

Public Hearing Special Use Permit – JJ Propane

Public Hearing was called to order at 6:30pm. See sign in sheet for all present. Aaron Melton with JJ Propane and Pastor Dan Updegrave were in attendance to request a special use permit for the bulk storage of propane at the northeast corner of Little Rd and State Hwy 14 (Veterans Blvd). Mr. Melton is in the process of purchasing the southern 5 acres from The Road Church pending the City's approval of the special use permit.

Questions that arose:

Traffic concerns: Mr. Melton informed the Commission that at this time the proposed facility will be light use with refueling trucks visiting the facility maybe 1 to 2 times a week in the busy season. They would access the proposed facility off Little Rd per the lot split agreement and proposed shared ingress/egress.

Development of land: Mr. Melton informed the Commission that they plan on having everything installed within 6 months if possible. Fencing questions were brought up and requested by the fire department. This will be addressed when site plans are presented to the City for review.

Environmental impact: Mr. Melton informed the Commission that they are inspected twice a year and have yet to have any violations. This product is highly monitored but is safe.

Public hearing closed at 6:46pm.

Regular Meeting

President Keith opened the regular meeting of the Planning and Zoning Commission at 6:47pm.

Present: President Keith, Garrett Schmidt, Mayor Maisel, David Wolf (via video call), Ed Westerman came in at 6:55pm and Alderman Hackworth came in at 7:57pm. (Noting for the minutes that Mr. King sent a letter of resignation due to relocation)

Discussion on the special use permit for the bulk storage of propane at the northeast corner of Little Rd and Hwy 14 (Veterans Blvd). President Keith reiterated the points brought up in the Public Hearing.

Traffic concerns: Mr. Melton informed the Commission that at this time the proposed facility will be light use with refueling trucks visiting the facility maybe 1 to 2 times a week in the busy season. They would access the proposed facility off of Little Rd per the lot split agreement and proposed shared ingress/egress.

Development of land: Mr. Melton informed the Commission that they plan on having everything installed within 6 months if possible. Fencing questions were brought up and requested by the fire department. This will be addressed when site plans are presented to the City for review.

Environmental impact: Mr. Melton informed the Commission that they are inspected twice a year and have yet to have any violations. This product is highly monitored but is safe.

Westerman made the motion to approve the Special Use Permit on the 5 acres at northeast corner of Little Rd and State Hwy 14 (Veterans Blvd) in accordance with the "Table of Permissible Uses of the Clever Code Chapter 5 Appendix A: 2.200 Storage and display of goods outside fully enclosed building allowed". Schmidt 2nd the motion and the motion passed unanimously. This will be sent to the Board of Aldermen for final approval via passing of an ordinance.

Discussion on the final plat of Sullivan Addition presented by Sticks and Stones – Steve Morton. President Keith stated that the "final plat" submitted was not in the format that is requested per Clever Code Chapter 410 Article II. Mr. Morton informed the Commission that his surveyor would make all those corrections after the approval. Mr. Morton was informed that this was backwards. Everything must be submitted on the plat for review and approval.

Discussion on the street and stormwater not being completed to City standards.

- Developer stated that in his opinion the stormwater needs to be completed as each lot is developed.
 - Ditches along the west and south property lines should be completed prior to commencement of construction on each lot and kept up while each lot is being developed to help with the drainage and minimize the risk of sediment being washed onto other properties.

- Developer stated that he feels that the culverts will not work and will cause a pooling at the end of the development on the west side. He would like to construct the proposed ditches along the front and in between the lots as the lots are developed.
 - It was explained to him that he can do this, but an as-built set of plans will need to be prepared and submitted to the City for review and approval. All developments have changes after the construction starts and that is acceptable, but the changes just have to be presented and approved. A developer cannot submit and have one set of plans approved and then develop in another way, even if it is better. The City does require documentation on all plan changes.
- Developer stated that he would just do the culverts as presented and approved but was requesting that the grading for each lot be completed after the lots were developed. Developer is uncertain the type or design of house and so the water flow could possibly be different with each lot.
- Developer submitted for the approval of the newly constructed street with a letter and a two-year warranty from the construction company.
 - It was shown that the aggregate base was tested and approved but the asphalt was not. The current ~~top~~ surface layer is in question whether or not it was built to current City standards and if it will handle the wear and tear of construction traffic. The Commission was informed that it was not very smooth and you can see the joints. Commission would like to see a 3rd party review and testing of the road prior to approval and acceptance.

Hackworth made the motion as follows:

1. Clerk is to invoice for the stormwater detention buyout of Sullivan Addition per previous agreement with developer;
2. Approval of the installation of the stormwater public improvements contingent upon the drainage improvements being constructed during the construction and completion of each lot. Developer to provide As Built Plans once all construction is complete;
3. Developer is to install erosion control ~~of~~ silt fence/sock along the entire south and west property line of the subdivision;
4. Approval of the street public improvements construction contingent upon a 3rd party testing of the compaction and wearability of newly constructed Sugar Lane. If results of testing ~~is to~~ finds that ~~it~~ the street was constructed to City standards then cost of testing will be ~~borne~~ borne by the City. If testing finds that the street is NOT constructed to City standards, the cost of testing and repairs to the road will be borne by the Developer.

Westerman 2nd the motion and the motion passed unanimously.

Discussion was held on revising the current fence ordinance, Section 405.330 of the Clever City Code. City Clerk prepared a draft ordinance that was provided to the Commission for review. Provisions and requirements were added and removed from the draft that was submitted.

Hackworth made the motion to adjourn at 10:27pm. Westerman 2nd the motion and passed unanimously.

Respectfully Submitted,

Date Approved:

Kristy Keithley – City Clerk

Brandon Keith – Commission President