



# Planning Commission Meeting

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**February 25, 2020**

**CALL TO ORDER:** Randy Cranston called the Sublimity Planning Commission meeting to order at 6:00 PM. Other members present: Dolores Morris, Joe Wolf, Ron Etzel and Shelby Walker. Staff present: Alan Frost, Public Works Director; Myrna Harding, Finance Director; Katie Scott, City Recorder; Lisa Brosnan, COG Planner; Dan Lawler, Attorney; and Steve Ward, City Engineer arrived at 6:07 PM. The Pledge of allegiance was said. There were 25 people in the audience.

Randy noted that the Public Hearing includes the continuation of Subdivision 2019-02/VARIANCE 2019-01.

**PUBLIC HEARING: CONTINUATION OF SUBDIVISION 2019-02/VARIANCE 2019-01 & PARTITION 2020-01/ LOT LINE ADJUSTMENT 2020-01/ LOT LINE ADJUSTMENT 2020-02/ VARIANCE 2020-01** – Three parcel-partition on a split-zoned R-1/R-2 lot, one lot line adjustment to relocate two lot lines between three adjacent lots, split-zoned R-1/R-2, one lot line adjustment to a separate lot, split zoned R-1/R-2. Variance to minimum lot size requirements, Section 2.101.04 and Section 2.102.04, to allow for six lots to be below the minimum lot size required for split-zoned lots R-1/R-2, by 7.4 percent to 15.9 percent. Planning Commission determination of the location of the zoning district boundary on the subject site.

Randy Cranston opened the public hearing at 6:03 PM. Randy asked the Planning Commission for ex-parte contact, conflicts of interest, or bias. Ron Etzel noted that because he was not at the previous hearing, he did get an update from Randy. Lisa Brosnan, City Planner, read the required items into the record and presented a prepared staff report.

Resolution of Zoning District Boundary Line –

Lisa stated that it was originally thought that the property was R-1 but an old map showed a line of R-2 through the property. The line was analyzed by GIS and the boundary line was placed according to the old map. Lisa noted that if the Commission wants to change the boundary line from the recommended site would require a zone change.

Randy opened the hearing to the comments from the public.

Applicant – Rich Fry, developer, noted that when he initially purchased the lot, the whole area was zoned R-2. During his pre-app meeting, it was discovered that a portion of the property is zoned R-2. He stated that he would be okay with the City initiating a zone change to move the zone line boundary to align with NE Pine Street. The lots that are currently 10,000 square feet will remain as 10,000 square foot lots despite being in the R-2 zone without the option of changing.

Randy stated that the City is under remand to find R-2 within the City.

Steve Ward clarified that the lots south of Aspen Street must remain at 10,000 square feet as well. The three lots south of Aspen and the five lots north of Aspen will have a deed restriction saying they will not be divided again.

**MOTION:** Joe Wolf made a motion to move the zone determination to the right-of-way property line with conditions that the ten thousand square foot R-1 lots remain at ten thousand square feet. Joe Wolf withdrew his motion.

**MOTION:** Joe Wolf made a motion to move the zone line boundary to the Pine Street right-of-way; provided that the City applies for and receives a zone change and comprehensive plan map amendment. Seconded by Ron Etzel. 5 ayes, motion carries.

Lisa noted that with the zone line change, the applicant will be withdrawing their application for the variance regarding minimum lot area of lots.

Lisa presented the prepared staff report for partition 2020-01, lot line adjustment 2020-01, lot line adjustment 2020-02, and variance 2020-01 and noted that variance 2020-01 will be withdrawn.

Randy opened the hearing to comments from the public.

Applicant: Rich Fry clarified the number of lots in the subdivision as being thirty-five. He also asked for clarification on the verbiage of driveway location in the conditions of approval. Steve Ward stated that that was his condition of approval, and he does not want the driveways to be placed at an intersection. The detention pond will be filled and a new one will be made.

