Chair Clithero called the meeting to order at approximately 7:00 p.m. Those members attending included Martha John, Philip Clithero, Paul Girouard, Janet Hammen and Dennis Hazelrigg. Also attending were the Deputy City Clerk, Megan Eldridge, Senior Planner, Steve MacIntyre, and Assistant City Counselor, Ryan Moehlman.

The minutes from the regular meeting of November 10, 2015 were approved as submitted on a motion by Mr. Hazelrigg and a second by Ms. John.

Chair Clithero mentioned Case Number 1909 would be heard first, as a request had been made that the order in which the Board heard tonight’s cases be changed.

The following cases, properly advertised, were considered. All persons testifying were duly sworn by the Deputy City Clerk.

**Case Number 1909** was a request by First Christian Church for a conditional use permit for the purpose of an uncovered, surface off-street parking lot, on property located at 114 North Ninth Street (Parcel No. 16-320-00-17-071.00 00).

Chair Clithero opened the public hearing.

John Shikles, 4203 Big Sur Boulevard, stated that he was an attorney with The Law Firm of Haden and Haden and was appearing on behalf of First Christian Church. The request by First Christian Church was for a conditional use permit for a 14-space parking lot. The parking lot would be located on their property at Tenth Street and Walnut Street, which was located downtown in the Central Business District. He noted a conditional use permit was required for the uncovered parking lot, pursuant to Section 29-15 of the City of Columbia's Code of Ordinances.

Brad Stagg, an employee of First Christian Church, 101 N. Tenth Street, stated on June 16, 1980 the City and First Christian Church entered into an agreement where the City rented parking spaces from the church and agreed to maintain Village Square Park, which was located on the church property. The lease agreement was monitored by the City’s Public Works Department and was last renewed in 2005. He noted in December 2011, Michael Hood, the City’s Parks and Recreation Director, sent a letter to the church that stated he understood the City’s parking utility division chose not to renew the lease. Mr. Hood felt the Public Works Department had not realized Village Square Park was covered by the lease, and therefore had not notified the Parks and Recreation Department. When he began working at First Christian Church in July 2012, the park was an increasingly unsafe and unsecure public health hazard and had become a place for prostitution and drug use. The church custodial staff and Mother’s Day Out Preschool staff would scour the playground daily and regularly found beer cans, alcohol bottles, knives, rusty straight razors, and used hypodermic needles and condoms. He commented that a custodian had cleaned human excrement off the playground equipment, the sidewalks, and the front porches of the church, and preschool staff would bleach the playground equipment when bodily fluids were present. He mentioned that on several occasions the preschool director was in verbal confrontations with people in front of the preschoolers. Church staff had witnessed prostitution activities occur between cars in
the parking lot adjacent to the park and had reported them to the Columbia Police Department multiple times. He stated that the officers could not do anything about it because the activity was completed by the time officers arrived and the park sign was still in place indicating it was a public park, even though it was not. As a result, a fence had been erected to secure the site until an alternative solution for the safety and security issues was found, and since then all criminal activity and health and safety issues had ceased. The County of Boone currently rented much of the church parking lot. He mentioned that the County of Boone had agreed to study, construct, and finance the conversion of the park into a parking lot, which would eliminate safety and criminal issues. He mentioned if the conditional use permit was not granted, First Christian Church would have no other alternative but to keep the fence in place. He understood City staff had recommended that the Board deny their request based on a proposed ordinance and not an actual law, which he felt was not legal. In regard to the suggested condition by City staff that a five foot brick wall be placed around the parking lot, the church had concerns that prostitution and drug abuse would resume and that police monitoring would be hampered due to the line of sight from police officers’ vehicles. He requested the Board make police officers’ jobs of protecting children easier by granting their request without the condition suggested by City staff.

