

Planning Commission Work Meeting Minutes

Thursday, September 7, 2017

City Council Chambers

220 East Morris Avenue

Time 6:45 p.m.

Commission Members Present:

Jeremy Carter, Presiding
Ray deWolfe
David Veenstra
Stacey Holscher
Laura Vernon

Staff Members Present:

Michael Florence, Community Development Director
Francis Lilly, Deputy Community Development Director
Alexandra White, City Planner
Lynn Creswell, City Attorney

1. Discussion of Agenda Items.

City Planner, Alexandra White, stated that the item of new business was brought to the Planning Commission at the previous meeting, but it had to be renoticed to include the second component of the request. The applicant was requesting a General Plan Map amendment and a Zoning Map amendment for property located at 166 East Hermansen Circle. The property owner, R&L Holdings, LLC, was seeking to redevelop the west half of the parcel and expand their existing business. Ms. White explained that the application consisted of three parts including a General Plan amendment to designate the west half of the parcel from Low Density Residential to Commercial General, a boundary line adjustment, and a Zoning Map amendment to change the designation from R-1 Residential to Commercial Corridor. The boundary line adjustment would be approved by the Community Development Department and was not part of the application. Ms. White explained that there was an unpermitted warehouse on the property and it had essentially been a nuisance for the City for many years. The applicant planned to demolish the existing warehouse and expand their business on the west half of the property. They also planned to develop the east half of the property as a residential use and either sell or rent the home.

Chair Carter was concerned that the Planning Commission would recommend approval of the Land Use and Zoning designations before the boundary line adjustment was approved. Essentially, they would be assigning two different designations to one property. Ms. White said that the applicant submitted a concept application and it was reviewed by staff. The boundary line adjustment will require a survey of the property and an affidavit recorded with the County to redo some legal descriptions. She emphasized that the boundary line adjustment would not create any new lots.

Deputy Community Development Director, Francis Lilly, commented that the Planning Commission could base their recommendation of approval on a development agreement, which would include a reversion clause.

Community Development Director, Michael Florence, stated that another option would be to include a condition stating that the lot line must be established prior to the City Council giving final approval of the amendments.

Chair Carter was comfortable with either option. City Attorney, Lynn Creswell, commented that the development agreement will be key in this case.

The Planning Commission Work Meeting adjourned at approximately 6:59 p.m.

Planning Commission Regular Meeting Minutes
Thursday, September 7, 2017
City Council Chambers
220 East Morris Avenue
Time 7:00 p.m.

Commission Members Present: Jeremy Carter, Presiding
Ray deWolfe
David Veenstra
Stacey Holscher
Laura Vernon

Staff Members Present: Michael Florence, Community Development Director
Francis Lilly, Deputy Community Development Director
Alexandra White, City Planner
Lynn Creswell, City Attorney

Moment of Reflection: **Chair Carter**

Pledge of Allegiance: **Commissioner Holscher**

Motion to Approve the Agenda: **Commissioner deWolfe**

Second to the Motion: **Commissioner Veenstra**

Vote: **Unanimous**

New Business

- **GP-17-002**
- **Z-17-004**

1. A Recommendation to the City Council to Amend the General Plan Future Land Use Map Designation of the West Half of the Parcel Located at 166 E. Hermansen Circle, from Low Density Residential to General Commercial.

A Recommendation to the City Council to Amend the Zoning Map to Change the Zone of the West Half of the Parcel Located at 166 E. Hermansen Circle, from R-1 Residential to Commercial Corridor.

Action Item

Address 166 East Hermansen Circle

Applicant R&L Holdings, LLC

City Planner, Alexandra White, stated that the above item was brought to the Planning Commission at the previous meeting, but it had to be renoticed to include the second component of the request. The applicant was requesting a General Plan Map amendment and a Zoning Map amendment for property located at 166 East Hermansen Circle. The property owner, R&L Holdings, LLC, was seeking to redevelop the west half of the parcel and expand their existing business. Ms. White explained that the application consists of three parts including a General Plan amendment to designate the west half of the parcel from Low Density Residential to Commercial General; a boundary line adjustment, and a Zoning Map amendment to change the designation from R-1 Residential to Commercial Corridor. The boundary line adjustment would be approved by the Community Development Department and was not part of the application. Ms. White explained that there was an unpermitted warehouse on the property that had essentially been a nuisance to the City for many years. The applicant planned to demolish the existing warehouse and expand their business on the west half of the property. They also planned to develop the east half of the property as a residential use and either sell or rent the home. Staff recommended approval based on the following:

1. The potential redevelopment of the property regulates land uses based on compatibility with surrounding uses, residential areas, and economic feasibility; maintain residential, business, and industrial areas that are vibrant and where the health and safety of all are protected.
2. The potential redevelopment of the property seeks to bring a non-conforming structure and use into compliance with current code requirements.
3. New development will enhance the Commercial Corridor, while creating a new buildable single family residential lot.

In response to a question from Chair Carter, Ms. White explained that it would be a significant expense to bring the existing warehouse up to Code. The applicant fully intended to remove the existing structure and replace it with a new warehouse that would meet all Code and design requirements.

Chair Carter opened the public hearing at 7:12 p.m.

Jim Smith gave his address as 3774 South 645 East and asked how much of the property the new warehouse would occupy.

Larry Bodine reported that he works in an office at 233 East 3900 South. Mr. Bodine was familiar with the area and he was acquainted with the applicant. He stated that the owner had taken care of his business and properties very well. Mr. Bodine was confident that the applicant would improve the area with his proposal.

The applicant, Rick Lucking, owner of R&L Holdings, LLC, explained that he already has a storage warehouse adjacent to the subject property, which he intends to extend to the west half of the parcel. He plans to construct a residential home on the east portion of the property and that home would either be sold or rented. Mr. Lucking said that they expected to demolish the old

warehouse as soon as approval is granted with construction of the home taking place soon after the warehouse is built.

There were no further public comments. Chair Carter closed the public hearing at 7:16 p.m.

Chair Carter's his main concern was to make sure the boundary line adjustment is completed. He noted that that could be accomplished through either a development agreement or making approval contingent upon the lot line change. He was open to either solution.

After some discussion, the Planning Commission decided to require a development agreement.

Motion to recommend that the City Council AMEND the General Plan Future Land Use Map designation, from Low Density Residential to General Commercial, and the Zoning Map designation from R-1 Residential to Commercial Corridor, of the west half of the parcel located at 166 East Hermansen Circle, with the following condition:

- 1. The applicant shall enter into a development agreement.**

Commissioner deWolfe

Second to the motion:

Commissioner Veenstra

Vote:

Unanimous

Continuing Business

There was no continuing business.

Commission Business

Motion to APPROVE the August 17, 2017 Planning Commission Meeting Minutes.

Motion to continue:

Commissioner Veenstra

Second the motion:

Commissioner Vernon

Vote:

Unanimous

Staff Business – Information Items.

Community Development Director, Michael Florence stated that some changes had been made to State Law, so the City would need amend the Code to reflect those changes. Staff prepared draft language for the ordinance amendments that would be coming before the Planning Commission on a future agenda.

Adjournment

Motion to Adjourn:

Commissioner Veenstra

Second:

Commissioner Holscher

Vote:

Unanimous

The Planning Commission Meeting adjourned at approximately 7:26 p.m.

For Planning Commission

Michael Florence
Community Development Director