



PLANNING COMMISSION MINUTES

City Hall, 32905 W. 84th Street
Tuesday, January 26, 2010

1. The meeting was called to order by John Krudwig.

Table with 2 columns: Name and Status. Rows include Crumbaker (Present), Hemphill (Absent\*), Honomichl (Present), Winslow (Present), Kroeger (Absent), Krudwig (Present), Lane (Absent).

\*Arrived at 7:05

3. General Business:

A. Approve Planning Commission Agenda.

Motion by Commissioner Winslow to approve the Agenda; second by Crumbaker.

Roll Call table with 2 columns: Name and Response. Rows include Crumbaker (Yes), Honomichl (Yes), Winslow (Yes), Krudwig (Yes).

Motion carried.

B. Approve minutes of the December 22, 2009 Planning Commission meeting.

Motion by Commissioner Crumbaker to approve the Minutes; second by Honomichl

All Commissioners approved by "ayes". Krudwig abstained. Motion carried.

Hemphill joined the meeting at 7:05.

C. Disclosure of conflicts of interest: None

D. Disclosure of outside communications regarding Commission business: None

4. Call to Public:

Members of the public who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Any presentation is for information purposes only. No action will be taken. There is a four-minute time limit.

None Appeared.

5. Public Hearing:

A. Public hearing to consider an application to rezone property from "C-1" Business-Central District to the "R-H" Residential - Historic Old Town District.

Planner Bohnsack discussed the rezoning application and the staff report for 33160 West 83rd Street. The application requests a zoning change from the C-1 Business--Central

district to the R-H Residential—Historic “Old Town” district. Bohnsack reported that the structure on the property is a residential structure without good handicapped access. The property is not particularly good for retail uses because of the accessibility issues, but is suitable for office uses. The Downtown streetscape plan does not address this site. If redeveloped, it would have to comply with ADA standards. The current owner has had the property for several years and wants to sell it. He has had interest in residential and office, and wants to have residential as primary use. With a rezoning to the R-H district, redevelopment can occur under the Downtown Overlay District regulations without another rezoning, and with site plan approval. Bohnsack referenced the staff report in the PC packets. Most of the matters for consideration are positive. Utilities are already provided, residential use can utilize alley parking, leaving the street parking for commercial patrons. The property is a transition zone between commercial and residential uses. Youth center abuts to the west and fire station abuts to the east. Staff recommends approval of rezoning from C-1 to R-H.

Public Hearing was opened. Mary Guntert owns a property in the area was present, but offered no comments on the application. No one else appeared and the Public Hearing was closed.

Hemphill questioned staff about setback comments. Bohnsack responded clarifying that the building on this property and the structure on the adjacent property to the west are set back farther from the street than a typical commercial use would be in this district. There is a front yard with grade separation from the street that would present barriers to a retail commercial use. Krudwig commented that if the property is transitioned to residential uses, it will be unlikely that commercial use will follow. It would require substantial modifications to implement commercial uses.

Crumbaker mentioned other residential structures within the downtown area. There are a few other residential uses on commercial zoned property. Crumbaker pointed out that if we rezone this property to R-H we would have to be prepared to grant similar rezonings for other similar properties in the downtown area. Crumbaker and staff discussed the fact that the nonconforming status of residential uses on this property has been abandon because of previous office uses.

Honomichl expressed that he thinks there is a great benefit to this property being R-H because of the overlay district allowing for the conversion of residential structures to business uses. Other similar properties downtown were discussed that have similar situations.

For the record, Crumbaker wanted to establish that in light of the fact that the Mayor is the applicant, did staff feel free to report the facts and compile the staff report findings in an unbiased manner. Bohnsack responded in the affirmative.

Motion by Honomichl to recommend rezoning property at 33160 West 83<sup>rd</sup> Street to R-H Residential Historic “Old Town” district, Second by Winslow

Roll Call:	Crumbaker	Yes	Hemphill	Yes
	Krudwig	Yes	Honomichl	Yes
	Winslow	Yes		

**6. Old Business:** None

**7. New Business:** None

**8. Staff Advisory Reports:**

- A. Council comments/action on the text amendment for rezoning of annexed properties and the rezoning of 14 of the remaining 16 RUR properties.

Bohnsack reported on two remaining tracts to be considered as part of the RUR rezoning process.

- B. Information on green building.

Bohnsack reported that adopting green building codes is not advisable, in the opinion of Steve Chick. Rather, we might consider a comprehensive plan revision that addresses this topic.

Discussion ensued about the annual update of the comp plan. Honomichl indicated that in past years specific elements were started in the summer, to have it ready for the City Council in January. Over the next few months, staff requested that the commissioners provide suggestions.

Honomichl asked about the EDC targeted industry study and how it relates to the Comprehensive Plan, and specifically the Future Land Use Map. We should review the Future Land Use Map to be sure that we still have an appropriate mix of land use areas that is conforming to the targeted industry study update. Other areas of the Comprehensive Plan for review include the Capital Improvements Plan section, and items relating to the recent fire district consolidation.

Krudwig suggested that Planning Commission turn in their books to staff to be sure that they have the most recent updates.

**9. Calendar:**

- A. February 4, 2010 City Council tentative Planning Agenda items include: None  
B. February 18, 2010 City Council tentative Planning Agenda items include: Anderson RZ  
C. February 23, 2010 Planning Commission tentative agenda items include: No applications upcoming. Hold off on canceling meeting.  
D. Upcoming Business:

Motion by Commissioner Hemphill to adjourn at 7:34 p.m.; second by Crumbaker.  
All Commissioners approved by "ayes". Motion carried.

Respectfully submitted:

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Secretary of the Meeting