

**MINUTES FOR THE CITY OF OLIVE BRANCH PLANNING COMMISSION
REGULAR MEETING APRIL 11, 2023**

The Olive Branch Planning Commission meeting was held on Tuesday, April 11, 2023, in the Municipal Court Room located, at 6900 Highland Street, at 6:00 p.m.

CALL TO ORDER

The meeting was called to order by Mr. Dorr, Chairman of Planning Commission, at 6:00 p.m.

ROLL CALL

Pat Dorr, Donny Singh, Steve Stratton, Jim Schumpert, Dion Jones, Kimberly Remak and Diane Senger were present and a quorum was established. Jason Gambone, Director, Venard Asongayi, Assistant Director, Brad Thomas, Associate Planner, and Heather James, Planning Technician were present from the Planning and Development Department. Andy Swims, Director, was present from the Engineering Department.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 14, 2023

Mr. Dorr asked if anyone had any questions, comments or motions regarding the minutes of the March 14, 2023. **Ms. Senger made a motion to approve the minutes as presented. Mr. Schumpert made the second and the motion was approved as follows:**

| | | | | | | | |
|----------------------|------------|-----------------------|------------|---------------------|------------|-------------------|------------|
| Pat Dorr | Yes | Steve Stratton | Yes | Donny Singh | Yes | Dion Jones | Yes |
| Jim Schumpert | Yes | Kimberly Remak | Yes | Diane Senger | Yes | | |

CONSENT AGENDA

Mr. Dorr stated some items had been placed on the "Consent Agenda" that were considered routine and non-controversial in nature, so as not to necessarily warrant a full staff presentation and board discussion.

Mr. Dorr announced Consent Agenda Item Number 1.

1. Application for a Final Plat for Lot 1 of Fox Creek Commercial Subdivision, submitted by Ben Smith, IPD, on behalf of Ibrahim Babukr, property owner. The request to create a single lot of 1.41+/- acres. The subject property is zoned PUD, Planned Unit Development District, and is located on the northwest corner of Fox Creek Dr and Hwy 302. (File # SD23-0010).

EXECUTIVE SUMMARY: Ben Smith, on behalf of the property owners, Ibrahim Babukr and Najeeb H Alsharri, requests approval of the final plat for Lot 1 (±1.41ac) of Fox Creek Commercial Subdivision. The proposed lot is designated as Neighborhood Commercial in the project text and associated master development plan for the Fox Creek PUD that was approved by the Desoto County Board of Supervisors in 1991. A preliminary plat consisting of four lots was approved by the Mayor and Board of Aldermen on January 17, 2023. Only one of the potential lots is proposed for final plat approval at this time. The only difference between the preliminary plat and the proposed final plat is that the subject lot, which was preliminarily designated as Lot 3 will be finally platted as Lot 1. On February 9, 2023, the Board of (Zoning) Adjustment approved a conditional use permit for gas pumps as accessory use to permitted convenience store on the proposed lot. Excepting stormwater management infrastructure, utility lines such as water and sewer are available to the lot. Responsibility for all improvements shall be that of the developer. Staff recommends approval subject to various conditions. **STAFF RECOMMENDATION:** Staff recommends approval of the Final Plat for Lot 1 of Fox Creek Commercial Subdivision subject to the following conditions:

1. Lot improvements shall be the responsibility of the developer and not the City of Olive Branch.
2. Future development on the lot shall comply with all requirements of the City's various land development regulations and any applicable conditions imposed by a City regulatory Board.

3. All preliminary plat approval conditions are maintained
4. Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) shall be installed underground.
5. Minor edits are applicable to the final plat as may be required by City regulations and deemed necessary by City staff.

Mr. Dorr announced Consent Agenda Item Number 2 and noted that there was a request from the applicant to table this until the May 9, 2023 Planning Commission meeting.

