

The meeting was called to order at 7:00 p.m. by Chairman Knapp.

Present at roll call were: Chairman Knapp and members Alderman Sir, Smith, Siebenman, Holloway, Scheer, Austermann, Kee and Kiefer.

Also in attendance were City Administrator Craig Sabo and City Attorney Kathy Butler.

A. A petition from Lisa Riley and Mary Nelson for a Special Use Permit for the outdoor display of merchandise in connection with an antique and gift shop located at 120 N. Central Avenue.

Notice of the Public Hearing was published in The Countian on Monday, July 11, 2016 and was posted on the City's website.

Ms. Nelson stated that they were seeking approval for outdoor display of items from their antique and gift shop which would be for sale and decoration. She stated that the display would be attractive and tasteful.

Chairman Knapp inquired as to the extent of the display.

Ms. Nelson stated that the storefront is approximately thirty-five (35) feet long. She stated they would like to utilize the area under the window, the area around the small staircase and the concrete patio area located at the north side of the property.

Mr. Smith inquired as to the types of items that would be displayed.

Ms. Nelson stated that they will vary as the hope is to sell the displayed items. She said that, for example, currently she had a wagon and a wash tub they wished to display for sale.

Mr. Scheer inquired as to if the items would be displayed in the area on the site plan designated as spaces one (1) through five (5).

Ms. Nelson stated that there would be no display in those spaces as that is their designated parking area. She said that all areas to be utilized for display are highlighted in green on the submitted site plan.

Mr. Scheer inquired as to the size of the display area.

Ms. Nelson stated that the area was approximately thirty-six (36) feet from the sidewalk to the building.

Chairman Knapp inquired as to how far from the building would they need for their display.

Ms. Nelson stated that the display area would be no more than four (4) feet from the building.

Mr. Scheer inquired as to how items that were to be left out during the hours that they were not in operation would be secured.

Ms. Nelson stated that most items would be brought in, but items that were left out would probably be chained in some fashion.

Ms. Riley added that the items would be secured in a tasteful manner.

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 Chairman Knapp.

Present at roll call were: Chairman Knapp and members Alderman Sir, Smith, Siebenman, Scheer, Holloway, Kiefer, Kee and Austermann.

Also in attendance were City Administrator Craig Sabo and City Attorney Kathy Butler.

On motion by Mr. Smith, seconded by Mr. Scheer and unanimously passed, the Minutes of July 13, 2016 were approved.

GUESTS:

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

OLD BUSINESS:

There was no old business to be discussed.

NEW BUSINESS:

A. Consideration of a petition from Lisa Riley and Mary Nelson for a Special Use Permit for the outdoor display of merchandise in connection with an antique and gift shop located at 120 N. Central Avenue.

Chairman Knapp stated that he had no problem with the display as long as it did not become an eyesore.

Mr. Siebenman inquired as to if the number of items displayed should be limited.

Chairman Knapp stated that may be an issue due to the items constantly changing as they would be offered for sale.

Mr. Holloway stated that display of items for sale was an important component in operating a retail business and he had no problem with the petition.

Chairman Knapp inquired as to if there should be a condition as to how far from the building the display could be.

Mr. Smith noted that the petitioner stated the display area would be no more than four (4) feet from the building and suggested that the Commission should use that distance.

Alderman Sir asked City Attorney Kathy Butler if there was any kind of condition that could be placed on the petition so that the City could address any issues if the display became a nuisance.

Ms. Butler stated that a condition of approval could be that all items are in a good state of repair, good working order and no partial pieces of items may be displayed.

Chairman Knapp 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. Smith, seconded by Mr. Kee and unanimously passed, approval was recommended for a petition from Lisa Riley and Mary Nelson for a Special Use Permit for the outdoor display of merchandise in connection with an antique and gift shop located at 120 N. Central Avenue with the following conditions: (1) the display may not exceed four (4) feet from the building and (2) all items must be in a good state of repair, good working order and no partial pieces of items may be displayed.

The Regular Meeting was closed at 7:09 p.m.

The Public Hearing was reopened at 7:09 p.m.

B. A petition from Phoenix Real Estate Services, LLC, for a Special Uses Permit for a residential use and structures (Avonlea Senior Living) in a Commercial Zoning District located at 119 and 121 Hilltop Village Center Drive.

Notice of the Public Hearing was published in The Countian on Monday, July 11, 2016 and was posted on the City's website.

See Court Reporter transcript for verbatim proceedings.

The Public Hearing was closed at 8:47 p.m.
The Regular Meeting was opened at 8:47 p.m.

B. Consideration of a petition from Phoenix Real Estate Services, LLC, for a Special Use Permit for a residential use and structures (Avonlea Senior Living) in a Commercial Zoning District located at 119 and 121 Hilltop Village Center Drive.

See Court Reporter transcript for verbatim proceedings.

Chairman Knapp went over the six (6) points of factual determination as required in Municipal Code Section 23-182(d). The determination was as follows:

Item No. 1: Regarding adversely affecting the character of the neighborhood, the roll call vote was as follows: Scheer - WILL; Knapp - WILL; Kiefer - WILL NOT; Kee - WILL; Holloway - WILL; Siebenman - WILL; Austermann - WILL NOT; Smith - WILL; Sir - WILL.

Item No. 2: The consensus was unanimous that it WILL NOT adversely affect traffic conditions.

Item No. 3: The consensus was unanimous that it WILL NOT adversely affect public utilities.

Item No. 4: The consensus was unanimous that it WILL NOT create a fire hazard.

Item No. 5: Regarding adversely affecting the general welfare of the community, the roll call vote was as follows: Scheer - WILL; Knapp - WILL; Kiefer - WILL; Kee - WILL; Holloway - WILL; Siebenman - WILL NOT; Austermann - WILL NOT; Smith - WILL; Sir - WILL.

Item No. 6: The consensus was unanimous that it WILL NOT be an appropriate and compatible use for the subject property.

Mr. Scheer moved and Mr. Smith seconded to recommend approval for a petition from Phoenix Real Estate Services, LLC, for a Special Use Permit for a residential use and structures (Avonlea Senior Living) in a Commercial Zoning District located at 119 and 121 Hilltop Village Center Drive with the condition that the petitioner offer a property value guarantee to all contiguous property owners.

The roll call vote was as follows: Scheer - NO, Holloway - NO, Alderman Sir - NO; Knapp - NO; Siebenman - NO; Kee - NO; Austermann - NO; Kiefer - NO; Smith - NO.

ADDITIONAL BUSINESS:

There was no additional business to be discussed.

There being no further matters for discussion, on motion by Alderman Sir, seconded by Mr. Siebenman and unanimously passed, the meeting was adjourned at 9:03 p.m.

UPCOMING MEETINGS:

- August 10, 2016
 - A. A petition from Sean Flower amending the Municipal Code relating to Planned Residential Zoning District Regulations.
 - B. A petition from Daniel Wagner, representing W. Real Estate, LLC, for an amended Special Use Permit for an additional self-storage mini-warehouse with an apartment to be located at 1699 W. Fifth Street.
- August 24, 2016

Respectfully submitted,

(Original with signature on file)

Barb Griffin, Acting Secretary