

**City of Two Rivers
Plan Commission**

**Monday, January 13, 2020
5:30 PM
City Hall Council Chambers**

Minutes

1. Call to Order

Chairman Buckley called the meeting to order at 5:30 PM

2. Roll Call

Attendee Name	Title	Status	Arrived
Greg Buckley	Chairman	Present	
David England	Commissioner	Present	
Rick Inman	Commissioner	Present	
Kay Koach	Commissioner	Present	
Connie Loden	Commissioner	Present	
Jim McDonald	Commissioner	Present	
Eric Pangburn	Commissioner	Late	5:34 PM

Also Present: Audrey Rosin, Councilmember Mark Bittner, City Planner Elizabeth Runge and Recording Secretary Vicky Berg.

3. Public Hearings

- A. Public hearing for Amendment No. 2 to the Project Plan for TID No. 8 which is proposed to provide additional funds to assist with public infrastructure improvements within one-half mile of the boundary of TID No. 8

Chairman Buckley provided a summary of proposed Amendment No. 2 for TID No. 8.

Chairman Buckley opened the public hearing. Seeing no one wishing to comment during the first, second or third call, Chairman Buckley closed the public hearing.

Motion to waive reading and adopt the resolution subject to any requirements of legal counsel reviewing the Project Plan and forward to Council for their consideration.

RESULT:	APPROVED WITH ROLL CALL VOTE [UNANIMOUS]
MOVER:	Connie Loden, Commissioner
SECONDER:	Jim McDonald, Commissioner
AYES:	Buckley, England, Inman, Koach, Loden, McDonald, Pangburn

- B. Public hearing for the Project Plan and Boundaries of TID No. 13 which is proposed to assist in the development of the southwest corner of 22nd and Washington Street.

Ms. Runge provided a summary of proposed TID No. 13.

Chairman Buckley opened the public hearing. Seeing no one wishing to comment during the first, second or third call, Chairman Buckley closed the public hearing.

Motion to waive reading and adopt the resolution subject to any requirements of legal counsel reviewing the Project Plan and forward to Council for their consideration.

RESULT:	APPROVED WITH ROLL CALL VOTE [6 TO 0]
MOVER:	Jim McDonald, Commissioner
SECONDER:	Kay Koach, Commissioner
AYES:	Buckley, England, Koach, Loden, McDonald, Pangburn
ABSTAIN:	Inman

4. Action Items

- A. Request for change in zoning from R-3 Single and Double Family Residence District to B-1 Business District for the parcels known as 1511, 1515 and 1519 22nd Street for future construction of a Culver's restaurant, requested by Aaron Abt (developer)

Ms. Rosin addressed the Commission. Ms. Rosin owns a residential property in the 2200 Block of Adams Street. Ms. Rosin voiced concerns regarding the proximity of a franchise restaurant to the intersection at 22nd and Adams Streets, which is an intersection with a high volume of vehicular and foot traffic. The intersection has obstructed eastbound views. The development may create issues such as litter, noise, increase in semi-truck traffic deliveries. Other commercial locations are available which are not near residential properties. Also, there are many types of commercial businesses which would showcase Two Rivers other than franchise establishments.

This site is the developer's choice and the location is a critical corner for development. The Plan Commission has gone on record to encourage commercial businesses along the 22nd Street corridor based on the City's Comprehensive Plan.

In accord with City ordinances, the developer shall submit site and architectural plans for Plan Commission review. This review includes building location, street access, landscaping, lighting, vision clearance and buffering between the commercial and nearby residential properties.

In addition, the drive-thru component requires a conditional use permit, wherein those property owners who received notice of this meeting will receive notice of the meeting. At that meeting the Plan Commission shall review the request for the conditional use along with the site and architectural plans.

Discussion continued regarding the vehicular traffic on 22nd Street from Washington Street to Forest Avenue. This section of 22nd Street is one-lane for east and west bound traffic with parking allowed on both sides of the street. However, vehicles commonly drive in the parking lane. Discussion regarding additional street signage and/or street markings were mentioned.

Motion to recommend and forward to Council for public hearing. Upon a roll call vote, motion carried.

RESULT:	RECOMMENDED APPROVAL [UNANIMOUS]	Next: 1/20/2020 6:00 PM
MOVER:	David England, Commissioner	
SECONDER:	Kay Koach, Commissioner	
AYES:	Buckley, England, Inman, Koach, Loden, McDonald, Pangburn	

- B. Consider Zoning Code Text Amendment to allow the Board of Appeals to extend the expiration date of a variance.

This is a text amendment is not a "Zoning Code" text amendment. Therefore, any recommendation to Council would not require a public hearing.

Discussion included that the applicant must request extension when applying for variance, not at a future date after the granting of a variance. Types of conditions which may be impose include, but are not limited to, lighting and landscaping.

Notification of neighbors is provided prior to the public hearing. Not necessary to provide additional notice if the variance is granted for longer than a 12 month period.

Motion to direct staff to revise the ordinance as discussed and forward to Council for their action. Upon a roll call vote, motion carried.

Discussion continued regarding the need to provide the Board with a reasonable expiration cap when granting a variance for longer than 12 months.

Motion to direct staff to revise the ordinance to reflect the Board may grant a variance for longer than 12 months, but in no case longer than 36 months. Upon a roll call vote, motion carried.

RESULT:	RECOMMENDED APPROVAL [6 TO 1]	Next: 1/20/2020 6:00 PM
MOVER:	Eric Pangburn, Commissioner	
SECONDER:	Jim McDonald, Commissioner	
AYES:	Buckley, Inman, Koach, Loden, McDonald, Pangburn	
NAYS:	England	

Motion to direct staff to revise the ordinance as discussed and forward to Council for their action.

RESULT:	APPROVED ROLL CALL [4 TO 3]
MOVER:	Connie Loden, Commissioner
SECONDER:	David England, Commissioner
AYES:	England, Inman, Koach, Loden
NAYS:	Buckley, McDonald, Pangburn

5. Adjournment

Motion to adjourn at 6:35 PM.

RESULT: APPROVED VOICE VOTE [UNANIMOUS]
MOVER: Connie Loden, Commissioner
SECONDER: Jim McDonald, Commissioner
AYES: Buckley, England, Inman, Koach, Loden, McDonald, Pangburn



Vicky Berg, Recording Secretary