

CITY CLERK

2023 NOV 14 PM 8:12

MINUTES
PLANNING COMMISSION
October 26, 2023
5:30 P.M. Regular Meeting
Council Chambers – City Hall

	<u>Name</u>	<u>Members' Term Attendance</u> (mtgs. attended-mtgs absent)	<u>End of Current Term of Office</u>
MEMBERS PRESENT:	Tim Doyle	(38-07)	12/14/24
	Patt Lilly	(17-04)	01/29/27
	Brett Hausman	(16-05)	08/05/28
	Tom Richmond	(19-02)	07/17/27
	Tim Lager	(07-00)	04/17/28
	Penny Poore	(03-01)	06/15/28
MEMBERS ABSENT:	Allison Tschannen	(33-17)	07/15/24
STAFF PRESENT:	Brandon Kanoy, City Planner Keven Schneider, Deputy Director of Operations Josh Emberton, Assistant City Attorney Kim Schutte, Historic Preservation Planner		

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

Doyle read the rules of conduct.

ROLL CALL: Tschannen-absent, Richmond-present, Lager-present, Poore-present, Doyle-present, Lilly-present, Hausman-present.

Quorum is present. Five members constitute a quorum.

Doyle 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 September 28, 2023 meeting. Lilly seconded.

VOTE: Richmond-yes, Lager-yes, Poore-yes, Lilly-yes, Hausman-yes, Doyle-abstain
Ayes – 5, Nays – 0, Abstain – 1. Minutes approved.

ITEM #2 **Conditional Use Permit** – A request for approval of a conditional use permit to allow construction of a telecommunications tower located on parcel # 03-7.0-35-

003-000-001.000 to be known as 3918 Karnes Road as requested by Glen Klocke on behalf of Network Real Estate.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Doyle opened the item for public comment.

Glen Klocke, Network Real Estate, spoke in favor of the item.

Ronny Trout, 3225 N. Woodbine Rd., spoke in opposition to the item.

Doyle closed the item for public comment.

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

Lilly made a motion to approve the request with the conditions as set out in the staff report with the addition of requiring the planting of four (4) additional native evergreen trees. Hausman seconded.

VOTE: Doyle-yes, Richmond-yes, Lager-yes, Poore-yes, Lilly-yes, Hausman-yes, Ayes – 6, Nays – 0, Abstain – 0. Motion approved.

ITEM #3 Major Subdivision- A request for approval of a preliminary plat for a major subdivision entitled Mahaffy Valley located at 1500 Highland Avenue, as requested by Shay Homeyer on behalf of St. Joseph Habitat for Humanity.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Doyle opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Doyle closed the item for public comment.

Discussion was held between Commissioners and staff regarding the item.

Richmond made a motion to approve the request. Lager seconded.

VOTE: Doyle-yes, Richmond-yes, Lager-yes, Poore-yes, Lilly-yes, Hausman-yes, Ayes – 6, Nays – 0, Abstain – 0. Motion approved.

ITEM #4 Authorization to enter into a Subdivision Improvement Agreement – Approval of an application to waive the requirement of Section 26-70(a) and permit the applicant to enter into a subdivision improvement agreement for Mahaffy Valley as provided in Section 26-71(a).

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Doyle opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Doyle closed the item for public comment.

Discussion was held between Commissioners and staff regarding the item.

Lilly made a motion to approve the request. Hausman seconded.

VOTE: Doyle-yes, Richmond-yes, Lager-yes, Poore-yes, Lilly-yes, Hausman-yes, Ayes – 6, Nays – 0, Abstain – 0. Motion approved.

ITEM #5 Alley Vacation – A request for approval to vacate approximately 265 feet of an alley in Block 55 of Patee’s Addition Subdivision located at 1617 Poplar Street as requested by Jeff Pickerel.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Doyle opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Doyle closed the item for public comment.

Discussion was held between Commissioners and staff regarding the item.

Hausman made a motion to approve the request. Lilly seconded.

VOTE: Doyle-yes, Richmond-yes, Lager-yes, Poore-yes, Lilly-yes, Hausman-yes, Ayes – 6, Nays – 0, Abstain – 0. Motion approved.

ITEM #6 Alley Vacation and Right of Way Vacation – A request for approval to vacate a portion of alley in Block 106 of the subdivision South St. Joseph Addition and a request to vacate a portion of 7th Street right-of-way between Block 106 and 107 in the subdivision South St. Joseph Addition located at 2111 S. 6th Street as requested by Tracy Wright on behalf of Central Commodities, LLC.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Doyle opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Doyle closed the item for public comment.

Discussion was held between Commissioners and staff regarding the item.

Richmond made a motion to approve the request. Poore seconded.

VOTE: Doyle-yes, Richmond-yes, Lager-yes, Poore-yes, Lilly-yes, Hausman-yes, Ayes – 6, Nays – 0, Abstain – 0. Motion approved.

ITEM #7 Alley Vacation – A request for approval to vacate an approximate 90 ft portion of the east-west alley in Block 38 of Patee’s 5th Addition Subdivision located between 1002 S. 10th Street and 1014 S. 10th Street as requested by Benjamin Hubbard on behalf of Innovity Ventures.

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Doyle opened the item for public comment.

No one spoke in favor of the item.

No one spoke in opposition to the item.

Doyle closed the item for public comment.

Discussion was held between Commissioners and staff regarding the item.

Richmond made a motion to approve the request. Lager seconded.

VOTE: Doyle-yes, Richmond-yes, Lager-yes, Poore-yes, Lilly-yes, Hausman-yes, Ayes – 6, Nays – 0, Abstain – 0. Motion approved.

ITEM #8 Zoning District Change – A request for approval of a change of zoning from R-1A, Detached Single Family Residential District to R-2, Two-Family Residential District for property located at 1312 S. 38th Place as requested by Zulima Lugo-Knapp

Kanoy gave the staff report.

Discussion was held between Commissioners and staff regarding the item.

Doyle opened the item for public comment.

Zulima Lugo-Knapp, 1725 Mason Rd., spoke in favor of the item.

Anyi Lugo-Aieth, 11772 Ridgeway Dr., spoke in favor of the item.

Michael J. Knapp, 1725 Mason Rd., spoke in favor of the item.

David Sandy, 4710 Stonecrest Terr., spoke in opposition to the item.

Ashley Hertz, 1318 S. 38th Place, spoke in opposition to the item.

Mary Jo Sauer, 1316 S. 38th Place, spoke in opposition to the item.

Patricia Sneed, 1402 S. 38th Place, spoke in opposition to the item.

Doug Hilsenbeck, 1410 S. 38th Place, spoke in opposition to the item.

Julie Strong, 3816 Mitchell Ave., spoke in opposition to the item.

Betty Jo Mosser, 3818 Mitchell Ave., spoke in opposition to the item.

Jean Rich, 4518 Stonecrest Terr., spoke in opposition to the item.

Lance Rich, 4710 Stonecrest Terr., spoke in opposition to the item.

David Sandy spoke in opposition to the item.

Zulima Lugo-Knapp spoke in favor of the item.

Doyle closed the item for public comment.

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

Lilly made a motion to approve the request. Hausman seconded.

**VOTE: Doyle-yes, Richmond-no, Lager-no, Poore-no, Lilly-yes, Hausman-no,
Ayes – 2, Nays – 4, Abstain – 0. Motion failed.**

The meeting adjourned at 7:10 pm.

Minutes respectfully submitted,

Kim Schutte

cc: Paula Heyde, City Clerk
Planning Commission Members
Clint Thompson, Planning & Development Director
Josh Emberton, Assistant City Attorney