

**MINUTES**  
**June 13, 2017 – 5:30 p.m.**  
**Planning and Zoning Commission**  
**Muscatine City Hall**  
**City Council Chambers**

**Present:** Jodi Hansen, John Sayles, Steve Nienhaus, Wendi Ingram, and Gary Mowl.

**Excused:** Jordan Pahl and Rochelle Conway.

**Staff:** Andrew Fangman, City Planner, Community Development  
Stephanie Oien, Office Coordinator, Community Development

**Also:** Gary Allison and James Bartenhagen.

Chairperson Jodi Hansen opened the meeting at 5:30 p.m.

**Minutes:**

Sayles motioned to approve minutes from the following meetings: April 12, 2016, June 14, 2016, August 9, 2016, October 11, 2016, May 9, 2017, and May 25, 2017; seconded by Nienhaus. All ayes, motion carried.

**Subdivisions:**

**Subdivision Case #PZS 3-051617– J&J Subdivision – James and Julie Bartenhagen – 1 lot – 23.61 Acres – 2600 block of Crimson Avenue – Unincorporated Muscatine County**

Attorney Gary Allison, 710 W. 2<sup>nd</sup> Street, was present to discuss the request to split the current property into two lots. Mr. Allison indicated that he represents both parties, James and Julie Bartenhagen and Mike and Diane Riggan. He explained that Mr. Bartenhagen is retiring and would like to keep the house. Mr. Riggan will continue farming the ground. Sayles asked the status of the subdivision request at the County level. Allison replied that the request has been approved by the County's Planning & Zoning Commission and it is on the agenda for the Muscatine County Board of Supervisors review. Mowl motioned to approve the subdivision request; seconded by Ingram. All ayes, motioned carried.

**Subdivision Case #PZS 4-0607171– River Valley Tanks Subdivision – Dennis Hetzler – 1 lot – .36 Acres – 1,400 feet south of the Highway 38/170th Street intersection – Unincorporated Muscatine County**

Denny Hetzler, 1671 Highway 38, was present to discuss his request. Mr. Hetzler explained that owns both parcels in the proposed subdivision. He has an offer to purchase the farm ground. River Valley leases the property that he wants to subdivide. He currently maintains this property but the buyer doesn't want to maintain the River Valley lot. If split, Hetzler will continue to maintain the River Valley lot as part of their lease agreement. Sayles asked the status of the subdivision request at the County level. Hetzler replied that the request has been approved by the County's Planning & Zoning Commission and it is on the agenda for the Muscatine County Board of Supervisors review. Nienhaus motioned to approve the subdivision request; seconded by Sayles. All ayes, motioned carried.

**Other:**

**Election of Officers**

Sayles motioned for Hansen to remain as chairperson and Nienhaus to serve as vice chairperson; seconded by Ingram. All ayes, motion carried.

Adjourn.

Respectfully Submitted,

Andrew Fangman, Secretary  
City Planner

ATTEST:

Jodi Hansen, Chairperson  
Planning & Zoning Commission

**MINUTES**  
**July 11, 2017 – 5:30 p.m.**  
**Planning and Zoning Commission**  
**Muscatine City Hall**  
**City Council Chambers**

**Present:** Jodi Hansen, John Sayles, Rochelle Conway, Wendi Ingram, and Andrew Anderson.

**Excused:** Jordan Pahl and Steve Nienhaus.

**Staff:** Andrew Fangman, City Planner, Community Development  
Dave Gobin, Community Development Director, Community Development  
Stephanie Oien, Office Coordinator, Community Development

**Also:** John Eichelberger and Bob Buker.

Chairperson Jodi Hansen opened the meeting at 5:30 p.m.

**Minutes:**

Staff advised that the minutes from the June 13, 2017 meeting would be submitted at the next meeting.

