

MINUTES
MOUNT VERNON PLANNING AND ZONING COMMISSION
February 11, 2015

The Mount Vernon Planning and Zoning Commission met February 11, 2015 at Mount Vernon City Hall Chambers with the following members present: Truman Jordan, Trude Elliott, Joan Burge, Jenna Wischmeyer. Absent: Rich Hileman and Richard Peterson. Also in attendance, Zoning Administrator, Matt Siders and Troy Pins, representing Guppy's on The Go. Meeting was called to order by Chairperson Truman Jordan at 6:32 p.m.

1. Approval of Agenda and January 14, 2015 minutes. These documents stand approved unless otherwise indicated by Commission members. The minutes that were provided in the packet indicated 2014 as the date and they should be 2015. Minutes will be corrected to indicate January 14, 2015 instead of 2014.
2. Open Forum: each citizen limited to 5 minutes per discussion item.
3. Public Hearing and discussion and possible action on a request for a Conditional Use Permit for expansion and operation of a convenience store at 1206 1st Street SW. Jordan opened the public hearing at 6:36 p.m. Troy Pins from Garling Construction, representing Guppy's on The Go, explained that they were wanting to do a small remodel and enlarge the building over approximately 12 more feet. There is an existing retaining wall there that will stay as is and they will not be expanding beyond that. The upgrades include ADA restrooms, kitchen upgrades and lighting. Burge asked how the upgrade in lighting would be beneficial to the surrounding neighbors. Pentz said they would be upgrading the entire front of the store, make it more modern with next brick and better outside lighting. He said it wouldn't really be a benefit to the neighbors but a benefit to the business with safer lighting. It will still remain into the parking lot and won't be shining back. Elliott reminded Pentz of the City's lighting and sign ordinance when the improvements begin. Jordan asked if anyone had been in contact with the neighbors in the area. Pentz said that they have had discussions with the college but not specific neighbors. Siders explained that the reason for denying the original building permit was incorrect. In 1992 a Conditional Use Permit was granted for this facility. Siders said that the property was originally in a residential district and when the 1995 Comprehensive Plan was adopted, some zoning changes took place and this property was then changed to Limited Commercial. In Limited Commercial, a Conditional Use Permit is required for the type of use that Guppy's on the Go is currently operating as (Food

Sales/Convenience). Per advice from the City Attorney, he recommended that they seek another Conditional Use Permit because the original permit was granted for what is the existing building and environment that it is in. Since that is changing with an expansion, the City Attorney felt that they needed to seek another Conditional Use Permit. Board of Adjustment did meet last week in regards to granting a variance but did not feel that they wanted to grant a variance until the Conditional Use Permit was granted. The variance that they will be seeking is an encroachment on street side setbacks to the west. The existing corner of the building will encroach on the street side setback. The street side setback is 10 feet and the building will come out about 5 feet into that setback. It is still within the retaining wall and the existing structure of the property itself. Jordan said that one of the things that should be kept in mind is that the whole area is below the level of the retaining wall so if you are driving down the street there is a clear view of everything. Burge felt that it would be a shame to deny a business the chance to improve for a 5 foot encroachment.

Burge then made a motion to approve the Conditional Use Permit and recommend approval by Board of Adjustment. Carried all.

4. Zoning Administrator Report. Siders had nothing new to report.
5. Old Business.
6. New Business. Jordan said that the Comprehensive Plan Committee is still meeting. The next meeting will be on February 24th.

Meeting adjourned at 6:50 p.m.

Respectfully submitted,
Marsha Dewell
Deputy Clerk