

D. PUBLIC HEARINGS:

1. Conduct the public hearing to consider variances to Section 6-13-10:3.3 and Section 6-13-10:5.2 to allow for roof mounted antennas on the building located at 35 S. Washington - PZC 20-1-076

Gabrielle Mattingly, Planning Services Team, provided an overview of the request.

Ray Shinkle presented on behalf of the petitioner.

Commissioner Losurdo questioned if T-Mobile has any antennas in the downtown. Mr. Shinkle responded no, the closest location is the Carillon.

Public Testimony: None

A motion was made by Commissioner Bansal, seconded by Commission Van Someren to close the public hearing.

Aye: Athanikar, Bansal, Fessler, Habel, Hanson, Losurdo, Richelia, Robbins, and Van Someren

Commissioner Fessler made a motion, seconded by Commissioner Bansal to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-076, variances to Section 6-13-10:5.2 and Section 6-13-10:3.3 to allow for roof mounted antennas on the building located at 35 S. Washington Street.

Aye: 9 - Athanikar, Bansal, Fessler, Hanson, Losurdo, Habel, Van Someren, Robbins, and Richelia

2. Conduct the public hearing regarding requests for a conditional use and a corner side yard parking setback variance to permit an automotive service and repair facility in the B3 District at the subject property located at 1126 E. Ogden Avenue (Belle Tire) - PZC 20-1-050

Scott Williams, Planning Services Team, provided an overview of the request.

Christopher Enright presented as the petitioner.

Chairman Hanson asked staff for background on the requirement for a conditional use for this type of business along Ogden Avenue. Mr. Williams responded that a conditional use was always required in the B2 district, but it was required as a conditional use in the B3 zoning district as a recommendation by the Ogden Avenue Corridor Plan as a way to protect the corridor and restrict the type of use.

Commissioner Athanikar and Commissioner Bansal made inquiries regarding the sound reduction practices proposed by the business, hours of operation, and screening provided. Chairman Hanson expressed support for the design of the building.

Public Testimony: None

A motion was made by Commissioner Bansal, seconded by Commissioner Robbins to close the public hearing.

Aye: Athanikar, Bansal, Fessler, Habel, Hanson, Losurdo, Richelia, Robbins, and Van Someren

A motion was made by Commissioner Bansal, seconded by Commissioner Athanikar to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-050, a conditional use for Belle Tire automotive repair and service facility and a corner side yard setback variance to Section 6-9-2.4.3.1 for the property located at 1126 E. Ogden Avenue with the following conditions, the use shall be limited to Belle Tire automotive service/repair facility and the recommendations provided in the sound propagation report shall be adopted.

Aye: 9 - Athanikar, Bansal, Fessler, Hanson, Losurdo, Habel, Van Someren, Robbins, and Richelia

3. Conduct the public hearing for The Now Massage to consider a variance to Section 6-7D-4 to allow a general service use below the second floor for the property located at 110 S. Washington Street - 20-1-069

Gabrielle Mattingly, Planning Services Team, provided an overview of the request.

Randy Kline, Sharon Kline and James Luy presented as the petitioners.

Public Testimony: None

A motion was made by Commissioner Bansal, seconded by Commissioner Losurdo to close the public hearing.

Aye: Athanikar, Bansal, Fessler, Habel, Hanson, Losurdo, Richelia, Robbins, and Van Someren

Chairman Hanson asked staff why they are in support. Ms. Mattingly responded it is largely due to the proposed location of the business which is on the perimeter of the corridor, on the east side of Washington Street. Chairman Hanson stated he is not support of the request desiring a larger retail component and requesting a retail use in this location which would better promote walking traffic. Commissioner Losurdo stated he is not in support stating this use has been consistently located on the second floor within the Downtown.

A motion was made by Commissioner Athanikar, seconded by Commissioner Bansal to adopt the findings of fact as presented by the petitioner and approve PZC 20-1-069, a variance to Section 6-7D-4 to allow, The Now Massage, a general service use below the second floor for the property located at 110 S. Washington Street.