

**CITY OF COTTAGE GROVE
PLANNING COMMISSION**
Minutes of the Regular Public Hearing
January 21, 2009

CALL TO ORDER

Chair Parsons called the meeting to order at approximately 7:30 p.m. in the Council Chambers at City Hall.

ROLL CALL

Recording Secretary Cindy Blacksmith called the roll. The following were:

Present: Commissioners Michael Cowan, Savannah Crawford ,George Devine (late), JoAnn Gray, Lindsey Haskell, Mike LaBorde and Matt Parsons

Absent: None

Staff Present: Community Development Director Howard Schesser, City Planner Amanda Ferguson, Planning Technician Jessica Taylor, and Recording Secretary Cindy Blacksmith

Staff Absent: None

News Media Present: None

ELECTION OF OFFICERS FOR 2009

Director Schesser stated that he would like to reaffirm the Election of Officers for 2009 that was conducted via telephone in December (December meeting was cancelled due to weather).

IT WAS MOVED BY COMMISSIONER LABORDE AND SECONDED BY COMMISSIONER CRAWFORD TO REAFFIRM THE ELECTION OF MATT PARSONS AS CHAIR AND GEORGE DEVINE AS VICE CHAIR.

Vote on the motion was as follows:

VOTE	Commissioner Cowan	Commissioner Crawford	Commissioner Devine	Commissioner Gray	Commissioner Haskell	Commissioner Laborde	Chair Parsons
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

ITEMS TO BE ADDED TO THE AGENDA

None.

MINUTES

IT WAS MOVED BY COMMISSIONER DEVINE AND SECONDED BY COMMISSIONER LABORDE TO APPROVE THE MINUTES OF THE NOVEMBER 19TH AND DECEMBER 17TH, 2008 REGULAR PUBLIC HEARINGS AS PRESENTED.

Vote on the motion was as follows:

VOTE	Commissioner Cowan	Commissioner Crawford	Commissioner Devine	Commissioner Gray	Commissioner Haskell	Commissioner Laborde	Chair Parsons
AYES	X	X	X	X	X	X	
NAYES							
ABSTAIN							

Staff advised that this hearing had been advertised and publicized and notices posted as required by law. It was asked that any correspondence received be noted as a part of the item on the agenda.

Ex Parte Contact

Commissioner Devine stated that he did business with one of the applicants but did not feel that it would affect any decision he would make.

OLD BUSINESS

None Scheduled.

NEW BUSINESS

Kopachick – Modification to Conditional Use Permit (CUP 9-08) for Event Facility at 1200 North River Road

The applicant is proposing to expand the White House Bed and Breakfast (permitted through Conditional Use Permit 5-05) to include an additional bedroom and bathroom in the "Barn", and event pavilion for special events such as weddings, graduations, reunions, etc. In the application filed, the applicant proposes to hold approximately 10 to 12 events each summer season, in the months of June to October. In the proposal, the applicant states that the number of guests will be limited to 150 people maximum. In the submitted plans, the applicant shows the addition of a bedroom and bathroom into the "Barn", the construction of a new Event Pavilion, and the construction of a new woodshed. The Event Pavilion is shown as 1,008 square feet (24 feet by 42 feet) with open sides. The woodshed is shown as 352 square feet (16 feet by 22 feet) with two sides open.

The White House Bed and Breakfast was originally permitted through a Conditional Use Permit in 2005 (CUP 5-05). It is located on a 2.2 acre panhandle property on the west side of North River Road. The property is largely undeveloped and when approved as a Bed and Breakfast in September of 2005, included an 1890s two-story farmhouse, a medium sized bar (approximately 1300 square feet), fenced corral, orchard, garden, pond, and several small outbuildings.

Since the 2005 approval, the applicant has constructed the proposed addition above on the property without permit. The work completed includes:

Guest bedroom and bathroom within the Barn.

1000 square foot Dance/Event Pavilion, constructed on an existing slab foundation.

352 square foot woodshed/boat storage building.

Approximately 6,347 square feet of asphalt surfacing.

The applicant has unlawfully expanded the function of the Bed and Breakfast to host events, predominantly weddings, in the unpermitted Dance Pavilion. As well as provide a room for guests in the Barn. According to the White House Bed and Breakfast Website, the facility is available for "teas, retreats, reunions, weddings, meetings and just about any other type of special event." The remodeled room with an adjacent

bathroom within the Barn are also advertised for rent on the website. This area was not included as guest space in the original Conditional Use Permit from 2005.

