

**CALL TO ORDER AND ROLL CALL**

Chairperson Bill Davey called the meeting to order at 7:00 p.m. and City Clerk Mary Kalk called the roll. Those Commissioners present were Sarah Gallagher-Chami, Nate Kitterman, Eli Hamingson, Stephen Nelson, Nathan Schwartz, Ted Strack, Chuck Stowe, and Matt Woodstrup. Dave Finney arrived at 7:03 pm after the roll call. Commissioner Alan Zantout and Rachel Sauber were absent. Other staff members present were City Manager Brian Gregory, City Attorney Keith Foster, Director of Community Development John Sauter, Mayor Lang, and Director of Human and Administrative Resources Maggie Peck.

**APPROVAL OF AGENDA**

**Motion-** Commissioner Nelson moved to approve the agenda and Commissioner Kitterman seconded the motion.

**Roll Call Vote** Chairperson Davey called for a roll call vote to approve the motion. Commissioners Chami, Finney, Kitterman, Hamingson, Nelson, Schwartz, Strack, Stowe, Woodstrup, and Chairperson Davey voted aye. Motion carried 10- 0.

**APPROVAL OF MINUTES OF DECEMBER 14, 2020**

**Motion-** Commissioner Finney moved to approve the Minutes of the December 14, 2020 meeting. Commissioner Kitterman seconded the motion.

**Roll Call Vote** Chairperson Davey called for a roll call vote to approve the motion. Commissioners Chami, Finney, Kitterman, Hamingson, Nelson, Schwartz, Strack, Stowe, Woodstrup, and Chairperson Davey voted aye. Motion carried 10- 0.

**PUBLIC COMMENT**

**OLD BUSINESS**

**NEW BUSINESS / ACTION ITEMS**

**A. Consideration of a Request from Brian Fleetwood of Spider Tattooz for a Special Use Permit to operate a Tattoo Parlor/Body Art Establishment (first floor) at 220 East State Street in Sycamore, Illinois, PIN number 06-32-285-003.**

City Manager Brian Gregory said that petitioner Brian Fleetwood is requesting a Special Use permit to relocate Spider Tattooz tattoo parlor to 220 East State Street per the recent amendments to the Unified Development Ordinance (UDO) that both the Planning and Zoning Commission (PZC) and the City Council recently approved. He gave some background as per the agenda for which the update is reflected below:

<b>H. PERSONAL AND BUSINESS SERVICES USES</b>	<b>AG</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>C-4</b>	<b>M-1</b>	<b>M-2</b>	<b>ORI</b>
Tattoo Parlor/Body Art Establishment ( <u>First or second floor and not located within the Conservation District as defined by Article 1.3.3.</u> )							S					
Tattoo Parlor/Body Art Establishment (first or second floor)								S				

The proposed first floor location at 220 E. State Street is zoned C-2, Central Business District, and is outside of the conservation district. Per Section 4.3.3 of the City's Unified Development Ordinance a Special Use Permit shall be granted only if evidence is presented to establish that:

*A. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;*

*B. The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety, and general welfare; and*

C. The proposed structure or use will be designed, arranged, and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

D. Such other standards and criteria as are established by the ordinance for a particular Special Use as set forth in Section 4.3.4 and as applied to Planned Developments as set forth in Article 4.4.

He said that all Special Use requests come with a public hearing so notice was made in the local newspaper, a sign was placed on the property, and mailers were sent to neighbors within 250 feet of the subject property. He also mentioned that the UDO also allows for an accessory apartment or accessory living arrangement with a business use in C-2, which is proposed. He said that in speaking with neighbors that it is something that was seen as a positive as Mr. Fleetwood wants to have his residence there in addition to his business. He said there have been no calls to staff on this and said staff finds it in order and requests a positive recommendation to the City Council.

Commissioner Kitterman asked if there was already an existing business in that building.

Mr. Gregory said yes, that there was a massage business in that building that is closed or closing.

Chairperson Davey asked if there is an investigation or qualification process that the City checks to ensure that the petitioner is qualified.

Community Development Director John Sauter said that the City has a Body Art License and that they do an annual inspection at which time they verify the license holder has the state licenses on hand.

Chairperson Davey opened the Public Hearing and closed it after hearing no comment.

**Motion**

Commissioner Strack moved to forward a favorable recommendation to the City Council and Commissioner Kitterman seconded the motion.

**Roll Call Vote** Chairperson Davey called for a roll call vote to approve the motion. Commissioners Chami, Finney, Kitterman, Hamingson, Nelson, Schwartz, Strack, Stowe, Woodstrup, and Chairperson Davey voted aye. Motion carried 10- 0.

