

Regular Minutes of the  
Ashland City Planning Commission  
January 4, 2010

The Ashland City Planning Commission met in regular session on January 4, 2010  
At 5:30 p.m. in the Municipal Building.

Chairman Joe Macha called the meeting to order at 5:30 p.m.

Commissioners present: Ed Nichols, Chris LaCrosse, Gary Norwood, Yvonne Stinnett,  
Hadley Williams, Dwayne Noe, Joe Macha

Commissioners Absent: None

Others Present: Michael W. Armstrong, Franklin Wilkinson, A. M. Armstrong, Sharon  
Caton, Chuck Walker, Patty Kennedy, Lee Batson, Michael Highers, Vikie Murry, James  
Finton, Tommy Rogers

Approval of Minutes

A motion was made by Stinnett and 2<sup>nd</sup> by Williams to approve the minutes as written.  
The motion to approve the minutes passed by unanimous voice with Dwayne Noe  
abstaining.

Public Forum: None

Old Business: None

New Business:

**A. Elect Planning Commission Chairman, Vice-Chairman & Secretary for 2010**

Caton addressed the Commission to entertain nominations for Chairman, Vice Chairman  
and Secretary of the Planning Commission for 2010. Mayor Norwood made a motion and  
2<sup>nd</sup> by Stinnett to keep the positions as they currently stand with Joe Macha as Chairman,  
Chris LaCrosse as Vice Chairman and Mayor Norwood as Secretary. With no other  
nominations Caton declared the nominations closed and requested a roll call vote. The  
motion passed by roll call vote. Ed Nichols-yes, Chris LaCrosse-yes, Gary Norwood-yes,  
Yvonne Stinnett-yes, Hadley Williams-yes, Dwayne Noe-yes, Joe Macha –yes.

**B. Discussion of mini-storage proposal as a special exception in a C-2 zoning – 700  
Highway 12 North – Michael Highers**

Caton addressed the Commission and stated this is the same project we discussed last  
month. Caton asked Chief Walker if all the issues of the sprinkler system requirements  
had been worked out. Chief Walker responded with no. He stated the sprinkler system  
would be addressed when building plans are available for review. The review of sprinkler  
systems would be part of the building permit process and review and is independent of  
requirements for Board of Zoning Appeals and Subdivision Plat Approval. Caton stated

that at this point there are two processes that need to take place before a site plan approval and permit approval is granted. The Board of Zoning Appeals will need to grant a special exception for the use of mini-warehouse in a C-2 Zoning and the Planning Commission will need to approve the subdivision plat and site plan before permits are issued. The subdivision will need to be approved because at this time there is an existing building and business on the same lot as the proposed mini-storage. The Commission proceeded to review the power-point presentation of the proposed mini-storage site, a concept site plan for the mini storage and review the requirements for C-2 zoning and requirements for site plan approval. Caton stated that the concept plan provided by Mr. Highers is sufficient to present to the Board of Zoning Appeals. Mr. Highers approached the Commission and stated that he could not find the original blueprints that Tony Reasons had drawn up in the early 1990s and that were presented to Michael Majors in the early 1990s. A total of 14 copies were given to the Building Committee. They went through all the processes as to where the shrubs and buildings were to be located and it took about 9 months to go through that process. They decided at that time the whole outlay of the property. Where buildings would be, where retention ponds would be. Mr. Highers stated that his property has been approved back in the early 1990s. He got his building permit for the building they were building at that time. The local Codes department knew he was filling in the property and when he got finished filling he did elevation grades again. Then he getting ready to build the storage buildings and take and submit it at that time. That has been for several years. Mr. Highers stated that he knows Codes changed and everything but he gave the Codes department a copy of everything that was going to be built on the property because he had to outlay where the retention ponds were going to be. Mr. Highers said that he understands that things change and asking for a zoning variance and things like that but the blueprint was approved and that the City can not find the blueprints. He has a copy of what was approved because he had to know how the whole property was to be laid out because if he did not he could not have built anything at that time because he had to lay out retention ponds regardless and everything was approved at that time. It was his understanding at that time all he had to do was bring in his site plan for approval and pay his permit fee. As long as he stays under 5 acres he did not have to do anything at that time. As long as he stayed under 5 acres they could put as many businesses there as they wanted to. The original plan called for a paving company, a propane business and the rest of the site would be mini-storage. Mr. Highers requested the Planning Commission accept his site with mini-storage with out going through all the processes because it was already approved back in the 1990s and he has a copy of it here. When Michael majors was here it was approved at that time. He is willing to go through the process if he has to but the sooner he builds the mini-storage the sooner the City will get tax revenue. He estimates he will generate \$100,000.00 for the City as soon as he gets them built because there is a shortage of these units in town. Caton stated that if we can find approved minutes or an approved site plan the Commission can move forward. Michael Armstrong stated that the Codes Department could not find anything showing the mini-warehouse site was approved. Mr. Highers stated in the public records provided him there was no reference to Gary Binkley's site being approved and the minutes were lost from that time. After further discussion the Codes Department was asked by the Commission to review for the record any documentation related to the Highers site. Franklin Wilkinson stated that, through

