



Dec. 08 cont. to  
JAN. 09  
City of Granite City

Inspection Department . 2000 Edison, Ground Floor Granite City, IL 62040 Phone:(618) 452-6218 FAX:(618)452-6246

**PLAN COMMISSION MINUTES – JANUARY 8, 2009**  
**December & January**

1. CALL TO ORDER AND ROLL CALL Acting Chair Sandra Crites called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Sandra Crites, John Janek, Mark Wilson, Ben Ward, Tim Elliott, Mark Davis, Jack Taylor, Don Luddeke. MEMBERS ABSENT: Sharon Ryan excused, Frank Greathouse excused, Shirley Howard  
OTHERS PRESENT: Aldermen, Dan McDowell, Jim Smith, Don Thompson, Ron Keepes of Juneau Associates, Zoning Admn. Steve Willaredt, residents and petitioners.

2. Pledge, Comments, Swear in: Chair Crites swore in those present, explained the board is a recommending body to City Council who has final say on all petitions.
3. Approval Minutes/Agenda. Motion by Janek, second Ward, to approve minutes and agenda, motion passed by common consent.
4. PETITIONS/REVIEWS - DECEMBER 2008 - Continued due to lack of Quorum
- a) 2309 NAMEOKI RD. – NonConforming Exemption Permit – Zoned R-3  
Petitioner Jonathan Greer requests a permit to operate a new and used tire business in a vacant building formerly Roto Rooter, owner Jerry Myatt.

Board Discussion: Mr. Greer and Mr. Myatt introduced themselves. Mr. Greer is renting from Mr. Myatt and plans to operate a new and used tire business. He will be the only employee at this time, hours from 8am to 6 pm Monday thru Saturday, and the lot is blacktopped. Mr. Willaredt reported no problems with ingress, egress, run-off, parking or lighting, however he said the sign has to be discussed. It was put it up without a permit. Mr. Greer said he will not recap tires, and tires will be put on inside the building, He plans to store tires in the back out of site, used tires will be picked up once a week. Mr. Myatt said Mr. Greer doesn't need a dumpster he has very little trash and will use his dumpster across the street. Board members disagreed and stated that they have seen debris and trash cans lying around on the property. Chair Crites it has to be kept enclosed by screening as well as no tires left to the view of the public, even from the alley. Mr. Ward said if tires are sitting out they need mosquito control. Mr. Greer said he would take care of that. Mr. Janek asked all improvements be completed within 30 days and for a 30 day report on the business's condition.

MOTION by Janek second Ward to approve a new and used tire facility with the following restrictions:

- Hours of operation 8 am to 6 pm Monday – Saturday
- Sign – flush mounted per ordinance and approved by Zoning Administrator
- Screening required around trash/dumpster and enclosure around exposed tires
- Additional parking not required.
- Additional lighting – no.
- Storm water N/A
- Permit expires with change of ownership; any change in use; and /or intensification of use
- 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.
- Mosquito control required (in season) for exposed tires
- Requirements to be completed within 30 days.

MOTION PASSED UNANIMOUS.

- b) DOWNTOWN P.U.D. 1927 EDISON – Returned for Restrictions.  
Faith and Freedom Family Ministries petition passed in November. Although agreed upon, the motion did not include the required restrictions and was returned by the City Council. The board discussed operation of the administrative and counseling office with bathroom and kitchenette downstairs. Residence is for owner/family only upstairs. Petitioners Timothy Keating and on site resident Peggy Dresden discussed and agreed to the restrictions.

(Downtown PUD 1927 Edison – cont.)

MOTION by Mark Davis, second Tim Elliott to add the following restrictions for Faith and Freedom Family Ministries Downtown P. U. D.:

- a) Office for administrative use only
- b) Hours: 10am - 4pm, Monday, Wednesday, Friday, plus by appointment to 7pm limited to 5 persons.
- c) Signage: flush mounted – or, if overhanging sidewalk sign, a bond will be required per ordinance.
- d) Screening and additional parking not required. No additional exterior lighting. Storm water control N/A.
- e) Permit expires with change of ownership and/or use. Reapplication is necessary if use is intensified.
- f) 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.
- g) No storage allowed other than general office uses.
- h) Upstairs the owner/family are only residents allowed occupancy of building. Downstairs is for office use only.
- i) No overnight stays are allowed.
- j) Office is not to be used as a food or clothing distribution center.

