

## **Planning Commission Minutes – December 4, 2024**

**PRESENT:** Chairwoman Nancy Moore and Members: Ed Andrulonis, Joe Becker, and David Volpe  
**STAFF:** Code Enforcement/Zoning Officer, Zac Lawhead; Interim City Co-Manager, Lisa Hagberg; and Administrative Secretary Korbi Slocum

The meeting was called to order at 4:15 p.m. by Planning Commission Chairwoman, Nancy Moore.

### **Approval of Minutes – October 2, 2024**

The motion was made by Becker and seconded by Volpe to accept the minutes of October 2, 2024, as presented. Roll call was as follows: Andrulonis, yea; Becker, yea; Volpe, yea; Moore, yea. Motion passed 4-0.

### **New Business:**

#### **Life Community Church – Conditional Use – 800 W. Weber Avenue – Church**

This property was the former Litz Club. In 2011, the Zoning Hearing Board allowed continuation as an event center. Life Community Church, currently located near the movie theater, would use the facility without renovations to house worship center, youth ministries, and dinners. The sale agreement is contingent upon approval. Funding for the purchase will be through the Assemblies of God lender. The motion was made by Andrulonis and seconded by Volpe to recommend to Council a conditional use approval for Life Community Church at 800 W. Weber Avenue. Roll call was as follows: Andrulonis, yea; Becker, yea; Volpe, yea; Moore, yea. Motion passed 4-0.

Lawhead said the next step is to have the recommendation on the December 9, 2024, Council agenda to approve and set the date for the conditional use hearing. Lawhead will confirm the date and time. It was noted that January 31, 2025, is the deadline to have the sales agreement completed.

#### **Dustin Quigley – Conditional Use – 333 W. Long Avenue - Skill Games/Pool Hall**

This property is zoned Commercial Highway. Commercial Recreational Facilities are a permitted use under conditional uses; however, there are a lot of restrictions in this zone. It is hard to meet the lot size requirements and set back requirements with existing buildings. There is no off-street parking. It will be an indoor recreational facility.

When asked why there is a conditional use application when a business is going into a business district, Lawhead explained, “We were recommended that skill gaming places be considered a commercial recreational facility. It will be a change of use for that building.”

Quigley said the building is separated into three sections. He plans to rent two of the sections, but the second section won’t be ready for several months. The concern with skill

games is stand-alone facilities that are not manned overnight. Quigley has a place on 12 E. Long Avenue that was fully-staffed at first; currently, it is partially manned.

Lawhead updated the commission on the current status of skill games in the City. "Zoning violation letters have been sent to four (4) places in the Commercial Central zone. Citations are filed with the Magistrate's office, including one for Quigley. They will have a hearing before the district judge. There have been two (2) Zoning Board appeals filed." When asked what the violations are, Lawhead replied, "The Solicitor for the City felt they are not commercial recreations facilities which are not allowed in the Commercial Central zone."

Quigley does not want to leave his current location until a decision has been made, but is looking. Depending on the outcome, he either will be allowed to stay at his current location (if the decision is reversed) or will have to leave (if upheld).

The commission went into a 9-minute Executive Session for discussion.

The motion was made by Becker and seconded by Volpe to transfer the decision to council with no recommendation due to the ongoing litigation so they can discuss with the Solicitor to come to a proper decision. Roll call was as follows: Andrulonis, yea; Becker, yea; Volpe, yea; Moore, yea. Motion passed 4-0.

#### **Lot Consolidation Plan – 10 Dock Street – Xylem/DAEDC**

Paul McCloskey, a board member of the DuBois Area Economic Development Corporation, presented. The property consists of 29 different parcels. They want to consolidate all of the parcels that are part of the Xylem building and parking lot into one. The plan has been reviewed by Lawhead and Haynes. Everything seems to be in order, but it was noted the plans are missing the owner's signature. The motion was made by Andrulonis and seconded by Volpe to recommend approval of the lot consolidation for 10 Dock Street. Roll call was as follows: Andrulonis, yea; Becker, yea; Volpe, yea; Moore, yea. Motion passed 4-0.

The commission looked at a proposed plan for a 60x220 addition at Atlas Pressed Metals. The front lot line has a 60-foot setback. Post addition, the setback would only be 19.5 feet. Lawhead asked for the commission's thoughts as to how to proceed. Moore felt a modification would be the best way; the other members agreed. Lawhead will get the paperwork together and put the modification on the January Planning Commission agenda. Because the first Wednesday is a holiday, Becker made the motion to move the January meeting to January 8, 2025. Roll call was as follows: Andrulonis, yea; Becker, yea; Volpe, yea; Moore, yea. Motion passed 4-0.

#### **Adjourn**

There being no further business to transact, the motion was made by Andrulonis and seconded by Volpe that the Planning Commission adjourn. Roll Call was as follows: Andrulonis, yea; Becker, yea; Volpe, yea; Moore, yea. Motion passed 4-0.