

Community Development Staff

Ms. Weitman, reported the following items were discussed and considered by City Council on the below listed dates:

April 1, 2024

Approved:

- **Rezoning Application No. RZ1043**, from C-5 Automotive and Commercial Recreation District to C-3 Commercial Recreation District at 306 N. Telephone Road.
- **Final Plat of DM Estates**, north of SE 4th Street and east of Olde Bridge Road

Additionally, Ms. Weitman reported that 3 vacancies on the Planning Commission Board will be opening up August of 2024. Acceptance of applications for those vacancies closed yesterday, June 10th, with a total of ten applications received. We expect to have a swearing-in of new members at the August 13th Planning Commission Meeting. Election of Officers will also be held during that meeting.

Ms. Lauren Purcell, Assistant City Planner, gave the following presentation.

Agenda Item No. 5a, being: NEW BUSINESS

Discuss and consider **Rezoning Application No. RZ1044**, located in the SW/4 of Section 2, T10N, R3W, being North of NE 27th Street and East of N I-35, from I-1 Light Industrial District to I-1/PU Light Industrial District with a Permissive Use for Construction Sales and Services; Heavy. Application by Rain for Rent/Tre Dupuy. **Ward 2.**

The subject site consists of approximately 5 acres and is located East of N. I-35 and North of NE 27th Street. There are currently two properties located at this site, 501 NE 27th and 2901 N Pole Rd. The property is developed as light industrial. The applicant is not proposing changes to the underlying uses, but instead is asking for a Permissive Use for Construction Sales and Services: Heavy, with a proposed use of operating a construction rental company for water pumps, water tanks, and related equipment at 501 NE 27th St, as well as bringing an existing oil well services business located at 2901 N. Pole Rd into compliance with the zoning code.

The property is currently served by public water and sewer. Access is provided from NE 27th Street and Pole Road.

There is no FEMA-designated floodplain located on the property. Due to the age of the existing development, stormwater detention is not provided. And because no new development will occur, stormwater detention is not required at this time.

The subject site is located in an area which has historically been industrial in nature. The site at 501 NE 27th

St. is currently being used by the applicant's business, but with smaller equipment meeting the definition of the I-1 zoning designation. Due to the type and size of construction equipment proposed to be stored on the property, the applicant is only asking for a permissive use to allow for the storage of larger equipment on site. Other uses that fall within the requested 'Construction Sales and Services: Heavy' use unit classification include similar uses for construction contractors and related equipment, such as those used in the oil well servicing business i.e. service rigs, drilling materials, etc.

The Envision Moore 2040 Plan calls for this location to be Light Industrial. Land uses in the light industrial designation include heavy commercial uses and light industrial development with a separation from residential areas. This application was reviewed as to its conformance with the intent of the Plan.

All future development shall conform to the Plan's recommendations for aesthetics, including landscape mix, accessible open space, and access management. Any re-development of this site will be reviewed against the comprehensive plan goals and recommendations for compliance.

The proposed development is not located within ¼ mile of schools and parks. Sidewalks are not required.

The site currently has access with driveways along NE 27th and Pole Rd. No additional driveways or curb cuts will be allowed.

This site does not contain FEMA-designated floodplain. Stormwater Detention is not required because no new development is being proposed at this time.

This rezoning application seeks to rezone the property to I-1 with a Permissive Use for a construction rental company to allow for the storage of larger equipment on site as well as bringing an existing oil well services business into compliance with the zoning code. Because this type of use is industrial in nature, an amendment to the comprehensive plan is not necessary. Staff recommends approval of this application, contingent upon the replacement of all dead trees and shrubs on the site.

Gary Lunow commented he sees this location as a good choice for the proposed business.

Chairman Sherrard asked if the applicant was present.

Robert Morgan introduced himself as the Branch Manager for this location and offered to expand on the types of large equipment that will be stored on site.

Mr. Morgan provided a hand out with pictures of examples. One example shown is a frac-tank. Mr. Morgan explained it is used to store water, and other various oil and gas applications, however, they remain empty while on site. Another example is a roll-off box used for solid storage, that will also remain empty while on site. Chairman Sherrard stated, so there should not be any environmental issues related to the activities of the business. Mr. Morgan answered, "No sir, that is correct.

Ms. Weitman stated, for clarification it should be noted that a second business does operate on this same parcel. The business operating off of Pole Road is an oil well service company. That business was approved several years ago, and the scope of their business may have also expanded, which would cause them also to fall under the same Permissive Use being considered today.

Chairman Sherrard commented that he has been in communication with the First Baptist Church property to the West and they have no objection to the proposed change.

