

**CITY OF COTTAGE GROVE
PLANNING COMMISSION**
Minutes of the Regular Public Hearing
March 21, 2007

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: Chair Matt Parsons, Commissioners Savannah Crawford, George Devine (late) Mike Fleck, David McClean, Rudy Severns, and Lloyd Williams

Absent: None

Staff Present: Community Development Director Howard Schesser, Assistant Planner Amanda Ferguson, Robert Maphies Clerical Assistant and Recording Secretary Cindy Blacksmith

Staff Absent: None

News Media Present: Reporter Joe Hansen – Cottage Grove Sentinel

MINUTES

IT WAS MOVED BY COMMISSIONER FLECK AND SECONDED BY COMMISSIONER WILLIAMS TO APPROVE THE FOLLOWING MINUTES AS PRESENTED:

January 18, 2006 Regular Public Hearing	January 31, 2007, Special Public Hearing
February 8, 2006 Regular Public Hearing	February 14, 2007 Special Public Hearing
January 17, 2007 Regular Public Hearing	February 21, 2007 Regular Public Hearing

Vote on the motion was as follows:

VOTE	Commissioner Crawford	Commissioner Devine	Commissioner Fleck	Commissioner McClean	Commissioner Severns	Commissioner Williams	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 Williams stated that he wished to disclose that his mother and father-in-law submitted for one of the item but did not feel it would affect his vote in any way. Further that in reference to the Rose Subdivision application, that approximately 25 years ago he was one of about 10 people involved in the development, however, he has had no financial interest in over 20 years and he did not feel that would affect his ability to vote on this matter.

ITEMS TO BE ADDED TO THE AGENDA

None.

OLD BUSINESS

None.

NEW BUSINESS

O'Keefe/Carlson – Comprehensive Plan Amendment (PA 3-07) to Amend the Comprehensive Plan Land Use Diagram Map to Designate 840 North 19th Street from Tourist Commercial to Residential Professional

O'Keefe/Carlson – Zone Change (ZC 5-07) to Rezone Property Located at 840 North 19th Street from CT Commercial Tourist to RP-2 Residential Professional

The proposal is to amend the Comprehensive Plan by redesignating 0.30 acres of land from T Tourist Commercial to O Residential Professional and rezoning from CT Commercial Tourist to RP-1 Residential Professional. The change in plan designation and rezoning will allow for residential use as well as professional use on the subject parcel. This redesignation and rezoning has been sought by the property owner to allow for the sale, replacement, maintenance and expansion of an existing residential use.

The current owner wants to be able to retain their residential use following a sale. Without redesignation and rezoning, this property cannot be financed as a single-family dwelling (as residential uses are non-conforming under the CT code).

OPEN PUBLIC HEARING

No one spoke.

CLOSE PUBLIC HEARING

IT WAS MOVED BY COMMISSIONER FLECK AND SECONDED BY COMMISSIONER SEVERNS THAT THE PLANNING COMMISSION RECOMMEND ADOPTION OF APPLICATION NOS. PA 3-07 and ZC 5-07 TO THE CITY COUNCIL, BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Crawford	Commissioner Devine	Commissioner Fleck	Commissioner McClean	Commissioner Severns	Commissioner Williams	Chair Parsons
AYES	X		X	X	X	X	X
NAYES							
ABSTAIN							

Shadowbrook LLC – Zone Change (ZC 3-07) to Rezone a Residential Lot from County AGT-5 to City R-2 Medium Density Multiple Family Residential

The property owner is requesting the application of the R-2 Medium Density Multiple Family Residential District zoning to a recently annexed property at 78041 South 6th Street. The zoning will apply to an existing house on Tax Lot 200 (0.48 acres) and approximately 1.6 acres of adjacent vacant property that may be partitioned off to accommodate single-family residential development.

The property is bordered by Sunset Park Subdivision to the east, Greenridge PUD to the north, South 6th Street to the west, and a church to the south. Sunset Park and Greenridge are zoned R-2. The residential properties to the west of South 6th Street are zoned R-1. The properties to the south are zoned R-1.

OPEN PUBLIC HEARING

No one spoke.

