

MINUTES  
REGULAR PLANNING COMMISSION MEETING

JANUARY 2, 1985  
7:30 p.m.

I. CALL TO ORDER

Chairman Brimm called the meeting to order at 7:30 p.m.

II. ROLL CALL

Commission Members Present: Chairman Mary Jane Brimm, Commissioners Leo Appel II, Joan Heavey, Jean Hagen, Lonny Draheim

Commission Members Absent: Vice Chairman Earl Breuer

Staff Present: City Manager Lynn Stuart, Planning Director Chuck Rhodaback, Engineering Technician Leo Lightle, Executive Secretary Donna Van Nest, Recorder/Treasurer Judy Pectol

III. APPROVAL OF MINUTES

A. December 4, 1984 Regular Planning Commission Meeting Minutes

There was a request by Commissioner Heavey to amend the minutes on page three as follows: Add the following words at the end of the sentence for item 3, "parcels 1 and 2". There was a MOTION by Commissioner Heavey, seconded by Commissioner Appel to approve the amended December 4, 1984, Regular Planning Commission Meeting Minutes; MOTION carried unanimously.

IV. ANNOUNCEMENTS OF PUBLIC HEARINGS AND PROCEDURES

Chairman Brimm, for the record, read the public hearing procedures for the benefit of the individuals attending the public hearing meeting.

V. PUBLIC HEARINGS — CONDITIONAL USE PERMIT

A. CU-1-85 BRUCE PERKINS

Tax Lot 1000, Assessor's Parcel Map No. 41-13-5CD; property located at 312 Birch Street; request a Conditional Use Permit in a Residential Low Density (R-LD) zone to allow "telephone answering for collections business" as a home occupation in an existing dwelling.

Chairman Brimm declared the public hearing open and asked for the staff report. Mr. Rhodaback, Planning Director, briefly explained the request for the proposed Conditional Use - "Home Occupation" telephone answering collections business, characteristics of the subject property and existing dwelling, and adjoining zoning and current development patterns in the neighborhood. Mr. Rhodaback also outlined Conditional Use Permit criteria and preliminary findings to be considered by the Planning Commission in the decision making process. The staff, based on criteria and preliminary findings, recommended to the Planning Commission that the request be approved.

Commissioner Heavey asked staff to explain how the "Home Occupation" relates to the dwelling and what would happen if the dwelling were sold. Mr. Rhodaback stated that "Home Occupations" are more person oriented than dwelling oriented and that if the house were sold, the use would no longer be allowed.

Chairman Brimm asked for public testimony. The applicant, Mr. Bruce Perkins, 312 Birch Street, stated that the staff had addressed all of the issues in their report and briefly explained to the Commission that the proposed use would involve part-time evening work in telephone calls and some mail, as it relates to the collections business. Chairman Brimm asked Mr. Perkins if the business would be operated only during the evening hours and he said yes, because he had a full-time day job. Commissioner Heavey asked staff if the applicant would be required to request a new permit if he moved from the 312 Birch Street address and staff said yes. Chairman Brimm asked staff if there had been any comments from notified property owners and staff said that only one individual had questions pertaining to the proposal, but did not object to the use.

There being no further testimony, Chairman Brimm closed the public hearing. Commissioner Heavey made a MOTION to approve the request. Commissioner Appel seconded the MOTION; MOTION carried unanimously.

B. CU-2-85 SHELDON & GRO LENT

Tax Lot 302, Assessor's Parcel Map No. 41-13-5CB; property located at 516 Redwood Street; request a Conditional Use Permit in a Residential High Density (R-HD) zone to allow "bed and breakfast" as a home occupation in an existing dwelling.

Chairman Brimm declared the public hearing open and asked for the staff report. Mr. Rhodaback briefly explained the request for the proposed Home Occupation—"Bed and Breakfast" facility, characteristics of the existing dwelling and its historical status, adjoining zoning and current development patterns in the mixed use neighborhood. Mr. Rhodaback also outlined criteria and preliminary findings to be considered by the Planning Commission in the decision making process. The staff, based on criteria and preliminary findings, recommended to the Planning Commission that the request be approved.

