**Planning Commission**

**Minutes**

**February 28, 2019**

**Call to Order:** Chairman Darnell Moorer called the meeting of the Forest Park Planning Commission to order at 6:02 p.m. on Thursday, February 28, 2019.

**Roll Call:** Darnell Moorer - Chairman, Don Wright, Janice Colvin, Deverick Williams, and Ray Goodman were present. Also, present Kierra Smith, Staff Secretary, Fredalyn Frasier, Interim Director of Planning, Building & Zoning and Mike Tuttle, Zoning Manager.

**Approval of Minutes:** Commissioner Wright made a motion to approve minutes from the September 27, 2018 meeting. Commissioner Goodman seconded the motion. The vote was unanimous.

**Old Business:** No Old Business.

**New Business:**

**Item 1:** Consider amending Section 8-8-39 Code of Ordinance with respect to Places of Assembly.

Fredalyn Frasier presented the staff report. She stated the ordinance before the Commission amends the Code of Ordinance in the City of Forest Park, clarifying the regulation of Places of Assembly and repeals any conflicting city ordinances. She explained, as previously mentioned in the briefing, the amendment provides clarification on what constitutes a Place of Assembly and also addresses the distance requirements for Places of Assembly. She says unfortunately, the city has experienced unintended consequences under the current code, which restricts Places of Assembly from being next to one another, for example, a fitness center could not operate next to an existing church, because they are both considered Places of Assembly. She stated the intended goal is not to turn away new businesses, but to encourage business to locate in the city. She added the text amendment will address the discrepancies of the different types of assembly and eliminate the distance requirement, not including businesses that will have an occupancy load of 100 or more, in which other conditions will need to be met. In the upcoming months there will be another text amendment brought before the board will address how to measure property line to property line, she stated.

Commissioner Goodman asked Ms. Frasier, will the next text amendment be under the same sub-section or will it be a separate ordinance. She answered, they are two separate sections of the Code. The section that is in consideration today is section 8-8-39, which defines Places of Assembly. She explained within the code there is also section 8-8-13 which outlines the method of measurement. They are related yet two different sections.

Ms. Frasier mentioned, the case will go before City Council on March 18, 2019 for final adoption with the board’s recommendation.

Commissioner Goodman asked what staff’s recommendation on the amendment was. Fredalyn Frasier answered, since the proposal is put forth by staff, they are in favor of an approval.

Chairman Moorer asked if Director Frasier could explain some of the differences of the various sub-sections that are being presented before the board. Ms. Frasier stated Section 8-8-39 (1) outlines classifications of Places of Assembly and types of businesses that are not considered a Place of Assembly. She also stated it addresses business that are considered a place of assembly and by right may in a Commercial or Industrial zoning district. She explained these businesses include: places of worship, movie theaters, concert halls, private commercial/vocational schools, clubs and/or lodges. Lastly, any place of assembly that serves more than 100 person occupancy load, must be located on a lot fronting a major thoroughfare, on a parcel with at least 2 acres of land and have no less than 100 feet of frontage, she stated this will give way for proper ingress and egress into the properties of larger establishments.

Chairman Moorer stated the board wants to be sure that their recommendation to Council covers all areas of noise and traffic control, doesn’t impede one’s standard of living/existence, and will not compromise the neighboring businesses or residences in that area. He stated, all these elements will be addressed with the Commission before sending a recommendation to the governing body. Ms. Frasier added, the text amendment does not preempt the standards of review. Establishments will still have to comply with all standards and conditions within

the appropriate zoning district, which includes all elements just mentioned by Chairman Moorer. She stated, the revision is not to eliminate any of that, yet to clarify by definitions and location.

Commissioner Goodman motioned to approve the Ordinance amending the Code of Ordinance with respect to Places of Assembly Section 8-8-39. Commissioner Wright seconded the motion. The motion passed unanimously.

**Other Business:** Ms. Frasier stated there are a few applications that have been submitted that need to go before the Commission and she asked for the members’ availability the last week in March - either March 26th, 2019 or March 28th, 2019. The Commissioners stated they are all available for either dates.

**Adjournment:** There being no further business, Commissioner Wright motioned to adjourn the meeting. Commissioner Goodman seconded. Voting was unanimous. The meeting was adjourned.