

PLANNING COMMISSION MINUTES
July 21, 1998

Present: Chairman Lois Williams, Mark Green, Dick Dresher, Dean Thurgood, Paul Summers, City Council Representative Barbara Holt, City Council Member Stewart Knowlton, City Engineer Paul Rowland, Assistant City Engineer Mark Franc, City Attorney Rusty Mahan, Planning Director Blaine Gehring, Recording Secretary Connie Feil.

Absent: Al Hess

The meeting started at 8:00 P.M. due to a field trip the Planning Commission Members had taken.

Lois Williams welcomed all those present and introduced the Planning Commission Members. Mark Green made a motion to approve the minutes for July 7, 1998 as written. Dick Dresher seconded the motion and voting was unanimous.

Conditional Use Permits

1. Continuation of consideration of a conditional use permit for a flag lot at 3285 S. 100 E., Reed and Ursula Smith, applicants.

Reed and Ursula Smith, applicants, were present. Blaine Gehring mentioned that his recommendation to deny this conditional use permit still remains. Mr. Gehring feels that this does not meet the ordinance. This property can be developed other than as a flag lot. There are other alternatives for this property. There has been a letter submitted to the Planning Commission Members from Reed and Ursula Smith also a letter from V. Jay & LaWana Smith. There has been one more letter in favor of the flag lot and one letter and a signed petition with 17 signatures opposing the flag lots. The letter from V. Jay & LaWana Smith was read and all others were briefly summarized.

Reed Smith presented a site plan showing the flag lot with the placement of the homes. Pictures of the homes were also presented. Mr. Smith realizes that there are concerns with the neighbors that the homes built will be of less value. Mr. Smith feels that these homes are more than the surrounding area and will upgrade the neighborhood.

Ursula Smith mentioned that this property was purchased to build a new home for retirement. With all the opposition from the neighbors she feels that she and her family are no longer welcomed. Other places that they have lived the neighbors have been receptive to new ideas and change. The neighbors have not contacted them about their concerns or to see what is being proposed for the homes.

It was mentioned that this opposition has nothing to do with the Smith's but the precedence that it will set for other property in the area.

Lois Williams mentioned that the Planning Commission Members have had the time to look at the Flag Lot Ordinance, read the letters sent to them and are well informed on this issue. Mrs. Williams also mentioned that this is not a personal thing but the situation that relates to the property.

There was a discussion explaining the ordinance. Mark Green made a motion to deny the conditional use permit for a flag lot at 3285 S. 100 E. for the reasons that it does not meet the ordinance. There are other options for the property. Dick Drescher seconded the motion and voting was unanimous.

Site Plans

1. Consider preliminary and final site plan approval for the old Lakewoods Building at 70 N. Main, Brian Knowlton, applicant.

Brian Knowlton, applicant, was present. Blaine Gehring explained that Brian Knowlton has purchased the old Lakewoods Building along with the old home facing Center Street. His intention is to use the first floor of the building for commercial/retail/office uses and convert the second floor into 14 single bedroom condominiums. He will use most of the existing parking south of the building, the part of the parking lot he owns east of the building and south of Redcon's parking, and demolish the old home and expand the existing entrance and add parking east of Classy Chassis Beauty Salon. He has also purchased a small area east of the parking area for additional open space.

Most of what is being done is existing and will be difficult to provide landscaping to meet current city requirements. He will provide a new landscape buffer strip along the east side of the new parking area and add small islands of landscaping in the existing area in addition to the existing open area he has purchased. Drainage on the site will basically flow as it now does either to Center Street, Main Street or 100 North.

Staff recommends the Planning Commission send a favorable recommendation for preliminary and final site plan approval to the City Council with the following conditions:

1. Proper demolition permits be secured for the old house demolition.
2. All landscaping areas be provided with sprinkling systems.
3. Any storage under the 14 covered stalls be no more than 2 feet in depth to maintain a minimum 18 foot deep parking stall.

There was a discussion about the parking, landscaping, commercial and residential tenants. Paul Rowland mentioned that this project has a lot of problems. There will be a lot of renovation to upgrade to meet code. The City Council will be presented with an ordinance to adopt the Uniform Code for Building Conservation which will deal with the upgrade.

