

**Planning Commission Hearing Minutes  
August 10, 2015**

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Alderman Russell Kate McConnell Barbara Nicklas Andrew Brown Arlene Perkins		Gabrielle Collard -Division Manager for Current Planning Scott Waxter- Assistant City Attorney Pam Reppert – City Planner Brandon Mark – City Planner Devon Hahn – City Traffic Engineer Carreanne Eyler – Administrative Assistant

**I. ANNOUNCEMENTS:**

Ms. Collard stated that the September Planning Commission Hearing will be held on Tuesday, September 15, 2015 due to the Rosh Hashanah holiday. She also stated that there is an online survey for the East Street Corridor Small Area Plan to inform residents of the process if they would like to participate it can be accessed on the City’s website.

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Approval of the **July 13, 2015** Planning Commission Meeting Minutes as published:

**MOTION:** Commissioner Perkins.  
**SECOND:** Commissioner Nicklas.  
**VOTE:** 5-0.

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Approval of the **July 20, 2015** Planning Commission Workshop Minutes as published:

**MOTION:** Commissioner Nicklas.  
**SECOND:** Commissioner Brown.  
**VOTE:** 4-1. (Commissioner McConnell abstained.)

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Approval of the **August 7, 2015** Pre-Planning Commission Meeting Minutes as published:

**MOTION:** Commissioner Perkins.  
**SECOND:** Commissioner Nicklas.  
**VOTE:** 4-1 (Commissioner Brown abstained).

**III. PUBLIC HEARING-SWEARING IN:**

*“Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Planning Commission will be the whole truth and nothing but the truth.” If so, answer “I do”.*

**IV. PUBLIC HEARING-CONSENT ITEMS:**

(All matters included under the Consent Agenda are considered to be routine by the Planning Commission. They will be enacted by one motion in the form listed below, without separate discussion of each item, unless any person present – Planning Commissioner, Planning Staff or citizen -- requests an item or items to be removed from the Consent Agenda. Any item removed from the Consent Agenda will be considered separately at the end of the Consent Agenda. If you would like any of the items below considered separately, please say so when the Planning Commission Chairman announces the Consent Agenda.)

**V. OLD BUSINESS:**

**A. PC15-202MU, Master Plan, Bowersox**

Ms. Reppert entered the entire staff report into the record. There was no public comment on this item.

**Planning Commission Action Per Section 417:**

**MOTION:** Commissioner Perkins moved for the approval of a modification to Section 417, Table 417-1 Uses Densities/Intensities and Land Allocation, to reduce the non-residential land use area to 4.74% based on the project's consistency with the purpose and intent of the Mixed Use districts and the compensating features of well-planned connectivity to other adjacent nonresidential uses and the preservation of the historic structure.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

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**Planning Commission Action PC15-202MU:**

**MOTION:** Commissioner Nicklas moved for the approval of master plan PC15-202MU with the 4 conditions to be met as read into the record by staff.

**SECOND:** Commissioner Perkins.

**VOTE:** 5-0.

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**B. PC09-064ANX, Annexation Amendment, Summers Farm**

Ms. Collard entered the entire staff report into the record. There was no public comment on this item.

**Planning Commission Action:**

**MOTION:** Commissioner Nicklas moved for a positive recommendation to the Mayor & Board of Aldermen for amendments to Annexation Resolution 09-17 for the Summers Farm Property as follow:

1. Amend Condition 7(f) as follows: In order to accomplish Golden Mile Small Area Plan goals and provide appropriate compensating features, and to meet the requirements of Section 417 of the Land Management Code ("LMC") that the project provides a compact, pedestrian friendly neighborhood and that there be a compatible mixture of Residential and Non-Residential uses, the following standards shall be required of the Mixed Use Master Plan for the Property:
  - a. Residential development of the Property shall be limited to not more than three hundred and ten (310) dwelling units.
  - b. Non-Residential development of the Property shall be limited to: not less than three and one-half (3.5) acres or approximately five percent (5%) of the developable ground within the Property.
  - c. The Master Plan to be submitted for the development of the Property shall include no multi-family units and at least fifty percent (50%) of the dwelling units shall be single family detached units.