2. Application for a Plat Revision for the 2nd Revision Jeremiah AME Church 2 lot Subdivision, submitted by Mike Davis, The Reaves Firm, on behalf of SF Pleasant Hill LLC, property owner. The request is to vacate the access easement to the cemetery on Lot 2 across the northern portion of Lot 1. The 0.533+/- acre property is zoned C-2, Highway Commercial District, and is located at the southeast corner of Pleasant Hill Rd and Goodman Rd, known as 6980 Pleasant Hill Rd. (File #SD23-0008). *(Tabled to this date at the meeting on March 14th, 2023.) Applicant requests item to be tabled to the May 9, 2023 Planning Commission meeting).*

EXECUTIVE SUMMARY: Mike Davis, The Reaves Firm, on behalf of SF Pleasant Hill LLC, property owner, request a revision to an existing plat for 2nd Revision Jeremiah AME Church 2 lot Subdivision, which was recorded on August 10, 2017. In a letter to staff, the applicant requested that the subject application be tabled to the Planning Commission meeting on April 11, 2023 in order to obtain all required property owner’s consent for the plat revision. In a new letter submitted to staff on April 4, 2023, the applicant has requested to table the item to the May 9, 2023 Planning Commission meeting in order to finish obtaining all the necessary consent for the subject plat revision. **Staff recommends the plat revision application (#SD23-0008) be tabled to the May 9, 2023 Planning Commission.**

Mr. Dorr asked if anyone would like a full presentation of any of the consent items and there was no one. **Mrs. Remak made a motion to approve the recommended motions for Consent items 1 and 2, subject to all staff conditions. Mr. Stratton made the second and the items were approved as follows:**

| | | | | | | | |
|---------------|-----|----------------|-----|--------------|-----|------------|-----|
| Pat Dorr | Yes | Steve Stratton | Yes | Donny Singh | Yes | Dion Jones | Yes |
| Jim Schumpert | Yes | Kimberly Remak | Yes | Diane Senger | Yes | | |

OLD BUSINESS

NEW BUSINESS

1. Application for a Civil Site Plan Review for Mr. Clean Carwash, submitted by Lorraine Canada, Axis Infrastructure, on behalf of property owner Fairway Land LLC. The request is to approve the site plan for a Car Wash facility to be built as a permitted use at this location. The 1.34+/- acre subject property is zoned C-4, Planned Commercial District, and is located on the southeast corner of Alexander Rd and Ridgeway Industrial Dr. (File# DR23-0002).

Mr. Dorr announced New Business number 1 and asked for the staff report. Mr. Thomas shared the following: **BACKGROUND:** Lorraine Canada, Axis Infrastructure, on behalf of property owner Fairway Land LLC, requests the approval of a site plan for a proposed car wash facility on the subject property at 10019 Ridgeway Industrial Dr., which is located at the southeastern corner of the Alexander Rd. and Ridgeway Industrial Dr. intersection. The zoning of the subject property is C-4, Planned Commercial, and is known as Lot 1 of the Fox Hunter Center commercial subdivision. According to the Fox Hunt Center Project Text, both the Planning Commission and the Board of Aldermen must approve any site plan proposed on any lot within the Fox Hunt Center subdivision.

A car wash is a permitted use within the Fox Hunt Center planned commercial development. This is an application for site plan review. The scope of review is limited to the design of the improvements. **RECOMMENDED MOTION:** Approve the site plan for the Mr. Clean Car Wash at 10019 Ridgeway Industrial Dr., subject to the following conditions:

1. A full review of all civil, building elevations, photometric, landscape, and structural plans shall be administratively reviewed and approved by staff.
2. One large, deciduous shade tree shall be planted for every 35 lineal feet of street frontage along the southern property line that fronts HWY 302, and an opaque barrier with a minimum and maximum of 3' in height shall be provided in an updated landscape plan submitted to staff for administrative review and approval.
3. The applicant shall be limited to two (2) wall signs not exceeding a total of 125 sq.ft for both signs, and one (1) monument sign not exceeding 12' in height and 100 sq.ft in size.
4. Applicant shall obtain building a permit before commencing construction.

