



APPROVED: December 3, 2007

**CITY OF ALBANY
HEARINGS BOARD**
City Hall Council Chambers, 333 Broadalbin Street
Thursday, November 8, 2007
5:00 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, Infrastructure Analyst Mike Leopard, Planner II Janet Morris (arrived at 5:06 p.m.), CARA Administrator Kate Porsche (arrived at 6:10 p.m.), and Administrative Assistant I Tracy Swett

Others present: Approximately 32 others were in the audience, including the applicants and their representatives.

CALL TO ORDER

Chair Anne Peltier called the meeting to order at 5:07 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

APPROVAL OF THE October 11, 2007, MINUTES

Board Member David Faller moved to approve the minutes as written. Board Member Mark Spence seconded the motion, which passed 3:0.

QUASI-JUDICIAL PUBLIC HEARING, Case File Number CU-10-07 (Albany Options School)

Peltier called to order a public hearing on Planning file CU-10-07, a Conditional Use to construct an 18,600-square-foot school. The building would include seven classrooms, space for support services, and child care. The subject property is located at 730 19th Avenue SE, and the applicant is the Greater Albany Public School District.

Declarations:

Spence reported he was familiar with all of the properties on tonight's agenda and had visited two of them in the last few days. Faller reported he was a member of the DFAC Committee which looked at the school district's facility needs and made recommendations on solutions.

Staff Report:

Infrastructure Analyst Mike Leopard summarized the staff report. He showed an aerial photograph of the subject site on the overhead (Exhibit A, in agenda file) and pointed to 19th Avenue, Thurston Street, and Sunrise Elementary School. He showed the floor plan on the overhead (Exhibit D, in agenda file). Leopard explained the building would have seven classrooms and support spaces, including a cafeteria, a library, and a child care space for a maximum of eight children. The proposed building would be a single-story structure with a low-pitched roof and a maximum height of less than 21 feet.

Leopard showed the site plan on the overhead projector (Exhibit C, in agenda file) pointing to a small fenced play area for the day care's use in the northwest corner. The proposed parking lot will be located south of the building, away from adjacent residential uses. The new parking lot will be connected to the existing parking on the site. No additional driveways will be needed.

He showed an aerial photograph with the site plan overlaid on top of it (Exhibit H, in agenda file). He said the area around the site is zoned for residential uses and is fully developed with a mix of single-family and multi-family structures. Article 9 of the Development Code discusses buffering and screening requirements between different types of uses. The matrix in Article 9 does not specifically mention schools as a use category but does indicate that commercial/professional uses adjacent to residential uses shall be separated by a 10-foot buffer area and shall be screened to minimize potential impacts. Staff applied these requirements to the school and recommended conditions of approval within the staff report based on them.

Leopard showed a picture of the eastern boundary on the overhead (Exhibit F, in agenda file). The existing oak trees appear to meet the buffering requirement as it relates to deciduous trees. He said there are no shrubs in the buffer area. Required screening can be satisfied with a hedge, wall or fence that is intended to be sight obscuring.

Showing a picture of the northern boundary on the overhead (Exhibit E, in agenda file), Leopard said there is a four-foot and a six-foot chain-link fence along the property line. No trees, shrubs, or sight-obscuring screening exists along this boundary. The owner of the single-family house at the northwest corner of the site requested that nothing be allowed along his south boundary that would block sunlight from his home.

The applicant submitted a letter (Exhibit G, in agenda file) requesting that the buffering and screening requirements be waived for this project. The applicant feels that the large setbacks from the proposed building and the benefit of maintaining open air and sunlight to nearby residential structures is more valuable than providing any additional buffering and screening. The Hearings Board may waive any or all of the buffering and screening requirements.

Leopard said the site layout does not show a designated pedestrian path from 19th Avenue to the proposed building. The staff report includes a condition that an appropriately marked pedestrian path is provided through the parking lots to the building from 19th Avenue.