Matthew Kriete, a civil engineer with Engineering Surveys and Services, offices at 1113 Fay Street, presented a PowerPoint presentation of the proposed project. The park would be replaced with additional parking for the County of Boone and the church. The increase in runoff would be minimal since a small amount of impervious surface would be added. He stated they were responsible for complying with the City’s zoning ordinances and off-street parking regulations, meeting the character of land adjacent to the subject property, having adequate utilities for the proposed use, and maintaining access without extra traffic congestion or creating traffic hazards. He noted minimum lot size, building height, and vision and clearance requirements would not be applicable in this instance. He felt the proposed project fit in with the character of the adjacent area. There were buildings with zero lot lines to the east and west of the parking lot, surface parking to the north of the subject property, and two parking lots farther east of the subject property along Walnut Street. Parking lots in the surrounding area were flanked by buildings on each side, which was similar to the subject property. They would be in compliance with the City Code because a six foot landscape buffer would be provided, the grade of the parking lot would not exceed 10%, and stormwater facilities would be designed to meet stormwater runoff requirements. There were multiple entrances into the parking lot, and the access and ingress to the parking lot would remain the same. The existing parking lot access was located mid-block on Tenth Street and would not interfere with intersections. There were no known traffic congestion conditions or traffic hazards in the area, so an additional 14 parking spaces would not create a worse condition. The parking lot would be a paved, dust-free surface and would also be curbed to control traffic flow and runoff. He pointed out that interior driveways, fire lanes, parking aisle and space dimensions, lighting, screening and landscaping, and utilities would be provided per the City Code. He commented that accessible parking and bicycle parking would be provided as well. The proposed project would not add additional employees or people to the downtown area, because people would just be parking in a different location that was more convenient for the County of Boone. He had safety concerns about building a wall around the subject property due to the property’s history. Whenever a visual barrier was created, there was a potential for crime with people hiding in the corners and shadows. Creating areas where anyone could hide was bad planning and harmful to public safety, especially when trying to create a pedestrian-oriented downtown. He explained the concern with the park property today was because a lot of areas were hidden and out of sight, and removing the park would be better for public safety. If police officers had to pull into a parking lot to see what was
occurring, their routes would be delayed. It would be better if they could drive by to see if any activity was occurring.

Ms. John understood why the applicant did not wish to build a wall. She asked if it would be possible to remove a couple parking spaces and install more landscaping or trees as it would better soften the parking lot. Mr. Kriete replied the parking stalls were critical for the proposed project, and losing parking stalls would hurt the project and the viability of the parking lot. He thought additional landscaping, such as a few shrubs or a tree, could be added to help soften the parking lot along Walnut Street. Mr. Hazelrigg stated he did not like the suggested wall and would want additional landscaping to create a softer transition between the sidewalk and surface parking lot.

Bob Hutton, 2252 Country Lane, stated he was a member of First Christian Church and chair of the property department. This project was very important, and he had been involved with it since the beginning. He understood if the Board approved their request, City staff was recommending that the Board require a brick wall be built around the parking area. He stated that staff’s recommendation was based upon the idea that at some point in the future the City Council might change the zoning ordinances and require brick walls around surface parking lots downtown. He pointed out that the City Council might not change that requirement. The pocket park could not remain due to the issues mentioned by Reverend Stagg. The subject property had been used in the past for those behaviors because it was walled in. He believed building a wall around the new parking area would be no different and would put them back to where they had started. There were approximately 120 parking spaces in the existing parking lot with over 700 feet of street frontage. Building a wall would be a deal breaker because it would cost a minimum of $20,000. He commented that the financial arrangement with the County of Boone was borderline and would not work if they did not come in under a certain amount, therefore the County of Boone would not get more parking and the church would lose revenue from the parking lot. The existing concrete walls had to be removed because it was not in the best interest of the church to maintain a temporary fence. He noted that the fence was a six foot tall chain-link fence that was not well done because it was meant to be temporary and was also unattractive. They would commit to doing everything they could in regard to landscaping, but would have to be careful that the landscaping did not create a wall. He noted there was quite a bit of landscaping around the church that was maintained by a church committee.

Mr. Girouard asked Mr. Hutton to comment on additional parking spaces that would be provided by restriping the existing parking lot. Mr. Hutton stated the existing parking spaces on the north side of the proposed parking area were about 10.5 or 11 feet wide, as opposed to 9 or 9.5 feet wide. They could make the parking spaces 9.5 feet wide, or whatever the standard width was, and probably add an additional parking space. Most of the existing parking to the east was handicapped parking which could also be restriped to add an additional parking space. He thought a total of two parking spaces could be gained.

Ms. Hammen asked whether the church had reviewed the City’s Comprehensive Plan. Mr. Hutton replied the church had not and stated Mr. Kriete would be privy to that information. The church viewed the proposed parking lot as potentially temporary, as the church had a master plan with an option to build a new structure or extend the church where the parking lot addition would be located. Ms. Hammen understood the church did not have a timeline for their master plan. Mr. Hutton stated that was correct.

