

MINUTES
 PLANNING COMMISSION
 January 19, 2023
 5:30 P.M. Regular Meeting
 Council Chambers – City Hall

CITY CLERK
 2023 JAN 20 AM 10:46

	<u>Name</u>	<u>Members' Term Attendance</u> (mtgs. attended-mtgs absent)	<u>End of Current Term of Office</u>
MEMBERS PRESENT:	Bob Bucher	(48-04)	06/15/23
	Tim Doyle	(31-06)	12/14/24
	Allison Tschannen	(26-16)	07/15/24
	Ben Burtnett	(40-17)	02/12/23
	Brett Hausman	(09-04)	08/05/23
	Houston Roberts	(14-05)	08/04/24
	Donna Jean Boyer	(52-06)	07/22/23
	Tom Richmond	(11-02)	07/17/27
MEMBERS ABSENT:	Patt Lilly	(11-02)	01/29/27
STAFF PRESENT:	Brandon Kanoy, City Planner Jake Fisher, Interim City Engineer Jason Soper, Assistant City Attorney Rebecca Shipp, Executive Administrative Assistant		

Call to Order –Tschannen called the meeting to order at 5:30pm.

Tschannen read the rules of conduct.

ROLL CALL: Roberts-present, Tschannen-present, Richmond–present, Burtnett-present, Bucher-present, Doyle-present, Lilly–absent, Hausman–present, Boyer--present.
 Quorum is present. Five members constitute a quorum.

Tschannen entered Chapters 11, 26 and 31 of the Code of Ordinance into evidence.

OLD BUSINESS - none

NEW BUSINESS

ITEM #1 **Approval of minutes** - Richmond made a motion to approve the minutes of the November 17, 2022 meeting. Doyle seconded.

VOTE: Roberts – Abstain, Tschannen-yes, Richmond-yes, Burtnett-yes, Bucher-yes, Doyle-yes, Hausman-abstain, Boyer-yes.
Ayes – 6, Nays – 0, Abstain – 2 Minutes approved.

ITEM #2 Zoning District Change – A request for approval of a change of zoning from C-3 Commercial District to R-4 Apartment Residential District for property located at 1602 Messanie Street as requested by Marcin Jakubowski on behalf of Open Source Ecology.

Kanoy gave the staff report.

There was no discussion among the Commissioners.

Tschannen opened the item for public comment.

No one spoke in favor of the item.

Jarrod Amos-1606 Messanie, spoke in opposition to the item.

Tschannen closed the item for public comment.

Discussion was held between Commissioners and staff regarding the item.

Roberts made a motion to approve the request for zoning district change. Hausman seconded.

VOTE: Roberts – yes, Tschannen-yes, Richmond-yes, Burtnett-no, Bucher-yes, Doyle-yes, Hausman-yes, Boyer-yes.

Ayes – 7, Nays – 1, Abstain – 0 Motion approved.

ITEM #3 Zoning District Change – A request for approval of a change of zoning from C-3 Commercial District to R-1SH Single Family/Small House Residential District for property located at 3618 and 3620 Sacramento as requested by Oakley Bowen.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Tschannen opened the item for public comment.

Andy Bowen-2206 Bateley, spoke in favor of the item.

Steve Archer-20825 County Road 306, spoke in opposition to the item.

Tim Lager-business at 1502 S Belt, spoke in opposition to the item.

Tschannen closed the item for public comment.

Discussion was held between Commissioners, staff, and applicant regarding the item.

Doyle made a motion to approve the request for zoning district change. Burtnett seconded.

**VOTE: Roberts – yes, Tschannen-yes, Richmond-yes, Burtnett-yes, Bucher-yes, Doyle-yes, Hausman-no, Boyer-yes.
Ayes – 7, Nays – 1, Abstain – 0 Motion approved.**

ITEM #4 Amendment to code – A request for approval for amendment to Sections 31-10, 31-12, 31-48, 31-49 and any and all other sections of Chapter 31 of the Code of Ordinances necessary to amend the language pertaining to recreational marijuana.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Tschannen opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Tschannen closed the item for public comment.

Bucher made a motion to approve the request for amending code. Hausman seconded.

**VOTE: Roberts – yes, Tschannen-yes, Richmond-yes, Burtnett-yes, Bucher-yes, Doyle-yes, Hausman-yes, Boyer-yes.
Ayes – 8, Nays – 0, Abstain – 0 Motion approved.**

ITEM #5 Easement Vacation – A request for approval a vacation of a drainage easement on the property located at 4300 N Belt Highway as requested by Joon Chung

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Tschannen opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Tschannen closed the item for public comment.

Bucher made a motion to approve the request for easement vacation. Burtnett seconded.

VOTE: Roberts – yes, Tschannen-yes, Richmond-no, Burtnett-yes, Bucher-yes, Doyle-yes, Hausman-yes, Boyer-yes.

Ayes – 7, Nays – 1, Abstain – 0 Motion approved.

ITEM #6 Zoning District Change – A request for approval of a change of zoning for a portion of the P-10, The Commons Precise Plan to C-3 Commercial District for property located at 4220 Commonwealth Drive as requested by Nick Brenner on behalf of Menard, Inc.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Tschannen opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Tschannen closed the item for public comment.

Doyle made a motion to approve the request for zoning district change. Roberts seconded.

VOTE: Roberts – yes, Tschannen-yes, Richmond-yes, Burtnett-yes, Bucher-yes, Doyle-yes, Hausman-yes, Boyer-yes.

Ayes – 8, Nays – 0, Abstain – 0 Motion approved.

ITEM #7 Zoning District Change – A request for approval to repeal The Commons Precise Plan and adopting a revised The Commons Precise Plan to update zoning uses for the property located at 4220 Commonwealth Drive within the P-10 precise plan, as requested by Nick Brenner on behalf of Menard, Inc.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Tschannen opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Tschannen closed the item for public comment.

Burnett made a motion to approve the request for zoning district change. Richmond seconded.

VOTE: Roberts – yes, Tschannen-yes, Richmond-yes, Burnett-yes, Bucher-yes, Doyle-yes, Hausman-yes, Boyer-yes.

Ayes – 8, Nays – 0, Abstain – 0 Motion approved.

ITEM #8 Street Vacation – A request for approval of a street vacation for a 150 ft portion of Arizona Avenue. The portion to be vacated is between The Burlington Northern Railroad right of way on the west and Lake Avenue on the east. The vacated portion consists of approximately western half of the existing Arizona Avenue as requested by Steve Sellenriek.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Tschannen opened the item for public comment.

No one spoke in favor of the item.

Charles Robinson-5302 Lake Ave, spoke in opposition to the item.

Chuck Robinson-5304 Lake Ave, spoke in opposition to the item.

Jeff Collins-5214 Lake Avenue, spoke in opposition to the item.

Tschannen closed the item for public comment.

Discussion was held between Commissioners and staff regarding the item.

Hausman made a motion to approve the request for street vacation. Richmond seconded.

VOTE: Roberts – no, Tschannen-yes, Richmond-no, Burnett-no, Bucher-no, Doyle-yes, Hausman-no, Boyer-no.

Ayes – 2, Nays – 6, Abstain – 0 Motion denied.

The meeting adjourned at 7:14 pm.

Minutes respectfully submitted,

Rebecca Shipp

cc: Paula Heyde, City Clerk
Planning Commission Members
Bryan Carter, City Manager
Clint Thompson, Planning & Development Director
Jason Soper, Assistant City Attorney