

***Historical Architecture Review Committee***  
***Minutes***  
***MARCH 23, 2010***

**CALL TO ORDER**

Chairman Ron Laboray called the meeting of the HARC Commission to Order at 6:00 PM.

**ATTENDANCE / ROLL CALL**

Members Present were: Henry Gabriel, Paula Hagnauer, Kim King, Terry Pierce and Chairman Ron Laboray. Excused absence Eric Hill. Also present were: Laura Andrews (Assistant City Attorney), Steve Willaredt (Zoning Administrator), Brenda Whitaker and Dan McDowell (Alderspersons).

**MINUTES / AGENDA**

A motion to approve the Minutes from the previous meeting, November 24, 2009, and the Agenda for this meeting was made by Paula Hagnauer and seconded by Kim King. Voice vote. All ayes. Motion carried by unanimous consent.

**COMMENTS**

Ron Laboray began by stating this is his first meeting as Chairman of the Commission and is looking forward to building the Arts and Entertainment District.

Laura Andrews stated for the Petitioners present that HARC is a recommending body to the City Council and the Council will have the final determination for each Petition. The next Council meeting is scheduled for April 6, 2010, at 7:00 PM.

**PETITIONS**

**1). Rajendra Patel – 1154 Niedringhaus**

Rajendra Patel and his representative, Joseph Skowronski (builder) presented their request for construction of an “Express Food Mart” at 1154 Niedringhaus Avenue. Mr. Skowronski stated the Food Mart will improve the area and will increase revenue taxes.

The building prints were displayed for the Commission to review. The present vacant lot is approximately 100 X 100 sq. ft. and is situated between the Relax Inn and the Mad Hatter Muffler Shop. Chair Laboray stated the area is in a commercial sub-district, Zoned D-2. Several members of the commission agreed the blueprint of the proposed Food Mart appears to be similar to a 7-11 convenience store.

Mr. Skowronski stated the store frontage will be 4 ft. (height) of brick and large windows will take up most of the front of the building, the sides and back will be metal and will be painted a neutral color. The store will be 2,201 sq. ft. with parking in the front for seven vehicles and one handicapped space. He stated they are willing to be flexible in choosing such things as exterior paint color and type of roofing in order to comply with HARC’s standards for the Arts and Entertainment district.

The Chair asked the Petitioner what type of business is he proposing. Mr. Patel stated the business will be along the lines of a 7-11. He will have two employees. They will have typical convenience store items and pizza, frozen foods and soda. No gasoline or liquor sales. The hours of operation will be: Monday thru Friday - 6:00 AM to 10:00 PM, Weekends – 6:00 AM to 11:00 PM and Sunday 9:00 AM to 8:00 PM.

The proposed signage, as seen on the blueprint, will be flat with lighting. Steve Willaredt, Zoning Administrator, stated the permit for the sign will have to be purchased in his office and must comply with the Sign Ordinance #4849.

Mr. Willaredt stated according to Ordinance 3818, Section 6-2.5: Lights used to illuminate any parking area shall be arranged or shielded so as to confine direct light rays within the parking area boundary lines to the greatest extent practicable. Mr. Skowronski stated the only exterior lighting planned is four Ameren, 400 watt halogen lights, mounted to poles twenty or thirty feet up.

Mr. Willaredt stated, if this petition is granted, and should Mr. Patel decide to sell the business, the buyer would not have to come before HARC for approval, provided it is the same type of business. He also stated if there is any change in intensification he will have to come back to this commission for approval.

## **DISCUSSION**

The Commission discussed the terms “Convenience Store” Grocery Store” and “Bodegas”. The consensus of the committee is: Mr. Patel appears to be requesting permission for an establishment that is typically, commonly known as, a convenience store similar to 7-11, Huck’s or Quik Trip which is not an allowable use. However, Grocery Stores are an allowable use. Laura Andrews, Assistant City Attorney, responded by stating definitions of both a convenience store and a grocery store need to be established, Although they are similar, they are not the same.

Ron Laboray stated what he envisioned for the district is more like a Bodega type business; a small grocery store that would sell mainly fruit, vegetables and deli items.

Alderman Dan McDowell asked about landscaping. Mr. Skownoski answered there is only a 5 ft. buffer on each side of the proposed building and just a little room in the back for “green space”. Terry Pierce stated the building looks like a box-cutter on the blueprint, and asked if the façade could be altered. Mr. Skowronski replied, “yes”, that he would enhance the exterior, bring a visualization of changes to the façade and proposed colors to HARC at the next meeting, scheduled for April 27, 2010.

The Board Secretary was asked to fax a copy of the definition of Convenience Shop as stated in Article 2, Section 2-200 of Ordinance #3818 to Mr. Skownoski and Steve Willaredt is to locate the definition of Grocery Store and email the definition to members of the Commission (the definition will then go to the City Council as an Amendment to the Ordinance. The other HARC option is to eliminate Grocery Store (and Convenience Store) from the list of permitted uses and categorize future Petitions as a Special Use.

**MOTION** by Paula Hagnauer and seconded by Kim King to table Mr. Patel’s Petition; for him to return to HARC at next meeting on April 27, 2010, and to bring changes to the façade with color visualization of the exterior of the proposed building. Roll Call vote. All ayes. Motion carried.

## **2). Marie Clark – 2057 Edison Avenue**

Marie Clark and Janine Allen introduced themselves. Marie presented her Petition request for Via Prosperitas and explained their organization is proposing a center for residential and independent living

for young male adults, ages 17 thru 21. The facility will be the next and final step in treatment for individuals recovering from substance abuse or behavioral problems. At this facility, the young adult males will be trained to develop life and social skills.

The building was formerly used by Chestnut Health Services and has been vacant for approximately one year. Via Prosperitas has a contract to purchase the building with the listing Realtor, Barber Murphy Group.

The Chair responded by stating the property is located in the newly established HARC district, in the Central Core and is Zoned D-1. The request for housing is not a permitted use.

**MOTION** by Paula Hagnauer and seconded by Terry Pierce to recommend denial to the City Council for this petition. Roll Call Vote. All ayes. Motion carried.

#### **NEW BUSINESS**

None voiced.

#### **OLD BUSINESS**

Ralph Building, 1200 Niedringhaus Avenue. The Zoning Administrator reported a letter was sent to Ted Meeker in February, 2010, regarding property maintenance and replacement windows. He has been issued a citation for property maintenance, he will continue to be cited; additionally, the inspection department will not issue occupancy permits for any new tenants until he is in compliance.

No further business. Motion to Adjourn by Kim King and seconded by Paula Hagnauer. Motion passed by unanimous consent.

Respectfully submitted by,

*Barbara Hawkins*

Recording Secretary HARC