Dolores questioned lot 123's driveway location, it will not have access to Cherry Street? No, the property is county, not City so the driveway cannot have access onto Cherry Street.

Ron Etzel addressed the name of the street. The name will be changed.

Randy questioned the fence along the West side of the property. Rich stated that the property owners will most likely build fences when they build their houses. Randy asked about the size of the houses.

Those in favor:

- Cherie Mitchell, manager of Sublimity Village Mobile Park. She spoke with Rich years ago about an eight-foot security fence, and he stated that he would build it. At the last meeting he stated that he will not build the fence due to it apartments no longer being proposed. She asked of their can be stipulations on the type of fencing. Rich stated that the CCR's have restrictions on fences.

Those against: None

Neutral:

- Matt Kaser questioned the five foot right of way easement between his property and lot 123. It is a public right of way easement so the street can be extended in the future.

The applicant had no rebuttal.

Randy Closed the public portion of the hearing at 7:03 PM

Steve Ward recommended giving the applicant 18 months after the zone change is approved, or giving them 24 months, because the zone change is going to take three months to be approved.

**MOTION:** Joe Wolf made a motion to approve Subdivision 19-02/Variance 19-01/Partition 20-01/Lot line adjustment 20-01/Lot line adjustment 20-02, with findings as modified to reflect the entire property as R-2 with a condition that it be approved by Council for a zone change and with conditions of approval as modified by the Planning Commission. Seconded by Shelby Walker. Ron Etzel questioned lots 108, 109, 110 would be 10,000 square feet. Rich Fry stated that he misspoke and there are only two lots south of aspen street currently. 5 ayes, motion carries.

Randy closed the hearing at 7:17 PM.

Randy called for a recess at 7:17 PM.

Randy called the meeting back to order at 7:26 PM

**Public Hearing: Conditional Use 20-01/Site Development Review 20-01** – Conditional Use permit and Site Development Review to allow a distillery, coffee shop, wine and whiskey bar in the Commercial General zone. The distillery is considered Light Manufacturing and subject to the standards of Section 2.103.08 of the Sublimity Development Code.

Randy opened the hearing at 7:26 PM. Lisa read the required items into the record and presented the staff report.

Randy asked for ex parte contact, conflicts of interest, or bias from the Planning Commission.

Randy opened the public portion of the hearing at 7:40 PM.

Applicant: Brad Reardon, co-owner of Common Grounds, the proposed coffee, wine, and whiskey bar. He is currently working on state and federal permits, which he cannot get until he receives a City permit.

Dolores questioned the exact location of the site.

Randy asked about the amount of water that the distillery will use. Brad stated there will be around 70 – 80 gallons used for the distilling and wine portion of the business. The output of product will be minimal.

Dolores asked about parking. Brad stated that there are only 2-4 employees. He does not see an issue with parking.

Those in favor:

- Corey Benson, city resident, offered his support for the application.
- Guy Barth, owner of the building, offered his support for the application. The building has done very well, and they are supportive of the new business coming in.

Those opposed: None

Neutral:

- Wayne Stedronsky asked why Randy was able to ask about water consumption for this application when this type of question is not allowed for subdivisions. Different applications have different requirements.

Randy closed the public portion of the hearing at 7:52 PM.

**MOTION:** Joe Wolf made a motion to adopt the findings as found in the staff report. Seconded by Dolores Morris. 5 ayes, motion carries.

Randy closed the public hearing at 7:53 PM.

Randy called for a break at 7:54 PM.

Randy called the meeting back to order at 7:57 PM

**COMMENTS FROM THE PUBLIC:** None

**MEETING MINUTES – January 27, 2020**

**MOTION:** Dolores Morris moved to approve the minutes. Seconded by Joe Wolf. 5 ayes, motion carries.

Joe Wolf questioned staff about the extension of Melrose Street. This is being discussed by Council.

**ADJOURNMENT:** Meeting adjourned at 8:00 PM.