

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION OF THE
CITY OF NORTH RICHLAND HILLS, TEXAS
HELD IN THE CITY HALL
4301 CITY POINT DRIVE
NORTH RICHLAND HILLS, TX 76180
SEPTEMBER 1, 2016**

WORK SESSION: 6:30 PM

CALL TO ORDER

Chairman Randall Shiflet called the Work Session to order at 6:31 p.m.

ROLL CALL

Present:	Randall Shiflet	Chairman, Place 4
	Bill Schopper	Vice Chair, Place 6
	Mike Benton	Place 2
	Don Bowen	Place 3
	Kathy Luppy	Place 5
	Steven Cooper	Place 7
	Jerry Tyner	Ex-Officio
Absent:	Mark Haynes	Place 1
Staff:	Clayton Comstock	Planning Manager
	Clayton Husband	Principal Planner
	Chad VanSteenberg	Planner
	Caroline Waggoner	City Engineer
	Justin Naylor	Civil Engineer
	Greg Lindsey	Fire Battalion Chief
	Craig Hulse	Economic Development Director
	Cara White	City Attorney
	Marrk Callier	Management Assistant
	Cheryl Booth	Customer Service Assistant
	Jeremy Baugh	Network Services Analyst

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1. ANNOUNCEMENTS - UPCOMING CITY EVENTS

Planning Manager Clayton Comstock discussed current city news.

2. DISCUSS DEVELOPMENT ACTIVITY REPORT AND CITY COUNCIL ACTION.

Planning Manager Clayton Comstock skipped this item in order to discuss the items on the September 1, 2016 Regular Meeting Agenda.

3. DISCUSS ITEMS FROM THE REGULAR PLANNING AND ZONING COMMISSION MEETING.

Planning Manager Clayton Comstock and Principal Planner Clayton Husband presented the items on the September 1, 2016 Regular Meeting Agenda.

The Work Session was adjourned at 7:06 p.m.

REGULAR MEETING: Immediately following worksession (but not earlier than 7:00 pm)

A. CALL TO ORDER

Chairman Randall Shiflet called the Regular Meeting to order at 7:12 p.m.

ROLL CALL

Present:	Randall Shiflet	Chairman, Place 4
	Bill Schopper	Vice Chair, Place 6
	Mike Benton	Place 2
	Don Bowen	Place 3
	Kathy Luppy	Place 5
	Steven Cooper	Place 7
	Jerry Tyner	Ex-Officio

Absent:	Mark Haynes	Place 1
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Staff:	Clayton Comstock	Planning Manager
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Justin Naylor	Civil Engineer
Greg Lindsey	Fire Battalion Chief
Craig Hulse	Economic Development Director
Cara White	City Attorney
Marrk Callier	Management Assistant
Jeremy Baugh	Network Services Analyst

A.1 PLEDGE OF ALLEGIANCE

Jerry Tyner led the Pledge of Allegiance to the United States and Texas flags.

B. MINUTES

B.1 APPROVE MINUTES OF THE AUGUST 18, 2016 PLANNING AND ZONING COMMISSION MEETING.

APPROVED

COMMISSIONER BOWEN MOVED TO APPROVE MINUTES OF THE AUGUST 18, 2016 PLANNING AND ZONING COMMISSION MEETING. COMMISSIONER COOPER SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

C. PUBLIC HEARINGS

Chairman Randall Shiflet announced that Items C.3 and D.1 would be moved to the front of the agenda since the majority of the audience was attending specifically for those items.

C.3 ZC 2016-09 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM ZEON PROPERTIES, LLC FOR A ZONING CHANGE FROM C-2 COMMERCIAL, R-1 SINGLE FAMILY, AND AG AGRICULTURAL TO R-2 SINGLE FAMILY AND FROM AG AGRICULTURAL TO LR LOCAL RETAIL ON 11.223 ACRES LOCATED IN THE 7500 BLOCK OF DAVIS BOULEVARD.

APPROVED

Chairman Randall Shiflet announced that Item C.3 would be heard in conjunction with Item D.1 since the items were related.

Planning Manager Clayton Comstock introduced the Zoning Change and Preliminary Plat requests.

Applicant Osama Nashed, 5000 Thompson Terrace, Colleyville, TX 76034, with A.N.A. Consultants came forward representing the developer to present the requests.

Chairman Shiflet asked if the Preliminary Plat displayed this evening is different from the one that was in the agenda packet.

