

## PLANNING COMMISSION ACTION MINUTES

Tuesday, February 23, 2010, 7:00 pm

1. Invocation- Suspended
2. Pledge of Allegiance
3. Call to Order-**The meeting was called to order at 7:05 pm**

*Members Present:*  
Fred Edwards  
Jennifer Fletcher  
Joe Creamer  
George Ragsdale  
Curtis Mills  
Chris Doty

*Members Absent:*  
Paul Moore

4. Introduction of new Commission member, Chris Doty
5. Public Comment

***There was no Public Comment. A motion was made by Fred Edwards and seconded by Joe Creamer to close Public Comment. The motion passed unanimously 6-0.***

6. Approval of Action Minutes –January 26, 2010 Planning Commission Meeting

***A motion was made by Joe Creamer and seconded by Fred Edwards to approve the minutes. The motion passed 5-0-1 with Commissioner Doty abstaining.***

7. **RZ10-01/VC10-001 - 3105 Bethany Bend** (Southeast corner of Bethany Bend and Hwy 9) D Squared Development, LLC to rezone from AG-1 (Agricultural) and C-1 (Community Business) to C-1 (Community Business) to develop a 2,400 square foot gas station with 5 pump islands at a density of 2,755.45 square feet per acre. The applicant is also requesting a concurrent variance to reduce the 20-foot landscape strip to 10 feet along Bethany Bend (Section 64-1090(a)).

The Community Development Staff presented their findings and recommendations and the applicant presented their application. The Planning Commission heard many public concerns in the areas of traffic generation, public loitering, and availability of similar uses in the area, alcohol sales, and pedestrian accessibility.

***A motion was made by Curtis Mills and seconded by Jennifer Fletcher to allow an additional ten minutes for comments from both the opposition and the applicant. The motion passed unanimously 6-0.***



**A motion was made by Curtis Mills and seconded by Fred Edwards to close the public hearing. The motion passed unanimously 6-0.**

The Planning Commission discussion included the following issues:

- 1) Number of times a week is fuel delivered per week: The applicant stated that it would be 2 to 3 times a week during the slow times of the day.
- 2) Number of employees per shift: The applicant stated 2 to 3 with a total of 8-10 employees total.
- 3) Potential congestion conflicts onsite: Trash emptying and deliveries will be tight according to the applicant's engineer.
- 4) The need for the 5<sup>th</sup> pump: The applicant stated that it was increased economic benefit.
- 5) Is it possible to design the site without the concurrent variance: The applicant stated that they would consider eliminating the 5<sup>th</sup> pump and submit a revised site plan but it may not be viable to build.
- 6) Some of the Commissioners expressed that although eventually the parcel maybe rezoned to commercial, the proposed use is too intensive for the size and shape of the property.

**A motion was made by Curtis Mills and seconded by Jennifer Fletcher to deny RZ10-01 to rezone from AG-1 (Agricultural) and C-1 (Community Business) to C-1 (Community Business) to develop a 2,400 square foot gas station with 5 pump islands at a density of 2,755.45 square feet per acre. The motion passed unanimously 6-0.**

**A motion was made by Joe Creamer and seconded by Fred Edwards to deny VC10-01 to reduce the 20-foot landscape strip to 10 feet along Bethany Bend (Section 64-1090(1)). The motion passed unanimously 6-0.**

8. Commissioner Ragsdale requested that Staff include an item on the next agenda to amend the City of Milton Planning Commission By-Laws. Staff agreed to include this item on the March 23, 2010 Planning Commission Meeting agenda.
9. Adjourn

**A motion was made by Fred Edwards and seconded by Joe Creamer to adjourn the meeting. The motion passed unanimously 6-0. Time of adjournment was 8:37 p.m.**

3-23-10

Date Approved

City of Milton Planning Commission Chairperson