

Maryville Planning Commission – March 24, 2003

**PUBLIC HEARING #1
Bagley Request for Re-Zoning from SR-2 to MR-2**

Chairperson Covarrubias opened the public hearing at 7:04 p.m. Comments were requested from any and all persons present at the hearing. There being no comments, the public hearing was closed at 7:08 p.m.

**PUBLIC HEARING #2
Kuykendall Request for Re-Zoning from MR-2 to B-1**

Chairperson Covarrubias opened the public hearing at 7:08 p.m. Comments were requested from any and all persons present at the hearing. K. Flaughner commented that the purpose of the request was to allow for expansion of parking area(s) to the rear of the business. There were no further comments; the public hearing was closed at 7:11 p.m.

The regular meeting of the Planning Commission was called to order by R. Covarrubias at 7:12 p.m. Members present: L. Benesh, R. Covarrubias, M. Floyd, S. Frey, and C. Vincent. Additionally, J. Dutton, K. Flaughner, R. Limberg, and L. Gullede were present.

Chairperson Covarrubias requested that the members present review the minutes from the January 27, 2003 meeting. L. Benesh made a motion to approve the minutes as presented. M. Floyd seconded motion. Motion passed, 4 ayes and 1 abstention.

Recommendation of the Bagley Zoning Request from SR-2 to MR-2

Following a short discussion and review, C. Vincent made a motion to recommend to the Village Board the approval of the zoning request. Motion was seconded by L. Benesh. Roll Call: Benesh-aye; Covarrubias-aye; Floyd-aye; Frey-aye; Vincent-aye. Motion passed, all ayes.

Recommendation of the Kuykendall Zoning Request from MR-2 to B-1

The property is identified as lots #7 and #8, located at Second and South Donk Avenue, behind the Antique and Deli on Center Street.

Following a short discussion and review, R. Covarrubias made a motion to recommend to the Village Board the approval of the zoning request. Motion was seconded by S. Frey. Roll Call: Benesh-aye; Covarrubias-aye; Floyd-aye; Frey-aye; Vincent-aye. Motion passed, all ayes.

Morgan Estates, a Minor Subdivision, Final Plat Approval

As a procedural matter, the developer requested a variance to allow for the platting of a utility easement R.O.W. on the minor subdivision.

S. Frey made a motion to recommend to the Village Board the approval of the developer request for variance. Motion was seconded by C. Vincent. Roll Call: Benesh-aye; Covarrubias-aye; Floyd-aye; Frey-aye; Vincent-aye. Motion passed, all ayes.

R. Covarrubias made motion to recommend to the Village Board the approval of the Morgan Estates Minor Subdivision contingent upon the developer presenting a written request for variance and receipt of verification of the existing access road to the lift station. L. Benesh

seconded the motion. Roll Call: Benesh-aye; Covarrubias-aye; Floyd-aye; Frey-aye; Vincent-aye. Motion passed, all ayes.

Shell Community Credit Union PD-B, Final Plan Approval

A lengthy discussion and review of the plat was conducted by the members present along with a review of the comment memo from Juneau and Associates, Inc., P.C. as attached.

The developer presented 3 variance requests to the Village of Maryville Landscape Ordinance 40-4-18:

1. The Credit Union requested a variance to provide 3 new trees along N. Center Street in lieu of the 4 trees required based upon the frontage of 187.87 feet.

R. Covarrubias made a motion to recommend to the Village board the developer request for variance. C. Vincent seconded the motion. Roll Call: Benesh-aye; Covarrubias-aye; Floyd-aye; Frey-nay; Vincent-aye. Motion carried, 4-1.

2. The Credit Union requested a variance to provide 3 new trees along Bauer Lane in lieu of the 5 trees required based on the frontage of 248.55 feet.

R. Covarrubias made a motion to recommend to the Village Board the developer request to provide 3 trees, but to also allow the existing shrub to remain undisturbed on the site. L. Benesh seconded the motion. Roll Call: Benesh-aye; Covarrubias-aye; Floyd-aye; Frey-nay; Vincent-aye. Motion carried, 4-1.

3. The Credit Union requested a variance to provide a 4-foot high sightproof vinyl fence along the west and north property lines as indicated on the plan. In addition, an evergreen hedge would be planted along the north property line extending from where the fence stops to a point approximately 60 feet west of the northeast property corner. This would be in lieu of the requirement to plant evergreen plant material with a minimum height of 8 feet with effective spacing of 6 foot on center.

The property lines as described above adjoin residential property. The minutes of the October 28, 2002 Planning Commission meeting show that a motion was made and passed requiring the Credit Union to provide a signed statement from the adjoining residential property owner on the North side, approving any variance to the Village of Maryville Landscape Ordinance. The Credit Union had not obtained such a statement.

C. Vincent made a motion to recommend to the Village Board the denial of the Credit Union request for variance #3. L. Benesh seconded the motion. Roll Call: Benesh-aye; Covarrubias-aye; Floyd-aye; Frey-aye; Vincent-aye. Motion passed, all ayes.

Other Business

Chairperson Covarrubias called for a review of the minutes from the November 25, 2002 meeting. C. Vincent made a motion to approve the minutes as presented. Motion was seconded by R. Covarrubias. Motion carried, 4 ayes, 1 abstention.

With no further business to discuss C. Vincent made a motion to adjourn. M. Floyd seconded the motion. The motion passed all ayes and the meeting was adjourned at 8:58 p.m.