**Subdivisions:**

**Subdivision Case # PZS 5– Replat of Lots 5 and 6 of Spring Valley Ranchettes (County) – Nicholas and Debra Wheaton and Ronald and Ellen Oostendorp – 3 lots – 7.49 Acres – Spring Valley Lane and Deer Creek – Unincorporated Muscatine County**

Attorney John Eichelberger was present to discuss the request. Mr. Eichelberger advised that the petitioners own lots 5 and 6 and there is a buildable space south of the pond. They wish to subdivide the lots to add a third lot to sell. He added that this item is on the County Planning and Zoning Commission agenda for July 13, 2017. Ingram asked if there would be additional covenants. Eichelberger replied that the covenants will remain the same. Sayles motioned to approve the subdivision request; seconded by Conway. All ayes, motioned carried.

**Subdivision Case # PZS 6– WDS Subdivision (County) – White Distribution and Supply on behalf of Alpha Morehouse – 1 lot – 4.18 acres – 3900 block of Park Avenue West – Unincorporated Muscatine County**

Attorney John Eichelberger was present to discuss the request. Mr. Eichelberger advised that the property was primarily outside City limits. This request is on the August agenda for the County Planning and Zoning Commission. He added that his clients also intend to voluntarily annex the property into the City of Muscatine. Conway motioned to approve the subdivision request; seconded by Anderson. All ayes, motioned carried.

**Voluntary Annexation Request – WDS Subdivision (County) – White Distribution and Supply on behalf of Alpha Morehouse – 1 lot – 4.18 acres – 3900 block of Park Avenue West – Request of M-1 Zoning upon Annexation**

Attorney John Eichelberger was present to discuss the request. He advised that this request coincides with the WDS Subdivision request. He stated that they request to change the zoning classification to M-1 to match the zoning classification for the adjacent property also owned by White Distribution and Supply (WDS). WDS is looking to expand its business within City limits. Mr. Eichelberger explained that there will be no increase in zoning and the additional property will have the same use as existing property. Fangman noted that the plat submitted will be adjusted to include additional right-of-way that will be part of the annexation request. Ingram motioned to approve the voluntary annexation request; seconded by Sayles. All ayes, motion carried.

**Development Plan Approval Request – Beaver Builders Inc. – Approximately 100 Townhomes – 7.5 Acres – S-3 Zoning – District North side of North Port Drive – Proposed Muscatine Landing Subdivision**

Bob Buker of Beaver Builders, Inc. was present to discuss the request. Mr. Buker explained that they believe there is a need for this type of housing in the City of Muscatine. He advised that they plan to construct approximately 100 townhomes to be rented. He noted that they have been very successful with similar developments in the Quad City area and Clinton. Anderson asked who will operate the development. Mr. Buker replied they will hire an on-site manager and operate the facilities. He added that there is a very large pond on the site that they would like to eventually clean and

clear the area to create a recreational area. Anderson asked if further development will be residential or commercial. Mr. Buker advised that the area further back from the highway will be more residential development. Hansen asked if there will be commercial development. Mr. Buker responded that there are discussions for a future hotel and convenience store/restaurant site closer to North Port Drive. Mr. Buker advised that they have a sewer problem in that the closest sewer is located 2,000 feet away to the north. He stated they are hoping to have a TIF district established to help with these costs. Sayles questioned if the development plan drawings should show where the park is going or is the written text sufficient. Mr. Buker agreed that it likely should be shown on the development plan. Sayles asked how many units will be in each building. Mr. Buker replied there would be 4-6 units per building. Sayles asked for confirmation that the units will be set as condos. Mr. Buker confirmed that the properties will be set up as individual lots. They plan to rent the units, but will also have the option to sell them. Sayles asked staff if the Traffic Committee would be looking into the intersection of U.S. Highway 61 and University Drive. Fangman stated this will be an area reviewed by the Traffic Committee. Anderson asked how much emphasis has been placed on sidewalk connectivity in their other developments. Mr. Buker advised there are a lot of internal sidewalks. Fangman noted that City Code requires sidewalks within the development. He also stated that long-term City plans include a trail along U.S. Highway 61. Gobin advised that a longer-term view of the City has a connector road to Highway 38. He added that Friendship Drive will be dedicated as a City street. Buker advised that they hope to widen and expand University Drive. Fangman explained that the City's vision is to extend University Drive to 180<sup>th</sup> Street. Fangman advised Commission members that the original development plan showed all commercial development, thus the proposed hotel and gas station are still approved uses. The revised plan references the residential development. Sayles cautioned that the development plan shows access as one way in and one way out. Buker noted they were aware of that and would like to work with the City to make this better. Sayles motioned to approve the revised development plan; seconded by Conway. All ayes, motion carried.