Chairman Brimm asked for public testimony. The applicant, Mrs. Gro Lent, residing at 516 Redwood St., submitted a petition signed by numerous property owners, in support of the requested Conditional Use - Home Occupation "Bed and Breakfast" facility. The applicant also stated that there was not much more information that could be added to the staff report, other than their serious interest in using the "Ward House" for a bed and breakfast facility, due to its ideal size and location. Commissioner Hagen asked Mrs. Lent if the use would be limited to three couples at any one time and Mrs. Lent stated that there would not be more than three couples and also not more than three additional vehicles. Chairman Brimm asked the applicant if the one upstairs bathroom was adequate and Mrs. Lent said that it would be sufficient. Commissioner Appel asked for clarification of the standard that addresses usable floor area by the home occupation. Commissioner Appel indicated that his calculations totaled approximately 596 square feet of usable floor space on the second floor of the "Ward House", and the ordinance standard only allows for 300 square feet of space to be used by the proposed facility. Mr. Rhodaback explained the difference between what the applicant proposed to do, from the standpoint of usable floor space and what the zoning ordinance standard allows, which is 300 square feet. Mr. Rhodaback further stated that the applicant wishes to utilize the second floor, but the zoning ordinance standard only allows the maximum use of 300 square feet, which creates the discrepancy addressed by Commissioner Appel. Commissioner Appel asked the staff if the Planning Commission could allow the proposed "bed and breakfast" facility to occupy the entire second floor of the "Ward House". Mr. Rhodaback indicated that the Planning Commission had that option, however, such action could create potential problems and that the staff would recommend that the Planning Commission follow the 300 square foot standard.

Commissioner Heavey indicated that she was concerned about the "bed and breakfast" use and the fact that the definition implies sleeping and eating, which would require more space than 300 square feet. Additional discussion followed between Commissioner Heavey and staff, with reference to the need for a "home occupation" definition and more specific criteria for establishing home occupations.

Commissioner Draheim asked Mr. Rhodaback if there was a standard that controlled the number of people using the "bed and breakfast" facility and Mr. Rhodaback stated that there was not and that the floor area standard was the only one addressing size and number.

Chairman Brimm asked the applicant about off-street parking and Mrs. Lent stated that off-street space was available in front and to the side of the house.

Mr. Earl Eikenberry, 424 Fern Avenue, spoke against the request because he felt that the neighborhood had enough development and traffic.

Mrs. Hazel Eikenberry, 424 Fern Avenue, asked if there would be any control on signs and Mr. Rhodaback explained that the sign standard for a residential use would be not more than one and one-half (1½) square feet in size.

There being no further testimony, Chairman Brimm closed the public hearing. Commissioner Hagen made a MOTION to approve the request. Commissioner Heavey seconded the MOTION; MOTION carried unanimously. The Commission's action was subject to the stipulation that the applicant and proposed "bed and breakfast" facility adhere to the 300 square foot usable floor space standard.

## VI. OTHER SCHEDULED COMMISSION ACTION

### Adoption of Land Use Decision Findings of Fact Documents

M3-5-84 Richard and Polly Keusink

M3-6-84 Walt and Violet Lovejoy

Commissioner Draheim made a MOTION to adopt the findings of fact documents for M3-5-84 and M3-6-84. Commissioner Hagen seconded the MOTION; MOTION carried unanimously.

VII. OTHER MATTERS

A. Comprehensive Plan — Oregon Administrative Rules

1. Periodic Review
2. Public Facility Element

Mr. Rhodaback briefly explained the evolvement of the Periodic Review and Public Facilities Element (Oregon Administrative Rules). Mr. Rhodaback suggested that the Commission members study the Administrative Rule documents in preparation for the upcoming Comprehensive Plan Process and City Compliance.

B. Planning Commission Work Program — 1985

Mr. Rhodaback outlined the staff recommended work categories for 1985, which included various Land Use Ordinance Amendments; Comprehensive Plan Review and Inventory Updates; Grant Programs; and a Community and Downtown Revitalization Program.

VIII. BUSINESS FROM COMMISSION MEMBERS

A. Election of Planning Commission Officers for 1985

Chairman Brimm called for nominations for the position of Planning Commission Chairman for 1985, and Commissioner Hagen nominated Commissioner Appel, with Commissioner Appel being elected by a unanimous vote. Chairman Brimm then called for nominations for the position of Vice Chairman, and Commissioner Draheim nominated Commissioner Heavey, with Commissioner Heavey being elected by a unanimous vote.

IX. ADJOURNMENT

There being no further business, Chairman Brimm adjourned the meeting at 8:39 p.m.

  
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Chairman Leo Appel II

ATTEST:

  
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Judy Pectol, City Recorder