There being no further comment, Chair Clithero closed the public hearing.
Mr. MacIntyre stated City staff was generally not supportive of surface parking downtown. City staff’s recommendation for denial of the applicant’s request was because City staff disagreed the proposal was in conformance with the character of the adjacent area. He believed a park would be beneficial and that a parking lot would not. City staff understood the Board might be interested in another recommendation or supporting a surface parking area, and wanted to put forth the current Unified Development Ordinance (UDO) draft standards to provide guidance on the direction the City might go. He pointed out that while the draft standards might not be adopted, the standards for screening parking lots from residential and other neighborhood uses were similar. Surface parking lots typically had some kind of solid screening between one and five feet tall, as cars were not considered to be attractive. He mentioned the Comprehensive Plan was also a basis for City staff’s rationale. The Comprehensive Plan was clear in its mission and goal of promoting pedestrian-oriented uses and walkability downtown and discouraging automobile-oriented uses. While there were parking lots located downtown, and parking and automobiles were necessary for most people to get to and from downtown, City staff believed expanding a surface parking lot to the corner was not beneficial to the character of downtown.

Ms. Hammen asked if the subject property was located in the Downtown Columbia Historic District. Mr. MacIntyre replied he was unsure where that boundary was located.

Ms. Hammen noted there used to be a ban on surface parking lots and was unsure if the subject property was affected by that or if the ban was still in effect. Mr. MacIntyre stated a change was made in the early 2000s to prevent surface parking lots as a right, and noted the conditional use permit requirement had been enacted by that change. He suggested denying the application based on the use and surrounding character, or a context-sensitive design be considered.

Ms. Hammen asked if landscaping was required along Walnut Street and Ninth Street. Mr. MacIntyre replied it was. He believed the site plan showed a six foot wide landscaping strip, which was a standard requirement for surface parking lots abutting streets. The landscaping was intended to partially screen automobiles.

Ms. Hammen asked for other examples of a wall around a parking lot. Mr. MacIntyre noted a law firm had a parking lot with a street wall on the northwest corner of Broadway and Seventh Street. He believed the wall was higher than six feet and noted the wall detracted from the noticeability of the parking lot. He mentioned that particular parking lot was gated and did not have public access.

Chair Clithero asked Mr. MacIntyre how he felt about the appearance of the subject property if the applicant’s request was denied and a parking lot was not built. Mr. MacIntyre replied a park was a nice use for that location, but it seemed there was an enforcement issue that might continue regardless of the property’s use. He stated the existing walls and configuration might create too private of a space, and noted there were other ways to design parks or landscaped areas to promote more visibility that were easier to patrol.

Ms. Hammen pointed out the Board could request the applicant build a wall along Walnut Street and not along Ninth Street since the parking lot continued to the end of the block.

Mr. Clithero mentioned the other three corners of the intersection where the subject property was located did not have parking, however there was parking on two other corners of the block. Ms. Hammen noted the parking was not on Walnut Street.
Mr. Girouard asked if there was information from the Parks and Recreation Department on why the lease was not renewed. Mr. Moehlman understood the Department did not have interest in the property.

Mr. Girouard asked for the City’s provisions regarding greenspace and landscaping in the downtown, and whether the Comprehensive Plan desired zero lot lines on each block or pocket parks similar to urban areas that were known for pocket parks. Mr. MacIntyre replied that he did not have information on prospective parks and was unaware of any particular regulations or recommendations for pocket parks. The Comprehensive Plan and ordinances currently being drafted attempted to achieve more zero lot line setbacks. Downtown greenspace was a strongly supported amenity in the Comprehensive Plan and throughout Columbia. He noted questions had been raised in discussions about the draft UDO regarding downtown greenspace and providing park space to balance out the urbanized area and soften the streetscape.

Mr. Girouard asked what guidelines the City had regarding sustainability and surface parking, such as drainage, rain gardens, etc. Mr. MacIntyre replied that would fall under the City’s’ stormwater requirements. He mentioned that he was not very familiar with stormwater treatment requirements for downtown, but understood the amount of runoff was limited whenever impervious surface was added and water treatment had to be provided before runoff went into the streams. Chair Clithero believed the City staff report and the testimony heard had indicated the stormwater regulations were met. Mr. Hazelrigg understood concrete would be replaced with asphalt in this case and noted a lot of concrete currently existed.

