

Plan Commission Minutes
March 4, 2010

CALL TO ORDER

The meeting of the Plan Commission was called to Order on March 4, 2010 at 7:00 PM.

PLEDGE

All present stood and recited the Pledge of Allegiance.

ATTENDANCE/ROLL CALL

Members Present: Chair Sharon Ryan, Mary Jo Akeman, Sandy Crites, Jack Taylor, Nick Ryan, Don Luddeke, John Janek, Frank Greathouse and Shirley Howard. Excused: Mark Davis.

Also present were: Alderman Dan McDowell, Assistant City Attorney Laura Andrews and Steve Willaredt, Zoning Administrator.

Petitioner not present at this time.

APPROVAL OF MINUTES & AGENDA

A motion to approve the *Minutes* from the previous meeting (February 4, 2010) was made by John Janek and seconded by Jack Taylor. All ayes. Motion carried by unanimous consent.

A motion to approve the *Agenda* was made by John Janek and seconded by Mary Jo Akeman. All Ayes. Motion carried by unanimous consent.

CITY COUNCIL REPORT

Alderman Dan McDowell reported that all changes to the Ordinances presented to the Council were approved. The appeal by Mill Skatepark was referred back to Committee and the committee tabled the issue. No further report.

The Petitioner arrived, was sworn in by Chair Ryan and was told the Plan Commission is a recommending body to the City Council and the Council will make the final determination at the next City Council meeting.

PETITION:

Henrietta Elaine Holmes whose home address is 2419 Logan presented her Petition. She is requesting a special use permit for a used car sales and repair shop at 1501 Madison Avenue. She stated she is not the owner, but would like to purchase the property, contingent upon approval of this Petition to sell used vehicles in a district zoned C-4.

Discussion followed. Mary Jo Akeman questioned how many cars she intended to have under roof and how many outside, the petitioner replied, not a fleet maybe five cars; there is a carport and 3 existing bays. The lot is paved except for a small area in the back which is in need of repair. She stated the location of property was a car lot at one time. When Sandy Crites questioned what the main focus of her business would be, she replied it would be like any other car repair shop you would see anywhere, light maintenance (repair brakes, mufflers, tires) general garage work.

Sandy Crites stated an issue with car repair shops is the tendency to bring in a car and let it sit for a long period of time and advised the petitioner there are restrictions established especially to avoid this practice. The Zoning Administrator asked if the Petitioner intended to have employees to do the repairs, or did she intend to contract (rent) the building to someone else. Ms. Holmes stated she will own and operate the business and hire a repairman or two.

The Zoning Administrator stressed to the Petitioner that she has to be very specific on what she intends to do. There are code restrictions for the type of business you are proposing to operate. If you intend to sell autos, you will have to apply for a license through the Illinois Secretary of State's office. The Assistant City Attorney recited the permitted uses in a district zoned C-4. The only use *not* permitted is Auto Sales.

Don Lueddeke asked if there is a hoist, track or any equipment at the location. The Petitioner's husband, Jim Holmes, spoke, stating he was a meat cutter for 20 years, he has owned a tire business for five years and he is well aware of the type of business his wife is petitioning for. Mary Jo Akeman stated the Petitioner can do everything she wants to, except for car sales because that is zoned for a C-5 district. The location, in the past, was a car sales business because it was petitioned for and approved by this commission.

The Zoning Administrator explained her choices; to either include car sales now, or perhaps wait six months if that is what the Petitioner wants to do. The petition is good for one year. The City Attorney suggested proceeding with the Special exemption at this time. There was no one present in the audience either for or against the petition. No further discussion.

Mary Jo Akeman completed the Checklist for Special and Non-Conforming Use for Car Sales:

- a). Hours of Operation: 8:00 AM – 6:00 PM
- b). Days of Operation: Monday thru Saturday
- c). Signage limited to: Allowed, but according to Ordinance and approved by the Zoning Administrator.
- d). Screening Required: Around dumpster
- e). Additional Parking required: No
- f). Additional exterior lighting permitted: Must be away from residential area and approved by the Building & Zoning Administrator.
- g). Is there a need to address storm water run-off ? No
- h). Does permit expire with change of ownership and/or use? Yes
- i). Is re-application necessary to intensify use? Yes
- j). Shall the Zoning Administrator have the right to bring back the permit for review if, at any time , he finds the stated intent of the permit has not been followed, or the business has become a nuisance? Yes
- k). Additional Requirements:
 - Contingent upon the purchase of the property
 - 30 day limit for disabled vehicles on property
 - Tires must be off the ground and visually screened or stored inside building
 - Car Sales conditional upon obtaining a license from the State of Illinois, Secretary of State

No Auto body painting allowed
No re-treading of tires
Investigate whether there are underground tanks on property
Be in compliance with Environmental Protection Agency (EPA) requirements

Shirley Howard reminded the Petitioner that inspections are necessary and the property would have to be brought up to code and cleaned up. No further discussion. The chair called for a Motion.

MOTION by Sandy Crites and seconded by Shirley Howard to allow the Petition for Special Use.

Roll Call

Mary Jo Akeman	yes	Nick Ryan	no
Jack Taylor	yes	Sharon Ryan, Chair	yes
Sandy Crites	yes	Shirley Howard	yes
Frank Greathouse	yes	Don Lueddeke	yes
John Janek	abstained		

NEW BUSINESS

None voiced.

OLD BUSINESS

None voiced.

Motion to adjourn by Sandy Crites and seconded by Shirley Howard. Unanimous consent.

Submitted by,

Barbara Hawkins
Recording Secretary