The property currently utilizes City of Cottage Grove water service, but is not connected to City Sewer, and uses a private septic tank. The property is zoned R-2 Medium Density Multiple Family Residential is surround by mostly un-developed property. The subject property is located at the end of a long asphalt drive (approximately 380 feet). To the east of the property is vacant R-2 land separating the subject property and the North River Road right-of-way, to the south, across a man-made pond and drainage stream, is a vacant R-2 parcel of land, the property is bordered on the north and west by Hidden Valley Golf Course, which is zoned R-1 Single Family Residential. The Willamette River Greenway Park lies on the opposite side of River Road from the access drive to the property. Additionally, the property contains an area of designated wetlands around a man-made pond that drains via a stream to the Willamette River.

The expansion of the Bed and Breakfast facility as detailed above is in violation of the 2005 Conditional Use Permit and exceeds the Bed and Breakfast Special Use Standards in the Development Code. As a result, a modification to the original Conditional Use Permit is required. This Conditional Use Permit (CUP 9-08) will review the White House Bed and Breakfast facility to determine compliance with applicable Code standards and generate conditions that will need to be met in order for the White House Bed and Breakfast to continue to operate in their expanded capacity as an event facility.

OPEN PUBLIC HEARING

Christine Kopachik, 1200 North River Road, read her statement into the record and it is attached as Exhibit A.

Cindy Weeldryer, 100 Bennett Creek Road, read her statement into the record and it is attached as Exhibit B.

Jim Gilroy, 946 Blue Sky Drive, spoke in favor of the application. He questioned the fire and life safety conditions, in particular the last sentence in Condition No. 11 which states: The property is currently non-compliant with the Fire Code, and must come in to compliance prior to hosting any event for which the facility is rented to the public, such as weddings. Mr. Gilroy said his question was that this condition implies that it has to be a paid for event before it would come into question. It seemed to him that whether you've got a group of people there that are paying for the service or there because they're enjoying themselves, that the same application of fire and safety would apply. He asked that the enforcement of this condition also be applied in order to bring the business into compliance with the Development Code.

Henrietta Cunningham, 636 South 2nd Street, spoke in favor of the application. Ms. Cunningham stated that this business was an asset to the community. She stated that the requirement to widen the driveway would result in the loss of more trees that are

100 years old and that the beauty of North River Road involved those trees. The requirement to install a sidewalk, where there are no other sidewalks. The requirement to connect to city water was the result of another issue that the city hasn't resolved. It sounded to her that there needed to be a little more tactful planning instead of attacking these people who are trying to do something good for the community. She encouraged the Commission to take the time to let them have a business with as little of this big-to-do that you are trying to put them through so that we have these wonderful things in Cottage Grove. They are just average people, they are not millionaires here to make a huge amount of money. They're here for the pleasure of the community and she thought some of the conditions should be readdressed as it was bizarre that it was so entailed.

Margaret Dahlgren, 227 South 16th Street, spoke in favor of the application. Ms. Dahlgren stated that the Kopachik's were first and foremost her friends. She stated that they have brought many couples together and that not all families have liked each other, but they have come together for that moment. It's a joyous time. Let this happen, these people provide a beautiful place for it.

Rich Brunaugh, 781 Girard Court, asked who would be paying for the required fire hydrant.

Director Schesser replied that the applicant would.

Mr. Brunaugh asked who paid for all the other fire hydrants in the city.

Director Schesser replied that generally it was by the developer or it is part of a LID, then by everybody involved in the LID.

Chair Parsons asked staff to explain what an LID was.

Director Schesser stated an LID was a Local Improvement District that identifies property that benefit from extension of a line, the putting in of fire hydrants, and sewer lines and everybody pays their proportionate share.

Mr. Brunaugh asked if there had ever been a situation where the city paid for fire hydrants.

Director Schesser stated not in recent history, but there may have been but that is not current City Council policy.

Lindsey Lundy, 31720 Cedar Creek Road, spoke in favor of the application. Ms. Lundy stated that it would be horrible to not have the White House Bed and Breakfast because she worked there and that as a college student it really helped her. As a new bride getting married there in August and it helped her save for her wedding and put money towards college. She stated this was a great business. She asked that the Commission please help them to continue their business.

