

# Meeting Minutes Metropolitan Area Planning Commission

Tuesday, October 25, 20	022	5:30 PM	Municipal Center, 300 S. Church
1. Call to order			
2. Roll Call			
		Cooper; Jim Little; Dennis Zolper;	
	Absent 1 - Lonnie	r;Stephanie Nelson;Jeff Steiling a e Roberts Jr.	and Paul Ford
3. Approval of m	<u>iinutes</u>		
<u>MIN-22:096</u>	MINUTES: Octobe	er 11th, 2022 MAPC Minutes	
	<u>Attachments:</u>	MAPC Minutes Oct. 11, 2022	
		de by Dennis Zolper, seconded ed . The motion PASSED with tl	
		y Cooper;Jim Little;Dennis Zolper eff Steiling	;Monroe Pointer;Stephanie Nelson
	Absent: 2 - Lonni	e Roberts Jr. and Paul Ford	
4. Miscellaneous	<u>s Items</u>		
5. Preliminary S	ubdivisions		
<u>PP-22-08</u>	PRELIMINARY SU	JBDIVISION: Harrison Hills Phase	e 2
	Harrison Hills Pha	ring is requesting MAPC Prelimin se 2 for 11 lots on 3.73 +/- acres. e and Rolling Hills Drive and is zo	This property is located at

Attachments: Application

Revised Phase 2 Plans
Staff Report

## Remained Tabled

	<u>PP-22-13</u>	FINAL SUBDIVISION: Prospect Farms Phase VIII		
		Mark Morris of Mark Morris Homes, LLC is requesting MAPC Final Subdivision Approval for Prospect Farms Phase VIII for 55 lots on 16 +/- acres of land located at Prospect Farms Road. This property is zoned R-1, Single-Family Medium Density District, minimum 8,000 sq. ft. lot required.		
		Attachments:       Final Plat         Final Subdivision-Staff Report         Application		
		Applicant – Mark Morris: Stated he is the engineer for the project, and he is seeking approval for 55 lots and this is the final phase for Prospect Farms. Staff – Derrel Smith: Stated it has been reviewed and it does meet the requirements of the subdivision code and they would recommend approval.		
		A motion was made by Jimmy Cooper, seconded by Dennis Zolper, that this matter be Approved . The motion PASSED with the following vote.		
		Aye: 6 - Jimmy Cooper; Jim Little; Dennis Zolper; Monroe Pointer; Stephanie Nelson and Jeff Steiling		
	Α	osent: 2 - Lonnie Roberts Jr. and Paul Ford		
<u>6.</u>	Final Subdivision			
<u>7.</u>	Conditional Use			
	CU-22-02	CONDITIONAL USE: 3411 & 3413 E. Johnson Ave. Sharada Madhuri on behalf of Quinn Family Limited is requesting Conditional Use approval to develop property located at 3411 & 3413 E. Johnson Ave. into a fast food restaurant (with drive-through) and a retail space. The property is currently zoned C-4 Neighborhood Commercial District, and requires Conditional Use approval.		
		Attachments: Application		
		Cert. Mail		
		Site Plan		
		Letter of Concern		
		Staff Summary		
		A motion was made by Jimmy Cooper, seconded by Dennis Zolper, that this matter be Untabled . The motion PASSED. Applicant – John Easley: Said the traffic study from Mark Nichols was submitted the day before. Said he had a conversation with Craig Light a couple of weeks earlier. With the HWY department widening along 49, he met with David Carter		

earlier. With the HWY department widening along 49, he met with David Carter with Centennial Bank about the issues the bank will have as far as parking and access. Said he met with Mr. Carter that afternoon and now they are talking about having access to Centennial's driveway at the light, which was a recommendations in the traffic study.

Staff – Derrel Smith: Asked if he knew when the agreement on the connected drive would take place.

Easley: Sometime within the next week. He gave him a drawing showing a possible connection solution.

Smith: Said without the connection to the traffic light, it will be hard to recommend approval for conditional use of the drive through restaurant. If it happens and it meets the requirements of the traffic study, they would be more in favor since they would have more access at the light. They'd still have access on Jewel, but it wouldn't be their main access. Asked if it can be tabled until they hear from Centennial Bank.

Easley: Asked what if Centennial decides not to agree with the connect drive. Smith: Said then they would recommend the restaurant would not have the drive-through because it will not meet the requirements of the traffic study. Said it's the drive through that requires conditional use. Says he doesn't think the staff could recommend a drive through without the other access. Applicant - Sharada Madhuri: Stated she is the applicant on the conditional use. Said she understands the concerns, but the traffic studies are based on McDonald's and the restaurant she plans to open won't have 1/3 of their sales. With Centennial Bank giving them access - she requests they consider that they aren't - and this is something new to them and they want to grow with this location and serve the community for generations to come. She said this is their dream so they would like them to consider this since the study is based on McDonald's and her business won't have that many sales.

Commission – Jim Little: Asked if the traffic study is based on McDonalds and what they base their amount of cars on.

Easley: Not sure if it's based on McDonald's or a general rule. Smith: Said it's based on the ITE manual and its square footage for that type of business. It can be any fast food restaurant. It's the drive-through that needs conditional use. If it was just a sit down restaurant, it's allowed in C-4. Little: Asked if a pick-up window is the same as a drive-through. Smith: Yes.

