

Planning & Zoning Commission  
Regular Meeting  
Tuesday, June 2, 2020 6:30 pm  
City Hall Council Chambers

Present: Jim Hull, Brian Bunch, Larry Rosanbalm, DeAnna Martin, Chris Livingston,  
Aaron Widhalm, CM John King

Absent:

Staff: Shelby Teufel, Missy Gentry

Other: Brian "Auggie" Augspurg, Scott Grant

Jim Hull declared there was a quorum.

Chris Livingston made a motion to approve the Consent Agenda, seconded by Brian Bunch. Vote as follows: Jim Hull aye, Brian Bunch aye, Larry Rosanbalm aye, DeAnna Martin aye, Chris Livingston aye, Aaron Widhalm aye, John King aye

First on the Agenda:

1. Public Hearing: Vacation of Strictus  
Location: Strictus St South of Tall Grass Dr. between lots 114 and 191  
Submitted by: Brian "Auggie" Augspurg

Jim Hull called on Shelby Teufel to give the City's recommendation on the street vacation. An additional southern phase of the Tall Grass Subdivision was originally planned when Strictus Street was constructed. The proposed phase was abandoned when the Corbin Acres 2 subdivision was approved in 2019. This section of the roadway is no longer needed as Strictus Street is no longer planned as a through or connecting roadway. The City does have an existing water line and fire hydrant on the west side of the roadway. The plat submitted does include an ingress egress and utility easement for this reason. The City and Fire District are interested in relocating these utilities at a future date with access from Tall Grass Drive. Staff has no further concerns regarding this application. Public works has expressed they would like to see the curbing and sidewalks continued across the section of Strictus Street to be vacated to aid in water shed as well as snow removal.

Larry Rosanbalm questioned if the water line ends at the fire plug. Shelby stated that is true and there are also other hydrants accessible along Tall Grass Drive.

Brian Bunch asked for clarification on the sidewalk and curbing. Shelby responded that Public Works would like to continuation of the sidewalk and curbing in anticipation that is it no longer a paved roadway. If the developer vacated the property it would still go to the property owners to the East and West.

Jim Hull asked if there was anyone signed in for public comment. Shelby indicated that the applicant, Brian "Auggie" Augspurg, and Scott Grant were both signed in to speak.

Brian "Auggie" Augspurg spoke to the commission in regards to the reason for his application. Brian expressed concerns regarding the increased construction traffic through Strictus Street due to the development of the single lot that would have access via this street. He stated this lot was not included in the Tall Grass subdivision but in fact part of the Corbin Acres 2 development and therefore may have different regulations than the Tall Grass Subdivision. He also has concerns that the purchaser of the lot behind Strictus would want to utilize this for a rear entryway to their property.

Jim Hull questioned if the vacation would be for both Brian and the neighbor to the West. Brian stated that was true.

Jim Hull invited Scott Grant to speak in regards to the vacation.

Scott Grant stated he would like for the Commission to table their decision for 30 days so that he may have time to review and have an informed opinion on this vacation.

Scott questioned which method The City was utilizing for this particular vacation. Shelby responded this vacation was by ordinance. Scott noted that per UDC that signage should have been posted 15 days prior to the public hearing. As of Sunday, May 31, 2020 there was not sign posted at the location to be vacated.

Scott noted that the when developing Corbin Acres 2 he was informed that if he vacated the same area as the applicant that he would have to pay to have the water line and fire hydrant relocated. He did not proceed with this vacation because of the cost to relocate the water line and fire hydrant.

Scott questioned if the owner if the owner of the lot to the West was even notified of the possible vacation. He would again like to table the application for 30 days in order to meet with the applicant and City to discuss a possible resolve.

Scott stated this street was not a through street and this would not increase traffic flow as it only access one lot. By vacating this section of street it will take away City street access to that lot.

Larry Rosanbalm asked if the lot was sold. Scott stated that it was not sold at this time.

Brian Bunch asked about the meeting minutes in regards to the Final Plat for Corbin Acres 2. Shelby located the minutes from this meeting, Fall 2019. Which asked that the developer pay to relocate the waterline and fire hydrant in question.

Larry questioned what the fire protection for Corbin Acres 2 would be. Scott stated that additional hydrants would be installed.

Jim Hull asked if there were any other public comments.

Brian "Auggie" stated he has met with the neighbor to the West in regards to the vacation and he approves of the vacation. Brian "Auggie" stated that the neighbor was not available for this meeting. He also stated that he would be more than willing to obtain signatures from everyone in the HOA for Tall Grass in support of the vacation. He did not reach out to Scott as he was informed there was paperwork he could file with the City. At that time he was informed that Scott had declined the vacation prior to his application.

