

**Meridian Planning and Zoning Meeting**

**July 21, 2016**

Meeting of the Meridian Planning and Zoning Commission of July 21, 2016, was called to order at 6:00 p.m. by Chairman Steven Yearsley.

Members Present: Chairman Steven Yearsley, Commissioner Rhonda McCarvel, Commissioner Patrick Oliver and Commissioner Gregory Wilson.

Members Absent: Commissioner Ryan Fitzgerald.

Others Present: Mabelle Hill, Andrea Pogue, Bill Parson, and Dean Willis.

**Item 1: Roll-Call Attendance:**

Roll-call

<u>  X  </u>	Gregory Wilson	<u>  X  </u>	Patrick Oliver
<u>  X  </u>	Rhonda McCarvel	<u>      </u>	Ryan Fitzgerald
	<u>  X  </u>		Steven Yearsley - Chairman

Yearsley: Good evening, ladies and gentlemen. At this time we would like to call to order the regularly scheduled meeting of the Meridian Planning and Zoning Commission for the hearing date of July 21st, 2016, and let's begin with roll call.

**Item 2: Adoption of the Agenda.**

Yearsley: First item on the agenda is the adoption of the agenda. We have no changes to the agenda, so I would entertain a motion to adopt the agenda as presented.

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I move to adopt the agenda as presented.

McCarvel: Second.

Yearsley: I have a motion and a second to adopt the agenda. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

**Item 3: Consent Agenda**

**A. Approve Minutes of July 7, 2016 Planning and Zoning**

## **Commission Meeting**

### **B. Findings of Fact and Conclusions of Law for Approval for Linder Pet Medical Care (H-2016-0064) by Robert Ormond Located at 3150 W. Sheryl Drive Request: Conditional Use Permit for an Animal Care Facility on 0.31 of an Acre in an L-O Zoning District**

Yearsley: Next thing on the agenda is the Consent Agenda and on that we have to approve the minutes of the July 7th, 2016, Planning and Zoning Commission meeting and, then, the Findings of Fact and Conclusion of Law for approval of the Linder Pet Medical Care, file number H-2016-0064. If there are no changes to any of that I would entertain a motion to approve the Consent Agenda.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I move to approve the Consent Agenda.

Wilson: Second.

Yearsley: I have a motion and a second to approve the Consent Agenda. All in favor say aye. Opposed? Motion carries.

**MOTION CARRIED: FOUR AYES. ONE ABSENT.**

Yearsley: Before we go any further I will kind of explain the process today. We are going to open each item one at a time and we will start off with the staff report. The staff will present the project and how it adheres to our Comprehensive Plan and uniform development ordinances and -- and with that recommendation after the staff has made their presentation we will open it up to -- the applicant will have an opportunity to come before us and testify and present their case for approval and respond to any staff recommendations or comments or any changes. After that we will open it up to the public. Anybody wishing to testify we will give them three minutes. After the public has had a chance to testify we will have the applicant have an option to come back and rebut any of the public's comments. After that we will close the public hearing and hopefully have a chance to deliberate and make a recommendation to approve -- or to make a decision on the project.

#### **Item 4: Action Items**

### **A. Public Hearing for Walmart Drive-Through CUP (H-2016-0077) by Sunday Bougher of SGA Design Group Located at 5001 N Ten Mile Road**

**1. Request: Conditional Use Permit for a Drive-Through Establishment in the C-G Zoning District**

Yearsley: And so with that I would like to open the public hearing for file number H-2016-0077, Walmart Drive-thru, and let's begin with the staff report.

Parsons: Thank you, Mr. Chairman, Members of the Commission. The item before you this evening is the Walmart drive-thru. The site is located on the northwest corner of North Ten Mile Road and West McMillan Road. It's currently zoned C-G within the city limits and the property consists of 21.52 acres of land. In 2013 the city approved a certificate of zoning compliance and design review application to construct a Walmart store on this site. At the time of that approval there were no other residential uses in the area and that store did develop with a drive-thru pharmacy on the site. So, that particular drive-thru was approved as an accessory use, because it was not located within 300 feet of a residential use or another drive-thru. So, the application this evening is to establish another drive-thru use on this site and because this one is -- will be within 300 feet of an existing and a planned drive-thru in the area, staff felt it prudent -- or the ordinance requires them to go through the conditional use process and have your approval on this item this evening. Site modifications for the project will include, basically, restriping some existing parking and adding a canopy over it and, then, also adding a 1,525 square foot addition to the existing Walmart store. The applicant did provide some elevation and renderings for you this evening. In our discussions with the applicants they are aware of our design standards and our ordinances, but we really wanted to express to them that this addition and this canopy really need to blend in with the architecture of the existing Walmart store and so as you can see here in this rendering they have made every attempt to do that. So, one of the conditions of approval tonight is that we are asking or have included that these renderings -- or these elevations, again, match the Walmart store and comply with what you're seeing this evening. Access to this development was approved with the development of the Walmart store, so that already exists to -- access point exists at McMillan Road and North Ten Mile Road. The comprehensive plan for this property, again, is commercial, so the C-G zoning is appropriate for this site as well. Based on the application submitted, the proposed drive-thru would operate between the hours of 6:00 a.m. and 12:00 p.m. -- or 12:00 a.m. I guess, if you will, and because this site does not abut any residential uses, there really is no restriction on the hours of operation for this site, it's all bound by public streets on all three sides, so there is adequate separation for any future residential that may develop farther to the west of this site. Staff has not received any written testimony on the application. We are recommending approval of this application this evening and with that I will conclude my presentation and stand for any questions you might have.

