

ALTON PLAN COMMISSION MINUTES  
CITY COUNCIL CHAMBERS  
NOVEMBER 15, 2016 – 1:15 p.m.  
(As unapproved by the Plan Commission)

PRESENT: Mark Hackworth (Chairman), John Rain, Gary Doerr, Joe Blair, Terry Dooley, Eva Perkins, Martha Kane

ABSENT: Barry Clayton, James Rogalsky

OTHERS PRESENT: Matt Asselmeier (Deputy Director of Development and Housing), Jim Schrempf (Corporation Counselor), and Micky Jones (Secretary)

Chairman Hackworth called the meeting to order and asked for a roll call. Roll call was taken with 8 present and 2 absent. Motion was made by John Rain and seconded by Terry Dooley to approve the minutes of the regular meeting of September 6, 2016. Vote was 8 to 0 in favor.

**Motion was made by Terry Dooley and seconded by Joe Blair to open the public hearing.  
Vote was 8 to 0 in favor.**

John T., Treefon, and George Siampos petitioned to amend Section 12 D of Chapter 5 of Title 11 by adding Antique Stores (a use within NAICS Code 453310) to the list of special uses within the C-5 (Heavy Commercial District) and for a special use permit to operate an antique store at the property at 2318-2320 E. Broadway, Alton, Illinois, and for a waiver to Sub-Sections 14 B and 17 D of Section 5 C of Chapter 9 of Title 11 by reducing the number of required off-street parking spaces from five (5) to zero (0).

John Siampos, owner of 2318-2320 E. Broadway, has a tenant for the property now. They want to make repairs to the property for a resale shop for both sides.

Questions:

- What work is to be done on building? Mr. Siampos received a letter from Building and Zoning on repairs to be completed, including tuckpointing.
- What will the upstairs be? Mr. Siampos is renting the upstairs to a contractor who is installing a new floor and then will use the space for an apartment.
- What was the building used for prior? As American Reprint and as a bird aviary. It is vacant currently.

Matt Asselmeier read the attached memorandum which states that Staff would like the building be classified as a resale shop instead of antique store. The special use request carries no concerns. It was a resale shop in 2003. Parking is adequate. A letter was sent to Mr. Siampos from Sam Shaw, Building Inspector, Building and Zoning.

Mr. Asselmeier stated there are no concerns on any of the three proposals.

There are three off-street parking spaces in the rear including a garage. There has been no business license issued.

**Motion was made by Gary Doerr and seconded by Terry Dooley to close the public hearing.  
Vote was 8 to 0 in favor.**

**Motion was made by Terry Dooley and seconded by Gary Doerr to amend Section 12 D of Chapter 5 of Title 11 by adding Used Merchandise store (a use within NAICS Code 453310) to the list of special uses within the C-5 Heavy Commercial District.**

**Vote was 8 to 0 in favor.**

**Motion was made by Todd Harpole and seconded by Martha Kane for a special use permit to operate a used merchandise store at the property identified by permanent parcel number 23-2-08-18-09-202-014, also known as 2318-2320 E. Broadway, Alton, Illinois**

**Vote was 8 to 0 in favor.**

**Motion was made by Gary Doerr and seconded by Terry Dooley for a waiver to Sub-Sections 14 B and 17 D of Section 5 C of Chapter 9 of Title 11 by reducing the number of required off-street parking spaces to zero (0).**

**Vote was 8 to 0 in favor**

Adjourned 1:30 p.m.

Attachments

## MEMORANDUM

**TO:** The Alton City Plan Commission

**FROM:** Matthew H. Asselmeier, MPA, AICP, Deputy Director of Development and Housing

**DATE:** November 8, 2016

**RE:** Zoning Text Amendment for Antique Stores in the C-5 District

John T., Treefon, and George Siampos petitioned the Alton City Council for a text amendment adding Antique Stores (a use within NAICS Code 45331) to the list of special uses within the C-5 (Heavy Commercial District) and for a special use permit to operate an antique store at 2318-2320 East Broadway (P.I. # 23-2-08-18-09-202-014) and for a waiver to Sub-Sections 14 (B) and 17 (D) of Section 5 (C) of Chapter 9 of Title 11 by reducing the number of required off-street parking spaces to zero (0). See second memo regarding the requested special use permit and parking waiver.

