

Planning Commission Meeting

Minutes of Morgan City Planning Commission GENERAL meeting held in open public session on August 18th, 2015 at 7:00 p.m., in the Council/Court Room in the City Office at 90 West Young Street.

MINUTES

AUGUST 18TH, 2015 7:00 PM

MORGAN CITY COUNCIL ROOM

MEETING CALLED BY	Vice Chairman Ernie Durrant
MEMBERS	Robert Lynam, Dorothy Leishman, Julie Anderson, David Griffith and Nathan McClellan.
EXCUSED	Doug Garfield, Jim Brown, Dave Carter.
CITY STAFF	Steve Garside, City Planner; Tony London, Council Member.
OTHERS PRESENT	Danny Wall, Gordon Tolley, Sally Jensen, Jodi Winn, Steve Winn, Debbie Hopkins, Frank Williams, June Williams, Richard Slate.
INTRODUCTION	Vice Chairman, Ernie Durrant called the meeting to order at 6:00 p.m. and welcomed all in attendance.

WORK SESSION

DISCUSSION	<p>Home Occupation-Preschool-Minor items to discuss are the yard; if there is a fence and if there will be activities outside. She does indicate class sizes but not how many sessions and the hours of operation. The Commission will need clarification.</p> <p>Concept/Sketch Plan-Valley View Apartments-The concept plan proposal is for 180 units. Those would be contained within five 12-plex and five 24-plex structures. The application is consistent with both the existing zoning classification and the General Plan designation. In this zone, there must be 8,000 square feet for the first unit, and then a minimum of 2500 square feet for each additional unit. Based on the approximate 13.5 acreage, the maximum number of units for this property is 230. David Griffith asked for a clarification on the concept approval. If the commission approves concept, can the applicant come back during preliminary or final and change the entire design such as; adding additional units, decreasing open space or change traffic design. Steve Garside stated that if the commission approved for the proposed 180 units, the applicant cannot add additional units. The layout could possibly change due to an engineering issue that would require such changes. The commission had concerns with the traffic circulation and the overall concept of apartments Some Commission members expressed their desire to not have an apartment complex. The concept with the original developer was to have patio homes. Can the Commission require the new developer to adhere to that same project? The original plan was in a concept phase only which has expired.</p> <p>Conditional Use Permit-Young Chrysler/Jeep/Dodge- Last month, the Commission reviewed an application for the expansion of the conditional use from phase 1 to phases 2 and 3. The Commission granted a CUP for phase 2 and tabled the application for phase 3, needing additional information regarding the jeep display/course area. Since that time, the applicant has represented that at this time, the request for the expansion of the conditional use is limited to phase 3.</p> <p>The Commission discussed phase 3 being a weed nuisance and will require the applicant to clean up the area. The application does not indicate the product being used on the Jeep course and the commission discussed rocks would be a preference. Questions to ask the applicant are; the parking lot as an extension of phase 1, landscape details such as; trees, shrubs, grass, etc. and lighting details.</p>
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GENERAL SESSION

MINUTES APPROVAL – July 21st, 2015

MOTION	Julie Anderson moved to approve minutes of the Planning Commission Meeting July 21 st , 2015 as presented. Second: Robert Lynam Unanimous
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ITEM #1 HOME OCCUPATION-PRESCHOOL-JODI WINN

