

MUNICIPAL PLANNING COMMISSION MINUTES

November 14, 2023, Meeting at 7 p.m.

Chris McDonald, Chairman

Emilee Senyard, Vice Chairman

Brandon Butler

Salvatore Cali

Lisa Anderson

David Magner

Shonda Schilling

Hayley Schulist

LaRhonda Williams

Staff present: Tom Daugherty, Rachel Jones, Keith Pasiley, Ethan Greer, Josh Hogan, Curtis Broadbent, Kevin Chastine, Will Owen

- **Mr. McDonald called the meeting to order at 7:03 p.m.**
- **Roll Call by City Recorder**

	PRESENT	ABSENT
Mr. McDonald	X	
Ms. Senyard	X	
Ms. Schulist	X	
Ms. Anderson	X	
Mr. Butler	X	
Mr. Cali	X	
Mr. Magner	X	
Ms. Williams	X	
Ms. Schilling		X

- **Prayer & Pledge led by Mr. McDonald**
- **Approval of Agenda**

Motion to approve: Mr. Cali

Second: Ms. Williams

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Ms. Senyard	X				
Ms. Schulist	X				
Mr. Butler	X				
Mr. Magner	X				
Mr. McDonald	X				
Ms. Schilling					X
MOTION PASSED 8-0					

- **Citizen Comments - None**
- **Approval of Minutes – October 10, 2023, Regular Meeting**

Motion to approve: Mr. Cali

Second: Mr. McDonald

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Anderson			X		
Mr. Cali	X				
Ms. Williams	X				
Ms. Senyard	X				
Ms. Schulist	X				
Mr. Butler	X				
Mr. McDonald	X				
Mr. Magner	X				
Ms. Schilling					X
MOTION PASSED 7-0 (1 Abstain)					

- **Old Business - None**

- **New Business**

1. **PC Resolution PC-35-23, Development Plan, Brush Creek Subdivision, 37.21 Acres, Map: 023, Parcel: 51.00. Current Zoning: RS-15. Property Owner: S&W Fairview Partners.**

Motion to approve: Mr. Cali

Second: Ms. Williams

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Ms. Senyard	X				
Ms. Schulist	X				
Mr. Butler				X	
Mr. Magner	X				
Mr. McDonald	X				
Ms. Schilling					X
MOTION PASSED 7-0 (1 Recusal)					

Representative: Louis Sloyan, T Square Engineering

Staff Report: Ethan Greer

Discussion: Mr. Magner questioned the size of lots 16 & 17 being under the required minimum size of 15,000 square feet. Mr. Sloyan replied those lots are smaller to avoid the steep slopes, but he could enlarge those lots. Mr. Magner also questioned drainage for lots 5, 6, 7, & 8. Mr. Sloyan replied their plan includes lot line swells and a swell on the back to capture as much water as possible. Ms. Senyard asked if a variance is required to allow for the smaller lots. Mr. Broadbent asked Mr. Sloyan how he plans to increase the lot size on the smaller lots. Mr. Sloyan replied he could adjust the frontage. Ms. Senyard asked about outstanding comments regarding open space. Mr. Sloyan stated the locations of the open spaces and said it was approximately 16 acres. Mr. Greer stated the subdivision regulations suggest 10% of open space and Mr. Sloyan stated this project has approximately 40% of open space. Mr. Greer suggested adding enlarging lot 16 & 17 as a condition of approval.

Mr. Magner made a motion to amend the approval to add a condition of approval that lots 16 & 17 meet the minimum required lot size of 15,000 square feet.

Second: Ms. Senyard

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Ms. Senyard	X				
Ms. Schulist	X				
Mr. Butler				X	
Mr. Magner	X				
Mr. McDonald	X				
Ms. Schilling					X
MOTION PASSED 7-0 (1 Recusal)					

2. PC Resolution PC-36-23, Site Plan Commercial, Ace Hardware, 0 Fairview BLVD, 7.15 Acres, Map: 047, Parcel: 022.08. Property Owner: Murphy Group LLC.

Motion to approve: Mr. Cali

Second: Ms. Anderson

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Ms. Senyard	X				
Ms. Schulist	X				
Mr. Butler	X				
Mr. Magner	X				
Mr. McDonald	X				
Ms. Schilling					X
MOTION PASSED 8-0					

Representative: Trent Smith, Southern Consulting

Staff Report: Ethan Greer

Discussion: Mr. Smith stated he needs to ask for a variance for an above ground detention pond. Ms. Senyard questioned the unaddressed comments. Mr. Broadbent replied the majority of the comments are cosmetic. Mr. Broadbent commented on the stormwater detention stating that without further design approval from the Planning Commission all stormwater detention facilities shall be underground for all commercial and industrial per stormwater ordinance. Mr. Magner questioned if stormwater will flow onto Hwy 100. Mr. Smith replied yes, a small amount, most will go to the detention pond. Mr. Magner also questioned the installation of sidewalks along Fairview Blvd. Mr. Smith stated there are future plans to be widen Hwy 100 and offered to pay into the sidewalk fund. Mr. McDonald questioned how sidewalks would be added to the area due to such a steep incline. Mr. Smith stated they would be decreasing the grade to include the whole parking lot. Ms. Anderson stated she is in favor of paying into the sidewalk fund so after the widening occurs there will be money to install sidewalks. Mr. Butler also agreed he is in favor of payment into the sidewalk fund.