### Background

According to information provided to the City, the petitioners signed a lease with William Thomas, owner of Younger Brothers Antiques and Resale. Mr. Thomas desires to operate his business, which he co-owns with his brother, inside the building at 2318-2320 East Broadway. The 2318 space would be the antique store and the 2320 space would be a resale shop. Mr. Thomas chose this location because he knew one (1) of the petitioners and because the petitioners offered an attractive lease rate. Accordingly, the petitioners requested a text amendment adding antique stores to the list of special uses within the C-5 (Heavy Commercial District).

In addition to the antique store and resale shop, Mr. Thomas desires to offer antique repair services at this location. This use is a type of Personal and Household Goods Repair and Maintenance Use (uses within NAICS Code 8114) and is a permitted use within the C-5 (Heavy Commercial District).

According to Section 12 (A) of Chapter 5 of Title 11 of the City Code, the purpose of the C-5 (Heavy Commercial District) is “. . . to permit selected retail sales and various service activities in appropriate areas. The C-5 district is considered consistent with and designed to implement the provisions of the comprehensive plan for land in the East Broadway corridor and designated as commercial on the city's future land use map.”

As noted in the description, only land along East Broadway possesses this zoning classification. On the south side of Broadway, the C-5 (Heavy Commercial District) starts at the vacant lot across the street from 1854 East Broadway (the administrative building for the Alton School District) and goes east to the East Alton boarder. Only properties that are adjacent to Broadway in this area have this zoning classification; the railroad track is the dividing line and properties south of the railroad track have a manufacturing zoning classification. On the north side of Broadway, the C-5 (Heavy Commercial District) starts at 1862 East Broadway (Marcal Rope and Rigging) and goes to the East Alton border. The only exception are those buildings on Broadway between Lampert and Main Streets; these buildings are zoned C-2 (General Commercial District). The district widens slightly east of Come In Place to include properties on both sides of Old East Broadway. A copy of the Zoning Map is included as Exhibit A.

Resale shops and antique stores are included within NAICS Code 45331 Used Merchandise Stores. According to the NAICS Code, "this industry comprises establishments primarily engaged in retailing used merchandise, antiques, and secondhand goods (except motor vehicles, such as automobiles, RVs, motorcycles, and boats; motor vehicle parts; tires; and mobile homes)." They are permitted uses within the C-2 (General Commercial District), C-4 (Downtown Commercial District), MR (Marina Recreation District), and M-4 (Planned Business Park District). Other examples of Used Merchandise Stores include:

- Used Household-Type Appliance Stores
- Used Book Stores
- Used Merchandise Thrift Shops
- Used Clothing Stores
- Used Sporting Goods Stores

The only retail trade uses (those uses within NAICS Codes 44 and 45) allowed in the C-5 (Heavy Commercial District) are as follows:

- Furniture and Home Furnishing Stores (442)
- Electronics and Appliance Stores (443)
- Building Material and Garden Equipment and Supplies Dealers (444)
- Food and Beverage Stores (445)
- Gasoline Stations (447)
- Department Stores (4521)
- Other General Merchandise Stores (4529)
- Pet and Pet Supplies Store (4539190)

The above are all permitted uses within the C-5 (Heavy Commercial District).

The Comprehensive Plan was silent on specific retail uses within the C-5 (Heavy Commercial District). On pages 54 and 55, the main concern was industrial uses as exemplified in the following statement:

“The East Broadway Corridor should be redeveloped for a consistent set of heavy commercial uses such as contractor trade buildings, self-service storage facilities, and selected automotive related uses. A new heavy commercial zoning district should be developed to ensure that undesirable industrial uses do not encroach on this area and that outdoor storage areas are screened from view.”

While the Comprehensive Plan was silent on specific retail uses within the C-5 (Heavy Commercial District), the Comprehensive Plan included “Antique Stores” in the list of targeted commercial uses as exemplified on page 78:

“While there are many retail and commercial service uses that would be assets to the community, the list below is intended to specifically target commercial uses that would strengthen Alton’s position as a historical building center. These uses include uses to expand the tourism industry and certain segments of the retail market. As with health care services, these uses are listed according to their titles in the NAICS manual.