	<p>Vice Chairman, Ernie Durrant asked Steve Garside to recap the application and staff review. The applicant is requesting a permit to operate a preschool as a home occupation. This is a conditional use and is to be reviewed under both the home occupation and preschool ordinance requirements.</p> <p>REVIEW:</p> <p>After having reviewed the items submitted in support of this request, planning staff would request further information to be provided to the Commission before issuing an approval. Such information would include:</p> <ol style="list-style-type: none"> 1. Whether the portion of the yard to be used for the preschool is fenced. 2. Whether the applicant can satisfy the requirements of the Fire and Health Departments, as applicable. 3. The number of sessions per day. 4. The hours of operation. <p>For the operation of a preschool in the home, in addition to satisfying the requirements for a home occupation, the applicant must also satisfy the requirements of Section 10-8-4 of the Morgan City Code. That Section has the following requirements:</p> <ol style="list-style-type: none"> 1. No more than 12 children in the home at any one time, including those of the provider that are under the age of 6. 2. The children must be under 6 years of age. 3. Classes cannot be conducted for more than 4 hours a day. 4. Classes must be held between 8 a.m. and 6 p.m. 5. Instructors shall show evidence of knowledge in the field that they will be teaching. 6. Instructors shall be licensed by the State, if applicable. 7. The facility shall provide at least 35 square feet of interior floor space and at least 100 square feet of outdoor play area for each child. 8. Instructors shall specify the type of curriculum that will be taught. <p>Upon satisfying these concerns, applicant must assure compliance with the remaining home occupation conditions:</p> <ol style="list-style-type: none"> 1. Only family members who reside within the home may participate in the home occupation activity. 2. The area of the home used for all home occupation activities must be limited to 20% of the ground floor level and the activity must be contained within the living portion of the home. 3. The activity must be conducted in such a way that it is not noticeable to the neighborhood. 4. No noise, dust, odors, or other nuisances can be associated with the activity. 5. No objectionable traffic or parking can be caused by the activity. This means that traffic and
DISCUSSION	

	<p>similar impacts must be minimized through conditions agreed upon, or as imposed by the Planning Commission.</p> <p>Any vehicles associated with the activity must be limited to 2 passenger cars, vans, or pickups, or 1 large truck not to exceed 1 ½ tons, or 1 trailer parked behind the front setback of the home.</p> <ol style="list-style-type: none"> 6. No dangerous materials may be stored on the property. 7. Any sign must be limited to 4 square feet. 8. Inventory cannot be displayed or stored on the property. <p>RECOMMENDATION:</p> <p>The completed application provides sufficient information to indicate compliance with the majority of the Code. In addition to whether the yard is fenced, and whether the Fire and Health Departments' regulations can be met, the applicant must provide a plan for compliance with the hours of operation. The applicant should also provide the number of sessions per day. Otherwise the application satisfies the ordinance requirements.</p> <p>Upon satisfying the Commission concerns regarding the above mentioned issues, staff would recommend approval.</p> <p>Applicant, Jodi Winn addressed the commission indicating the sessions would be 9:30am to 11:30am Tuesdays, Wednesdays and Thursdays. There will be no more than 12 students during the session. If she has more students, she will open an afternoon session. Jodi also stated there is a fence on three sides of the backyard but not between the house and side yard. There will be no outdoor activity until the fence between the side yard and house is installed. Jodi stated she will have an inspection from the Fire Marshal prior to the business license issuance. She will also check on the requirements of the Health Department and will turn them in to the City Office.</p>
MOTION	<p>Dorothy Leishman moved to approve the Conditional Use Permit/Home Occupation of a home based Preschool for Jodi Winn as long as fencing is complete prior to outdoor activity, an inspection from the Fire Marshal is performed and that all requirements if any are approved by the Health Department.</p> <p>Second: Nathan McClellan</p> <p>Unanimous</p>