CLOSE PUBLIC HEARING

Commissioner LeBorde asked if the septic tank currently on the property had been evaluated to determine if it was big enough to accommodate the expanded use?

Director Schesser replied that they would be required to have the County determine that prior to any permits being issued for the changes that have occurred.

Commissioner LeBorde then asked if staff was assuming that at this point the septic tank could handle the extra load?

Director Schesser replied that staff was not assuming anything. If it doesn't currently meet County regulations, it will have to.

Commissioner LeBorde asked at what point in the proposed conditions would this come into effect.

Director Schesser replied that it would be required in order to keep the bath and a half in the barn, and it would have to be done immediately. This process will involve approval from the County that the septic system can handle the added fixtures.

Commissioner LeBorde then asked if this requirement would be under the first section of conditions.

Director Schesser replied that was correct.

Chair Parsons asked if staff would explain the difference between rented to the public as opposed to having a family gathering.

Director Schesser replied it was just like your own home. You can have your own party for your own family there. But if it is for a non-profit group or for a paying group that is considered public so you need the approval for those. If you have someone in your family getting married you can host it at your house, you can do that without any approval from city. The hosting of a retirement dinner or a reunion or some non-profit group that's having some sort of an event or a wedding, they all fall under this category. It really is whether it is family or the public.

Chair Parsons stated that neither the City or the Planning Commission is trying to put this particular business out of business, it's the fact that it needs to fit inside the Code that is established for everybody.

Chair Parsons asked if there was any kind of individual special event approval that they could apply for by event if the septic system is found to not be adequate.

Director Schesser replied that there was not. The Special Event Permit only allows and deals with public land or right of way use and not private land.

Commissioner Haskell asked staff to repeat what was just said.

Director Schesser replied that a Special Event Permit is only on public land or on street right-of-way. It doesn't apply to private land under the City's code.

Commissioner Devine stated that if he understood all the comments that the major issue is that they are pretty much in agreement to everything but the driveway issue, and the fire access, the emergency vehicle access and fire hydrant seems to be a real sticker for them. He asked if there were any occasions or any situations where you could make exceptions?

Director Schesser replied that under the City's Code the only person who has that authority is the Fire Marshal or the Fire Chief and it was his understanding that both have denied that exception. He stated he had not seen anything in writing saying that either one of them have approved a waiver. The Code says that the Fire Chief can waive it or the Fire Marshal. It was his understanding that they were not prepared to waive it. He reminded the Commissioners that they did not have the authority to waive it.

Commissioner Devine stated that he understood that.

Chair Parsons stated that for the applicants information, if the Fire Chief did waive that then they could come back to the Planning Commission.

Director Schesser replied that if the Commission approved the recommended conditions and they came back with a written waiver, then staff automatically processes that written waiver. It would not come back to the Commission.

Chair Parsons stated to clarify, the Commission could do what staff is recommending to approve this without any changes to the conditions indicated by staff but they could come back after negotiating or talking to the Fire Chief and come back with a waiver.

Director Schesser replied that any waiver would have to be in writing.

Commissioner Haskell asked staff if the original conditional use met fire safety?

Director Schesser replied no, in the original conditional use the Fire Marshal did not require it because the use was limited to three bedrooms, he basically waived the requirement at that time. But now with the additional number of people that would be there at the events, it was his understanding they are not now willing to waive. He stated he knew that the Fire Marshal won't waive it and so it has gone up to the Fire Chief.

Commissioner Haskell stated he was sure that the Fire Chief was not going to assume the responsibility of that waiver.

Director Schesser stated that was why the waiver was required to be in written form and that has not been received.

Commissioner Devine stated he had taken the opportunity to drive by and look at the property and asked if there was any other potential way to other than taking out the trees to get that driveway in.

Director Schesser replied that there was only one access that he was aware of.

Commissioner LeBorde asked if when the original conditional use permit approval was given several years ago, he assumed all of those conditions were made very plain to the owners of the properties.

Director Schesser replied yes, that they received a letter outlining those conditions.

Chair Parsons stated that the original conditional use permit processed in 2005 was not for doing large parties and weddings and things like that.

Commissioner LeBorde stated it was for a bed and breakfast facility which is still fine and no one is proposing that business be shut down.

Commissioner Haskell stated that was true providing that they remove the extra room and the bathroom.

Director Schesser replied that was correct or get them legal.

Commissioner Haskell stated that they could add one more room to the original conditional use and still be on the 2005 conditional use.