- Antique Stores
- Architectural Services
- Bed and Breakfast Inns
- Boat Dealers
- Building Material and Garden Equipment and Supplies Dealers
- Furniture and Home Furnishing Stores
- Hotels and Motels
- Restaurants, Full Service”

### **Findings**

While the proposed antique store and resale shop are not listed in the examples of heavy commercial uses found on page 55 of the Comprehensive Plan, these uses prevent the encroachment of undesirable industrial uses from appearing on Broadway and are retail and service related. Also, the addition of a new business fills a vacant space, thus improving the aesthetic appearance of the East Broadway Corridor and placing a building into productive use.

The main concern of placing an antique store or resale shop within this zoning district is the loss of synergy created by having a designated “antique district.” However, the City does not possess any plans or policies that specifically designate an area an “antique district.” In addition, antique stores and resale shops are a permitted use within the C-2 (General Commercial District); this means that the subject use could be located outside of downtown along Homer Adams Parkway, Upper Alton, North Alton, and on Broadway between the 700 block and 1800 block.

The purpose of the special use permit process is to evaluate uses that do not fit neatly in traditional zoning. The proposed use could be allowed within this zoning classification, but only

by special use permit to ensure that the use fulfills the purpose of the C-5 (Heavy Commercial District). The proposed use would be appropriate only in limited, specific instances within this zoning classification and **always** with appropriate restrictions to ensure that the adjacent residential neighborhoods and industrial businesses are minimally impacted by the proposed use.

The petitioners requested a text amendment to allow antique stores within the C-5 (Heavy Commercial District). The business owners stated that they would also like to have a resale shop in addition to the antique store. Merriam-Webster's dictionary does not give an age to an "antique"; the dictionary merely says that an antique is "existing since or belonging to earlier times". Section 1 of Chapter 6 of Title 8 of the City Code states that an "Antique Vehicle" is "twenty-five (25) years of age or older." Since the majority of antiques were owned by someone previously, and would be a form of a resale, and since the Mr. Thomas might sell merchandise that is less than twenty-five (25) years old, Staff believes that restricting sales specifically to antiques only within this zoning classification could be difficult to enforce without appropriate restrictions placed on the special use permit.

To that end, Staff recommends the following text amendment to the Zoning Ordinance of the City of Alton:

- Amendment to Sub-Section D of Section 12 of Chapter 5 of Title 11 of the City Code of the City of Alton "Special Uses" within the C-5 (Heavy Commercial District) by adding the following:

"Used Merchandise Stores (uses within NAICS Code 45331)"

#### CORRESPONDENCE RECEIVED

Favorable: None as of the date of this Memo

Unfavorable: None as of the date of this Memo

## MEMORANDUM

**TO:** The Alton City Plan Commission

**FROM:** Matthew H. Asselmeier, MPA, AICP, Deputy Director of Development and Housing

**DATE:** November 8, 2016

**RE:** Special Use Permit for an Antique Store and Resale Shop at 2318-2320 East Broadway (P.I. #: 23-2-08-18-09-202-014).

John T., Treefon, and George Siampos petitioned the Alton City Council for a text amendment adding Antique Stores (a use within NAICS Code 45331) to the list of special uses within the C-5 (Heavy Commercial District) and for a special use permit to operate an antique store at 2318-2320 East Broadway (P.I. # 23-2-08-18-09-202-014) and for a waiver to Sub-Sections 14 (B) and 17 (D) of Section 5 (C) of Chapter 9 of Title 11 by reducing the number of required off-street parking spaces to zero (0). See previous memo regarding the requested text amendment.

### Background

According to information provided to the City, the petitioners signed a lease with William Thomas, owner of Younger Brothers Antiques and Resale. Mr. Thomas desires to operate his business, which he co-owns with his brother, inside the building at 2318-2320 East Broadway. The 2318 space would be the antique store with antique repair services in the rear and the 2320 space would be a resale shop. Mr. Thomas has sold antiques in booth spaces previously, but never operated his own, dedicated antique business. Mr. Thomas chose this location because he knew one (1) of the petitioners and because the petitioners offered an attractive lease rate. The petitioners leased the space to Mr. Thomas for a period of six (6) months with the option to renew annually after the initial period. Accordingly, the petitioners requested a text amendment adding antique stores to the list of special uses within the C-5 (Heavy Commercial District).