He said sewer and water are available to serve the site. Leopard acknowledged there are stormwater system deficiencies downstream of this site, so it would be likely that the project's stormwater collection system would be designed to provide onsite detention. The system design will be reviewed along with the building permits and other utility improvements.

Linn County soils survey indicate hydric soils on the site which indicate possible wetlands. The applicant has been encouraged to investigate and obtain any necessary state and national permits before disturbing the site.

Faller asked what type of bus service and traffic pattern was envisioned for the site. Leopard deferred the question to the applicant.

Peltier asked the location of the single-family house whose owner requested the screening be waived. Leopard pointed to the upper left corner of the site (northwest corner). Peltier asked if the applicant is requesting a waiver of all buffering and screening. Leopard said yes. He explained that during the neighborhood meeting the northwest property owner requested nothing be planted that would block sunlight to his home. Leopard said that would affect the northwest portion of the site. The applicant suggests the trees along the eastern border provide an appropriate buffer. If a sight-obscuring fence was installed in the area, it could block sunlight from the apartments. The Hearings Board may waive all or a portion of the buffering and screening requirements. Peltier asked if there was buffering adjacent to the northwest house as one moves east. Leopard said there is a chain-link fence that is not screened and some bushes, but no designated buffering along that area.

Spence asked if there was a maximum/minimum distance for buffering from a property line. Leopard said trees, shrubs, etcetera must be planted within a 10-foot area from the property line. Spence asked Leopard to explain the planting conditions for Thurston Street. Leopard said the Code requires the front yard setback be landscaped. The requirements for front yard landscaping are different from buffering and screening requirements.

Spence asked why 40 parking spaces were planned. Leopard at least 21 spaces were needed, but the applicant could explain why the lot was designed with 40 parking spaces.

Applicant Testimony:

Wally Gresl, 1415 Pearl Street (Eugene), said he is an architect with gLAs Architectural Group and represents the school district. He said with regard to the requested pedestrian pathway from 19th Avenue, the parking lot design was set up for two different uses. The southern half of the lot was required by the City as part of an improvement to Sunrise Elementary School. That leg of the parking is specifically dedicated to the elementary school. Rather than cut a path through, they would prefer to keep the parking areas separated. He said Sunrise Elementary School does have a connection on 19th and on Thurston. The sidewalk path from the school is a direct one.

The parking lot was not designed for regular bus traffic. The users of the school will use public buses at this site. Small buses may be used by students unable to drive or use the public bus system as a back-up measure.

The parking lot was sized to serve the teachers and students, as well as the welcome center. There are a few students who drive and some visitors to campus are expected so the parking lot was sized with 40 parking spaces to provide ample onsite parking.

Gresl said the Code does not specifically identify a school as a use that needs to be screened or buffered. Every neighborhood has a school which is surrounded by residences. Blocking sunlight and air to the adjacent apartments is a concern, but a major planting area could also provide a place for students to hide, smoke, and obscure the area from sight which could increase graffiti on the building. They would prefer the buffering and screening be waived on the north and east property lines since the parking lot is already screened and landscaped.

Faller asked the distance from the north wall of the building to the northern property line. Gresl said 92 feet.

Peltier asked the location of the public bus stop. Gresl said the district is working with the City transit service to increase access and improve the routes in this area. The existing routes are two blocks north or east of the site.

Spence asked how students coming from a bus stop two blocks east would access the site. Gresl said they would use the public sidewalk to 19th and Thurston to access the building. Spence asked if they could cut across the parking lot. Gresl said yes, but the more direct route would be from Queen Avenue SE to the north. Peltier said she could see students coming from Hill on 19th. Gresl said that was possible, but the southern parking lot is existing and they did not want to disrupt the existing parking. Discussion followed.