ITEM #2 CONCEPT/SKETCH PLAN-VALLEY VIEW APARTMENTS-MARK THAYNE

DISCUSSION	<p>Steve Garside presented the staffing notes from the submitted application:</p> <p>This subject portion of this property consists of approximately 13.5 acres. It is currently vacant property. The zoning designation is RM-15, multi-family residential, and the General Plan identifies this as an area for medium density residential. These designations were assigned several years ago as part of an overall development and this property is included in the Special Improvement District for the North Morgan water tank.</p> <p>REVIEW:</p> <p>The application is consistent with both the existing zoning classification and the General Plan designation. In this zone, there must be 8,000 square feet for the first unit, and then a minimum of 2500 square feet for each additional unit. Based on the acreage, the maximum number of units for this property is 230. The proposal is for 180 units. Those would be contained within five 12-plex and five 24-plex structures.</p> <p>The applicant has identified open space of approximately 44%. While this exceeds the minimum requirements, further review will be necessary to ensure it is useable open space. There are amenities proposed for the project, and additional refinement will be made regarding size, content, and location.</p> <p>There is sufficient parking for the proposed number of units. The Code requires 2 parking spaces for each multi-bedroom unit, and then 1 parking space for each 3 units for guests. For 180 units, 419 parking spaces are required, and the application proposes 438. The parking is appropriately distributed for access to each of the buildings.</p> <p>It appears as though there are sufficient utilities and capacity for the proposal. Again, additional refinement of the calculations and impacts will be needed. However, for purposes of conceptual approval, the information</p>
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	<p>provided is sufficient. The applicant will need to schedule a meeting with the Water Board.</p> <p>As the project progresses, soils testing will also be required.</p> <p>RECOMMENDATION:</p> <p>Planning Staff recommends approving the concept plan with the following conditions and understandings:</p> <ol style="list-style-type: none"> 1. Soils testing will be required before permits are issued. 2. The applicant will need to meet with the Water Board. <p>Steve also indicated sewer capacity would be reviewed as the project progresses. When the development was first established, the required water tank had water capacity based on build out. If the applicant is planning on phasing the project, each phase must be able to stand independently.</p> <p>Vice Chairman Ernie Durrant encouraged public comment. Debbie Hopkins stated her concern that 700 East was already very busy and adding an additional 180 units with a study average for 10 trips per unit would increase traffic immensely. This would have a negative impact on the community not to mention the addition of students in an already overcrowded School System. Tony London indicated the City had performed traffic studies in other parts of the city and the traffic in nowhere near capacity as per State regulations.</p> <p>Dorothy Leishman stated Sunset Drive just ends on the project and asked the developer representative the intentions for this road. Representative Danny Wall did not have an answer to the question. Local residents discussed concerns with Mahogany Ridge road originally designed for a turn lane, the conditions of the road for Sunset Drive, Valley Vista Drive and the additional traffic regarding current deterioration and questioned improvements on said roads, status of the rifle range when the development is complete.</p> <p>Frank Williams also stated renters do not have to pay property tax and cannot contribute to the impact on the School system. Steve Garside indicated the developer or owner of the complex will be a Commercial operation and their tax rate is higher than a typical residential rate.</p> <p>Ernie Durrant questioned the road standards due to the problems that occurred years ago with the project in North Morgan. Steve stated the standard and Ordinances were amended to correct the problem.</p>
	<p>David Griffith along with Nate McClellan is still concerned with the traffic flow layout. What type of impact will the proposed complex have on 700 East? Danny Wall indicated the developer could look at the prospect of extending Sunset Drive during phasing to extend to 700 East. The Commission and staff discussed the slope and erosion issue that might be a factor for Sunset Drive. This item will be reviewed during preliminary and final review. Robert Lynam asked if the clubhouse would be in phase 1. Mr. Wall indicated no and that the clubhouse would be in phase 2 or 3 due to its location. The first phase would incorporate 2-12 plex.</p> <p>Nate McClellan asked for clarification that the Commission was only reviewing a concept plan. Steve Garside stated that concept/sketch plan is for review and approval only. The Commission and staff continued to discuss the layout, traffic concerns, landscaping, etc.</p>
<p>MOTION</p>	<p>Dorothy Leishman moved to accept Concept/Sketch approval of Valley View Apartments as long as soil test are complete prior to the issuance of permits and if applicable, the applicant meets with the Water Advisory Board. That due to the transportation demands with the additional 180 units requests the applicant to present or review the option of another entrance to the project.</p> <p>Second: No second on the motion.</p>
<p>DISCUSSION</p>	<p>Dorothy Leishman stated this development complies with Ordinances set by the City Council and the Planning Commission governing body duties are to enforce those Ordinances.</p> <p>David Griffith stated he appreciated the developer's concept plan using less units and glad he did not add anymore. David also stated that if concept is approved, the concept approved units would only be allowed.</p> <p>Nate McClellan stated he had a heartache on a concept approval without more details but does understand details will be presented at Preliminary Plan review.</p> <p>Ernie Durrant expressed his desire to not have apartments on the hill, that he was a Planning Commission member when the original developer presented a concept plan and that his concept for the area would be patio homes.</p> <p>Commission members discussed the traffic flow and still have concerns. The question arose again about the impact the proposed complex will have on 700 East and Mahogany Ridge Road. Staff indicated it is not uncommon to request a traffic study of the proposed development and its impact. The Commission discussed tabling the application until a traffic study could be performed.</p>

