

City of Genoa
Plan Commission
Special Meeting Minutes
March 14, 2024 ~ 7:00 P.M
Genoa City Hall Council Chambers

DRAFT

<u>Members Present</u>	<u>Members Absent</u>	<u>Petitioners</u>	<u>Staff</u>
Michael Cirone			Alyssa Seguss
John Patella			
Chris Riggs			
Ron Sheahan			
Brian Wallace			

I. Ron Sheahan called the special meeting to order at 7:00 PM and roll call was taken.

Jennifer Barton	Yes
Michael Cirone	Yes
John Patella	Yes
Chris Riggs	Yes
Ron Sheahan	Yes
Brian Wallace	Yes

Quorum Present

II. No Public Comment for items not listed on the agenda.

III. Michael Cirrone made the motion to approve the minutes of the December 19, 2023 meeting, Jen Barton seconded.

Roll Call Vote:

Jennifer Barton	Yes
Michael Cirone	Yes
John Patella	Yes
Chris Riggs	Yes
Ron Sheahan	Yes
Brian Wallace	Abstain

Motion Passed

IV. New Business

- A. **Public Hearing** to consider a request by Marengo Properties, LLC, as petitioner and property owner, for an amendment to the Preliminary and Final Planned Unit Development pursuant to the Unified Development Ordinance of the City of Genoa, and a special use permit to allow outdoor seating an electronic sign at property commonly known as 705 East Main Street, parcel number 03-30-357-028.

1. Open Public Hearing and Establish Quorum:

The Public Hearing was opened and roll call was taken to establish a quorum.

Roll Call

Jennifer Barton	Present
Michael Cirone	Present
John Patella	Present
Chris Riggs	Present
Ron Sheahan	Present
Brian Wallace	Present

Quorum Established

2. Petitioner Comments:

Joe Lazar stated that he is requesting an amendment to the Planned Unit Development for 720 East Main Street for a signage change and outdoor patio. Joe stated that he is working with the City to address noise and lighting concerns addressed by local residents.

3. Staff Comments:

Staff gave a summary of the Development Project Review Report including:

This site is located at the north-west intersection of Route 72 and Prairie Street, parcel numbers 03-20-357-028, which was approved for a Planned Unit Development for a 3-Unit commercial building and drive-thru in 2018. The current applicant, Marengo Properties, LLC, is petitioning for an amendment to the Preliminary and Final Planned Unit Development as well as a special use for outdoor seating and an electronic sign. While this is an amendment to the Preliminary and Final Planned Unit Development because there is a site plan change as well as a signage change, both of which were approved under a previous P.U.D. ordinance, the Unified Development Ordinance requires a special use permit for outdoor seating and electronic signs. The project review report considers the special uses while also proposing findings of fact pursuant to the U.D.O.'s requirements for P.U.D.s.

4. Plan Commission Questions/Comments:

The Plan Commission asked both several questions related to lighting and noise. The Commission asked if lighting is an issue, could it be adjusted to point more downwards to reduce lighting possibly spilling over. The Committee had also asked about questions related to lighting of the signage and Staff had stated that the City's lighting ordinance would also apply here to regulate any spillover. Additionally, the sign, per the petitioner, will be installed halfway between the east and west property lines, maximizing the distance between the sign and residential zoning. The Committee also asked what quiet hours are and contemplating limiting the outdoor patio usage within quiet hours.

5. Open the hearing for Public Comment.

6. Public Comments:

Heather Reedus, resident of 113 Prairie Street, shared concerns regarding lighting that are disturbing residential residents. Additionally, Heather Redus shared that the intercom is loud and the development has increased the traffic on Prairie Street and reduced the number of children playing on Prairie Street.

Steph Van Den Heede, resident of 113 Prairie Street, also echoed concerns relating to lighting as well as employees that are loud when reporting to work at 5 AM. Steph Van Den Heede expressed concerns relating to vibrations coming from the development as well as smells (due to food being cooked). Mr. Van Den Heede stated he doesn't feel it is fair that he is adjusting his life to things he didn't have control over.

Amber Reedus, resident of 113 Prairie Street, shared concerns for wildlife, a house that was torn down to accommodate the development, bright lighting and her sleep and health being effected by the development. She also shared concerns regarding kids falling into the "ravine" and drunkards at the outdoor seating.

Doreen Stark, resident of 123 Prairie Street, shared concerns regarding the frequency of the noise emitted from the development and shared concerns of possible future speakers at our door seating area.

Donita Crenshaw, resident of 130 Prairie Street, stated that she shared concerns regarding noise, lighting, smell, and traffic at the Public Hearing for the Original PUD in 2018. She also said that she cannot allow her pre-teen grandchildren walk around the block because one of the units in the development is a liquor store. Additionally, Donita Crenshaw stated she has concerns about the semis blocking the apartment building entrance and exits when delivery food / products.

