

# Memo

**To:** Planning Commission  
**From:** Bryan Myrkle  
**Date:** February 25, 2016  
**Re:** Site Plan Review – 243 State Street

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On your agenda for February's meeting is a site plan review for 243 State Street.

This is the location of the former Mickey's Party Store, which has been torn down. It is currently a vacant lot.

The owners of this property own and operate a business nearby at 201 S. Lincoln Street. It is a delivery truck maintenance and repair business.

The applicant desires to construct a new building to serve their business on this vacant lot, which would help them better manage truck and equipment storage. This would be a 2,400 sq. ft. rectangular building. Before they can obtain a building permit, however, the Planning Commission must complete a site plan review.

The owner has provided a basic site plan drawing that illustrates the boundaries of the property, as well as the proposed building dimensions and location.

While the property was previously used as a convenience store, it is actually zoned I-1 Light Industrial. Auto engine repair businesses are a conditional use in I-1, however most warehousing, storage and transfer uses are permitted uses in the zone. As the actual repair would be taking place at 201 S. Lincoln and the 243 State site used for storage, it can be deemed a permitted use, with no conditional use permit required.

Those of you who have been on the Planning Commission awhile may remember that the commission granted these same applicants a Class "A" Non-Conforming Use designation two years ago that allowed them to demolish and then reconstruct a building at 201 S. Lincoln that better suited the needs of their business.

At the time the city took that action, neighboring property owners asked that attention be paid to the level of on-street parking the business uses. The construction of this building would help alleviate any of those lingering concerns.

There is, however, an issue with this plan in regard to front yard setback requirements. If you look at the provided drawing, you will see a heavy dark line drawn inside the lot that mirrors the lot boundaries. This represents the required setbacks for this property.

As you will be able to see, the unique, roughly triangular shape of this lot makes it difficult to locate a building of any size on the lot and adhere to the setback requirements. Therefore, if the Planning Commission approves this site plan, the applicant will also need to seek a variance from the Zoning Board of Appeals (City Council). As unique property conditions are an accepted justification for granting a variance, it's likely one would be approved in this circumstance. Furthermore, even with the encroachment into the required front yard, this would be a more conforming building than the previous convenience store.

I recommend you approve the site plan as presented.