

# PLANNING COMMISSION

## Minutes

July 21, 2005

### I. ROLL CALL

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

Also present were City Planner Larry Nix, City Attorney James T. Ramer and City Manager Fred Geuder.

Chairman Fred Walstrom called the meeting to order at 6:05 p.m.

### II. MINUTES

Motion by Deegan, seconded by Pfeifer, to approve the minutes of the June 16, 2005, meeting, as presented. Motion carried.

### III. PUBLIC COMMENT AND CORRESPONDENCE

None.

### IV. NEW AND OLD BUSINESS

#### A. Public Hearing—Proposed Bluff Ordinance

Walstrom open the public hearing, and asked City Attorney James T. Ramer to explain the changes that had been made from the earlier version.

Ramer noted the following changes to the proposed ordinance:

1. The ordinance removed any reference to tree trimming or removal.
2. The restricted area was now redefined to be either three feet into the bluff further from the 18.5 degree slope or at an existing retaining wall.
3. The 20 feet of regulated area still exists. Construction in that area can either be approved by the City Manager or the Manager can refer it to the Planning Commission. An engineering certification would be required.
4. The approval process at the Planning Commission level is via a site plan review, rather than a Special Land Use. A decision of the Planning Commission could be appealed to the Zoning Board of Appeals.

Tom Smith of 549 East Third Street commented that he would not like to have the ordinance preclude landscaping projects. He also asked if the presence of a restricted area would take the value of the restricted area off the property tax roll.

The City Manager said the intent of the ordinance is not to preclude landscaping projects, but if such a project involves retaining walls, the project would then be regulated.

The City Attorney noted that the provision for bluff building restrictions had been in place for many years, so defining that area more precisely would likely not result in a decrease in value for property tax purposes.

The public hearing was closed.

B. Consideration of Recommendation to the City Council regarding the proposed Bluff Ordinance

A motion was made by Hughes, seconded by Sears, to recommend City Council approval of the proposed bluff ordinance.

Pfeifer asked about the height of retaining walls.

Both Ford and the City Manager noted that the height would vary, because it depends on the overall slope of the property.

Walstrom noted that he had walked the entire length, and he noted the many existing retaining walls.

A roll call vote on the question was then taken, and by a 7-0 vote, the motion to recommend approval to the City Council was adopted.

C. Zoning Code Discussion

The City Manager reviewed a proposal for an R-1-D residential zoning district that could apply to the Southard & Crandall Plat area (generally W. Third and Fourth Streets, west of Church) and the area commonly known as Indiantown. The platted area is made up lots approximately 53 feet in width. These areas are currently zoned R-1-C, which has setbacks designed for 65 feet wide lots, which means the setback requirements are sometimes burdensome to the narrower lots.

The proposed R-1-D zone would allow for 50 foot lots, with a front and corner side yard setback of 15 feet, instead of the current 20 feet setback. The side yard setback might also be reduced.

The City Manager further suggested that perhaps in both the R-1-D and R-1-C zoning districts that porches (unenclosed and one-story) could perhaps further extend 5-8 feet into the front or corner side yard setback.

Planner Larry Nix noted that such a change would likely neither encourage or discourage use of such a change or make for bigger structures. It would allow flexibility in design.

The City Manager suggested that Planning Commissioners take a look at these areas, and that he would be happy to go with them individually or in small groups.

The City Manager also suggested that the Commission look at a change to the parking requirement for living units in the CBD-Central Business District. Apartment units of less than 850-900 square feet might only require one parking space instead of two. The idea behind this proposal is that it might encourage more residential use in the downtown area.

It was suggested that the City Manager inventory existing apartments, including their size, and report back to the Commission.

D. Master Plan Update

The City Manager noted that the City Council had approved the proposal from Williams & Works to update the Master Plan. He also distributed a copy of the Master Plan Objectives for review by the Commission members, which will be further discussed during the update process.

V. MEMBER COMMENTS

None.

VI. ADJOURNMENT

There being no further business, the meeting was adjourned. The next meeting is tentatively scheduled for Thursday, August 18, 2005, at 6:00 p.m.

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Frederick W. Geuder, City Manager