

EXCERPT FROM THE APRIL 16, 2013 REGULAR MEETING OF THE PLANNING COMMISSION

- 1. Comprehensive Plan Amendment Petition No. 12-4CP - AJAX Plant Site - Owner: SJT – Venice, LLC - Agent: Chris VanHise, Attorney - Staff: Roger Clark, Planner**

Mr. Snyder stated the first two petitions are for the same site, but are different types of hearings. He suggested the presentations for the petitions be combined.

(1:33) Chair Snyder read a memorandum dated April 16, 2013, stated two written communications have been received regarding this petition; and opened the public hearing.

Discussion followed on the stipulations referenced in the written communications and staff reviewing the letters during the presentation.

Staff Presentation

Mr. Clark stated the future land use designation and rezoning petitions are required per the pre-annexation agreement, reviewed the petitions being presented today, the proposed designation is the Gene Green Sector, and the proposed zoning designation is the Planned Industrial Development (PID). He gave a brief background on the site, annexations and rezone petitions. He highlighted the covenants and restrictions stipulated in the pre-annexation agreement, including limited hours of operation, controls on excavation and earthmoving activities, limited uses beyond what currently exists, increase in setbacks and landscape buffers for future development, lighting and noise restrictions, stockpile limits, and watering requirements.

Mr. Clark noted most of the PID permitted uses in this area that would normally be allowed are now prohibited, AJAX has been in existence for over 25 years, displayed an aerial map of the site, stated the small scale comprehensive plan amendment will apply a land use designation consistent with the pre-annexation agreement and the restated Joint Planning Agreement (JPA). He described the current facilities on the property, reported the property is restricted by the same conditions and covenants as the surrounding PID properties, and there are no contemplated additional or alternative uses for the subject property. He clarified any proposed changes in operation or improvements are subject to an amendment of the PID and a site and development plan approval, described the surrounding land uses, displayed site photos, the current land use map, stated staff analysis confirms no proposed changes for the property, compliance with Land Development Code (LDC) and comprehensive plan, the petitions are consistent with the JPA and pre-annexation agreement, and there are no outstanding technical issues. He reviewed the process for adoption and the options for petition approval or denial.

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Presentation

Chris VanHise introduced AJAX President Mike Horan and Peter VanBuskirk of Kimley Horn. concurred with the staff report, gave the history of the cement plants being moved from the Seaboard area to their present location, pointed to the city boundaries on the aerial map, described the annexation process, reviewed the pre-annexation agreement and zoning requirements, reiterated the plant has been operating for over 25 years and nothing will change with the approval of the petitions, future changes to operations would require an amendment to the PID and a site and development plan presentation, the comprehensive plan amendment is consistent with the comprehensive plan and JPA, and requested approval.

Audience Participation

(1:56) Jerry Jasper, representing Venetian Golf and River Club (VGRC) Community Association, spoke in support of the petition and stated they have been working with AJAX since August 2009.

(1:58) Chair Snyder closed the public hearing.

Mr. Graser **moved** based on the staff report and the presentation, the Planning Commission, sitting as the local planning agency, finds this request consistent with the Comprehensive Plan and, therefore, recommends to City Council approval of Comprehensive Plan Amendment Petition No. 12-4CP. **Seconded** by Mr. Shrauger.

ROLL CALL: Mr. Murphy, YES; Mr. Williams, YES; Ms. Moore, YES; Mr. Snyder, YES; Mr. Shrauger, YES; Mr. Graser, YES; Mr. Towery, YES. MOTION CARRIED.