Little: Asked if the restaurant can function without a drive-through. Madhuri: Said with Covid and seeing the future of what everyone needs the drive-through is a must for the restaurant.

Commission - Dennis Zolper: Asked if the commission desires, could they approve this subject to the applicant containing a written easement from Centennial Bank within x amount of days.

Carol Duncan: Said they can place whatever restrictions they want on conditional use, but she assumes there are parameters they would want to place on the driveway not that there just is one and she isn't sure how to word that. She said there are probably other conditions they might want to place. There were discussions in the past on what time it would be open, and there were a variety of things thrown out that would be placed on conditional use. She said it isn't impossible, but she isn't sure how to word it for the driveway. She said it would be easier to postpone one more time if that's the concern. Zolper: Said that was part of his concern and the other part is if it meets all the other staff or city requirements except for the traffic study and the need for more than one outlet.

Smith: Said the traffic study shows a level of "F" as the level of service which means you're waiting over 5 minutes to turn to get out of the establishment. With that, will it be successful? Would they wait for 5 minutes to get out of a parking space to get on a road and how many times? Without the access onto the traffic signal it serves as a level service F.

Easley: Asked if taking the drive-through out would it make that much of a differenced as far as traffic. If he has a sit-down restaurant and 4 retail outlets.

Smith: Said it's a different ITE number that he plugs in and it gives him a number. Said he doesn't know it off the top of his head. Said he would have to get with Mark to see if it would make a difference since he ran it with the drive-through. If he ran it without, would it reduce the amount of trips that it wouldn't require access to Centennial Bank?

Commission – Kevin Bailey: Said if that happens, they wouldn't need a Conditional Use.

Commission – Jeff Steiling: Said in the pre-meeting the day before they were talking about this and wondering if they would be able to get access to the bank. Part of this discussion brought up that with the HWY department work on Johnson that the bank is losing some parking spaces. Asked if he talked about this with the owner and can he afford to lose the parking.

Smith: Said this was part of their discussion. Allowing parking spaces on the adjacent and for them to have access.

Ford: Asked how this lot is feasible to be used for anything with the general concerns of egress/ingress that is presented at this location in proximity of the light and is it, in essence, become non-developable with the concerns they are placing on it.

(unable to transcribe)

Ford: Said he recognizes that, but if he is killing a restaurant with a drive-through because of traffic concerns, if that's what the committee decides to do, versus letting them have a restaurant without one are impracticality they aren't making anything in light about the struggle to get out of this light in general.

Smith: Said they're still going to have the problem of access, whatever is there and that will be up to the owners whether to make the investment or look elsewhere.

Easley: Requested to table this until the next meeting (Nov. 8th, 2022).

A motion was made by Jimmy Cooper, seconded by Jim Little, that this matter be Tabled . The motion PASSED with the following vote.

Aye: 7 - Jimmy Cooper; Jim Little; Dennis Zolper; Monroe Pointer; Stephanie Nelson; Jeff Steiling and Paul Ford

Absent: 1 - Lonnie Roberts Jr.

#### 8. Rezonings

REZONING: 1601 Granger Drive

William Conrad is requesting a rezoning from R-1, Single-Family Medium Density District, to RM-8, Residential Multifamily; eight units per net acre. This rezoning request is for 0.44 +/- acres located at 1601 Granger Drive.

Attachments: Application Plat Certified Receipt Certified Receipt 2 Staff Summary

Applicant – William Conrad: Said he is the owner and builder of the property and he is requesting a rezoning from R-1 to RM-8. He said it's already been subdivided once before and he spoke to Engineering about it. He said if he has to do it again, he will have to put in storm drains and gutters. He said utilities are across the road and it is more cost efficient to have one building instead of subdividing it out and having two houses.

Staff – Derrel Smith: Says they reviewed it and it meets 5/6 approval criteria. It doesn't meet E which is w the rezoning land use plan states multifamily should only be located on collector and above streets and Granger is classified as a local street, however it is adjacent to a multi-family zoning already. Said approval is recommended with the following requirements:

1. That the proposed site shall satisfy all requirements of the City Engineer, all requirements of

the current Stormwater Drainage Design Manual and Flood Plain Regulations regarding any new construction.

2. A final site plan subject to all ordinance requirements shall be submitted to the Planning Department prior to any redevelopment of this property.

3. Any change of use shall be subject to Planning Department approval in the future.

Commission – Jimmy Cooper: Asked how many units are being built here. Conrad: Said 3 units. It will be just one triplex.

(unable to transcribe)

Conrad: Said if he wasn't able do this, he'd have to subdivide it and would only be able to put 2 houses on it and the street cuts would cost him a lot of money instead of feeding just one triplex

Commission: Asked if there is a site plan

Smith: Said there is no site plan that they are only looking at a rezoning.

A motion was made by Dennis Zolper, seconded by Jim Little, that this matter be Recommended to Approve to the City Council. The motion PASSED with the following vote.

- Aye: 7 Jimmy Cooper; Jim Little; Dennis Zolper; Monroe Pointer; Stephanie Nelson; Jeff Steiling and Paul Ford
- Absent: 1 Lonnie Roberts Jr.

## 9. Staff Comments

## 10. Adjournment