

Cold Spring Planning & Zoning October 8, 2008

The regular meeting of Cold Spring Planning and Zoning Commission was called to order by Vice Chairman Ken Warden. Pledge to the flag was recited. The roll call showed the following present – Alan McCullough, Donna Schmidt, Ken Sharp, Vince Sticklen, and Ken Warden – excused were Roger Bay and Stephen Taylor. Also present were Rita Seger, Andy Videkovich and Brandon Voelker.

Ken Warden pointed out the exits from the building, per Fire Department regulations.

The August 18th regular meeting minutes were reviewed by all. Ken Sharp made a motion for approval. Alan McCullough seconded the motion. All were in favor. Motion carried.

Since the last meeting, Chairman Steve Taylor signed a request for approval of a final plat for Granite Spring, Building 20, approval of a final plat establishing easements within the Brookstone Crossing Apartments, and an approval of a condominium plat for Granite Spring, Building 17. Vince Sticklen made a motion to approve these signings and Ken Sharp seconded the motion. All were in favor. Motion carried.

The public hearing was called to order on the **preliminary plat on 13.731 acre area located at the terminus of Plaza Drive, consisting of two lots for building development including public improvements such as street, storm drainage, sanitary sewerage and water systems (Hiland Pancake)**. Andy Videkovich, NKAPC, and gave a history of this site. Staff has recommended approval of the preliminary plat, subject to seven conditions. Mr. Videkovich stated that there is also a legal interpretation required as to whether or not the extended portion of Plaza Drive can/should be a City of Cold Spring maintained street considering the initial approximate 900 feet of Plaza Drive has not been granted final approval by the Cold Spring Planning & Zoning Commission.

Brandon Voelker gave a review of the Plaza Drive issue. It was paved before NKAPC Staff could inspect it. There was testing done on the sub-base, and only the surface coat, which is one and a half to two inches was not inspected. Mr. Voelker met with Don Thelen, Thelen Geotechnical Associates and Scott Hiles, NKAPC. Hiland Pancake House is agreeable with having Thelen Geotechnical do a cross section of Plaza Drive to make sure the sub-base is okay and make sure the top coat will not be an issue. The final plat for Plaza Drive has not been signed off on. Council has to accept the maintenance of the street. This will not affect any decision of this Board tonight. Vince Sticklen verified that there is paperwork verifying that the sub-base was inspected.

Ken Warden stated that the extension of Plaza Drive and also the water line on the preliminary plat show that they terminate before Lot 8, and he questioned why it is not being extended to Lot 8. He verified that the Carespring building will be entirely on Lot 7. Andy Videkovich stated that the road and water line will go through once Lot 8 is developed.

Kevin Hanson of Cardinal Engineering was present on behalf of Carespring and Hiland Pancake. They agree with the conditions that staff has recommended with some exceptions. Mr. Hanson looks for guidance from this Board on condition 1, for the thirty foot width of the pavement. Mr. Hanson was of the understanding that a 24 feet wide pavement was approved, because they need to make sure the Carespring facility will fit. The reason the initial portion of Plaza Drive is 30 feet is because of the serious curbs and grades coming down to the White Castle and the wall. They had to make that portion extra wide so the trucks could make that turn. This section is fairly flat.

Vince Sticklen questioned if the curb at the lower portion would be wide enough to negotiate a truck and if there is room for trucks backing into the facility. He also questioned if the sanitation line is adequate for this facility. Kevin Hanson said that there is no entrance to the facility at the curve on Plaza Drive, and any truck deliveries would be at the back entrance. Mainly the traffic would be car traffic and maybe an ambulance would be up front. The Sanitation District did put in writing that the sanitation line is adequate.

Kevin Hanson stated that Plaza Drive and the water line stop and square off at the property line so when Plaza Drive does get extended they have a clean cut tied in. On condition 2, they anticipate that cars or trucks can back into the entrance and come right out, and they feel that this provides an adequate turn around until Plaza Drive is extended. They cleared this with the Fire Department. Right now Plaza Drive just dead ends at the pump station, with no turnaround.

On condition 3, they have no issue with making sure that notes are covered on the final plat and making sure that

the next person to develop it has to extend Plaza Drive to the AA Highway, and on condition 4, Kevin Hanson submitted a new set of plans showing the topography to Andy Videkovich.

Mr. Hanson stated that there is a discrepancy on what Fire Department regulations, and Cold Spring requirement on fire hydrant spacing. The Fire Department requires spacing a maximum of 500 feet and the city requirements are 300 feet. He asks that the city re-consider condition 5, going by the Fire Department regulations and allow that 500 feet. Kevin Hanson did meet with Captain Ray Dishman of the Fire Department. Minutes of that meeting, as provided by Ray Dishman, were passed out to the Board, and they show that the Fire Department is happy with everything presented, including the turnaround, the fire hydrant placement, and where the road is terminating with the assumption that it will be extended.

