

Board of Zoning Appeals/Planning Commission
February 14, 2023 - 6:00PM

Opening: Vice-Chair Jenecia Perry welcomed everyone and called the meeting to order.

Roll Call: Jenecia Perry; Vice-Chair, Jeff Ashley; Parliamentarian, Michael Bruner, Misty Selph, Gary Monroe, and Charles Orrel. Billy Jackson and Nancy Cox were absent.

Staff: Denise Grabowski (Planning Manager -Consultant-), Jonathan Trego (Code Enforcement Officer), and Scott Robider (City Manager).

Visitors: Enclosed

Commissioner Ashley Jackson made a motion to remove the tabled items from the agenda. Commissioner Selph seconded. Motion passes with no opposition.

Vice-Chair Perry calls for a motion to approve the agenda. Commissioner Selph made a motion, Commissioner Ashley seconded, vote passes with no opposition.

Vice-Chair Perry made a motion to approve the minutes from the prior meeting, Commissioner Ashley seconded, vote passes with no opposition.

Planning Commission

PC2301: 1608 Dean Forest LLC requests a rezoning of 1616 Dean Forest Rd, 60988 01001B from I-1 to I-2.

Vice-Chair Perry introduced the item and called for a speaker for the application.

Ryan Smith, applicant, approached and introduced himself and the project.

Commissioner Monroe asked if the project would include a recombination.

The applicant said the parcels would most likely be combined.

Commissioner Monroe asked about the total size of the project.

Denise Grabowski said that the total size was 3.88 acres.

Commissioner Monroe asked if the adjacent property was also industrial.

Denise Grabowski said yes.

Commissioner Ashley asked about access to the property.

The applicant said there would be the same access point as the other parcel.

Commissioner Ashley said he was concerned about the proximity of the container parking to the nearby houses.

Vice-chair Perry asked for additional questions and then additional speakers. Being none, Vice-chair Perry called for a motion.

Commissioner Monroe made a motion to approve, Commissioner Bruner seconded, vote passes 5-0 (Commissioner Selph left the stage and did not vote).

Commissioner Monroe said that he made a motion for the wrong case number and made a motion to correct the case number and vote, Commissioner Orrel seconded. Vote passes 6-0.

PC2302: Daniel Vallencourt request a general development plan review of 204 Dean Forest Road; 60924A 02011.

Vice-chair Perry asked for a speaker in favor of the applicant.

Daniel Vallencourt approached and gave an overview of the project.

Vice-chair Perry asked for staff recommendation.

Denise Grabowski said the recommendation is approval.

Commissioner Selph gave welcomes to Garden City and asked about the landscaping.

The applicant spoke about landscaping and screening plans.

Commissioner Selph asked if he would be willing do install an aesthetically pleasing screen.

The applicant said that he would be happy to do that.

Vice-Chair Perry asked if there was anyone else who would like to speak on this matter.

Being none, she called for a motion.

Commissioner Orrel made a motion to approve with the improved screening (slats), Commissioner Ashley seconded. Motion passes 6-0.

PC2305: Maxwell P. Beatty requests a rezoning of 35 Telfair Place (formerly 4 Telfair Place), 60799 02002C, from C-1 to I-1.

Vice-Chair Perry asked for the speakers to come to the podium and for staff recommendations.

Denise Grabowski said the staff recommendation was denial.

Applicant, Maxwell Beatty, and his attorney came to the podium. His attorney asked for clarification if this regarding both properties or just one.

Denise Grabowski said that each parcel is a separate case.

The applicant said that he wants it industrial because nearby land is industrial and he wants to be able to sell it for a higher rate.

Commissioner Orrel made comments about the proximity of the parcel to the intersection and the potential for issues with truck traffic.

The applicant made comments about his age, how long he owned the property, and how he has been there longer than Garden City. And, how he wants to rezone it to get more in a sale.

Commissioner Orrel said there are many commercial uses nearby, and there is a feasible path to develop the property for a number of commercial uses.

The applicant's attorney said he feels his applicant can get more money for it if it is rezone.

Commissioner Orrel said that the request is not descriptive enough and he does not feel like he knows the intentions of what may be there.

Vice-Chair Perry asked if there were more questions for the applicant.

Commissioner Bruner brought up the future land use map and how this was intended to stay commercial.

The applicant's attorney said that the eastside of the highway is considered commercial.

Vice-Chair Perry asked if there any other questions for the applicant. Being none, she then asked for any speakers from the public. Vice-Chair Perry called for a motion.

Commissioner Orrel made a motion to deny, Commissioner Selph seconded, motion passed 6-0.

PC2306: Maxwell P. Beatty requests a rezoning of 38 Telfair Place, 60799 01001A from C-1 to I-1.

Vice-Chair Perry asked the applicant Mr. Beatty and his attorney to return back to the podium because there was another case to be heard.

The applicant briefly summarized why he wants to rezone this parcel, for selling purposes, and he has owned this land since at least 1976.

The applicant's attorney said this plot of land was different because of it's location.

Commissioner Selph asked if the applicant could be provided with a list of options for the property.

Denise Grabowski said it could be potential that rezoning to another class of commercial could possibly be more realistic.

Commissioner Bruner said that this property was different as it was more so bordered by industrial property.

Vice-Chair Perry asked for any more questions for the applicant and any speakers from the public to approach.

Commissioner Monroe said he would like to answer some of the questions and spoke about the current procedure. Vice-Chair Perry called for a motion.

Commissioner Bruner made a motion to approve. Nobody seconded, so the motion did not carry.

Commissioner Selph made a motion to deny. Commissioner Orrel seconded. Motion passed 5-1, with Commissioner Bruner voting in opposition.

Commissioner Ashley made a motion to adjourn, Commissioner Selph seconded. Motions passes and meeting adjourns.

Respectfully submitted
JRT