

PLANNING COMMISSION

Minutes

January 20, 2005

I. ROLL CALL

Fred Walstrom	Present
Andrew Bowman	Present
Jack Deegan	Present
Jeff Ford	Absent
Mary Ellen Hughes	Present
Sheryl McCleery	Present
Pringle Pfeifer	Present
Peter Sears	Absent
Sara Smith	Present

Also present were City Planner Larry Nix and City Manager Fred Geuder.

Chairman Fred Walstrom called the meeting to order at 6:00 p.m.

II. MINUTES

Motion by Bowman, seconded by Hughes, to approve the minutes of the December 16, 2004, meeting, as presented. Motion carried.

III. PUBLIC COMMENT AND CORRESPONDENCE

None.

IV. NEW AND OLD BUSINESS

A. Consideration of SPR-2005-01, Proposed Bluffside Landscape Project, 537 East Third (Graff)

The City Manager noted that this was a unique proposal in that Mr. Graff's home was on East Third Street, but since he owned the property up to the top of the bluff, he was requesting a landscaped seating area at the top.

The City Manager then reported that in looking at other proposed projects on the bluff, the City had found new information concerning the East Bluff Street right-of-way, specifically that the City had title to a 66' right-of-way. Benchmark Engineering was asked to show the right-of-way on a map adjacent to the Graff property, and it is apparent from the drawing that the proposed project is in the right-of-way. On that basis alone, the City Manager stated that the project should not be approved.

The City Manager acknowledged that there had been other similar projects done that were in this right-of-way, but at the time the City was not aware of the nature of this right-of-way.

The City Manager also noted that even if it were not in the right-of-way, the Commission would have to consider whether it was being proposed on a too deep of slope.

Tom Hoffman of Hoffman Nurseries was asked whether the project could be done off the right-of-way. Hoffman noted that the bluff was too steep at that point.

Hoffman also said the profile drawing was probably not as bad as it appeared, because the scales were different, but did acknowledge that some filling would be required.

Jack Deegan said he thought it looked like a nice project, and asked if could be approved anyway.

The City Manager said that since the project was in the right-of-way, the Planning Commission could not approve it. The City Council controlled use of the right-of-way, and an approval would set a precedent for many other potential requests.

Motion by Pfeifer, seconded by Bowman, to deny approval of SPR-2005-01. Motion carried, Deegan opposed.

B. Consideration of SPR-2005-02, A Building Renovation and Partial Use Change for the Hotel at 266 East Main (Sherman)

The City Manager asked architect Stephen Wiseman of Jonathan Lee Associates to review the proposed plan.

Wiseman pointed out the entire façade renovation proposed. On the interior, the 24 hotel units would be reduced to 15 suites. The units formerly on the street level facing Main Street would be converted to retail space.

Michael Sherman, owner of the property, reviewed the history of the hotel since his involvement. The prior owner, who had turned the project into a condo hotel, had kept ownership of the parking lot, and Sherman said he had recently acquired title to the parking lot piece.

Sherman said he was proposing an all-suites format in order to improve the units and attract a broader clientele, and who would use the downtown area more for shopping and dining.

In addition to the exterior changes shown, plans are being made to “green up” the landscaping of the parking lot, and maybe add new lighting.

Planner Larry Nix noted that roof access was being shown from the second floor units facing the harbor, but details (including height) were not shown.

Nix also asked whether other exterior lighting changes were being considered, and if so, approval by the City was required.

Nix asked whether there would be assigned parking. Sherman said that units would be guaranteed parking spaces, but they would not be assigned as that was not practical.

Wiseman pointed out that the front desk would be on the lower level and would be accessed from the parking lot. (The City Manager was given a drawing showing the location of the desk.)

Nix pointed out that the hotel use, which is a Special Land Use under the CBD, zoning was not being changed so a public hearing should not be required. The retail use change is a permitted CBD use.

The Commission reviewed the exterior details.

Wiseman said the exterior color was proposed to be limestone with an "antique bronze" trim and window trim color. Awnings would be white and either black or a dark green.

The primary concerns expressed by the Commission were the height issues, particularly of the architectural details shown, and how the hotel would be operated as a hotel.

The City Manager pointed out that some architectural details were exempt from the height requirement, but that more detail would be required to make that determination. The same issue applied to the roof accesses. Planner Larry Nix could review these details when they became available.

The concern expressed on the hotel operation was whether the units, which would be individually owned, would be required to be in a rental pool, and whether in fact there would always be rooms available to the general public.

The City Attorney pointed out that the definition of a hotel in the Zoning Code required that facilities (rooms) be available to the general public. Commissioners felt that these issues should be required to be part of the condominium documents.

Sherman acknowledged that this could be done. Sherman also expressed a desire that approval be given so that the project could start. Sherman noted that Birchwood Construction would be the contractor.

Planner Larry Nix suggested that conditional approval could be given, and suggested that if the Commission were ready to proceed, the following motion could be used.

Motion to approve SPR-2005-02, renovations to the hotel at 266 East Main Street, approving the density plan and concept of the new building design as presented, along with the retail space as shown, subject to submission to and approval by the Planning Commission of the following items:

1. Building Height, including all design elements, being consistent with the Zoning Code.
2. Exterior Lighting being presented for approval.
3. Parking Lot Layout.
4. Landscaping Plan.
5. Roof Plan and Details.
6. Condominium Document Review, including room availability, rental pool requirements, and desk staffing.
7. Signage

A motion was then made by Hughes, seconded by Smith, to approve the above motion. Motion carried, 7-0.

C. Zoning Code Changes—Bluff Ordinance

City Attorney Jim Ramer reviewed changes he had made to the proposed ordinance since the prior draft version.

Ramer noted that the “restricted area” is now also covered in the City Code, which means that a person could not apply for a variance.

In the “regulated area” the City Manager can approve construction projects, unless he has a concern about the project, in which case it is referred to the Planning Commission as a Special Land Use.

In cases where a project goes to the Planning Commission as a Special Land Use, requirements are included for submission of the plan, including certification from a Professional Engineer as to the impact.

Tree trimming by a professional is permitted, however tree removal must be approved by the City Manager, who is given some latitude in this decision process.

Finally, where retaining walls exist, even in the “restricted area”, the wall can be repaired, but not enlarged.

The City Attorney and the City Manager both felt the approval process should include notification of the property owners, particularly on the bottom of the bluff, and to potentially have Benchmark Engineering mark the borders of the “restricted area” prior to the hearing, which means the process would need to wait until the spring at earliest. The Manager and Attorney will bring a time-line for scheduling the public process to the next meeting.

V. MEMBER COMMENTS

None.

VI. ADJOURNMENT

There being no further business, the meeting was adjourned. The next meeting is scheduled for Thursday, February 17, 2005, at 6:00 p.m.

Frederick W. Geuder, City Manager