MINUTES
PLANNING COMMISSION
May 23, 2019
7:00 P.M. – COUNCIL CHAMBER

<table>
<thead>
<tr>
<th>Name</th>
<th>Members’ Term Attendance (mtgs attended-mtgs absent)</th>
<th>End of Current Term of Office</th>
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<tbody>
<tr>
<td>MEMBERS PRESENT:</td>
<td>Ben Burtnett (12-02)</td>
<td>02/12/23</td>
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<td></td>
<td>Reba Hebert (38-06)</td>
<td>01/29/22</td>
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<td></td>
<td>Lauren Catron (15-07)</td>
<td>07/17/22</td>
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<td></td>
<td>Jeff Penland (42-13)</td>
<td>07/07/19</td>
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<td>Ted Hauser (36-13)</td>
<td>12/14/19</td>
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<td>Donna Jean Boyer (14-01)</td>
<td>07/22/23</td>
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<td>Bob Bucher (13-03)</td>
<td>06/15/23</td>
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<td>MEMBERS ABSENT :</td>
<td>Brandon Tritten (44-11)</td>
<td>08/04/19</td>
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<td>Phillip Vaughn (16-08)</td>
<td>08/05/23</td>
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<td>STAFF PRESENT:</td>
<td>Ted Elo, Assistant City Attorney</td>
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<td>Nic Hutchison, City Planner</td>
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<td>David Frazier, Assistant City Engineer</td>
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<td>Rebecca Shipp, Executive Administrative Assistant</td>
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Call to Order – Hebert called the meeting to order at 6:59 pm.

Hebert admitted certified copies of Chapters 11, 26 and 31 of the Code of Ordinances into evidence.


Quorum is present. Five members constitute a quorum.

Hebert read the rules of conduct.

Postponements/adjustments to the agenda –

Hutchison informed Commission members there is a handout to accompany Item #3 at their seats.

Minutes of the Meeting, March 28, 2019 –

Burtnett made a motion to approve the minutes. Catron seconded.
Ayes – 5, Nays – 0, Abstain-2 Minutes approved.

New Business-

ITEM #1 Street and Alley Vacation – A request for approval of a street vacation for a portion of Charles Street between 3rd Street and the alleyway southeast of Interstate 229 and a request for an alley vacation for the alleyway connecting Charles Street and Sylvanie Street, the property is located at 302 S 3rd Street, as requested by John Rowe on behalf of Jasomar, LLC. The property is currently zoned M-2, Heavy Manufacturing.
Vacations move on to the City Council
Staff recommendation: denial

Hutchison gave the staff report.

Penland asked if the requested area to be vacated was the blue area on the map in the packets.

Hutchison responded correct.

Boyer asked if the applicant initially wanted a fence around the property

Hutchison responded correct but the utility companies require access at all times

Boyer asked Hutchison if that factored in to the applicant’s decision not to proceed

Hutchison responded correct.

No one spoke in favor.

Joel Hane-702 Felix spoke in opposition to the item

Boyer asked if cobblestone streets were protected and could not be paved over

Elo responded he would say that they couldn’t be but it is a very lengthy process to get approval

Penland asked Hutchison if the applicant stated why they wished to continue with it even though they changed their plans

Hutchison responded they did not. Hutchison asked if they would like to withdraw the request but the applicant stated they wished to proceed.

Bucher stated he doesn’t feel the request is important to the applicant as they are not in attendance.
Boyer made a motion to deny the request. Penland seconded.

**VOTE:** Penland – yes, Catron – yes, Burtnett-yes, Bucher-yes, Hauser-yes, Hebert –yes, Boyer-yes.
Ayes – 7, Nays – 0, Abstain-0  Motion to deny passes.

**ITEM #2**  
Minor Subdivision  
A request for approval of a minor commercial subdivision entitled North Belt Burger King, located at 1212 N Belt Highway, as requested by Phil Schnitz.  
Minor subdivisions are approved or denied by the Planning Commission  
Staff recommendation: approval

Hutchison gave the staff report.

There was no discussion among commission members

No one spoke in favor.

No one spoke in opposition.

Penland made a motion to approve the request. Hauser seconded.

**VOTE:** Penland – yes, Catron – yes, Burtnett-yes, Bucher-yes, Hauser-yes, Hebert –yes, Boyer-yes.
Ayes – 7, Nays – 0, Abstain-0  Motion passes.

**ITEM #3**  
Amendments to Chapter 31 of the Municipal Code  
Amendment to Section 31-028 (E)(6)C-0, Section 31-029 (E)(7) C-1, Section 31-030 (E)(6) C-2, Section 31-031 (E)(5) C-3, Section 31-034 (E)(7) M-1, Section 31-035 (E)(7) M-2 any and all other sections of Chapter 31 of the Code of Ordinances necessary to clarify the drive-through or drive-up services.

Ordinance amendments move on to City Council  
Staff recommendation: approval

Hutchison gave the staff report.

Penland asked if up until the lanes merge into one lane they would be able to stack five

Hutchison responded correct

Burnett asked if this would apply to fast food or to banks

Hutchison responded both
Hebert asked about the 20’ measurement mentioned in the definitions

Hutchison responded it was the standard measurement used

Boyer asked if existing drive-throughs would be grandfathered

Hutchison responded correct

No one spoke in favor.

No one spoke in opposition.

Penland made a motion to approve the request. Bucher seconded.

Ayes – 7, Nays – 0, Abstain-0  Motion passes.

Hutchison gave a preview of next month’s meeting

The meeting adjourned at 7:25pm.

Minutes respectfully submitted,

Rebecca Shipp

cc:  Paula Heyde, City Clerk
     Planning Commission Members
     J. Bruce Woody, City Manager
     Clint Thompson, Planning & CD Director
     Ted Elo, Assistant City Attorney
     Brady McKinley, Civil Engineer
     Mark Townsend, Technology Associate Director