

# PLAN COMMISSION

May 20, 2019

7:00 PM

## MINUTES

Approved: John Mullane

### I. ROLL CALL:

Present  
 V. Armouti  
 M. Brandmeyer  
 D. Gerber  
 J. Mullane  
 M. Pierceall  
 M. Rabe  
 B. Schlueter  
 K. West  
 E. Fultz, Staff  
 E. Williams, Staff  
 L. Schneck, Staff  
 J. Venvertloh, TWM

Absent  
 G. Coffey  
 J. McDole

### II. APPROVAL OF MINUTES

A. Minutes of the regular meeting for April 15, 2019.

MOTION: Pierceall. Motion to approve the minutes as submitted. SECONDED: Rabe.

Minutes of the April 15, 2019 meeting hereby approved.

### III. LAND USE CASES

A. Case 2019-13: Ironworks (fka Theatre View Commons)  
 PUD – Site Plan  
 Developer: Ironworks Plaza, LLC  
 Engineer: Thovenot, Wade and Moerchen, Inc.

Emily Fultz gave staff's report. The property is zoned B2 Commercial Business District and is approximately 5.68 acres in area. The 2010 Comprehensive Plan identifies this area as "commercial" so it is in align with this plan. There were a few items which came from the Land Use Committee meeting. The utility easement in Lot 5 needed to be extended to include the fire hydrant located in a parking lot island. Also staff would like to add a blanket cross access easement be provide for all parcels within the Theatre View Subdivision, this PUD, and the immediately adjacent parcels at the time they are redeveloped, for the use of vehicular traffic in addition to bicyclists and pedestrians. Staff is also asking to correct Note 10 to reference "Resolution" 2140-02-2018 rather than "Ordinance". Staff recommends approval of the PUD Site Plan. This is the final step of the PUD process as it will not be forwarded to any other committee for further approval.

There was discussion between the committee and staff as to future connections for pedestrians and bicyclists to this area of development. They are trying to avoid a signalized crosswalk. Staff is working on a bike/pedestrian plan. It was suggested that staff look into proper lighting for the bike

tunnel under Plum Street. It was stated that it should be coordinated by MCT.

Mike Pierceall asked if the blanket cross access easement as noted on the compliance letter (#4) was met on the revised plat. Emily Fultz stated it would be an addition to the gray hatched area on the plat which will address access for all adjoining properties not just Lots 5 & 6.

Justin Venvertloh, representative from TWM, present to speak on behalf of the development. There is currently a cross access agreement and cross parking agreement with Lots 5 & 6. He would need to clear that with his client. Either way, this is an item that they can work through with staff.

John Mullane asked how the underground detention has held up for what has been classified as a wet spring. He was curious because more new developments have and will be going to this type of system.

Justin Venvertloh replied from all indications, it has worked sufficiently. There is still a little work to be done by the MCT trail. A berm needs to be built and landscaping for water to go under Governors Parkway without having to go through the trail tunnel.

Eric Williams stated he would like to see how the system holds up twenty years from now.

Justin Venvertloh replied the main key to these systems is the maintenance. There will need to be regular inspections and cleaning. He explained the process of cleaning these systems to make sure there is no silt or debris in the main detention area. This area is owned and maintained by the property owner as agreed by the Stormwater Maintenance Agreement which gets recorded with the plat.

It was suggested for legal to look at the Stormwater Maintenance Agreement and verify it will adequately address underground detention.

MOTION: Rabe. Motion to approve the final plat with the amendments as discussed by staff. (This includes the cross access easement and changing "ordinance" to "resolution" on the plat.)

SECONDED: Brandmeyer.

VOICE ROLL CALL: 8 Ayes, 0 Nays, 0 Abstains.

#### **IV. OLD BUSINESS**

Emily Fultz informed the committee that staff will be proceeding forward with the next step in the Zoning Code update to hold the public hearing at June's Plan Commission meeting. The items discussed at this public hearing will be the language discussed at the last Ordinance Committee which includes the B1 Zoning District, MU1 Zoning District and also the definitions.

#### **V. NEW BUSINESS**

John Mullane wanted to bring up the gap in the ordinances with the legalization of recreational marijuana. The Ordinance Committee needs to take a look at the current ordinances as they relate to alcohol sales and maybe change the wording to prepare for this change in state legislature. He brought up an example of a marijuana dispensary next to a school because our ordinances don't state it is not allowed. He felt the city would not want to get caught off guard on this issue. It will be a pretty big issue once passed. The residents would want to voice their opinion. Matt Brandmeyer added the city would not want it to be available into a liquor store without going through the proper process. John Mullane stated he thought the wording could change with liquor ordinances to state "liquor or other recreational substances/chemicals". Matt Brandmeyer stated that may mean the city is endorsing it. The proposal through the state legislation needs to be reviewed to get a better understanding. It would also be helpful to check with other states and how it has been handled through those communities.

A. Election of Chairman.

MOTION: Gerber. Motion to appoint John Mullane as Chairman. SECONDED: Brandmeyer. All Ayes.

B. Election of Vice Chairman.

MOTION: Mullane. Motion to appoint Beth Schlueter as Vice Chairman. SECONDED: Gerber. All Ayes.

C. Election of Designated Alternate.

MOTION: Schlueter. Motion to appoint Mike Pierceall as Designated Alternate. SECONDED: Mullane. All Ayes.

**VI. ADJOURNMENT**

MOTION: Rabe. Motion to adjourn the meeting. SECONDED: Pierceall. All ayes.

**VII. NEXT MEETING**

**Next meeting will be Monday, June 17, 2019 at 7:00 p.m. in City Council Chambers, 118 Hillsboro Ave.**