

**MINUTES**

**PLANNING AND ZONING COMMISSION MEETING**

**APRIL 4, 2019**

**COMMISSIONERS PRESENT**

**Ms. Sara Loe  
Ms. Tootie Burns  
Mr. Rusty Strodman  
Ms. Lee Russell  
Mr. Anthony Stanton  
Mr. Dan Harder  
Ms. Joy Rushing  
Mr. Michael MacMann**

**COMMISSIONERS ABSENT**

**Mr. Brian Toohey**

**I. CALL TO ORDER**

MS. LOE: I'd like to call the April 4, 2019 Planning and Zoning Commission meeting to order.

**II. INTRODUCTIONS**

MS. LOE: Ms. Burns, may we have roll call, please?

MS. BURNS: Absolutely. We have eight; we have a quorum.

MS. LOE: We have a quorum. Thank you, Ms. Burns.

**III. APPROVAL OF AGENDA**

MS. LOE: Mr. Zenner, are there any adjustments or additions to the agenda tonight?

MR. ZENNER: Yes, there are, Ms. Chairman. To your delight and excitement, we have -- the only business item that was on tonight's agenda, Case Number 82-2019, has requested to be tabled. And when we get to that portion on the agenda, it will be under tabled requests, but because it was an advertised public hearing item due to a design adjustment, we do need to formally take action on the item tonight, as well as the other item that is proposed to be tabled. But those are the only changes to the agenda.

MS. LOE: Thank you, Mr. Zenner. With those adjustments, can I get a motion to approve the agenda?

MR. STANTON: I move to approve the agenda, ma'am.

MR. MACMANN: Second.

MS. LOE: Thank you, Mr. Stanton. Mr. MacMann seconded. Thumbs up?

(Unanimous vote for approval.)

MS. LOE: Unanimous.

**IV. APPROVAL OF MINUTES**

MS. LOE: Everyone should have gotten the March 21 regular meeting minutes.

MS. RUSSELL: I move to approve those minutes.

MR. STANTON: I second that.

MR. MACMANN: I think that's a great idea.

MS. LOE: Second from Mr. Stanton. Thumbs up approval?

(Unanimous vote for approval.)

MS. LOE: Again, unanimous. This is a good -- good record tonight.

## V. TABLING REQUESTS

### Case No. 79-2019

**A request by Crockett Engineering (agent) for a two-lot final subdivision plat to be known as "Tuscany Estates" and a design adjustment requesting relief from the requirement to build a sidewalk alongside Oakland Gravel Road per Section 29-5.1(d) and Appendix A of the UDC. The 22.02-acre property is zoned R-1 (Single-family Dwelling) and FP-0 (Flood Plain Overlay) and is located east of North Teresa Drive, north of the Bear Creek and south of Oakland Gravel Road. Drive access is requested to each lot from Oakland Gravel Road. (A request to table this item to the April 18, 2019 Planning and Zoning Commission meeting has been received.)**

MS. LOE: We don't need a staff report.

MR. ZENNER: You do not, no. I will refrain from the staff report. This is an item to request tabling. It was publicly advertised and, unfortunately, the location and area data inadvertently did not get updated on the slide. The case number is correct. Title of the plat is correct. This was publicly advertised as a result of the design adjustment and, therefore, does require a formal recommendation to table to the date certain, as requested by the applicant, of April 18.

MS. LOE: Mr. Stanton?

MR. STANTON: I would like to make a motion.

MS. LOE: Please.

MR. STANTON: I move, as it relates to Case 79-2019, I move to table it to the April 18, 2019 meeting to allow --

MS. RUSHING: Second.

MR. STANTON: Okay.

MS. LOE: Second by Ms. Rushing. We have a motion on the floor. Any discussion on this motion? Seeing none. Ms. Burns, may we have a roll call, please.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodman, Ms. Rushing, Ms. Russell, Ms. Burns. Motion carries 8-0.**

MS. BURNS: Eight to zero; motion carries.

MS. LOE: Thank you. Moving on to our second tabling case request of the evening.

### Case No. 82-2019

**A request by Crockett Engineering (agent) on behalf of Seventh Street Properties of Columbia, LLC and Hulett Descendants, LLC (owners) for a two-lot final minor subdivision to replat property addressed 119 South Seventh Street and 120 South Sixth Street and commonly known as "My House and My House-The Backyard" to allow for a new structure to be built on the**

**Sixth Street frontage. The request also includes design adjustment requests from Section 29.5.1(c)(7) and Appendix A pertaining to the dedication of right of way (ROW) and corner truncations for alleys and Section 29-5.1(g)(4) pertaining to the dedication of utility easements. The site is zoned M-DT (Mixed-Use Downtown) and is located with frontage on both Sixth and Seventh Streets south of the public alley between Cherry and Locust Streets.**

MS. LOE: So we do need a staff report on this one?

