

APPROVED
MINUTES
PLANNING COMMISSION
October 28, 2013, 7:00 PM
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Tyler Smith, Vice Chair Sean Joyce, Commissioners: Charles Kocher, Shawn Hensley, John Savory, and John Serlet

ABSENT: John Proctor

STAFF: Bryan Brown, Planning Director; Angie Lehnert, Associate Planner

OTHERS: Jason Bristol, Kristen Coyle

1. CALL TO ORDER

Chair Smith called the meeting to order at 7 pm.

2. CITIZEN INPUT ON NON-AGENDA ITEMS

3. PUBLIC HEARINGS

- a. A request from Jason Bristol for a Minor Land Partition of a .41 acre site located at 658 NE 10th Avenue into three (3) parcels. The existing single family residence will reside on Parcel 2, Parcel 1 will be suitable for a new single family residence and Parcel 3 will be utilized for future access and utilities purposes benefiting 1065 N. Maple. (MLP 13-03)*

Chair Smith read the public hearing format and opened the public hearing. Commissioners had no conflict of interest and Commissioners Kocher and Serlet said they visited the site.

Ms. Lehnert entered the staff report into the record. Ms. Lehnert said the applicant is proposing that Parcel 1 be 6,404 square feet. She said the minimum lot size is 7,000 square feet but lots can be no less than 6,000 square feet which is allowed as an exception, usually when averaging lot size. She said the exceptions to lot standards are outlined within the code.

Ms. Lehnert said applicant is proposing 20 foot driveways on Parcels 1 and 2, which meets the code standards but conflicts with the Public Works Design Standards for driveway-to driveway separation requirement of 10 feet. She said staff recommends the Planning Commission require the 10 foot Public Works standards.

Ms. Lehnert presented the recommended conditions of approval.

Applicant

Applicant Jason Bristol explained how the special purpose Parcel 3 would open up access to the property located at 1065 N Maple Street located to the north. Mr. Bristol said the 5 foot sidewalk easements have been granted with legal documents and concrete driveway aprons are planned at proper grade. He said electrical service lines will be underground.

Commissioners had concerns about the future maintenance of Parcel 3. Mr. Bristol said it would either fall to the owner of Parcel 2 or to himself.

Neutral:

Kristen Coyle, owner 650 NE 10th Ave. located west of Parcel 3 said she attended the meeting to gather more information. She said she would prefer a one story home on Parcel 1 and that the driveway not go by her home.

Rebuttal:

Mr. Bristol said if the future driveway goes through to 1075 N. Maple that it would be a suitable time to consider a privacy fence.

Chair Smith closed the Public Hearing.

Commissioner Deliberation:

Commissioners discussed their concerns about Parcel 3 not meeting the requirement of minimum lot size of 7,000 square feet and how this could create problems in the future. Commissioners said they did not see a public benefit to Parcel 3 nor did they like the future absorption process for the lot if it is never utilized for its intended use for access.

Mr. Brown said staff had the same concerns and wanted to be sure Parcel 3 would be identified as a non-buildable lot on the final plat. He said this is an unusual request because the applicant is trying to do something in the future which he has no control over today. Mr. Brown said the applicant had submitted two alternative lot configurations for Lot 1 & 2 which would meet the 7,000 square foot minimum lot size but they looked a bit gerrymandered.

Chair Smith said the applicant could check with his surveyor to see if a multi-use easement would work for Parcel 3 where the current use is benefitting someone for a different purpose and later it could have a different purpose that could benefit someone else.

Motion:

Commissioner Joyce moved to approve MLP 13-03 pursuant to Conditions of Approval as presented in the Staff Report with the following exceptions: remove Condition #6 because it refers to Parcel 3; remove references to Parcel 3 in Condition #5 and modify any other Conditions which have a specific reference to Parcel 3 because Parcel 3 will be removed from this partition; allow a 20-foot access easement along the western edge of Parcel 2 if applicant can persuade the County to allow it; waive the one year time period to re-apply for a further partition of Parcel 2, and the two approved parcels shall meet the minimum 7,000 square foot average lot size. Commissioner Hensley seconded the motion. Motion passed 6/0.

4. NEW BUSINESS

a. *Continuation of Discussion of Draft Street (Mobile)Vendor Ordinance i.e.: Food Trucks/Carts*

Mr. Brown re-capped the last meeting's discussion.

Commissioner Hensley questioned the need for a street vendor ordinance because it did not address the mobile kitchen salsa maker. He said people are not really "beating down the door" to be street vendors

Chair Smith asked Commissioners if they wanted to suggest code language or table until there is more demand.

Motion:

Commissioner Savory moved to table the street vendor ordinance, Commissioner Kocher seconded the motion.

Commissioner Serlet asked what would happen with the mobile manufacturer. Mr. Brown responded that the mobile manufacturer has the opportunity to operate as home based business. We will also continue to explore another possible code solution for his use in a commercial district.

Motion passed 5/0 with Chair Smith abstaining.

5. FINAL DECISIONS

Final Findings for MLP 13-03 - Bristol were tabled to next month

6. MINUTES

a. *October 14, 2013 Planning Commission Minutes*

Motion:

Commissioner Savory moved to approve the minutes as written, Commissioner Serlet seconded. Motion passed 5-0. Commissioner Joyce abstained.

7. ITEMS OF INTEREST/REPORT FROM STAFF

Mr. Brown informed the Commission that staff is starting work on the NE Redwood Master Plan.

8. ITEMS OF INTEREST/GUIDANCE FROM PLANNING COMMISSION - None

9. ADJOURNMENT

Commissioner Kocher moved to adjourn, Commissioner Savory seconded. Motion passed 6/0. Meeting adjourned at 9:07 pm