Gordon Jones, resident of 11794 Pebble Beach Drive, expressed difficulty with communicating information to the public as the meeting date was shared across several platforms. Mr. Jones thanked public for coming to meeting.

7. Close Public Comment.

8. Plan Commission Deliberation and Motion on Petition:

The Plan Commission had significant discussion regarding the petition, primarily related to lighting and noise of the proposed amendment. After deliberation, the Plan Commission added a recommendations to control for the outdoor speakers and require a 4 second delay between the signage change.

After deliberation, Brian Wallace made a motion, seconded by Michael Cirrone, to recommend for approval to the City Council for an amendment to a Preliminary and Final Planned Unit Development to allow outdoor seating and an electronic sign at property commonly known as 705 East Main Street with the following conditions:

- A. Documents submitted for the March 14, 2024 Plan Commission meeting for consideration and approval of the amendment to the Preliminary and Final Planned Unit Development and preliminary and final plat of subdivision and special use for outdoor seating and an electronic message board sign as modified by the conditions herein by the City of Genoa include:
 - a. The Site Plan received for the March 14, 2024 Plan Commission meeting

- b. The Monument Sign color rendering received for the March 14, 2024 Plan Commission meeting
- B. All other City Codes and ordinances not otherwise modified by the submitted plans and recommendations for approval will be satisfied pursuant to existing City Ordinances. The original Planned Unit Development Ordinance is Ordinance 2018-21.
- C. The outdoor seating to the east shall be surrounded by a decorative fence to serve as a barrier between the parking spaces and patio seating.
- D. Adequate garbage receptacles shall be provided to ensure that refuse does not blow onto adjacent properties.
- E. Advertising signage shall not be permitted in the outdoor seating area.
- F. Furniture, including umbrellas, shall not contain logos or advertisements.
- G. The noise (patrons, music, etc.) emanating from the outdoor seating area shall comply with the City's noise ordinance and quiet hours. No speaker shall be permitted to be installed on the east side of the building to control noise emanating from the outdoor seating area.
- H. Due to the outdoor seating area being within 100 feet of residentially zoned properties, serving alcoholic liquors is not permitted in the outdoor seating area pursuant to the City's liquor code.
- I. Lighting of the outdoor seating area shall be sufficient to light the space. However, lighting shall comply with city's lighting requirements and not spill over onto adjacent properties.
- J. The free standing sign must not exceed 75 square feet and be installed no less than 100 feet from residential zoning. Should the sign be installed less than 100' from residential zoning, UDO requirements apply.
- K. The LED/electronic sign shall not be permitted to flash or have animations, in accordance with the UDO. The LED/electronic sign shall have a 4 second delay in between messages.
- L. The perimeter of the sign shall be landscaped in accordance with the Unified Development Ordinance.
- M. The speaker at the south side of the building shall be turned off at 8 PM on weekdays.
- N. The electronic sign shall have a 4 second delay in between messages.
- O. Existing lighting of the building shall be reviewed to establish conformity with the UDO. If the lighting is not in compliance, this shall be rectified immediately, with consideration of turning off the most northerly lights after a certain time of day.
- P. The outdoor seating area must close during the City's quiet hours.

Roll Call Vote:

Jennifer Barton	Yes
Michael Cirone	Yes
John Patella	Yes
Chris Riggs	Yes
Ron Sheehan	Yes
Brian Wallace	Yes

Motion Passed

9. Close the Public Hearing:

Brian Wallace made a motion to close the Public Hearing, seconded by Michael Cirrone.

Roll Call Vote:

Jennifer Barton	Yes
Michael Cirone	Yes
John Patella	Yes

Chris Riggs	Yes
Ron Sheehan	Yes
Brian Wallace	Yes

Motion Passed

VII. Old Business - None

VIII. Announcements- City Administrator Seguss listed the petitions for the April Plan Commission meeting. Seguss mentioned that there is a vacancy on the Plan Commission and filling that role would help achieve quorums easier. Seguss also shared the City's Comprehensive Plan and stated that the Plan Commission should review sections of the UDO that may need to be updated, in particular lot standards and the use charts.

IX. Adjournment

Chris Riggs made the motion to adjourn the special meeting, seconded by Jen Barton.

Roll Call Vote:

Jennifer Barton	Yes
Michael Cirone	Yes
John Patella	Yes
Chris Riggs	Yes
Ron Sheehan	Yes
Brian Wallace	Yes

Motion Passed

The special meeting was adjourned at 8:15 PM.