Testimony In Favor:

Don Weber, 1745 Thurston Street SE, said he is the property owner on the northwest corner. He said he was in favor of the application, but had some concerns. He said the northeast corner is not fenced and leads to a portion of 18th, which is a vacated street. There is a fair amount of transient traffic that uses that pathway from Thurston Street. He requested a three-foot-tall chain-link fence be installed from the northwest corner of the site to the south to the pedestrian pathway to decrease foot traffic in the area.

Peltier asked if Weber thought the existing transient traffic would get worse. Weber said yes, the school and students may increase the traffic.

He explained his request that no screening or buffering be installed on the northwest corner because his home is passive solar heated. Losing solar access would limit his ability to heat the home in the winter.

Opposing Testimony: None.

Neutral Testimony: None.

Applicant Rebuttal: None.

Staff response: None.

Chair Peltier closed the public hearing at 5:33 p.m.

Board Discussion:

Spence said he was concerned about simply waiving the buffering requirements as requested by the applicant. He thought screening also defined the campus. He thought a chain-link fence would neither keep people from passing through the site, nor would it keep students from going into the blackberry bushes on the northeast side.

Peltier said she was concerned about the foot traffic, but was unsure on the science of barriers to keep people out or in. She suggested a fence on the eastern side rather than the western side proposed by Weber. Leopard said he understood there was a gap in the fence in the northeast area. Faller asked what the height of the fence was. Leopard said the fence was six feet tall along the north, but there may not be a fence at all in the area under discussion. A fence more than three feet tall along the eastern property line might help.

Peltier said the request seemed reasonable and barriers have been constructed in the past to keep people in and out. Spence asked if the fence would be run along the eastern property line. Faller asked if the fence would have to run the distance of the property line. Spence said there had been no testimony from the residents of the apartment building to the east to get a feeling about the location of the trees along the property line or the proximity of the property line to the back of the building. He said the fence could not be chain link due to the fencing standards. Leopard said a chain-link fence with slats would be an option. Planning Manager Don Donovan pointed out the trees already exist and meet the requirements of the Code. Discussion followed. Spence said a slatted fence running the open length of the eastern property line and connected to the northern six-foot-tall fence was reasonable for separation. Peltier agreed.

Peltier asked for Spence's condition. Spence said he would like to see a six-foot-tall fence running along the northeast corner of the parking lot to the northeast corner of the property. Leopard asked if the fence would be sight obscuring. Spence said yes.

Faller said he was agreeable to waiving the buffering and screening requirement as requested by the northwestern property owner.

Spence asked Leopard how the height of the windows on the eastern apartment complex. Leopard estimated them to be four or four and a half feet tall. Peltier asked why the fence would have to be sight-obscuring. Spence said the Code requires it, but it could be waived since it would be keeping light from the window. Spence asked if the trees were on the school property. Leopard said yes. It was decided to waive the sight-obscuring of the fence under discussion along the east property line.

Board Action:

Faller moved to approve with conditions as modified to include waiver of all buffering and screening requirements except the construction of an open six-foot fence to run from the northeast corner of the property to the northeast corner of the parking lot. Spence seconded the motion, which passed 3:0.

QUASI-JUDICIAL PUBLIC HEARING, Case File Number CU-09-07 (North Albany Community Church)

Peltier called to order a public hearing on Planning file CU-09-07, a Conditional Use to add 7,625 square feet to the existing lobby and office spaces of the main church building; add 1,100 square feet to the existing kitchen and seating area of the activities center (gym); and relocate the two existing modular office buildings to the western area of the property. The subject property is located at 1273 West Thornton Lake Drive NW. The applicant is the North Albany Community Church.

Declarations:

Faller reported driving by the site earlier in the day. Spence reported he had visited the site the day before.

Staff Report:

Planner II Janet Morris summarized the staff report. She showed an aerial photograph of the site with the sight highlighted in yellow (Exhibit A, in agenda file). She explained that the project came before the Hearings Board because portions of the site contain steep slopes and showed the site plan on the overhead (Site Plan, in agenda file). The applicant was required to submit a geotechnical report. It established that the proposal would not impact the areas of slope at all.