This concluded the staff report. Mr. Dorr asked the Commissioners if there were any questions for staff and there were none. Mr. Dorr asked if there was anyone present to represent the application and recognized Jesse Kent, Guggenheim Partners, 2621 Marvel Astoria St, Henderson, NV 89044. Mr. Dorr asked if there were any questions for this applicant. Mr. Jones asked about the height and color of the canopy. Mr. Kent advised it would be 11 feet and in Antique Bronze Trim. Mr. Jones asked if the back pad would be open or closed and Mr. Kent advised open. Mr. Jones asked if there were any utilities to the sign and Mr. Kent advised there are none, it's just decorative. It was established that this will be considered a sign and subject to size allowances in the zoning ordinance. Mr. Singh stated that the board can require the applicant to include an updated sign package before moving forward to the Board of Aldermen. Mr. Jones asked if it was possible to table the item to get the signage. Mr. Asongayi advised if the Board wanted to see the new mockups themselves, they can table. If the Board is comfortable allowing this to move to the Board of Alderman with the requirement of an updated signage package, that is also an option. Mr. Gambone advised another option would be to ask staff to hold the application and not submit to the Board of Aldermen until an updated sign package is received that meets our sign specifications and then submit to the Board of Aldermen. Mr. Singh asked what color the canopy was. Mr. Thomas advised it was a bronze canopy. Mr. Dorr if there was anyone else present in favor of the application and there was no one. Mr. Dorr asked if there was anyone present to speak in opposition of this application and there was no one. Mr. Dorr closed the item for discussion among commissioners. **Mrs. Remak made a motion to recommend approval of the site plan for the Mr. Clean Car Wash at 10019 Ridgeway Industrial Dr., subject to the following conditions:**

1. **A full review of all civil, building elevations, photometric, landscape, and structural plans shall be administratively reviewed and approved by staff.**
2. **One large, deciduous shade tree shall be planted for every 35 lineal feet of street frontage along the southern property line that fronts HWY 302, and an opaque barrier with a minimum and maximum of 3' in height shall be provided in an updated landscape plan submitted to staff for administrative review and approval.**
3. **The applicant shall be limited to two (2) wall signs not exceeding a total of 125 sq.ft for both signs, and one (1) monument sign not exceeding 12' in height and 100 sq.ft in size.**
4. **Applicant shall obtain building a permit before commencing construction.**

Ms. Senger made the second and the motion was approved as follows:

**Pat Dorr Yes Steve Stratton Yes Donny Singh Yes Dion Jones Yes
Jim Schumpert Yes Kimberly Remak Yes Diane Senger Yes**

2. Application for a Final Plat for Huntleigh Subdivision, Phase 2, submitted by Ahmed Amer, Haman Construction LLC, property owner. The request is for a one lot subdivision of 2.55+/- acres. The subject property is zoned R-3, Planned Residential District and is located at southeast terminus of Kayley Lane, east of Malone Road. (File # SD23-0011).

Mr. Dorr announced New Business number 2 and asked for the staff report. Mr. Gambone shared the following: **EXECUTIVE SUMMARY:** This application seeks Final Plat approval for Phase 2 of the Huntleigh Subdivision, which consists of one single family residential lot on 2.55+/- acres. Phase 2 was approved in its Preliminary Plat form by the Board of Aldermen on April 21, 2020 as a 6-lot subdivision. However, its development requires the construction of road and utility infrastructure, including expansion of a ditch crossing. Based on changing economic conditions, the property owner and developer has filed a Final Plat for a one lot subdivision with a driveway to be built in lieu of a road over an existing culvert pipe. It would serve just a single home on the 2.55+/- acres. The application is recommended for approval.

BACKGROUND: The subject property is an undeveloped 2.55+/- acre parcel that was recently cleared. It is bounded by the Nolehoe Creek on its northeast side and a tributary ditch to its northwest. It is designated "R-3," Planned Residential District and is located within the Huntleigh Planned Development (PD). Originally called "Estates of Green View" upon its 2005 approval, the Project Text and Master Plan was amended in 2007 under the "Huntleigh" name. The Master Plan included in the PD depicts a 43-lot subdivision. Six of these lots were planned for the acreage on the southeast side of the tributary ditch, which is the subject property.

Following zoning approval, subdivision infrastructure was installed and a Final Plat for 37-lot Phase 1 of the Huntleigh Subdivision was approved and recorded on May 18, 2007. Today, only one of the Phase 1 lots remains vacant. The subdivision is gated. Its roads are private facilities maintained by the Huntleigh Homeowners Association (HOA).