Dean Thurgood made a motion to send a favorable recommendation to the City Council for preliminary and final site plan approval for Lakewoods Building at 70 N. Main as outlined by staff with the addition of #4 Site plan to include utility location and grades etc. Paul Summers seconded the motion and voting was two in favor and four against the recommendation. Mark Green made a motion for preliminary site plan approval with the recommendations from staff with the addition of #4 Site plan to include utility location and grades etc. and an addition that staff work with Mr. Knowlton to break up the parking and more landscaping added. Dick Drescher seconded the motion and voting past by majority vote.

2. Consider preliminary and final site plan approval for a 5-plex in the rear of an existing 4-plex and duplex at 296 & 298 W. Pages Lane, Art Labrie, developer.

Dale Anderson, representing Art Labrie, was present. Blaine Gehring explained that Mr. Art Labrie has purchased two properties at 296 and 298 W. Pages Lane (1600 N.). On one (296 W.) Is a four-plex and on the other (298 W.) Is a duplex. In the rear of the combined properties is a large area on which he would like to construct a new five-plex. The overall acreage of the combined lots is .81 acres and is zoned R-3-13. This zoning would allow 11 units which is the total Mr. Labrie will be building.

There is an existing covered carport which he will be removing to gain access to the rear of the property. There will be 12 stalls provided, 7 of which are to be covered. The units are three bedrooms with a future bedroom in the basement. The ordinance requires 2.5 stalls per unit for three or more bedrooms. This would mean 13 stalls should be provided rather than just 12.

There is also an overhead power line bisecting the property with a pole directly behind the existing carport. That pole is to be moved with underground power being provided for the new five-plex and to the existing buildings. However, there is not indication as to how the existing buildings will be serviced. There needs to be some coordination with the power department on this.

The exterior elevations do not indicate the type of siding to be used and the siding exceeds the requirement of not more than 50% of the exterior stucco, masonite or non-wood siding.

There is an existing dumpster on site which will continue to be used for all the units including the new five-plex.

Staff recommends the Planning Commission send a favorable recommendation to the City Council for preliminary and final site plan approval with the following conditions:

1. Provide one additional parking stall for the new five-plex.
2. Pay all required utility impact and connection fees at the time the building permit is issued.

3. Eliminate the 1.5 inch orifice from the catch basin. (Engineering review indicated it is not necessary and could easily plug up.)
4. Submit new elevation drawings showing not more than 50% of the exterior in stucco, masonite, or non-wood siding.

Mr. Gehring mentioned that there are three additional items to be added to the conditions.

5. Provide a dumpster enclosure to match the exterior of the building.
6. Placement of a fire hydrant as per Fire Marshall.
7. Include appropriate easements for water, sewer, utilities and property lines.

Following discussion Mark Green made a motion to recommend to the City Council preliminary and final site plan approval for a 5-plex in the rear of an existing 4-plex and duplex at 296 & 298 W. Pages Lane as outline by Staff with an addition of item #8.

8. Submit an upgraded plan for existing buildings and landscaping to approved by Staff.

Dean Thurgood seconded the motion and voting was unanimous.

Subdivisions

1. Consider final approval for Country Springs Condominiums Phase 2.

Ron Marshall, developer, was present. Paul Rowland explained that Country Springs Condominiums Phase 2 was granted conceptual and preliminary approval by the Planning Commission on September 2, 1998. The developer, Ron Marshall, has now submitted final plans and is requesting final approval for this condominium development with one small change from the preliminary approval. The number of units has been reduced from 38 to 37. No other changes have been made or are requested.

With the following conditions, staff recommends final approval of Country Springs Condominiums Phase 2:

1. Provide a blanket easement to the City for installation of utilities to be held until the Condominium Plats are recorded.
2. Post a bond for all utilities and site improvements in the amount established by the City Engineer.
3. Pay all required subdivision, water, power, etc. fees.

4. Make all corrections on the construction drawings as outlined by the City Engineer.
5. Provide fencing around the project matching the fencing already used in Phase 1 of the project.
6. Compliance with all other City Ordinances.

Ron Marshall submitted pictures of the project, the condominiums, fencing and a description of the signs to be used.

Barbara Holt made a motion for final site plan approval for Country Springs Condominiums Phase 2 with the conditions outlined by Staff. Paul Summer seconded the motion and voting passed by majority vote. Mark Green abstained from voting.

