

**PLANNING AND ZONING MEETING
109 E. BROADWAY
ASHLAND, MO. 65010
TUESDAY, JULY 11, 2017**

PUBLIC HEARING:

The Planning and Zoning Commission held a Public Hearing, and Chairman Wren opened the hearing at 7:00 p.m., to seek public comments on:

1. Proposed Conditional Use request for property on 204-206 E. Broadway for James Nichols from C-G, General Commercial to PRD, Planned Residential Development, Parcel IDs # 24-508-00-04-024.00 01 & 24-508-00-04-026.00 01.

Public Questions/Comments:

C. Stephen Heying, land surveyor, and owner James Nichols, were present. Mr. Heying stated the Conditional Use and Re-plats straighten the lots and separates them to match the current use. No further public comments.

The Planning and Zoning Commission held a Public Hearing, and Chairman Wren opened the hearing at 7:06 p.m., to seek public comments on:

1. Proposed Rezoning from R-2, Moderate Density Residential to C-G, General Commercial District for Margaret Wright on 114 Oak St., Parcel IDs # 24-508-00-02-001.00 01.

Public Questions/Comments:

C. Stephen Heying also worked on this project. He stated this would match the zoning all throughout the property. Mr. Heying made sure the commissioners knew which piece of property was being discussed. No further public comments.

REGULAR MEETING:

Chairman Wren called the meeting to order Tuesday, July 11, 2017 at 7:00 p.m. at 109 E. Broadway, Ashland, Missouri. Commissioners in attendance were Brad Williamson, Ernie Wren, Fred Klippel, Alderman Liaison Jeffrey Sapp, Jerrod Bryan, Randy Burhans and Cynthia Wills. Commissioners absent were Greg Batson, Nikki Courtney, James Branson, and Debbie Richardson.

Also present were City Administrator Lyn Woolford and Administrative Assistant Megan Young.

Chairman Wren called for a motion to approve the July 11, 2017 agenda with the Agenda amended to postpone the Site Plan review for the Town & Country Service Center and reviewing the proposed conditional use prior to the plat review for 204-206 E. Broadway. Commissioner Bryan made a motion to approve the July 11, 2017 amended agenda. Seconded by Commissioner Klippel. Motion carried unanimously.

Chairman Wren called for a motion to approve the previous minutes dated June 13, 2017. Motion was made by Commissioner Klippel to approve the previous minutes dated June 13, 2017. Seconded by Commissioner Burhans. Motion carried unanimously.

NEW BUSINESS:

1. Proposed Conditional Use request for property on 204-206 E. Broadway for James Nichols from C-G, General Commercial to PRD, Planned Residential Development, Parcel IDs # 24-508-00-04-024.00 01 & 24-508-00-04-026.00 01.

Commissioner Klippel asked C. Stephen Heying, surveyor, if the driveway between buildings would be considered a fire lane? Mr. Heying said no, there is a wide enough lane with direct access off College St. Commissioner Wills asked what qualifies this as a Planned Residential Development? Mr. Heying stated the square footage matches the type of building, just like the apartments off Broadway. Mr. Heying said it is the same idea, small rental units. Commissioner Wills asked which objectives are you meeting with City Ordinance 9.375.1.? Mr. Heying stated it is commercial vs residential on same lots with easements instead of driveways. He said it matches features currently there. Mr. Heying stated the density is not higher than a subdivision plat, it is just as a unit instead of individual lots. Commissioner Wills asked a question on density for PRD vs a subdivision. It was noted the streets have public right-of way access in subdivisions vs private easements on private property lots. No further comments. Motion made by Commissioner Bryan to approve the Conditional Use request, Seconded by Commissioner Wills. Commissioner Bryan-aye, Commissioner Klippel-aye, Commissioner Wills-nay, Commissioner Burhans-aye, Commissioner Williamson-aye. Motion carried.

2. Re-Plat for property on 204-206 E. Broadway for James Nichols, Parcel IDs # 24-508-00-04-024.00 01 & 24-508-00-04-026.00 01.

City Administrator Woolford commented that there are 2 different plats that need approval, Nichols Automotive Subdivision and Nichols Court.

Comments on Nichols Automotive: Commissioner Burhans asked C. Stephen Heying to clarify the engineers' statements. Mr. Heying stated it was a square footage calculation difference. Mr. Heying stated he would go back and check the figures. There was a mis-calculation on the coordinate geometry. There was discussion on a motion to approve with conditions that corrections are made to square footages and that the Planning & Zoning Chairman's name is corrected on the plat before taking to the Boone County Recorder's Office. Mr. Woolford clarified with Mr. Heying about the site plan. Nichols Automotive (subdivision plat). Commissioner Bryan made a motion to approve the Nichols Automotive Subdivision plat. Seconded by Commissioner Klippel. Commissioner Bryan-aye, Commissioner Klippel-aye, Commissioner Wills-abstain, Commissioner Burhans-aye, Commissioner Williamson-aye. Motion carried.

Comments on Nichols court: There were no comments from the commissioners. Chairman Wren asked for a motion to approve. No motion was made. Commissioner

Burhans asked why there were not 2 different physical city applications for 2 lots. Typically, each lot has its own application. Mr. Heying said we split 2 deeds into 3 places to make the uses match what is already in the area.

Mr. Heying questioned the commissioners on what is the reason for the lack of motion to move forward? Commissioner Bryan questioned the driveway and fire truck ability to maneuver. There was discussion on the size of the street/driveway/easement. Mr. Heying stated this is only a 100-foot wide lot. Chairman Wren informed the commissioners that this could be re-visited at a later time. Commissioner Bryan and Commissioner Klippel agreed that a fire/emergency vehicle needs to be able to turn around in that area. Mr. Heying commented that it had been approved previously (referring to years past), why couldn't it be approved now? Commissioner Bryan stated just because it was approved before, doesn't mean it can't be updated to our current accessibility.

