



**MINUTES
PLANNING COMMISSION
April 20, 2021 City Hall
Council Chambers 6:30 p.m.**

I. Call to Order

The meeting was called to order at 6:30 p.m. by Chairperson Nichols-Matkaiti. Due to the COVID-19 pandemic this meeting was held virtually.

II. Roll Call

Members Present.....Chairperson Erin Nichols-Matkaiti, and Commissioners Liza Allen, Todd Biedenfeld, Youssef Enanaa,

Members Absent.....Commissioners Jeanne Frischman, Tim McQuillan, and Eric Nelsen

Also PresentBen Gozola (Assistant Director of Community Assets and Development) and Councilmember Abdullahi Abdulle

III. Approval of Agenda

Motion by Commissioner Allen, seconded by Commissioner Biedenfeld, to approve the April 20, 2021 agenda as presented.

A roll call vote was taken. Approved 4-0.

IV. Approval of Minutes

Minutes from March 16, 2021

Motion by Commissioner Biedenfeld, seconded by Commissioner Enanaa, to approve the March 16, 2021 meeting minutes as presented.

A roll call vote was taken. Approved 4-0.

V. Report from City Council Liaison

Councilmember Abdulle provided the Commission with an update from the City Council. He wished everyone a happy Ramadan.

VI. Public Hearing

(A) Special Use Permit: Request from Susan Morrison and Clearscape Holdings LLC to amend a recently approved special use permit for a new landscaping company at 125 & 175 Old Highway 8 SW.

Assistant Director of Community Assets and Development Gozola reported Clearscape Holdings LLC, a company operating On Time Landcare, is seeking to consolidate its various real estate locations throughout the metro into a central company headquarters located at 125/175 Old Highway 8. The new landscaping company would replace the existing landscaping company (D-Rock) on the subject site. This SUP amendment would make minor changes to the previous approval in February. Staff provided further comment on the request and recommended approval of the Special Use Permit, based on the findings of fact and subject to the following conditions:

1. All employee crews and 3rd party landscape contractor crews (wholesale customers) shall use the 1st Street SW to 8th Avenue SW entrance / exit route to separate business traffic from retail traffic. Retail customers with trailers shall be instructed to exit via 8th Avenue SW. Direct ingress & egress via the driveway on to Old Highway 8 shall be used by customers only
2. The applicant shall work with staff on ingress/egress requirements for staff and customers as part of and following any reconstruction/reconfiguration of the Old Highway 8 corridor
3. Lighting on the site and building shall be directed downward and be installed so as to prevent direct light from being detectable at all lot lines. Lighting is also not to shine directly into the public right-of-way. Any problems with existing lighting that are later identified shall be brought into compliance with code requirements.
4. The applicants shall provide a narrative of spill control practices for equipment stored near creek, and come to an agreement with DCAD staff on final mitigation measures to contain and prevent materials from leaving the site and entering the creek/ditch as may be needed both now and in the future.
5. The applicant shall obtain all needed permits from the Rice Creek Watershed District (RCWD), and agree to address storm water concerns if unforeseen issues arise (or become foreseeable) as a result of the on-site storage.
6. The applicants shall provide spot elevations and a grading/drainage plan for proposed employee parking lot for staff approval prior to the improvement being made. Drainage created by the proposed parking lot shall not adversely affect neighboring properties.

7. The applicants shall stripe the new employee parking lot and customer spaces per the approved plan upon completion of paving.
8. The applicants shall provide an updated survey to staff showing on-site utilities, and accommodate minor site changes if directed to do so by the City to protect these utility lines.
9. The applicants will provide the fire marshal with updated Material Safety Data (MDS) sheets as may be needed.
10. The applicants shall either make improvements to the site to eliminate tracking of dirt into the street, or shall pay for street sweeping services whenever directed to do so by the City.
11. Sign changes on the building and/or site will need to be reviewed and approved via a separate sign permitting process.
12. If later determined necessary, the applicant shall make minor adjustments to the arrangement of parking spaces and/or storage if it is ultimately determined changes are needed to facilitate large vehicle turning movements.

Commissioner Allen asked if emergency vehicles would be able to access the site. Assistant Director of Community Assets and Development Gozola reported emergency vehicles would be able to make all the turning movements to enter and exit the site.

Commissioner Biedenfeld requested further information regarding the fence location. Wade Gertin, the applicant, described the fence location and reported the fence would be installed right up to the wall.

Commissioner Enanaa questioned if the applicant was aware of Condition 11. Assistant Director of Community Assets and Development Gozola reported the applicant was aware that all signs would require a separate permit.