2. Consider approval for Temple Ridge Subdivision Amended.

Kent Hoggan, developer, was present. Paul Rowland explained that as a result of a serious ground failure on lots 8, 9 and 10 of Temple Ridge Subdivision, the City Council required the developer, Ken Hoggan, to submit an amended plat eliminating a lot in the area of the slide. Mr. Hoggan has submitted a plat for preliminary approval with a lot eliminated in the slide area and also adding a flag lot on the south side of the property.

As submitted, this amended plat has the following problems:

1. A topographic survey of the new lot shows that it does not meet the requirement of having a 5000 sq. ft. building pad with a slope less than 30%.
2. Most of the new lot is a portion to the rear of lot 1 of Maple Hills Subdivision No. 5. This would require that the Maple Hills plat also be amended to show this change.
3. The plat leaves a piece of lot 1 of the Maple Hills plat cut from the rest of the lot and not connected with any other parcel. This piece is then land locked and a problem for whoever owns it.
4. The new lot is on steep heavily wooded ground just south of the slide area. This piece may be subject to the same slope stability problems that other parts of the existing subdivision have had.
5. Portions of the new reconfigured lots in the slide area have continued to have slope failures this spring. I am not certain that as they have adequate building pads as they have been redrawn.

Mr. Rowland mentioned that since this memo was written Mr. Hoggan has submitted a revised

plat showing adequate buildable area for a flag lot on lot 8. The Planning Commission just left the site and Mr. Rowland would like to have their opinions about the project.

There were some concerns with the stability of the ground with lot 8. Mr. Rowland mentioned that this area has had some significant slippage. As part of the original approval in 1995 it was required that each lot have a soil report prior to the issuance of a building permit. There are concerns that the new lot 8 probably has the same geological feature that has caused the other slippage. Until preliminary approval has been granted the ground will not be tested. There will be a sub-surface investigation after preliminary final but before final approval. This sub-surface investigation is for lot 8 only all other lots have been approved.

Kent Hoggan thanked all those who visited Temple Ridge and Eagle Ridge Subdivisions. Mr. Hoggan is excited to get the pavement down and finish this subdivision. Mr. Hoggan feels that lot 8 is one of the better lots in the subdivision. He is in favor of running the necessary tests on this lot. If the tests are not favorable, he does not want the lot. Mr. Hoggan wants this to be a good subdivision and this is the reason that the extra time and engineering has been done.

There was a discussion about the ground testing and having a flag lot. Mark Green has concerns about this project. He is adamantly opposed to perpetuating something that there are so many questions about. If every lot in the subdivision is required to have GEO Technical Study, this is a red flag for concern. Mr. Green feels that this is an existing lot that can be developed. Mr. Green does not see a need for a flag lot.

It was asked of the GEO Technical Study causes damage to the property? This is a very beautiful wooded area and should not be disturbed. There would have to be a road dug for equipment to reach the site and a pad cleared for the equipment. It was decided that a flag lot is not required for this subdivision. It does not meet the ordinance for approval of a flag lot.

Dick Drescher made a motion to deny the preliminary approval for amended Temple Ridge Subdivision as submitted. Mark Green seconded the motion and voting was unanimous. Reason for denial is concerns with the flag lot. This can be resubmitted without the flag lot.

3. Consider final approval for Eagle Ridge Subdivision, Plat D.

Kent Hoggan, developer, was present. Paul Rowland explained that Eagle Ridge Subdivision was granted preliminary approval on November 20, 1991 by the Planning Commission and the City Council. The subdivision was then divided into four plats and three of the Plat (A,B, and C) were granted final approval by the Planning Commission and the City Council on February 10, 1003. These three plats have been recorded and all of the improvements have been completed. The last plat, Plat "D", which is being developed by Kent Hoggan and Associates, was resubmitted and granted final approval on October 12, 1994.

The street through this subdivision is 1124 ft. long following the access road to the Lion Shooting Range and terminates at the Forest Service/City boundary near the entrance to the Lions Club shooting range. Under the original approvals, the intent was to allow a temporary 70

ft. diameter turn-around at the entrance to the range, which would be replaced as the road was extended into future development allowing for a second access into the area.