On condition 7, Mr. Hanson said they have submitted for a land service permit on the detention basins with the Sanitation District. He does have to make some modifications to accommodate the proposed development and it is under review and in the process.

Kevin Hanson asks for relief Condition 1, width of the pavement, Condition 2, that the partial turnaround to the north is adequate until Plaza Drive is extended, and Condition 5, that this Board consider using Fire Department regulations regarding fire hydrant placement.

Ken Warden explained that what was approved and went to council was a forty foot right of way, and he questioned if the forty ft. right of way would allow a 30 foot wide street with the topography, or if we could have something between 24 and 30 feet of pavement.

Kevin Hanson stated that it is tight due to the topography, and to go with 30 feet of pavement, especially in some of the areas, may be a challenge requiring some walls.

Andy Videkovitch pointed out that where the plan shows the reduction of pavement width occurs, there is the facility entrance, so that reduction of pavement width will not actually be that noticeable of a change of pavement width.

Anne McBride stated that you can turn around in the Carespring parking lot and back out. Putting in a hammerhead just to have it torn out with the extension is something to think about.

Ken Warden verified with Andy Videkovich that the distance requirement for the fire hydrants is in our subdivision regulations, and if this Board wishes, they can make a condition that this is subject to Fire Department approval.

Ken Warden stated we are asked to approve the plat on two lots, but we are only talking about improvements on one of those lots, and none to extend to the second lot. Andy Videkovich stated we have to approve both lots because that is all that is left. He said he understands there will be final plats submitted on both of these, but first we will have the final plat submitted first on Lot 7. Kevin Hanson said nobody knows for sure what is going on with Lot 8. The improvement drawings for Lot 8 will come through when they know what will happen.

Alan McCullough verified that if anything were to happen with Lot 8, it will have to come back to this Board.

Ken Warden closed the public hearing.

Discussion followed. Vince Sticklen stated the road should stay as close to 30 feet as we can get it, because we do not know how much traffic there will be in the future.

Allan McCullough asked if he could motion that we table this until next month and they come back with this. There was not a second to this motion.

Vince Sticklen stated that he would still like to see a turnaround at the end, to gear for the older segment of the population who might wish to view the facility, even if it is just gravel.

Andy Videkovich stated that whenever the street is built the turnaround has to be provided unless the road is extended at that time. Brandon Voelker stated that Carespring may be developing the next lot. If the road extension is built

in only a matter of six months, this turnaround may be a moot point and all of the issues will be taken care of, and he discussed various motions that could be made to settle this issue.

Vince Sticklen made a **motion that we approve the preliminary plats for Lots 7 and 8, with conditions 3 through 7 as listed on Staff report, and that condition 1 be amended so that we keep the pavement to thirty feet, but they may bring this back to this Board if they need to seek relief; and amended on condition 2, that before they get the certificate of occupancy, in the event that Plaza Drive has not been extended, the turnaround would be built at that point. This motion is made on the bases of Staff recommendation.** Ken Sharp seconded the motion. Roll call vote showed five yeses and no noes. **Motion carried.**

Anne McBride stated that there was an error on the legal description submitted to NKAPC for the development plan for this facility. It did not include .239 acres, which was zoned NC. The intent of representation made to this Board and to Council, was that the entire site plan was being re-zoned from NC to R-1DD. From a zoning standpoint, the parking lot could be in a NC zone but to keep it clean for Carespring in terms of title, she is asking confirmation that in fact what was rezoned from NC to R-1DD was in fact what was shown on the site plan.

Brandon Voelker stated that what was submitted to this Board had all of this area plus the triangle. It is just an error on the part of what was submitted as far as the legal description and they need this for the GIS map. This body took action on the entire site, and there is nothing left zoned as NC. Staff is comfortable with this also. Ken Sharp made a **motion to confirm that the property that was presented and submitted and voted upon did include the additional land, all of Lot 7, which was submitted to be rezoned from NC to R-1DD, and that the zoning map should reflect that.** Donna Schmidt seconded the motion. Roll call vote showed five yeses and no noes. **Motion carried.**

Three Planning and Zoning members took part in continuing education sessions, per House Bill 55. Alan McCullough made a motion to approve six hours for Vince Sticklen, three hours for Donna Schmidt, and 1.5 hours for Roger Bay. Vince Sticklen seconded the motion. All were in favor. Motion carried.

Vince Sticklen made a motion to adjourn. Ken Sharp seconded the motion. All were in favor. Motion carried.

Respectfully submitted,

Rita Seger, City Clerk

NEXT MEETING --- NOVEMBER 12TH