In addition to the antique store and resale shop, Mr. Thomas desires to offer antique repair services at this location. This use is a type of Personal and Household Goods Repair and Maintenance use (uses within NAICS Code 8114) and is a permitted use within the C-5 (Heavy Commercial District).

If approved, the hours of operation for the business would be Wednesday-Sunday from 9:00 A.M. until 5:00 P.M. The number of employees at this location would be two (2). Mr. Thomas hopes to start the business as soon as possible.

The subject property is owned by Treefon and George Siampos. Their father, John T. Siampos manages the property. According to the Alton Township Assessor's Office, the building is

approximately two thousand five hundred (2,500) square feet in size and consists of two commercial units on the ground floor and two residential units on the second story. Each commercial space is approximately one thousand (1,000) square feet in size. The petitioners intend to use one (1) of the apartments as storage and rent the other apartment to tenant.

The petitioners, Mr. Thomas, and Mr. Thomas' brother renovated the commercial spaces of the subject property. Customers will enter the property through the 2318 entrance; the 2320 entrance will be a fire escape and the doors will not open from the outside to customers. An interior doorway connects the two (2) commercial units. Each unit has its own restroom. The interior stairwell that connects 2320 to the apartment on the second story shall be blocked. The parties invested approximately Fifteen Thousand Dollars (\$15,000) in improvements to the building. The business owners are self-financing their business. Pictures of the building are included as Exhibit A.

On October 19, 2016, the owners of the proposed business and petitioner John Siampos toured the building with Captain Rick Orban of the Alton Fire Department, Inspector Sam Shaw of the Building and Zoning Department and Matt Asselmeier. Upon completion of the tour, Inspector Sam Shaw prepared a letter to Mr. Siampos identifying defects in the building that need to be remedied prior to the issuance of a business license. A copy of this letter is included as Exhibit B.

The subject property is zoned C-5 (Heavy Commercial District). The properties to the east, south, and west share this zoning classification. A bar, the Town Club, is located to the east of the subject property. A warehouse, formerly part of the old Pepsi facility, is located to the south of the subject property. A single-family home is located to the west of the subject property. The property to the north is zoned R-2 (Single-Family Residential). A copy of the Zoning Map is included as Exhibit C.

The subject property has been vacant for a number of years. A bird related pet store, Our Feathered Friends, last occupied the space at 2320 in 2006. The subject property housed a furniture store and dry cleaning business previously. The subject property was a resale shop at the time of the Zoning Ordinance update in 2003.

The subject property is located at the northwest corner of the intersection of McClure Avenue and East Broadway. East Broadway is a four (4) lane road in this area. Traffic driving southbound on McClure may only turn right onto Broadway.

The subject property possesses a garage, which is planned for either renovation or demolition, and three (3) off-street parking spaces in the rear of the property. These parking spaces would be utilized by the tenants of the apartment. Sub-Sections 14 (B) and 17 (D) of Section 5 (C) of Chapter 9 of Title 11 state the off-street parking space requirements for the proposed uses as one (1) parking space per three hundred (300) square feet of floor area for the antique repair business and five (5) parking spaces per one thousand (1000) square feet of floor area for the antique store and resale shop.

When the application was originally submitted, Staff was under the impression that only the 2318 space would be utilized for the proposed use. If the petitioners and business owners use both commercial spaces for their operations, ten (10) off-street parking spaces instead of five (5) off-street parking spaces would be required. Three (3) on-street parking spaces exist on the McClure side of the property and three (3) on-street parking spaces exist on the East Broadway side of the property. A portion of one (1) of the parking spaces on East Broadway could be impacted if the residential home to the west of the subject property required more than the three (3) existing off-street parking spaces located in the rear of the property. Since the subject property lacked sufficient off-street parking spaces, the petitioners requested a waiver to the applicable sections of the Zoning Ordinance pertaining to off-street parking.

The subject property possesses one (1) exterior sign that could be lit. The business owners have not decided their intentions for the exterior sign. A picture of the sign is included as Exhibit D. The business owners intend to remove the covering over the windows in the 2320 space and have one (1) light turned on when the business is closed for security reasons. A streetlight is located at the corner of McClure and East Broadway and two (2) streetlights are located in the parking lot behind Town Club.

No exterior noise is anticipated from the proposed use.

No toxic materials will be stored inside the subject property.

