



PLANNING COMMISSION MEETING MINUTES

September 15, 2021 at 6:30 PM in Council Chambers

A. CALL TO ORDER

1. ROLL CALL – Mr. Adler called the meeting to order at 6:30pm.

Present- Adler, Jaskiewicz, Dreier, Swank, Carney

Absent –

2. APPROVAL OF MINUTES

- i. Planning and Zoning Commission-Regular Meeting- June 16, 2021

Mr. Adler motioned to approve the June 16, 2021 meeting minutes, seconded by Mr. Jaskiewicz. All in favor, Mayor Carney and Mr. Swank abstained.

B. COMMUNICATION

1. Zoning (Ms. Brill)

Council recently approved the preliminary rezoning of ~80 acres south of Madison Meadows. There will be a zoning and redevelopment plan presented soon for Madison Meadows Phase II.

2. BZA (Mr. Jaskiewicz)

At the last meeting, a request for ER Auto's conditional use application was denied. There is another meeting scheduled for next Tuesday to review a model home application for Madison Meadows.

3. Mayor Carney

All summer events have been held successfully. The mayor has been meeting with Chief McKee and Chief Kidd on developing outreach events. There are also some fall events scheduled for Uptown to promote local businesses. Council is currently reviewing the 2022 budget. The Uptown Streetscape project is scheduled to start soon.

C. PUBLIC COMMENT

Mike Walter – 150 W. 2nd Ave – Mr. Walter expressed his concerns with the current noise ordinance and the ordinance that allowed for the approval of the stage to be built uptown.

D. OLD BUSINESS

None.

E. NEW BUSINESS

1. PZ-21-19: Final Development Plan, The Hamlet on Darby, The McCabe Companies

The proposed application is for approval of the Final Development Plan for The Hamlet on Darby. On July 23, 2018, Council passed Ordinance 11-18, approving the rezoning of the parcel and the Preliminary Development Plan, with the following conditions:

- i. Submission and approval of a Final Development Plan;
- ii. Satisfaction of best management practices for storm water management for development under Resource Protection Overlay District - Ord. 1185.05;
- iii. Compliance with amended provisions of Resource Protection Overlay District - Ord. 1185.05, to be run concurrent with development and completed by Final Development Plan.

The development plan has been updated since the project originally began. Mr. McCabe explained that several changes were implemented, and, in the meantime, prices went through the roof. However, the developer has planned some prototypes that allow the project to move forward. This development site is across from the gravel quarry along the Darby. The building footprint from the original development plan has not changed. Mr. McCabe presented the new building plans and explained that some landscape decisions still needed finalized.

Mr. Adler asked about the dwelling units per acres increase. Since this is a residential district, Planning and Zoning can make an exception. Mr. Adler feels like this plan makes a good use of the land, without removing the attractiveness of the green space. There was some discussion about the density requirements that were followed by other local developments such as Country Place. Mr. McCabe also explained that the developer looks at density as well as how comfortable the space is and how much communal space is available. Mayor Carney agreed that the greenspace at this development is attractive.

Mr. Swank asked about the previous plans and why they had more walking paths than the new plan. Mr. McCabe explained that in the past two years, EPA has changed walking path requirements. Pathways within riparian setbacks must be perpendicular to the stream and cannot be parallel anymore if they are paved. However, material is an issue for an aging community. The developer is exploring options that will comply with EPA standards.

Mr. Swank asked about the TIF dollars being used for the path. Ms. Brill explained that the money has to be designated for a purpose and will be used for path connectivity. Mr. McCabe added that there is an internal system of sidewalks and TIF dollars may or may not be used to connect these sidewalks to the outer path. The greenspace could be put into a conservation easement and then Metro Parks can be involved with the path development. The Commission added that the developers dollars should be used to construct the paths within their development.

Fire truck access was brought up as a concern. Bryan Adams from the Fire Department responded that there may be some parking spots that can be tweaked to allow for fire trucks. However, the access requirements have stayed the same from the original development plan

and there is currently a dead end that may need addressed. Building height requirements comply. Mr. McCabe added that all the throats of the drives are wider so a t-turn can be completed, this was following the requirements during the first submission. Mr. Adams also discussed the requirements of the access roads and some items that need worked out before construction begins.

Mr. Adler asked about a traffic study due to the high number of units and driveways. Mr. McCabe responded that a study was not required in this situation because a typical apartment project has more like 400 units, not 66 units. There are currently a high number of guest parking spots, per Mr. McCabe.

Mr. Swank asked about lighting and if there is a point-by-point drawing. He suggested one be created due to the various elevations and the dark spots that will be created. Mr. McCabe responded that they are trying to be sensitive to safety lighting, without shining lights into resident homes. Ms. Brill added that this is typically done during the engineering phase.

Mr. Jaskiewicz added that the multi-use path going through parking lots takes away the attractiveness of the path. He asked the developer to ask about some other options for the pathway. Mr. Adler suggested that a true permeable bike path is considered through this area, in addition to the paved path that goes through the development.

Because the fire access decisions would not significantly alter the development plan, the commission moved forward with the application. Fire issues will be addressed during engineering. The conditions originally set required the applicant to submit final development plans for approval. Prior to the approval of the final record plan, approval for the location of the proposed bike path must be obtained by Village Staff and this final development plan approval shall be contingent on Council's final approval of a modification to the proposed unit count/density, as it relates to the original PDP. The next Council meeting is September 27.

Mr. Jaskiewicz motioned to approve PZ-21-19 with the four conditions set by staff:

- i. Prior to the approval of the final record plan, approval for the location of the proposed bike path must be obtained by Village Staff;
- ii. The Village shall be granted an access easement, for the multi-use path, that falls outside of the right-of-way;
- iii. The Village receives a copy of any deed restrictions, protective covenants and other legal statements or devices to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to commonly owned and maintained, prior to the release of record plans;
- iv. This FDP approval shall be contingent on Council's final approval of a modification to the proposed unit count/density, as it relates to the original PDP.
- v. Fire department requirements met
- vi. Walking path installation compliant with EPA requirements

Mr. Swank asked who would take over the maintenance for the access road. Mr. McCabe stated that these decisions are in negotiations but are being worked out in a partnership. The point-by-point lighting plan will be requested by staff and presented to the commission.

The motion to approve PZ-21-19 was seconded by Mayor Carney. All in favor.

F. DISCUSSION

None.

G. ADJOURNMENT

Meeting adjourned at 7:51pm.