

MINUTES
PLANNING COMMISSION
September 23, 2021
5:30 P.M. Regular Meeting

CITY CLERK
2021 SEP 24 AM 11:36

	<u>Name</u>	<u>Members' Term Attendance</u> (mtgs attended-mtgs absent)	<u>End of Current Term of Office</u>
MEMBERS PRESENT:	Ben Burtnett	(31-09)	02/12/23
	Bob Bucher	(38-04)	06/15/23
	Tim Doyle	(15-05)	12/14/24
	Allison Tschannen	(15-10)	07/15/24
	Houston Roberts	(02-00)	08/04/24
	Lauren Catron	(33-15)	07/17/22
MEMBERS ABSENT:	Josh Knight	(09-03)	08/05/23
	Donna Jean Boyer	(38-03)	07/22/23
	Reba Kendall	(62-08)	01/29/22
STAFF PRESENT:	Zack Martin, City Planner Ted Elo, Assistant City Attorney Brady McKinley, Public Works Assistant Director Jake Fisher, Interim City Engineer Rebecca Shipp, Executive Administrative Assistant		

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

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

ROLL CALL: Roberts-present, Tschannen-present, Catron-present, Burtnett-present, Bucher-present, Doyle-present, Knight-absent, Kendall-absent, Boyer-absent. Quorum is present. Five members constitute a quorum.

Doyle made a motion to approve the minutes of the August 26, 2021 meeting. Burtnett seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burtnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Minutes approved.

Martin informed Commission there were no adjustments or postponements.

Tschannen read the rules of conduct.

OLD BUSINESS

None

NEW BUSINESS

ITEM #1 Zoning District Change – A request for approval of a change of zoning from C-0, Non-Retail Commercial District to C-3, Commercial District for the property located at 2700 N Belt Highway as requested by Michael Jackson on behalf of Missouri Real Estate Investments LLC.

Zoning District Changes move on to City Council

Staff recommendation: approval

Martin gave the staff report.

No discussion was held between commissioners and staff regarding the item.

Tschannen opened the item for public comment.

Mike Jackson – 2205 April Terrace, spoke in favor of the item.

Doug White – 17224 NE 121st Terrace, Kearney, spoke in favor of the item.

Brad Carstensen – 3310 Miller Avenue, spoke in opposition to the item.

Tschannen closed the item for public comment.

Discussion was held between commissioners, staff and applicant regarding the item and concerns of those opposed.

Bucher made a motion to approve the item. Burtnett seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burtnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #2 Major Subdivision – A request for approval of a preliminary plat for a major subdivision entitled Clarios Plat 1 located at 4701 and 4722 Pear, as requested by Brett Hausman on behalf of Al J. Mueller Construction Company.

Major subdivisions are forwarded to the City Council.

Staff recommendation: approval

Martin gave the staff report.

No discussion was held between commissioners and staff regarding the item.

Tschannen opened the item for public comment.

Shawn Duke – 802 Francis, spoke in favor of the item.

Eva Schelert – 4704 Shawnee Road, spoke in opposition to the item.

Kendra Ezzell – 5104 Shawnee Road, spoke in opposition to the item.

Patty Newton – 5004 Shawnee Road, spoke in opposition to the item.

Eva Schelert – 4704 Shawnee Road, spoke a second time in opposition to the item.

Dennis Dobbe – 134 Ottumwa, asked for clarification of the item.

Tschannen closed the item for public comment.

Discussion was held between commissioners, staff, and applicant representative the item and concerns of those opposed.

Burnett made a motion to approve the item. Bucher seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #3 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 Clarios Plat 1 as provided in Section 26-71(a).

Approved or denied by the Planning Commission

Staff recommendation: approval

Martin gave the staff report.

No discussion was held between commissioners and staff regarding the item.

Tschannen opened the item for public comment.

Gretchen Webster – 4706 Shawnee Road, asked for clarification of the item.

No one spoke in opposition to the item.

Tschannen closed the item for public comment.

Discussion was held between commissioners and staff regarding clarification of the item.

Catron made a motion to approve the item. Bucher seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #4 Major Subdivision – A request for approval of a preliminary plat for a major subdivision entitled Dave’s Diesel located at 4702 S 169 Highway, as requested by Dave Gach.

Major subdivisions are forwarded to the City Council.

Staff recommendation: approval

Martin gave the staff report.