Mr. Butler made a motion to amend the approval to allow the variance for an above ground detention pond in the rear of the property and to allow payment into the sidewalk fund in lieu of installing sidewalks.
Second: Anderson

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Ms. Senyard	X				
Ms. Schulist	X				
Mr. Butler	X				
Mr. Magner	X				
Mr. McDonald	X				
Ms. Schilling					X
MOTION PASSED 8-0					

3. PC Resolution PC-37-23, Rezoning, 621 HWY 96, 4.35 Acres, Map: 022P, Parcel: 00700. Property Owner: SM Commercial, LLC.

Motion to approve: Ms. Schulist
Second: Mr. McDonald

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Anderson	X				
Mr. Cali	X				
Ms. Williams		X			
Ms. Senyard	X				
Ms. Schulist	X				
Mr. Butler	X				
Mr. Magner		X			
Mr. McDonald	X				
Ms. Schilling					X
MOTION PASSED 6-2					

Representative: Tim Mangrum, SM Commercial

Staff Report: Ethan Greer

Discussion: Ms. Senyard asked for clarification if this zoning is appropriate with the 2040 plan. Mr. Chastine stated the transition corridor only lists appropriate zoning as RS-40 and only lists single family detached residential, office and civic institutional as appropriate land uses. Mr. Chastine stated the RM-8 requested zoning and multifamily land use is not in compliance and does not meet the transition corridor. Mr. Butler stated close to 73% of the transition corridor does not comply and can never comply with future use.

4. PC Resolution PC-38-23, Final Plat, Goodwin Farms. 42 Single Family Lots on 33.11 Acres. Map: 42, Parcel: 65.03, 65.04, 65.06, 65.07, 65.08. Property Owners: Innovated Construction Co, LLC.

Motion to approve: Mr. Cali
Second: Ms. Schulist

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Ms. Senyard	X				
Ms. Schulist	X				
Mr. Butler				X	
Mr. Magner	X				
Mr. McDonald	X				
Ms. Schilling					X
MOTION PASSED 7-0 (1 Recusal)					

Representative: Tim Mangrum & T Square Engineering

Staff Report: Kevin Chastine

5. PC Resolution PC-39-23, Development Plan, Otter Creek, Phases 3 and 4. 64 Building Lots on 66.92 Acres. Map: 042, Parcel: 07800. Property Owners: Otter Creek Holdings LLC.

Motion to approve: Ms. Anderson

Second: Mr. Cali

	YES	NO	ABSTAIN	RECUSE	ABSENT
Ms. Anderson	X				
Mr. Cali	X				
Ms. Williams	X				
Ms. Senyard			X		
Ms. Schulist	X				
Mr. Butler	X				
Mr. Magner	X				
Mr. McDonald	X				
Ms. Schilling					X
MOTION PASSED 7-0 (1 Abstain)					

Representative: Tony Cavender

Staff Report: Ethan Greer

Discussion: Mr. Magner questioned the lot width of lots 83 & 95. Mr. Cavender replied the lots are within the city regulations and the house would be custom-built to fit the lots. Mr. Magner stated lot 94 appears to be a critical lot. Mr. Broadbent replied that all the lots are critical lots and will require plot plans. There was discussion on what defines the “building line” and the minimum width requirements of the lots. Mr. Chastine found no definition in the zoning ordinance for “building line” and said it would be left up to interpretation. Mr. Cavender expressed concerns about the future planting of trees between sidewalks and curbs and the damage it causes to the sidewalks. Ms. Senyard questioned if all of the Otter Creek development has been incorporated into the city. Mr. Greer replied, yes, and the line on the plans should be removed by the engineer.

- **Bonds and Letters of Credit**

- Otter Creek Springs Phase 3 Reclamation Bond Amount - \$2,671,700.00
- Otter Creek Springs Phase 3 Performance Bond Amount - \$4,413,156.00

- **Reports for Discussion and Information**

- City Planning Staff – Ethan Greer thanked the PC members for attending the training session and stated all members have completed their training hours for the year. Mr. Greer thanked Mr. Chastine for teaching the training session and thanked the PC members for their work.
- City Manager – Tom Daugherty thanked the planning and engineering staff for their hard work and stated he appreciated everyone's patience.
- City Engineer – Will Owen gave a brief summary on what the Griggs & Maloney staff have been working on and suggested some changes moving forward. (Document attached)
- City Attorney – Josh Hogan reminded everyone to remember the different roles between the PC and BOC. He stated the PC is supposed to apply what the BOC has passed and in doing that they may identify things that are unclear or left up to interpretation, but those things will help staff bring recommendations to the BOC.

- **Planning Commission Roundtable**

- **Adjournment** – Motion to adjourn by Mr. Cali at 8:42 p.m.

Rachel Jones, City Recorder