MOTION PASSED UNANIMOUS

- c) REVISED CONSTRUCTION PLAN REVIEW – GATEWAY VILLAGE  
Juneau Associates engineer Ron Keepes requests approval of revised grading, storm sewer construction, drainage calculations for improvements, detention basin requirements, revised map for lots 1-45, and other minor items as indicated.

BOARD DISCUSSION: Ron Keepes and Doug Keene of Kaskaskia Engineering addressed the board. Mr. Keepes said his last memo states the revised plans and calculations sufficiently address his previous comments regarding the proposed revisions. He discussed the detention pond. He reported the changes are not as comprehensive as first listed, they ended up being somewhat minor to the original changes. The drawings they presented only show what is changing and being built at this time and were temporary minor grading and a few pipes.

MOTION by Janek, second by Wilson to accept and approve the changes as presented.  
MOTION PASSED UNANIMOUS.

- d) M-4 P.U.D. PLAN REVIEW: THF – GRANITE PARK SUBDIVISION  
Property located in the Rt. 3 development area. Plan review for development of out lot #1 of the Granite Park Subdivision

BOARD DISCUSSION: Project manager for Aldi, John Sawyer of Woolpert, Inc. addressed the board. He presented a preliminary site plan showing a 16,600 s.f. facility with recessed loading docks, inside trash compactors and recycling, a cart corral will also be in use. A color pallet and sample materials were presented. He said this Aldi store is the first of its kind in the mid-west there is a similar one in O'Fallon, IL. Schafer Road will be the access for vehicles and shipping. The store will have 96 parking spaces with 4 handicapped. Hours will be 9am to 9pm Monday-Saturday and 9am to 7pm on Sunday. Loading and unloading, will be done after hours because maneuvering the trucks on site requires use of the access road. Storm water will be handled off site according to the previously approved requirements. The location of the sign on the site plan will be changed to the other side of the roadway. The other Aldi store will be closed and property sold. The time table for the opening is in 2009.

MOTION by Janek, seconded by Ward to accept the site plan as presented for Aldi located on out lot #1 of the Gateway Park Subdivision.  
MOTION PASSED UNANIMOUS.

#### 4. JANUARY PETITIONS

- a) NONCONFORMING USE & STRUCTURE, 2501 E. 24<sup>TH</sup> ST. - Zoned R-3  
Request to continue use of a current convenience store (Corner Market) for a new owner Himanshu N. Patel in a residential R-3 zoned district.

BOARD DISCUSSION: Mr. Himanshu Patel buyer and Mrs. Sally Ghannam the seller addressed the board. Mr. Patel plans to continue operation as a small convenience store. Mr. Taylor questioned the telephone post

and cover which is missing. Mrs. Ghannam said the phone company removed it and said since cell phones it wasn't used enough. Mr. Taylor said they will be required to remove the post. There was some discussion of who is responsible, the owner or the phone company. Mr. Janek asked if the property was being kept up. Mr. Willaredt showed pictures of the property and Mr. Janek said it looked in good shape.

**MOTION** by Janek, second by Ward to approve the continued use as a convenience store with the following restrictions:

- a) No outside storage or products allowed
- b) Remove phone post and cover
- c) Hours of operation 9am to 10pm, 7 days a week
- d) Screening is required around a required dumpster
- e) No additional parking required. No additional lighting. Storm water run-off – N/A.
- f) Permit expires with change of ownership; any change in use; and /or intensification of use
- g) 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.
- h) The administrator will report upon compliance within 30 days of start of operation.

**MOTION PASSED UNANIMOUS.**

- b) **NONCONFORMING USE & STRUCTURE 2600 NAMEOKI ROAD - Zoned C-5.**  
Request by Cohen Foods Inc. for a M-1 storage/warehouse use for food and grocery items in a Vacant former grocery store. Zoned C-5.

