

Everything You Need!

Phone 309-852-2611
Fax 309-856-6001

May 25, 2018

Honorable Mayor and City Council
Kewanee City Hall
401 E. Third Street
Kewanee, Illinois 61443-2365

RE: Report from Plan Commission for May 24, 2018 Meeting.

The Plan Commission convened at 7:00 p.m. on May 24, 2018 Kewanee City Hall, Council Chambers. Commission members Costenson and Reynolds were absent. For business, there were two Special Use Permit applications upon which to conduct a public hearing.

Case Number 1:

600 N. Main St. which is located at the Northeast corner on N. Main St and E. 6th St. Special Use Permit petition for Used passenger automobile sales (used car lot) on an open lot or within a building.

Dennis Packee is petitioning for the Special Use Permit.

Address (es): 600 N. Main St.

Legal Description: LTS 3 & 4 MOLLIE LYLES SUB OF LTS 3 & 4 & NW COR LT 6 SW SE SEC 28 CITY OF KEWANEE [EZ], Henry County Illinois.

Location: On the Notheast corner of N. Main St. & E. 6th St.

Dimensions: 164 feet East to West and 107.5 feet North to South.

Area: 17630 Sq Ft. (0.405 Acres)

Existing buildings or uses: One building approximately 141' x 43'.

Current Zoning District: B-3 Business and Wholesale District.

Existing (Surrounding Zoning) Zoning: B-3 Business and Wholesale District. To the East, North and West. M-1 Manufacturing District, Limited to the South.

Existing Land Use: Commercial

Proposed Land Use Map: Commercial.

Background Information:

The City received a complaint of used vehicles being sold upon the property without the required Special Use permit. After research of the street file I found no evidence of Plan Commission activity granting a special use permit. Property owner Dennis Packee heard rumor of the complaint and came to my office to discuss the matter. Packee agreed to follow the process to apply for the Special Use permit for used car sales.

Special Use Permit Criteria (155.157 C)

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- (1) That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community;
- (2) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity, and
- (3) That the proposed use will comply with the regulations and conditions specified in this chapter for such use, and with the stipulations and conditions made a part of the authorization granted by the Council.

The City has no argument against the petition for the Special Use Permit as applied for.

The Public Hearing:

At 7:00 p.m. on May 24, 2018, the hearing on the proposed Special use Permit to allow a Used Car Lot at 600 N Main St. was held. **Dennis Packee** of Kewanee, Illinois, was present to represent the application.

- Packee stated that if he's doing something wrong that he wants to do whatever is required to make it right. He did state that automobile sales is listed as a permitted use in B3 zoning.
- Edwards stated that though automobile sales is listed as a permitted use in B3 zoning, used automobile sales is listed as a special use under B3 zoning. Because of this it is assumed that automobile sales listed under permitted uses is referring to "new" car sales. Edwards did tell Packee that Edwards verified this interpretation with the City Attorney. Edwards also stated that he would discuss the wording with the City Manager and City Attorney to see if a change in the wording is needed or not.

No others were present to speak in support of the petition.

No others were present to speak in opposition of the petition.

Recommendation:

After discussing the facts and testimony presented, the Plan Commission recommends, by a vote of seven in favor of the application, none opposed to the application, two absent, that the application to grant a Special Use Permit to allow a Used Car Lot be approved by the City Council. Specifically, the Plan Commission recommends that a Special Use Permit allowing a Used Car Lot at 600 N Main St. be granted to Dennis Packee.

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Case Number 2:

525 N Main St. which is located at the Southwest corner of N. main St and W. 6th St. Special Use Permit Petition to allow an Automobile, Truck, Trailer, Tractor or Bus Storage yard, Operable Vehicles Only.

Jon Wille is petitioning for the Special Use Permit. The Property owner, Kenneth Ryan has signed the application as the Landowner, which serves as affidavit for Willie to apply for the permit.

Address (es): 525 N. Main St.

Legal Description: S95 OF N115 LOT 1, EX HWY, WILLARD & MORSES NORTH SUB CITY OF KEWANEE [EZ], Henry County, Illinois.

Location: On the Southwest corner of N. Main St. and W. 6th St.

Dimensions: 118 feet East to West and 115 feet North to South. The Northeast corner has a radius that follows the roadway.

Area: 13570 Sq Ft. (0.312 Acres)

Existing buildings or uses: Vehicle storage.

Current Zoning District: B-3 Business and Wholesale District.

Existing (Surrounding Zoning) Zoning: B-3 Business and Wholesale District. To the North, West and South. M-1 Manufacturing District, Limited to the East.

Existing Land Use: Commercial.

Proposed Land Use Map: Commercial.

Background Information:

With reference to Case Number 1 at the beginning of this memo and after researching the street file and history of this parcel, I found no Special Use Permit or Plan Commission activity for used car sales or vehicle storage. I met with Wille and also spoke with Ryan on the phone and advised them that the current use (storage of vehicles) requires a Special Use Permit.