The 2007 civil construction plans for project infrastructure included crossing over the ditch and extending the road to provide access and utilities for the 6 lots planned on the 2.55+/- acres. However, this part of the project was not constructed and the 2.55+/- acre parcel, which remained un-platted, eventually changed hands. In 2018, a previous property owner installed a culvert pipe to access the undeveloped parcel from the end of Kayley Drive to be able to market the property.

Current owner and applicant - Ahmed Amer, Haman Construction – submitted a Preliminary Plat application to subdivide the property into 6 single family lots as had been contemplated on the original Master Plan. The Preliminary Plat was conditionally approved by the Board of Aldermen on April 21, 2020. Records show Mr. Amer purchased the property on May 4, 2020 pursuant to the City's approval. He subsequently submitted civil plans to construct road and utility infrastructure to serve the 6 lots. The plans, which were approved by the City Engineer, included the expansion of the large diameter culvert pipe channeling the ditch to make it long enough for Kayley Lane to be extended over it.

Mr. Amer recently commenced work to clear the property and has made a determination that the construction costs to extend the culvert pipe and to build a road with curbing and sidewalks over it was not commensurate with the expected value he expected to derive from the 6 single family lots. He expressed his intent for the development to change from building a road to constructing a driveway over the existing culvert pipe to serve a single home. Thus, Mr. Amer has filed a Final Plat application for a one lot subdivision of the 2.55+/- acres.

RECOMMENDED MOTION: Approve and recommend that the Board of Aldermen approve the Final Plat for Huntleigh Subdivision, Phase 2 to subdivide 2.55 +/- acres into one lot subject to the following conditions:

1. Improvements to be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Add a plat note subjecting the property to the Phase 1 Declaration of Covenants and Restrictions. Recommended language is, "THE LANDS BEING SUBDIVIDED HEREIN FOR HUNTLEIGH PHASE 2 ARE SUBJECT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HUNTLEIGH PHASE 1 (AND PHASE 2) AS RECORDED IN DEED BOOK 828 PAGE 342 OF DESOTO COUNTY, MS RECORDS."
3. Change label from Kayley "Drive" to Kayley "Lane."
4. Applicant advised that driveway for home shall be concrete or paved. Home must have minimum 2500 heated sq. ft. and 80% brick façade per CCR's.
5. All utilities and services (electric, telephone, cable, etc.) to be installed underground.
6. Final Plat subject to review of the City Engineer.

This concluded the staff report. Mr. Dorr asked the Commissioners if there were any questions for staff and there were none. Mr. Dorr asked if there was anyone present to represent the application and there was no one. Mr. Dorr asked if there was anyone present to speak in opposition of this application and there was no one. Mr. Dorr closed the item for discussion among commissioners. **Mr. Singh made a motion to approve and recommend that the Board of Aldermen approve the Final Plat for Huntleigh Subdivision, Phase 2 to subdivide 2.55 +/- acres into one lot subject to the following conditions:**

1. Improvements to be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Add a plat note subjecting the property to the Phase 1 Declaration of Covenants and Restrictions. Recommended language is, "THE LANDS BEING SUBDIVIDED HEREIN FOR HUNTLEIGH PHASE 2 ARE SUBJECT TO THE AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HUNTLEIGH PHASE 1 (AND PHASE 2) AS RECORDED IN DEED BOOK 828 PAGE 342 OF DESOTO COUNTY, MS RECORDS."
3. Change label from Kayley "Drive" to Kayley "Lane."
4. Applicant advised that driveway for home shall be concrete or paved. Home must have minimum 2500 heated sq. ft. and 80% brick façade per CCR's.
5. All utilities and services (electric, telephone, cable, etc.) to be installed underground.
6. Final Plat subject to review of the City Engineer.

Mrs. Remak made the second and the motion was approved as follows:

Pat Dorr Yes Steve Stratton Yes Donny Singh Yes Dion Jones Yes
 Jim Schumpert Yes Kimberly Remak Yes Diane Senger Yes

3. Application for a Preliminary Plat for Robinson Crossing Subdivision, Section H, submitted by Joe Frank Lauderdale, on behalf of Pleasant Hill Land & Development, property owner. The request is to divide 7.32+/- acres into nine (9) lots and two (2) common open spaces. The subject property is zoned PUD, Planned Unit Development District and is located on the south side of Church Rd, north of Parish Row E. (File #SD23-0009).

