



## Meeting Minutes - Draft Planning Commission

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Wednesday, July 10, 2024

9:00 AM

Regional Development Center (Hearing Room)  
2880 International Circle

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### 1. Call to Order and Roll Call

**Present:** 7 - Commissioner Briggs, Commissioner Hensler, Commissioner Cecil, Commissioner Rickett, Commissioner Robbins, Commissioner Sipilovic and Commissioner Casey

**Excused:** 2 - Vice Chair Foos and Chair Slattery

### 2. Changes to Agenda/Postponements

- 2.A.** [ANEX-23-00](#) The annexation of property known as Brass-Oliver Addition No. 2  
[16](#) Annexation located at 7830 Black Forest Road has been withdrawn.  
(Legislative)

Presenter:

Tamara Baxter, Planning Supervisor, Planning + Neighborhood Services

Kevin Walker, Interim Planning Director, Planning + Neighborhood Services

**Attachments:** [Attachment 1a - Petitions for Annexation No. 2](#)  
[Attachment 2a - Project Statement Addition No. 2](#)  
[Attachment 6a - Annexation Plat Addition No. 2](#)  
[Attachment 7 - Legal Descriptions Addition No. 1-2](#)

**Motion by Commissioner Briggs, seconded by Commissioner Hensler to postpone Item 2.A, the Brass-Oliver Addition No. 2 Annexation consisting of 1.82 acres to the August 14, 2024, City Planning Commission hearing. The motion passed by a vote of 7-0.**

**Aye:** 7 - Commissioner Briggs, Commissioner Hensler, Commissioner Cecil, Commissioner Rickett, Commissioner Robbins, Commissioner Sipilovic and Commissioner Casey

**Excused:** 2 - Vice Chair Foos and Chair Slattery

- 2.B.** [ZONE-24-00](#) The establishment of an MX-N/AP-O (Mixed-Use Neighborhood Scale  
[01](#) with Airport Overlay) zone district in association with the Brass-Oliver Addition No. 2 Annexation located at 7830 Black Forest Road has been withdrawn.  
(Legislative)

Presenter:

Tamara Baxter, Planning Supervisor, Planning + Neighborhood Services

Kevin Walker, Interim Planning Director, Planning + Neighborhood Services

**Motion by Commissioner Briggs, seconded by Commissioner Hensler, to postpone Item 2.B., the establishment of an MX-N/AP-O (Mixed-Use Neighborhood Scale with Airport Overlay) zone district in association with the Brass-Oliver Addition No. 2 Annexation to the August 14, 2024, City Planning Commission hearing. The motion passed by a vote of 7-0.**

**Aye:** 7 - Commissioner Briggs, Commissioner Hensler, Commissioner Cecil, Commissioner Rickett, Commissioner Robbins, Commissioner Sipilovic and Commissioner Casey

**Excused:** 2 - Vice Chair Foos and Chair Slattery

### **3. Communications**

#### **Kevin Walker - Interim Planning + Neighborhood Services Director**

Kevin Walker mentioned that the Arrowswest Apartment complex was approved yesterday at the City Council regular meeting.

### **4. Approval of the Minutes**

#### **4.A. [CPC 2353](#) Minutes for the June 12, 2024, Planning Commission Meeting**

Presenter:

Martin Rickett, City Planning Commission Acting Chair

**Attachments:** [CPC 6.12.24 Minutes Draft](#)

**Motion by Commissioner Sipilovic, seconded by Commissioner Briggs, to approve the minutes for the June 12, 2024, Planning Commission Meeting. The motion passed by a vote of 7-0**

**Aye:** 7 - Commissioner Briggs, Commissioner Hensler, Commissioner Cecil, Commissioner Rickett, Commissioner Robbins, Commissioner Sipilovic and Commissioner Casey

**Excused:** 2 - Vice Chair Foos and Chair Slattery

### **5. Consent Calendar**

**Motion by Commissioner Briggs, seconded by Commissioner Robbins, to approve the Consent Calendar. The motion passed by a vote of 7-0.**

**The appeal instructions were read after the Consent Calendar was approved.**

**Aye:** 7 - Commissioner Briggs, Commissioner Hensler, Commissioner Cecil, Commissioner Rickett, Commissioner Robbins, Commissioner Sipilovic and Commissioner Casey

Excused: 2 - Vice Chair Foos and Chair Slattery

### Auto Zone

- 5.A. [CUDP-23-00](#)  
[26](#) A Conditional Use to allow for a warehouse in the MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) zone district consisting of 2.94 acres located at 339 N. Academy Blvd. (Quasi-Judicial)

Presenter:

Drew Foxx, Planner II, Planning and Neighborhood Services  
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Staff Report Auto Zone](#)

