

## Minutes

THE TUTTLE PLANNING COMMISSION MEMBERS MET IN A PUBLIC MEETING ON **MARCH 4, 2019** AT 6:30 P.M. AT THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: RICHARD ROLISON, JEFF WOODYARD, DAVID PARKER AND TERESA BUCK

MEMBERS ABSENT: FRED YAEGER

STAFF PRESENT: TIM YOUNG, WENDY MARBLE, SEAN FAIRBAIRN AND TIM EDWARDS

OTHERS PRESENT: DAVID SITTON, DAVID SCHLOSSER, TERESA FIELDER, MIKE BRUM, STEVEN JONES, TRAVIS BROUSSARD, WILLIAM MILLER, MARK HODGES, ANDREA ANDERSON, JUSTIN BATTLES, ALICE KILGORE, CHARLEY GRAVITT, MASON BONILLA, CHAD ALTEMEIER, BRENT ZERBY, RYAN MOORE, DAVID MELTON, ALBERT PENDER, AARON MCLEROY AND OTHERS THAT DID NOT SIGN IN

**CALL TO ORDER** Buck opened the meeting at 6:32 p.m.

**ROLL CALL** Marble called the roll and declared a quorum present

### **ORDER OF BUSINESS**

1. APPROVAL of minutes from February 4, 2019 meeting

**Motion was made by Rolison, seconded by Woodyard to approve minutes from February 4, 2019 meeting.**

**Motion carried as follows:**

**Aye: Rolison, Woodyard and Buck**

**Nay: None**

2. PUBLIC HEARING, DISCUSSION and related CONSIDERATION of **PC Petition 2019-08**, request of Jaden Court, LLC, to rezone approximately 80 acres located in the 4300 Block of E Tyler Dr from A-1 to R-1

**Billy Traxler presented his request for rezoning property for subdivision. Woodyard asked if this request is only to rezone the property. Young replied yes.**

**Buck opened the Public Hearing at 6:35 p.m.**

**Chad Altemeier of Silver Ridge Addition presented concerns about drainage and stated there has been no resolution to the problem.**

**Teresa Fielder of 4401 Stardust presented drainage has gotten worse in the 2 years that she has lived in Silver ridge. She stated she has placed a drainage ditch on her property, and she is concerned that another addition will create more drainage problems.**

**Young stated property owners are not all agreeable to donating property for the culvert between Silver Ridge and River Ridge. Fairbairn stated the new addition will be required to have a detention pond and a drainage plan.**

**Woodyard reminded audience this is only about rezoning the property and not about the drainage plan for a new addition. He asked the City Engineer to explain the plan for the culvert. Fairbairn stated the plan is to re-construct the channel along the back of homes between Silver Ridge and River Ridge. The City will need easements and fences will need to be moved off the easement.**

Brent Zerby of 1600 Excaliber presented he spoke to the City Manager and City Engineer in December 2018 about the drainage and asked if there is a plan to improve the drainage. He is also concerned about the septic systems and contamination.

Fairbairn stated Deer Ridge Run drainage requirements were increased. He stated the proposed development will have increased requirements. Traxler stated his plan is for a four-acre detention pond.

Justin Battles of 4600 Timber Ridge presented he is in favor of the rezoning, stating it is nice to know that a local developer will be improving the land rather than an oil well or fracking on the site.

Steve Schlosser of 1513 Excaliber presented water has been about ½ inch from his door step. He suggested the City has been negligent about drainage requirements.

Parker entered meeting at 6:49 p.m.

Woodyard again stated this is about rezoning and does this property fit into the R-1 residential zone. Young stated at the time Silver Ridge was developed there were no drainage regulations in place. He stated the berms that have been built over time by residents to redirect the flow of water, have not been approved by the City. He stated this has changed the water flow and increased the problem. Fairbairn stated this along with culverts and ditches that have filled in need to be cleaned out.

Buck stated she is aware of drainage problems in Silver Ridge and asks that residents speak to the City Manager or Scott Dickson, the Councilperson for their ward.

Mark Hodge of 1607 Bayside presented the drainage is a problem. He has concerns about building a shop because of the drainage.

Steve Jones of 1208 Antler Ridge built a shop and can't keep dirt under the slab because of the drainage. He presented concerns about drainage at Tyler and SH-4 near Farm Credit. He stated he is opposed to going forward with rezoning without a plan for drainage.