Chair Nichols-Matkaiti inquired how the City would enforce customer versus employee parking. Assistant Director of Community Assets and Development Gozola explained this was somewhat aspirational, but noted the City wanted there to be a safety component with respect to the retail component. He felt it was important to call out the ingress and egress given the discussion that was held in February.

Chair Nichols-Matkaiti opened the Public Hearing at 6:46 p.m.

There were no comments from the public.

Motion by Commissioner Biedenfeld, seconded by Commissioner Enanaa to close the Public Hearing.

A roll call vote was taken. Approved 4-0.

Chair Nichols-Matkaiti stated she supported the proposed fencing with the wider slats.

Commissioner Biedenfeld thanked the applicant for taking into consideration the traffic concerns that were raised by the Commission in February.

Motion by Commissioner Biedenfeld, seconded by Commissioner Enanaa, to recommend the City Council approve the proposed special use permit based on the findings of fact and conditions.

A roll call vote was taken. Approved 4-0.

(B) Ordinance 881: Manufactured Home Parks.

Assistant Director of Community Assets and Development Gozola reported the ordinance represents the best short-term fix staff could construct given the circumstances. Approval at this time will simply codify how the City has been managing its manufactured home parks for as long as anyone can remember. Failure to take immediate action on this ordinance essentially ends activity within our manufactured home parks unless variances are both applied for and granted. Approval will allow us to monitor the effectiveness of these proposed solutions, and improvements and/or additions can be made as part of the upcoming zoning code update. Staff reviewed the revised Ordinance in detail with the Commission and recommended approval.

Commissioner Enanaa asked if this Ordinance would only apply to expansion and new manufactured home units. Assistant Director of Community Assets and Development Gozola reported this was the case.

Chair Nichols-Matkaiti questioned why this portion of code addressed recreational vehicles and asked if this language was consistent with other zoning districts. Assistant Director of Community Assets and Development Gozola explained this was the current location for language regarding recreational vehicles and staff was not recommending a change at this time.

Chair Nichols-Matkaiti inquired if the owner of the property was the owner of the entire park, or were the lots individually owned. Assistant Director of Community Assets and Development Gozola reported the land was owned by the manufactured home park.

Councilmember Abdulle reported Representative Bernardie recently introduced a bill that would allow manufactured home park tenants to eventually own their rented space.

Commissioner Allen explained Oak Grove was directly across the street from her home. She understood parking was limited at the manufactured home park. She questioned if parking was going to be addressed within the Ordinance. Assistant Director of Community Assets and Development Gozola commented parking regulations were addressed in other portions of City Code. He stated staff was not proposing to increase unit area to provide additional parking for each unit.

Commissioner Enanaa asked if the City would be communicating the changes with the manufactured home owners. Assistant Director of Community Assets and Development Gozola indicated the public was noticed for this public hearing. He explained every change being proposed would codify what the expectations were for the law at this time. He stated staff was trying to correct an issue that was in place for quite some time. He noted staff did not reach out to individual residents within the manufactured home parks, but reported staff had contacted the manufactured home park owners.

Chair Nichols-Matkaiti inquired what qualified as a new manufactured park home. Assistant Director of Community Assets and Development Gozola stated this would be any new home put in place after Ordinance 881 was codified.

Chair Nichols-Matkaiti stated she appreciated the fact that this Ordinance would put into effect all of the language that was already being followed by the City.

Chair Nichols-Matkaiti opened the Public Hearing at 7:22 p.m.

There were no public comments.

Motion by Commissioner Allen, seconded by Commissioner Enanaa to close the Public Hearing.

A roll call vote was taken. Approved 4-0.

Motion by Chair Nichols-Matkaiti, seconded by Commissioner Allen, to recommend the City Council approve Ordinance 881 regarding Manufactured Home Parks.

A roll call vote was taken. Approved 4-0.

VII. Business Items

Assistant Director of Community Assets and Development Gozola provided the Commission with an update on the Zoning Code review and revision process noting the City was seeking volunteers for the Zoning Code Committee.

Chair Nichols-Matkaiti reported she would be interested in serving on this committee.

VIII. Adjournment

Motion by Commissioner Allen, seconded by Commissioner Biedenfeld to adjourn the meeting.

A roll call vote was taken. Approved 4-0.

Meeting adjourned at 7:33 PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ben Gozola". The signature is fluid and cursive, with the first name "Ben" and last name "Gozola" clearly distinguishable.

Ben Gozola

Assistant Director of Community Assets and Development