

Minutes

THE TUTTLE PLANNING COMMISSION MEMBERS MET IN A PUBLIC MEETING ON **JULY 6, 2020** AT 6:30 P.M. AT THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: RICHARD ROLISON, BRAD TRAXLER, DAVID PARKER, AND AIMEE DAUPHIN

MEMBERS ABSENT: FRED YAEGER

STAFF PRESENT: TIM YOUNG, WENDY MARBLE, AND BRIAN BALENSEIFEN

OTHERS PRESENT: STEPHEN COLLINS, LESLIE WALKER, KEITH GLASS, VICKI GLASS, KEVIN ROGERS, RACHELLE ROGERS, AARON MCLEROY, RODNEY FRENCH, BLAKE MCDOWELL, ALBERT GAGG, LLOYD VICKERY, PHIL HAGEN, GINA FRANK, SHANE MORRISON, JEFF BOOKER, NATHAN DEPOSE, JEFF HILL, TERESA BUCK, CHRISTINA RYAN, BLAKE BRAY, JASON KNIGHT, ROBERT MCGUFFEY AND OTHERS WHO DID NOT SIGN IN.

CALL TO ORDER Rolison opened the meeting at 6:30 p.m.

ROLL CALL Marble called the roll and declared a quorum present

ORDER OF BUSINESS -

1. APPROVAL of minutes from June 1, 2020 special meeting #1

Motion was made by Parker, seconded by Dauphin to approve minutes from June 1, 2020 special meeting #1.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

2. APPROVAL of minutes from June 1, 2020 special meeting #2

Motion was made by Parker, seconded by Dauphin to approve minutes from June 1, 2020 special meeting #2.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

3. APPROVAL of minutes from June 1, 2020 special meeting #3

Motion was made by Parker, seconded by Dauphin to approve minutes from June 1, 2020 special meeting #3

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

4. PUBLIC HEARING, DISCUSSION and related CONSIDERATION of **PC Petition 2020-20**, request of Casey's Marketing Company, to rezone from the Light Office(O-1) District to the Central Business (CBD) District approximately 0.97 acres located at 3 W. Main St.

Steve Collins presented Casey's business profile and benefit to the community. Parker asked what the hours will be. Collins stated close 10-11pm, not 24 hours. Parker asked if a traffic study was done. Collins stated they do not do that typically. Young stated

the area was C-1, used residential, in 2003 it was down zoned for light commercial. It was an oversight by Planning Commission and City Council not to correct the zoning. The comprehensive plan calls for commercial. Fairbairn mentioned drainage must meet City standard, need to look at flow of water to current storm drainage, aware of ponding. Young stated is zoned commercial – light office, do we want to allow Central Business District rights for this property. Young presented ODOT traffic counts but with no precise numbers.

Rolison opened Public Hearing at 6:39 p.m.

Keith Glass – 4 NW 4th Stated traffic count for school has changed, water drainage is bad, what is detention plan? Fairbairn responded with taking difference in flow to hold and release to what is today, could be detained in parking or below ground. Glass stated water stands in yard for several hours. He asked what size building? Collins stated building is not too large, pumps on east, entrance on 1st and Cimarron. Glass stated it is unfair to Walkers or other stores that have built Tuttle.

Vicki Craig – 100 NW 1st mentioned school traffic, when leaving home and heading West to get on Main Street, business will cause traffic issues, no drainage in the area, stated she is for growth but need to support local business.

Kevin Rogers – 4 W. Holly discussed drainage issues in area, not a good location, drainage, traffic issues, not logical in this location.

Lloyd Vickery –403 NW 1st. Owns 5 W. Main, highway created water issue, lives at 403 NW 1st, school traffic is problem, do not know what they can do about water.

Rolison closed the Public Hearing at 6:56 p.m.

Traxler mentioned water will need to be addressed. Young stated North of Cimarron had drainage problems, South leg designed with storm sewer. Traxler mentioned not being obligated to fix problems just not add to problem. Fairbairn stated Casey's Engineer has provided plan, not directing any water to the North.

Rolison mentioned this item is about use and not development.

Motion was made by Traxler, seconded by Rolison to approve PC Petition 2020-20, the request of Casey's Marketing Company to rezone from Light Office (O-1) District to the Central Business (CBD) District approximately 0.97 acres located at 3 W. Main St.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

5. DISCUSSION and related CONSIDERATION of PC Petition 2020-21, request of Casey's Marketing Company, for a lot merge at 3 W. Main St.

Young stated they are purchasing 4 lots merge to 1 master lot.

Motion was made by Traxler, seconded by Dauphin to approve PC Petition 2020-21, the request of Casey's Marketing Company for a lot merge located at 3 W. Main St.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

6. DISCUSSION and related CONSIDERATION of **PC Petition 2020-22**, request of ACAM Investments, LLC for a lot line adjustment at 4945 ACAM Dr.