Chair Clithero stated this land was pretty valuable and would probably become student housing someday, however the proposed use was perfect for this property in the meantime.

Mr. Hazelrigg asked whether the Board would need to specify the stipulation of additional landscaping on the Walnut Street frontage. Mr. Moehlman thought it would be best to ask the applicant if they had any ideas, and suggested using a standard that would satisfy the applicant and the Board. He noted the Board could specify types, opacity, percentage, height, etc. of the landscaping. Mr. Hazelrigg stated he would like to see something additional on each side of the “cut out” shown on the PowerPoint slide. Mr. Kriete stated they were required to have one tree in that area but did not think it would be a big issue to put in two trees or a couple of shrubs. He mentioned that from a safety standpoint he liked breaking up the landscaping and providing lines of sight instead of an opacity requirement. Ms. John thought two or three nice fruit or flowering trees would be better. Mr. Hazelrigg and Mr. Kriete were agreeable to Ms. John’s suggestion. Mr. Hazelrigg asked if the applicant would be agreeable to three trees. Mr. Kriete replied they were.

Ms. Hammen suggested putting a wall behind the landscape buffer along Walnut Street and noted it would comply with the Comprehensive Plan. Mr. Hazelrigg stated he was not in favor of a fence or a wall, as he felt it did not fit in with the area. Mr. Kriete noted there were knee walls along the sidewalk that were no taller than two feet. They intended to leave those in place because it helped break up the space and did not create visibility or safety issues. Most of the buffering had been created by the landscaping inside the park, and that would be removed, which would create more conformance with the adjacent area.

Ms. Hammen understood the five foot wall stipulation originated from the zoning code consultants and would be included in the development code if it was adopted. Mr. MacIntyre replied that was a
recommendation by Clarion Associates and Ferrell Madden, the downtown form based code consultants.

Ms. Hammen asked whether safety was discussed when considering a direct line of sight by police. Mr. MacIntyre replied that he was unaware of the discussion regarding that.

Mr. Hazelrigg made a motion to approve the conditional use permit as requested with the addition of three trees along Walnut Street. The motion was seconded by Ms. John.

Ms. Hammen understood the typical landscaping buffer was six feet and had been in place for a long time. Mr. MacIntyre stated that was correct.

CASE NO. 1909 VOTE RECORDED AS FOLLOWS: VOTING YES: JOHN, CLITHERO, GIROUARD, HAZELRIGG. VOTING NO: HAMMEN. The conditional use permit was approved as requested that three trees be planted along Walnut Street.

Case Number 1907 was a request by R.G. Hansen & Associates, Inc. and QuikTrip Corporation (contract owner) for a variance to the sign ordinance by allowing a freestanding pole sign to setback a distance of less than 25% of the lot width from the west side lot line on property located at 3211 Clark Lane.

Case Number 1910 was a request by Home Depot USA, Inc. and R.G. Hansen & Associates, Inc. for a variance to the landscaping requirement by allowing less than fifteen percent (15%) of the land area to be landscaped on property located at 3215 Clark Lane.

Chair Clithero opened the public hearing.