Planning Manager Comstock responded that the exhibit is the same except that the existing plat and the contour lines are shown along with the new proposed plat on the version in the agenda packet, and the version tonight only shows the proposed plat. The previous version had created some confusion.

Mr. Comstock summarized the staff report and clarified the definition of the R-2 Single Family Residential District.

Chairman Shiflet opened the public hearing.

Brian Lindenberger, 8520 Smith Drive, NRH, came forward and presented a petition in opposition to the zoning and plat requests. Mr. Lindenberger gathered signatures of property owners in the notification area that are opposition. The petition was read aloud to the Commission. He stated that the neighborhood does not want increased traffic and they ask the Commission to disapprove the zoning change.

Steven Pybus, 8533 Smith Drive, NRH, came forward to speak in opposition to the requests. Mr. Pybus used the document camera to show historic photos of Meadowview Estates from 1979, 1990 and 1995. He stated that the proposed property cannot be developed because of flood plain and drainage issues.

Jim Sherman, 8524 Smith Drive, NRH, came forward to express concerns about the zoning request. Mr. Sherman is opposed to the change and feels that the new street layout changes the original intent of the development. He discussed traffic issues in the neighborhood and the speed bumps that were installed.

Pete Daniels, 7500 Northfield Drive, NRH, was called to speak. Mr. Daniels is opposed to the zoning change request and discussed traffic issues and flooding concerns. He wants to maintain the quality of life in the neighborhood.

Jay Hearne, 7629 Northfield Drive, NRH, came forward to speak. Mr. Hearne

encouraged the city to allow a cul-de-sac on the proposed new street and create a pedestrian connection between Smith Drive and the new street. He pointed out that the existing plat already shows the connection to Smith Drive and that property could be developed commercially if this request is denied.

Mr. Comstock clarified the existing development rights of the approved plat.

Mark Stikkel, 8521 Smith Drive, NRH, came forward to speak. Mr. Stikkel desires to live at the end of a dead end street and asked the Commission to consider the perspective of the neighborhood.

Michael Pratt, 8528 Ellis Drive, NRH, came forward to speak. Mr. Pratt is opposed to the request and agrees with the suggestion of a cul-de-sac on the proposed new street.

Terry Hudgeons, 8532 Smith Drive, NRH, came forward to speak. Mr. Hudgins is opposed to the connection on the basis of security concerns. He is not opposed to a gate being installed for emergency services access.

Richard Cleghorn, 8529 Smith Drive, NRH, came forward to speak. Mr. Cleghorn is opposed to the request based on traffic concerns. He asked the Commission to consider a cul-de-sac, a gate, or a bike path instead of a through street.

Tricia Brewster, 8525 Smith Drive, NRH, came forward to speak. Ms. Brewster proposes a cul-de-sac or a gate for emergency access. She is concerned about crime in regard to the proposed street connection.

Glenn Phillips, 8613 Terrell Drive, NRH, came forward to speak. Mr. Phillips has a question about the route the construction vehicles would use to enter the subdivision.

Dan Langham, 8425 Rumfield Rd, NRH, came forward to speak. Mr. Langham is concerned about what will be constructed between the south side of the development and his property to the south in terms of fencing.

Karen Clary, 7616 Northfield Dr, NRH, came forward to speak. Ms. Clary discussed the neighborhood crime watch group and quality of life issues. She is concerned about traffic and property values related to the proposed street connection.

Chairman Shiflet closed the public hearing.

Commissioner Don Bowen motioned to approve the zoning change with the stipulation that an emergency gate be installed at the connection to Smith Drive.

Chairman Shiflet asked for clarification as to whether conditions could be placed on the zoning approval.

City Attorney Cara White replied that no conditions may be placed on this straight zoning request.

Commissioner Bowen made a second motion to approve the zoning change so discussion could commence.

Commissioner Steven Cooper seconded the motion, also for the purpose of having a discussion about the request.

Commissioner Bill Schopper commented that this area is not commercially viable since the former Winn Dixie property was purchased by Gateway Church.

Chairman Shiflet asked Planning Manager Comstock to address the difference between the Zoning Change request and the Preliminary Plat request.

Planning Manager Comstock explained the development process and the purpose of the Preliminary and Final Plats.

Chairman Shiflet asked if the applicant was required to show the Preliminary Plat this evening.

Mr. Comstock confirmed that it is not a requirement.

