

**CITY OF DERBY  
PLANNING COMMISSION MINUTES  
December 15, 2011 6:30 PM**



**MEMBERS PRESENT:** Shawn Riley, Sue Wright, Kelly Farber, Keith Volz, Pat Baer, Jack Hezlep, Tasha Brackeen, Gunter Hansen

**MEMBERS ABSENT:** Eric Tauer, Doug Chambers

**CITY STAFF PRESENT:** Bud Newberry, City Planner; Stephanie Cox, Recording Secretary

**CONSIDERATION OF MINUTES:**

Minutes of December 1, 2011 Planning Commission Meeting.

MOTION: Jack Hezlep moved to approve the minutes as written.

SECOND: Gunter Hansen

VOTE: 5-0-3

**PUBLIC FORUM OPENED**

**PUBLIC FORUM CLOSED**

**AGENDA ITEM NO:** 1

**DESCRIPTION:** Site Plan Review – Part of Lot 2, Block 1, Mayfield-Minge-Rolison Addition

**GENERAL LOCATION:** Across from Kohl's on the south side of Patriot Avenue

**APPLICANT:** Shelton Collision Repair, Inc. (Brad Shelton)

**AGENT:** Spangenberg Phillips Tice Architecture

**REASON FOR REQUEST:** Convert existing building to auto body repair facility

**BACKGROUND INFORMATION:**

- This site is located mid way between K-15 Highway and Buckner Street on the south side of Patriot Avenue.
- This lot is located within the Mayfield-Minge-Rolison Addition. The plat for this addition was approved by action of the Derby City Council on October 17, 1978.
- This property is zoned B-5 "Restricted Commercial, Warehousing, Limited Manufacturing District", the appropriate zoning district for the proposed use.

- Properties with B-5 "Restricted Commercial, Warehousing, Limited Manufacturing District" zoning lie to the north, west and south of this parcel. East of this site is the Old Ranch Commercial Addition, a large undeveloped commercial property zoned B-3 "General Business".
- The lot, which is the subject of this review and was created via Lot Split approved January 9, 2001, is approximately 2.40 acres in size, which exceeds the minimum requirements of the B-5 district in all respects.
- Automobile Body and Fender Repair businesses are an outright permitted use in the B-5 District.
- This item was originally presented to the commission on December 1, but was tabled to give the developer time to submit additional information concerning the design criteria, lighting and landscaping requirements.

## STAFF COMMENTS:

1. Site Lighting. The Site Lighting Photometric Plan included shows adequate lighting around the front of the new addition and in the drop-off area at the northeast corner of the new addition. The maximum light levels around the perimeter of the site do not indicate any light spilling over onto adjacent properties and streets. Additional information has been provided by the developer showing the type of light fixtures being used on the building.

## 2. Landscape/Screening and Buffering.

Landscape Street Yard. This site has a frontage adjacent to Patriot Avenue so a landscape street yard 20 feet in depth is required along the north line of this property. The landscape street yard measures 4,080 S.F. (20' x 204' = 4,080 S.F.). A total of 8 shade trees are therefore required (4,080 S.F. / 500 S.F. per tree = 8.16 = 8). The Landscape Plan originally submitted with the Site Plan documents indicated that eight shade trees would be provided, however, it did not have the species of the trees shown. The applicant has since submitted an alternate Landscape Plan which shows the required, and some additional landscaping requested by the commission. All of the plants are now identified, per the requirements of the ordinance.

Equipment Screening. The only new mechanical equipment installed with this addition will be a roof top HVAC unit which is located directly behind the new roof. It appears that this roof will completely hide this unit from view from the north and an existing tree row along the east property line will screen the equipment from the east. Since there isn't a parapet wall on the existing building where this unit will be located, the applicant is advised to be prepared to discuss how the rooftop equipment will be screened from view from the west if the commission determines that screening is necessary.

Trash Receptacle Screening. Since this plan does not show where the trash receptacle will be located, it is assumed that it will be kept inside the building. If there will be an outside receptacle, it will have to be screened with an enclosure made of wood, masonry or materials similar to those used on the building.

Miscellaneous Landscaping Notes.

