

ITEM NO. 3A ANNEXATION OF 8.4 ACRES; 1352 N 1300 RD (SLD)

A-13-00340: Consider a request to annex approximately 8.4 acres located at 1352 N 1300 Rd. Submitted by Menard Inc., for Bruce Snodgrass, property owner of record. *Initiated by City Commission on 9/10/13.*

ITEM NO. 3B A TO CR-FP; 8.4 ACRES; 1352 N 1300 RD (SLD)

Z-13-00337: Consider a request to rezone approximately 8.4 acres from County A (Agricultural) District to CR-FP (Regional Commercial-Floodplain Overlay) District, located at 1352 N 1300 Rd. Submitted by Menard, Inc. for Bruce Snodgrass, property owner of record.

****Deferral Requested by Applicant****

~~ITEM NO. 3C PRELIMINARY PLAT FOR MENARDS ADDITION; 1900 W 31ST ST & 1352 N 1300 RD (SLD)~~

~~PP-13-00338:~~ Consider a Preliminary Plat for Menards Addition, a 7 lot commercial subdivision, located at 1900 W 31st St & 1352 N 1300 Rd. Consider variance request from section 20-810 (e)(5) regarding minimum right-of-way for a principal arterial street. Submitted by Menard, Inc. on behalf of Tom Horner III and Bruce Snodgrass, property owners of record.

STAFF PRESENTATION

Ms. Sandra Day presented items 3A and 3B.

Item 3C was deferred by Planning Commission at the beginning of the meeting, per the applicant's request.

APPLICANT PRESENTATION

Mr. Tyler Edwards, Menard Inc, was present for questioning.

PUBLIC HEARING

Mr. Dan Watkins, representing First National Development, said they were not opposed to commercial development to the east and rezoning, but did have concerns about the buffer area to the west. He said he would provide more information next month when the plat was heard.

COMMISSION DISCUSSION

Commissioner Denney said he would support the rezoning and would miss the Snodgrass property.

ACTION TAKEN on Item 3A

Motioned by Commissioner Britton seconded by Commissioner Struckhoff, to approve the requested annexation (A-13-00340) of approximately 8.4 acres located at 1352 N 1300 Road based on the findings in the body of the staff report and forwarding the request to the City Commission with a recommendation for approval.

Unanimously approved 8-0-1, with Commissioner Graham abstaining.

ACTION TAKEN on Item 3B

Motioned by Commissioner Britton, seconded by Commissioner Denney, to approve the rezoning request for approximately 8.45 acres from A (Agricultural) District to CR (Regional Commercial) District and FP (Floodplain Overlay) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report subject to the following conditions:

1. Applicant shall provide a revised legal description of the property describing that portion of the property within the regulatory floodplain for inclusion in the ordinance for the CR-FP portion of the

property and a legal description for the remainder of the property for inclusion of an ordinance for the CR portion of the property.

2. Uses shall be prohibited in this CR (Community Regional) District:
 - a. Animal Services: Livestock Sales
 - b. Eating and Drinking Establishments: Bar or Lounge
 - c. Sexually Oriented Business: Sexually Oriented Theater
 - d. Vehicle Sales and Service: Truck Stop, Heavy Equipment Repair, Inoperable Vehicles Storage; and
 - e. Industrial Facilities; Laundry Service

Unanimously approved 8-0-1, with Commissioner Graham abstaining.

ACTION TAKEN on Item 3C

Item 3C was deferred by Planning Commission at the beginning of the meeting, per the applicant's request.

Commissioner Liese asked about the Preliminary Plat and wondered if there was anything specific they should be thinking about.

Mr. McCullough said the applicant would be submitting a new plat and staff would build a staff report that would highlight any issues.