Phebe La Mar, an attorney with offices at 111 S. Ninth Street, appeared on behalf of QuikTrip and Home Depot. She presented a PowerPoint presentation and provided a handout of exhibits numbered 1-9 which included: certified copies of Section 23-25 and Section 29-25 of the City of Columbia Code of Ordinances, photos of the proposed QuikTrip store and proposed sign on the QuikTrip site, site plans showing placement of the proposed sign and the greenspace calculations, a landscape plan, an aerial drawing of the subject property, and a drawing of the subject property from the street. She asked that the exhibits be submitted into evidence. The two variance requests were on behalf of QuikTrip and Home Depot. She stated that QuikTrip was trying to update their stores and make the Columbia store one of their prototype stores. The store would provide QuikTrip kitchens with cooked products, additional products, additional doors for more customer convenience, and a rear entrance for deliveries and vendors. The existing store was located on a highway and was currently underparked. She noted the building and parking lot needed to expand, and more space needed to be found as this particular tract was landlocked by Clark Lane on one side and Home Depot property on three sides. Home Depot would be willing to sell to QuikTrip 19,655 square feet of their property from a small tract that went to the corner of Clark Lane and the Highway 63 connector. The portion that QuikTrip would purchase was closest to the QuikTrip lot and was currently grass. One of the two variances being requested was for a sign variance. The QuikTrip lot was considered an interior lot because property owned by Home Depot was between it and the Highway 63 connector, and the property would be too small to build on. She requested the subject property be treated as a corner lot rather than an interior lot. She noted an interior lot had a required side lot setback of 25% of the lot width and requested that be waived to allow them to place the sign in the side yard rather than the middle of the parking lot where it would be located per
the ordinance. The other variance being requested was more complicated and involved the Home Depot lot. If QuikTrip purchased the 19,655 square feet of property from Home Depot, the Home Depot lot would have a greenspace allotment of 11.68%, which was under the required 15%. She stated that they had discussed purchasing a portion of a neighboring lot, but were unable to reach a solution. She mentioned they were proposing to upgrade the landscaping on the QuikTrip and Home Depot sites, and instead of a grass lot at the corner of the Highway 63 connector and Clark Lane, there would be a nice landscaped lot. She requested the Board require the landscaping on the subject property be upgraded and maintained, and that the Home Depot lot be permitted to have an 11.68% greenspace allotment. She pointed out Home Depot would have to apply for a building permit in order to be required to do something different to the lot, which was not anticipated at this point. This was a mechanism for the Board to require the applicant to upgrade the landscaping in that area and she was not aware of another opportunity in the foreseeable future for that to be required.

Ms. Hammen asked if the sign would be an additional sign. Ms. La Mar replied it would be a replacement sign. Ms. Hammen asked why the sign needed to be replaced. Ms. La Mar replied the parking lot would be expanded and the sign needed to move over.

Ms. Hammen understood the applicant was requesting the subject property be a corner lot instead of an interior lot. Ms. La Mar clarified that they were requesting a variance for the proposed sign to be placed as shown on the site plan. The subject property was technically an interior lot, but due to its location it made more sense to treat it as a corner lot. Ms. Hammen understood the proposed sign was about two feet short of the required setback. Chair Clithero noted the requirement was 25% of the lot width. Ms. La Mar stated because the lot was about 400 feet wide, the sign would have to be setback about 100 feet, which put it in the middle of the parking lot. She noted that was not an ideal location. There were other locations where a similar variance had been permitted in the past. The variance made sense since the lot was visually a corner lot, and both variances would also make the entire area more visually appealing.

Mr. Moehlman asked Ms. La Mar to explain the limitations and uses that would be unavailable to the site if the variance was not granted. Ms. La Mar replied her client would have to decide whether to stay in Columbia or not when the lease came up in a few years. This site was zoned C-3 and almost anything would be permitted.

Mr. Moehlman stated the standard for granting variances often said variances were inappropriate when properties were purchased with knowledge that a variance was needed. He asked Ms. La Mar to comment on that standard. Ms. La Mar stated the standard that should be applied was in place when QuikTrip and Home Depot originally purchased the sites. At that time there was no need for a variance by either party because QuikTrip had sufficient property to operate the store and had no way of knowing they would need to expand the store in the future. Home Depot had the required 15% greenspace and had no reason to foresee that QuikTrip would need to purchase property from them. She noted QuikTrip had nowhere else to purchase property and had to purchase it here or could not expand.

Mr. Moehlman asked how plans for the lot would be impacted if the sign variance was not granted. Ms. La Mar replied that she did not think it would prevent them from developing the lot, but the parking lot would not be as safe. There was a practical difficulty and an unnecessary hardship in placing the sign in the middle of the parking lot.
Ms. Hammen asked where the existing sign was located.

Greg Rogers, on behalf of QuikTrip, 2255 Bluestone Drive, St. Charles, Missouri, pointed out the location of the existing sign on the PowerPoint slide.

Mr. Hazelrigg noted the building would expand by at least one-third.

Ms. Hammen asked Mr. Rogers to point out the location of the proposed sign and where the sign would need to be located to meet the ordinance. Mr. Rogers pointed out where the proposed sign would be located and where the proposed sign would need to be to meet the ordinance. One reason they were expanding was for additional parking. He noted several parking spaces would have to be eliminated to put in the footings for the sign and mentioned they could do that but they did not think that would be very safe.