MR. ZENNER: Again this is similar to the prior case. This does have design adjustments that were publicly advertised for a hearing and, as such, does need a formal recommendation to table to date certain, June 6, 2019. This is the longest allowable tabling. We do allow a maximum length between initial published agenda to the date certain tabling of two months prior to having to readvertise and pay readvertising fees. There are a number of issues associated with this subdivision action that the applicant is trying to resolve and they believe that the extended tabling of approximately two months will allow them the opportunity to do what they need to do to bring an actual plat back to us that can be supported by staff. Right now, there are a number of outstanding items that would not allow us to support the plat. Possibly some of the design adjustments may also go away if the applicant is able to resolve -- have the opportunity to take the time to resolve these matters.

MS. LOE: Thank you, Mr. Zenner. Ms. Russell?

MS. RUSSELL: I have a motion.

MS. LOE: Sounds good.

MS. RUSSELL: I know you're surprised. In the matter of Case 82-2019, I move to table to the June 6 Planning and Zoning Commissioner meeting.

MR. STANTON: Second.

MS. LOE: Second by Mr. Stanton. We have a motion on the floor. Any discussion on this motion? Seeing none. Ms. Burns, may we have roll call, please.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Ms. Burns. Motion carries 8-0.**

MS. BURNS: Eight to one [sic]; motion carries.

MS. LOE: Thank you. That concludes our tabling requests for the evening.

#### **VI. PUBLIC COMMENTS**

MS. LOE: Moving on to public comments. Seeing none.

#### **VII. STAFF COMMENTS**

MR. ZENNER: The next meeting you will have is on next Thursday, April 11th. It will be at 6:00 p.m. This is a special called work session. It will be in Conference Room 1A, not 1B. We will be utilizing the extra space due to the topic at hand, which will be a discussion of medical marijuana and potential City regulations, and that is our, as I said, special work session. Your next regular meeting is on Thursday, April 18th. We will have a work session. Again it will be allocated towards medical marijuana

and that will be the hour and a half version. And there are a number of cases that will be on the 18th's agenda; the Tuscan Estates plat, which you just tabled. We have Cherry Hill Dental will be on that particular agenda, as well. This is a PD amendment both to the plan and to the statement of intent. They are looking at expanding the uses allowed on the site where Cherry Hill Dental is, which is down off of Nifong between Bethel and Santiago. We have Kelly's -- Kelly Farms, which is up off of the end of Cinnamon Hill just north of the end of Stadium -- the east end of Stadium Boulevard. This is again a planned district plan amendment dealing with signage for the development. And then we have BJC Investments, Inc. This is a permanent zoning request off of St. Charles Road immediately to the north of the case that you heard at our last meeting at the end of March. And this is basically a zoning request to go from County C-G, which is their comparable to our M-C, county general commercial, to our City M-N zoning classification, which would be mixed neighborhood, similar to what a portion of the request to the south was. So those are your four items, all of which will be public hearing related matters. The subdivision action does have a design adjustment with it, so it will be held as a public hearing and a subdivision combined. Now, those are the only four items we have. As I have indicated previously, you will be receiving the Planning and Zoning Commission agenda and supporting documentation for the April 11th meeting no later than end of business on Monday, April 8th. That is to allow us an opportunity to complete all of the background data that we need to put together in order to get you an agenda. You may receive it sooner than that, so be looking in your e-mail boxes. It will be also published to the City website as a regular meeting agenda in accordance to the procedures that we have established for the Planning and Zoning Commission, no fewer than four days prior to the meeting, and it will meet our public advertising requirements, greater than 24 hours in -- greater than 24 hours in advance. So please come prepared. It will be a lively discussion most likely. We do have maps that we will be providing in the actual publication that do show the 1,000-foot and varying iterations of separation that are -- that was requested during our March 7th meeting, as well as you will have existing promulgated regulations that the State currently has in draft form, a report from the staff itself that has proposed regulatory language, and all of that will be able to be discussed within the work session. We hope to be able to break the work session down into some equal parts to be able to give some time to cover the material that you'll receive, but not all of it. We will pick up the conversation then on the 18th and then again, if necessary, on the 25th to ensure that we can go through everything that we have presented and what will be distributed no later than this coming Monday. With that, we will let you all have your own discussion and move to adjourn. Thank you, this evening, for your attention during our work session. I really do like working with you all, and we will start to hopefully move items a little bit more efficiently through our process as we are able to work through the current backlog of projects that we have. But again, thank you very much tonight.

MS. LOE: Thank you, Mr. Zenner.

#### **VIII. COMMISSIONER COMMENTS**

MS. LOE: Mr. MacMann.

MR. MACMANN: I have a motion.

MS. LOE: Yes.

**IX. ADJOURNMENT**

MR. MACMANN: I move we adjourn.

MS. RUSSELL: Second.

MS. LOE: Second by Ms. Russell. We are adjourned.

(The meeting adjourned at 7:18 p.m.)

(Off the record.)