

# **MUNICIPAL PLANNING COMMISSION MINUTES**

**May 10, 2022, Work Session at 6:00 p.m.**

**STAFF PRESENT:** City Manager Scott Collins, City Recorder Brandy Johnson, City Engineer Kevin Blackburn, City Planning Director Micah Sullivan

**PLANNING COMMISSION PRESENT:** Mike Anderson (arrived 6:42 p.m.), Brandon Butler, Sam Cali, Chris McDonald, Debby Rainey, Emilee Senyard, Hayley Schulist (arr. 6:06)

**CALL TO ORDER:** by Butler at 6:06 p.m.

**Fernvale Springs** - Collins notes that site modifications are on the agenda tonight for consideration which includes removal of sections of sidewalk. Staff recommends no action on this item as this is an issue between private property owners. The issue has to do with surveying and encroachment on private property. Action taken by the city would take on liability for the city in a matter that is between two private property owners regarding roads and sidewalks. There is no good action for the city to take at this time and we may want to set it aside until all other avenues have been exhausted by the developer.

**Highbury Pointe** – Collins notes that in recent emails we acknowledge our regulations need revising and we are working through a detailed rewrite so we are in a bit of a strange window of time. Staff notes on whether or not a submittal meets our code and we don't want to hold someone to our current regs knowing they are changing if their requests make sense. We are not opposed to the majority of the developers requests.

1. Khris Pascarella of Pearl Street Partners admits to being a Fairview rookie and this created a snafu on getting the plat recorded. Pascarella responds to the staff comments for the master development plan on tonight's agenda:
  - a. Topography will be adjusted for plan items
  - b. Sidewalk with curb/gutter on Highway 96 will be a sidewalk to nowhere and is not practical in this application (Blackburn responds that we have sidewalks on Highway 100 and they would apply here)
  - c. Sidewalks for access at parking lots are required by the Fair Housing Act (Blackburn responds our code requires sidewalks as access so pedestrians are not walking through the drive aisles in parking areas)
  - d. Stormwater ordinance – we feel we should be grandfathered in at the old regs for the first phase knowing the second phase, which has not yet been presented, would need to meet the new stormwater regs (Blackburn responds there was a grace period but anything submitted in June or later will need to comply with the new ordinance. What has been presented so far is conceptual but we are open to discussions based on site conditions)
  - e. Both areas of the property, even though they have different zonings, are owned by the same owner. Detention pond locations are shown crossing over zonings but the entire property has the same ownership.
  - f. Final plat will be filed as soon as possible after final approval
  - g. North entrance (secondary entrance for residents only) has room for two to stack within the entrance plus an additional five in the deceleration lane. We will work with staff until this question is satisfied.
  - h. Steep slopes on the roadway and where it crosses the conveyance – we are trying to cross the conveyance as perpendicular as possible and minimize the linear footage of the stream that is affected.
2. Variance requested on exterior materials from the 70% brick requirement.

**ADJOURNMENT:** at 6:47 p.m.

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City Recorder