East - 80'



PLANNING COMMISSION STAFF RECOMMENDATION AMENDED: Recommend denial of the requested B-2 zoning. B-2 zoning allows some uses that are too intense given the residential areas to the north, east, and south. In the alternative, staff recommends approval of a Use Variance to allow a plumbing and sewer business on the subject property provided: (1) there is no outside storage of trailers, materials, and supplies outside storage is limited to an area north and west of the eastern edge of the existing building in a solid fenced in area in compliance with the code; and, (2) all vehicles are parked inside at the close of business daily. This property contains a commercial building in a predominantly residential area. Adaptive re-uses of the building to balance commercial usage with concerns about minimizing adverse effects on the adjacent residences have historically been handled through the granting of Use Variances by the City Council. In 1989, 2016, and 2018, Use Variances were granted with various stipulations for, respectively: a banquet hall, various S-2 uses with 5,000 square feet storage per whole establishment, and the storage of Asset Relocation Containers (ARC). The unique history of this property creates some plight for the petitioner if a similar or less intense use of the property is not allowed when others have been granted permission to use the property for more intense uses, e.g. ARC storage, through Use Variances in the past. The Standards for Variation are met.

Yes



RECOMMENDED - FINDINGS OF FACT

Case #: 2020-002

Address: 1501 Griffiths Avenue

(i) Existing uses of property within the general area of the property in question.

North, East, South: Residences. West: Railroad track.

(ii) The zoning classification of property within the general area of the property in question.

North, East, South: R-2. West: I-1.

(iii) The suitability of the property in question to the uses permitted under the existing zoning classification.

It is felt the existing S-2 zoning is a better fit for the subject property due to the intensity of some of the allowable uses in B-2, particularly as there are residential areas immediately to the north and east.

(iv) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.

The general area is predominantly residential. There is a body shop slightly west of the subject property across the railroad tracks. Use Variances were granted in 1989 (banquet hall with restrictions), and 2016 (various S-2 uses with 5,000 square feet storage per wholesale establishment). The subject property was also rezoned to S-2 with a Use Variance to allow Asset Relocation Container (ARC) storage with restrictions in Zoning Case # 2018-060.

(v) The relationship of the uses allowed under the proposed zoning classification to the Official City Plan.

The City Plan designates the subject property as commercial.

(vi) If the Commission finds that both existing zoning classification and the zoning classification requested in the proposed amendment are inappropriate, the Commission shall make a finding on the appropriate zoning classification for the property.

B-2 zoning allows some uses that are too intense given the residential areas to the north, east, and south. However, due to the subject property's history of Use Variances, staff believes a Use Variance is appropriate.

AMENDED RECOMMENDED - STANDARDS FOR VARIATIONS

Case #: 2020-002

Address: 1501 Griffiths Avenue

(i) Can the property in question be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations?

Having a use of this type at this property with the suggested limitations would benefit the community by improving a vacant and underutilized property in a manner that will not have a significant negative effect on the surrounding residential areas over existing conditions.

AMENDED: Having a use of this type at this property with the suggested limitations would benefit the community by improving a vacant and underutilized property in a manner that will not have a significant negative effect on the surrounding residential areas over existing conditions. Testimony was provided that outside storage, limited to the a solid fenced area northwest of the existing building, will help improve an underutilized portion of the subject property. Testimony was also provided the property has not been used for eight (8) years.

(ii) Is the plight of the owner due to unique circumstances?

This property contains a commercial building in a predominantly residential area. Adaptive re-uses of the building to balance commercial usage with concerns about minimizing adverse effects on the adjacent residences have historically been handled through the granting of Use Variances by the City Council. In 1989, 2016, and 2018, Use Variances were granted with various stipulations for, respectively: a banquet hall, various S-2 uses with 5,000 square feet storage per whole establishment, and the storage of Asset Relocation Containers (ARC). The unique history of this property creates some plight for the petitioner if a similar or less intense use of the property is not allowed when others have been granted permission to use the property for more intense uses, e.g. ARC storage, through Use Variances in the past.

(iii) Will the variation, if granted, alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality?

Provided the suggested limitations are approved, negative impacts from the proposed Use Variance over existing conditions are unanticipated.