Chair Clithero asked where the property being purchased extended to on the depiction. Ms. La Mar stated it went to the dotted line on the depiction. Mr. Rogers pointed out where the property line was. He noted the dark line was the edge of the parking lot, and the property being purchased went to the dotted line and would include the upgraded landscaping. Ms. John understood everything west of the dotted line would still be Home Depot property.

Ms. Hammen understood the proposed sign would essentially be on the property line. Ms. La Mar stated it would be about 23 feet from the property line in the grassy area of the side lot. Mr. Rogers pointed out on the site plan where the proposed sign would be located. Ms. Hammen understood the site plan showed the expanded building. Mr. Rogers stated that was correct.

Mr. Girouard asked what the plan was for the existing Home Depot sign. Ms. La Mar replied it would stay in place. Mr. Girouard commented that from the site plan it appeared the sign would be at the end of a culvert. Mr. Rogers explained that was actually a paved road for a utility truck to reach the sign for maintenance and noted the sign was not changing at all.

There being no further comment, Chair Clithero closed the public hearing.

Mr. Moehlman stated the standard of practical difficulties or undue hardship in using the property for a permitted use should apply in determining whether or not to grant the variances.

Mr. Moehlman requested the Board open a separate public hearing on Case Number 1910 for technicality purposes. He stated a public hearing was opened for Case Number 1907 but not necessarily for Case Number 1910.

Chair Clithero opened the public hearing.

There being no further comment, Chair Clithero closed the public hearing.

Ms. Hammen understood a sidewalk was going out to landscaping. Ms. La Mar stated that was correct.

Mr. Girouard asked for the City’s standard for the distance between two pole signs. Mr. MacIntyre did not believe there was a standard. The side yard setback was the main purpose for this variance and it was adequate enough to offset proximity concerns. Mr. Girouard noted the proposed sign
would be closer to another sign and asked if there was a standard regarding the number of pole signs being allowed on a frontage. Mr. MacIntyre replied that standard was based on a per lot allocation, so each lot would be allocated one sign per frontage based on public street frontage. Ms. Hammen understood that was not addressed in the ordinance since the sign would be moving closer to a different side. Mr. MacIntyre was not aware of that being addressed in the ordinance.

Mr. Girouard mentioned Home Depot was subject to the landscaping regulations and asked if there was any enforcement of that. Chair Clithero stated the landscaping was appropriate for their lot size. Mr. Hazelrigg commented that Home Depot had been meeting the requirement until this point. Mr. Moehlman noted the Home Depot site as it currently existed was in compliance. Ms. Hammen asked who monitored the landscaping. Mr. MacIntyre replied that upon completion of a project, inspectors made sure landscaping was in place and met requirements. It was not uncommon for landscaping to die and not be replaced in a timely fashion. He mentioned that a lot of City inspection relied on complaints. Mr. Girouard stated that was an important factor to consider and asked what would happen if the City did not enforce this landscaping agreement. Mr. Hazelrigg noted Mr. Girouard brought up a good point. He viewed the landscaping being policed by the community as a whole. If landscaping was not maintained, there would be complaints and inspectors would address them. This was a very high traffic area and if the landscaping was not maintained local residents and visitors would complain. Ms. Hammen understood there was a penalty for not maintaining landscaping. Mr. MacIntyre stated the City would typically notify the property owner of their non-compliance and request they conform with the approved site plan, however that could escalate over time. Mr. Hazelrigg noted part of the Board’s task when considering a request was making a condition that the applicant must follow the request that was made and comply with everything the applicant stated they would comply with.

Mr. Moehlman mentioned that the variance and conditions ran with the land. If Home Depot wanted to expand or do additional work, being out of compliance would impact their ability to get a building permit or whatever type of permit they were seeking. Mr. Hazelrigg understood property owners could change but the requirements would stay with the land.

Mr. Girouard asked if an easement would be required for the access road since it crossed the property line. Mr. MacIntyre replied there was typically an easement in instances where there was shared access or access through a lot. Mr. Rogers stated an easement was in place. Mr. Moehlman noted that would be a private matter between the two property owners.

Mr. Girouard understood a separate building permit would be required for construction of the gas station and parking lot. Mr. MacIntyre stated granting a variance did not alleviate additional building and site development requirements, and those would have to be met.

Ms. Hammen asked if considering the subject property a corner lot would have any bearing. Mr. Moehlman thought that was just a conceptual idea by the applicant. He stated the variance request to place the sign as shown on the site plan was pretty straightforward.