Mr. Dorr announced New Business number 3 and asked for the staff report. Mr. Gambone shared the following: **EXECUTIVE SUMMARY:** This application seeks Preliminary Plat approval for Section H of the Robinson Crossing Subdivision. Approval of the Preliminary Plat would authorize the City Engineer to approve civil plans for the installation of roads and utilities to service the proposed 9 lots. As property annexed in 2021, the PUD for Robinson Crossing was approved by the County Board of Supervisors and the subdivision of lots is proceeding in accordance with the PUD's Preliminary Plan and Project Text. However, when the Board of Aldermen approved Section F on May 17, 2022, a condition of approval required that, "*Within one year of the Final Plat recordation for Section F, the 1400 +/- ft. section of Parish Row connecting to Church Rd. is required to be paved and open for regular use by Robinson Crossing residents.*" Based on the date the Final Plat for Section F was recorded, the dirt road included as proposed right-of-way in this Section H must be paved and open to traffic by June 20, 2023. This will provide a critically needed and fully functional 2nd entrance for Robinson Crossing onto Church Road. **BACKGROUND:** Originally approved by DeSoto County in 2005, the Robinson Crossing Planned Unit Development (PUD) included 231.60+/- acres located at the southeast intersection of Church Road and Malone Road. The PUD Master Plan depicts "Areas" 1-9; each proposing specified land uses. There is an "Area 9" designated for retail uses and an "Area 8" planned for senior housing located along Church Road, but the predominant use in the PUD (i.e. Areas 1-7) is for the development of single family lots. Much of the single family portion of the PUD has been developed. There are approximately 225 homes in the subdivision.

As depicted on the 2005 Master Plan, Section H is located in "Area 3" of the PUD, which calls for a minimum lot size of 20,000 sq. ft. and a minimum house size of 3000 heated square feet. Five of the 7 earlier phases of the Robinson Crossing Subdivision that have been recorded were not sequentially lettered as "A" through "G". Instead, the 298 total lots that have thus far been platted were named and recorded as shown in the table, below. Most recently, the Final Plat for 19-lot Section F was approved on May 17, 2022 and recorded on June 20, 2022.

| FINAL PLAT SECTION / PHASE NAME | DATE RECORDED | # OF LOTS |
|--|---------------|-----------|
| ROBINSON CROSSING PHASE I | 12/20/05 | 93 |
| ROBINSON CROSSING PHASE II | 4/5/06 | 29 |
| ROBINSON CROSSING PHASE III – AREA 7 | 3/19/15 | 25 |
| ROBINSON CROSSING SECTION B PHASE III – AREA 7 | 4/7/17 | 26 |

| | | |
|---|---------|----|
| ROBINSON CROSSING SECTION C PHASE III – AREA 3 | 10/7/19 | 42 |
| ROBINSON CROSSING SECTION G | 8/23/21 | 64 |
| ROBINSON CROSSING SECTION F | 6/20/22 | 19 |

A condition from the May 17, 2022 approval of Section F required that, *“Within one year of the Final Plat recordation for Section F, the 1400 +/- ft. section of Parish Row connecting to Church Rd. is required to be paved and open for regular use by Robinson Crossing residents.”* Based on the date the Final Plat for Section F was recorded, the dirt road included as proposed right-of-way in this Section H must be paved and open to traffic by June 20, 2023. The 9 lots are located along the west side of this facility. **RECOMMENDED MOTION:** Approve the application and recommend that the Board of Aldermen approve the Preliminary Plat for Robinson Crossing Section H to subdivide 7.32+/- acres into 9 lots, 2 Common Open Spaces and right-of-way subject to the following conditions:

1. As previously noted in the approval conditions for Section F, there are discrepancies between the PUD Project Text and Preliminary Development Plan versus what has already been built and recorded and what is being proposed with regard to setbacks, cross sections, and changes to the layout and roadway configuration. Prior to, or concurrent with any application to move forward with the Final Plat application for Section H, the applicant is advised that a PUD amendment will need to be filed to reconcile these discrepancies. Otherwise, the Final Plat will need to include a 15' side setback for it to be recorded.
2. Note that the minimum house size is 3000 square feet, exclusive of open porches, garages, or basements.
3. For Final Plat submittal, provide the Declaration of Covenants Conditions & Restrictions.
4. Improvements to be the responsibility of the developer and not the responsibility of Olive Branch.
5. Grading, drainage, and civil construction plans to be approved by the City Engineer.
6. The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, sidewalks, curb and gutter for all streets, and gravel or soil cement base, and asphalt for all streets, with the thickness and layering to be determined by the City Engineer. A performance guarantee, in an amount set by the City Engineer, must be filed prior to recording the plat to insure the installation of all of the improvements prior to issuance of any building permit for any lot on the property.
7. Street light plans to be submitted to the City Engineer for approval.
8. Street identification and traffic control signs and devices to be installed by the developer to City specifications.

This concluded the staff report. Mr. Dorr asked the Commissioners if there were any questions for staff. Mr. Jones asked if there was any requirement for specific building materials. Mr. Gambone there may be something in the Master Plan regarding building material requirements, but he's unsure if there is anything there regarding setbacks. Mr. Dorr asked if there was anyone present to represent the application and recognized Joe Lauderdale, 231 W Center Street, Hernando, MS 38632. Mr. Dorr asked if there were any questions for this applicant and there were none. Mr. Dorr asked if there was anyone present to speak in opposition of this application and there was no one. Mr. Dorr closed the item for discussion among commissioners. **Ms. Senger made a motion to approve the application and recommend that the Board of Aldermen approve the Preliminary Plat for Robinson Crossing Section H to subdivide 7.32+/- acres into 9 lots, 2 Common Open Spaces and right-of-way subject to the following conditions:**

1. **As previously noted in the approval conditions for Section F, there are discrepancies between the PUD Project Text and Preliminary Development Plan versus what has already been built and recorded and what is being proposed with regard to setbacks, cross sections, and changes to the layout and roadway configuration. Prior to, or concurrent with any application to move forward with the Final Plat application for Section H, the applicant is advised that a PUD amendment will need to be filed to reconcile these discrepancies. Otherwise, the Final Plat will need to include a 15' side setback for it to be recorded.**
2. **Note that the minimum house size is 3000 square feet, exclusive of open porches, garages, or basements.**
3. **For Final Plat submittal, provide the Declaration of Covenants Conditions & Restrictions.**

4. **Improvements to be the responsibility of the developer and not the responsibility of Olive Branch.**
5. **Grading, drainage, and civil construction plans to be approved by the City Engineer.**
6. **The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, sidewalks, curb and gutter for all streets, and gravel or soil cement base, and asphalt for all streets, with the thickness and layering to be determined by the City Engineer. A performance guarantee, in an amount set by the City Engineer, must be filed prior to recording the plat to insure the installation of all of the improvements prior to issuance of any building permit for any lot on the property.**
7. **Street light plans to be submitted to the City Engineer for approval.**
8. **Street identification and traffic control signs and devices to be installed by the developer to City specifications.**

Mrs. Remak made the second and the motion was approved as follows:

**Pat Dorr Yes Steve Stratton Yes Donny Singh Yes Dion Jones Yes
Jim Schumpert Yes Kimberly Remak Yes Diane Senger Yes**

4. Application for a Zoning Map Amendment submitted by Bob Barber, Orion Planning Design, on behalf of Mike Bailey, Oak Park LLC, property owner. The request is to repeal the Oak Park Planned Commercial Development text and rezone the 70.67+/- acre property from C-4, Planned Commercial District, to PUD, Planned Unit Development. The purpose is to establish Oak Park Town Center, a Mixed Use Development. The subject property is located on the southeast corner of Hwy 302 & Hacks Cross Rd. (File # ZP23-0001). *(Applicant requests item to be tabled to the May 9, 2023 Planning Commission meeting).*

Mr. Dorr announced New Business number 4 and noted a request to table the item until the May 9, 2023 Planning Commission meeting. **Mr. Stratton made a motion to table the application to the May 9, 2023 Planning Commission meeting. Mr. Singh made the second and the motion to table was approved as follows:**