<u>AMENDED:</u> Provided the suggested limitations, as amended, are approved, negative impacts from the proposed Use Variance over existing conditions are unanticipated. Testimony was provided that the solid fenced in area where the outside storage will be is away from the residential areas to the north, east, and south; and, the outside storage will be on the other side of the railroad tracks from the residences, auto body shop, and car business shed to the west.



Staff Findings and Recommendation

(inspected **12-30-19** by SK & EP)

SPRINGFIELI	D ZOI	NING CASE #	2020-002	
ADDRESS	1501	Griffiths Aven	ue	
Property Index	(#	14-23-105-004	1	

B-2, General Business District, Section 155.034. Petitioner further requests if the B-2 zoning is not afforded, consideration for a use variance to allow operation of a

REQUESTED ZONING

PROPOSED LAND USE

plumbing and sewer business in the S-2 district.

EXISTING:

ZONING S-2, Community Shopping and Office District, Section 155.034.

Plumbing and sewer business.

LAND USE Steel building approximately 10,000 sf that has been used as a banquet hall in the past.

STRUCTURE DESIGNED FOR Banquet hall

204'

CONDITION OF STRUCTURE Good

LOT AREA 112,384.8 sq. ft. (2.58 ac.)

FRONT YARD 170'

ROAD FRONTAGE

SIDE YARDS West - 43' East - 80'

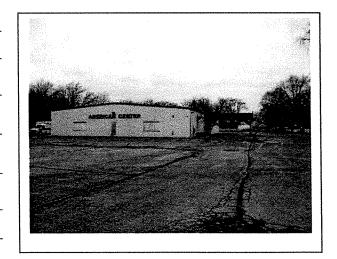
REAR YARD 253'

Would the proposed zoning be spot zoning? Yes

Is the proposed zoning in accord with the City Plan? Yes

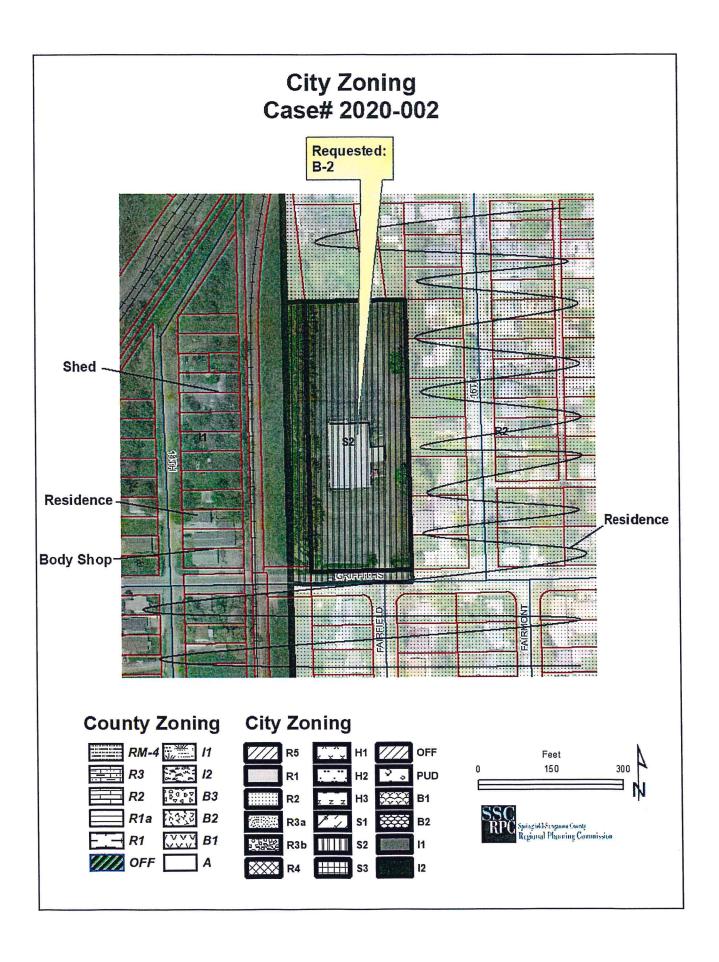
If not in accord, is the request an acceptable variation?