**BOARD DISCUSSION:** Mr. Norman Cohen of Cohen Foods explained his plan to renovate an existing building for warehousing and storage. (formerly Kozak's Grocery) The finished structure will be 130,000 s.f. The grounds will be renovated and the old "Uncle Charlie's" building will be demolished and he would improve grounds at the demolition site. The hours will be 7am to 3pm Monday to Friday. Storage will be all dry grocery items no frozen foods. He explained the loading docks will be facing Nameoki Road and attached to the store on the North end of the building with concrete pads for the trucks. No trucks will be left overnight at the site. No outside storage, and all dumpsters will be enclosed and interior compactors are to be used. There will be approximately 8 employees.

**MOTION** by Janek, second Davis, to approve a Nonconforming use for a storage/warehouse for nonperishable dry grocery items with the following restrictions:

- a) Demolition of out building and improvement of ground
- b) Enclosed dumpster and No outside storage
- c) Hours Monday to Friday 7am to 3pm
- d) No overnight parking of trucks – trucks parked during loading and unloading
- e) Traffic areas to be paved for heavy truck traffic
- f) Trucks are not allowed to exit onto Victory Drive (truck load limit)
- g) Signage (if used) to be flush mounted
- h) No additional parking required. Additional lighting permitted (if needed and approved by administrator) only if directed away from residential property. Storm water run-off – N/A.
- i) Permit expires with change of ownership; any change in use; and /or intensification of use
- j) 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.
- k) The administrator will make a report regarding improvements in 6 months.

**MOTION PASSED UNANIMOUS.**

- c) **NONCONFORMING USE & STRUCTURE – 3027 NAMEOKI DR. – ZONED R-3**  
Request by Kevin Nowack, Contemporary Landscape, for a C-5/M-1 use for commercial landscape design and maintenance business.

**BOARD DISCUSSION:** Mr. Nowack said he has been in the landscaping business over 20 years, his business is located on Old Chain of Rocks Road and he would like to relocate to 3027 Nameoki Road. His business is landscaping and maintenance and he takes care of Schuncks and Cross Roads Shopping Center and other businesses maintaining their landscapes and lots. The building in question is a 7,200 s.f. office/warehouse. The trucks he uses are 1 ton to 3/4 ton trucks stored on site with an on site mechanic. Work is done off site.

Hours of operation will be Monday – Friday from 7am to 5pm with a possibility of some Saturdays and some emergencies such as storm damage. Most work and mulch will be off site a couple of salt pallets will be on site. We will have 12 to 14 employees with more part time employees in the summer months totaling about 26 employees. The property is 3/4 acres and he has an agreement with the church to buy 1/2 acre of their property next door and fence the area.

Mr. Janek stated this same property came before the board several years ago and was denied. The trucks were too heavy for the road's load limits. Mr. Willaredt said they were too heavy for the 5 ton load limit. Mr. Taylor stated the parking areas have to be asphalt or concrete. He said he didn't want to see rock or chat out on the road after they start their business. Mr. Nowack said he had planned to improve the lot with more chat. Mr. Willaredt said this is an existing property that has a chat surface that's been used for decades. The property is now unfenced. Mr. Nowack said he plans to use 6' vinyl fencing around the church property and 6' chain link around the rest. Alderman of Ward 4, Jim Smith said there are no complaints from anyone in his ward. William Satterthwaite the church's building trustee stated they researched Mr. Nowack's company and felt it was a wonderful opportunity to finally have this property maintained and wonderful opportunity for our church. He said the area will look much better, the vinyl fence will run along the street side. He also said Mr. Nowack has been helpful to the church and we are very much in favor.