Ms. Hammen asked if there were hardships if the variances were not granted. Mr. Hazelrigg stated for him it would be where the sign would go. He spent two-thirds of his year traveling and more obstacles were not good for parking lots and gas stations. He thought the applicant’s suggestion to alleviate that situation was reasonable considering the subject property was aesthetically a corner lot.
Chair Clithero noted he did not want to use “less than 15%” in the Board’s motion, otherwise the applicant could change it to whatever they wanted. Ms. La Mar commented that the specific percentage listed on the exhibit was 11.68% and suggested rounding to 11.5%. Chair Clithero understood that particular variance request referred to 3215 Clark Lane and asked if that was Home Depot. Ms. La Mar replied that was correct.

Chair Clithero wanted to clarify the variance request for Case Number 1907. Mr. Hazelrigg stated the request was to put the sign 23.04 feet from the property line. Ms. La Mar stated that was correct and suggested “as shown on current site plan” be used in the Board’s motion. Mr. Moehlman suggested the specific exhibit be identified. Ms. La Mar stated the exhibit was Exhibit 5 in the packet provided.

Mr. Hazelrigg made a motion to approve the variance for Case Number 1907 by allowing the freestanding pole sign to be placed per the site plan marked as Exhibit 5. The motion was seconded by Ms. John.

Ms. Hammen understood staff had denied the applicant’s permit because it did not meet the ordinance. Mr. MacIntyre stated that was correct and noted there was an automatic denial when something did not meet the ordinance.

Mr. Girouard understood the proposed sign met the other City Code requirements (height, square footage, etc.). Mr. MacIntyre stated the proposed sign would be required to meet all requirements and limitations regarding sign face, square footage, height, etc. Mr. Hazelrigg stated the Board was allowing the proposed sign to be located in a different spot than what the ordinance required. Mr. MacIntyre noted the variance only applied to the one side yard setback.

CASE NO. 1907 VOTE RECORDED AS FOLLOWS: VOTING YES: JOHN, CLITHERO, GIROUARD, HAMMEN, HAZELRIGG. VOTING NO: NO ONE. The variance was approved per the submitted site plan marked as Exhibit 5.

Ms. John made a motion to approve the variance as requested for Case Number 1910 by allowing 11.5% greenspace for Home Depot with enhanced landscaping as shown on Exhibit 7. The motion was seconded by Mr. Hazelrigg.

CASE NO. 1910 VOTE RECORDED AS FOLLOWS: VOTING YES: JOHN, CLITHERO, GIROUARD, HAMMEN, HAZELRIGG. VOTING NO: NO ONE. The variance was approved per the submitted site plan marked Exhibit 7.

Ms. Eldridge noted the City had new agenda management software and mentioned the Board would notice a different agenda format. The Board would vote to approve agendas, which was currently being done at City Council meetings. The agendas would include a section for comments at the end of each meeting that would be open to the public and a tentative meeting date for the Board’s next meeting.

Mr. Hazelrigg asked if approving the meeting agenda would be for people wanting to withdraw or approving the meeting agenda in general. Ms. Eldridge replied they would approve the agenda similar to what was being done at City Council meetings. The format for all board and commission agendas had been changed to one format.
Mr. Moehlman stated it had been a year since the last training session for the Board and there had been some turnover in membership. He asked the Board to consider whether or not they would like to have another training session in the future and what type of training they would like to receive. He noted City staff was willing to help out in any way necessary. Chair Clithero asked if Mr. Moehlman had spoken with the newer members. Mr. Moehlman replied he had not spoken with them in-depth.

Mr. Hazelrigg thought a refresher would be good for members who had been serving for a while. He suggested meeting before the Board’s regularly scheduled meeting next month or the month after. Mr. Moehlman commented that this training would not be very different from the previous one, unless there were specific issues the Board would like addressed or expanded on. He pointed out that he did not need a lot of time to prepare, so if the Board did not have any cases to hear and wanted to meet during a regular meeting time, he could accommodate that without much notice. Ms. Eldridge stated she could send out e-mail asking for availability and compare schedules for a possible meeting time. Mr. Moehlman mentioned that there was a shorter version available of the previous training session that was done.

There being no further business, the meeting adjourned at 8:33 p.m.

Respectfully Submitted,

Megan Eldridge
Deputy City Clerk