Morris explained that the proposed additions would eliminate 20 parking spaces due to the required separation between parking areas and the buildings. She said there would still be 53 more parking spaces than the Code requires after construction.

Staff recommended approval of the application with the conditions of approval contained in the staff report to meet conditional use criteria three and four.

Applicant Testimony:

Lyle Hutchins, 245 NE Conifer (Corvallis), said he is an engineer with DEVCO Engineering and represents the applicant. He introduced Pastor Bennie Holbert, Bob Long, Bill Ramsey, and Floyd Collins who served on the building task force and would be available for questions if needed.

He explained that this is phase one of a larger integrated capital improvement program for the church. Applications for other phases will be processed in the future.

He said despite losing 20 parking spaces, the church will retain more than twice the number of spaces required of a church per the Code.

He believed the criteria were met and the additions were designed to nest with the existing structures to minimize visibility from West Thornton Lake Drive NW.

He said traffic would not be an issue as peak hour traffic analyzed for traffic studies is different from the peak hours experienced by a church. The most intense traffic generated by the church is when the background streets are at their lowest volumes.

Hutchins said there would be no impact to the hillsides from the proposed addition. He said the geotechnical report also stated there was no evidence of rapidly moving landslides in the area.

In conclusion, Hutchins said the applicant was in agreement with the findings, conclusions, and conditions of the staff report.

Faller asked if the church holds mainly Sunday services or if there were other activities during the week.

Dennis Holbert, 2201 Violet Avenue NW, said he is the pastor of the church. He said the church currently holds only Sunday services and a preschool with an enrollment of about 12 students meetings weekday mornings.

Peltier asked if the applicant was agreeable to all of the conditions including the storm drainage ones. Hutchins said yes.

Testimony In Favor: None.

Opposing Testimony: None.

Neutral Testimony:

Randy Peppers, 1421 W Thornton Lake Drive NW, lives two lots to the west of the church. He asked if there would be any screening done to block car lights from the parking lot coming into his dining room. He asked what the screening requirements were when the church was constructed and if there were screening requirements, he wanted to know why the screening was not installed and/or maintained. He

mentioned there is loud activity in the parking lot as late night youth activities let out and students are in the parking lot.

Morris said the existing parking lot was not being changed with this phase of construction. She said with regard to previous conditions, the church was built while under Benton County's jurisdiction so she was unsure what was required at the time of construction.

Faller asked Morris to show the aerial photograph on the site. Peppers said he lives in the second house to the west from the church and car lights from the back portion of the western parking lot shine into his house. Discussion followed.

Morris said no conditions were recommended, but the Hearings Board could choose to do so now under Criterion 5 of compatibility.

Spence asked where the modular buildings were being relocated to. Morris pointed to the location on the overhead. Discussion followed.

Peltier asked if the all traffic along the property line affected the area. Peppers said no, only the back 30 feet. Peltier asked if Peppers' neighbor was affected. Peppers said no windows are on that side of the house. Discussion followed.

Morris suggested a three-foot-tall hedge. Donovan said it would have to be tall enough to screen headlights. He said screening would certainly be addressed during future phases of the expansion, but the Board could do so now. Faller said he did not see how screening impacted the current proposal.

Applicant Rebuttal:

Hutchins said the applicant was agreeable to a condition to add Code compliance along the western property line given future additions would trigger such screening requirements anyway. In addition, he said a shield on the existing parking lot light would be acceptable.

Staff response:

Morris suggested Peppers could speak directly to Pastor Holbert regarding the noise level in the parking lot after youth activities are let out.

Chair Peltier closed the public hearing at 6:08 p.m.

Board Discussion: None.