**Subdivision Case # PZS 7– Muscatine Landing Subdivision – Beaver Builders Inc. – 28.4 Acres – S-3 Zoning – District North side of North Port Drive – Proposed Muscatine Landing Subdivision**

Bob Buker was present to discuss the request. Fangman advised that the previously platted, but not constructed, Lakeview Avenue is being relocated and renamed. He added that technically right-of-way is being vacated and reassigned with this plat. Mr. Buker explained that the street is being moved to facilitate alignment within the proposed development. Ingram motioned to approve the revised development plan; seconded by Sayles. All ayes, motion carried.

Adjourn.

Respectfully Submitted,

Andrew Fangman, Secretary  
City Planner

ATTEST:

Jodi Hansen, Chairperson  
Planning & Zoning Commission

**MINUTES**  
**September 12, 2017 – 5:30 p.m.**  
**Planning and Zoning Commission**  
**Muscatine City Hall**  
**City Council Chambers**

**Present:** Jodi Hansen, John Sayles, Rochelle Conway, Jordan Pahl, Steve Nienhaus, Wendi Ingram, and Andrew Anderson.

**Staff:** Andrew Fangman, City Planner, Community Development

Chairperson Jodi Hansen opened the meeting at 5:30 p.m.

**Minutes:**

Staff advised that the minutes would be postponed to the next meeting.

**Rezoning:**

**Rezoning R-3 to RL**

**Oak Park Development • Oak Park LLC • 1 Lot • 10.22 Acres • Parcel #0826226005 • Northwest Corner of Isett Avenue and Blaine Street**

Chris Ales of Davenport, was present to discuss the request on behalf of Oak Park LLC.

Mr. Ales explained that he was a consultant working for Brian Fritz whom owns Oak Park LLC. Mr. Ales reviewed his experience with similar prior projects in the Muscatine and Quad City areas.

Mr. Ales gave a summary of the proposed development necessitating this rezoning. He stated that all outdoor lighting associated with the proposed project would be downcast LED's. He explained that grade changes from the property would not negatively impact or would not impact the flow of storm water from the subject parcel on adjoin properties and right of way.

Mr. Ales explained that all residents of the proposed development would over 55 and earn less than 60% of area median income, and that typically those earning less than 40% of the area median income would no be able to afford the units. That the typical income of a resident of this type would consist of social security income, and a modest pension. Additionally, all potential residents would be subject to a criminal and credit background check.

Mr. Ales explained that the proposed project has applied for financing through a program offered by the Iowa Finance Authority (IFA). That as condition of receiving such financing IFA requires that the developer record restrictive covenants that cover property maintenance standards and income requirements for residents.

Mr. Ales stated that location of the project was partially chosen because it helps meet IFA's goal of dispersing low to moderate income housing throughout the community, and the census tract contain the subject area currently has proportionally less low to moderate income residents than the rest of the community.

Mr. Ales stated that IFA would announce in March if they would be funding the project.

Mr. Ales stated that he feels that the proposed development would have less of an impact on the surrounding area because than would development as single-family homes as would be permitted under the current R-3 zoning because this type of senior housing typically only has one car per dwelling units, as opposed to single family homes which typically have two to three cars per dwelling unit. Additionally he argued that the single ownership of the proposed project was more advantageous to the neighboring property than a large number of property owners associated with single family homes.

Jodi Hansen asked is if there would be any garages, Mr. Ales responded that there would not be.

Jodi Hansen asked is the applicant would continue to own the project after it would be developed, Mr. Ales responded that Brian Fritz through Oak Park LLC would maintain ownership of the project.

Jodi Hansen asked is if there would be an on-site manager, Mr. Ales responded that there would be.

There was than discussion about installation of sidewalk along public streets. Fangman, stated that City Code would require the installation of 5' wide sidewalks along all public street frontages.

Jodi Hansen asked if existing trees would be preserved, Mr. Ales responded that as many as possible would be.

