

**MINUTES OF ZONING AND PLANNING COMMISSION / ZONING BOARD OF APPEALS MEETING**

September 23, 2010  
7:30 P.M.

1. Roll Call/Call to Order
2. Approval of minutes of Zoning and Planning Commission / Zoning Board of Appeals for meeting held on September 9, 2010
3. Case Number 10P-11/Thornton's Conditional Use and Associated Variations  
Request for Conditional Use Permit and Associated Variations for the purpose of constructing and operating a gasoline station and convenience store on property commonly known as 476 N. York Street. (PIN 03-35-406-048 & 049), said property being wholly located in the C2 Community Shopping and Service zoning district.  
**Continued Public Hearing from August 26, 2010**  
**Note: The Applicant has requested a continuance to October 28, 2010**
4. Case Number 10P-14/Sal's Beverage World Amended Conditional Use  
Request for an Amended Conditional Use Permit for the purpose of replacing an existing pylon sign with a new pylon sign containing an electronic reader board on property commonly known as 695 W. St Charles Road (PIN 06-03-408-019), said property being wholly located in the C2 Community Shopping and Service zoning district.  
**Public Hearing – All properties within 500 feet have been notified**
5. Case Number 10P-13/ York Center Plaza Conditional Use and Associated Variations  
Request for Conditional Use Permit and Associated Variations for the purpose of erecting a pylon sign and two (2) ground signs on property commonly known as 561 thru 611 N. York Street and 570 thru 614 N. Michigan Street (PIN # 03-36-116-001 thru 014), said property being wholly located in the C2 Community Shopping and Service District.  
**Deliberation - Public Hearing held September 9, 2010**
6. Other Business.

Commission Members Present: Brinkmeier, DeWitt, Hill, Mushow, Slone, Whistler

Commissioner Members Absent: Corrado, Frolik, McCoyd

City Staff Present: Werner

After a roll call establishing a quorum, Chairman Whistler requested a motion to approve the Zoning and Planning Commission meeting minutes for September 9, 2010. Commissioner Slone moved to

approve the minutes of the September 9, 2010 Z&P Commission meeting as written. Commissioner Mushow seconded and, with a voice vote being all ayes, the motion passed.

Chairman Whistler opened the continued Public Hearing for Case Number 10P-11/Thorntons Conditional Use and associated Variations, which is a request for approval of the construction and operation of a gasoline station with convenience store. Chairman Whistler requested that Mr. Werner read into the record a letter from the Applicant in this case requesting a continuance to October 28, 2010 to allow enough time for them to complete the traffic study requested by the Commission. After Mr. Werner read the letter into the record, Commissioner DeWitt moved to continue the Public Hearing for this case to October 28, 2010. Commissioner Mushow seconded and, with a voice vote being all ayes, the motion passed.

Chairman Whistler opened the Public Hearing for Case # 10P-14/ Sal's Beverage World Amended Conditional Use, which is a request for an Amended Conditional Use Permit for the purpose of replacing an existing pylon sign with a new pylon sign containing an electronic reader board. After testimony was received from the Applicant and interested persons in the audience, Chairman Whistler closed the Public Hearing portion of this case. Commissioner Slone moved to deliberate this case tonight. Commissioner DeWitt seconded and, with a roll call vote being 4 to 2, the motion passed.

Chairman Whistler opened the deliberation for Case Number 10P-13/York Center Plaza Conditional Use and associated Variations, which is a request for approval of the erection of a pylon sign and variations to the setback requirement of six (6) feet. After discussion, Commissioner DeWitt moved to approve the Applicant's request as presented. Commissioner Hill seconded and, with a roll call vote being all ayes, the motion passed (Note – Commissioner Slone recused herself from the proceedings and the vote on this case due to a business affiliation with the Applicant).

Chairman Whistler opened the deliberation for Case # 10P-14/ Sal's Beverage World Amended Conditional Use. After discussion, Commissioner Mushow moved to approve the Applicant's request as presented. Commissioner Slone seconded and, with a roll call vote being 4 to 1 with one abstention, the motion passed (Commissioner Brinkmeier abstained because he arrived at 7:45 P.M. and missed a portion of the Applicant's presentation).

Other Business – Mr. Werner briefed the Commission on the status of current cases before the DPZ Committee of City Council and noted that the Commission will be meeting on the third Thursday in November to discuss the years zoning cases, and to discuss any needed changes to the Zoning Ordinance or to the procedures of the Zoning and Planning Commission. Should an additional meeting be required for these discussions, the third Thursday in December will be scheduled for this purpose.

The meeting was adjourned at 8:50 P.M.

Submitted by: Nathaniel J. Werner AICP, Planning and Zoning Administrator