

Planning Commission
April 4, 2005

Chairperson Schneider called the regularly scheduled meeting to order at 7:07 PM.

The following members were present: Lisa Cramer, Sandy Ramsey, Ken Smith, and Cindy Maas. James Montgomery and Cristi Boyle-Barrett were absent. Also in attendance was Planning Director Dan Staley.

Deliberations on the proposed zoning changes:

Planner Staley stated we need to take some of these issues on the matrix and get them taken care of tonight.

Hinkleman Road as Commercial:

Staley stated regarding the Hinkleman Road, this area is an area that had very vocal people. He likes the idea of the transitional zone, however, at this time he feels leaving this area as RB and let the people know that we are considering the transitional zone at a later date. Not knowing what will happen to the taxes within the transitional zone, he is not comfortable changing this right now. Because he is here full time now, we can do yearly updates to the Comprehensive plan and the transitional zone could be one of those yearly updates. Schneider stated one big problem he sees is that the new plan doesn't seriously take into account what is on the ground now or the market. It is a shame to have industrial scattered around, however when a person buys a piece of property for a specific purpose that is allowed, they have a reasonable expectation of being allowed to continue that use. Not only to use that purpose for themselves but also to sell it to someone who wants, to use it for the same purpose. There was a lengthy discussion regarding the RB zone and whether or not we want to change that to commercial or leave it at RB. Staley stated the question we have to ask ourselves is what can we fix right now and what can we fix at a later date. Cramer asked if the NMU is similar to the RB zone. Staley stated yes they are very similar, the RB is geared more towards multi-family using apartments to buffer residential from commercial. It was the commission's consensus to leave all the B-2 as GC (General Commercial) and the IP as LI (Light Industrial) and the RB as RB except for the small piece on the corner of Hinkleman and Mundy Loss which will be zoned GC.

Soma Institute, Klink Street

Staley stated the current zoning is RA and the proposed zoning change is to LDR5. The property owner would like to be zoned commercial so they can keep their business. Staley stated he is concerned about the patchwork zoning here so he would suggest having this as a grandfathered non-conforming use. It was the commission's consensus that whatever this is zoned to it will stay that way and it will stay as a non-conforming use.

R5 change to LDR in slopes and wetlands:

Maas stated she doesn't feel this should be because of wetlands the wetland map we have is almost 20 years old. She really objects to wetlands, she feels it is up to the land owner

to prove it is what it is. Rousseau stated the LDR2 were drawn based on slopes. Maas stated but Staley stated it was because of slopes and wetlands. Rousseau stated it is basically critical areas and the definition of critical areas is steep slopes and/or wetlands. It was the commission's consensus to redefine in the LDR5 zone to include slope information, stating where slopes are greater than 15% will be zoned LDR2.

Ladies and Loggers as HC:

Cramer stated could we also include the City Hall across the street. It was the commission's consensus to include City Hall with Ladies and Loggers and change them to HC (Historical Commercial).

Buckley Nursery LDR5 instead of LDR2:

Staley stated the property owner is requesting LDR5 the same as Copperwynd. Rousseau stated we left it at the RA density, because she thought Administrator Schmidt voiced concerns about possible slopes. It was the commission's consensus to change it to LDR5.

Put parks on the zoning map:

Cramer and Maas stated they feel this is important. We don't want anyone to think we don't want parks in the City. It was the commission's consensus to have the parks listed on the maps.

Veterinary Clinic at Pearl-Division and Ryan:

No one on the commission was really sure about the concern regarding this area. It is currently zoned B-2 and the change is to be CC. There will be no changes.

Ryan Road IP zone change:

Schneider stated he is not in favor of changing this to residential. He feels it should be left as LI. Our proposed zoning map shows residential. Staley stated when the property owner purchased the land he was told by the City it was zoned IP and would have no problem with continuing his business and expanding it. Maas stated we need to leave it IP. Cramer stated it should be designated LI. Rousseau asked if the commission is going to have this LI would they like to have conditions put on this so it doesn't affect the surrounding properties. Maas asked if we could put conditions on certain parcels. Staley stated you could put conditions on different zones but not specific parcels. Schneider stated most of the LI zones in the area surrounded by residential homes so we need to make sure there are enough restrictions in the LI zone. Staley stated he would check on the noise ordinance to make sure it protects the residential properties from evening noise. After a lengthy discussion it was decided on by the commission to leave the area that is currently zoned IP as LI.

Number of NMU areas:

Ramsey stated there wasn't anyone in favor of the NMU on Park Ave. Smith stated he is not in favor of it and right now there are no parcels available for building. After a lengthy discussion the commission discussed changing all the areas zoned NMU along with the area along Hinkleman to RB. Maas suggested we leave the NMU area out by Ryan Road as NMU and change the area on Park to R-5. There were several side

discussions and after discussion Staley stated he is not aware of any Municipal Code that there are completely similar zones that are just named something different. After discussion it was the commission's decision to leave the NMU area on Ryan Road and Mason Ave as NMU and change the NMU area on Park Ave to HDR for all the current RM zoning and the rest will be residential. It was also the commission's decision to have both the RB and NMU zones and Staley will write up the differences between the two zones and bring them back to the commission.

With nothing further the meeting was adjourned at 9:03 PM.

Wolfe Schneider, Chairperson