

Plan Commission Minutes
City Council Chambers

May 18, 2017

On Thursday, May 18, 2017, at 7:00 p.m., a regular meeting of the Plan Commission was called to order. Roll Call. Present: Vice-Chair Rene Morris, Karen Chevalier, Doug Freed, Aurelio Gallardo, and Steve Munson. Absent: Eric Larson.

Also present were: Planner Dustin Wolff, Building and Zoning Superintendent Amanda Schmidt, City Attorney Tim Zollinger, Assistant City Clerk Monique Castillo, and Alderman Retha Elston.

Doug Freed made a motion to approve the minutes of April 20, 2017 as presented. The motion was seconded by Aurelio Gallardo. Voting – Ayes: Chevalier, Freed, Gallardo, Morris and Munson. Nays: None. Motion carried.

Vice-Chair Morris asked the staff for reports of Council Action. Schmidt reported the City Council approved the petitions from Marv and Karen Lofgren's request for the 20' vacation of Right-of-Way and Heath Warner's request to rezone the location at 2501 Avenue E, to a NB with a Special Use Permit to operate a restaurant and tavern.

Schmidt was also happy to announce the City Council approved the petitions from WC Sterling Cottages to re-zone and subdivide the parcels and Plat for a condominium.

Zollinger noted the subdivision property line had not deviated from what was presented but the nursing home will be solely responsible for maintaining the shared entrance.

With no unfinished business to discuss, Vice-Chair Morris opened a public hearing at 7:02 p.m. to hear from petitioners John and Paula Gabor. The Gabor's are seeking a Special Use Permit to operate a Tattoo Studio at 20 East 3rd Street.

Mr. Gabor addressed the commission. He moved to the area 3 years ago from the Quad Cities. He loves this community. Gabor stated tattooing is his passion and he is in this business for the art, not just to make a quick buck. He further explained he is a one man studio and all business will be by appointment only. He will not stand for loitering.

Wolff noted due to the type of business and being in the Downtown Business District, a special use permit is required. He further explained, there is nothing specific in the Comprehensive Plan that addresses tattoo studios.

Wolff also noted it is good practice to bring new business to the downtown as it brings new people to the area. It is the basis of the Comprehensive Plan. In addition we must have faith that every owner will have good business practices. However, we must also take into consideration any unanswered questions; waste disposal, additional artists, restrooms, storage of potentially dangerous or hazardous materials, cleaning/sterilizing tools...etc.

Schmidt noted, there are too many unanswered questions to make an educated decision at this time.

Vice-Chair Morris noted publications were made, fees were paid and notification requirements were met. Signage was not posted for lack of placement. There was a written comment received, noting this would not be the best use of this storefront (see attached). There were several public comments.

Katheryn Graves, 21 E 3rd Street, loves the downtown area, so much that she resides above the Martial Arts Studio at the same location. Graves noted her hesitance of allowing for a tattoo studio across from her residence and the family oriented Martial Arts studio.

Jane Dillon, 21 E 3rd Street, owner/operator of Legacy Martial Arts Studio. Dillon stated she has 80 students under the age 12 and does not feel it would be conducive to allow a tattoo studio in a family friendly environment. Dillon also teaches anti-bullying and self-defense techniques and feels a tattoo studio is not the kind of image we should have in the downtown area. She noted, the City of Rock Falls, only allows for these types of business in specific areas in Rock Falls.

Chris Pyron, parent, noted although he is not opposed to tattoos, he is hesitant to allow for a tattoo studio across from a location that his children attend daily. He too feels a tattoo studio is not the image people visiting the downtown area should see.

Jessica, a parent from Morrison, IL. Stated she loves the area and fell in love with the studio. So she transports her children daily. She is not judgmental but she is concerned about the type of business the tattoo studio could attract.

Virginia Ybarra, parent, loves the art but noted there are already 3 tattoo studios in the area. She is thinking of the children, including hers, that attend the Martial Arts studio directly across from where the proposed tattoo studio would be. Not really an image she wants her children or others to see daily.

Chevalier inquired about the hours of operation. Gabor noted he has a full time job, out of town and works from 6:00 p.m. to 6:00 a.m. He understands everybody's concerns but noted the field has been given some pretty negative connotations in the past and is completely different now. Gabor reiterated, much of his business will be by appointment only.

There was a brief discussion regarding the overall plan of the downtown district and what kind of image was envisioned. Additionally, if this type of business would have any effect on the Historical business district.

Wolff noted, it is not the commissions' job to limit the number of any particular business. If this was an Art Studio or Painting Studio, there would be no issues and there are currently no issues with the other business owners operating similar businesses. In Wolff's opinion, a tattoo studio is less intensive than a sports bar/tavern.

Wolff explained to the commission that they need to consider if the owners will be good neighbors and whether or not the potential benefits will outweigh any adverse impacts.

Wolff's recommendation to the Plan Commission, table this special use permit request until additional information is provided.

Vice-Chair Morris closed the public hearing at 7:36 p.m.

Karen Chevalier made a motion to table the petition from John and Paula Gabor, for a special use permit, until such time that additional information is provided. The motion was seconded by Steve Munson. Voting: Ayes – Chevalier, Freed, Gallardo, Morris and Munson. Nays – none. Motion carried.

Schmidt requested to move the next meeting to June 22, 2017, to accommodate Planner Wolff. This will also allow for 2 other potential business items. There was a unanimous decision to move the next meeting to June 22, 2017 at 7:00 p.m.

With no further business to discuss, the meeting was adjourned at 7:40 p.m.



Monique Castillo
Assistant City Clerk



May 15, 2017

Plan Commission
City of Sterling
212 Third Avenue
Sterling, IL 61081

RE: 20 E. 3rd Street - Request for Special Use Permit

Commissioners:

At our April 27, 2017 meeting, the Board of Directors of Sterling Today, Inc. discussed the proposed special use permit for the property located at 20 East Third Street. The Board unanimously agreed that such a permit would not be desirable for this parcel and are hoping approval will be denied. Sterling Today has made considerable investment in the revitalization of the downtown business district over the past several decades, and we have concerns regarding the requested rezoning.

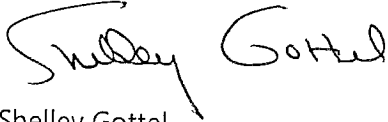
We understand that after an 18 month review process the City of Sterling recently implemented a new zoning code. While permitted in other districts of the City, this proposed use was omitted, except by special use, in the downtown business district. The revised code mentions "Adverse impact" as a factor in deciding on a Special Use permit, and that is exactly what we fear in this situation.

While we have little or no knowledge of this particular business requesting the permit, it is the type of occupancy that concerns us. To quote the code, we feel it would be damaging to the "character of the area" and could have a "detrimental effect" on surrounding businesses. For example:

- Proximity to the upscale restaurant, Smoked on 3rd
- Concerns for loitering in front of businesses
- Proximity to Legacy Martial Arts where the students are primarily children – teens and younger- who attend classes there in the evenings
- Proximity to Lawrence Lofts, where a significant investment is being made to bring residential housing to downtown
- Prime high-traffic location. This location is better suited to a retail tenant, and in fact, there have been several phone calls seeking available, small retail space downtown.

We do appreciate your giving every consideration to our comments.

Truly yours,

A handwritten signature in black ink that reads "Shelley Gottel". The signature is written in a cursive style with a large, sweeping initial "S".

Shelley Gottel
Vice-President, Board of Directors
Sterling Today, Inc.

SG/jg