**MOTION** by Wilson, second Ward to approve the request for NonConforming Use & Structure for C-5/M-1 use for a commercial landscape design and maintenance business with the following restrictions:

- a) Hours of operation 7am to 5pm Monday – Saturday with periodic emergency after hours
- b) Signage limited to flush mounted
- c) Screening required around dumpster
- d) No additional parking required, Additional lighting allowed if directed away from residents.
- e) Storm water run-off N/A
- f) Permit expires with change of ownership; any change in use; and /or intensification of use
- g) 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.
- k) The administrator will make a report regarding road conditions, the fencing, and rock/chat in 6 months

**MOTION PASSED UNANIMOUS**

- d) **NONCONFORMING C-1/C-2 SPECIAL USE , 2048 PONTOON RD. – ZONED R-1**  
Request by Pamela M. Holten for a C-2 Special Use permit for an existing beauty shop and residence.

**BOARD DISCUSSION:** Pam Holten reported she would like to continue her property's past use. Use is for her own residence and beauty shop. Sandra Crites said the property has been a beauty shop as long as she can remember with a separate entrance and parking. Alderman Don Thompson said this location has been a single family residence and beauty shop since 1972, Mr. Willaredt said parking isn't a problem, and signage will not be allowed. Her trash is already screened. Ms. Holton said she only plans to work one day a week, 9am to 7pm on Thursdays. The board asked her to consider other days she may possibly work in the future before they set requirements.

**MOTION** by Wilson, seconded by Ward to approve the Nonconforming C-2 Special Use for a beauty shop and residence with the following restrictions.

- a) Hours of operation 9am to 7pm Thurs. Fri. and Saturday
- b) No signage allowed
- c) No additional parking, or lighting needed. No storm water issues.
- d) No additional screening required for existing screened dumpster
- e) Permit expires with change of ownership; any change in use; and /or intensification of use
- f) 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.

**MOTION PASSED UNANIMOUS**

6. NEW BUSINESS – OLD BUSINESS - none
7. ADJOURNMENT - Motion by John Janek, seconded by Mark Wilson to adjourn. Motion Passed.

Respectfully submitted  
Plan Commission Secretary

Cc: Mayor/Council/Clerk  
Commission/Attorneys  
Economic/Public Works Dir.

# PLAN COMMISSION ADVISORY REPORT

Jan. 8, 2009

Pg. 5

PETITIONER: Jonathan Greer business owener – Jerry Myatt property owner

LOCATION: 2309 NAMEOKI RD.

REQUEST: NonConforming Exemption Permit – Zoned R-3 Permit to operate a new and used tire business in a vacant building formerly known as Roto Rooter.

Recommendations and reasons there of: If the proposed amendment alters district boundaries or changes the status of any use, the Plan Commission may report findings concerning each of the following:

- a) Existing use(s) and zoning of property in question: Vacant nonconforming building Zoned R-3
- b) Existing use(s) and zoning of other lots in the vicinity of the property in question: Residential and business uses C-4, C-5.
- c) Suitability of the property in question for uses already permitted under existing regulations: Suitable.
- d) Suitability of property in question for proposed use. Suitable
- e) The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned: No trend
- f) The effect proposed re-zoning would have on implementation of the City's Comprehensive Plan: Not a rezoning

\*\*\*\*\*  
MOTION by Janek second Ward to approve a new and used tire facility with the following restrictions:

- a) Hours of operation 8 am to 6 pm Monday – Saturday
- b) Sign – flush mounted per ordinance and approved by Zoning Administrator
- c) Screening required around trash/dumpster and enclosure around exposed tires
- d) Additional parking not required.
- e) Additional lighting – no.
- f) Storm water N/A
- 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) Mosquito control required (in season) for exposed tires
- j) Requirements to be completed within 30 days.

MOTION PASSED UNANIMOUS.

\*\*\*\*\*  
ROLL CALL

Sandy Crites	yes	Tim Elliott	yes
John Janek	yes	Mark Davis	yes
Mark Wilson	yes	Shirley Howard	absent
Ben Ward	yes	Don Luddeke	yes
Jack Taylor	yes	Frank Greathouse	excused
		Sharon Ryan	excused

\*\*\*\*\*

January 8, 2009

Acting Chair: Sandra Crites

# PLAN COMMISSION ADVISORY REPORT

Jan. 8, 2009

Pg. 6

PETITIONER: Faith and Freedom Family Ministries  
LOCATION: 1927 Edison -  
REQUEST: PERMIT PREVIOUSLY APPROVED – RETURNED FOR RESTRICTIONS

\*\*\*\*\*  
DOWNTOWN P.U.D. 1927 EDISON – Returned for Restrictions.

