



# City of Granite City

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## *Plan Commission Minutes January 7, 2010*

### **CALL TO ORDER**

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

### **PLEDGE and SWEAR-IN**

Chair Ryan swore in those present and explained 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.

### **ATTENDANCE/ROLL CALL**

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

Also present were: Alderman Dan McDowell, Alderman Jim Smith and Zoning Administrator Steve Willaredt.

### **APPROVAL OF MINUTES & AGENDA**

A motion to approve the Minutes from the previous meeting (November 5, 2009) and this evening's Agenda was made by Mark Davis and seconded by Jack Taylor. Roll Call Vote, motion carried by unanimous consent.

### **COUNCIL REPORT**

Alderman Dan McDowell stated, "no report" from City Council.

### **PETITIONER: St. Charles Tower, Incorporated**

Mr. Eric Martin, Attorney representing St. Charles Tower, introduced himself and stated his client is on his way from St. Charles and should arrive to the meeting soon (inclement weather/ice). He stated his client is requesting permission to construct a 125 ft. cell tower, with a variance in the setback distance requirement, to be located at 387 West Pontoon Road. The proposed location is a part of a present car wash compound in a purely commercial area. The property is ideally situated to serve as the central location, or hub, for Clear Wireless (the anchor tenants, a high speed mobile internet service provider). Mr. Martin stated the tower will allow a signal to become a fiber network which will accommodate a total of 4 other carriers as their "point of presence".

Discussion followed. The response to some questions were: The Cell tower will be a monopole type tower. The proximity of the closest existing tower would be the one West Chain of Rocks Road. Chair Ryan asked the Zoning Administrator if he had, or knew of any objections, and he replied "no", that there are no other structures, other than the car wash in the area. The location will be the south side of Wal-Mart, toward Lowe's and the two new out-lots in the complex will not be affected.

Chis Puricelli, owner of St. Charles Tower, arrived and was sworn in. More discussion followed. Mr. Puricelli reiterated, the tower will be a hub, that there are several towers in the northeast and south that will tie into the site, he specifically named the Gateway Regional Hospital tower and the towers on Highway 111 and in Pontoon.

Mary Jo Akeman stated her concern is the increasing number of cell towers in our city. She asked Mr. Puricelli if this new technology would trigger other companies to want their own fiber link towers? He replied, this type of hub tower requires a great deal of capacity and would be cost prohibitive to most. In all of the St. Louis area he believes there are only 6 to 8 hubs (points of presence) towers.

Chair Ryan reviewed the Checklist for Special and Non-Conforming use in a C-5 district:

- a). Hours of Operation: Site will be unmanned. Maintenance checks will be made once a month.
- b). Days of Operation: N/A
- c). Signage limited to: N/A
- d). Screening Required: 8' high, slated security/site proof fence and landscaping.
- e). Additional Parking required: N/A
- f). Any additional exterior lighting permitted: N/A
- g). Is there a need to address storm water run-off? N/A
- 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:
  - Zero ft. ground variance granted.
  - Permanent plaque stating owner's name, address and contact telephone number.

Mr. Puricelli announced his intent to launch the system in 120 days. Clear Wireless is established in the Southwest United States and he invited the Commission to visit the website.

**MOTION** by Mark Davis and seconded by Nick Ryan to allow St. Charles Tower's petition request to construct a cell tower at 387 West Pontoon Road and was granted a zero foot (ground) setback requirement. Roll Call vote. All ayes. Motion carried by unanimous consent.

#### **REVIEWS**

##### **a). JSAW / Mill Skatepark**

David Jarman, 4740 Vincent Avenue, Granite City, introduced himself as spokesperson for the Mill Skatepark, a/k/a JSAW.

Steve Willaredt, Zoning Administrator, explained the reason for this review is because it is his belief the intensification of use has changed from being a youth, faith based, activity center to an actual church with 30 or 40 parishioners. The Grace Christian Church under the direction of Pastor Ben Ritz, conducts services on Sundays for several hours at the Mill Skatepark. The Zoning Administrator offered proof of this allegation by presenting a letter dated October 30, 2009, signed by Ben Ritz, summarizing the church's activities.

Mr. Jarman responded by stating they are still operating as they have since the beginning; they have, however, added a more intensive Bible Study. He stated The Mill Skatepark is an affiliate of JSAW. They are not a full fledged church, rather a group of volunteers conducting an outreach program for youth. They are a non-profit Organization and operate in the "red" every month.

Discussion followed. Mary Jo Akeman stated she believes everyone here understands they are a faith based organization but the Commission has a duty to assure the original intent is followed. Mr. Willaredt stated the Mill Skatepark is located in a Planned Unit Development District which was set up and approved by Council for specific uses and churches are not designated in that given area. Someone has misled this Commission and the City Council because the intensity has become more like a church rather than faith based youth oriented sports activity.

Photos of the outside of the Mill Skatepark were distributed by the Zoning Administrator. Mr. Willaredt stated the area appears to look more like abandoned property (with trash, debris and building materials) rather than an area for youth.

The Zoning Administrator stated The Mill Skatepark must abide by the regulations set by this Board and the City Council. He further stated:

- (1). The Congregation must cease meeting there until JSAW a/k/a /Mill Skatepark returns to this Commission with a Petition to change the intensification of use.
- (2). Although the property has improved greatly, it needs to be cleaned up and not look as if it were abandoned.

**b). Experiencing Imagination**

John Rosenkranz, warehouse manager for Experiencing Imagination, was introduced. The Zoning Administrator informed the Commission Mr. Rosenkranz is the new manager and was not involved at the time the petition was originally granted, but has inherited all the problems.

Steve Willaredt read aloud the Checklist for Special and Non-Conforming Use, agreed to on March 5, 2009.

- a). Hours/ Days of operation 9:00 AM – 6:00 PM. Monday thru Saturday.
- b). Signage limited to flush mount or canopy to be approved by Zoning Administrator.
- c). Screening required between parcel and church.
- d). Additional parking not required. Parking lot to be concrete paved.
- e). Exterior night lights permitted, but must face away from neighboring residences.
- f). Storm water run-off not applicable.
- g). Permit expires with change of ownership, any change in use and/or intensification of use.
- h). The Administrator has the right to return permit for review if he finds the stated intent of the permit has not been followed or the business has become a nuisance.
- i). Trash dumpster must be enclosed.

Current photos were distributed showing the non-compliance issues. The Administrator stated on (at least) two occasions large trucks have been there, trucks that exceed the 13 ton requirement and he cannot, and will not, allow that to happen. Other violations include:

- a). No enclosure around dumpster
- b). No screened fence between business and Church
- c). Equipment sitting outside
- d). Vehicles without (tags) license plates

The Administrator said the property looks fairly clean now, but there have been issues and complaints in the past.

Mr. Rosenkranz agreed, the over-the-limit trucks will not happen again. He also agreed to get screening up and he stated he has gravel that will be put down when the weather is better. The Administrator warned him his business is close to being shut down. Mr. Willaredt and Aid. Jim Smith (also present at the meeting) stated numerous complaints have been received from neighbors. The Administrator reminded him the approved Business Hours are from 9:00 AM to 6:00 PM, Monday thru Saturday and if he wanted longer hours he would have to come back and re-petition his request to the Commission.

**NEW BUSINESS**

None voiced.

**OLD BUSINESS**

The Administrator announced there would be no review of Ord. 3818 because the Assistant City Attorney is not present.

**MOTION**

A motion to adjourn was made by Mark Davis and seconded by Mary Jo Akeman. Motion passed by unanimous consent.

Submitted by,

  
Barbara Hawkins, Recording Secretary  
Plan Commission