

*It was moved by Peter Gower, seconded by Harris Armstrong, to approve the conditional use permit, subject to conditions listed in the staff report. Motion Pass.*

<b>RESULT:</b>	Approved [7 TO 0]
<b>MOVER:</b>	Peter Gower, Commissioner
<b>SECONDER:</b>	Harris Armstrong, Commissioner
<b>AYES:</b>	Velto, Johnson, Drakulich, Gower, Munoz, Villanueva, Armstrong
<b>NAYS:</b>	
<b>ABSENT:</b>	

- 6.2 **Staff Report (For Possible Action): Case No. LDC23-00035 (Green Acres Storage)** – A request has been made for: 1) a conditional use permit to establish a 310-unit mini-warehouse facility comprised of seven buildings and RV storage; and 2) an alternative equivalent compliance to vary from site landscape requirements. The ±1.85 acre project site is located south of the terminus of Green Acres Drive. The project site is located within the Mixed-Use Suburban (MS) zoning district and has a Master Plan land use designation of Suburban Mixed-Use (SMU). **[Ward 2]**

Russell Myers, representing the applicant, gave an overview of the project and stated the owner of the property also owns and runs the storage facility across the street.

Carter Williams, Assistant Planner, presented staff analysis.

Disclosures: familiar with the site, read and received emails

Public Comment: Correspondence received was forwarded to the Planning Commission.

Tony May  
Voicemail received from Clay Alder  
Craig Olson

Questions:

Commissioner Munoz asked staff if they have any information regarding easement access to the neighboring property's sign as discussed under public comment.

Mr. Williams explained they do not have information on an easement and staff views that as a civil issue that would not be part of their analysis.

Commissioner Gower asked staff to respond to public comment regarding the displacement of flood waters. He is looking for assurance that there are measures in place to prevent this project from creating flooding on neighboring properties.

Mr. Williams stated those measures are established through conditions and it is a requirement in code as well. The flood area is not allowed to be expanded.

Mr. Williams answered questions from Commissioner Gower regarding the living wall/fence component for the view from the freeway. The living landscape wall also serves to captures landscaping requirements.

Craig Olson explained for Commissioner Villanueva that he spoke with Tom Dolan who said he has an easement that allows access to the billboard. Mr. Olson offered to assist in obtaining the easement document.

Mr. Olson stated for Commissioner Villanueva that he purchased the property from NDOT in July 2021.

Mr. Myers answered questions from Commissioner Johnson regarding building heights that was part of the presentation but not included in the meeting packets.

Discussion:

Commissioner Munoz stated with the recommendations included and what code requires, he does not have any concerns with flooding. It is a great use of the area and he does not have any issues with this.

Commissioner Gower stated he appreciates the public comments that were made. Staff addressed those comments and concerns in the process of evaluating the site. He is comfortable with making the finding. In terms of the easement, it is outside our purview and hope it is able to be resolved.

Chair Velto read the appeal process into the record.

***It was moved by Peter Gower, seconded by J.D. Drakulich, to approve the conditional use permit and the alternative equivalent compliance, subject to conditions listed in the staff report. Motion Pass.***

<b>RESULT:</b>	Approved [7 TO 0]
<b>MOVER:</b>	Peter Gower, Commissioner
<b>SECONDER:</b>	J.D. Drakulich, Vice Chair
<b>AYES:</b>	Velto, Johnson, Drakulich, Gower, Munoz, Villanueva, Armstrong
<b>NAYS:</b>	