

**Maryville Planning Commission  
December 17, 2007**

**Public Hearing #1**

Proposed amendments to the subdivision code section 154.028 Sanitary Sewer  
Requirements

The public hearing was opened at 7:01 p.m. by Chairperson Covarrubias.

The purpose of the public hearing was to recommend changes that will require all new lift stations within the Village of Maryville to be constructed with backup pumping capabilities. The pumps will have to be powered by natural gas or other fuel to be used during an electric power outage. The amendment will be to the Subdivision Code "Sanitary Sewers" section 154.028 (A) (2) (b).

RC: Was there any previous event that resulted in this recommendation or is this just good preventative action?

KF: The storms and resultant power outages in 2006 required Village employees to rotate two generators around to all of the lift stations to keep them operational.

SF: The proposed amendment states alternative fuel sources, other than natural gas, may be used.

KF: Natural gas is the preferred fuel, approval for alternative fuels must be given by the Public Works department. This would be required for all new lift stations, no changes would be required for existing lift stations.

LG: The Village owns the property and the lift stations previously constructed. The intent is to add backup pumping capabilities to them, perhaps one or two per year until all lift stations have a backup.

CV: If a development has preliminary, but not final plat approval, would it then be required to have backup pumps?

LG: Yes, any developments that do not have final plat approval would be required to install backup pumps.

RC: Are we requiring any particular make, model, or brand of backup pump?

LG: The wording of the ordinance requires approval by the Public Works department. There are several models that are acceptable.

RC: What does this add to the cost of a lift station?

LG: An estimate would be between \$20k and \$40k depending on the size required.

CV: Who is responsible for the installation and hook up to natural gas?

KF: The developer.

Chairperson Covarrubias called for comments or questions from the Planning Commission members or the public. There being none, the first public hearing was closed at 7:13 p.m.

## Public Hearing #2

### Request for rezoning 2207 S. Center St. from SR-2 to B-1

The public hearing was opened at 7:13 p.m. by Chairperson Covarrubias.

K. Flaucher gave a brief overview of the petitioners request and noted that the request is in agreement with the comprehensive plan for the future land use of that property.

Chairperson Covarrubias further noted that all of the property on Ill Rte #159 is planned to be for light commercial use.

DK: What is the zoning on adjacent properties?

KF: The field to the South and West is agricultural; the property to the North is Multi-Family; and the property to the East is Multi-Family.

The requester(s) T. Wells and R. Norbury were present to respond to any questions. Per the requesters' application, the planned use is for office space or a day care center.

SF: Will additional lighting be installed beyond what is attached to the house?

RN: Yes, lighting will be added to the parking lot behind the house.

KF: R. Norbury has indicated that the garage will be removed from the South side of the house to permit the widening of the driveway to 31 feet. This will permit access to the planned parking area at the rear of the property.

RC: I have a concern that the plan is not showing a 50 ft. buffer strip between this property and the adjoining property zoned single family.

LG: The adjoining property has a single family living in it, but it is zoned multi-family.

CV: The property on the other side has the auctioneer business, there is no 50 ft. buffer strip between it and this property.

RC: The neighbor is not present at the meeting?

LG: That is correct. All adjacent property owners were notified and notices were printed in the paper. I had one neighbor call, I answered their questions and they seemed to be satisfied.

CV: If the property is developed as a day care, I am assuming that some of the parking area will be playground, correct?

RN: The playground may be on the North side as 25 ft. is available there.

RC: Are you planning on providing fencing around the property?

RN: Yes.

MF: Has the additional drainage due to the parking lot been adequately addressed?

RN: The property has an 8 ft. slope to the rear and the drainage will go on the empty field behind the property.

KF: This would be addressed when the improvement plans are received and reviewed.

LG: This is a hearing for the zoning of the property, not the changes that may be made to the property.

Chairperson Covarrubias asked for further comments from the public and the members of the Planning Commission who were present, there being none, the public hearing was closed at 7:22 p.m.

## **Regular Meeting**

The regular meeting of the Maryville Planning Commission was called to order at 7:23 p.m. on December 17, 2007 in the Village Hall by Chairperson R. Covarrubias.

