

PLANNING AND ZONING COMMISSION

MINUTES OF MEETING

January 24, 2012

6:00 p.m.

Item 1. Roll Call

PRESENT: Joe Arnold, Jim Rice, Stephany Hughes, and Bob Gerdes

STAFF PRESENT: Zoning Administrator Bill Ahrens, Building Official Larry Murry, GIS Coordinator Nick Pappas, Bill Aherns Zoning Administrator and Secretary Cheryl Walters

ABSENT: Ambrose Buckman, Bruce Collins, Time Glenn and Mark Seneker.

VISITORS: Eric Copeland, Betty Bissell, and Toni Holland

Item 2. Approval of Minutes – December 13, 2011

Minutes had not been mailed in packets to commissioners to review so they will be review and approved at Feb. meeting.

Item 3. Special Use Request: Case Number SU-12-001 “Internet tower for 501 McCleary Rd”

Nick Pappas took the floor to inform the commission of the proposal to install a 70-foot wireless internet tower at 501 S. McCleary Rd. He stated that the tower would be located near the center of the property and will be at least 80 feet away from all property lines. Based on the City’s zoning code Section 400.230(F) (21) this use may be located in any zoning district in the city with a special use permit: The use must be deemed necessary for the public convenience at that location; The use is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected; The use will not cause substantial injury to the value of other property in the neighborhood in which it is located; The use will comply with the height and area regulations of the district in which it is located unless specifically granted otherwise.

The findings where that the broadband internet access would aid in economic development in the area, negative impacts, if any at all, would be minimal, and that towers generally benefits neighboring uses and property values.

Commissioner Arnold asked if the housing in the area have internet access or possible to make available to residents?

Mr. Toni Holland stood up and stated his company has high speed broadband but that they just don't market to be well known.

Commissioner Rice asked if this was approved would the tower be FCC and under the lighting for neighboring airports?

The representative for Mr. Curt Mayes said all would be done according to the FCC ruling.

Commissioner Rice made the motion. Commissioner seconded the motion. The motion carried.

Item 4. Special Use Request: Case Number SU-12-002; Mixed-use for 246 E Broadway Ave

Nick Pappas stated that the special use application for a mixed-use apartment and business at 246 E Broadway in concurrent with the City Code and has been approved by all internal departments. The issue with this is that it is hard to implement. We do need to spell out what is temporary.

Commissioner Gerdes replied that needed to be put in the motion.

Commissioner Arnold motioned to accept the request with the temporary permit being 90 days. Commissioner Rice seconded the motion. The motion carried.

Item 5. Easement Vacation Request: Case Number VAC-12-001 "Alley between Broadway Ave. and Excelsior St. East of Linden Ave.

Nick Pappas said that currently the alley has substantial vegetation and is not used by the residents or maintained by the City. Both the City Council and internal City staff have determined that vacating this alley will aid in easing traffic congestion on Linden Avenue, as more resident will now have room for parking on their private properties.

This easement vacate request application as submitted has been determined by staff to adhere to all applicable City Code regulations and is consistent with all other land use considerations for development of the City. Therefore, staff feels this request warrants the Commission's recommendation to council.

Commissioner Rice made the motion to accept the request. Commissioner Hughes seconded the motion. The motion carried.

Item 6. Easement Vacate Request: Case No VAC-12-002 "Bluff Street (low Bluff)"

Commissioner Arnold made the motion to approve. Commissioner Rice seconded. The motion carried.

Item 7. COMMENTS OF VISITORS

No Comments

Item 8. COMMENTS OF COMMISSIONERS

Commissioner Rice stated that the hillside down town looks a lot different now, Amazing. How is the Elms project coming along?

Commissioner Arnold answered that they say they are on time but I believe they'll have to hurry to catch up.

Item 9. ADJOURN

Meeting was adjourned at 6:25