



Planning & Zoning Commission Meeting Minutes
Thursday, September 19th, 2019 @ 6pm
City Hall

Chairman Neal called the meeting to order at 6:00pm.

Members present:

- Commissioner Rice
- Chairman Neal
- Commissioner Mann
- Alderman Sagaser
- Secretary Meadows
- Commissioner Little

Others present:

- Sydney Allen, Planning & Zoning Administrator
- Don Brown, City Attorney
- John Demasters
- Wendy Brown
- Cody Stutenkemper
- Zachary Stanek
- Kyle Jasper
- Catherine Reade, ESQ
- Casondra Millard
- Becky Diesel
- Marvin Diesel
- Janet Neill
- Wes Leiber
- Donna Neal
- Ashley Neal

Approval of Agenda:

After reviewing the agenda, Alderman Sagaser made a motion to approve the agenda as presented. Secretary Meadows seconded. The agenda was approved as presented.

Approval of Meeting Minutes:

After reviewing the meeting minutes from August 15th, 2019, Commissioner Little made a motion to approve the minutes. Secretary Meadows seconded. The minutes were approved as presented.

New Business:

- **Public Hearing ZC-19-08** – 822 E Buffalo: Chairman Neal called the Public Hearing to order at 6:05pm. John DeMasters, applicant, approached the Commission. He stated that he would like to have his property rezoned, from “R-2” to “R-3”, so he can demolish the existing structure and build a duplex on the property. Alderman Sagaser verified that there is a structure on the property. Wendy Brown, 904 E Buffalo, stated that if a duplex was built on the property, she believed it would adversely affect surrounding properties. She asked if a fence would be required around the property if a duplex was built. Sydney Allen stated that it would not be a requirement. With no other comments, the Public Hearing was closed at 6:10pm.
- **Public Hearing ZC-19-09** – 522 S Chicago: Chairman Neal opened the Public Hearing at 6:10pm. The request was to change the zoning of the property listed from “R-2” to “R-4.” Catherine Reade addressed the Commission and stated that she was the representative for the Millard’s application. She stated that they have applied to rezone the property in the past and have not been successful. Catherine stated that the applicants would construct multi-family units if approved. There is room for approximately 39 units and they are aware of the parking and stormwater requirements that would come with the approval. She stated that they do not believe the zoning change would adversely affect the property values of the surrounding properties and would be an improvement to the neighborhood. Becky Diesel lives at 515 S Chicago and stated that she is not opposed to the property being developed but thinks it is more suitable for single-family instead of apartments. She stated that it would increase the traffic flow in the area and that was a concern. With no other comments, Chairman Neal closed the Public Hearing at 6:15pm.
- **Public Hearing – Lot Split** – S Morrisville Road – Chairman Neal called the meeting to order at 6:15pm. Cody Stutenkemper, applicant, explained the Lot Split to the Commission. Janet Niell stated that she has concerns about the future development of the lots. After no further comments, Chairman Neal closed the Public Hearing at 6:19pm.
- **Public Hearing – ZC-19-10** – S Morrisville Road – Chairman Neal opened the Public Hearing at 6:20pm. Cody Stutenkemper, applicant, addressed the Commission. He stated that he believes the property could be better utilized if zoned “C-2” and he would construct storage units on the property. He stated that he was aware of the fencing and stormwater regulations that would be required if the zoning was approved and he were to build. He also stated that he owns surrounding properties and would not want to do anything to negatively affect those properties either. Chairman Neal stated that when the Commission makes a decision for a zoning change, they must consider all permitted uses in the district. Brad Lang, 723 W San Martin, addressed the Commission. He stated that the property is surrounded by single-family homes and the added commercial activity would increase traffic in the neighborhood which he did not like. He also stated concern regarding the security and lighting of storage units. Janet Niell addressed the Commission and stated she would have concerns of any commercial development on the property because of the amount of people that would come and go and be in and out of the residential neighborhood potentially. There were others that addressed the Commission with the same concerns. Including lighting, traffic, safety, and property values.

- **Discussion & Decision – ZC-19-08** – Commissioner Kurtz stated that the lot in question is large and would have plenty of room for a duplex and that it seems like a realistic use for the property. Commissioner Sagaser stated that because of the surrounding zoning, he believed approving the request would be spot zoning. The Commission discussed the differences in square footage and setback requirements. Commission Little stated that if they were to approve, it should be done as a whole block instead of a lot. Secretary Meadows made a motion to approve the application. Commissioner Kurtz seconded. The motion failed to pass with 3 yes votes and 4 no votes.
- **Discussion & Decision – ZC-19-09** – Commissioner Mann asked for a brief explanation of the differences between the two zoning classifications. Sydney stated that they are both considered residential but the square footage and setback requirements are different, as well as the type of dwellings permitted. Commissioner Little made a motion to deny the application. Alderman Sagaser seconded the motion. The motion passed with 5 yes votes and 2 voted no.
- **Discussion & Decision – Lot Split** – Chairman Neal went through the requirements for approving a Lot Split. Alderman Sagaser made a motion to approve the application. Commissioner Kurtz seconded the motion. The motion passed with all yes votes.
- **Discussion & Decision – ZC-19-10** – Commissioner Mann clarified some of the other permitted uses in “C-2” districts. Commissioner Little stated that when that part of the City was looked at when zoning was established, it was intended that it be residential and the parts that are commercial remain outside of the City Limits. Commissioner Kurtz made a motion to deny the application. Secretary Meadows seconded the motion. The motion passed with all yes votes.
- **Draft – RFP Comprehensive Plan Update:** Sydney presented a draft Request for Proposals to the Commission regarding the Comprehensive Plan update. They discussed the plan moving forward. Sydney stated that she would send out and post the RFP and the deadline to submit would be October 31st. She stated that she would like to present the proposals to the Commission at the November meeting.

There were no citizen comments.

Secretary Meadows made a motion to adjourn the meeting. Alderman Sagaser seconded the motion. Chairman Neal adjourned the meeting at 7:07pm.