



Danny A. Tzakis, CLU & Company, Inc.

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July 7, 2006

TO: The City Planning Commission

From: Danny Tzakis – 301 E. Johnson Street

REZONING of Property located at 305 E. Johnson Street
ORDINANCE FILE #03770

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Dear Commissioners:

I have been the owner of the 301 E. Johnson building for the last 38 years.

Last year you granted a conditional permit for the 305 E. Johnson Street property, and one of the conditions was that Mr. Nuveen and I would meet and agree on the measures to be taken by Mr. Nuveen in order to minimize the intrusion from the restaurant's patrons to my property, which is located immediately adjacent to the proposed restaurant.

On August 26, 2005 I met with Mr. Nuveen, Mr. Mark Schmidt, (I believe he is Mr. Nuveen's architect), and Mr. Scott Truehl, of Friede & Associates, a Design/Build Construction Company.

We agreed that in order to prevent the restaurant's patrons from parking in my driveway, Mr. Nuveen will install a parking gate, to work with remote control and to be located on his property. We agreed that it must become part of the deeds. Mr. Nuveen informed me that he will have his attorney draft the easement and will give it to me for my evaluation and approval.

We also agreed that Mr. Nuveen will erect an 8 foot wood fence on his property next to my driveway.

Mr. Nuveen agreed to provide me with the final gate and fence specifications, for my and the City Planning Department's approval prior to commencing any construction.

I never heard from anyone since our August 26, 2005 meeting. I am therefore making you aware of our above agreement, and I humbly request that any new permit approvals you grant to Mr. Nuveen include the provisions of the conditional permit you granted to him before, and which resulted in the above agreements, between Mr. Nuveen, and me. Is it possible to make the above agreements part of your permit?

Thank you very much.

Sincerely yours,

Danny Tzakis

11



Traffic Engineering Division

David C. Dryer, City Traffic Engineer

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June 29, 2006

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer

SUBJECT: **305 East Johnson Street – Rezoning – R6 to PUD (GDP-SIP) – Convert First Floor from Residential to Restaurant**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. When reviewing a site plan it should be recognized that site-specific considerations will influence a design and that various compromises are required in the development of any site layout. A Restaurant requires truck deliveries of goods on a daily or weekly period. The applicant shall need to recognize the limited and additional cost to make deliveries to this location. The applicant will need to have truck deliveries made at the existing "Truck Loading Zone" on the north side of E. Johnson St. The applicant shall note in the Zoning Text the following.
 - ***Truck Loading & Parking is not provided on or off site as proposed with the rezoning. All owners and/or tenants of this facility are aware that no "Truck Loading Zone" will be granted on the southerly side of E. Johnson St. in the peak hour lane. In addition, all truck service will need to use the existing "Truck Loading Zone" on the north side of E. Johnson St. The property owner and restaurant owner shall provide a letter to the Traffic Engineer acknowledging this.***

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

2. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Mark Schmidt

Fax: 920-787-1418

Email:

DCD: DJM: dm

#11