

MINUTES
JEFFERSON COUNTY PLANNING & ZONING COMMISSION
APRIL 13, 2004

The Jefferson County Planning & Zoning Commission met on Tuesday, February 24, 2004 with Arnie Dailey, President, presiding. Other Planning Commission members present were: Rosella Kern, Renny Smith, William Lewandowski, Russell Roper, Sam Donley, Rusty Morgan, John Sims and Barbara Humes. Staff members present were Roger Hunter and Sherry Cole.

David Mills was absent with notification. Richard Childs, Douglas Vaira and David Kemnitzer were absent without notification.

Mr. Dailey called the meeting to order at 7:00 p.m. Mr. Morgan motioned to accept the Minutes of the March 23, 2004 regular meeting with a modification to page 3, the second paragraph, adding SB 454 State Law. Mr. Morgan seconded the motion which carried unanimously.

1. Final Plat Public Hearing for the Eastland Subdivision, Section V, Lots 103-109 & Lot 110-Residue. Staff recommended approval of the Final Plat. There was no comment from the public. The public hearing was closed. Ms. Smith motioned to approve the Final Plat. Mr. Roper seconded the motion which carried unanimously. Mr. Donley arrived at 7:03 p.m. and did not vote.

2. Final Plat Public Hearing for the Willow Springs Commercial Subdivision, Lots 1-3 & Lot 4-Residue. Staff recommended approval. There was no comment from the public. The Public Hearing was closed. Mr. Donley motioned to approve the final plat with staff contingencies. Ms. Kern seconded the motion which carried unanimously.

3. Site Plan approval and issuance of the Improvement Location Permit for the Willow Springs Car Wash. Staff recommended approval of the site plan and issuance of the Improvement Location Permit. Ms. Kern motioned to approve the site plan and issuance of the Improvement Location Permit. Mr. Roper seconded the motion which carried unanimously.

4. Final Plat Public Hearing for the Sunnyside Commercial Subdivision, Lots 1 & 2-Residue. Staff recommended approval of the final plat. There was no comment from the public. The Public Hearing was closed. Mike Shepp spoke. Ms. Smith motioned to approval the Final Plat. Ms. Kern seconded the motion which carried unanimously.

5. Final Plat Public Hearing for the Deerfield Village Subdivision, Lots 1-48 & Water and Wastewater Treatment Plant. Staff recommended approval of the final plat. There was public comment from Paul Burke. Eric Lewis spoke on behalf of the developer. Mr. Morgan motioned to approve the final plat with staff review of the covenants to make sure they are correct. Ms. Smith seconded the motion which carried unanimously.

6. Site plan approval and issuance of the Improvement Location Permit for the Deerfield Village Water and Wastewater Treatment Plant. Staff recommended approval of the site plan and issuance of the Improvement Location Permit. Ms. Kern motioned to approve the Site Plan and issuance of the Improvement Location Permit. Mr. Roper seconded the motion which carried unanimously.

7. Site plan approval and issuance of the Improvement Location Permit for the Deerfield Village Maintenance Building & Water Treatment Plant. Staff and engineer recommend approval of the site plan and issuance of the Improvement Location Permit. Mr. Donley motioned to approve the site plan and issuance of the Improvement Location permit. Mr. Morgan seconded the motion which carried unanimously.

8. Community Impact Statement Review for the Demory Farms Subdivision (Formerly Skyline Farm). Dirk Stansbury presented the Community Impact Statement. There was public comment from Karen Sarff, Pat Roll, Mike Roll, Alice Sanchez, Carol Bloominshaw, Frank Gresrick and Gertie Gusrick. There was rebuttal from Dirk Stansbury and Peter Chakmakian. The Staff and Engineer recommended approval of the Community Impact Statement. Mr. Lewandowski motioned to deny the Community Impact Statement based on roads, lack of documentation of fire service and questionable police support.

MINUTES - JEFFERSON COUNTY PLANNING & ZONING COMMISSION
APRIL 13, 2004
PAGE TWO

Mr. Sims seconded the motion. The vote was 4 for and 4 opposed (Mr. Dailey, Mr. Roper, Ms. Kern and Mr. Donley). Mr. Donley motioned to approve the Community Impact Statement. Mr. Roper seconded the motion. The vote was 4 for and 4 opposed (Ms. Smith, Mr. Lewandowski, Mr. Morgan and Mr. Sims). Mr. Hunter was asked to obtain a legal opinion on the status of this application as per the Jefferson County Planning, Zoning Commission By-laws.

9. Community Impact Statement Review for the Jefferson Crossing II Commercial Subdivision. Annette G. van Hilst presented the Community Impact Statement. Mr. Michael Collier, owner/developer and Mike Glickman with Patton, Harris & Rust also presented the project. There was no public comment. The public Hearing was closed. Staff and engineer recommended approval of the Community Impact Statement with engineering concern. Mr. Morgan motioned to approve the Community Impact Statement with staff contingencies. Ms. Smith seconded the motion which carried unanimously subject to the Engineer's report. (Copy attached)

Barbara Humes left the meeting room at 9:55 p.m.

10. Postponed from the March 23, 2004 meeting. Request by Michael Shepp on behalf of the Burch Manor Subdivision to re-docket the variance from the shoulder widening requirements heard by the Planning Commission at their February 24, 2004 meeting (Article 8, Section 8.2.a.20(e)(4) of the Jefferson County Subdivision Ordinance). Joe Kent amended the variance request to eliminate the ditch and use dirty crusher run instead of clean gravel for the 3 foot shoulders. Ms. Smith motioned to grant the variance allowing them to use dirty crusher run instead of gravel or grass. Mr. Morgan seconded the motion which carried unanimously.

11. Postponed from the March 23, 2004 meeting. Request by Sherry Duncan to discuss the Planning Commission's action on October 28, 2003 regarding the Community Impact Statement for the Albin Manor Subdivision and her public testimony requesting a buffer between her property and the proposed subdivision. Sherry Duncan presented her request. Staff stated that a buffer was not a condition of the approval of the Community Impact Statement. The Planning Commission asked staff to talk to the developer about Ms. Duncan's request for a fence and/or a buffer.

12. Request by Mark Dyck on behalf of Orchard Knolls LLC for an extension of the Chapel View Subdivision Conditional Use Permit. Mark Dyck presented the request. Mr. Donley motioned to grant a 12 month extension of the Chapel View Subdivision Conditional Use Permit. Mr. Roper seconded the motion which carried unanimously.

13. Correspondence. Staff presented three draft letters addressed to the delegates regarding the new State Law Bill SB 454. The Planning Commission agreed on letter # 3 to be sent to the representatives.

Mr. Lewandowski suggested putting the Highway Department Engineer's recommendations on the agenda.

Mr. Morgan will talk to the County Commission regarding a work shop with the Department of Planning Zoning and Engineering staff (Paul Raco, Roger Hunter and Roger Goodwin) and Mike Cassell, Assistant Prosecuting Attorney, to discuss the new State Law Bill SB 454 and how it affects us.

Mr. Morgan requested a copy of the Zoning Board of Appeals Meeting minutes to be sent to all Planning Commissioners.

The meeting adjourned at 10:38 p.m. on April 13, 2004. A detailed transcript of this meeting can be found on Tapes #29, #30 and #31. These minutes were prepared by Sherry Cole.