Commissioner Cooper asked if Mr. Comstock could answer the questions that were raised by the speakers.

Mr. Comstock addressed the question of screening between properties.

Commissioner Mike Benton commented that it is unfortunate when we have situations like this and he could not vote to approve this in good conscience.

Commissioner Cooper asked if this property is in a designated flood plain.

Mr. Comstock explained that the lot contains FEMA designated flood plain but the

area to the south and north of that designated area is developable. The Preliminary Plat designates a 25 foot erosion setback.

Commissioner Jerry Tyner asked if the city has any plans for the creation of a right hand turn lane off of Rumfield Road onto Davis Boulevard.

City Engineer Caroline Waggoner came forward and explained that there are no current plans for a right turn lane at that location but that the City understands that traffic backs up there during the PM peak. A CIP project and right of way acquisition would be necessary to create a new turn lane and that is something the City can investigate further.

Commissioner Kathy Luppy commented that she had faced the same situation at the end of a dead end street and came to City Council but it did not work out in the residents favor. She wanted to assure those who attended the public hearing that the City has their well-being in mind and will continue to listen to concerns from residents.

Chairman Shiflet commented that a solution is needed for the Rumfield and Davis intersection, although the cost would be high. He stated that you cannot deny someone the right to develop their property and purchasing the property is the only way to ensure that it stays in its current state. The Commission will make a recommendation to the Mayor and Council and they will be the deciding body.

Commissioner Cooper stated that this is an up or down vote for the Commission.

Mr. Comstock explained that a change to a Residential Infill Planned Development district could be made at this meeting because that zoning district is a more stringent district than the R-2 District.

Chairman Shiflet asked how that would be done without a denial tonight?

Mr. Comstock explained why the request can be changed.

Commissioner Bowen asked if the Commission needs to vote on the current motion and second first before making any changes.

City Attorney Cara White stated that the Commission should proceed with voting on that issue since there is a motion and second on the floor.

Commissioner Mike Benton asked if the original motion could be amended.

City Attorney Cara White indicated affirmatively.

Commissioner Bowen suggested they call for the question and if the original motion fails, another motion could be considered.

Chairman Shiflet called for the question and requested a vote on the motion to approve ZC 2016-09.

The motion failed by a vote of one in favor (Shiflet) and five opposed.

Commissioner Bowen motioned that the zoning request be approved as a Residential Infill Planned Development with an emergency-only gate at the Smith Drive connection. Commissioner Benton seconded the motion.

The applicant, Mr. Nashed, came forward and expressed his desire to be good neighbors and they would be happy to install a gate.

Commissioner Bill Schopper stated that a gate would only allow the 18 home owners of the proposed subdivision access from Davis Boulevard.

Commissioner Bowen stated there is a bubble at the end of the street for a turn around that would meet the criteria for emergency vehicles.

There was a discussion between Commissioners Benton and Schopper about the number of lots in the development.

Commissioners Benton and Luppy expressed appreciation to the developer for amending the request and for his past cooperation with the City.

COMMISSIONER BOWEN MOVED TO APPROVE THE REQUEST AS A RESIDENTIAL INFILL PLANNED DEVELOPMENT WITH AN EMERGENCY-ONLY GATE AT THE SMITH DRIVE CONNECTION. COMMISSIONER BENTON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

D. PLANNING AND DEVELOPMENT

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D.1 PP 2016-06 CONSIDERATION OF A REQUEST FROM ZEON PROPERTIES, LLC FOR A PRELIMINARY PLAT OF ST. JOSEPH ESTATES ADDITION ON 11.223 ACRES LOCATED IN THE 7500 BLOCK OF DAVIS BOULEVARD.

APPROVED

Chairman Randall Shiflet asked Planning Manager Clayton Comstock how the previous case affects the Preliminary Plat.

Planning Manager Comstock came forward and stated that the plat has not been reviewed in relation to the proposed dead end street or gate connection. The "knuckle" at the end of the street is not a full-sized turnaround. He recommends approval subject to staff review of an appropriate emergency services connection or turnaround at the end of Patrick's Path.

COMMISSIONER BENTON MOVED TO APPROVE PP 2016-06 SUBJECT TO STAFF REVIEW OF AN APPROPRIATE EMERGENCY SERVICES CONNECTION OR TURNAROUND AT THE END OF PATRICK'S PATH. COMMISSIONER LUPPY SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

The Commission took a brief recess due to technology issues related to the agenda management system, adjourning at 8:34 p.m.

