

PLANNING COMMISSION REGULAR MEETING MINUTES
JANUARY 22, 2019
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I. Regular Meeting

Call to Order:

Pursuant to due call and notice thereof, the Regular Meeting of the Planning Commission was held on Tuesday, January 22, 2019. Chair Kenninger called the meeting to order at 6:30 p.m. with Commissioners VanderWiel, Freeman, and Reed. Commissioner Mele was absent. Also in attendance were Community Development Director Lindquist, Senior Planner Klatt, Planner Nemcek, and Recording Secretary Bodsberg.

The Pledge of Allegiance was said.

Additions to Agenda: None.

Audience Input: None.

Consent Agenda:

a. Approval of the December 17, 2018, Regular Meeting Minutes.

MOTION by Freeman.

Second by Reed.

Ayes: 4. Nays: 0.

b. Request by Lennar for Final Plat Approval of Bella Vista 6th Addition. (19-1-FP)

The Chair noted that there were members of the audience who wanted to speak on this issue, although it was not a formal public hearing. She asked the members of the public provide their name and address for the record.

Theodore McMenemy, 12780 Bacardi Ave, stated concerns about the proposed road that will be constructed and who will be responsible to pay for the construction of the road. He expressed concern about potential drainage running into his property from the property to the south.

Asad Irfanullah, 12890 Bacardi Ave, stated concerns about the Lennar development and how the new development is causing runoff unto his property.

Senior Planner Klatt clarified that the item getting approved is for the 6th addition, which is not directly south of the McMenemy parcel. The preliminary plat approval has already been done. The northern section of the development is contingent on the construction of Autumn Path. The developer would be responsible for the construction of the roads constructed on their site.

MOTION by VanderWiel.

Second by Freeman.

Ayes: 4. Nays: 0.

Public Hearing:

5.a. Request by John Green Partnership, LLC for a Site Plan Review and Conditional Use Permit to Construct a Multi-Tenant Commercial Building with a Drive Through Facility. **(19-3-CUP & 19-4-SP)**

Planner Nemcek gave a brief summary of the staff report for the Planning Commission.

Commissioner Kenninger inquired about the stacking area. Nemcek stated that there is not room for a car to move around another car in the stacking area before going to the parking lot.

Commissioner Reed inquired if traffic studies have been completed in that area. Nemcek stated that the plans have been reviewed by the City Engineer and the use is similar, being commercial, to what was previously on this property.

The public hearing opened at 7:04 pm.

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Public Comments:

Dennis Plow, Cedar Cooperation, stated that he did the plan design and is available for any questions.

MOTION by Reed to close the public hearing.

Second by Freeman.

Ayes: 4. Nays: 0. Motion Passes.

The public hearing was closed at 7:05 pm.

Additional Comments: None.

MOTION by Reed to approve the Site Plan, with variance for south parking setback, for John Green Partnership, LLC, subject to the following conditions:

1. The applicant shall install rooftop mechanical equipment so that the parapet wall shields the equipment from public view consistent with ordinance standards.
2. The applicant shall provide site photometric prior to building permit issuance.
3. The applicant shall provide light fixture cut sheets to ensure they are a cut-off style of lighting prior to issuance of a building permit.
4. Non-essential lighting shall be turned off after business hours.
5. Final approval of building elevations that are consistent with Section 11-4-14-G-1 of the zoning ordinance relating to architectural appearance prior to issuance of a building permit.
6. Compliance with all conditions within the City Engineer's Memo dated January 22, 2019 prior to issuance of a building permit.

Second by VanderWiel.

Ayes: 4. Nays: 0. Motion Passes.

MOTION by Reed to recommend that the City Council approve the Conditional Use Permit for the drive-through facility for John Green Partnership, LLC., subject to the following conditions:

1. Public address systems and ordering speakers shall not be audible at the property lines.
2. The text on the menu board shall not be so large as to be visible from the public right-of-way or to serve as off-site advertising.
3. Size and design of menu boards shall conform to condition seven (7) of the drive-through facility conditional use permit standards.

Second by VanderWiel.

Ayes: 4. Nays: 0. Motion Passes.

5.b. Request by Vesterra/Stonex to renew their Small Scale Mineral Extraction Permit for 2019. (19-7-ME)

Planner Nemcek gave a brief summary of the staff report for the Planning Commission.

Commissioner Kenninger inquired if the eastern site driveway can support the amount of traffic. Nemcek stated that some work will be completed on the driveway to accommodate the truck traffic. Mining in the southern portion of the site will not start until the driveway is able to accommodate the traffic.

The public hearing opened at 7:15 pm.

Public Comments:

Scott Spisak, 3205 Spruce Street, Little Canada, Frattalone Companies, stated that he is available for any questions.

MOTION by Freeman to close the public hearing.

Second by VanderWiel.

Ayes: 4. Nays: 0. Motion Passes.

The public hearing was closed at 7:17 pm.

Additional Comments:

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Commissioner Kenninger inquired if the permit conditions should include the road restrictions and requirements. Nemcek stated that he will modify condition F.

MOTION by VanderWiel to recommend the City Council renew the Vesterra, LLC., and Stonex, LLC., Small Scale Mineral Extraction Permit for 2019, subject to the terms and conditions in the attached Draft 2019 Conditions for Mineral Extraction with the modification to condition F.

Second by Freeman.

Ayes: 4. Nays: 0. Motion Passes.

New Business: None.

Old Business: None.

Reports: None.

Adjournment: There being no further business to come before this Commission, Chair Kenninger adjourned the meeting at 7:22 pm.

Respectfully submitted,
Stacy Bodsberg, Recording Secretary