The proposed business would be located over fifteen (15) blocks from an existing antique store on Broadway or similar resale business and is not easily accessible by walking from similar stores. However, the City does not possess any plans or policies that specifically designate an area an "antique district." As of the date of this memo, four (4) properties along Broadway (10 East Broadway, 13 East Broadway, 413 East Broadway, 417 East Broadway) are available for sale or lease, could easily be converted into an antique store or resale shop, and possess approximately the same amount of square footage as the subject property.

### **Findings**

The following factors, as detailed in Section 11-11-3 of the Alton Zoning Ordinance, must be reviewed in consideration of the special use permit:

- A) Whether the proposed special use is consistent with the city's comprehensive plan and will not impede normal, orderly development of the neighborhood.

Comment: The property in question is zoned C-5 (Heavy Commercial District) and the placement of the business at this address should not impede the normal, orderly development of the neighborhood and will be a good use for a building that has previously been vacant.

- B) The compatibility with surrounding uses and compatibility with the surrounding neighborhood, including any substantial impact on property values.

Comment: The placement of the proposed use at this location would have minimal impact on surrounding properties; the proposed hours of operation should not negatively impact nearby residential and commercial uses.

- C) The comparative size, floor area, mass, and general appearance of the proposed structure in relationship to adjacent and buildings in the surrounding properties and neighborhood.

Comment: Non-applicable; the building is pre-existing.

- D) The amount of traffic movements generated by the proposed use and the relationship to the amount of traffic on abutting streets and on minor streets in the surrounding neighborhood in terms of the street's capacity to absorb the additional traffic and any significant increase in hourly or daily traffic levels.

Comment: Any additional traffic generated by the proposed use can be handled by East Broadway and the other side streets.

- E) The added noise level created by activities associated with the proposed use and the impact of the ambient noise level of the surrounding area and neighborhood.

Comment: No additional exterior noise is planned by the proposed use.

- F) The impact of night lighting in terms of intensity, duration, and frequency of use as it impacts adjacent properties and in terms of presence in the neighborhood.

Comment: The exterior sign is already in place and the addition of one (1) additional light shining at night should not negatively impact the neighborhood or motorists on East Broadway.

- G) The impact of the landscaping of the proposed use in terms of landscaped areas, buffers and screens.

Comment: No additional landscaping is planned.

- H) The potential for the proposed use to remain in existence for a reasonable period of time and not become vacant or unused. Consideration should also be given to unusual single purpose structures or components of a more temporary nature.

Comment: Resale shops were previously located at the subject property. No significant changes to the building are proposed and other permitted uses could be placed in the building in the future if the antique store and resale business relocated.

I) Whether there are any facilities near the proposed use (such as schools or hospitals) that require special protection.

Comment: There are no facilities near the proposed use that require special protection.

J) The effect of the requested use on the health, safety, morals and general welfare of the residents of the area in the vicinity of the property in question and the residents of the city generally.

Comment: Provided that the petitioners and business owners obtains all required permits, provided that the petitioners follows all applicable laws, and that the defects listed in Exhibit B are remedied, there should be no adverse impact of the proposed use on the health, safety, morals, and general welfare of the residents.

#### OTHER ISSUES & COMMENTS

Staff believes that it is appropriate to grant a special use permit to operate a used merchandise store (uses within NAICS Code 45331) at the subject property instead of strictly limiting the operations to those of an antique store subject to the following restrictions:

1. Waivers to Sub-Sections 14 (B) and 17 (D) of Section 5 (C) of Chapter 9 of Title of 11 shall be granted reducing the required number of off-street parking spaces to zero (0).
2. The owners of the special use permit awarded by this ordinance shall not engage in the resale of appliances.
3. The operation of the businesses allowed by this special use permit shall be done in accordance with all applicable Federal, State, and local laws and in accordance with the standard operating practices of these types of businesses.
4. Failure to comply with the above restrictions and conditions may be interpreted as a failure to comply with the regulations and restrictions of the special use permit. If this occurs, the City of Alton may revoke the special use permit under the procedures outlined in Title 11 Chapter 11 Section 4 (B).

#### CORRESPONDENCE RECEIVED

Favorable: None as of the date of this Memo.

Unfavorable: None as of the date of this Memo.

PAST SPECIAL USES FOR SAID PROPERTY

\* None.