The meeting reconvened at 8:45 p.m.

PUBLIC HEARINGS (continued)

C.1 ZC 2016-13 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM ROVIN, INC. FOR REVISIONS TO REDEVELOPMENT - PLANNED DEVELOPMENT 77 (PD-77) LOCATED AT 6700-6720 NE LOOP 820.

APPROVED

Planning Manager Clayton Comstock introduced the zoning request.

Paul Vinyard, 20125 Fiddler's Green, Frisco, TX presented background information about Babe's Chicken Dinner House and showed images of the proposed Babe's and Sweetie Pie's locations in NRH.

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Frank King, 257 Rabbit Run, Dripping Springs, TX, presented information about the recycled materials to be used in construction of the two restaurants.

Planning Manager Comstock summarized the staff report and stated that the purpose of the Planned Development was for building elevations or architecture and signage. The applicant will still need to submit a site plan for approval by the Development Review Committee.

Chairman Randall Shiflet asked about a possible monument sign on Rufe Snow Drive.

Mr. Comstock responded that the applicant does intend to have a sign in that location, possibly for multiple restaurants, but that will be considered an off-site sign and is not a part of this request.

Commissioner Steven Cooper asked for clarification about the proposed height of the monument sign compared to what is currently allowed by ordinance.

Mr. Comstock stated that single tenant monument signs are limited to a height of seven feet.

Commissioner Jerry Tyner asked if there was an exhibit that showed the relationship between this development and the residents to the south.

Mr. Comstock showed the concept plan and stated that the applicant has placed the restaurants as far north as possible on the property and the City's outdoor lighting standards have been met as far as lighting trespass onto adjacent lots. The fence dividing the restaurant and residential properties will be an 8 foot masonry wall that will match the existing wall behind Taco Cabana.

Chairman Shiflet opened the public hearing and called for anyone wishing to speak to come forward.

Jay Boden, 6741 Corona Drive, asked if property owners could add additional height to the wall that is being proposed for a total of ten feet.

Mr. Comstock explained that the type of wall that is being proposed looks like stone or brick but is stamped concrete that is painted or stained. Eight feet is the maximum height for a wall or fence.

Michael Moss, 6729 Corona Drive, asked if the side streets were proposed to be blocked off for entrance into the development.

Mr. Comstock explained that the existing LaRue Circle extension would connect into this property but Redondo Street would not connect.

COMMISSIONER COOPER MOVED TO APPROVE ZC 2016-13. COMMISSIONER BOWEN SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

C.2 ZC 2016-14 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM ADIENE JONES FOR A ZONING CHANGE FROM R-1 SINGLE FAMILY TO R-1-S SPECIAL SINGLE FAMILY ON 2.06 ACRES LOCATED AT 7512 BURSEY ROAD.

APPROVED

Chairman Randall Shiflet and Commissioner Steven Cooper left the Council Chambers at 9:13 p.m. in order to recuse themselves. They are both property owners within 200 feet of this zoning request.

Vice Chairman Bill Schopper read the caption for ZC 2016-14.

Planning Manager Clayton Comstock introduced the zoning change request.

Applicant Adiene Jones, 7801 Forest Hills Court, presented her zoning request. Ms. Jones has a buyer for the home on Bursey Road but they want to be able to have a horse on the property.

Vice Chairman Schopper opened the public hearing.

Lynn Lensing, 7508 Bursey Road, NRH, came forward to speak in favor of the request.

Elizabeth Sheppard, 2856 Mimosa Park Drive, Richland Hills, came forward to speak in favor of the request.

Monty Carpenter, 7516 Bursey Road South, NRH, came forward to speak in favor of the request.

Ron Dalton, 7529 Woodhaven Drive, NRH, came forward to speak in favor of the request.

Vice Chairman Schopper closed the public hearing.

Commissioner Mike Benton motioned to approve the zoning request and Commissioner Don Bowen seconded the motion.

Commissioner Benton asked about the type of fencing that is required to keep horses in the city as well as the fence maintenance that is required.

Planning Manager Comstock detailed the R-1-S zoning regulations including the enclosure requirements.

Commissioner Benton stated that a horse could damage a regular wooden fence.

Mr. Comstock stated that fencing is not required in the city code.

Commissioner Kathy Luppy asked if there were any other lots zoned R-1-S in the immediate area.