Director Schesser replied that was correct.

Chair Parsons asked about the additional building.

Director Schesser replied that the "carport" would have to have a building permit as well as a wood shed.

Commissioner Devine stated that it could be assumed that they don't have any objections to getting the building permits for those structures.

Director Schesser stated that they haven't indicated any objection to getting those permits.

Commissioner Haskell stated it was his understanding that all of the improvements that are being required or triggered as a result of the expanded use.

Director Schesser replied that was correct, and that the rest of it was because of the events.

Commissioner LeBorde stated he wished to state that he understood the value of that property, understood the value of that structure. If anybody in this room understands the value of history and the history of Cottage Grove and the character of Cottage Grove, he liked to be a part of that discussion and support. He was also in favor of insuring that certain standards that we've all agreed to live by are adhered to. What he was hearing so far was that the applicants, being an ex Fire Department official certainly was aware that building codes exist. That should not have been a surprise. No. 2 that he and she were both asking for an expansion of a business which is kind of a brand new ball game than what was previously approved and that they went ahead and made improvements to the property without informing their city government or anyone in the city.

Chair Parsons stated he needed to interrupt Commissioner LeBorde as he was overstepping the boundaries as a Planning Commission. The application is in front of them. The permitting or building of, administering whether or not those things are done correctly are not a duty of the Planning Commission – they are really tied to discussing and approving what was before them.

Commissioner LaBorde replied that he understood, but he was relatively new to the Planning Commission and he apologized. But what the Planning Commission needs to be very concerned about is compliance with building standards and the implications of allowing any exceptions.

Chair Parsons replied that was true.

Commissioner LaBorde continued by saying that in regards to the fire turn-around and the fire hydrant issue that is a fire and safety issue which brings in a whole lot of liability to the City and that is the reason why we have those rules.

Chair Parsons clarified that the Commission cannot offer a variance from what the Fire Marshal had required.

Director Schesser replied that was correct and the Code states the only ones who can waive it are the Fire Marshal and Fire Chief.

Commissioner Haskell stated he had some of the same concerns as Commissioner LeBorde and felt that he had not clearly expressed himself. He stated it really didn't matter whether he believed that what they wanted to do was good or not, he personally thought it was good, he'd like to see the location up to Code and having weddings there. It is a beautiful setting, but the Commission is here to implement building codes and state codes and county codes and the Commission does not get to waive those codes. The Commission was there to do what the Council had adopted, they not only adopted a 2037 Vision they also adopted a whole new building code that they've having been trying to implement and adhere to. Commissioner Haskell stated that the Commission was not putting them out of business, all they have to do is get

the permits and they're just the same as they were before – no harm, no foul. If they want to have 150 people there he felt the biggest issue was not the driveway issue, the sewer or water hook-up, was the parking for 150 people. He felt that anybody who owns a piece of property and allows someone to park 150 cars on it, basically says that they're not ever going to do anything with it because if I do, your use ceases instantly. He said he couldn't believe the Elk's Lodge who has a 100 and some parking spots would give the whole lot up on a permanent basis, which if he understood staff it was a permanent basis. That easement for parking is an on-going permanent thing and the minute the agreement ceases then the ability of them to have weddings and stuff ceases.

Director Schesser replied that was correct, unless other arrangements are made that meet the Code requirement.

Commissioner Haskell asked where else they would get parking.

Director Schesser replied that the Code stated that within 400 feet you could enter into an agreement, if the City approves it. That's what staff has to look at is the times of uses.

Commissioner Haskell stated with no parking on North River Road the only places to park were the Elk's lot or the vacant lot and either one of those could cease the agreement at any given moment. Personally, he had a conflict with how you invest money into this for 8 events a year and then have the risk of having the rug pulled out from underneath you if you lost your parking. But, having said that he intended to vote with staff's conditions and give them the opportunity to jump through the hoops and to see their dream. They just have to do it according to the Code.

Commissioner Devine stated that for the record he would like to say that in agreement with Commissioner Haskell's comments, he felt it was a beautiful piece of property, a great venue, lots of things, but his belief was that this body has to adhere to they have to work with. It's not an issue of sentiment, that they cannot follow the rules that are prescribed for the Commission. He stated he would probably vote in favor of the conditions and hope that they are able to work something out with that.

Commissioner Gray stated she was supportive of the business and that it was a nice addition to the community. She especially supported how they had preserved the historic nature. She said she would also vote for what the staff is recommending and hope that they can work with the Fire Department.

