

Invocation: Liz Estes, City Clerk

Pledge of Allegiance: Chairman Darrin Brock

Call to Order: Chairman Brock called the Planning Commission Meeting to order at 6:00pm. An attendance sheet was included for visitors.

Roll Call: Board Members present: Darrin Brock, Brian Clark, Chase Henrichs, Frank Mociwnik, Tony Kaczoroski, and James Walker. Michael Phillips was absent. We had quorum.

Approval of Minutes:

Motion to approve PC Minutes of December 19, 2022 as corrected*,

Motion: Commissioner Henrichs

Second: Commissioner Kaczoroski

Vote Aye: Brock, Mociwnik, Kaczoroski, Clark, Walker

Vote Abstain: Henrichs

Vote Nay: None

Motion to approve PC Minutes of December 19, 2022 as corrected were approved.

*Under Minutes of 12-19-22, Rowland, Motion was made by Commissioner Kaczoroski, not Commissioner Phillips who was absent.

Public Forum: Open: 6:03 Closed: 6:03pm

Old Business: None.

New Business:

HURLEY LAND AND CATTLE, LLC – INFORMAL PLAT

Nick Rumanick presented an informal plat to split roughly twenty acres into two ten-acre tracts. This property is located at 333 S. Zion St. and is zoned R-1, suburban neighborhood.

Motion to approve Hurley Land and Cattle, LLC – Informal Plat.

Motion: Commissioner Henrichs

Second: Commissioner Walker

Vote Aye: Kaczoroski, Walker, Mociwnik, Clark, Brock, Henrichs

Vote Nay: None

Motion to approve Hurley Land and Cattle, LLC approved.

SGE DEVELOPMENT LLC – CONCORD HEIGHTS SUBDIVISION – FINAL PLAT.

Josh Haley, Engineering Services, Inc. requested a final plat approval for Concord Heights Subdivision at the NE Corner of the intersection of N. Old Wire Rd. and McClure Ave. The development has not passed all inspections. The plat will NOT be signed for filing until all inspections have been addressed.

Motion to approve SGE Development LLC - Concord Heights Subdivision – Final Plat.

Motion: Commissioner Kaczoroski

Second: Commissioner Henrichs

Vote Aye: Clark, Brock, Mociwnik, Walker, Kaczoroski, Henrichs

Vote Nay: None

Motion to approve SGE Development LLC – Concord Heights Subdivision – Final Plat approved.

MATCHED PAIR, LLC - Conditional Use Permit – 304 W. APPLE BLOSSOM AVE.

Matched Pair, LLC requested a conditional use permit to construct a warehouse at the intersection of 304 W. Apple Blossom Rd. and Dixieland. The development plans to construct a 24,000 sq. foot building, with 2,000 sq. ft used as office space and 22,000 sq. ft as warehouse space. Commissioners reminded him that gravel drives were not permitted.

Public Hearing: Open: 6:11pm Close: 6:11pm

Motion to approve Matched Pair, LLC – Conditional Use Permit.

Motion: Commissioner Walker.

Second: Commissioner Mocivnik

Vote Aye: Walker, Mocivnik, Brock, Kaczoroski, Clark, Henrichs

Vote Nay: None

Motion to approve Matched Pair, LLC – Conditional Use Permit approved.

CROSSLAND AND HEAVY – CONDITIONAL USE PERMIT – 705 S. LINCOLN

Bill McClard presented a request for a Conditional Use Permit for a concrete plant at 705 Lincoln St. The city requested a noise study, a traffic study, and a landscape plan. A traffic study was provided. The noise study was provided and the study was performed at a different Crossland concrete plant site in Springdale. The landscape plan provided was not acceptable and city staff requested opaque screening on the perimeter.

Public Hearing: Open: 6:38pm Close: 6:43pm

Antonette Sauerwein – 513 Opal Ave. – 20-year resident. She was very concerned about dust, air quality and health.

Monica Villines – property backs up to concrete property; air quality and dust and noise were health concerns. She was neither for nor opposed to the concrete plant.

Commissioners continued to discuss different aspects of having a redi-mix concrete batch plant in Lowell, 705 S. Lincoln St. City Engineer, Daniel Ellis, stated traffic was no concern if they follow ARDOT rules. He lives with 600' of Cooper Plant, BV, had no issues. Staff can have them do a quarterly air test and report results to the city. Trees do not meet landscaping code. Applicant will work with city staff for landscaping buffer. Hours of operation to follow Lowell noise ordinance.

Motion to approve Crossland Heavy – Conditional Use Permit – with following conditions:

1. Opaque landscape buffer around property to help reduce noise and create a visual screen;
2. Cannot make plant bigger, allow only low-profile style concrete plant;
3. Paving of applicable areas;
4. Water when needed to control dust.
5. Trucks stay within ARDOT weight restrictions;
6. Noise Control – Basic noise control barriers erected around the positive displacement blowers on the “pig” concrete carriers, at a minimum breaking the line of site to top of berm, as recommended in the noise study.
7. Comply with ADEQ requirements and provide evidence to the city.
8. Require air quality study one, three, twelve, months; then annual study;
9. Shall not be any vehicle track-outs on city streets;
10. Dust will be controlled to city staff satisfaction;
11. Supply quarterly system function report for the jet dust control system to city staff.
12. At no time shall plant operate without the jet pulse dust collection system.

Motion: Commissioner Mocivnik

Second: Commissioner Walker

Vote Aye: Walker, Mocivnik, Brock, Kaczoroski, Henrichs, Clark
Motion to approve Crossland and Heavy – Conditional Use Permit with conditions approved.

Planning Staff Items: Next PC Meeting 1-19-23

Discussions: USA Metal Recycling filled an appeal of the Planning Commission's decision to revoke the conditional use permit. The appeal was heard by the City Council on December 20, 2022 at the regularly scheduled Council Meeting. The Council voted to uphold the Planning Commissions' decision to revoke the conditional use permit.

Adjourn: Motion to adjourn made by Commissioner Clark and second by Commissioner Henrichs. All were in favor. Meeting adjourned at 7:38pm.

ATTEST:



Elizabeth Estes, City Clerk



APPROVED:



Darrin Brock, Chairman

City of Lowell

Planning Commission Minutes

January 5, 2023

Conditional Use Permit recommendations by city staff:

1. Opaque landscape buffer around property to help reduce noise and create a visual screen
2. Operation must stay within noise levels of the noise ordinance. Permit revoked if noise decibels remain consistently above the noise ordinance levels.
3. Proposed CHC low profile plant to be the only acceptable concrete plant at this location.
4. At no time shall plant operate without the jet pulse dust collection system.
5. Wash bay to be placed on site's wet side as recommended by noise study.
6. Basic noise control barriers erected around the positive displacement blowers on the "pig" concrete carriers, at minimum breaking the line of site to top of berm as recommended in the noise study.
7. Trucks must stay within weight restrictions to prevent excess weight on roads.