N/A



Good

PLANNING COMMISSION STAFF RECOMMENDATION: Recommend denial of the requested B-2 zoning. B-2 zoning allows some uses that are too intense given the residential areas to the north, east, and south. In the alternative, staff recommends approval of a Use Variance to allow a plumbing and sewer business on the subject property provided: (1) there is no outside storage of trailers, materials, and supplies; and, (2) all vehicles are parked inside at the close of business daily. This property contains a commercial building in a predominantly residential area. Adaptive re-uses of the building to balance commercial usage with concerns about minimizing adverse effects on the adjacent residences have historically been handled through the granting of Use Variances by the City Council. In 1989, 2016, and 2018, Use Variances were granted with various stipulations for, respectively: a banquet hall, various S-2 uses with 5,000 square feet storage per whole establishment, and the storage of Asset Relocation Containers (ARC). The unique history of this property creates some plight for the petitioner if a similar or less intense use of the property is not allowed when others have been granted permission to use the property for more intense uses, e.g. ARC storage, through Use Variances in the past. The Standards for Variation are met.



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Case #: 2020-002

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(v) The relationship of the uses allowed under the proposed zoning classification to the Official City Plan.

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Case #: 2020-002

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Provided the suggested limitations are approved, negative impacts from the proposed Use Variance over existing conditions are unanticipated.



James O. Langfelder, Mayor Nathan C. Bottom, Director Phone: (217) 789-2255 Fax: (217) 789-2366

OFFICE OF PUBLIC WORKS

ROOM 201, MUNICIPAL CENTER WEST CITY OF SPRINGFIELD, ILLINOIS 62701

MEMORANDUM

TO:

Matt McLaughlin, Zoning Administrator

Building & Zoning

FROM:

T.J. Heavisides, P.E.

City Traffic Engineer

DATE:

January 3, 2020

RE:

Zoning Agenda - January 15, 2020

CC:

Nathan Bottom, P.E., City Engineer, Director of Public Works

Docket # 2018-055

Text Amendment Section 155.001 (This item is continued)

No exceptions taken to the amendment as submitted.

Docket # 2020-001

1520 S. 5th St (Vary 155.068(b)(1) for garage 2' instead of 3' from south property)

No exception taken to the petition as submitted.

Docket # 2020-002

1501 Griffiths (Change from S-2 to B-2)

No exception taken to the petition as submitted.

Harris, John Sullivan

I.DO.T

From:

Williams, Lori B. <Lori.Williams@illinois.gov>

Sent:

Thursday, December 26, 2019 2:19 PM

To:

Harris, John Sullivan

Cc:

Irwin, Michael P

Subject:

RE: Springfield Planning and Zoning Agenda & Information for January 15, 2020

Meeting

John,

Thank you for sharing the City's petitions with us for comment. We don't have any comments on this petitions for this month.

Have a Happy New Year.

Lori B. Williams, P.E., PTOE Geometrics Engineer IDOT Region 4, District 6 217-785-5333

From: Harris, John Sullivan < John. Harris@springfield.il.us>

Sent: Thursday, December 26, 2019 10:04 AM

To: ctrampe@dreammakersspringfield.com; Dennytl5412@sbcglobal.net; doug@timbercreekliving.com; goodkitty14@gmail.com; jfsams@gmail.com; jlovelace@chathamschools.org; Williams, Lori B. <Lori.Williams@illinois.gov>; luannjohnson1@gmail.com; Irwin, Michael P <Michael.P.Irwin@illinois.gov>; rekochmann@gmail.com; terry.nichols@nacdnet.net; Oliver, Todd <Todd.Oliver@springfield.il.us>
Subject: [External] Springfield Planning and Zoning Agenda & Information for January 15, 2020 Meeting

Please find attached the Springfield Planning and Zoning Agenda & Information for January 15, 2020 Meeting

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

Richbark, Elizabeth

CWLP

From:

Harris, John Sullivan

Sent:

Thursday, January 09, 2020 10:35 AM

To:

Richbark, Elizabeth

Subject:

FW: Springfield Planning and Zoning Agenda & Information for January 15, 2020 Meeting