research, the first time the site appears before the Planning Commission was in the minutes from August of 1996. That appears to be the approval for the existing building. Mr. Highers stated that that was not right and they moved into the building in 1994 and started construction two years before. They poured the concrete pad and it set there for about a year and then they ordered the building and it went up 3 months after that so the site plan approval had to be sometime in 1992. Franklin Wilkinson continued with the history of minutes for the site. In 9-3-02 Mr. Higers was advised to go before the BOZA for a special exception for mini-storage. In 10-01-02 Mr. Highers is advised to go to the BOZA. In 11-6-02 Mr. Highers withdraws his request to develop the lot as a mini-storage site. Michael Armstrong stated that when the Codes department researched the minutes that we started in 1990 and came forward but we will go back and review the minutes again. Mr. Highers said he changed his plans about seven times over nine months and went in front of the committee, just like now, and about two days later Michael Majors came down and said everything was approved. Mr. Highers stated he did not receive any documents saying it was approved. He said there was no need to turn in mini-storage building permit fees because they were not being built at that time. The only fees that were paid were the actual building being built. Mr. Highers stated that the reason he withdrew his request for mini-storage in 2001 because Michael Majors told him it was already approved and was less than five acres. After further discussion it was determined that Mr. Highers will have to go to the Board of Zoning Appeals to request a special exception and will have to subdivide the property.

**C. Discussion of rezoning from R-1 PUD to MR – PO (Multi Residential Professional and Office District) – Map 55, Parcel 18.00, Highway 12 South (Formerly Leeland Station)**

Caton stated that, as she understands the project, it is to be an assisted living center with some residential development and commercial activity. Caton reviewed the MR-PO zoning descriptions with the Commission. James Finton addressed the Commission and presented a packet, representing the interested developer, with a general concept plan for the property. Finton stated that the goal for tonight is to get a feel from the Commission if the concept is favorable for support from the Commission. The developer is requesting that the Mayor write a letter showing support for the project so it can be presented to the financiers. It is all private funds and no HUD funds will be requested for this project. The developer is aware that a water tower will have to be placed. Mayor Norwood asked about the reference to article 6.050 from the zoning description under height requirements. Caton stated that the reference as written pertains to lots of record and there must be some error in the reference. She said she would look in to it for clarity. After further discussion Noe made a motion and 2<sup>nd</sup> by Stinnett that the Mayor and Planning Commission Chairman, Joe Macha, sign off on a letter showing support for the project. Motion passed by unanimous voice vote.

Other: None

A motion to adjourn was made by Williams and 2<sup>nd</sup> by Stinnett. Adjournment passed by unanimous voice vote.

Meeting was adjourned at 6:47 P.M.

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Chairman Joe Macha