IT WAS MOVED BY COMMISSIONER DEVINE AND SECONDED BY COMMISSIONER CRAWFORD THAT THE PLANNING COMMISSION APPROVE APPLICATION FILE NO. CUP 9-08 AS PRESENTED BASED UPON THE CRITERIA, FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND CONDITIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Cowan	Commissioner Crawford	Commissioner Devine	Commissioner Gray	Commissioner Haskell	Commissioner Laborde	Chair Devine
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

Henrietta Cunningham asked from the audience for clarification of whether the bed and breakfast use is allowed to continue.

Director Schesser replied that was correct, if they meet the first set of conditions.

Ms. Cunningham further asked that as they sit now, they can continue as a bed and breakfast.

Chair Parsons replied that was correct, the bed and breakfast use had not been in question.

Director Schesser clarified that they would need to comply with the first set of conditions to continue the bed and breakfast use.

City of Cottage Grove – Development Code Text Amendment (DCTA 6-08)

The proposal is to amend Section 3.1.200.M of Title 14 Cottage Grove Development Code to refer to the latest version of the Uniform Fire Code in regards to Fire Access and Turnarounds.

Title 14 of the Cottage Grove Municipal Code is proposed for amendment as follows (inserted text shown as **bold**, deleted text shown as ~~strikethrough~~):

3.1.200

- M. Fire Access and Turnarounds. When required under the Uniform Fire Code, fire access lanes with turnarounds shall be provided. Except as waived in writing by the Fire Marshal, a fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing unobstructed adequate aisle width of 20 feet with paved surface between 14 – 20 feet, an unobstructed vertical clearance of 13 feet 6 inches and approved turn-around area for emergency vehicles, as ~~shown in Figure 3.1.200.M~~ **required by the current adopted Uniform Fire Code**. The Fire Marshal may require that fire lanes be marked as

“No Stopping/No Parking.” For requirements related to cul-de-sacs or dead-end streets, please refer to Section 3.4.100.N.

~~Figure 3.1.200.M Fire Turnarounds~~

Staff if proposing this amendment as a new version of the Uniform Fire Code was adopted after the adoption of the Development Code in January 2008. The latest version of the UFC included revised standards for Fire Access and Turnarounds, which no longer correlated to the UFC standard referenced in Chapter 14.3.1.200.M.

OPEN PUBLIC HEARING

No one spoke.

CLOSE PUBLIC HEARING

IT WAS MOVED BY COMMISSIONER HASKELL AND SECONDED BY COMMISSIONER GRAY THAT THE PLANNING COMMISSION FORWARD TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION ADOPTION OF APPLICATION FILE NO. DCTA 6-08 AS PRESENTED BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND CONDITIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Cowan	Commissioner Crawford	Commissioner Devine	Commissioner Gray	Commissioner Haskell	Commissioner Laborde	Chair Parsons
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

City of Cottage Grove – Development Code Text Amendment (DCTA 5-08) to Amend Section 2.2.190.C(2) in Title 14

The proposal is to amend Section 2.2.190.C(2) of Title 14 Cottage Grove Development Code to clarify types of decorative windows that count towards “Articulation” in the Residential Architectural Design Standards section.

Title 14 of the Cottage Grove Municipal Code is proposed for amendment as follows (inserted text shown as **bold**, deleted text shown as ~~strikethrough~~):

2.2.190.C(2) Articulation. All buildings shall incorporate design features such as varying roof lines, offsets, balconies, projections (e.g. overhangs, porches, or similar features), recessed or covered entrances, ~~decorative windows or surrounds,~~ or similar elements to break up large expanses or uninterrupted

buildings surfaces (blank walls). Along all vertical faces of a structure, such elements shall occur at a minimum interval of 30 feet, as generally shown in Figure 2.2.190.C(1):

- a. Recess (e.g., deck, patio, courtyard, entrances of similar feature) that has a minimum depth of 4 feet;
- b. Extension (e.g., floor area, deck, patio, entrance, overhang, **bay window** or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; or
- c. Offsets or breaks in roof elevation of 2 feet or greater in height.

Figure 2.2.190.C(1) – Building Length, Articulation & **Eyes on the Street** (Multi-family Housing Example)

OPEN PUBLIC HEARING

No one spoke.

