

**PLAN COMMISSION  
MINUTES**

Wednesday, September 13, 2017

**Present:** Butch Trevor (Chairman), Bill Fitzsimmons (Vice Chairman), Mike Crotty, Dan McConaghy, Cindy Wermuth, John Wetzel, Peter McDermott, Jeff Nelson

**Absent:** Dennis Kelly, Matt Puck

**Staff:** Shawn Christ

**Others:** Terry Bingham, Michael VanAcker

**1. Call to Order**

Chairman Trevor called the meeting to order at 4:00 pm.

**2. Reading and approval of Minutes – July 26, 2017**

**Motion made by Commissioner Crotty; seconded by Commissioner Wetzel, to approve the minutes for July 26, 2017. Motion carried unanimously.**

Shawn Christ, Land Development Manager, began the public hearing by swearing in those persons present who wished to provide testimony.

**3. Public hearing, PC 17-06 – Public hearing and request from Mike VanAcker to rezone property located at 1536 24<sup>th</sup> Avenue from R-2 One-Family Residence District to NC Neighborhood Center District (Shawn Christ, Land Development Manager)**

Shawn Christ stated the public notice for PC 17-06, a request from Mike VanAcker to rezone property located at 1536 24th Avenue from R-2 One-Family Residence District to NC Neighborhood Center District, was published in the Dispatch. Mr. Christ stated the staff report, application materials, and all attachments will be entered into the record for this case.

Mr. Christ stated the application is a follow-up to Mr. VanAcker's subdivision for a property located in a mixed use district. Mr. Christ noted the lot in question has been used for parking since the residential property located on the lot was moved and has since filled the need for parking in that area. Mr. Christ noted the application met the criteria for approval and is located at the boundary of a residential/Neighborhood Center District (NC).

Staff recommends approval.

Vice Chairman Fitzsimmons inquired if the adjacent property of Teske's was also meant to be zoned NC. Commissioner Wetzel indicated he did not recall any discussions as to why Teske's was not zoned commercial. Commissioner Butch asked what the impact would be to Garfield School if approved. Mr. Christ indicated he was of the opinion it was not a bad thing to have a commercial district within walking distance.

George Bingham, owner of Teske's, indicated he believed Teske's was zoned commercial at some point and also noted his concerns with traffic and congestion noting if rezoned, the lot in question gained the ability to be developed in the future. Applicant, Mike VanAcker, indicated his intentions were to maintain the lot a parking lot, stating he intentions for rezoning were to build a storage garage for Yankee Doodle. Mr. Bingham reaffirmed his concern stating rezoning would allow for other uses in the future in the event Mr. VanAcker changed his mind with regard to its use. Brief discussion took place amongst the Commissioners.

**Motion made by Commissioner Wetzel; seconded by Vice Chairman Fitzsimmons, to approve the request from Mike VanAcker to rezone property located at 1536 24<sup>th</sup> Avenue from R-2 One-Family Residence District to NC Neighborhood Center District. Motion carried 7-0. Motion approved.**

Discussion took place with regard to the current zoning of the adjacent Teske's property. Several Commissioners believed the property was erroneously omitted from the NC zoning District.

**Motion made by Vice Chairman Fitzsimmons; seconded by Commissioner McConaghy, to recommend a City initiated correction to an omission in the Zoning Map in order to correct the omission. Motion carried unanimously.**

**4. Public hearing, PC 17-07 – Public hearing and request from Dan Dolan for a Special Use Permit to construct a restaurant with drive-through in an ORT Office/Research/Technology District at 600 John Deere Road (Shawn Christ, Land Development Manager)**

Shawn Christ stated PC 17-07, is a request from Dan Dolan for a Special Use Permit to construct a restaurant with drive-through in an ORT Office/Research/Technology District at 600 John Deere Road and indicated the applicant requested that its application be tabled to allow time to resolve issues with regard to parking, sidewalks, ownership, and traffic and also to explore a possible rezoning and subdivision approach for the property.

**Motion made by Commissioner Wermuth; seconded by Commissioner Nelson, to table PC 17-07, a request from Dan Dolan for a Special Use Permit to construct a restaurant with drive-through in an ORT Office/Research/Technology District at 600 John Deere Road. Motion carried unanimously.**

**5. Other business**

Commissioner McConaghy announced he would no longer be serving on the Plan Commission, noting the present meeting would be his last. Brief discussion took place.

**6. Review of upcoming meetings**

Mr. Christ stated there are no applications for the September 27, 2017 meeting and recommended cancelation and noted a rezoning application had been received for the October 11, 2017 meeting.

**7. Public Comment**

No public comment.

**8. Adjournment**

There being no further business, the meeting adjourned at 4:55 p.m.

Respectfully submitted,

Anamaria Vera, Administrative Secretary