MOTION by Mark Davis, second Tim Elliott to add the following restrictions for Faith and Freedom Family Ministries Downtown P. U. D.:

- a) Office for administrative use only
- b) Hours: 10am - 4pm, Monday, Wednesday, Friday, plus by appointment to 7pm limited to 5 persons.
- c) Signage: flush mounted – or, if overhanging sidewalk sign, a bond will be required per ordinance.
- d) Screening and additional parking not required. No additional exterior lighting.  
Storm water control N/A.
- e) Permit expires with change of ownership and/or use. Reapplication is necessary if use is intensified.
- f) 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.
- g) No storage allowed other than general office uses.
- h) Upstairs the owner/family are only residents allowed occupancy of building. Downstairs is for office use only.
- i) No overnight stays are allowed.
- j) Office is not to be used as a food or clothing distribution center.

MOTION PASSED UNANIMOUS

\*\*\*\*\*  
ROLL CALL

Sandy Crites	yes	Tim Elliott	yes
John Janek	yes	Mark Davis	yes
Mark Wilson	yes	Shirley Howard	absent
Ben Ward	yes	Don Luddeke	yes
Jack Taylor	yes	Frank Greathouse	excused
		Sharon Ryan	excused

\*\*\*\*\*

January 8, 2009

Acting Chair: Sandra Crites

# PLAN COMMISSION ADVISORY REPORT

Jan. 8, 2009

Pg. 7

## REVISED CONSTRUCTION PLAN REVIEW – GATEWAY VILLAGE

Property located in the Rt. 3 development area

Juneau Associates engineer Ron Keeps with Doug Keene of Kaskaskia Engineering Group requests approval of revised grading, storm sewer construction, drainage calculations for improvements, detention basin requirements, revised map for lots 1-45, and other minor items as indicated.

MOTION by Janek, second by Wilson to accept and approve the revised construction plans for Gateway Village as presented.

MOTION PASSED UNANIMOUS.

\*\*\*\*\*

### ROLL CALL

Sandy Crites	yes	Tim Elliott	yes
John Janek	yes	Mark Davis	yes
Mark Wilson	yes	Shirley Howard	absent
Ben Ward	yes	Don Luddeke	yes
Jack Taylor	yes	Frank Greathouse	excused
		Sharon Ryan	excused

\*\*\*\*\*

January 8, 2009

Acting Chair: Sandra Crites

# PLAN COMMISSION ADVISORY REPORT

Jan. 8, 2009

Pg. 8

## M-4 P.U.D. PLAN REVIEW: THF – GRANITE PARK SUBDIVISION

Property located in the Rt. 3 development area. Plan review for development of out lot #1

MOTION by Janek, seconded by Ward to accept the site plan as presented for Aldi located on out lot #1 of the Gateway Park Subdivision.

MOTION PASSED UNANIMOUS.

\*\*\*\*\*

### ROLL CALL

Sandy Crites	yes	Tim Elliott	yes
John Janek	yes	Mark Davis	yes
Mark Wilson	yes	Shirley Howard	absent
Ben Ward	yes	Don Luddeke	yes
Jack Taylor	yes	Frank Greathouse	excused
		Sharon Ryan	excused

\*\*\*\*\*

January 8, 2009

Acting Chair: Sandra Crites

# PLAN COMMISSION ADVISORY REPORT

Jan. 8, 2009

Pg. 9

PETITIONER: Himanshu N. Patel, buyer – Tony and Sally Ghannam, sellers  
LOCATION: 2501 E. 24<sup>TH</sup> ST. - Zoned R-3  
REQUEST: NONCONFORMING USE & STRUCTURE. Request to continue use of a current convenience store (Corner Market) for a new owner. Zoned R-3

Recommendations and reasons there of: If the proposed amendment alters district boundaries or changes the status of any use, the Plan Commission may report findings concerning each of the following:

- a) Existing use(s) and zoning of property in question: Nonconforming building used as confectionery R-3
- b) Existing use(s) and zoning of other lots in the vicinity of the property in question: Residential – R-3
- c) Suitability of the property in question for uses already permitted under existing regulations: Suitable.
- d) Suitability of property in question for proposed use. Suitable
- e) The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned: No trend
- f) The effect proposed re-zoning would have on implementation of the City's Comprehensive Plan: Not a rezoning.