Denny Jens, 2219 5<sup>th</sup> Avenue, commented that he thought a different developer might develop the site at a lower density. He also commented that he felt that the subject parcel should be developed with homes of a higher value than what is being proposed, and not doing so could be detrimental to the property values of the adjoin parcels.

Jane Daufeldt, 2223 5<sup>th</sup> Avenue, spoke about previous positive prior experience working with the applicant, and spoke on the difference between the R-L and R-3 zoning districts. She commented that as many of the existing trees along Blaine Street should be preserved as possible, and that she did not want ditches along Blaine Street. She expressed a desire for the rear elevations of the proposed building be made to look more attractive. Ms. Daufeldt concluded by commenting that she felt that the applicant needed to continue to work the neighboring property owners to come up with a landscaping plan that was more satisfactory.

Andrew Anderson asked the applicant what happens after 30 year restrictive convents end. Mr. Ales responded that after 15 years the tax credit investors typically sell out, but the that convent still runs for 30 years. After that it is simply a standard multi-family dwelling.

Jerry Ewers, 2211 5<sup>th</sup> Avenue, noted that he was speaking as an adjoining property owner and not a City employee. He noted that City Code does provided any specific right to adjoining property owners when it comes to a rezoning. He stated that he had concerns regarding the fact there would be Section 8 vouchers associated with the proposed project. He then proceeded to ask the following 8 questions which he also provided in written form. 1.10-10-1 To preserve the natural and scenic qualities of open area? How about the 2 large mature trees on the lot?; 2.10-10-2 That the planned development is consistent with the spirit and intent of the City's Comprehensive Plan? Online agenda page 13 states "it needs to acknowledge that the density of the proposed development at 4.7 dwelling units per acres, exceeds the 2 to 3 dwelling units per acre established for this area by Future Land Use Plan of the Comprehensive Plan." I'm assuming that this means it isn't consistent with the spirit and intent of the City's Comprehensive Plan? If so, does this reduce the number of proposed units from 16 to something less? 3. 10-10-5 Height & Setback RequirementsIt states rear yard depth as none, but on agenda memo it states 75'. Viewing it on Magic GIS is looks like 63'. If it was R-3 then it would be 25'. What is it. 4. 10-10-6 Open Space. A minimum of 25% of the R-L site area shall be developed as open space? As proposed does it meet it? Is the retention pond excluded in calculating space like parking areas? 5. 10-10-7 Street Improvements Assuming curb and gutter and sidewalk on Blaine?; 6.10-10-8 h. Landscaping and tree planting plan? Screening and buffering is key as an adjacent property owner with a pool and see through fence. Also, I wouldn't want a large tree blocking sun and dropping leaves and debris into pool. Would like to see a more detailed plan along with variety and height of landscape design. 7.10-10-9 Approval of Outline Development Plan B 2 That the existing character of the neighborhood will be adversely affected, and that adequate safeguards are provided to minimize possible detrimental effects on adjacent properties and the neighborhood. Such as assessed values ranging from\$ 383,900, \$ 250,000, \$ 252,980, to \$ 245,300 and that the grading and drainage issue is addressed. 8.My last question is what are adjacent property owner rights? It isn't mentioned in letter or City Code except that we are to be notified.

Kurt Zimmerman, representing his mother who owns the adjoining property to the north, expressed concerns regarding stormwater drainage. He detailed existing drainage problems in the area, and grave concerns about this project making existing problems worse. Mr. Zimmerman asked if the developer would be putting fencing up along the north property line.

Chris Ales shared preliminary drawing of the proposed buildings, and noted that would be similar to the Cottage Grove development on Houser Street. He also noted that IFA rules prohibit vinyl siding, and most likely hardy board would be used.

Jodi Hansen asked if the developer intended to out fencing along the north property. Mr. Ales responded that they did not.

Patrick Poggie, 2130 4<sup>th</sup> Avenue, expressed concern that the proposed developed would worsen the condition of Blaine Street, which he noted was already crumbling. Mr. Poggie also suggested that the proposed building be sunk further into the ground in order to lessen their visual impact.