It should be noted that Wille stated that the State of Illinois, since the parcel is located along a state right of way, will not allow for the sale of vehicles upon the parcel involved because there is no building on the parcel. Wille stated that the State will allow the vehicles to be parked there as long as there are no "For Sale" signs or prices on the vehicles. Wille performs no transactions on this parcel and if a customer is interested in a vehicle, Wille has one of his employees bring the vehicle across the street for the customer to look at the vehicle, test drive it or any other inspections or transactions related to the vehicle.

I spoke with the City Attorney to verify the information that Wille gave me.

Special Use Permit Criteria (155.157 C)

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- (1) That the proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community;
- (2) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity, and
- (3) That the proposed use will comply with the regulations and conditions specified in this chapter for such use, and with the stipulations and conditions made a part of the authorization granted by the Council.

The City has no argument with the special use but would suggest the following stipulations:

- With exception to registrations, all vehicles must be 100% operable in every aspect. No flat tires, no broken windows, no wrecked or junk vehicles, no missing parts of any sort.
- No part of any vehicle shall overhang or block the city sidewalk.
- Storage of light trucks and passenger vehicles only.
- Vehicles must be parked neatly and be able to be driven off the property without having to move another vehicle out of the way thus allowing for passage throughout the property.
- Access to all vehicles must be available to Fire Department personnel.

The Public Hearing:

At 7:16 p.m. on May 24, 2018, the hearing on the proposed Special use Permit to allow an Automobile, Truck, Trailer, Tractor or Bus Storage yard, Operable Vehicles Only. **Jon Wille** dba You're Approved Auto Sales of Kewanee, Illinois, was present to represent the application.

- Wille started off by apologizing for the oversight and didn't realize that a special use permit was needed.
- Morrison stated that he is not pleased with the current condition of the property.
- Morrison noted the stipulations listed in the Plan Commission Memo. Wille agreed to the stipulations.
- The commission added an additional stipulation that compliance with all other stipulations needs to be completed by June 30, 2018. If not, a hearing to revoke the Special use permit will be held.

No others were present to speak in support of the petition.

No others were present to speak in opposition to the petition.

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Recommendation:



After discussing the facts and testimony presented, the Plan Commission recommends, by a vote of seven in favor of the application, none opposed to the application, two absent, that the application to grant a Special Use Permit to allow an Automobile, Truck, Trailer, Tractor or Bus Storage yard, Operable Vehicles Only be approved by the City Council. Specifically, the Plan Commission recommends that a Special Use Permit allowing an Automobile, Truck, Trailer, Tractor or Bus Storage yard, Operable Vehicles Only at 525 N Main St. be granted to Jon Wille.

Additionally, the Plan Commission recommends, by a vote of seven in favor, none opposed, two absent, that the following stipulations be placed on the Special Use Permit.

- With exception to registrations, all vehicles must be 100% operable in every aspect. No flat tires, no broken windows, no wrecked or junk vehicles, no missing parts of any sort.
- No part of any vehicle shall overhang or block the city sidewalk.
- Storage of light trucks and passenger vehicles only.
- Vehicles must be parked neatly and be able to be driven off the property without having to move another vehicle out of the way thus allowing for passage throughout the property.
- Access to all vehicles must be available to Fire Department personnel.
- All of the above must be complied with no later than June 30, 2018. If compliance is not met to the satisfaction of the City, a hearing to revoke the Special Use Permit will be held.

There being no further business, the meeting adjourned at 7:27 p.m.

Respectfully yours,

Steve Morrison, Chairman

PLAN COMMISSION

Date

May 24, 2018

Attendance

Paykoe

Wille

Stpolications

	yes	no	yes	no	yes	no	yes	no	yes	no	yes	no
COSTENSON	<input checked="" type="checkbox"/>	abstain	no	absent	yes	abstain	no	absent	yes	abstain	no	absent
EDLEMAN	<input checked="" type="checkbox"/>	yes	abstain	no	absent	yes	abstain	no	absent	yes	abstain	no
HEMPHILL	<input checked="" type="checkbox"/>	yes	abstain	no	absent	yes	abstain	no	absent	yes	abstain	no
MINELLA	<input checked="" type="checkbox"/>	yes	abstain	no	absent	yes	abstain	no	absent	yes	abstain	no
MIROCHA	<input checked="" type="checkbox"/>	yes	abstain	no	absent	yes	abstain	no	absent	yes	abstain	no
MORRISON	<input checked="" type="checkbox"/>	yes	abstain	no	absent	yes	abstain	no	absent	yes	abstain	no
REYNOLDS	<input checked="" type="checkbox"/>	yes	abstain	no	absent	yes	abstain	no	absent	yes	abstain	no
SAYERS	<input checked="" type="checkbox"/>	yes	abstain	no	absent	yes	abstain	no	absent	yes	abstain	no
HUGHES	<input checked="" type="checkbox"/>	yes	abstain	no	absent	yes	abstain	no	absent	yes	abstain	no

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