David Melton of 1316 Antler Ridge has been having drainage problems on his property and can't do anything about it because he is concerned how it will affect neighbors. He stated he has been filling in dirt about twice a year. He stated he is opposed to rezoning until other drainage issues are fixed. He asked what the City will do to fix these problems.

Woodyard stated this is only about the rezoning. He stated when a development plan is presented then the drainage plan will take place.

Fairbairn presented the detention pond design has to be one foot taller than the 100-year flood. He stated the City will have to approve the drainage plan.

David Sitton of 1716 Excaliber questioned Fairbairn asking if he has an engineering degree. Fairbairn did not reply. Sitton told Buck that she was not helpful when she was his councilperson.

Ryan Moore of 1607 Excaliber, who relocated to Tuttle from Denver, asked where the City gets funding to operate. Young presented it comes from sales tax only, the City does not receive any property tax. Moore stated property values may decrease because of poor planning by the City.

Woodyard stated drainage is the main focus of this commission. He has experience with drainage issues and does not want others to experience it.

Buck stated no further discussion is necessary and this should be sent to the City Council for consideration.

Motion was made by Woodyard, seconded by Buck to approve PC Petition 2019-08, request of Jaden Court, LLC, to rezone approximately 80 acres located in the 4300 Block of E Tyler Dr from A-1 to R-1 and send recommendation to the City Council for

**consideration. Motion carried as follows:  
Aye: Rolison, Woodyard, Parker and Buck  
Nay: None**

**Young stated this will go before the City Council next Monday.**

3. PUBLIC HEARING, DISCUSSION and related CONSIDERATION of **PC Petition 2019-09**, request of Troung Le, to rezone approximately 2.2 acres located at 5909 Aero Dr from O-1 to C-5

**Le presented request for rezoning. He explained the medical marijuana will be growing in soil organically and not hydroponic growing. Young presented zoning code allows for industrial use in C-5 if enclosed in building with no nuisances. Rolison asked about the type of chemicals that will be on site and Le stated it will all be organic.**

**Buck opened the Public Hearing at 7:48 p.m.**

**William Miller presented he doesn't want this business near his home.**

**Buck closed the Public Hearing at 7:50 p.m.**

**Motion was made by Rolison, seconded by Woodyard to approve PC Petition 2019-09, request of Troung Le, to rezone approximately 2.2 acres located at 5909 Aero Dr from O-1 to C-5. Motion carried as follows:**

**Aye: Rolison, Woodyard, Parker and Buck  
Nay: None**

**Young stated this will go before the City Council next Monday.**

4. DISCUSSION and related CONSIDERATION of **PC Petition 2019-07** regarding amending the Tuttle Zoning Code updating the façade regulations for residential buildings (Public hearing conducted 2/4/2019)

**Young stated this is for smaller homes under 2000 square feet to address the back and side façade. Commission discussed options for materials and made recommendation to require brick façade of 36 inches on sides and back of homes. Young made amendment to the ordinance.**

**Motion was made by Woodyard, seconded by Parker to approve PC Petition 2019-07 as amended, regarding amending the Tuttle Zoning Code updating the façade regulations for residential buildings. Motion carried as follows:**

**Aye: Rolison, Woodyard, Parker and Buck  
Nay: None**

5. PUBLIC HEARING, DISCUSSION and related CONSIDERATION of **PC Petition 2019-11** regarding amending the Tuttle Zoning Code updating the home occupation regulations regarding commercial medical marijuana and industrial uses in residential areas

**Motion was made by Woodyard, seconded by Parker to approve PC Petition 2019-11 regarding amending the Tuttle Zoning Code updating the home occupation regulations regarding commercial medical marijuana and industrial uses in residential areas. Motion carried as follows:**

**Aye: Rolison, Woodyard, Parker and Buck  
Nay: None**

6. DISCUSSION and related CONSIDERATION of **PC Petition 2019-12** regarding amending the Tuttle Zoning Code adopting regulations for carports (Public hearing to be conducted 4/1/2019)

**No Action Taken**

7. DISCUSSION regarding amending the Zoning Code to update the commercial land uses and regulations

**No Action Taken**

**Rolison exited the meeting at 8:55 p.m.**

**ANNOUNCEMENTS**

1. Next meeting Monday, April 1st, 2019 at 6:30 pm

**NEW BUSINESS**

**ADJOURNMENT**

**Motion was made by Buck, seconded by Woodyard to adjourn the meeting at 9:05 p.m.**

**Motion carried as follows:**

**Aye: Woodyard, Parker and Buck**

**Nay: None**

Attest:

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City Clerk

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Chairman