MOTION	Robert Lynam moved to table Concept/Sketch Plan approval for Valley View Apartments until the applicant presented a transportation study. Second: David Griffith Five ayes and one nay Dorothy Leishman.
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ITEM #3 CONTINUANCE-CONDITIONAL USE PERMIT FOR VEHICLE DISPLAY AND STORAGE- YOUNG CHRYSLER/JEEP/DODGE

	<p>This parcel of property has been reviewed several times for conditional uses. Initially, in November 2010, the applicant applied for and received a conditional use permit (CUP) for the outdoor display of vehicles in anticipation of constructing this dealership. In March of 2013, the applicant requested an amendment to that CUP to increase the area of display of its inventory. Then in January of 2014, a CUP was applied for and granted for the complete dealership as it now exists. At the time of development and the issuance of the CUP, the use was limited to what was then referred to as phase 1. The strip of property along 525 North extending towards 700 East was labeled phase 2, and the vacant portion of the property to the southwest was labeled phase 3. The plan presented for this review reflects those same designations.</p> <p>Last month, the Commission reviewed an application for the expansion of the conditional use from phase 1 to phases 2 and 3. The Commission granted a CUP for phase 2 and tabled the application for phase 3, needing additional information regarding the jeep display/course area. Since that time, the applicant has represented that at this time, the request for the expansion of the conditional use is limited to phase 3.</p> <p>REVIEW:</p> <p>The initial step in reviewing a conditional use permit is set forth in the City's Code. The Code first requires a review of the following issues: a) whether the proposed use, at the specific location, is in harmony with the general intent and purpose of the general plan and the applicable zoning district regulations; b) whether the proposed use is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and the neighborhood; and, c) whether such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. If the Commission determines that the application satisfies those considerations, the Commission may then impose conditions that further address the intent of the City's Code.</p>
DISCUSSION	<p>As set forth in last month's memo, it is staff's position that these criteria are or can be satisfied. First, this use is in harmony with the General Plan and the current zoning regulations. Second, this proposed expansion is the result of the operation being a success, which is beneficial to our community. Third, while this development has had an impact on the community, particularly to its adjacent neighbors, these impacts have been successfully mitigated, when the conditions have been employed.</p> <p>PLANNING ISSUES:</p> <p>While this CUP could be granted, the applicant must also understand that each phase must comply with the Code independent of the overall project. Thus, phase 3 must independently comply with the Code requirements regardless of existing improvements on phase 1.</p> <p>Landscaping.</p> <ol style="list-style-type: none"> 1) The information regarding landscaping is set forth in Section 10-9-6 of the City Code. The minimum amount of landscaping in this zone is 10%. While the legend on the submitted exhibit contains some information, it only pertains to phases 1 and 2, thus, the information is inadequate to determine the percentage of landscape. The required figures regarding lot size, structure area, paved area, and landscape area were not included. 2) The site plan must include the type of landscaping, size, quantities and location of each type. Further, subparagraph C of that Section requires that the landscaping be distributed throughout the project to provide relief from continuous hard surfaces. In phase 1 we permitted an increase in the peripheral landscaping so as not to interfere with the display of vehicles with landscaped pockets in the parking lot. That practice could continue with this phase. 3) Buffering. That subsection also addresses whether additional buffering is needed between commercial uses and residential uses, which is a situation that exists in this proposal. The minimum

buffer between commercial and residential is a continuous 10 foot strip with trees planted every 20 feet, and those trees should have a dense canopy with a height of 25 feet at maturity, as set forth in Section 10-10-4.