The Derby Zoning Ordinance does require that the landscaping be irrigated with a permanent irrigation system. In accordance with local regulations, the Landscape Plan now indicates that an irrigation system that includes an automatic rain sensing device will be installed.

3. Design Standards. Elevations for all four sides of the building have been provided with the types of material noted. The developer has indicated that samples of the proposed materials and colored renderings will be shown at Site Plan Review.

**CORRECTED PLANS:**

Following Planning Commission approval, the applicant will need to revise the Site Plan documents to incorporate all corrections or comments and submit 3 revised and final copies to the city.

**RECOMMENDATION:**

Approve the Site Plan for Part of Lot 2, Block 1, Mayfield-Minge-Rolison Addition, subject to staff comments.

**DISCUSSION:**

**Kelly Farber** asked if the existing rooftop units need to be screened.

**Bud Newberry** replied that the new addition they are proposing to build on the north end of the existing building should provide adequate screening. I don't think screening will be an issue.

**Acting Chairman Volz** asked if the developers agent would like to address questions raised in the report.

**Justin Parks, Spangenberg-Phillips-Tice Architecture** stated the whole concept of the new addition is to screen all of the existing pre-engineered building to the south. The new rooftop units will sit just south of the addition at its highest point and will be blocked from view. Screening the existing rooftop units would cost an exorbitant amount of money and have to be built so tall that the existing building structure wouldn't be able to support it. I would also like to ask for some leniency on the exterior materials for the new addition. We are proposing to use a high dollar type of metal panel that would add a classy and elegant look to the building. This type of material is currently being used on medical, institutional and government type buildings. There was a question about the trash enclosure. It will be located at the southeast corner of the property behind the fence and the rolling gate. Again, I think the biggest exception we are asking for is the roof screening. There is an excessive amount of structural work that will need to be done in order to accommodate a screen. If the building was a rigid frame or masonry it would be more feasible but attaching to a pre-engineered building is going to be a real challenge.

**Keith Volz** asked if the existing structure would be getting new siding.

**Justin Parks** confirmed that it would be getting new siding.

**Keith Volz** stated I have no problem with using the metal panels. In fact, our ordinance allows for architectural grade panels. I think it's an acceptable solution.

**Kelly Farber** stated the panels have an industrial, but classy look and I think they will work fine.

**Pat Baer** asked for more detail on the cedar fence.

**Justin Parks** replied that the fence will have a top and bottom rail and be painted to match the darker grey siding that will be on the building.

**Jack Hezlep** asked if the chain link along the front of the property will be coming out.

**Brad Shelton, Shelton Collision** replied yes, and along the west side also. I do have a question about planting trees along Patriot that will block my building since it sits so low and far back on the property. Can we get a variance of some sort on the trees?

**Bud Newberry** replied we do have the ability within the ordinance to substitute a percentage of the trees with shrubs and you can use smaller, ornamental trees.

**Keith Volz** commented that the shrubs might not be the best option. The trees will grow tall and not create as much blockage as the shrubs.

**Bud Newberry** stated something to consider is that the trees are not required to be evenly spaced across the front of the property as shown on the landscape plan. If they are placed in clusters they might not block the view as much. Staff can get together with the developer and come up with a plan that meets the requirements but allows for better visibility of the building.

**Sue Wright** asked if the relocation of Nelson Drive will affect this property.

**Bud Newberry** replied it won't because there is another lot between this property and the proposed Nelson Drive relocation. Any screening that is required will be addressed during the development of that lot.

MOTION: Kelly Farber motioned to approve the site plans with the following exceptions: Remove requirement for HVAC screening. Authorize City Planner to work out remaining landscaping details. Accept the proposed metal panels for the exterior.

SECOND: Jack Hezlep

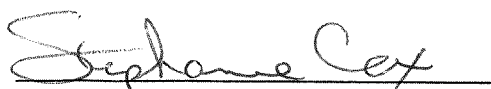
VOTE: 8-0, unanimous

MOTION TO ADJOURN: Jack Hezlep

SECOND: Sue Wright

VOTE: 8-0, unanimous

Meeting adjourned at 7:45 PM.



**Stephanie Cox**  
Recording Secretary



**Eric Tauer**  
Chairman