Charles Beckman, 2130 4<sup>th</sup> Avenue, asked why there was is separate entrance, off of Blaine Street, for the community building, in addition to the two entrance for the private drive serving the residential building off of Blaine. He also raised concerns about the visibility these intersections, traffic on Blaine, and stormwater drainage on Blaine.

Wendi Ingram asked if the applicant was willing to lower the grade of the proposed buildings. Mr. Ales responded that he was open to the idea, but it depended on what future engineering would show to be feasible.

Steve Nienhaus asked if the applicant would consider remove the driveway off of Blaine to the community building, and making the new private drive a one-way street. Mr. Ales indicated that he was open to these ideas.

Jane Daufeldt suggested making use permeable pavers in the new parking areas. She also suggested a traffic study be conducted on Isett.

Juan Farner, expressed concern that he did not receive a letter notifying him of the P&Z hearing. He also noted that he liked the existing family feel of the neighborhood.

Andrew Fangman explained that Mr. Farner did not receive a letter because he lived more than 200 feet from the subject property, and that City Code dictates that such notifications be sent to those owning property within 200 feet of the subject property.

Andrew Anderson asked the applicant if there were any issues with adjoining property owners at the Cottage Grove Development on Houser Street. Mr. Ales responded that to his knowledge there was not.

Andrew Anderson commented that he thought 55+ nature of this development was a good thing.

Bob Vargus, 2215 5<sup>th</sup> Ave, expressed concerns regarding the Section 8 voucher component of the proposed project. Chris Ales explained details of the Section 8 voucher program, and noted that even without vouchers low to moderate income senior housing will attract a percentage of residents on the Section 8 program.

Bob Vargus commented that more capacity was needed on Blaine Street.

Jodi Hansen asked if this development could ever be open to those younger than 55 years in age. Chris Ales responded not for 30 years, and that even after the restrictive covenant had expired that the 55+ age restrictions on residents could be extended.

Jodi Hansen asked if the 55+ age restriction would stand even if there were not enough people over 55 desiring to live in the development. Mr. Ales responded that the 55+ age requirement would still stand and could not be waived until 30 years have passed.

Denny Jens asked how long people visiting residents of the development would be allowed to stay. Mr. Ales responed visits up to 7 days would be permitted.

Denny Jens asked if residents would be allowed to operate home based daycares. Mr. Ales responded that home based businesses would not be allowed.

Conway motioned to approve the revised development plan; seconded by Sayles. Motion carried 5 ayes (Conway, Sayles, Anderson, Ingram & Nienhaus to 2 nays (Hansen and Pahl)

Adjourn.

Respectfully Submitted,

Andrew Fangman, Secretary  
City Planner

ATTEST:

Jodi Hansen, Chairperson  
Planning & Zoning Commission

**MINUTES**  
**October 10, 2017 – 5:30 p.m.**  
**Planning and Zoning Commission**  
**Muscatine City Hall**  
**Lower Level Conference Room**

**Present:** Jodi Hansen, John Sayles, Rochelle Conway, Steve Nienhaus, Wendi Ingram, and Andrew Anderson.

**Absent:** Jordan Pahl

**Staff:** Andrew Fangman, City Planner, Community Development

Chairperson Jodi Hansen opened the meeting at 5:30 p.m.

**Minutes:**

Staff advised that the minutes would be postponed to the next meeting.

**Development Plan:**

**RBW Enterprises LLC • Lots 6 through 16 of Riverbend Fifth Addition • West side of Diana Queen Drive • A development plan amendment, to for the construction of four duplexes and two single family homes. The applicant intends to operate them as elder group homes**

Jodi Hansen read summary of the proposed development plan amendment.

Wesley Stalkfleet, 2896 Canterbury Drive, representing RBW Enterprises LCC, explained what an elder group home is.

Mr. Stalkfleet explained that the proposed duplexes would expect for two units sharing a common wall, be identical to the existing elder group home located at 3500 Diana Queen Drive. He further explained that each duplex would share a driveway. He also stated that single family home style elder group homes would be constructed on the northern most lots, because the steepness of these lots made it impractical to construct duplexes.