Young stated this is storage facility at SH-4, storm water pond not on master property, need to transfer to correct parcel.

Motion was made by Parker, seconded by Dauphin to approve PC Petition 2020-22, request of ACAM Investments, LLC for a lot line adjustment at 4945 ACAM Dr

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

7. DISCUSSION and related CONSIDERATION of **PC Petition 2020-23** request of Shadow Valley Development, LLC, for approval of a final plat and acceptance of dedicated infrastructure for Hollow Brook Phase 1.

Young talked about the final plat and infrastructure approval, discovered oil and gas pipeline on property. City Attorney is concerned, City has no way to address setbacks, developers have met all requirements.

Traxler talked about bylaws already addressed. Young stated these were updated. Rolison stated the City Attorney and Council can address easements.

Motion was made by Traxler, seconded by Rolison to approve PC Petition 2020-23 request of Shadow Valley Development, LLC, for approval of a final plat and acceptance of dedicated infrastructure for Hollow Brook Phase 1.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

8. DISCUSSION and related CONSIDERATION of **PC Petition 2020-25**, request of Lavone Stone, for a lot merge at 79 Kortney Pl.

Young presented this is to merge two lots into one.

Motion was made by Parker, seconded by Dauphin to approve PC Petition 2020-25, request of Lavone Stone, for a lot merge at 79 Kortney Pl.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

9. DISCUSSION and related CONSIDERATION of **PC Petition 2020-26**, request of Tri-City Construction, for a lot merge at 1004 Noah Pl.

Young presented two lots merging into one.

Motion was made by Dauphin, seconded by Parker to approve PC Petition 2020-26, request of Tri-City Construction, for a lot merge at 1004 Noah Pl.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

10. DISCUSSION and related CONSIDERATION of **PC Petition 2020-27**, request of Tri-City Construction, for a lot merge/adjustment at 1102 and 1128 Noah Pl.

Young presented request to merge three lots to two lots.

**Motion was made by Traxler, seconded by Parker to approve PC Petition 2020-27, request of Tri-City Construction, for a lot merge/adjustment at 1102 and 1128 Noah Pl. Motion carried as follows:
Aye: Rolison, Traxler, Parker, and Dauphin
Nay: None**

11. PUBLIC HEARING, DISCUSSION, and related CONSIDERATION of **PC Petition 2020-24** regarding amendment to the Tuttle Zoning Code regarding modification regarding signage regulations.

Young presented a case with Board of Adjustments to exceed sign height and size regulations, open to discuss but not resolve today. Do you agree or disagree with code?

Rolison opened Public Hearing at 7:11 p.m.

Rolison closed Public Hearing at 7:12 p.m.

Motion was made by Rolison, seconded by Parker to table item 11 until next month.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

12. DISCUSSION, and related CONSIDERATION of **PC Petition 2020-05** regarding amendments to the Tuttle Code of Ordinances and the Tuttle Zoning Code regarding regulations for Commercial Medical Marijuana (items remanded back to the Planning Commission from the City Council)

- a. An Ordinance amending the Tuttle Code of Ordinances adopting Medical Marijuana business regulations; adopting fees for Medical Marijuana business permits; repealing the moratorium on issuing new permits for Medical Marijuana Businesses; and providing for severability.
- b. An Ordinance amending the Tuttle Zoning Code amending the use table to add Medical Marijuana Commercial uses; adopting Medical Marijuana Business regulations; and providing for severability.

Young stated the City Council remands back to Planning Commission for further consideration. McLeroy mentioned Industrial Zoning could relocate in Residential and agricultural, did not agree with rezoning, discussed separate classification for Ag/Industrial. Traxler stated does not want it treated as a regular green house.

Young mentioned processing facility 2500 block of SH-37 – close to day care. He stated no decision needs to be made this month.

McLeroy stated no issues with setbacks, etc. just did not like zoning. Rolison stated maybe special use permits for all on case by case basis.

13. DISCUSSION ONLY of **PC Petition 2020-04** regarding amending the Tuttle Zoning Code creating new zoning districts and amending the permitted use table.

Motion was made by Rolison, seconded by Parker to table item 12 and 13 until next month.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

ANNOUNCEMENTS

1. Next meeting Monday, Monday August 3, 2020 at 6:30 pm

NEW BUSINESS

ADJOURNMENT

Motion was made Rolison, seconded by Parker to adjourn the meeting at 7:23 p.m.

Motion carried as follows:

Aye: Rolison, Traxler, Parker, and Dauphin

Nay: None

Attest:

City Clerk

Chairman