

**PLANNING COMMISSION
MEETING MINUTES
September 21, 2016
CITY COUNCIL CHAMBER
7:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 7:02 p.m.

II. ROLL CALL

Present: H. Jugenitz, C. Zuellig, A. Bedogne, L. Dahl MacGregor, T. Dennis, P. Hollifield

Absent: M. Dunwoodie (Excused), J. Talaga (Excused)

Staff: Bonnie Wessler, City Planner
Cynthia Kochanek, Associate Planner

III. APPROVAL OF MINUTES

Commissioner Hollifield moved to approve the minutes of August, 2016 as amended (Support: Bedogne) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

Chairperson Jugenitz reviewed the procedure on public comment on items not related to public hearing items. There were no members of the public who wanted to speak on items that did not have a public hearing.

V. PRESENTATION AND PUBLIC HEARING ITEMS

1. Special Nonconforming Status: 670 Harriet.

C. Kochanek, Associate Planner, presented the staff review of the request for special nonconforming status of 670 Harriet. Commissioners Zuellig and Jugenitz had questions for staff about the background of the special nonconforming status and what would happen in the event conditions were not met or in the event of a casualty.

Commissioner Dennis moved to open the public portion of the hearing (Support: Zuellig) and the motion carried unanimously.

Alan & Tammy Trammel, owners of 670 Harriet– Discussed the lighting issue; existing lights on site are there for security; discussed the security concerns in more detail.

Victor Swanson, attending on behalf of the property owner to the north, Mrs. Swanson- supports the need for lighting in the rear of 670 Harriet.

Alan & Tammy Trammel, owners of 670 Harriet– Plan to remove the screen door from the property, as it continually requires repair. Questioned the requirement for landscaping maintenance; clarified with staff that it was in regards to the removal of the tree-of-heaven and agreed to remove it.

Commissioner Hollifield moved to close the public portion of the hearing (Support: Zuellig) and the motion carried unanimously.

Commissioner Zuellig moved to approve the application for special nonconforming status at 670 Harriet Street with the following findings and conditions:

Findings

1. The application substantially complies with §122-207.

Conditions

1. The applicant will remove the tree-of-heaven on the west side of the house.
2. If the structure needs to be rebuilt, the yard setbacks cannot be more non-conforming than what currently exists.
3. The rental Certificate of Compliance & Occupancy must be obtained within 3 months of this approval and maintained as long as the structure is utilized as a rental.

The motion was supported by Commissioner Dahl-MacGregor. A roll call vote was taken and carried unanimously, 6:0.

2. Special Use: 309 N Adams

C. Kochanek, Associate Planner, presented the staff review of the request for the special use of 5 dwelling units at 309 N Adams. Commissioner Zuellig had questions about the layout of the trash enclosure, the width of the front drive/parking area, and the location and style of the bicycle parking. Commissioner Bedogne expressed concern about the aesthetics of the site being sacrificed for covered bike parking. Commissioners Bedogne, Jugenitz, and Zuellig expressed concerns about ability to fit a barrier-free space into the site; staff will follow up with the Building Department.

Commissioner Hollifield moved to open the public portion of the hearing (Support: Dennis) and the motion carried unanimously.

Barry Levin, president of 309 N Adams LLC (owner) – Addressed bike parking issue; stated that tenants tend to lock bikes to porch railing. Stated some options for placing the bike racks on the porch. Addressed barrier-free standards; noted that the units, due to the age of the building, are unable to reasonably be made ADA-compliant. Trash containers will be placed

in rear of building once occupied, asked of staff what precise recommendation was regarding trash container locations. Discussed lighting options, landscaping options, and paving options, including a bike parking location. Discussed how parking is dealt with at other locations he has experience with, including assigning the front, paved parking space to tenants with mobility challenges.

Commissioner Dennis moved to close the public portion of the hearing (Support: Hollifield) and the motion carried unanimously.

None of the commissioners had further questions.

Commissioner Bedogne moved that the Planning Commission approve the Special Use Permit for the Five Unit Multi-family Residential Use at 309 N Adams with the following finding and conditions:

Finding:

1. The application is substantially in compliance with §122-165(b).

Conditions:

1. Special use approval shall be subject to approval of site plan.
2. In order to continue the current non-conforming use of the rear parking area, the applicant can provide paved access to each unit from the parking areas and a barrier free space in the paved front drive.

The motion was supported by Commissioner Zuellig. A roll call vote was taken and carried unanimously, 6:0.

Commissioner Dahl MacGregor moved that the Planning Commission approve the site plan for the Special Use Permit for the Five Unit Multi-family Residential Use at 309 N Adams with the following findings, waivers and conditions:

Findings

1. The application substantially complies with §122-127.
2. The non-conforming gravel parking lot at the rear will be allowed to continue due to the gravel composition of the rest of the alley.

Waivers

1. A 20% reduction in the required vehicle parking for a total of two spaces is approved due to the constraints of the site.
2. A waiver from the requirement of an additional street tree required under 122-704 due to dimensional constraints.

Conditions

1. That the applicant seeks to provides one barrier free space in the paved driveway that complies with the spirit of ADA regulations.
2. The applicant is to install a paved pathway for access to and from all entrances to the parking areas.
3. The applicant is to clear, regrade and re-gravel the existing rear parking lot.

4. The applicant is to provide wheel stops in the rear lot.
5. That the applicant is to provide six bike parking spaces on site.
6. That the applicant is to provide an enclosure for the refuse containers at the rear of the property.
7. The applicant is to maintain all existing and new landscaping in good condition.
8. The applicant is to submit a detailed lighting plan for staff review.

Commissioner Bedogne submitted a friendly amendment to provide the finding “due to site dimensional constraints” for waiver #2.

Commissioner Dennis submitted a friendly amendment to require the applicant to submit a lighting plan for staff review.

The motion was supported by Commissioner Hollifield. A roll call vote was taken and carried unanimously, 6:0.

VI. NEW BUSINESS

None

VII. OLD BUSINESS

Alley Vacation: 211 Woodward. Applicant not present. Staff informed PC that the alley has to be split down the middle per state law; applicant has been informed. No response from applicant on how to proceed.

VIII. FUTURE BUSINESS DISCUSSION/UPDATES

Nonconforming A application next month.

IX. COMMITTEE REPORTS

Capital Improvements
Non-motorized Advisory Committee – September minutes

X. ADJOURNMENT

Since there was no further business, Commissioner Dennis moved to adjourn the meeting (Support: Hollifield) and the motion carried unanimously. The meeting adjourned at 8:22 pm.