

The meeting was called to order at 7:00 p.m. by Secretary Smith. The meeting was opened with the Pledge of Allegiance.

Present at roll call were: Secretary Smith and members Siebenman, Leistner, Austermann, Kiefer, Holloway and Scheer. Chairman Knapp and Alderman Sir were absent. Also in attendance was City Administrator Craig Sabo.

A petition from Dhaval Shah for an amended Special Use Permit for the inclusion of an additional fuel pump island at 301 West Fifth Street.

Notice of the Public Hearing was published in The Countian on Monday, February 8, 2016 and in The Current on Wednesday, February 17, 2016.

Speaking on behalf of the petitioner was Mr. Steve Quigley of Clayton Engineering. Mr. Quigley stated that Mr. Shah was seeking approval from the City for an additional fuel pump island. He stated that by adding the additional island, Mr. Shah's facility will qualify for an image upgrade available through Phillips Petroleum. He stated there will be twenty-five (25) feet between pumps which would provide sufficient space for traffic flow.

Mr. Scheer inquired as to if the upgrade that was available would include the building and property. Mr. Quigley stated that it was for the fuel pumps.

Mr. Scheer inquired as to how long the large sign structure located on the property had not been functional.

Mr. Shah, owner of the property, stated that the number two (2) on the sign was non-functional so if the cost of gas goes above or below \$2.00 he could not change the price without having a crane.

Mr. Scheer stated that it was his observation that the sign had appeared to be non-functional for at least the last four (4) years.

Mr. Shah stated that he could only utilize the sign when gas was in the \$2.00 range. He stated that he had approached the City for digital signage, which was four (4) times smaller, but his request was denied.

City Administrator Sabo stated that the existing sign structure has a legal, non-conforming status, so if Mr. Shah was to change anything other than the existing sign face, the structure would lose that status and must be removed.

Mr. Austermann inquired as to if the addition of the new island would cause any traffic problems with the entryway to the property off of Fifth Street.

Mr. Quigley stated that as depicted on the plan submitted to Commission members, there was sufficient space for vehicles to enter and exit the property with the addition of the island.

Mr. Smith inquired as to if there would be enough space for a vehicle to make a turn to exit the property as the space allotted for the new island appeared to make it unlikely; Mr. Quigley stated that there would.

No one spoke in support of or in opposition to the petition.

There being no further matters for discussion, the public hearing was adjourned at 7:05 p.m.

Respectfully submitted,

(Original with signature on file)

Barb Griffin, Acting Secretary

The meeting was called to order at 7:05 p.m. by Secretary Smith.

Present at roll call were: Secretary Smith and members Siebenman, Leistner, Austermann, Kiefer, Holloway and Scheer. Chairman Knapp and Alderman Sir were absent. Also in attendance was City Administrator Craig Sabo.

On motion by Ms. Leistner, seconded by Mr. Austermann and passed with 5 "YES" votes and 2 "ABSTENTIONS" (cast by members Scheer and Holloway), the Minutes of February 10, 2016 were approved with three (3) changes on page three (3) of the Public Hearing Minutes in which Ms. Leistner was inadvertently referred to as Alderman Leistner.

GUESTS:

There were no guests present who wished to address the Commission.

OLD BUSINESS:

There was no old business to be discussed.

NEW BUSINESS:

Consideration of a petition from Dhaval Shah for an amended Special Use Permit for the inclusion of an additional fuel pump island at 301 West Fifth Street.

Mr. Scheer made a motion for approval with a proposed condition that the derelict sign structure on the property either be brought into compliance with City sign regulations or removed.

City Administrator Sabo stated that the City would like to have resolution as to the status of the sign structure, but it cannot be tied to the recommendation of the petition before the Commission. He added that the status of the sign structure is considered to be an administrative matter which is governed by the City's sign regulations, and as such, the condition requested by Mr. Scheer needed to be removed as a proposed condition of the motion before the Commission.

Mr. Shah stated it would be too costly to repair the sign and, in addition, he could not obtain the parts needed to repair the movable parts in the sign.

Mr. Scheer inquired as to if Mr. Shah would be willing to have the structure removed.

Ms. Leistner inquired as to if Mr. Shah or Phillips 66 would be responsible for its removal. Mr. Shah stated that as the property owner it was his responsibility. Mr. Shah stated that he would like to place a digital sign component on the structure which would be visible from the highway and he would appreciate the City considering such a request.

City Administrator Sabo stated that it cannot be modified to replace the sign face framework without impacting the legal non-conforming status of the structure. He said that Mr. Shah had indicated that it would be too costly to replace the existing sign face with his desired digital signage. Mr. Scheer stated that the sign was an eyesore and that Mr. Shah should consider having the sign structure removed as in its present condition it may deter customers from visiting his property.

Secretary Smith went over the six (6) points of factual determination as required in Municipal Code Section 23-182(d).

The consensus was unanimously favorable on all points.

On motion by Mr. Scheer, seconded by Ms. Leistner and passed with five (5) "YES" votes and one (1) "NO" vote (cast by Mr. Scheer), approval was recommended for a petition from Dhaval Shah for an amended Special Use Permit for the inclusion of an additional fuel pump island at 301 West Fifth Street.

ADDITIONAL BUSINESS:

There was no additional business to be discussed.

There being no further matters for discussion, on motion by Ms. Leistner, seconded by Mr. Austermann and unanimously passed, the meeting was adjourned at 7:15 p.m.

UPCOMING MEETINGS:

- March 9, 2016
 - A. A petition from Terry Selbert, representing Selbert's Auto Body, for an amended Special Use Permit for a building addition located at 410 West Fourth St.
 - B. A petition from Sean Flower, representing Flower and Fendler, Inc., for rezoning of approximately 13.57 acres from R-1 (Single-family Residential) and 1A (One Acre Single-Family Residential) to R-1 CUP (Single-family Residential Community Unit Plan) located at 84 and 86 Augustine Road and 333 and 339 Cerny Avenue.
- March 23, 2016

Respectfully submitted,

(Original with signature on file)

Barb Griffin, Acting Secretary