\*\*\*\*\*  
MOTION by Janek, second by Ward to approve the continued use as a convenience store with the following restrictions:

- a) No outside storage or products allowed
- b) Remove phone post and cover
- c) Hours of operation 9am to 10pm, 7 days a week
- d) Screening is required around a required dumpster
- e) No additional parking required. No additional lighting. Storm water run-off – N/A.
- f) Permit expires with change of ownership; any change in use; and /or intensification of use
- g) 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.
- h) The administrator will report upon compliance within 30 days of start of operation.

MOTION PASSED UNANIMOUS.

\*\*\*\*\*  
ROLL CALL

Sandy Crites	yes	Tim Elliott	yes
John Janek	yes	Mark Davis	yes
Mark Wilson	yes	Shirley Howard	absent
Ben Ward	yes	Don Luddeke	yes
Jack Taylor	yes	Frank Greathouse	excused
		Sharon Ryan	excused

\*\*\*\*\*

January 8, 2009

Acting Chair: Sandra Crites

# PLAN COMMISSION ADVISORY REPORT

Jan. 8, 2009

Pg. 10

PETITIONER: Norman Cohen – Cohen Foods Inc.  
LOCATION: 2600 Nameoki Road  
REQUEST: NONCONFORMING USE & STRUCTURE 2600 NAMEOKI ROAD - Zoned C-5.  
for a M-1 storage/warehouse use for food and grocery items in a vacant former grocery store.

Recommendations and reasons there of: If the proposed amendment alters district boundaries or changes the status of any use, the Plan Commission may report findings concerning each of the following:

- a) Existing use(s) and zoning of property in question: vacant former grocery store Zoned C-5
- b) Existing use(s) and zoning of other lots in the vicinity of the property in question: Residential R-3 R-5
- c) Suitability of the property in question for uses already permitted under existing regulations: Suitable.
- d) Suitability of property in question for proposed use. Suitable
- e) The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned: No trend
- f) The effect proposed re-zoning would have on implementation of the City's Comprehensive Plan: Not a rezoning.

\*\*\*\*\*  
**MOTION** by Janek, second Davis, to approve a Nonconforming use for a storage/warehouse for nonperishable dry grocery items with the following restrictions:

- a) Demolition of out building and improvement of ground
- b) Enclosed dumpster and No outside storage
- c) Hours Monday to Friday 7am to 3pm
- d) No overnight parking of trucks – trucks parked during loading and unloading
- e) Traffic areas to be paved for heavy truck traffic
- f) Trucks are not allowed to exit onto Victory Drive (truck load limit)
- g) Signage (if used) to be flush mounted
- h) No additional parking required. Additional lighting permitted (if needed and approved by administrator) only if directed away from residential property. Storm water run-off – N/A.
- i) Permit expires with change of ownership; any change in use; and /or intensification of use
- j) 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.
- k) The administrator will make a report regarding improvements in 6 months.

**MOTION PASSED UNANIMOUS.**

\*\*\*\*\*  
**ROLL CALL**

Sandy Crites	yes	Tim Elliott	yes
John Janek	yes	Mark Davis	yes
Mark Wilson	yes	Shirley Howard	absent
Ben Ward	yes	Don Luddeke	yes
Jack Taylor	yes	Frank Greathouse	excused
		Sharon Ryan	excused

January 8, 2009

Acting Chair: Sandra Crites

# PLAN COMMISSION ADVISORY REPORT

Jan. 8, 2009

Pg. 11

PETITIONER: Kevin Nowak – Contemporary Landscape  
LOCATION: 3027 NAMEOKI DRIVE  
REQUEST: NONCONFORMING USE & STRUCTURE – C5/M-1 USE IN A R-3 ZONE  
Request a C-5/M-1 use for commercial landscape design and maintenance business in an R-3 zone.