Scott again asked for the application to be tabled so that he can have further time to prepare his contest and possibly come to an agreement with the applicant.

Jim Hull asked if there were any other public comments. Brian "Auggie" stated that he did not believe there was a resolution that could be reached. Scott stated that he feels there is a resolution and again requested the application be tabled for 30 days.

Jim asked for a motion to close public comment. Brian Bunch made a motion to close public comment, seconded by Chris Livingston. Vote as follows: Jim Hull aye, Brian Bunch aye, Larry Rosanbalm aye, DeAnna Martin aye, John King aye, Chris Livingston aye, Aaron Widhalm aye. Motion passed

Jim Hull asked for any additional questions or comments.

Larry Rosanbalm asked if The City had missed notification. Shelby Teufel responded possibly on interpretation. We did send written notification to the surrounding properties but nothing was posted at the location. Shelby confirmed with Missy Gentry that nothing was posted at the location itself.

Shelby Teufel suggested that the application be tabled for 30 days to ensure that proper notification is made in regards to the vacation. Both published notification and posted notification at the area to be vacated. Larry asked when the City Council will be reviewing the application. Shelby stated it was set for Public Hearing with City Council on Monday June 8, 2020 but that they could open and close the hearing. Jim verified that the next Planning and Zoning meeting would be Tuesday, July 7, 2020 and the next City Council Meeting after the Planning and Zoning Meeting would be Monday, July 13, 2020. Shelby confirmed these dates.

Jim Hull requested a vote on the vacation based upon the City, applicant and developer comments that have been heard.

John King made a motion to table the application for 30 days to be heard again on Tuesday, July 7, 2020hk 0, seconded by Chris Livingston. Vote as follows: Jim Hull aye, Larry Rosanbalm aye, DeAnna Martin aye, John King aye, Chris Livingston aye, Brian Bunch aye, Aaron Widhalm aye. Motion passed.

Second on the agenda:

2. Other.

Jim Hull stated that the Commission need to elect officers, Chairman, Vice Chairman and Secretary. As of this date Jim Hull is Chairman, Chris Livingston is Vice Chairman and Secretary is vacant. Shelby stated that the Secretary would be an appointed staff member.

Jim Hull made a motion to elect the 3 officers, seconded by DeAnna Martin. Vote as follows: Jim Hull aye, Larry Rosanbalm aye, DeAnna Martin aye, John King aye, Chris Livingston aye, Brian Bunch aye, Aaron Widhalm aye. Motion passed.

Brian Bunch clarified that the City staff member was to take minutes. Shelby confirmed staff would be taking minutes.

Jim Hull asked for nomination for Chairman. Chris Livingston nominated Jim Hull as Chairman. Jim stated he would fill the position through the end of 2020.

Chris Livingston made a motion to nominate Jim Hull as the Chairman, seconded by DeAnna Martin. Vote as follows: Larry Rosanbalm aye, DeAnna Martin aye, John King aye, Chris Livingston aye, Brian Bunch aye, Aaron Widhalm aye. Motion passed.

Jim Hull asked for nomination for Vice Chairman. Larry Rosanbalm nominated DeAnna Martin. DeAnna questioned what this position entails. Jim stated she would fill in as necessary when the Chairman was not present at meetings and have a general understanding of the UDC. Jim stated she could either accept or decline the nomination. DeAnna declined the nomination. Jim asked for another nomination. Brian Bunch nominated Larry Rosanbalm. Larry accepted the nomination.

Brian Bunch made a motion to nominate Larry Rosanbalm as Vice Chairman, seconded by Chris Livingston. Vote as follows: DeAnna Martin aye, John King aye, Jim Hull aye, Chris Livingston aye, Brian Bunch aye, Aaron Widhalm aye. Motion passed.

Larry Rosanbalm questioned what occurs if no officers were able to attend the meeting. Shelby stated that there would be a vote at the beginning of the meeting to appoint one of the other members for that meeting.

Shelby stated that the City is working the UDC regarding changes. Per the UDC commercial site plans no longer come before the Planning and Zoning Commission. The City will be submitting the site plan for Pleasant Hill Self Storage Phase 2 to the commission for review as there was concerns from the Commission in regards to Phase 1. Jim Hull questioned if this was only the site plan. Shelby and Missy both confirmed this was correct.

With no further items to discuss, Larry Rosanbalm made a motion to adjourn the meeting, seconded by John King. Vote as follows: Jim Hull aye, Larry Rosanbalm aye, DeAnna Martin aye, John King aye, Chris Livingston aye, Brian Bunch aye, Aaron Widhalm aye. Motion passed.