**Pat Dorr Yes Steve Stratton Yes Donny Singh Yes Dion Jones Yes
Jim Schumpert Yes Kimberly Remak Yes Diane Senger Yes**

OTHER BUSINESS

1. Zoning update discussion

Mr. Asongayi advised this discussion regarding the zoning update was focusing on a table of uses. He is currently working on creating the table, changing some existing districts and creating new ones. He advised the City Attorney has already cleared the legal aspects of doing this and there will be several community engagement meetings planned for open discussion. The Mayor has reached out to the Board of Aldermen members to assist and created a Zoning Code Amendment Committee. So far, the Aldermen included are George Collins and Gil Earhart with the possible addition of a third. Mr. Asongayi is looking to appoint 2 or 3 people to join the Aldermen when discussing these updates with the Old Towne Design Review Advisory Committee. During Phase 2, the same thing will happen, except with the Design Review Advisory Committee. They will only meet 2 or 3 times over the next 2-3 months. Dion Jones, Donny Singh and Pat Dorr volunteered to be delegates. A new policy under consideration for addition is for Accessory Dwelling Units. These will be similar to a mother-in-law wing or addition. It will allow additional housing for additional family members at an existing residence or possibly for someone looking to take in a renter to share expenses. It opens up the option for allowing that that haven't been allowed before. There will be new policies written to convert an existing property to an ADU. If no exterior changes at all, this can be approved administratively. If any changes are made to the exterior structure, it must go to the Board of Zoning Adjustment for a Conditional Use Permit. Some proposed restrictions in place are related to size of the original structure and size of the proposed addition. IF a house is greater then or equal to 1500 sqft, the ADU can be no more than 50% of the house area. If a house is less than 1500 sq ft, then the ADU can be no more than between 250 sq ft

and 650 sq ft. There will be a maximum of 3 people allowed in an ADU. Mr. Singh asked if a pool house could qualify as an ADU. Mr. Gambone advised it would depend on the size of the pool house. He also advised there is a minimum sq ft per person recommended in the code. 250 sq ft may only accommodate 2 people, not 3. Mr. Asongayi advised he would check to make sure all the different sections of the Zoning Code match each other. Mr. Jones is concerned about a scale issue. He is concerned that someone with a larger lot may have multiple units. That will be addressed. Mr. Asongayi asked for thoughts on utilities. There are 2 different options: One meter that will be shared between primary residence and the ADU or to allow separate meters, but require the same owner on the account. Mr. Jones stated that allowing separate meters allows some independence for that renter. Mrs. Remak stated she wants no separate utilities. She also had a question about mail service. Mr. Asongayi advised it would be the same address as the primary household. Mr. Singh asked if it that would be the case if there were separate meters. Mr. Gambone advised it may not be an issue, but that would be looked into. He knows some locations have a separate meter for irrigation purposes and it has the same address, but that is for water only. Full utilities, may be different. Mr. Jones asked if they say no separate meters for ADU's do they also have to say no to separate meters for shops behind houses. Mr. Gambone asked we would talk to the Building Official to get more information. Mrs. Remak doesn't want this to open the door to allow a lot of rentals. Mr. Asongayi advised he wants to keep single family areas as single family areas- not a multi-family areas. We will have provisions in the code to discourage excessive rentals. Staff will research more before the Board decides on the meter issue. Mr. Singh said with the increased housing costs, is there an ordinance regulating AirB&B's. Mr. Gambone stated there are no regulations for short-term rentals. There aren't many in this area and there hasn't been the need to write a full regulation for that with the very few that exist. Mr. Asongayi stated we are being careful not to regulate any existing properties into a nonconforming status.

This concluded the presentation and discussion regarding the Zoning Code changes.

ADJOURNMENT

Mrs. Remak made a motion to adjourn the meeting at 7:46 pm. Ms. Senger made the second and the motion was approved as follows:

**Pat Dorr Yes Steve Stratton Yes Donny Singh Yes Dion Jones Yes
Jim Schumpert Yes Kimberly Remak Yes Diane Senger Yes**