3. Proposed Rezoning from R-2, Moderate Density Residential to C-G, General Commercial District for Margaret Wright on 114 Oak St., Parcel IDs # 24-508-00-02-001.00 01. Commissioner Bryan had a question on the 16' lot lines. Mr. Heying stated the lot in the back corner was owned in 1987 by an alderman and it was brought up that a property line went right through the back of his house. Mr. Heying stated this property was an equal trade so the lot lines wouldn't go through the back of the house. This created a little rectangle of land. Commissioner Burhans asked what is motivating this change to Commercial General? Mr. Heying said they are getting the zoning for lots 4, 5 and 6 to all match. Mr. Heying stated he has submitted subdivision plats for this. Commissioner Bryan made a motion to approve the rezoning to C-G, General Commercial. Seconded by Commissioner Wills. Motion carried unanimously.

OLD BUSINESS:

1. Site Plan for Town & Country Service Center. Chairman Wren stated this would be postponed until the next meeting. Alderman Danny Clay, present as a member of the audience, mentioned that owner Mark Paul was ready, that the city engineers aren't finished with their review. Commissioner Bryan stated the parking hasn't changed on the new plans. Also the storm water and water run-off needs to be looked at again. This is in order to have enough parking spaces for city code. Alderman Clay said no retention pond was required for Kays Law Office, or any building on either side of Mr. Paul. Alderman Clay said no building on Broadway in that area has a retention pond. Alderman Clay stated Mr. Paul is requesting an exception to the city ordinance requiring a retention pond. There was further discussion on what an exception would entail. Alderman Clay also suggested the ordinance doesn't require that many parking spaces. City Administrator challenged Alderman Clay on the required parking ordinance code. Alderman Clay gave his opinion on how many parking spaces should be required by ordinance.

DISCUSSION: None.

Mayor's Report:

Mayor Gene Rhorer was not present.

City Administrator's Report:

City Administrator Lyn Woolford reminded the commissioners that a site plan is the appropriate place to ask about street sizes. Mr. Woolford had no further comments.

Guest Comments:

C. Stephen Heying, 514 Redbud, asked to speak to the commissioners as a citizen of Ashland. He commented to the commissioners about minimum lot sizes in Ashland. He asked the commissioners to think about decreasing lot sizes. He would like to go back to the smaller lot sizes on R-1 and R-2 zoning like it was back in the 1980's. This topic needs to be recommended by the P & Z commission and approved by the Ashland Board of Aldermen. If the commissioners would like more information, he would provide it. The commissioners asked Mr. Heying for a formal request for changing lot sizes. Mr. Heying then brought up subdivision regulations and a lot of conflicts in the code. He said 371 pages for the subdivision regulations was too large, and suggested to make it a little smaller. He stated there were many discrepancies in cul-de-sac rules.

Commissioners' Report:

Commissioner Williamson asked if all commissioners concerns were answered.

Commissioner Burhans said he had no direct problems with the Nichols lots, but the failed motion was a question. Chairman Wren said if the commissioner doesn't move on a request, and the applicant has put money down on it, then the commission needs to give them a reason why we won't put a motion on it. Commissioner Bryan stated new construction is new construction and the fire district needs a turn around area. City Administrator stated the stated there is nothing in the city ordinances, it may be in fire code.

Commissioner Wills asked about city zoning. There was discussion on zoning laws and how it concerns the P & Z Commission.

The commissioners discussed the need for periodic additional meetings with the increase in new construction areas.

The commissioners questioned if a PRD requires a site plan. Mr. Woolford said all zoning except R-1 required a site plan and the Fire Marshall reviews it. The commissioners asked Mr. Heying for clarification on the site plan for Nichols Court.

Commissioner Klippel asked about the McCubbin property. Mr. Woolford stated nothing has been submitted to the City. It is now between the 2 attorneys, the city has no comment.

Commissioner Burhans made a motion to revisit the plat for Nichols Court.

Seconded by Commissioner Williamson. Commissioner Bryan-nay, Commissioner Klippel-aye, Commissioner Wills-nay, Commissioner Burhans-aye, Commissioner Williamson-aye. Motion carried. There were concerns from the commissioners regarding the PRD/site plan. Mr. Woolford explained how the site plan process works. There was further discussion of the easements on the plat.

Commissioner Burhans made a motion to approve the plat for Nichols Court with conditions: 1) The ingress/egress easement meets the Fire Marshall approval for the PRD plat, 2) The area calculations of the city engineer are verified, and 3) The name of the P & Z Chairperson is corrected. Seconded by Commissioner Wills. Motion carried unanimously.

Chairman Wren asked if anyone wanted to make a motion to have a special meeting. No motion was made. Chairman Wren asked about Roy Williams's house. Alderman Liaison Sapp said he had driven by, and it is coming along.

Chairman Wren asked about the Fire Code amendments. Mr. Woolford said the Fire Code has been updated by the Southern Boone Fire Protection District and the approval of amendments will be handled by the Ashland Board of Aldermen. It does not need to come back before the P & Z Commission.

Chairman Wren called for a motion to adjourn, July 11, 2017, Planning and Zoning Meeting. Commissioner Bryan made a motion to adjourn, July 11, 2017, Planning and Zoning Meeting. Seconded by Commissioner Burhans. Motion carried.

Minutes prepared by Megan Young