Mr. Stalkfleet explained which of the proposed duplexes would be built next, with completion hopefully occurring in June of 2018. He further explained that full build out would occur in 2 to 5 years.

Wendi Ingram asked why the duplex that will be directly adjacent to the existing elder group home at 3500 Diana Queen Drive will not be the next one to be constructed. Mr. Stalkfleet advised that a replatting of the existing lots would have to occur first, as with current lot lines that unit would occupy two lots.

John Sayles asked if the applicant intended to continue to own the development after it was constructed. Mr. Stalkfleet answered that he did.

John Sayles asked if 5 was the maximum number of residents per unit. Mr. Stalkfleet answered that it was.

John Sayles asked what the development plans for the northern most lot was. Mr. Stalkfleet responded that it still is to be determined, he might construct a standard single family home on that lot, or simply sell the lot.

John Sayles asked if a replat was forthcoming. Mr. Stalkfleet answered that it was.

Andrew Anderson asked if the 5-person maximum occupancy limit included the caretaker. Mr. Stalkfleet answered that it did not.

Jodi Hansen asked if all the potential residents would require the same level of care. Mr. Stalkfleet answered that they would not, and described the spectrum of care offered.

Jodi Hansen asked if it some point the elder group homes could be sold off as single-family homes. Mr. Stalkfleet answered that they could.

Andrew Anderson asked for an explanation of the need for the private 4' wide sidewalk running along the rear of the subject parcels. Mr. Stalkfleet explained that State regulations for elder group home required an exit out both the front and back of the home that had access back to a public sidewalk.

Bob Gay, 3200 Anastasia Place, asked if a traffic study had been performed. Andrew Fangman responded that the trip generation manual indicates that this type of development generates significantly less traffic than the single family homes that the current development plan calls for.

Alice Gay, 3200 Anastasia Place, expressed concern over the height at the time of planting of the proposed vegetative screening that is to be planted along the rear property line. She wants taller plants at the time of planting. Ms. Gay reasoned that the presence of the proposed rear sidewalk made this vegetative screen necessary. She also expressed concern over overflowing of the pond on the north end of the subject area.

Jeanne Johnson, 3212 Anastasia Place, stated that she was opposed to any dumpsters. She expressed concerns that the development of elder group homes could have a negative impact on the value of nearby properties. Ms. Johnson asked how far the rear sidewalk would be from the rear property line. Mr. Stalkfleet responder that they would be about 10' apart.

Alice Gay asked a question about the proposed utility easement vacation.

Jeanne Johnson asked about completion dates.

Alice Gay asked if entire rear sidewalk was to be completed to construction of the proposed elder group homes. Mr. Stalkfeet answer that it will not all be constructed at once, but will be phased so that as elder group homes are constructed that enough of the rear sidewalk is completed to complete a route to a public sidewalk.

Andrew Anderson asked if the proposed one car garages could potentially impact the future resale of the proposed elder group homes. Mr. Stalkfleet responded that the garages were 14' wide, and that there was not sufficient space to make them into two car garages.

Warren Dickerson 3201 Anastasia Place, asked why the subject parcels could not be rezoned.

Jodi Hansen asked for a motion. There was then a discussion of the landscape plan. Anderson motioned to approve the revised development plan as presented; seconded by Nienhaus. Motion carried all ayes.

**Utility Easement Vacation:**

RBW Enterprises • Lots 9, 10, & 11 7 Riverbend Fifth Addition • West side of Diana Queen Drive

Jodi Hansen asked for a motion. Sayles motioned to approve the utility easement vacation as presented; seconded by Ingram. Motion carried all ayes.

Adjourn.

Respectfully Submitted,

Andrew Fangman, Secretary  
City Planner

ATTEST:

Jodi Hansen, Chairperson  
Planning & Zoning Commission



**MINUTES**  
**November 14, 2017 – 5:30 p.m.**  
**Planning and Zoning Commission**  
**Muscatine City Hall**  
**City Council Chambers**

**Present:** Jodi Hansen, John Sayles, Rochelle Conway, Steve Nienhaus, Wendi Ingram, and Andrew Anderson.

**Absent:** Jordan Pahl

**Staff:** Andrew Fangman, City Planner, Community Development

Chairperson Jodi Hansen opened the meeting at 5:30 p.m.

