

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: September 20, 2012

TIME: 6:30 pm

The regular meeting and public hearing of the Planning and Zoning Commission was held on the above date and time in City Council Chambers, third floor of City Hall with the following members and staff in attendance: Shelby Lawhon (Chair); Matt Edwards (Vice-Chair), Tom Baird, Phil Young, Gloria Roling, and Jason Ray; Michael MacPherson, Principal Planner; Thomas Rykowski, City Attorney; Sandy Goddard, Administrative Assistant; Absent: Jay McClelland, Jim Hansen, and King Coltrin.

ROLL CALL:

Mr. Lawhon asked to share some thoughts with staff and Commission members. One of the fundamentals characteristics, traits or values of effective Commission members is credibility which means listening, asking questions, discussions, deliberating and being opened minded and ultimately making a decision of voting yea or nay. That makes a statement which says I say what I believe and I believe what I say. The last two meetings held have covered discussion of amendments that dealt with shelters. Everyone stated their opinions and beliefs. The main concern was the fifty bed limit. Motions were made to maintain that limit and a vote was called for. Mr. Lawhon said he had previously stated that he would vote against the motion and there was some kind of disconnect and he inadvertently pushed the green button and after having done that, he wondered why he had done that and believes it was a lapse in his credibility for having done that and apologized to Commission members, Planning staff and in particular Mr. Young.

APPROVAL OF MINUTES: None.

COMMUNICATIONS:

Mr. MacPherson noted to Commission that there have been some electronic equipment issues and has not worked for several weeks. That information has been passed to the necessary personnel and added that the City expects that there will be improvements made with the system very shortly.

Several Commission members discussed that they had received calls from the public in reference to the Emergency Shelter Amendment and asked the procedure for handling those calls.

Mr. MacPherson commented that where this Board has authority is as a group and it only has that authority when it is in session. It is very important that every member have the same information so staff would ask that Commission invite people to attend the public hearing to express their concerns, opinions or support so everyone hears the same thing.

HEARINGS:

Conditional Use Permits:

1. **Conditional Use Permit 400**
(505 West Commercial)

John Hosfield

Mr. MacPherson stated that the purpose of the application was to adopt an ordinance to approve a use permit to allow for a brewery in a CC, Center City District generally located at 505 West Commercial Street. The Zoning Ordinance requires a use permit in the COM, Commercial Street District for "any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, good or products which is not allowed as a permitted use." A brewery is required to obtain a use permit at this location because it is considered to be the manufacturing and production of a product. Approval of this use permit will allow the warehousing and distribution of the product on site as an accessory use to the brewery. It places a nice bookend of two small manufacturing facilities on either end of the development area with Askinosie Chocolate on one end and this micro-brewery on the other end. The applicant received approval of Conditional Use Permit 378 in 2007 and extended it for one 18 month period after the original permit was approved. The extension also expired in June of 2012 because the applicant did not obtain a final building permit for occupancy and initiate the use. Staff is recommending approval.

Mr. Baird asked if there would be a point where the Conditional Use Permit would no longer be required or will this occur every 18 months.

Mr. MacPherson stated that once the permit is issued and the operation starts, it is continuous.

Mr. Lawhon opened the public hearing.

Mr. John Hosfield, 330 Spice Road, Ozark; commented that he is sole member of 505 West C Street, LLC which is the applicant here. Mr. MacPherson has done a good job of explaining what has happened with this project. A Brew Master has been hired and there are several permits left to obtain and as soon as those are in place, they are ready to make beer. The public meeting went very well and there is community support for the project.

Mr. Lawhon asked how soon they would start brewing and asked if there are plans in future where they will make it open to the public.

Mr. Hosfield said literally as soon as they get the approval and initially they will not, but open to tours in future.

Mr. Lawhon closed the public hearing.

Mr. Edwards motioned to **approve** Conditional Use Permit 400. Ms. Roling **seconded** the motion. The motion **carried** as follows: Ayes: Lawhon, Edwards, Ray, Baird, Young, and Roling. Nays: None. Abstain: None. Absent: McClelland, Hansen, & Coltrin.

ANY OTHER MATTERS UNDER COMMISSION JURISDICTION:

There being no further business, the meeting was adjourned at approximately 6:55 p.m.

Michael MacPherson

Michael MacPherson
Principal Planner