**B. Consideration of a Request from Crossroads Community Church for a Special Use Permit to operate a Church at 1330 East State Street, Units I and J, in Sycamore, Illinois, PIN number 06-34-300-018.**

City Manager Brian Gregory said that this consideration comes from Crossroads Community Church who is looking to locate their Sycamore Campus at 1330 East State Street, units I & J which is zoned C-3, Highway Business District. It is a multi-tenant building of which one of the most recent units was The Forge. They are requesting a Special Use permit per the recent amendments to the UDO as reflected below:

N. MISCELLANEOUS USES	AG	R-1	R-2	R-3	R-4	C-1	C-2	C-3	C-4	M-1	M-2	ORI
Cemetery	S	S	S		S							
Christmas Tree Sales	T						T	T		T		
Churches, Other Places of Worship	S	S	S	S	S		S	S				
Community Building		S	S	S			S	S	S			

Per Section 4.3.3 of the City's Unified Development Ordinance. This section of the UDO states that a Special Use Permit shall be granted only if evidence is presented to establish that:

A. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;

*B. The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety, and general welfare; and*

*C. The proposed structure or use will be designed, arranged, and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.*

*D. Such other standards and criteria as are established by the ordinance for a particular Special Use as set forth in Section 4.3.4 and as applied to Planned Developments as set forth in Article 4.4.*

Mr. Gregory said this comes with a public hearing so notice was made in the local newspaper, a sign was placed on the property, and mailers were sent to neighbors within 250 feet of the subject property. Again, staff received no calls and finds it to be a compatible use and requests a favorable recommendation.

Chairperson Davey opened the public hearing and closed it hearing no comments.

### **Motion**

Commissioner Kitterman moved to forward a favorable recommendation to the City Council and Commissioner Nelson seconded the motion.

**Roll Call Vote** Chairperson Davey called for a roll call vote to approve the motion. Commissioners Chami, Finney, Kitterman, Hamingson, Nelson, Schwartz, Strack, Stowe, Woodstrup, and Chairperson Davey voted aye. Motion carried 10- 0.

### **C. Consideration of an Amendment to Article 5.2.1, "Conditions of Use," Section A. "Scope and Purpose," of the Sycamore Unified Development Ordinance, adopted May 1, 2005.**

City Manager Brian Gregory said this consideration comes from staff and also comes with a public hearing as it involves an amendment to the UDO in Article 5.2.1, "Conditions of Use" Section A. A new section #13 is proposed to be added moving the former section #13 down to #14 as reflected below:

A. All uses in all districts shall be subject to the following conditions:

13. No hard surface, including both impervious surfaces (sidewalk, driveway, parking area, etc.) and pervious surfaces (man-made porous asphalt, paver blocks, etc.) shall be constructed, occupied or established on any public utility, drainage, or pipeline easement, except with the written permission of the City and all utility companies having rights to use the easement.

They have seen where an entire parkway has turned into a gravel parking area and received a lot of phone calls. This would promulgate the rules for what is required if someone was to modify a parkway or easement eliminating a misunderstanding if someone has modified where a utility is required to go in and make improvements. This will help property owners to know what is expected. Staff is asking for a favorable recommendation.

Commissioner Hamingson asked if there are particular properties that are causing problems.

Community Development Director John Sauter said they did have one recently where a driveway was extended onto an easement that involved a water main. They preferred that it wouldn't have happened but the city had no language or codes in place to prevent it. It's not a frequent thing, but when it does happen, it can be impactful so they wanted language in place that still allows people to do so but with a process of review involved.

Commissioner Woodstrup said that he has noticed a lot of that in the First Ward where people start parking on the parkway because they can't park on the street after two inches of snow. Then it turns into a regular parking spot, then becomes gravel, and just evolves. He asked that during snow removal, if the city can monitor the people that are parking on those parkways because they are getting around the fines of parking in the street.

Mr. Gregory said that he would pass that along to the Police Department.

**Motion**

Commissioner Schwartz moved to forward a favorable recommendation to the City Council and Commissioner Hamingson seconded the motion.

**Roll Call Vote** Chairperson Davey called for a roll call vote to approve the motion. Commissioners Chami, Finney, Kitterman, Hamingson, Nelson, Schwartz, Strack, Stowe, Woodstrup, and Chairperson Davey voted aye. Motion carried 10- 0.

**CONSIDERATIONS/ WORKSHOP ITEMS**

**REPORTS**

**ADJOURNMENT**

**Motion**

Commissioner Schwartz moved to adjourn the meeting at 7:25 p.m. and Commissioner Nelson seconded the motion.

**Roll Call Vote** Chairperson Davey called for a roll call vote to approve the motion. Commissioners Chami, Finney, Kitterman, Hamingson, Nelson, Schwartz, Strack, Stowe, Woodstrup, and Chairperson Davey voted aye. Motion carried 10- 0.

Approve:

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Chairperson – William D. Davey

Attest:

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Mary Kalk, City Clerk