Mr. Comstock replied that Mr. Carpenter, just to the east of the subject lot, rezoned his property to R-1-S in 2013. That is the only R-1-S property along the south side of Bursey Road.

Commissioner Don Bowen asked if Mr. Carpenter could have chickens.

Mr. Comstock stated that the animal code allows one animal per acre in terms of livestock.

Commissioner Bowen asked Mr. Comstock to go over the estate lot guidelines that were established in 2014.

Mr. Comstock discussed the work sessions conducted by the Planning and Zoning Commission and City Council in 2014 that addressed estate lots. The staff recommendation is denial of the request in reiteration of the results of those work sessions.

Commissioner Bowen asked if there had been many phone calls to staff about this request.

Mr. Comstock replied that there have been several calls and most of those callers are present this evening and in favor of the request.

COMMISSIONER BENTON MOVED TO APPROVE ZC 2016-14. COMMISSIONER BOWEN SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 4-0.

Chairman Randall Shiflet and Commissioner Steven Cooper reentered the Council Chambers at 9:35 p.m.

C.4 SDP 2016-04 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM WILSON AND STONAKER, LLC, FOR A SPECIAL DEVELOPMENT PLAN FOR SMITHFIELD HEIGHTS ON 15.05 ACRES LOCATED IN THE 6600 & 6700 BLOCKS OF DAVIS BOULEVARD.

APPROVED

Planning Manager Clayton Comstock introduced the Special Development Plan (SDP) request.

Applicant representative, Michael Bennett, 500 W. 7th Street, Fort Worth, TX, presented the request.

Commissioner Kathy Luppy asked how many multifamily units were proposed in this development.

Mr. Bennett responded there would be approximately 400 units at build out. Commissioner Luppy and Mr. Bennett discussed the number of bedrooms proposed in these units, which is unknown at this point.

Planning Manager Comstock presented the staff report and discussed the waivers that the applicant is seeking. He clarified that the total number of units being proposed is between 450 and 490, depending on whether or not a parking garage is provided in the development.

Chairman Randall Shiflet opened the public hearing.

Vickie Coles, 5645 Jamaica Circle, came forward and expressed concern for the relationship between this proposed development and the cemetery to the west. The

concerns included tree removal adjacent to the cemetery, the proximity of Building A to the cemetery, the potential connection to the cemetery shown on the southwest side of the development, and a lack of park space provided within the proposed development.

Two commissioners asked the city attorney if they should abstain from participating in this case since they have plots in the cemetery. City Attorney, Cara White, responded that the commissioners should be okay in this instance due to the value of the plots.

Jackie Hamen-Bean, owner of 8021, 8025 and 8029 Mickey Street, was called to speak. Ms. Hamen-Bean is against the request and is concerned about the lack of park space and the proposed parking structure in this plan. She encouraged the Commission to preserve Smithfield.

Larry Fortney, 8016 Mickey Street, came forward to speak. Mr. Fortney is concerned about the parking garage, the proposed density of the project and the condition of Mickey Street.

Mary Pat Fortney, 8016 Mickey Street, came forward to speak. Ms. Fortney is concerned about any connection to Mickey Street.

Chairman Shiflet closed the public hearing and called for a motion.

Commissioner Bill Schopper motioned to approve the request as proposed. Commissioner Mike Benton seconded the motion.

Chairman Shiflet called the applicant to come forward to respond to the questions about trees and the cemetery.

Mr. Bennett stated that they have made an attempt to save as many trees as possible along the western property line of the development. He further stated that they do not intend to connect to the cemetery from this development.

Planning Manager Comstock discussed the proposed future connections shown on the concept plan and the city-owned alley that is shown behind the existing buildings along Main Street.

Chairman Shiflet asked about fencing in between the cemetery and the proposed development.

Mr. Comstock answered that there is no fencing required but that a recommendation could be made by the Commission to include fencing and staff would work with the developer on the issue.

Commissioner Luppy stated her concern for the cemetery and the importance of preserving its historical value to the community.

Mr. Comstock stated that, although the zoning is already in place to allow the basic development, restrictions can be placed on the buffer between the cemetery and the development through the SDP they are seeking for certain waivers.

Chairman Shiflet suggested that a wrought iron fence might ensure the sanctity of the cemetery. He also suggested that the developer may want to meet with residents along Mickey Street. He requested clarification for the right of way width along Mickey Street.

City Engineer Caroline Waggoner stated that Mickey Street is a thirty foot right of way but some properties that have platted more recently have provided a wider right of way.