Yearsley: Are there any questions?

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: Bill, is this -- is this really a drive-thru or shall I wait for the applicant? Or is it just kind of like a Sonic, pull in, pick up, get your stuff delivered and pull out?

Parsons: Mr. Chair, Members of the Commission, in our interpretation of how the drive-thru is explained in our definition, we felt at the time that the application came in that it was a drive-thru, so that's the process that we sent them through. You can tell in our staff report that we prepared for you, we did kind of explain our rationale behind that and why we thought they should go through that process. So, that's why we are here this evening. Maybe looking forward maybe we should re-analyze that and see -- take a closer look at that, but right now the application before you is -- they are conducting business in their vehicle and that's how we treat it, so --

Yearsley: Thank you. Any other questions? Would the applicant like to come forward? Please state your name and address for the record.

Cho: Yong Cho with SK Design Group here for the applicant Sunday Bougher, who was not able to attend today. To address your comments, I can -- I can explain the process of -- the new program being offered. It's -- customers order their groceries online. Customers come in to -- come in at a designated time to the identified parking space and the staff employees will cart out the groceries for them. Existing pharmacy drive-thru service will be maintained, although the routing is slightly changed. I don't have any additional comments. We concur with the staff report and have no objections.

Yearsley: Thank you. Are there any questions?

Oliver: Mr. Chairman?

Yearsley: Commissioner Oliver.

Oliver: I just real quick -- is this -- this is, obviously, something I have not seen at any Walmarts. Is this something that Walmart as a whole are trying to change to go to a model?

Cho: It's a new program that's being implemented in a number of facilities, but it's brand new, so that's why you have not seen it. I mean some of the others are starting to look at this type of service. It's at the beginning. It's at the beginning of that. You will likely see a lot more of this service being provided in other Walmarts.

Oliver: Thank you.

Yearsley: Any other questions? Thank you. Since there is no one here to testify I don't think we need to have the applicant come back up. So, at that point I would entertain a motion to close the public hearing on file number H-2016-0077.

Wilson: Mr. Chair?

Yearsley: Commissioner Wilson.

Wilson: I move we close the public hearing H-2016-0077.

McCarvel: Second.

Yearsley: I have a motion and a second to close the public hearing. All in favor say aye. Opposed?

**MOTION CARRIED: FOUR AYES. ONE ABSENT.**

Yearsley: We already closed the public hearing. I don't know -- I think we are -- we don't need anymore, so -- we are good. Thank you. So, any comments or thoughts?

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I think it -- the drawings, the renderings look good. They are doing their best to make it blend in with the existing building and glad you're able to find it and it will be an interesting service.

Yearsley: Absolutely. Thank you. So, with no other comments -- I have a tendency to agree, I think it looks good. I like how they have staged it. And so with that I would entertain a motion.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: After considering all staff, applicant, and public testimony, I move to approve file number H-2016-0077 as presented in the staff report for the hearing date of July 21st, 2016, with no modifications.

Wilson: Second.

Oliver: Second.

Yearsley: I have a motion and a second to approve file number H-2016-0077. All in favor say aye. Opposed? Motion carries. Congratulations.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: Have one last motion to make.

McCarvel: Mr. Chairman?

Yearsley: Commissioner McCarvel.

McCarvel: I move we adjourn.

Oliver: Second.

Wilson: Second.

Yearsley: I have a motion and a second to adjourn. All in favor say aye.

MOTION CARRIED: FOUR AYES. ONE ABSENT.

Yearsley: We stand adjourn.

MEETING ADJOURNED AT 6:12 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
STEVEN YEARSLEY - CHAIRMAN

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
JAYCEE HOLMAN - CITY CLERK