

Maryville Planning Commission – June 27, 2005

**Public Hearing
Charles Wandling Request for Rezoning – 2722 Maryville Road**

The public hearing was opened at 7:01 p.m. R. Covarrubias requested comments from those present who had submitted a public hearing attendance card requesting the opportunity to comment at the hearing.

C. Wandling: Owner of the property, for the change. Stated that he wanted the property zoned B-1 to make the property more attractive to a buyer for commercial purposes.

The request for rezoning to B-1 agrees with the comprehensive plan for the Village. The property is .459 acres in size and is improved with a single family dwelling. Property across the street is currently zoned commercial.

R. Covarrubias closed the public hearing at 7:10 p.m.

Chairperson R. Covarrubias called the regular meeting of the Planning Commission to order at 7:10 p.m.

Members present: L. Benesh, R. Covarrubias, D. Drobisch M. Floyd, S. Frey
Members absent: L. Andrews, C. Vincent.
Additional Attendees: J. Dutton, K. Flaughner, and R. Schmidt.

Chairperson Covarrubias called for a review of the minutes from the May 23, 2005 meeting. L. Benesh made a motion to accept the minutes as presented. Motion was seconded by M. Floyd. Roll Call: Benesh-aye, Covarrubias-aye; Drobisch-aye; Floyd-aye; Frey-aye. Motion carried – all ayes.

Recommendation – Charles Wandling Request for Rezoning from SR-1 to B-1

M. Floyd made a motion to recommend approval to the Village Board to rezone the property at 2722 Maryville Road to B-1 from SR-1. Motion was seconded by D. Drobisch. Roll Call: Benesh-aye, Covarrubias-no; Drobisch-aye; Floyd-aye; Frey-aye. Motion carried; 4-1.

Preliminary Development Plan – Lot #5 Woods Edge – Osborn

The developer, Joe Osborn was present to answer any questions from the members of the Planning Commission. The lot is to be improved with a 4-family dwelling with a 2 car garage for each unit on the lower level. The entire street is presently improved with multi-family dwellings. Since this is a single lot development change, no green space or green space fees were required. K. Flaughner stated that all required fees had been paid by the developer.

A review memo dated June 13, 2005 for Job No. E-050718 was received from Juneau Associates, Inc., P.C. Seven (7) comments were made of which six (6) had been corrected prior to the meeting. Comment #3: "Proposed landscaping should be shown" needed correction. The developer agreed to make the correction as required by Village Ordinance.

K. Flaughner stated that he could approve the corrected plan and would not issue a building permit until the required change for proposed landscaping was made to the developers plan.

R. Covarrubias made a motion to recommend approval of the preliminary development plan for lot #5 at Woods Edge contingent upon the developer correcting the plan to show the landscaping required by Village ordinance. Motion was seconded by S. Frey. Roll Call: Benesh-aye; Covarrubias-aye; Drobisch-aye; Floyd-aye; Frey-aye. Motion carried; all ayes.

Preliminary Plat Approval – Villages at Amberleigh

Robert Tiemann was present to answer questions from the members of the Planning Commission.

A review memo dated June 17, 2005 for Job No. E-050717 was received from Juneau Associates, Inc., P.C. Fourteen (14) review comments were made which required corrections to the plat by the developer. A discussion followed in which each of the comments in the memo was reviewed by the Planning Commission and the developer.

During review, it became unclear as to whether or not the density or green space calculations, as shown, were in agreement with Village Ordinance. K. Flaughner stated that the pre-annexation agreement superceded Village Ordinances for a PD-R. A cursory review of the annexation agreement did not make clear what variances from Village Ordinance were granted by the agreement.

It was noted that this is the first development of this type within the Village, setting a benchmark for future developments of a similar nature.

R. Covarrubias made a motion to table any action on the preliminary plat and requested that the Mayor and Village Board, along with the Village attorney prepare a written document showing where the annexation agreement deviates from the Village Ordinance for a PD-R, explaining the variances granted to the developer, if any. Motion was seconded by S. Frey. Roll Call: Benesh-aye, Covarrubias-aye; Drobisch-aye; Floyd-aye; Frey-aye. Motion carried; all ayes.

R. Covarrubias scheduled a special meeting of the Planning Commission on July 11, 2005 to re-address the preliminary plat, the annexation agreement and the document explaining the annexation agreement and any variances as agreed to by the Village Board.

Other Business

K. Flaughner stated that two (2) months ago the Planning Commission approved the preliminary plat for Cambridge House. At that time, the developer had submitted all of the requirements for both the preliminary and final plat, requesting three (3) variances from Village Ordinance. The three (3) variances were approved and the final plat had no changes from the preliminary. Therefore, K. Flaughner approved the final plat. Per Village Ordinance, the Building and Zoning Administrator can approve the final plat if no changes are made from the preliminary plat as approved.

R. Covarrubias requested that K. Flaughner, would, in the future, advise the Planning Commission when the preliminary plat as submitted meets the requirements for the final plat submission.

With no further business to discuss, M. Floyd made a motion to adjourn the meeting at 8:40 p.m. Motion was seconded by D. Drobisch. Motion carried, all ayes.