CLOSE PUBLIC HEARING

IT WAS MOVED BY COMMISSIONER FLECK AND SECONDED BY COMMISSIONER MCCLEAN THAT THE PLANNING COMMISSION RECOMMEND ADOPTION OF APPLICATION NO. ZC 3-07 TO THE CITY COUNCIL, BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Crawford	Commissioner Devine	Commissioner Fleck	Commissioner McClean	Commissioner Severns	Commissioner Williams	Chair Parsons
AYES	X		X	X	X	X	X
NAYES							
ABSTAIN							

City of Cottage Grove – Zone Change (ZC 4-07) to Rezone 28 Residential Lots from MHS to R-1

City of Cottage Grove – Ordinance Amendment (OA 1-07) to Delete the MHS Manufactured Home Individual Lot District

City of Cottage Grove – Comprehensive Plan Amendment (PA 2-07) To Amend the Comprehensive Plan to Delet the MHS Manufactured Home Individual Lot District from the Land Use Diagram

The proposal is to rezone the Rose Subdivision from MHS Manufactured Home Individual Lot District to R-1 Low Density Single-Family Residential in its entirety, to amend Title 18 to repeal Chapter 18.14 MHS Manufactured Home Individual Lot District in its entirety, and to amend the Land Use Diagram on Page 56 of the Plan by deleting Manufactured Home Subdivision (MHS) from the Low Density Residential Land Use Category.

Commissioner Williams stated he was a member of the group that developed this subdivision 25 years ago and that when it was first laid out mobile homes were restricted to parks. He further stated that this subdivision was part of the first wave of homes built to new State standards.

OPEN PUBLIC HEARING

No one spoke.

CLOSE PUBLIC HEARING

IT WAS MOVED BY COMMISSIONER WILLIAMS AND SECONDED BY COMMISSIONER FLECK THAT THE PLANNING COMMISSION RECOMMEND ADOPTION OF APPLICATION NOS. ZC 4-07, OA 1-07 and PA 2-07 TO THE CITY COUNCIL, BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Crawford	Commissioner Devine	Commissioner Fleck	Commissioner McClean	Commissioner Severns	Commissioner Williams	Chair Parsons
AYES	X		X	X	X	X	X
NAYES							
ABSTAIN							

City of Cottage Grove – Comprehensive Plan Amendment (PA 1-07) to Amend the Comprehensive Plan Land Use Map to Redesignate 1.45 acres Adjacent to the Middlefield Golf Course from CT Tourist Commercial to L Low Density Residential

City of Cottage Grove – Zone Change (ZC 2-07) to Rezone 1.45 acres Adjacent to the Middlefield Golf Course from CT/L Commercial Tourist/Limited to R-1 Low Density Single Family Residential

The proposal is to redesignate 1.45 acres from Tourist Commercial to Low Density Residential in the Land Use Comprehensive Plan and to rezone from CT/L Commercial Tourist Limited to R-1 Single Family Residential.

The 1.45 acres is vacant except for a single family dwelling that is located on the west end of the subject property and takes access from the end of Thornton Road. The dwelling unit has an address of 79030 Thornton Road and is served with both water and sewer.

The financial costs to the City are not a concern of this application and the information was provided as background information. Staff is recommending denial of both applications as they are neither in compliance with the Comprehensive Plan nor the Statewide Goals. History of this area is provided in the staff reports and is not repeated here.

OPEN PUBLIC HEARING

David Soha, 33127 Foster Road, spoke in opposition and stated he had already presented a letter for the record but wished to make a few more comments. His comments were directed to the application criteria of the Statewide Goals 8 and 14, Recreational Needs and Urbanization. He felt that increased development in this area will change the character of the neighborhood from rural openness to one of congestion.

Cy Bombard, 156 Village Drive, President of Middlefield Estates Owners Association, spoke in opposition and read a previously submitted statement into the record.

Frances McGuire, 78916 Thornton Road, spoke in opposition and expressed concern about traffic issues.

Ron Taylor, 78869 Thornton Road, spoke in opposition and asked about water and sewer line extensions and the potential of higher density residential development.

Director Schesser replied that water was available to the site, but that sewer lines would have to be extended and he did not feel it would be a viable option to extend the main sewer line for only 6 residential units.

NOTE: Commissioner Devine arrived at approximately 8:05 p.m.

Jill Barton, 79001 Thornton Lane, spoke in opposition and asked what would be required to get approval for higher density residential development, what will happen to the bike path and she was concerned about traffic in the area.

Tammy Welchell, 79030 Thornton Lane, stated she rented the house on the property and spoke in opposition. She expressed her concern about the future of the existing house.

Director Schesser replied that Mr. Hammar currently owns the house and if the applications are denied the property will come into city ownership and no decisions had been made on what would be done with the existing house.

Chair Parsons clarified by stating if these applications are denied, the City is required to purchase the property from Mr. Hammar. The City at this time has not made any decisions about what do with the property if they have to purchase the property from Mr. Hammar.

