



APPROVED: March 29, 2007

**CITY OF ALBANY
HEARINGS BOARD**
City Hall Council Chambers, 333 Broadalbin Street
Monday, March 12, 2007
4:00 p.m.

MINUTES

Hearings Board Members present: David Faller, Anne Peltier and Mark Spence

Hearings Board Members absent: None

Staff present: Planning Manager Don Donovan, Planner II Janet Morris, and Administrative Assistant I Tracy Swett

Others present: Approximately five people were in the audience, including the applicants.

CALL TO ORDER

Chair Anne Peltier called the meeting to order at 4:02 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

ELECTION OF OFFICERS

Peltier tabled this item of business until after the public hearing.

APPROVAL OF THE December 18, 2006, MINUTES

Board Member David Faller moved to approve the minutes as written. Peltier seconded the motion. The motion passed 2:0, with Board Member Mark Spence abstaining from the vote.

QUASI-JUDICIAL PUBLIC HEARING, Case File Number SD-17-06 (Clairewood subdivision)

Peltier called to order a public hearing on Planning file SD-17-06; a Tentative Subdivision Plat that would create 22 single-family residential lots and leave a remainder parcel. The property is located at 2309 and 2267 Scenic Drive NW, and 3250 24th Avenue NW. The applicant is Keller Development.

Declarations: None.

Staff Report:

Planner II Janet Morris summarized the staff report. She showed an overhead with the zoning of the surrounding properties and the subject property marked by hatch lines (Exhibit E, in agenda file). She then showed the Conversion Plan (Exhibit D, in agenda file) and explained that part of Tax Lot 201 would be kept as a remainder for the existing house and barn. She said it would be large enough to divide in the future. She then showed the Street Connection Plan (Exhibit B, in agenda file) to show how the

applicant was connecting the streets in the proposed subdivision with both existing and planned streets in the area.

Morris showed the proposed tentative plat on the overhead (Exhibit C, in agenda file). She said the application met all of the applicable review criteria and the staff report explains how each criterion was met outright, or met through the use of conditions.

She said Finding 4.18, Conclusion 4.2, and Condition 4.4 regarding storm drainage improvements to Tax Lot 201's 24th Avenue NW frontage should be deleted. Staff did not feel improvements on this frontage could be required. Staff prepared a revised motion on the dais for the Board's review (Exhibit F, in agenda file) which has the modified condition to delete the referenced finding, conclusion and condition.

Morris stated that the Planning staff had received no calls or written testimony regarding the application. She said the property has been posted with the public hearing information. She added that during the neighborhood meeting, those in attendance were in favor of the proposal.

Peltier said she did not see the 125-foot buffer triggered by the Benton County's Exclusive Farm Use (EFU) zoning to the west across Scenic Drive. Morris explained the buffer is between a property that is being used for farming and an adjacent property to be developed for residential use. The buffer area would prohibit any habitable structures from being built in the setback area, but a garage could be built in the buffer area. She showed the proposed tentative plat had a dashed line along the lots with frontage on Scenic Drive NW to indicate the boundary of the buffer area.

Applicant Testimony:

Rod Keller, 2056 Chase Loop SW; gave a brief history of his company, Keller Development. He said this project is fairly straight forward. He agreed with the conditions of approval as listed in the staff report.

Spence asked if the lot lines were established to follow elevation contours. Keller said the lines were drawn to meet the lot size requirements. He said the major challenge was the road extensions to the subdivision to the northwest and the Benton Woods subdivision to the east.

Testimony In Favor: None.

Opposing Testimony: None.

Neutral Testimony: None.

Applicant Rebuttal: None.

Staff response:

Planning Manager Don Donovan said staff had determined that the 24th Avenue improvements were not timely due to the size of the remaining portion of Tax Lot 201. The current or future owner could partition it later and the street and storm drainage improvements would be required at that time. Rod Keller agreed that he understood this.

Chair Peltier closed the public hearing at 4:15 p.m.

Commission Discussion: None.

Commission Action:

Spence moved that the Hearings Board approve with conditions as modified to delete the references to require storm drainage system improvements on 24th Avenue as stated in the staff report at Finding 4.18, Conclusion 4.2, and Condition 4.4, the Tentative Subdivision Plat application that will divide 7.2 acres of land into 22 residential lots and a remainder parcel (File SD-17-06). The motion was based on the findings and conclusions of the staff report and testimony presented at the public hearing. Faller seconded the motion, which passed 3:0.

ELECTION OF OFFICERS

Peltier volunteered to continue as Hearings Board Chair. She asked if Faller would serve as Vice Chair. Faller agreed. A vote was called; Peltier was elected Hearings Board Chair and Faller was elected Vice Chair, by a vote of 3:0.

NEXT MEETING DATE

The next meeting date of the Hearings Board is to be announced. The next meeting date of the Planning Commission is scheduled at 5:15 p.m., following the adjournment of this Hearings Board meeting.

ADJOURNMENT

Hearing no further business, Peltier adjourned the meeting at 4:17 p.m.

Submitted by

Reviewed by

Signature in File

Signature in File

Tracy Swett
Administrative Assistant I

Don Donovan
Planning Manager