

Planning Commission
March 7, 2005

Chairperson Schneider called the regularly scheduled meeting to order at 7:12 PM.

The following members were present: Lisa Cramer, James Montgomery, Sandy Ramsey, Cindy Maas, Ken Smith and Cristi Boyle-Barrett. Also in attendance were staff members Dan Staley and City Administrator Dave Schmidt.

Cramer moved to approve the minutes of the February 15, 2005 and February 28, 2005 commission meetings. Boyle-Barrett seconded the motion and the motion carried. Smith had a question about the fact that at the February 15th meeting the written comment period was extended to February 22 and yet we are receiving letters that have been received after March 1st. Administrator Schmidt stated anytime you extend the public hearing to another date, you have to extend the comment period to the same time frame.

Zoning Code Interpretation:

Administrator Schmidt stated he apologized for not being able to give the Planning Commission a staff report on this. There is a business that would like to go into the Buckley Business Park but needs an interpretation from the Planning Commission. This business park is in the IP zone; however, there are several retail businesses that have come before the Planning Commission for a zoning interpretation to see if their business can be included in the business park and they have been allowed. The proposed business is a driving school. Schneider asked anyone on the commission if they felt this was an inappropriate use for this zone. The entire commission was in favor of the driving school.

Hearing Procedures:

Administrator Schmidt stated this is just to go over the last minute details for Wednesday's hearing. Schneider stated he wants to make sure he addresses the community at the next meeting that we really are listening and based on the comments he believes what we are hearing will probably result in some changes. Schneider stated he would like to run the meeting a little more formal than usual. He would like to start the meeting letting everyone know that they should address the commission with their concerns and anyone on the commission can answer as well as any staff member. Schneider stated one thing he would like to know from the commission is with the likelihood of making changes, do we want to hold another public hearing. The commission then discussed some issues regarding the RB zone on Hinkleman being changed to commercial. Boyle-Barrett stated she was not comfortable talking about this right now and should wait until after the next public hearing. Staley stated some things he left out of the introduction at the last meeting were setting up what we are doing and why we are making these zoning changes. He also did not discuss the process well enough. The process is that we are getting public input and will make necessary changes after all public input and then will hold another public hearing. We would then make any additional changes and then submit it to City Council. At this next meeting he will do a better job of going through the process with the public. Montgomery stated regardless of

whether or not we make changes, we owe it to the people to have another public hearing, and whether it is to explain the changes we made or explain why we didn't make changes. Administrator Schmidt stated he heard Chairperson Schneider state he was going to tell the public that what the commission has heard is going to probably generate some changes. Schneider stated he said influence the deliberations. Administrator Schmidt stated at this point since we have not had deliberations, he doesn't feel we should tell the public this. Schneider stated he didn't mean to give the impression that we are changing things. Cramer stated it sounds like the intent is that it is not a done deal and that we are listening. Administrator Schmidt stated another thing the commission will have to decide is whether or not they have received enough information to deliberate or if you want to continue the public hearing again. Administrator Schmidt stated the City Attorney and the Police Chief will both be there. Administrator Schmidt updated the commission on the House Bill to grant amnesty to cities that haven't completed their plans has passed committee and will go to the house for a vote. Maas asked if anybody questioned that she is back and if they do will Wolfe respond to them. Administrator Schmidt stated if Schneider wants to respond, he can just state that Cindy reconsidered her resignation and it was voted on by the commission to have her back. Smith stated he is concerned about the heckling going on at the last meeting and will that be contained this time. Administrator Schmidt stated hopefully with having the Police Chief and Sergeant there, it should control this.

Critical Areas Regulations:

Administrator Schmidt stated for tonight, he would just like to go over Adolfson's letter and if the commission has any questions on it or don't understand something and need clarification, please contact him. The big thing is the buffers and the category III & IV that are exempt. He changed the language so what it says is they are only exempt if you submit an approved mitigation plan so there is not a net loss. Teresa Vanderburg of Adolfson is suggesting we have a meeting with CTED and Adolfson. He has asked her to schedule this meeting but has not heard back from her yet. So all he is asking for this evening is for everyone to look at this but not do anything until after the meeting. Schneider stated the only question he has is the best available science according to them doesn't support what we have put in. Schneider asked about the homes in Buckley Meadows. Administrator Schmidt stated they are in the flood plain, however, we won't have to worry about that because they are outside the city limits and it will be several years before that is area is annexed into the City. We don't need to do this tonight but we are going to look at a potential buffer for Class IV wetlands and Adolfson is recommending 25 feet. Maas had some questions about the map and the classifications of wetlands on the map. Administrator Schmidt stated remember these are only provisional or potential. None of these areas have been actually delineated as wetlands. Adolfson is using this map to support our argument. They are saying everything has a potential of being a wetland in Buckley. They are trying to show we can use this as an argument for having smaller buffers.

Staley stated within the critical areas regulations, he needs to know to what extent we want to do mapping. Staley's suggestion is to use the National Wetlands Inventory map.

Administrator Schmidt stated for the meeting on March 14, 2005, we will only have deliberations on the agenda.

With nothing further the meeting was adjourned at 8:14 PM.