Board Action:

Spence moved that the Hearings Board approve with conditions as modified, to include a condition that the west property line be brought into compliance with the Code's screening regulations, the application for the Conditional Use that would allow a 7,625-square-foot addition to the existing lobby and office spaces, a 1,100-square-foot addition to the existing kitchen and seating area of the activities center, and relocation of the two existing modular buildings to the western boundary of the property as shown on the submitted plans (File CU-09-07). The motion was based on the findings and conclusions of the staff report and testimony at the public hearing. Faller seconded the motion, which passed 3:0.

Peltier called for a five minute recess at approximately 6:10 p.m.

The meeting reconvened at approximately 6:15 p.m.

CONSOLIDATED QUASI-JUDICIAL PUBLIC HEARING, Case File Numbers CU-08-07 and SD-09-07 (Townhomes on 3rd Avenue SE)

Peltier called to order a public hearing on Planning Files CU-08-07 and SD-09-07, a Conditional Use for construction of 6 townhouses on a 7,419-square-foot parcel of land, and a Subdivision Tentative Plat that would divide the 7,419-square-foot parcel of land into 6 lots. The subject property is located on the south side of 3rd Avenue SE, west of Montgomery Street SE. The applicant is Tim Smith.

Declarations:

Spence reported a site visit earlier in the day.

Staff Report:

Donovan summarized the staff report and reviewed the details of the proposal. He showed an aerial photo on the overhead outlined in blue (in agenda file), pointing to 3rd Avenue SW, Montgomery Street SW, and a public alley.

He reviewed the process for land use applications and referenced the review criteria which were posted on the wall. He explained the criteria must be met or able to be met through conditions for an application to be approved.

He showed the site plan on the overhead (Sheet A6, in agenda file) and the building elevations (Sheet A5, in agenda file).

Donovan explained the subject property is zoned Central Business (CB). Adjacent uses include a parking lot for use by state employees, state offices, vacant single-family houses, a church, and a building used by the Knights of Columbus. The operating characteristics include people walking or driving to the area businesses or to the houses to the east. The area is busiest during the day. The CB district description in the Development Code mixed uses of residential and office are encouraged. The proposed townhomes would have three units with storefronts fronting 3rd Avenue SE. The units with alley frontage would be strictly residential. The proposed uses are found to be the same as the surrounding neighborhood and the first criterion met.

The second criterion reviews compatibility with the existing neighborhood. Donovan said the proposed townhouses would be three stories tall and about 38 feet tall. The maximum height in the CB zone is 60 feet. The buildings will have brick facia on the first floor level with private decks on the courtyard. Existing development includes a variety of sizes, styles, and building materials, all of which are similar to the proposed development. Staff found the second criterion was met.

The third criterion assesses the existing transportation system to ensure it can accommodate the proposed development Donovan said both 3rd Avenue and Montgomery Street are improved to City standards. The site is within the Downtown Parking Assessment District. Buildings within the district are not required to provide onsite parking. Donovan said three of the townhomes would have garages. The 3rd Avenue frontage has enough space for three parking spaces if the existing driveway is removed as recommended as a condition of approval in the staff report.

The fourth criterion reviews the public facilities. Donovan said all public facilities exist to serve the proposed development. Staff found the fourth criterion is met.

The fifth criterion assesses any adverse impacts to the livability of the existing neighborhood. Donovan said the nearest residential land is about 100 feet to the west across Montgomery Street. The operation of the proposed development is the same as the existing uses in the neighborhood.

The last criterion looks at the special features of the site. Donovan said none of the special features listed, such as wetlands, topography, vegetation, or historic sites, exist on the subject property. The criterion does not apply.

Donovan said there are design standards for single-family residences and commercial developments. The standards are listed in the staff report and were found to be met by the proposed development.

The Subdivision Tentative Plat application proposes to divide the property so that each townhouse could be sold with a parcel of land. Donovan said the review criteria for a subdivision are similar to those for a Conditional Use which he already reviewed.