From: Cox, Lori < Lori.Cox@cwlp.com > Sent: Thursday, January 09, 2020 8:01 AM

To: Harris, John Sullivan < John. Harris@springfield.il.us>

Subject: RE: Springfield Planning and Zoning Agenda & Information for January 15, 2020 Meeting

I think we're good. thanks

From: Harris, John Sullivan < John. Harris@springfield.il.us>

Sent: Thursday, December 26, 2019 10:01 AM

To: Commissioner Bruce Strom (Strom701@comcast.net) < Strom701@comcast.net>; Commissioner Charlie Stratton

(<u>alexanderstratton@hotmail.com</u>) <<u>alexanderstratton@hotmail.com</u>>; commissioner Christian

< bchristian@purenews.com >; Commissioner Chrystal Alexander (chrystalalexander4@gmail.com)

<chrystalalexander4@gmail.com>; Commissioner Dean Graven (dgraven1@gmail.com) <dgraven1@gmail.com>;

Commissioner Greg Kruger (Greg.kruger@att.net) < Greg.kruger@att.net>; Commissioner Joe Gooden

(casinoJoe@me.com) <casinoJoe@me.com>; Commissioner Silas Johnson <Nehemiah.expansion@yahoo.com>;

Commissioner Stauffer < jstauffer 827@gmail.com>; Commissioner Thomas Wood (Tjwood99@sbcglobal.net)

<<u>Tjwood99@sbcglobal.net</u>>; Commissioner Timothy Moore (<u>Tim.Moore@thomsonreuters.com</u>)

<Tim.Moore@thomsonreuters.com>; mooreinfo9@gmail.com; silas.johnson@sbcglobal.net; Brown, Doug

<Doug.Brown@cwlp.com>; Mihelsic, David <David.Mihelsic@cwlp.com>; EmilyP@co.sangamon.il.us; Cox, Lori

<Lori.Cox@cwlp.com>; Meckes, Ted <Ted.Meckes@cwlp.com>; MollyBe@co.sangamon.il.us; Steve Keenan

 $(\underline{SteveK@co.sangamon.il.us}) < \underline{SteveK@co.sangamon.il.us}; \textbf{Yazell, Valera} < \underline{Valera.Yazell@springfield.il.us}; \textbf{Williams, Valera}; \textbf{Valera} < \underline{Valera.Yazell@springfield.il.us}; \textbf{Valera} < \underline{Valera.Yazell@spr$

Deborah J < Deborah. Williams@cwlp.com>

Subject: Springfield Planning and Zoning Agenda & Information for January 15, 2020 Meeting

Please find attached the Springfield Planning and Zoning Agenda & Information for January 15, 2020 Meeting

RE: Docket No. 2020-002 Date: January 15, 2020

Address: 1501 Griffiths Ave

Motion Made by: Commissioner

Seconded by: Commissioner

MOTION:

FIRST VOTE	YES	NO	SECOND VOTE	YES	NO
Johnson	x				
STROM	x				
CHRISTIAN	x				
STAUFFER	x				
STRATTON	X				
Wofford	X .			· .	,
KRUGER	X :				
GRAVEN	x				
GOODEN	x				
WOOD	x				
CHAIRMAN MOORE					

State Journal Register

December 27, 2019

A.M. One Run

The Springfield Planning and Zoning Commission will meet on Wednesday, January 15, 2020, at 6:00 p.m. in the City Council Chamber of the Municipal Center West to hear the following petition.

A petition for reclassification of property from S-2, Community Shopping and Office District, Section 155.031, to B-2, General Business Service District, Section 155.034, of the Springfield Zoning Ordinance. Petitioners respectfully request reclassification from S-2 to B-2 to convert the existing building from its current design to a Plumbing and Sewer business. Petitioner further requests if the B-2 zoning is not afforded, consideration for a use variance to allow operation of a plumbing and sewer business in the S-2 zoning district.

Improvements (or structures) located on said property is a steel building approximately 10,000 square feet which has been used as a banquet hall in the past. Subject property is currently classified in the S-2, Community Shopping and Office District, Section 155.031.

