

INDIANOLA PLANNING AND ZONING COMMISSION
REGULAR MEETING
MAY 12, 2015
6:00 P.M.

The meeting was called to order by Chairperson Doug Opie and on roll call the following members were present:

Tiffany Coleman
Mary Donaghy
Joe Gezel
Cindy Johnson
Doug Opie
Josh Rabe

Also present: Robert Benton, Daniel Ritter, Terry Davis, Mindi Robinson and Chuck Burgin.

The minutes of the April 14, 2015 meeting were approved on a motion made by Donaghy and seconded by Rabe. Question was called for and on voice vote Chairperson Opie declared the motion carried unanimously.

Consider Preliminary Plat of Deer Run Plat 6.

Robert Benton, attorney for the property owner and Daniel Rittel of ERG addressed the Commission stating the existing condominium regime is having trouble marketing the property. The developer wishes to construct duplexes and single family dwellings, each with ownership of individual lots, making it easier for financing.

Chuck summarized the recommended changes including the cart path easement, sewer main issues and driveway ingress/egress. He further stated utilities should remain under the condo regime as the existing units share sewer services. City ordinance mandates sewer services be individual per property. The recommended changes as outlined in the memo are as follows.

1. After reviewing the existing sanitary sewer and water mains located directly in front of the lots, we found there are no service taps available for the undeveloped lots. It is acceptable to install these taps at the time each lot is developed, however a note should be placed on the plat that sewer and water service lines will be completed at the time of each lot development.
2. The preliminary plat indicates sanitary sewer main extends beyond the plat boundary to the north. Our records indicate the existing sewer main dead-ends on lot 3.
3. The plat indicates a golf course easement for a cart path through lots 22 and 23. Aerial photography on GIS indicates the path may conflict with lots 18 thru 23.

The engineer needs to verify location of the path and modify the easement if needed and identify the area as an ingress/egress cart path easement. Furthermore because most of the new lots will be for single family dwellings an additional note on the plat stating fencing through this area is prohibited.

4. The common driveway serving lots 4 thru 19 should be identified as an ingress/egress easement.
5. A Community Development Department review and approval of the Homeowners Association regulations to verify maintenance of sanitary sewer and water services are addressed.
6. Each of the undeveloped lots identified as 1 thru 5 and 18 thru 23 have been identified on the plat as either a duplex or single family dwelling. R-5 zoning allows a large variety of dwelling sizes. A letter from the property owner agreeing to the proposed use of these lots is required if it is the intent of the owner to have the City of Indianola enforce the use of each lot.

Commission discussed frontage road issues and sewer main extension.

A motion was made by Rabe and seconded by Donaghy to approve the preliminary plat of Deer Run Plat 6 with the recommendations made by staff. Question was called for and on voice vote Chairperson Opie declared the motion carried unanimously.

Consider Final Plat of Deer Run Plat 6.

Chuck reviewed the final plat request stating the plat is converting an existing large single lot into individual lots for duplexes and single family dwelling lots. Chuck further stated the recommended changes have been completed and will be reviewed before going to Council for approval. Those changes are as follows:

1. As noted in the preliminary platting process, identify the location of the golf cart path and note an ingress/egress easement. An additional note for no fencing into the easement area.
2. As noted in the preliminary platting process, if the owner intends to have the city of Indianola enforce the use of each lot, written agreement and a note should be placed on the plat. However, the owner can still control the use of the property with a purchase agreement at the time of the sale of each lot.
3. As noted in the preliminary platting process, a Community Development Department review of the Homeowners Association regulations.
4. As noted in the preliminary platting process, a letter from the owner regulating the use of the undeveloped lots. A similar note that was shown on the preliminary should be shown on the final plat.
5. Identify the right-of-way width of South Y Street.
6. Even though a public sidewalk is present for the entire length of the platted area, the sidewalk should be indicated on the plat.

A motion was made by Rabe and seconded by Donaghy to approve the final plat of Deer Run Plat 6 with the recommendations made by staff. Question was called for and on voice vote Chairperson Opie declared the motion carried unanimously.

Consider request from Terry Davis DBA Country Propane - Heating - Cooling to amend C-2 (Highway Commercial) zoning allowing the use of bulk storage and sale of propane.

Terry Davis of Country Propane addressed the Commission explain his proposed plan to purchase the property at 2312 West 2nd Avenue, which is highway commercial zoning, to expand his business of HVAC to include propane auto/cylinder filling. In order to accomplish the expansion, he plans to include additional building space and propane supply with a bulk storage 18,000 gallon tank. Terry informed the Commission that the use of propane to fuel vehicles is on the rise and he would like to be on the front end with a business in Indianola. He would also like to use the property to refill his existing service vehicles instead of driving to his current location in Milo.

Chuck clarified Indianola does allow bulk storage of liquid petroleum products via a Board of Adjustment approval of a special use permit within M-2 (General Industrial) zoning classifications. He further stated that C-2 (Highway Commercial) does not allow bulk storage. He is awaiting a written opinion from the City Attorney and has asked for a recommendation from the Fire Chief.

Commission discussed Davis' site plan of lot in relation to the tanks, paving needs, safety measures, highway aesthetics, dispensers, zoning and existing propane bulk storage in Indianola.

Commission further discussed the options at hand for amending C-2 (Highway Commercial) zoning to allow the use of bulk storage and sale of propane. Those options being to approve the request, deny the request, rezone the property to M-2 (General Industrial) or approve the amendment allowing approval through the Board of Adjustment via a special use permit. Chuck stated it may be bad zoning practice to rezone the property to M-2 as there is C-2 zoning adjacent. (Spot zoning)

Motion was made by Donaghy and seconded by Johnson to table the request from Terry Davis DBA Country Propane - Heating - Cooling to amend C-2 (Highway Commercial) zoning allowing the use of bulk storage and sale of propane until more information is provided by the Fire Chief and City Attorney. Question was called for and on voice vote Chairperson Opie declared the motion carried unanimously.

Meeting adjourned on a motion by Rabe and seconded by Gezel.

Doug Opie, Chairperson

Mindi Robinson