[Attachment #1 - Land Use Statement](#)

[Attachment #2 - Project Statement](#)

[7.5.601 CONDITIONAL USE](#)

### Luxe Cosmetic Studios

- 5.B. [CUDP-24-00](#)  
[07](#) A Conditional Use to allow a personal or business services, small use in the MX-N/AF-O (Mixed-Use Neighborhood Scale with United States Air Force Academy Overlay) zone district consisting of 0.06 acres located at 3230 E. Woodmen Road. (Quasi-Judicial)

Presenter:

Logan Hubble, Planner II, Planning and Neighborhood Services  
Kevin Walker, Interim Planning Director, Planning + Neighborhood Services

**Attachments:** [Luxe Cosmetic Studios CU Staff Report](#)

[Attachment 1 Project Statement](#)

[Attachment 2 Land Use Statement](#)

[7.5.601 CONDITIONAL USE](#)

## **6. Items Called Off Consent Calendar**

## **7. Unfinished Business**

## **8. New Business**

### Neagle-Dutcher Family Addition

- 8.A. [ANEX-24-0008](#) Neagle-Dutcher Family Addition Annexation consisting of 1.01 acres located at 4105 Date Street.  
(Legislative)

Presenter:

Tamara Baxter, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [Staff Report - Neagle-Dutcher Family Addition #1](#)

[Attachment 1 - Petition](#)

[Attachment 2 - Project Statement](#)

[Attachment 3 - Land Use Statement](#)

[Attachment 4 - Public Comments](#)

[Attachment 5 - Public Comment Response](#)

[Attachment 6 - Annexation Plat](#)

[Attachment 7 - Legal Description](#)

[Attachment 8 - Draft Annexation Agreement 6.4.24](#)

[Attachment 9a - Zone Change Exhibit A](#)

[Attachment 9b - Zone Change Exhibit B](#)

[Attachment 10 - Mineral Estate Owner Notification Affidavit](#)

[Staff Response to Public Comment](#)

[7.5.701 ANNEXATION OF LAND](#)

Tamara Baxter, Planning Supervisor, gave a presentation for the application. The property will be built as a single-family residence. The 1.01 acres area includes a right-of-way of Date Street and Lotus Street the zone change is for 0.23 acres. This is in the Park Vista enclave. The R-5 zoning is consistent with the surrounding area.

Standard notifications were completed. There were some public comments in opposition related to flooding, traffic and safety, and obstruction of views. The applicant provided responses to these comments. The applicant will be required to submit a final drainage report and pay park and school fees at the time of building permit.

After evaluation of the request to waive the requirements of the Land Use Plan and the request for a zoning map amendment, it was determined that the request meets the review criteria.

Commissioner Briggs asked staff, in the future, if this applicant chooses to no longer live in the single family residence, can they replace it with multi-family housing and would it come before this body. Ms. Baxter said the property owner would have to comply with those requirements, but 0.23 acres is a very small space. A new development plan would be reviewed administratively and not come before Planning Commission.

Commissioner Hensler said she is encouraged to see another one of these enclave properties being brought in on annexation and she is firmly in support of the project.

**Motion by Commissioner Hensler, seconded by Commissioner Casey, to recommend approval to City Council the annexation of 1.01 acres as the Neagle-Dutcher Family Addition Annexation based upon the findings that the annexation complies with the Conditions for Annexation, as set forth in City Code Section 7.5.701. The motion passed by a vote of 7-0.**

**Aye:** 7 - Commissioner Briggs, Commissioner Hensler, Commissioner Cecil, Commissioner Rickett, Commissioner Robbins, Commissioner Sipilovic and Commissioner Casey

**Excused:** 2 - Vice Chair Foos and Chair Slattery

- 8.B. [ZONE-24-0005](#) The establishment of a R-5 (Multi-Family High) zone district, in association with the Neagle-Dutcher Family Addition Annexation, consisting of 0.23 acres located at 4105 Date Street. (Legislative)

Presenter:  
 Tamara Baxter, Planning Supervisor, Planning and Neighborhood Services  
 Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** [7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

**Motion by Commissioner Hensler, seconded by Commissioner Casey, to recommend approval to City Council the zone establishment of 0.23 acres as R-5 (Multi-Family High) based upon the findings that the request complies with the criteria for zoning establishment as set forth in City Code Section 7.5.704. The motion passed by a vote of 7-0.**

**Aye:** 7 - Commissioner Briggs, Commissioner Hensler, Commissioner Cecil, Commissioner Rickett, Commissioner Robbins, Commissioner Sipilovic and Commissioner Casey

**Excused:** 2 - Vice Chair Foos and Chair Slattery

**9. Presentations**

**10. Adjourn**