Legally described as: Part of the Northwest Quarter of the Northwest Quarter of Section 23, Township 16 North, Range 5 West of the Third Principal Meridian, bounded and described as follows: Commencing at a point on the South line of said Quarter Quarter Section 120 feet East of the Southwest corner of said Quarter Quarter Section; thence East, on the South line, 204 feet to a stone in the Southwest corner of Lot 10, Block 4 of Saunders subdivision thence North, along the East line of Lot 11, Block 4 of said subdivision; measure 550 feet to a stone in the Northwest corner of Lot 4, Block 4 of said subdivision; thence West, along the South line of Lot 3, in Block 4 of said subdivision measure 200 feet to a stone in the Southwest corner of said Lot 3; thence, continuing on the last described course, measure 4 feet; thence deflecting to the left 89 degrees 46 minutes 54 seconds, measure 550 feet along a line parallel to and 120 feet East of the West line of Section 23 to the point of beginning. Situated in Sangamon County, Illinois. Tax ID # 14-23.0-105-004.

The subject property is commonly known as 1501 Griffiths Avenue, Springfield, Illinois

The petitioners are Steven K. Ray and Karen A. Ray, as Contract Purchasers.

Docket No. 2020-002

John Harris Assistant Zoning Administrator



BUILDING AND ZONING DEPARTMENT CITY OF SPRINGFIELD, ILLINOIS

1501 Griffiths Avenue

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The petitioners are Steven K. Ray and Karen A. Ray, as Contract Purchasers.

The Springfield City Council will meet on Tuesday, February 18, 2020, at 5:30 p.m. in the City Council Chamber of the Municipal Center West to consider the recommendation of the Springfield Planning and Zoning Commission.

All interested citizens are invited to attend both meetings to express their view. If you have any questions concerning this matter, please feel free to contact the Building and Zoning Department at 789-2171.

Docket No. 2020-002

RE: Docket No. 2020-002 Date: January 15, 2020

Address: 1501 Griffiths Ave

Motion Made by: Commissioner Wood

Seconded by: Commissioner Johnson

MOTION: Motion that we accept the amended recommendation of staff.

FIRST VOTE	YES	NO	SECOND VOTE	YES	NO
Johnson	x				
STROM	x				
CHRISTIAN	x				
STAUFFER	x				
STRATTON	x				
Wofford	x .		4		
KRUGER	x				
GRAVEN	x				
GOODEN	x .				
WOOD	X				·
CHAIRMAN MOORE					

1

Legal Invoice

SJR Media Group

SJ-R, Lincoln Courier, Springfield Shopper PO Box 219, Springfield, IL 62705

Phone: 217-788-1330

URL: http://classifieds.sj-r.com

Steven Ray 1050 Brittin Place Sherman, IL 62684 Acct #:

00011879

Phone:

(217)306-3090

Date:

12/30/2019

Ad #:

00029272

Salesperson: Legal

Ad Taker:

abover

Class:

1310

Ad Notes:

Description	Start	Stop	Ins.	Cost/Day	Extras	Amount
12/27; 1501 Griffiths	12/27/2019	12/27/2019	1	185.75	0.00	185.75

Ad Text:

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Payment Reference:

PAID EE 31 200

Total: 185.75
Tax: 0.00
Net: 185.75
Prepaid: 0.00

Total Due 185.75

Affidavit of Publication

STATE OF ILLINOIS }
COUNTY OF SANGAMON }

SS

GateHouse Media Illinois Holdings, Inc., being duly sworn, says:

That she is Barbara Lovekamp of the Springfield Journal-Register, a daily newspaper of general circulation, printed and published in Springfield, Sangamon County, Illinois; that the publication, a copy of which is attached hereto,

December 27, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Barbara Lovekamp

Subscribed to and sworn to me this 27th day of December 2019.

Suzanne Winkler, Public Notary, Sangamon County,

Illinois

My commission expires: June 22, 2022

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John Harris

Assistant Zoning Administrator

SUZANNE WINKLER
Official Seal
Notary Public - State of Illinois
My Commission Expires Jun 22, 2022

00011875 00029272

Steven Ray 1050 Brittin Place Sherman, IL 62684