

PLANNING COMMISSION MEETING MINUTES

Tuesday, August 21, 2018 @ 7:00 p.m.

Members Present: Dave Pierce, Lloyd Mesmer, Sherri Neff, Merle Parks, Tyler McMahan, Jason Krone and Craig Stephan

Staff Present: Don Slone, AICP, CFM, City Planner

Chairman Parks called the meeting to order at 7:02 p.m. and asked for a roll call. Roll call listed above.

Chairman Parks introduced **Item No. 1: Approval of Minutes** and called for a motion to approve the minutes of the July 17, 2018 Planning Commission meeting. Commissioner Mesmer made a motion to approve the minutes as written with a second from Commissioner Pierce. Chairman Parks asked if there were any questions or comments about the minutes. Seeing none, he called for the vote. The minutes were approved by a 5-0-2 vote. Commissioners Stephan and Krone abstained from voting as they were not present.

New Business:

ITEM NO. 2: Election of Officers:

Chairman Parks asked for nominations for the Planning Commission officers. Commissioner Stephan made a motion to keep Merle Parks as Chairman, Dave Pierce as Vice-Chairman and Don Slone as the Secretary with a second from Commissioner Krone.

Chairman Parks asked if there was any further discussion. Seeing none he called for a vote. Motion passed 7-0.

Chairman Parks introduced **Item No. 3 Lot Split: LS-123, “Everett Lot Split”** Requested by Raymond Everett for The Everett Family Trust, property owners of record. The Lot Split Survey for the requested Lot Split was completed by Michael J. Bogina, PS, Olsson Associates. This request is in order to convey the property containing the (2) existing communication towers located at 40 S. 134th Street. The property is zoned “A-1”, Agricultural District located at 80 S. 134th Street. (Note: See Minimum Lot Area Variance under BZA-114)

Chairman Parks asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Lot Split.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Regina Everett, The Everett Family Trust**, stated it was a long time coming and they were in agreement with the listed conditions.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he called for a motion. Commissioner Stephan made a motion to approve the Lot Split with the addition of the approval of the variance listed under BZA-114 with a seconded by Commissioner Neff.

Chairman Parks stated that for any of the Planning Commission that was not present at the Board of Zoning Appeals meeting they had a discussion about the variance that was approved at that meeting about the access and the first right of refusal.

Chairman Parks asked if there were any additional questions from the Planning Commission, seeing none he called for the vote. The motion was approved on a 7-0 vote.

Chairman Parks introduced **Item No. 4: Comprehensive Plan Change: BSCP-34: “Canaan Center Second Phase – Lot 1”** Request to amend the Future Land Use Map of the Comprehensive Plan changing the land use designation for 2.78 acres from High-Density Residential to a Commercial designation. Requested by Donna Lilley, Hart Development for Mark Gardner, property owner of record. This amendment is to support the change in zoning from “R-3, High-density Residential District to a “C-2”, General Business District for commercial development located at 13145 Ridge Drive

Chairman Parks opened the public hearing at 7:09 p.m. and asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Comprehensive Plan Change.

Chairman Parks asked if the applicant had any additional comments for the Planning Commission. **Donna Lilley, Hart Development**, stated that she would be glad to answer any questions and that she had no additional comments for the Planning Commission.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 7:11 p.m. and called for a motion. Commissioner Pierce made a motion to approve the Comprehensive Plan Change with a second from Commissioner Mesmer.

Commissioner Stephan asked if hotels were allowed in "C-2" zoning designation. The City Planner stated yes.

Chairman Parks asked if there were any additional questions from the Planning Commission, seeing none he called for the vote. The motion was approved on a 7-0 vote.

The City Planner will forward this item to the Governing Body on September 10, 2018.

Chairman Parks introduced **Item No. 5: Rezoning: BSZ-142: "Canaan Center Second Phase – Lot 1"** A request to rezone 2.79 acres from an "R-3", Multi-Family Residential District to a "C-2", General Business District classification. Requested by Donna Lilley, Hart Development for Mark Gardner, property owner of record. This amendment is to support the change in zoning from "R-3", High-Density Residential District to a "C-2", General Business District for commercial development located at 13145 Ridge Drive.

Chairman Parks opened the public hearing at 7:13 p.m. and asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Rezoning.

Chairman Parks asked if the applicant had any additional items to be addressed by the Planning Commission. **Donna Lilley, Hart Development**, stated she had no further comments.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 7:14 p.m. and called for a motion. Commissioner Krone made a motion to approve the Rezoning with a second from Commissioner Stephan.

Chairman Parks asked if there were any additional questions from the Planning Commission, seeing none he called for the vote. The motion was approved on a 7-0 vote.

The City Planner will forward this item to the Governing Body on September 10, 2018.

Chairman Parks introduced **ITEM NO. 6: : Vacation: EV-106: "2nd Street ROW Vacation"** petition was filed by Wylie Saulsbury, Olde Mill Properties LLC, property owners of record requesting the City vacate part of the Right-of-Way of 2nd Street as dedicated in Tract B, Tiblow Mills subdivision. This request is to vacate the platted Right-of-Way under the existing building located at 611 W. 2nd Street.

Chairman Parks opened the public hearing at 7:16 p.m. and asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Vacation.

Chairman Parks asked if the applicant had any additional items to be addressed by the Planning Commission. **Wylie Saulsbury, Olde Mill Properties LLC**, stated he would be happy to answer any questions the Planning Commission might have for him. He also gave the background about the property and their proposed future uses.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 7:27 p.m. and called for a motion.

Chairman Parks commented that the Planning Commission only has legal authority to approve the vacation.

Commissioner Krone made a motion to approve the Vacation with the five listed conditions with a second from Commissioner Stephan.

Chairman Parks asked if there were any additional questions from the Planning Commission, seeing none he called for the vote. The motion was approved on a 7-0 vote.

Chairman Parks stated that the motion for the Dedication should be that the Planning Commission recommends that the City accept this piece of property.

Commissioner Stephan made a motion for the Planning Commission recommends that the City accept the dedication of the real property Exhibit EV-106. Motion passed 7-0.

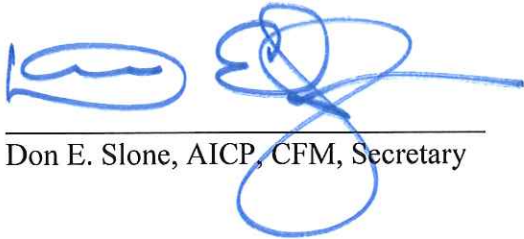
The City Planner requested that the motion include the fact that the tract remain a utility easement and is subject to the Planning Commission approval of a Site/Landscape Plan for any development within this area due to the need for future City utilities.

Chairman Parks asked for a motion for the Acquisition. Commissioner Krone made a motion to approve the Acquisition with the Planning Commission recommends the City negotiate with Olde Mill Properties LLC for the acquisition of the right-of-way located on the "50' Acquisition Tract" with the condition that the tract be designated as a "Utility Easement" and require a Site/Landscape Plan to be submitted and approved by the Planning Commission prior to any development if the acquisition of the property is approved by the City. The motion was seconded by Commissioner Stephan.

Chairman Parks asked for any other questions or comments. Seeing none he called for a vote. Motion passed 7-0.

The City Planner will forward this item to the Governing Body on September 10, 2018.

Chairman Parks asked if there were any further business. Seeing none, he adjourned the meeting at 7:35p.m.



Don E. Slone, AICP, CFM, Secretary