### **Roll Call**

Members Present: R. Covarrubias, M. Floyd, S. Frey, D. Keene, T. Nemsky, C. Vincent  
Members Absent: D. Drobisch  
Additional Attendees: K. Flaughner, L. Gullledge, R. Limberg, L. Ray

### **Approval of Minutes**

Chairperson Covarrubias called for a review of the minutes from the November 26, 2007 meeting. C. Vincent made a motion to approve the minutes as presented. The motion was seconded by M. Floyd. Motion carried all ayes.

### **New Business**

#### **Recommendation on Proposed amendments to the subdivision code section 154.028 Sanitary Sewer Requirements**

R. Covarrubias questioned whether or not a developer had the right to appeal a decision made under this ordinance with the Zoning Board of Appeals. K. Flaughner responded yes.

L. Gullledge noted that under paragraph (b) all lift station materials, equipment types, and requirements shall be furnished and installed in accordance with details and specifications of the Village Public Works Department.

R. Covarrubias made a motion to recommend to the Village Board the proposed amendment to the subdivision code, Chapter 154, Section 154.028; paragraph (A); Sub-paragraph (2) (b) as presented. The motion was seconded by D. Keene. Roll Call: Covarrubias-aye; Floyd-aye; Frey-aye; Keene-aye; Nemsky-aye; Vincent-aye. Motion carried all ayes.

#### **Recommendation of the Request for rezoning 2207 S. Center St. from SR-2 to B-1**

The requester, T. Wells was present to answer any questions from the Planning Commission.

It was noted that the property requested for re-zoning is in agreement with the comprehensive plan adopted by the Village.

C. Vincent made a motion to recommend to the Village Board the request for rezoning of the property at 2207 S. Center St. from SR-2 to B-1 in accordance with the comprehensive plan. The motion was seconded by M. Floyd. Roll Call: Covarrubias-aye; Floyd-aye; Frey-aye; Keene-aye; Nemsky-aye; Vincent-aye. Motion carried all ayes.

**Recommendation of Special Use Permit for MVOB – Maryville Retail Center**

K. Flaughner stated that Lot #1 on the Maryville Retail Center requires a recommendation to the Zoning Board of Appeals for a MVOB. Approval of the preliminary development plan was recommended at the November 26, 2007 meeting. A special use permit is required for a MVOB.

C. Vincent made a motion to recommend approval for a special use permit for a MVOB at the proposed Maryville Retail Center, Lot #1, to the Zoning Board of Appeals. The motion was seconded by D. Keene. Roll Call: Covarrubias-aye; Floyd-aye; Frey-aye; Keene-aye; Nemsy-aye; Vincent-aye. Motion carried all ayes.

**Recommendation for Variance on Building Height – McRea-Midkiff Medical Park**

K. Flaughner stated that the building height of the proposed development exceeds the current ordinance of a maximum of 35 feet. The McRea-Midkiff building will be 42 feet in height. The preliminary development plan was recommended for approval at the November 26, 2007 meeting. A variance will be required.

C. Vincent made a motion to recommend approval for the variance from 35 feet to 42 feet on building height at the proposed McRea-Midkiff Medical Park to the Village Zoning Board of Appeals. The motion was seconded by D. Keene. Roll Call: Covarrubias-aye; Floyd-aye; Frey-aye; Keene-aye; Nemsy-aye; Vincent-aye. Motion carried all ayes.

**Other Business**

L. Gulledge questioned the Planning Commission members regarding what the recommended limitations should be on building height. R. Covarrubias requested that the Village Engineer and the Fire Department should discuss this and make appropriate recommendations to the Planning Commission. Also, aesthetics should be taken into consideration. K. Flaughner will research the zoning requirements in the adjoining communities.

L. Gulledge again stated that a plan is needed for how to address the maintenance of subdivision Islands. Specifically, who will be responsible the Village or the Developer. The general consensus was that covenant restrictions should be used. It was suggested that that Village Attorney recommend acceptable wording for the covenant restrictions.

L. Gulledge reminded the members that Friday, December 21<sup>st</sup> is the Village Christmas party from 1:00 p.m. to 7:00 p.m.

There being no further business to discuss, M. Floyd made a motion to adjourn the meeting at 8:06 p.m. The motion was seconded by T. Nemsy. Motion carried – all ayes.