**Minutes:**

Staff advised that the minutes would be postponed to the next meeting.

**Subdivision:**

**Tripair 5 Addition • Tripair 5 LCC • 5 lots • 3.22 Acres • North side of Cranbrook Cross just east of its intersection with Ashford Avenue • Unincorporated Muscatine County**

Jodi Hansen read summary of the proposed development plan amendment.

Paull Null, 1913 Ashford, owner of Tripair 5 LLC, explained that the proposed replat would revert the subject area to how it was originally plated in 1975. He noted that these lots were combined into a par 3 golf course hole when the now defunct Whispering Pines was developed.

Andrew Anderson asked about the odd shape of one of the corner lots. Mr. Null explained that the proposed lot lines were drawn to avoid having an existing septic leach field cross any property lines.

There was a general discussion on if the City requirements for new subdivision to include sidewalks applied to subdivision in unincorporated areas. Andrew Fangman stated that it was the opinion of staff that this requirement only applied in situation where the subdivision in question may eventually be connected into the City wide sidewalk network, and that it was staff's opinion the City wide sidewalk network would never reach this area.

Wendi Ingram asked if condos might be constructed on these new lots. Mr. Null responded that the existing county zoning would only allow for single family homes.

Nienhaus motioned to approve the revised development plan as presented; seconded by Ingram. Motion carried all ayes.

**Zoning Ordinance:**

Review of the portion of the proposed new zoning ordinance that deals with signs.

Andrew Fangman gave an overview of the proposed new sign ordinance and the rational behind the proposed changes.

Kelcey Brackett, 2817 Mulberry Avenue, commented that when he owned a business on Park Avenue, that the current sign regulations mad it difficult to place effective signage at this location.

After much discussion, the Planning and Zoning Commission reach a consensus that the following changes should be made the draft sign regulations.

- 24 square feet of permanent signs should be allowed for permitted uses in all residential zoning districts.
- Billboards should not be permitted in the C-2 zoning district.
- That 2 days should be the maximum allowed display duration for paper temporary signs.
- That 45 days should be the maximum allowed display duration for temporary signs constructed out of fabric.

- That instead of being prohibited, temporary sign over 6' in height, should be required to be set back at least 10' from the nearest property line.
- That it should be clearly be stated that the requirement for some temporary sign to be registered does not apply to political signs.
- That a matrix showing what types of signs are allowed in each zoning district should be added.

Sayles motioned to recommend approval to proposed changes to the zoning ordinance regarding the regulations of signs with the previously noted changes; seconded by Conway. Motion carried all ayes.

Review of the portion of the proposed new zoning ordinance that deals with home occupations.

Andrew Fangman gave an overview of the proposed home occupation and the rationale behind the proposed changes.

Kelcey Brackett, 2817 Mulberry Avenue, commented that based on prior experience with such a thing in his neighborhood that the prohibition of tattoo parlors as a home occupation was a good idea.

General discussion on the definition of a kennel.

After much discussion, the Planning and Zoning Commission reach a consensus that the following changes should be made to the draft home occupation regulations.

- Remove restaurants bed and breakfast as specifically prohibited home occupations
- Limit the size of sign associated with home occupations to the size of a standard real estate sign, which would be smaller than other types of permanent signs allowed in residential zoning districts, if legal advice deems that such a restriction is permissible after the *Reed v. Town of Gilbert* ruling.
- Remove section D-3, a regulation regarding the maximum number of trips generated by the home occupation.
- Remove section D-4, a regulation, restricting vehicular traffic by clients or customer to the period of time between 7:00 am to 7:00 pm
- Allow for 12 instead of 10 customers in a 24 hour period.
- Add a revised definition of home occupations.

Anderson motioned to recommend approval to proposed changes to the zoning ordinance regarding the regulations of signs with the previously noted changes; seconded by Nienhaus. Motion carried all ayes.

Adjourn.

Respectfully Submitted,

Andrew Fangman, Secretary  
City Planner

ATTEST:

Jodi Hansen, Chairperson  
Planning & Zoning Commission