Donovan noted staff received four letters in response to the notice of public hearing that went out to the surrounding property owners. Letters were received from Mark and Kathy Rondeau (Exhibit A, in agenda file), Ronda Hockett (Exhibit B, in agenda file), and Marvin and Cheryl France (Exhibit C, in agenda file). All three letters voiced concern over the shortage of available parking spaces on the street. In addition, the Frances submitted pictures of adjacent streets and were concerned about whether the existing walnut tree on the property would be cut. In addition, a letter from Urban Renewal Coordinator Kate Porsche (Exhibit D, in agenda file) was submitted. The project is the recipient of a funding award from the Central Albany Revitalization Area (CARA) Board and Porsche's letter states the type of development proposed is consistent with the desired type of development the Board has been looking to bring into the area and fits well with the downtown core.

Peltier asked about the property to the south on 4th Avenue. Donovan said it used to be Izzy's Kitchen, but the Knights of Columbus purchased it and operates it as a social club.

Spence asked how many neighbors were contacted. Donovan said the requirement is to notify adjacent property owners within a 100-foot radius.

Faller asked if there was a neighborhood meeting for the proposal. Donovan said no, neighborhood meetings are not required for a conditional use.

Applicant Testimony:

Tim Smith, 33806 Sunset View Lane (Shedd), said he was the applicant. Knowing the concerns of adjacent property owners, he has worked with an engineer to provide more onsite parking for the development. The building fronting the alley was originally designed for the garages to accommodate a single car with storage. He could convert the garages to six covered parking spaces to serve all six units in the development.

Spence asked if storage would still be provided. Smith said not within the parking spaces he described. Spence asked where the front door was for the units fronting the alley. Smith said the front doors are on the courtyard side.

Smith said he also owns the property to the west and plans to extend the alley through that property to accommodate another four parking spaces for that project.

Spence asked if the garages would then be open on three sides, but the courtyard would remain as proposed. Smith said yes.

Peltier said the plans show four parking spaces on 3rd Avenue. Spence said there is only space for three cars.

Spence asked if there was parking in the alley. Smith said no, the adjacent property to the west would access the property by the alley and four additional spaces would be provided onsite behind the building.

Testimony In Favor: None.

Opposing Testimony:

Jack Gall, 611 29th Avenue SE, said he and others were concerned the development was being shoehorned in a small space, there was a lack of parking in the area, negative impacts from storm drainage, and he thought the alley right-of-way boundaries are unclear. He said the alley will be used for parking regardless of what would be legal and people may illegally park in the parking lot and be towed

Spence asked if Gall spoke on behalf of the Knights of Columbus. Gall said yes. He said there is parking behind the building. If the alley is extended, it would impact the parking lot for the Knights of Columbus. Spence said from the overhead, the public right-of-way existed. Donovan agreed and said it was hard to tell from the aerial photograph. He invited Gall to review the plans for the parking lot improvements to see where the location of the alley right-of-way is.

Mark Rondeau, 208 3rd Avenue SE, said he co-owns Diva Studio which is located west of the two subject properties owned by Smith. He was concerned with the lack of parking in the area. He said he came to the City a couple of years ago and three three-hour time limit signs were installed on 3rd Avenue along his business frontage, but more is needed. His staff has to park further away which is a safety concern. He would like more time limited parking spaces to be conditioned as part of the approval for this development.

Faller asked where Rondeau's customers park. Rondeau said since the business opened in 1998, customers have historically parked on both the north and the south sides of 3rd Avenue. The north side is no longer accessible and customers have to park further away. His employees park even further to save spaces for customers.

Bernie Covino, 4674 NW Anthony Place, said he represented the Knights of Columbus and was concerned with the parking lot. He said with the proposed extension of the alley, the Knights of Columbus would lose two parking spaces and the state parking lot would also lose spaces. He questioned the applicant's proposal regarding the parking for the adjacent lot because the ground floor entry to the building is about seven feet below grade. He would like to see a diagram of the proposal.