CLOSE PUBLIC HEARING

IT WAS MOVED BY COMMISSIONER LABORDE AND SECONDED BY COMMISSIONER CRAWFORD THAT THE PLANNING COMMISSION FORWARD TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION ADOPTION OF APPLICATION FILE NO. DCTA 5-08 AS PRESENTED BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND CONDITIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Cowan	Commissioner Crawford	Commissioner Devine	Commissioner Gray	Commissioner Haskell	Commissioner Laborde	Chair Parsons
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

City of Cottage Grove – Comprehensive Plan Amendment (CPA 1-08)

NOTE: Prior to any discussion on this item, Commissioner Crawford left the room as she is an employ of ODOT and had submitted comments on the proposal in that capacity.

The proposal is to change the Land Use Designation of two parcels located at 1721 and 1723 Highway 99 North (Map No. 20-03-28-11; Tax Lots No. 200 and 300) from M Medium Density Residential to H High Density Residential.

The lands to be redesignated comprise an apartment complex with seven two-story and one one-story buildings, with a total of 43 apartments. The apartment complex is located at the northern edge of the City, on the south/right bank of the Willamette River, immediately upstream of a Highway 99 bridge over the river. All vehicular access comes off of a pre-existing driveway curbed cut on Highway 99 North. The one story building in the center of the complex is the oldest structure on the property, and is all that remains of a 1950s era tourist hotel that once existed here. The two-story apartments around the perimeter of the property next to the river were added in the 70s. The property is within the Willamette River Greenway, and is partially subject to flooding from the Willamette River. The property owner has expressed some desire to replace the one story apartment building with a two story building at some point in the future. No changes to the site are proposed at this time, however.

The current density of the complex is 13.4 units per acre. The current designation of Medium Density Residential has a corresponding zoning designation of R-2 Multiple Family Medium Density. The Cottage Grove Development Code established a maximum density of 12 units per acre for the R-2 district, whereas the R-3 High Density Residential District, the implementing designation of the H High Density Residential Comprehensive Plan designation, has a 10 unit minimum density and no maximum density. Redesignation of this property as H High Density Residential will correct the designation to properly identify the property as High Density, and correct the city's land use inventory to correctly reflect existing land uses.

The property owner of the parcels has been informed of and is in support of the proposed change.

OPEN PUBLIC HEARING

Cindy Beard, 1721 Highway 99 South, asked for clarification of whether or not a specific proposal for development had been submitted with this application.

Staff clarified that the current application was only to clean up the Comprehensive Plan designation and that any development would require that the property owner submit a proposal for further review.

CLOSE PUBLIC HEARING

IT WAS MOVED BY COMMISSIONER DEVINE AND SECONDED BY COMMISSIONER GRAY THAT THE PLANNING COMMISSION FORWARD TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION ADOPTION OF APPLICATION FILE NO. CPA 1-08 AS PRESENTED BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND CONDITIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Cowan	Commissioner Crawford	Commissioner Devine	Commissioner Gray	Commissioner Haskell	Commissioner Laborde	Chair Parsons
AYES	X		X	X	X	X	X
NAYES							
ABSTAIN							

NOTE: Commissioner Crawford returned to the room for the remainder of the meeting.

City of Cottage Grove – Comprehensive Plan Amendment (CPA 2-08)

The proposal is to change the Land Use Designation of 10 parcels in the north/northeast portion of the city in the following manner:

Change From T Tourist Commercial to P Parks and Open Space:

- a) Middlefield Golf Course (Map 20-03-22-40 TL 102 and 200)
- b) City of Cottage Grove property used for maintenance of the golf course (Map 20-03-27-20 TL 3203)
- c) Two parcels within the parameters of the Golf Course used for outdoor advertising (Map 20-03-22-40 TL 300 and 400)

Change from T Tourist Commercial to M Medium Density Residential:

- a) Middlefield Association Recreation Center at 98 Village Drive (Map 20-03-27-21 TL 200)
- b) Single family home at 101 Village Drive (Map 20-03-27-21 TL 100)
- c) Vacant lot owned by Kristen Woodard LLC (Map 20-03-27-20 TL 3202)
- d) RV storage facility owned by Kristen Woodard LLC (Map 20-03-27-20TL 3204)

Change from C Community Commercial to P Parks and Open Space:

- a) North Regional Park (Map 20-03-27-20 TL 200)

The impetus for this change was the initial study performed for the 2009 Economic Opportunities Analysis (EOA). The EOA required a survey of all vacant or redevelopable (i.e. mostly undeveloped) commercially and industrially designated lands in the city's urban growth boundary. In performing this analysis, several large areas were found to be designated for commercial development, even though their use was permanently designated as open space through other adopted City plans. These areas included the North Regional Park, designated as permanent natural open space through the adopted City of Cottage Grove Master Parks Plan, and the Middlefield Golf Course, designated as

open space through its commitment to be used as irrigation land for effluent in the city's Master Wastewater System Plan and NPDES permit. Removing these large tracks of land from the city's inventory of commercial lands will ensure that the EOA more accurately reflects the city's true commercial inventory.