- d. In keeping with the agricultural history of the Property and the lack of need for additional commercial, retail or office uses in the neighborhood, the Non-Residential development may consist of Agricultural Activities (as defined in the LMC), including a retail Farmers Market as well as community gardens and private agricultural areas, which shall be connected throughout the Property by a unified pedestrian and road system linking the Residential areas to these uses, with access to public water and parking where appropriate, as determined and approved by the Planning Commission at time of Master Plan.
  - e. The Non-Residential development shall not be subject to the Floor Area Ratio requirements of the Land Management Code ("LMC") or the need for phasing as set forth in Section 417(d) of the LMC, except that such uses shall be established prior to the issuance of building permits for the final twenty percent (20%) of the Residential dwellings.
2. Eliminate Condition (7)(i).
  3. Amend Condition (7)(a) to limit the Applicant's construction of Mt Philip/Old Camp to two through lanes, left turn lanes and right-turn deceleration lanes as deemed appropriate by the City with dedication of right of way adequate to accommodate four through lanes in the future. These additional requirements may also be addressed through other safety enhancements such as roundabouts at the intersections of Old Camp Extended with side-streets.
  4. Amend Condition (7)(a) to require the Applicant to construct the stream crossing for Mt Philip/Old Camp to accommodate four through lanes. The City shall support the Applicant's efforts to design and process for approval the most economical stream crossing design allowed by applicable governmental laws and regulations.
  5. Add a new condition that the Applicant be required to provide frontage improvements along Mt Philip Rd, inclusive of the portion adjacent to the Property and located in the County provided that right-of-way is available at the time of bonding for street improvements, and in accordance with the Standard City Detail for a local road to include curb, gutter, sidewalk, street lights, and street trees subject to modification as determined appropriate by the Planning Commission with the recommendations from the Engineering Department and Department of Public Works at the time of master plan approval. If the right-of-way adjacent to the Property in the County is not available at that time, the Applicant shall contribute to the City the amount that it would cost to construct such frontage improvements.
  6. Add a new condition that the Applicant provides a pro rata share contribution to the City in the amount of \$11,250 towards the construction of the pedestrian bridge along US 40.
  7. Add a new condition regarding the following intersection improvements
    - a. Alt 40 @ Old Camp Rd – fully construct improvements as identified as part of the Adequate Public Facilities Ordinance (APFO) and in conformance with SHA requirements.
    - b. Alt 40 @ Mt Philip Rd – fully construct improvements to restrict this intersection to right-in/right-out only and in conformance with SHA requirements.
    - c. Mt. Philip Rd @ Butterfly Lane – fully construct intersection improvements, including but not limited to pedestrian connection upgrades.
  8. Add a new condition prohibiting direct driveway access to residential units on both Mt. Philip Rd and Old Camp Rd extended through the Property.
  9. Amend Condition 7(b) to require that the internal street network be designed in a manner that does not prohibit future connectivity to the abutting parcels to the west,

including the reservation of a platted right- of- way to the Property line in an appropriate location as deemed by the Planning Commission.

**SECOND:** Commissioner Perkins

**VOTE:** 5-0.

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**VI. NEW BUSINESS:**

**C. PC15-314FSI, Final Site Plan, 12 Davis Avenue**

Mr. Mark entered the entire staff report into the record. There was no public comment on this item.

**Planning Commission Action Per Section 607(e):**

**MOTION:** Commissioner Nicklas moved for a positive recommendation for Section 607(e) for the drive aisle width stands with the 3 conditions to be met as read into the record by staff.

**SECOND:** Commissioner Perkins.

**VOTE:** 5-0.

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**Planning Commission Action Per Section 605(d):**

**MOTION:** Commissioner Perkins moved for a positive recommendation for Section 605(d) for the required screening with the 3 conditions to be met as read into the record by staff.

**SECOND:** Commissioner Nicklas.

**VOTE:** 5-0.

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**Planning Commission Action PC15-314FSI:**

**MOTION:** Commissioner Nicklas moved for conditional approval to final site plan PC15-314FSI with the following 3 conditions to be met:

1. The Applicant must note that the proposal was presented to NAC 12 on May 11, 2015.
2. The Applicant depicts an ADA accessible route from the entrance of the building to the public Right-Of-Way or obtains a waiver from the appropriate State and/or Federal government department.
3. If the Applicant does not receive a waiver from Federal and/or State government department and is required to construct an ADA accessible route from the ROW along Davis Avenue to the main entrance of the structure, as a compensating feature to the modification approval to Section 605(d), Screening, the Applicant must provide the maximum amount of landscaping to be approved by Planning Staff.

**SECOND:** Commissioner Perkins.

**VOTE:** 5-0.

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**Meeting adjourned approximately 7:28 p.m.**

Respectfully Submitted,

Carreanne Eyer  
Administrative Assistant

APPROVED 09-15-2015