

On Thursday, June 22, 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, Eric Larson, and Steve Munson. Absent: None.

Also present were Planner Dustin Wolff, Building and Zoning Superintendent Amanda Schmidt, City Attorney Tim Zollinger, City Management Intern Madison Hans, Alderman Retha Elston, and City Clerk Marie Rombouts.

Mayor Skip Lee presented a certificate of appreciation to Karen Chevalier for eight years of combined service to the City of Sterling through the City Council and the Plan Commission. Mayor Lee explained how Karen Chevalier has been a great cheerleader for Sterling and wished her well in her new adventures near her grandchildren.

Steve Munson made a motion to approve the minutes of May 18, 2017, as amended; seconded by Doug Freed. Voting: Ayes – Vice-Chair Morris, Chevalier, Freed, Gallardo, Larson, and Munson. Nays - None. Motion carried.

Superintendent Schmidt reported no Council action.

Steve Munson raised the petition from the table of Richard Haan (Owner) and John and Paula Gabor (Tenant) to rezone 20 East Third Street from DB (Downtown Business) to DB with a Special Use; seconded by Karen Chevalier. Voting: Ayes – Chevalier, Freed, Gallardo, Larson, Munson and Vice-Chair Morris.

Planner Wolff reported the packet contained answers to the questions raised at the last meeting. Wolff reminded the Commission that their focus should be on the Special Use and ancillary uses. The Commission can impose conditions, such as hours and parking. Does the use comply? It is low intensity. Concerns were satisfactorily addressed. Should the Commission choose the type of business? Wolff stated the Commission should review on the facts of health, safety, and morality.

Eric Larson stated that a tattoo studio is a stereotype. It is off the beaten path. Young adults consider a tattoo studio to main stream.

Steve Munson does not like the character of this business a prime area. Appointments only will not generate foot traffic desirable for this location.

Paula Gabor stated they want to bring a business into the downtown. Would you rather have an empty storefront?

Planner Wolff stated there has been concern from local groups but they have not done anything to work with the Gabors for another location.

Eric Larson made a motion to deny the petition for a Special Use Permit at 20 East Third Street for a tattoo studio; seconded by Karen Chevalier. Voting: Ayes – Chevalier, Freed, Gallardo, Larson, and Munson. Nays – Vice-Chair Morris. Motion carried. Attorney Zollinger reported that it does take a 2/3 vote by the Council to overturn the Plan Commission recommendation.

Vice-Chair Morris opened a public hearing at 7:25 for the Petition from United Way of Whiteside County at 502 First Avenue for a Special Use Permit to install a sign in the right-of-way. Diana Verhulst stated Benjamin Fisher with Key Builders is the Project Manager. Verhulst explained that so many people drive by the office and do not realize where the United Way office is. Verhulst would like to install a flagpole with the sign.

Planner Wolff stated the details were provided. The location will be on a one-way street and there will be no obstruction of sight. Currently City Code does not address a flag pole in the right-of-way. Wolff recommends approval.

Vice-Chair Morris stated that publication in the *Daily Gazette* was made, fees were paid, property owners within 150' of the property were notified, a sign was placed on the property for two weeks prior to the hearing, and no written comments were received from the public.

Steve Munson asked about the lighting. Fisher explained the lighting will be on the sign. Wolff reminded the sign cannot have flood light in the downtown but internal illumination is acceptable.

Vice-Chair Morris closed the public hearing at 7:46 pm.

Steve Munson made a motion to recommend to the City Council approval of the Special Use Permit for United Way of Whiteside County at 502 First Avenue to install a sign in the right-of-way; seconded by Karen Chevalier. Voting: Ayes – Chevalier, Freed, Gallardo, Larson, Munson, and Vice-Chair Morris.

Vice-Chair Morris opened discussion for the Petition from Dyn Sterling, LLC – East Lincolnway Subdivision. Planner Wolff stated this is a standard subdivision of Lots 7 and 8. Lot 9 is for future development. Easements on 30<sup>th</sup> Street are dedicated for width of Lot 8. The petitioner, Marvin Keys, anticipates future development. Wolff recommends approval with the following conditions:

- 1) Dedicate 60' wide public right-of-way along the north edge of Lot 8
- 2) Revise Lot 8 border by reworking the linework that fronts 30<sup>th</sup> street to reflect the extended right-of-way line
- 3) A notation should be added indicating that 30<sup>th</sup> Street will connect to 45<sup>th</sup> Street when feasible.

Karen Chevalier made a motion to recommend to the City Council approval of the petition from Dyn Sterling, LLC to Replat Lot 6 of the Final Plat 2 of Sterling Commons Shopping Center; seconded by Doug Freed. Voting: Ayes – Chevalier, Freed, Gallardo, Larson, Munson and Vice-Chair Morris. Nays – None. Motion carried.

Vice-Chair Morris opened a public hearing at 7:53 for a petition from Kunes Country Auto at 2811 Locust to Expand the Special Use Permit for an employee parking lot.

Planner Wolff explained the cell tower has a Special Use Permit and the code is specific to uses. A site plan is necessary to show the parking lot lay-out. Gravel surface is not permitted. The City needs to ensure compliance with the code. How will storm water be addressed?

Superintendent Schmidt stated that more information is necessary.

Vice-Chair Morris stated that publication in the *Daily Gazette* was made, fees were paid, property owners within 150' of the property were notified, a sign was placed on the property for two weeks prior to the hearing, and no written comments were received from the public.

Eric Larson asked if the parking lots would be joined. Joe McGlennon, representative for the petitioner, stated they would be joined.

Steve Munson asked if the petition could be approved with a contingency. Planner Wolff stated there are too many questions. It is not straight forward.

The hearing closed at 8:04 pm. Doug Freed made a motion to table the petition from Kunes Country Auto at 2811 Locust to Expand the Special Use Permit for employee parking; seconded by Aurelio Gallardo. Voting: Ayes – Chevalier, Freed, Gallardo, Larson, Munson, and Vice-Chair Morris.

Planner Wolff explained the City has received several complaints that the lighting code is too restrictive when lights are away from the building. The height of poles on the edge could have more latitude.

Superintendent Schmidt explained that by changing the height could eliminate a number of poles.

With no further business to discuss, the meeting was adjourned at 8:21 p.m.

Marie Rombouts  
City Clerk