Six other parcels are included in this comprehensive plan amendment due to their proximity and relationship to the Middlefield Golf Course.

Two tiny parcels within the parameters of the Golf Course are included in this change, as they are completely surrounded by the golf course. These parcels are currently used for outdoor advertising (pole signs) along the I-5 corridor. This use is not outright or conditionally allowed in their current designation/zoning. The use continues as a non-conforming use under the current zone. Hence changing their designation/zoning will not change the status of the existing non-conforming use. Both are proposed for redesignation to P Parks & Open Space so that their designation reflects that of the larger parcels surrounding them.

One small lot adjacent to the Golf Course, which is owned by the City of Cottage Grove and developed with a maintenance building, is proposed for redesignation to P Parks & Open Space, and it is and is proposed to remain as an accessory use to the golf course.

One manufactured home at 101 Village Drive is included in the plan amendment, as it is currently designated/zoned Tourist Commercial. It was developed as the model home for the Middlefield Estates subdivision, but was not redesignated to M Medium Density when the subdivision was redesignated. This plan amendment corrects this error, as the home functions as part of the Middlefield Estates subdivision.

The Middlefield Estates Recreation Center, owned by Middlefield's Estates Homeowner's Association and immediately adjacent to the south edge of Middlefield Estates, is also part of this plan amendment. Staff is recommending that this property be redesignated from Tourist, which it is clearly not, to M Medium Density Residential, as it functions as an amenity to Middlefield Estates.

Two properties owned by Kristen Woodard LLC, immediately to the south of the Middlefield Estates Recreation Center, are also proposed for redesignation, as their current designation as Tourist Commercial is inappropriate for their current/future use. One is vacant, and is a logical extension of Middlefield Estates, and the other functions as RV storage for homeowners of Middlefield Estates. Both are proposed for redesignation to M Medium Density Residential.

The property owners of all parcels involved in this application have been informed of and are in support of the proposed changes.

OPEN PUBLIC HEARING

Dave Nystrom, Thornton Lane, owner of Tax Lot 3000, asked for clarification of whether Kristen Woodard LLC was in favor of this proposal.

Staff advised that both Mr. Woodard and Middlefield Village had been contacted and both are in support of the application.

CLOSE PUBLIC HEARING

IT WAS MOVED BY COMMISSIONER LABORDE AND SECONDED BY COMMISSIONER CRAWFORD THAT THE PLANNING COMMISSION FORWARD TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION ADOPTION OF APPLICATION FILE NO. CPA 2-08 BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Cowan	Commissioner Crawford	Commissioner Devine	Commissioner Gray	Commissioner Haskell	Commissioner Laborde	Chair Parsons
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

City of Cottage Grove – Zone Change (ZC 1-08)

The proposal is to change the Land Use District (or zones) of 10 parcels in the north/northeast portion of the city in the following manner:

CT/L Commercial Tourist Limited to PR Parks & Recreation:

- a) Middlefield Golf Course (Map 20-03-22-40 TL 102 and 200)
- b) City of Cottage Grove property used for maintenance of the golf course (Map 20-03-27-20 TL 3203)
- c) Two parcels within the parameters of the Golf Course used for outdoor advertising (Map 20-03-22-40 TL 300 and 400)

CT/L Commercial Tourist Limited to R-2 Medium Density Residential:

- a) Middlefield Association Recreation Center at 98 Village Drive (Map 20-03-27-21 TL 200)
- b) Single family home at 101 Village Drive (Map 20-03-27-21 TL 100)
- c) Vacant lot owned by Kristen Woodard LLC (Map 20-03-27-20 TL 3202)

- d) RV storage facility owned by Kristen Woodard LLC (Map 20-03-27-20TL 3204)

C-2P Community Commercial to PR Parks & Recreation:

- a) North Regional Park (Map 20-03-27-20 TL 200)

The impetus for this change was the initial study performed for the 2009 Economic Opportunities Analysis (EOA). The EOA required a survey of all vacant or redevelopable (i.e. mostly undeveloped) commercially and industrially designated lands in the city's urban growth boundary. In performing this analysis, several large areas were found to be designated for commercial development, even though their use was permanently designated as open space through other adopted City plans. These areas included the North Regional Park, designated as permanent natural open space through the adopted City of Cottage Grove Master Parks Plan, and the Middlefield Golf Course, designated as open space through its commitment to be used as irrigation land for effluent in the city's Master Wastewater System Plan and NPDES permit. Removing these large tracks of land from the city's inventory of commercial lands will ensure that the EOA more accurately reflects the city's true commercial inventory.

Six other parcels are included in this zone change due to their proximity and relationship to the Middlefield Golf Course.

Two tiny parcels within the parameters of the Golf Course are included in this change, as they are completely surrounded by the golf course. These parcels are currently used for outdoor advertising (pole signs) along the I-5 corridor. This use is not outright or conditionally allowed in their current designation/zoning. The use continues as a non-conforming use under the current zone. Hence changing their designation/zoning will not change the status of the existing non-conforming use. Both are proposed for redesignation to P Parks & Open Space so that their zoning reflects that of the larger parcels surrounding them.

One small lot adjacent to the Golf Course, which is owned by the City of Cottage Grove and developed with a maintenance building, is proposed for rezoning to P Parks & Open Space, and it is and is proposed to remain as an accessory use to the golf course.

One manufactured home at 101 Village Drive is included in the rezoning, as it is currently zoned Tourist Commercial. It was developed as the model home for the Middlefield Estates subdivision, but was not zoned R-2 Multiple Family Medium Density when the subdivision was created. This rezoning corrects this error, as the home functions as part of the Middlefield Estates subdivision. Rezoning will align this home with the subdivision's current zoning, and more accurately reflect the true boundaries of the subdivision.

The Middlefield Estates Recreation Center, owned by Middlefield's Estates Homeowner's Association and immediately adjacent to the south edge of Middlefield Estates, is also part of this zone change. Staff is recommending that this property be rezoned from Commercial Tourist, which it is clearly not, to R-2 Multiple Family Medium Density Residential, as it functions as an amenity to Middlefield Estates.

Two properties owned by Kristen Woodard LLC, immediately to the south of the Middlefield Estates Recreation Center, are also proposed for rezoning, as their current zoning is Tourist Commercial is inappropriate for their current/future use. One is vacant, and is a logical extension of Middlefield Estates, and the other functions as RV storage for homeowners of Middlefield Estates. Both are proposed for rezoning to R-2 Multiple Family Medium Density Residential.

The property owners of all parcels involved in this application have been informed of and are in support of the proposed changes.

OPEN PUBLIC HEARING

Note: Dave Nystrom spoke during the open public hearing portion of the previous application file No. CPA 2-08.

CLOSE PUBLIC HEARING

IT WAS MOVED BY COMMISSIONER CRAWFORD AND SECONDED BY COMMISSIONER HASKELL THAT THE PLANNING COMMISSION FORWARD TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION ADOPTION OF APPLICATION FILE NO. ZC 1-08 BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Cowan	Commissioner Crawford	Commissioner Devine	Commissioner Gray	Commissioner Haskell	Commissioner Laborde	Chair Parsons
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

INFORMATION REPORT FROM STAFF

India Trip

City Planner Ferguson announced that she will be leaving on Friday, January 23rd for India as a part of the Rotary's International Exchange Program. She will be gone for five week and will be returning to the office on Monday, March 2, 2009.

Grant – Historic Chambers Bridge

City Planner Ferguson announced also that the City had received the grant to restore the Historic Chambers Bridge.

AUDIENCE PARTICIPATION

None.

COMMISSION COMMENTS

Commissioner LaBorde thanked City Planner Ferguson for bringing the expansion of the White House Bed and Breakfast to the attention of city staff and for initiating the process to bring the facility into compliance.

Commissioner Devine welcomed Commissioner Matt Parsons back to the Planning Commission.

ADJOURNMENT

The meeting was adjourned at approximately 8:55 p.m.

ATTEST:

APPROVED

Cindy Blacksmith, Secretary

Matt Parsons, Chair