No discussion was held between commissioners and staff regarding the item.

Tschannen opened the item for public comment.

Shawn Duke – 802 Francis, spoke in favor of the item.

No one spoke in opposition to the item.

Tschannen closed the item for public comment.

Discussion was held between commissioners and staff regarding the item.

Doyle made a motion to approve the item. Roberts seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burtnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #5 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 Dave’s Diesel as provided in Section 26-71(a).

Approved or denied by the Planning Commission

Staff recommendation: approval

Martin gave the staff report.

No 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.

No discussion was held between commissioners and staff regarding the item.

Burnett made a motion to approve the item. Bucher seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #6 Major Subdivision – A request for approval of a preliminary plat for a major subdivision entitled Gateway located at 4701 S Leonard, 4434 S 169 Highway and Parcel # 06-7.0-25-003-000-018.005 located on S 169 Highway, as requested by Dave Gach on behalf of G & S Company.

Major subdivisions are forwarded to the City Council.

Staff recommendation: approval with conditions

Martin gave the staff report.

Discussion was held between commissioners and staff regarding the item.

Tschannen opened the item for public comment.

Shawn Duke – 802 Francis, spoke in favor of the item.

No one spoke in opposition to the item.

Tschannen closed the item for public comment.

Discussion was held between commissioners and staff regarding the item.

Doyle made a motion to approve the item. Catron seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #7 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 Gateway as provided in Section 26-71(a).

Approved or denied by the Planning Commission

Staff recommendation: approval

Martin gave the staff report.

No 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.

No discussion was held between commissioners and staff regarding the item.

Catron made a motion to approve the item. Bucher seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burtnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #8 Major Subdivision – A request for approval of a preliminary plat for a major subdivision entitled Hope Landing located at 619 S 5th Street, as requested by Aaron Stutterheim on behalf of The Salvation Army.

Major subdivisions are forwarded to the City Council.

Staff recommendation: approval

Martin gave the staff report.

No discussion was held between commissioners and staff regarding the item.

Tschannen opened the item for public comment.

Ronald Key – 5208 Crystal Drive, spoke in favor of the item.

No one spoke in opposition to the item.

Tschannen closed the item for public comment.

No discussion was held between commissioners and staff regarding the item.

Doyle made a motion to approve the item. Catron seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burtnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #9 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 Hope Landing as provided in Section 26-71(a).

Approved or denied by the Planning Commission

Staff recommendation: approval

Martin gave the staff report.

No 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.

No discussion was held between commissioners and staff regarding the item.

Bucher made a motion to approve the item. Burtnett seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burtnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #10 Major Subdivision – A request for approval of a preliminary plat for a major subdivision entitled McBee’s Coffee N Carwash located at 3016 N Belt Highway, as requested by Galyna Saltkovska on behalf of McBee’s Coffee N Carwash North Belt.

Major subdivisions are forwarded to the City Council.

Staff recommendation: approval

Martin gave the staff report.

Discussion was held between commissioners and staff regarding the item.

Tschannen opened the item for public comment.

Shawn Duke – 802 Francis, spoke in favor of the item.

Neil Jones – 3204 Floral Avenue, asked for clarification of the item.

Pat McLearn – 3215 Summit Avenue, spoke in opposition to the item.

Tschannen closed the item for public comment.

Discussion was held between commissioners, staff, and applicant representative the item and concerns of those opposed.

Bucher made a motion to approve the item. Burtnett seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burtnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

ITEM #11 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 McBee's Coffee N Carwash North Belt as provided in Section 26-71(a).

Approved or denied by the Planning Commission

Staff recommendation: approval

Martin gave the staff report.

No 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.

No discussion was held between commissioners and staff regarding the item.

Catron made a motion to approve the item. Doyle seconded.

VOTE: Roberts-yes, Tschannen-yes, Catron -yes, Burtnett-yes, Bucher-yes, Doyle-yes, Ayes – 6, Nays – 0, Abstain – 0 Motion approved.

Martin gave a preview of items of October's agenda.

The meeting adjourned at 7:08 pm.

Minutes respectfully submitted,

Rebecca Shipp

cc: Paula Heyde, City Clerk
Planning Commission Members
Bryan Carter, City Manager
Clint Thompson, Planning & CD Director
Ted Elo, Assistant City Attorney
Brady McKinley, Public Works Assistant Director
Mark Townsend, Technology Associate Director