Chairman Sherrard asked if anyone in the audience would like to address this issue. After no response, a motion was requested.

Emily Richey motioned to recommend **Approval of Rezoning Application No. RZ1044**. Chad Burks seconded the motion. Roll was called.

Ayes: Lunow, Burks, Snow, Jarema, Joiner, Richey, Sherrard

Nays:

Abstained:

Absent: Laib

Agenda Item No. 5b, being: NEW BUSINESS

Discuss and Consider the **Final Plat of Eagle Lane Duplexes**, located in the SW/4 of Section 22, T10N, R3W, being North of SW 19th Street and East of Eagle Drive. Application by Omni Construction, LLC/Joe Sherga. **Ward 3**.

The subject site is located north of SW 19th St and east of Eagle Drive and is approximately 3 acres in size with 10 lots and 2 common areas, resulting in a density of approximately 7 units per acre. The site is zoned R-2 as a PUD. The approved PUD grants reduced lot widths of 60' and a maximum lot coverage of 50% in exchange for the following amenities:

- A common area, not including detention, containing a minimum of 9,767 sf. A total of 10,367 is included in the plat, not including the detention pond.
- A total of 35 trees shall be provided for the common areas
- A 196 sq ft shelter with an 8-foot ADA picnic table and 6-foot bench.
- Automatic irrigation system for all required landscaping
- Residential exterior aesthetics with minimum of 70% brick, rock or stone

Stormwater detention for this development is proposed in one of the common areas to the Southwest of the site. No portion of the property within this PUD is located within the FEMA floodplains/floodways.

Access is provided by Eagle Drive, a collector street connecting to SW 19th Street at a signal light.

The planning commission recommended approval of the rezoning application for the PUD and preliminary plat for this addition, and City Council approved both items on June 5, 2023.

The Envision Moore 2040 Plan calls for this location to be Urban Residential. Land uses in Urban Residential designation include attached and detached residential units with densities up to 7 units per acre. This application was reviewed as to its conformance with the intent of the Plan.

With the land being designated as Urban Residential, the preliminary plat slightly increased the densities from

the adjacent single-family developments while providing quality open space to off-set densities. The proposed development includes approximately 10,367 square feet of open space excluding the detention pond, which is a slight increase in the PUD requirement for open space, and a density of 7 lots per acre, which meets the goals and policies of the Comprehensive Plan. Because the final plat is in conformance with the approved preliminary plat, no amendment to the Envision Moore 2040 Plan is necessary.

The final plat is in compliance with the approved PUD, preliminary plat and the goals and recommendations of the Comprehensive Plan. Staff recommends approval.

Chairman Sherrard asked if the depth of these lots will allow for stacking of two cars in the drive. Ms. Weitman answered yes, that was a consideration. The City insisted that be the case in order to keep vehicles off of the street.

Ms. Richey asked for verification that the street width meets the fire apparatus for turn-around. Ms. Weitman answered, yes.

Chairman Sherrard asked if the applicant was present. Anthone Hanley with Crafton Tull introduced himself as the engineer for the project and offered to answer any questions. Mr. Hanley stated the applicant Joe Sherga is also in the audience and available to answer questions.

Chairman Sherrard stated, he is happy to see the project has its own access from Eagle Drive and will not be adding any additional curb cuts to SW 19th Street. Chairman Sherrard asked if there will be a Home Owners Association who will maintain the common areas as far as irrigation and mowing. Mr. Hanley answered yes, that is correct.

Gary Lunow asked if these units would remain under the ownership of the developer. Mr. Hanley answered yes, these will be lease units that will remain under one ownership.

Chairman Sherrard asked if there were any members of the audience who wished to address this item. Hearing none, a motion was requested.

Gary Lunow made a motion to recommend **Approval** of the **Final Plat of Eagle Lane Duplexes**. Don Snow seconded the motion. Roll was called.

Ayes: Lunow, Burks, Snow, Jarema, Joiner, Richey, Sherrard

Nays:

Abstained:

Absent: Laib

Agenda Item No. 6 being: CITIZENS - None

Agenda Item No. 7 being: ADJOURNMENT

Chairman Sherrard requested a motion to adjourn at 7:25 p.m.

Motion: Kenneth Jarema motioned for adjournment. Gary Lunow seconded the motion. Roll was called.

Ayes: Lunow, Burks, Snow, Jarema, Joiner, Richey, Sherrard

Nays:

Abstained:

Absent: Laib

RECORDED FROM NOTES & TRANSCRIBED BY _____
Nora Kerbo, Administrative Assistant