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# AGENDA ITEM

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TO: Tim Vandall, City Administrator  
FROM: Matthew R. Schmitz, MPA – Director, Community & Economic Development  
DATE: August 4, 2022  
SUBJECT: Take 5 Oil Change Site Plan Conditional Approval Appeal

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Explanation: During the recent Planning Commission meeting which occurred on July 20, 2022, the site plan for Take 5 Oil Change to be located at 1112 N. Main St. was conditionally approved. The conditions outlined in the meeting minutes (attached) include “conditions in the staff report, and to also require improvement of the entire alley.” The applicant is appealing the requirement that they improve the entire alley, with the attached e-mail received by the Department Head on July 26, 2022.

The UDO clearly explains that the City Council is the appellate body for site plans. This item is only to consider the appeal by the developer of the condition that they improve the entirety of the alley way, even the portion which is not adjacent to their project. They have already agreed, when working with Staff on the project, to improve the portion of the alley which is adjacent to their project.

Policy Considerations: N/A

Action: Uphold, rescind, or modify the condition placed on the developer by the Planning Commission that they improve the entirety of the alley.

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