CLOSE PUBLIC HEARING

Chair Parsons asked for clarification of Mr. Hammar's intentions.

Director Schesser replied that he was not involved in the negotiations, but he understood that during the negotiations this lot was thrown at the City and it wasn't detrimental for the City to go through the process. There was no guarantee one way or the other that the City would approve and the only information was for 6 lots.

Chair Parsons asked if when the City was negotiating for this property, if this \$375,000 was taken into consideration.

Commissioner Fleck replied it was.

Director Schesser confirmed that it had, and if the applications get denied the City owns Mr. Hammer \$375,000 which will come out of the sewer fund which is how the golf course was paid for. The City's primary purpose, although recreation and open space is a good reason, was a place to put sewer effluent because it could not be dumped directly in the river during the summer.

Commissioner Fleck stated he was on the City Council when the City bought this property and everybody was aware of that requirement.

Commissioner McClean stated he was not a golfer and did not understand what this property was currently being used for.

Director Schesser replied it skirts the edge of the fairway and is outside of the rough in some aspects.

Commissioner McClean asked if the nature trail ran directly through the property.

Director Schesser replied that it did not.

Commissioner Williams stated that as times change, that area might be brought up to the city standards and be looked at favorably for something besides the City's use as part of the golf course. He felt it was a good buffer for the neighborhood against the golf course.

IT WAS MOVED BY COMMISSIONER FLECK AND SECONDED BY COMMISSIONER CRAWFORD THAT THE PLANNING COMMISSION RECOMMEND DENIAL OF APPLICATION NOS. PA 1-07 AND ZC 2-07 TO THE CITY COUNCIL, BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Crawford	Commissioner Devine	Commissioner Fleck	Commissioner McClean	Commissioner Sevens	Commissioner Williams	Chair Parsons
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

City of Cottage Grove – Zone Change (ZC 1-07) to Rezone 33 Properties in Downtown Cottage Grove from C-2P Community Commercial to C-2 Central Business District

The proposal is to rezone those properties zoned C-2P within the 1974 Downtown Parking Local Improvement District (LID) to C-2 Central Business District. The rezoning will affect 33 properties. The end result of this rezoning will be to have all properties

within the LID zoned C-2 Central Business District which is the main implementing district for their comprehensive plan designation.

This application is being made to align the boundaries of the C-2 District with the boundaries of the LID and the area designated as B Central Business District. If approved, all but two lots within the LID will be designated B Central Business and zoned C-2 Central Business District. This will help staff administer the zoning code more evenly across the entire LID area.

The two parcels which are not included in this application but within the LID are the Church of Christ on South 5th Street, which is zoned R-1 Low Density Residential, and the apartment building at the corner of 8th Street and Gibbs Avenue, which is zoned R-2 Medium Density Residential. These two properties will retain their current zoning, as the zoning matches their current use.

OPEN PUBLIC HEARING

No one spoke.

CLOSE PUBLIC HEARING

IT WAS MOVED BY COMMISSIONER FLECK AND SECONDED BY COMMISSIONER MCCLEAN THAT THE PLANNING COMMISSION RECOMMEND ADOPTION OF APPLICATION NO.ZC 1-07 TO THE CITY COUNCIL, BASED ON THE CRITERIA, FINDINGS, CONCLUSIONS AND RECOMMENDATIONS STATED IN THE STAFF REPORT.

Vote on the motion was as follows:

VOTE	Commissioner Crawford	Commissioner Devine	Commissioner Fleck	Commissioner McClean	Commissioner Severns	Commissioner Williams	Chair Parsons
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

INFORMATION REPORT FROM STAFF

Director Schesser recognized Commissioner Severns skills at Irish Step dancing on St. Patrick’s Day at the Axe and Fiddle.

AUDIENCE PARTIPATION

None.

COMMISSION COMMENTS

None.

ADJOURNMENT

IT WAS MOVED BY COMMISSIONER FLECK AND SECONDED BY COMMISSIONER SEVERNS TO ADJOURN THE MEETING AT APPROXIMATELY 8:20 P.M.

Vote on the motion was as follows:

VOTE	Commissioner Crawford	Commissioner Devine	Commissioner Fleck	Commissioner McClean	Commissioner Severns	Commissioner Williams	Chair Parsons
AYES	X	X	X	X	X	X	X
NAYES							
ABSTAIN							

ATTEST:

APPROVED

Cindy Blacksmith, Secretary

Matt Parsons, Chair