Recommendations and reasons there of: If the proposed amendment alters district boundaries or changes the status of any use, the Plan Commission may report findings concerning each of the following:

- a) Existing use(s) and zoning of property in question: vacant building and acreage zoned R-3
- b) Existing use(s) and zoning of other lots in the vicinity of the property in question: Residential R-3
- c) Suitability of the property in question for uses already permitted under existing regulations: Suitable.
- d) Suitability of property in question for proposed use. Suitable
- e) The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned: No trend
- f) The effect proposed re-zoning would have on implementation of the City's Comprehensive Plan: Not a rezoning.

\*\*\*\*\*  
MOTION by Wilson, second Ward to approve the request for NonConforming Use & Structure for C-5/M-1 use for a commercial landscape design and maintenance business with the following restrictions:

- a) Hours of operation 7am to 5pm Monday – Saturday with periodic emergency after hours
- b) Signage limited to flush mounted
- c) Screening required around dumpster
- d) No additional parking required, Additional lighting allowed if directed away from residents.
- e) Storm water run-off N/A
- f) Permit expires with change of ownership; any change in use; and /or intensification of use
- g) 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.
- k) The administrator will make a report regarding road conditions, the fencing, and rock/chat in 6 months

MOTION PASSED UNANIMOUS

\*\*\*\*\*  
ROLL CALL

Sandy Crites	yes	Tim Elliott	yes
John Janek	yes	Mark Davis	yes
Mark Wilson	yes	Shirley Howard	absent
Ben Ward	yes	Don Luddeke	yes
Jack Taylor	yes	Frank Greathouse	excused
		Sharon Ryan	excused

\*\*\*\*\*  
January 8, 2009

Acting Chair: Sandra Crites

# PLAN COMMISSION ADVISORY REPORT

Jan. 8, 2009

Pg. 12

**PETITIONER:** Pam Holten  
**LOCATION:** 2048 Pontoon Road  
**REQUEST:** NONCONFORMING C-1/C-2 SPECIAL USE , 2048 PONTOON RD. – ZONED R-1  
Request C-2 Special Use for an existing beauty shop and residence.

Recommendations and reasons there of: If the proposed amendment alters district boundaries or changes the status of any use, the Plan Commission may report findings concerning each of the following:

- a) Existing use(s) and zoning of property in question: Residential use with C-2 beauty shop use in existence since 1972. Property is Zoned R-1
- b) Existing use(s) and zoning of other lots in the vicinity of the property in question: Residential R-1 with nonconforming uses in vicinity.
- c) Suitability of the property in question for uses already permitted under existing regulations: Suitable.
- d) Suitability of property in question for proposed use. Suitable
- e) The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last re-zoned: No trend
- f) The effect proposed re-zoning would have on implementation of the City's Comprehensive Plan: Not a rezoning.

\*\*\*\*\*  
**MOTION by Wilson, seconded by Ward to approve the Nonconforming C-2 Special Use for a beauty shop and residence with the following restrictions.**

- a) Hours of operation 9amto 7pm Thurs. Fri. and Saturday
- b) No signage allowed
- c) No additional parking, or lighting needed. No storm water issues.
- d) No additional screening required for existing screened dumpster
- e) Permit expires with change of ownership; any change in use; and /or intensification of use
- f) 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.

## MOTION PASSED UNANIMOUS

\*\*\*\*\*

### ROLL CALL

Sandy Crites	yes	Tim Elliott	yes
John Janek	yes	Mark Davis	yes
Mark Wilson	yes	Shirley Howard	absent
Ben Ward	yes	Don Luddeke	yes
Jack Taylor	yes	Frank Greathouse	excused
		Sharon Ryan	excused

\*\*\*\*\*

January 8, 2009

Acting Chair: Sandra Crites