

Village of Sturtevant

Planning Commission Meeting Minutes
Thursday, Feb 14, 2007

Regular Meeting

Members present: Steve Jansen, Tim Hastings, Bernetta Hutchinson, Gary Johnson, Fred Kobylinski, Michael Ramig, Mark Soine. Also attending: Chris Geary.

Meeting called to order by Steve Jansen at 6:00 p.m.

- **Public Hearing – Proposed Ordinance No. 2007-20 to repeal and recreate Chapter 20 of the Code of Ordinances of the Village of Sturtevant related to floodplain zoning.**

Motion Gary Johnson, Second Michael Ramig to open the Public Hearing. All ayes. Motion carried. Meeting opened at 6:02 p.m. Public comments were solicited.

- **Acceptance of Prior Meeting Minutes**

Motion Gary Johnson, Second Michael Ramig to accept the minutes from the Regular Meeting of the Planning Commission on January 10, 2008. All ayes. Motion carried.

- **Public Comments**

No public comments.

- **Don's Towing – 2450 Wisconsin Street: Conditional Use Permit to Operate A Towing Outfit with Repair garage and Storage of Towed Vehicles – Preliminary / Conceptual Approval, Possible Final Approval**

This item was rejected at last month's meeting due to several issues, one being a question of zoning. However, further review of the list of uses permitted in a commercial district indicates that the current code could allow for Don's Trucking business with some conditions. One of the owners indicated the towing business will not work out of this location – that will be strictly at their I-94 location. The garage on Wisconsin would be used only for truck repair with basically one mechanic on hand. There will be no junk cars or vehicles on the lot, just trucks waiting for repairs. A list of terms and conditions for conditional use were reviewed and agreed to. Sandy Nelson, part owner, has accepted the terms. She is to meet with Tim Hastings and Mark Janiuk to review the site plan with staff before the next meeting.

Motion Tim Hastings, Second Gary Johnson to grant conceptual and preliminary approval for Don's Towing to do business at 2450 Wisconsin Street within the guidelines of the Terms and Conditions for Conditional Use which were updated during February's meeting.

- **Public Hearing**

The allotted has passed and no comments were submitted. Motion Gary Johnson, Second Michael Ramig to close the Public Hearing. All ayes. Motion carried. Meeting closed at 6:18 p.m.

- **Commissioners and/or Staff Discussion – Discussion of a Possible Amendment to the Village of Sturtevant Zoning Ordinance**

Chris Geary, Village Attorney, covered some of the issues related to various Village ordinances.

(a) Residential Units in Commercial Districts – The language contained in 1733/1735 is questionable on whether it allows for living spaces in commercial or industrial zoning districts. Right now it basically reads that residences are not permitted in these districts. Therefore storefront type apartments in commercial

districts, which are becoming popular and which are already in place in certain spots in the Village, would not be allowed, while caretaker type living is allowed per Village Ordinance. It was decided to direct Chris Geary to work with staff to rewrite the ordinance to allow living spaces in commercial districts, with conditions.

(b) STH 11 Corridor – The land along Highway 11 west of West Road is currently zoned Industrial. The Village needs to consider changing this to Commercial to control the type of development there. Chris was given the Highway 11 Corridor study to review. Staff needs to review what the proper depth for the zoning should be and what the future land use plans of neighboring Mt. Pleasant are before action is taken.

(c) Sexually Oriented Businesses – It was noted that the Village can not zone out sex-oriented businesses due to current court rulings. However, we can review studies on secondary effects of such businesses and carve out areas where they will be allowed. Chris Geary is to move forward with recommendations.

(d) Continuation of Conditional Uses when Ownership Changes – Per a recent ruling, it appears that conditional use permits do not go along with the land or property they are associated with. Currently, the Village Ordinance reads that a new conditional use is required with a substantial change of use, with a change of ownership being included in that. But a change of ownership with the same business in place does not necessarily mean a substantial change has taken place. Therefore, the Village should be aware that the practice of issuing new conditional use permits triggered by ownership change may need to be modified. Chris Geary is to provide some guidelines pertaining to this issue.

Adjournment – Motion Bernetta Hutchinson, Second Steve Jansen to adjourn. All ayes. Motion carried. Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Mark Soine

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Secretary of the Planning Commission