- 4) Street-scape. That same Section also requires an 8 foot wide landscape strip behind the sidewalk. This area is to have one tree planted for every 50 feet of frontage, including any portion of a remaining 50 feet. (The area referred to as a park strip – between the back of curb and the sidewalk – is also to be landscaped but is not to be included in the calculations for the required landscaping percentage.)
- 5) Timing of installation. Finally, all transitional landscaping is required to be installed at a time that ensures the proper mitigating of the use.
- 6) Jeep display/course. The applicant is requesting that the jeep display/course area be included in the calculation for landscaping.

The existing landscaping on phase 1 is commendable and staff would recommend that be replicated on phase 3.

Fencing.

At the time the applicant developed phase 1, the fence/wall was continued along phase 3. This requirement has been satisfied.

Surface completion, improvement installation, and traffic circulation.

With this essentially being an extension of an existing use, the completion of the improvements should tie in with this use. That would include curb, gutter, and sidewalk. The parking area should be paved, and the layout of parking and traffic circulation should be provided for review.

Compliance with existing requirements.

At last month's Planning Commission meeting, several resident voiced concerns about compliance with the current requirements of the conditions required for phase 1.

Last month's approval of phase 2.

As the applicant has now clarified that they are only seeking approval for phase 3, the applicant should be asked to acquiesce in the withdrawal of the approval for phase 2.

RECOMMENDATION:

Staff recommends the granting of the conditional use permit with the following conditions being imposed to ensure compatibility with the Code and the surrounding properties:

1. The applicant must submit a site plan or provide the information to facilitate a review for compliance to the provisions set forth above.
2. The applicant must disclose the type, size, and location of the proposed plantings for the project.
3. The landscape buffer between this project and the neighboring residential property needs to be installed.
4. If the applicant desires to group the trees instead of planting one each 50 feet along the frontage, a proposal must be submitted.
5. The parking area should be finished and paved, a traffic circulation proposal submitted, and the typical frontage improvements be installed.
6. A landscape and maintenance plan should be submitted or explained regarding the jeep display area.
7. As to be consistent with the prior CUP, no exterior speakers should be permitted.
8. The conditions established with the approval of phase 1 need to be complied with.
9. The applicant should withdraw or relinquish the CUP granted regarding phase 2.

The Commission discussed the excessive amount of weeds and the need for a complete site plan.

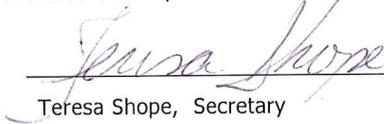
Debbie Hopkins did not want to comment on the phase 3 project, she stated her desire to have the fence up on phase 2. Nathan McClellan indicated he liked the recommendations from staff with the exception to keep the granted Conditional Use Permit regarding phase 2 instead of allowing the applicant to withdraw or relinquish the granted permit.

Vice Chairman, Ernie Durrant asked for a representative of the application to speak. No representative was present. Steve Garside stated Garth Robinson from the Young Group had been given the agenda, staffing notes and confirmed there would be representation. The Commission stated there was no reason to proceed as

	questions regarding the application could not be answered.
MOTION	Robert Lynam moved to table Conditional Use Permit for vehicle display/parking on phase 3 for Young Chrysler/Jeep/Dodge until representation from the application are present and a completed site plan is submitted which includes landscaping detail. Second: David Griffith Unanimous

ADJOURNMENT:

MOTION: Dorothy Leishman moved to adjourn the meeting.



Teresa Shope, Secretary

These minutes were approved at the September 15, 2015 meeting.