Chairman Shiflet requested that we assure the residents that Mickey would not connect until it was improved.

Mr. Comstock stated that it is the intent of the City to not connect Mickey until such time that it was improved. This could become enforceable as a condition of the SDP.

Commissioner Cooper asked Mr. Comstock about the waiver to the landscape standards that was being requested.

Mr. Comstock stated that the Transit Oriented Development (TOD) standards for landscaping are substantially higher than those in the city's other zoning districts and it creates an inequitable situation. Previous SDP applicants have requested to follow the landscape standards in Chapter 114 that apply to the city as a whole. City staff are planning an update to the TOD landscape standards.

Commissioner Cooper asked if a stipulation could be made in the SDP that trees be added along the boundary between the cemetery and this development.

Mr. Comstock answered yes.

Commissioner Benton asked if Commissioner Schopper would consider amending the motion so that the screening on the west side of the development adjacent to the cemetery can be improved.

Commissioner Schopper stated that instead of amending the motion he would like to determine what exactly can be done regarding screening instead of dictating something to the developer.

Chairman Shiflet stated that there is time for solutions to be worked out between the Planning and Zoning Commission and City Council meetings.

Commissioners Cooper and Luppy stated that they want to support this plan but cannot until there is a solution to the concerns brought forth by the speakers.

Commissioner Benton agreed and said he would like to see a concrete solution instead of passing it like it is on to City Council to provide solutions.

Commissioner Luppy said there are valid concerns that need to be addressed before this is approved.

Chairman Shiflet asked when this was scheduled for City Council.

Mr. Comstock answered that it has been advertised for the September 12th Council meeting.

Chairman Shiflet said that continuing this to a specific date could be an option.

Commissioner Benton asked if a decision could be made tonight about a fence.

Mr. Comstock replied that the Commission has made recommendations previously to City Council that were contingent on a developer meeting with adjacent property owners to find solutions to their concerns. The minutes can reflect suggested solutions by the Commission such as the wrought iron fencing that was discussed.

Commissioner Cooper stated that he also does not want to dictate solutions to the developer but would like consideration for the discussion that has taken place about fencing and trees, particularly in light of the landscaping waiver that is being requested.

Commissioner Benton added that he would like to see a fence and a landscape buffer that is respectful to the cemetery.

Commissioner Luppy stated that she does not feel suggesting that the City Council look into these issues is strong enough language, but that something should be included in the Commission's motion.

Mr. Bennett suggested that a low stone wall possibly with a wrought iron fence atop that could be located in the existing ten foot buffer that is already proposed. This would help to block head lights from shining into the cemetery. The negative aspect of that is the more footings that are put in for a wall, the less likely the mature trees are to survive.

There was a discussion about a stone wall and the planting of new trees between the Commission and the applicant.

Commissioner Luppy stated that there is already a black wrought iron fence around the cemetery that might be continued in this area.

Commissioner Cooper asked Commissioner Schopper if he feels comfortable amending his motion.

Commissioner Schopper stated that he will amend his motion and to defer to the architect's creativity to find a solution to the screening but that a parking garage is already permitted.

Commissioner Cooper suggested a vote be taken, and if it's denied, another motion could be made that included the suggested solutions.

Commissioner Schopper amended the motion to include a half stone wall with matching wrought iron fencing above it adjacent to the cemetery, with replacement trees also adjacent to the cemetery, and no vehicular access to Mickey Street until such time that it is improved in the future.

Chairman Shiflet encouraged the applicant to meet with the residents on Mickey Street and Ms. Coles prior to City Council in order to mitigate any issues.

COMMISSIONER SCHOPPER MOVED TO APPROVE SDP 2016-04 WITH THE CONDITIONS THAT A HALF STONE WALL WITH MATCHING WROUGHT IRON FENCING ABOVE IT BE CONSTRUCTED ADJACENT TO THE CEMETERY, REPLACEMENT TREES BE ADDED ADJACENT TO THE CEMETERY, AND NO VEHICULAR ACCESS BE ALLOWED TO MICKEY STREET UNTIL SUCH TIME THAT IT IS IMPROVED IN THE FUTURE. COMMISSIONER BENTON SECONDED THE MOTION.

MOTION TO APPROVE CARRIED 6-0.

E. ADJOURNMENT

Chairman Shiflet adjourned the meeting at 10:40 p.m.

Randall Shiflet, Chairman

Don Bowen, Secretary