All of the property north and west of the termination of the road is owned by the Forest Service. The Lions Club range is located on Forest property and operates under a special use permit that the Government has indicated that they do not want to renew. Right now, the lions are having discussions with the Forest Service to see if they can work out a land swap for the area directly around the range that would allow the gun range to stay in its current location. This same type of land swap would be required for the other Forest property in order to allow for the development needed to provide the required second access. To date, progress has been slow on the Lions Club land swap, and there is no indication that the Forest Service would ever be interested in trading the remaining ground so that it could be improved.

City ordinances restrict the length of the cul-de-sac to 600 ft., and then only when a standard turn-around is constructed at the end. Without a continuation of Sky Line Drive through future development, the City will be left with a 1124 ft. long dead-end or substandard cul-de-sac. Also, current negotiations being what they are, there is no promise that the Lions will be able to continue after their current permit extensions runs out in about a year, further reducing the need for this road to be improved all of the way to the Forest/City boundary.

Mark Franc, Assistant City Engineer, mentioned that the Forest Service is saying that this permit can't continue to go on and on. This situation needs to be resolved. A dead line was not set but it is possible to extent the permit for the Lions Club one more year. There are several environmental issues and concerns that need to be worked out. To do these studies it can be very costly.

Jack Balling, representing Balling Engineering, mentioned that when this subdivision was developed he had some concerns. There were to be retaining walls and landscaped. The City presently holds a letter of credit and cash deposit for the development of the walls and the landscaping from Mr. Hayes and Mr. Jones, former developers. When Plat A was being developed Mr. Hayes and Mr. Jones sold the property to Kent Hoggan with the condition that Mr. Hoggan would take care of the retaining wall and landscaping on the upper slope and Mr. Hayes and Mr. Jones would take of the lower slope. Mr. Balling has approached the former owners several times. The former owners feels that this is not their responsibility but should be Mr. Hoggans. To get this completed has been a concern. There is a swell in the dirt road with a large dike along the west side that breaks when there is a heavy run off.

Mr. Balling presented a site plan showing the drainage off of Skyline Drive that will pipe into the creek where it should drain. This has previously been approved with one condition that deals with the steep lots. The Planning Commission wanted a map showing the verification that the lots have building pads to meet the Foothill Ordinance. The map has been provided on the final plat.

There is another concern with that the developers provide a 70-foot turn-around at the end of the road to the Gun Club. Mr. Balling feels that the Gun Club will continue indefinitely. The Gun

Club has a large parking lot which could be used for the turn-around. The developers would like to finish this subdivision with the parking lot as the turn-around, curb and gutter to the end of the Gun Club, build a crossing and pave the road.

There was a discussion about the retaining walls and the agreement for the access road. Mark Green feels that the cuts and fills do not fit on the plat. The cuts and fills are going to be larger. Mr. Rowland mentioned that the cuts and fills are large and these lots are going to be tough, but these lots are buildable. Mr. Green still feels these are unbuildable lots and is uncomfortable with it.

Mark Green made a motion to deny the final approval for Eagle Ridge Subdivision, Plat D with a note to the City Council that the bond should be called for Plat A and the retaining wall be completed to secure the hillside. There was not a second for the motion.

Paul Rowland explained that the recommendations on the memo should read as follows:

With little or no hope of there ever being a development north or west of this subdivision which would provide a second access, we recommend that the Planning Commission deny the application for the subdivision based on this configuration. The Planning Commission could approve the application with a submitted revised plat with the following conditions:

1. Evidence of future development on the Forest Service land be provided.
2. Meet all of the requirements for subdivision construction under the Foothill Ordinance including the length and diameter of a 600- foot Cul-de-sac.

Rusty Mahan advised the Planning Commission that the Cul-de-sac should be either on the property of the developer or on the property on which an easement has been obtained. Dean Thurgood made a motion (since this has been previously approved in 1994) for final approval for Eagle Ridge Subdivision, Plat D subject to the conditions that apply from previous approval. After a discussion Mr. Thurgood withdrew his motion.

Barbara Holt made a motion to table this project until all issues have been resolved. Dean Thurgood seconded the motion and voting was unanimous.

Zoning Ordinance Amendments

1. Discussion of Flag Lots and Single Family/Multiple Family Mixed Use Development on single lots.

This item has been tabled until the next Planning Commission Meeting.

2. Discussion on amending the fencing regulations.

This item has been tabled until the next Planning Commission meeting.

Meeting adjourned at 10:45