



**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: JANUARY 24, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:**  
GPA-2596 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -  
APPLICATION OWNER: SMOKEKANA INVESTMENTS - Request to Amend a portion of  
the Southwest Sector Plan of the General Plan FROM: M/LA (MEDIUM-LOW ATTACHED  
DENSITY RESIDENTIAL) TO: C-1 GENERAL COMMERCIAL) on 5.33 acres adjacent to the  
south side of Smokekana Road, approximately 175 feet east of Decatur Boulevard (APN 139-19  
-101-002), Ward 5 (Dase)

C.C.: 02/20/08

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	4	Planning Commission Mtg.	4
City Council Meeting	0	City Council Meeting	0

**RECOMMENDATION:**  
**DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after final agenda Protest Postcard for Items 37 and 38

Motion made by RICHARD TRUESDELL to Approve and amending the application to S-C (Service Commercial)

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0  
SAM DUNNAM, DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES,  
GLENN TROWBRIDGE; (Against-STEVEN EVANS, VICKI QUINN); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:  
CHAIRMAN GOYNES declared the Public Hearing open for Items 37 and 38.

ANDY REED, Planning and Development Department, noted the applicant has requested to amend the General Plan Amendment to Service Commercial and the Zoning request to C-1

**PLANNING COMMISSION MEETING OF: JANUARY 24, 2008**

(Limited Commercial), but could not support any commercial development at the site as it would not be compatible with neighboring residential development. He recommended denial of both applications.

RICHARD TURNER, 6765 West Russell Road, noted the close proximity of other commercially zoned properties and stated the developer is also proposing commercial development. He explained the developer is working to commercially sub-divide the property and is also seeking tenants such as mini-storage businesses and law shops.

COMMISSIONER DUNNAM stated he could support the request as more residential development would burden the neighborhood schools which are currently over-crowded.

COMMISSIONER EVANS expressed concern with the lack of a site plan as part of these applications. He stated his reluctance to vote on a project without knowing what the site will look like.

MR. TURNER noted that the applicant was moving forward on a commercial subdivision for the site which would have C&Rs which would limit future residential development and would prevent the development from becoming an eyesore.

COMMISSIONER TRUESDELL expressed concern that the applicant was already working on commercial subdivision when approval for the GEA and zoning applications and observed he could make a better decision on the project if the site plan had also been presented. He also requested that the applicant explain why this parcel was the subject of numerous applications with no resulting development.

MR. TURNER explained that the fact that no housing has been built on the property indicated it was not appropriate for housing and should be used for commercial development.

MARK SCHNIPPLE, 9960 West Cheyenne Avenue, Suite 210, property owner, informed COMMISSIONER TRUESDELL that the parcel had been originally purchased for commercial subdivision. He explained that the offer from a homebuilder had failed to close and he had returned to his original plan, pointing out his 25 years of experience in commercial developing.

COMMISSIONER QUINN stated she would have to see a site plan before she could vote on these applications, noting that the development of this parcel would have a significant impact on the neighborhood.

MR. TURNER expressed his willingness to a condition requiring that any site development review would be presented to the Planning Commission and CHAIRMAN GOYNES informed him that all site plan reviews are required to be presented to the Commissioners.

CHAIRMAN GOYNES concurred with the statements by the Commissioners and stated the request for General Commercial on this site is too intense for the neighborhood.

**PLANNING COMMISSION MEETING OF: JANUARY 24, 2008**

COMMISSIONER TRUESDELL noted that the Service Commercial designation would give the City the greatest control over how the site would be developed and stated he hoped the property would not return to the Commissioners for more General Plan Amendments and rezoning requests.

MARGO WHEELER, Director of the Planning and Development Department, stated change in the GPA and rezoning requests would be addressed with added conditions. DOUG RANKIN, Planning and Development Department, clarified that the change in the application would be addressed in the subject line of the agenda items and would not be considered as added conditions. MR. SCHNIPPLE agreed to the amendments to the applications.

COMMISSIONER STEINMAN noted the poor condition of the property and MR. SCHNIPPLE acknowledged that he is responsible for maintaining the site.

CHAIRMAN GOINES declared the Public Hearing closed.