Howard Boyd, 331 4th Avenue SE, said he also owns property at 331 Montgomery Street SE. He said the parking in front of his house is also used by the Knights of Columbus and the building's tenants which are business offices for the Children's Farm Home. He said people will park in the alley. He also questioned how parking would be provided as the applicant described on the property to the west. He asked if the townhomes would be rented or sold as individual units. He asked the price range and target population the developer would be marketing to. He said most households have two cars. Another ten cars on the street might impact the marketability of the dwellings and cause vacancies. He wondered what would happen then and asked if the concept would be changed later.

Neutral Testimony: None.

Applicant Rebuttal:

Smith said he planned to construct a retaining wall on the property to the west to retain basement access, but still have a parking area for four cars as described. He said parking opens up after 5:30 or 6:00 p.m., so residents returning home from work would have available on street parking should there be two cars in a household.

He said he plans to sell the townhomes. Similar projects in the area have sold for \$325,000. He expects to sell these for between \$235,000 and \$245,000. He hopes to sell the adjacent property as condos rather than rent as apartments.

Spence asked how the Labor Temple building to the west would be a consistent use in the CB district since it is strictly residential. Smith said the building has traditionally been apartments, known as “Wood Apartments.”

Spence said changing the garage structure to accommodate six onsite parking spaces addressed some of his concerns. He asked if the four spaces on the property to the west could be considered as well. Donovan said no, the western property is not before the Board at this time.

Staff response: None.

Chair Peltier closed the public hearing at 7:00 p.m.

Board Discussion:

Peltier acknowledged there are area parking issues and this development could exacerbate them, but she agreed with Porsche’s letter that this was a desired type of development in the area. She said the developer made a good faith effort to address the parking concerns by adding additional onsite parking.

Spence agreed, but thought this was a gray area which got around the normal parking requirements. He was supportive of a condition that the applicant provide six onsite parking spaces instead of the original three within garages. Discussion

Faller agreed and liked the idea of six covered stalls, however he thought it was important to acknowledge most households in the price range Smith mentioned would have two cars. He asked if the owners of the storefronts would live above them. Donovan said most likely due to the design and access. Discussion followed.

Donovan said he asked Transportation Analyst Ron Irish about the parking situation since he manages the downtown parking program. He was not available to attend the hearing. Irish acknowledged that there was no easy answer to the downtown parking issues. The Code allows residential development in the CB district, but does not require parking. He explained the reason for the formation of the Downtown Parking Assessment District. He suggested people petition the City to resurrect efforts to provide solutions to the parking needs of the downtown. He also thought Porsche might have a role since the area was within the CARA urban renewal district that she manages. Discussion followed.

Peltier suggested the City should also work with the State to come up with solutions.

Faller asked if it was appropriate to direct staff to address the situation. Donovan said yes, and he would.

Board Action:

Spence moved to approve with conditions as modified to include the condition that the application provide six off-street parking spaces, the Conditional use application for construction of six townhomes and the Subdivision Tentative Plat application that would divide the 7,419-square-foot parcel of land into six lots (Files CU-08-07 and SD-09-07). 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.

ACTIVITY UPDATE:

Donovan updated the Board on upcoming meetings and explained that the tentative November 19, 2007, meeting of the Planning Commission would be changed to a meeting of the Hearings Board. He gave an update on the Brandis Village applications. Spence said he would not be in town on November 19. Discussion followed.

NEXT MEETING DATE:

The next meeting of the Hearings Board is scheduled for Monday, November 19, 2007, at 4:00 p.m. in Council Chambers.

ADJOURNMENT

Hearing no further business, Peltier adjourned the meeting at 7:20 p.m.

Submitted by

Signature on file

Tracy Swett
Administrative Assistant I

Reviewed by

Signature on file

Don Donovan
Planning Manager

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