

## PLANNING COMMISSION

### Minutes

December 21, 2006

#### I. ROLL CALL

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

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

Chairman Fred Walstrom called the meeting to order at 6:03 p.m.

#### II. MINUTES

Motion by Sears, seconded by Bowman, to approve the minutes of the December 7, 2006, special meeting, as presented. Motion carried.

Enter McCleery.

#### III. PUBLIC COMMENT AND CORRESPONDENCE

None.

#### IV. NEW AND OLD BUSINESS

##### A. Preliminary Review of Proposed Downtown Hotel Plan—Rob Mossburg

The City Manager explained that this was simply a preliminary review of the plan. Mr. Mossburg is submitting an application that will be the subject of a joint public hearing to re-zone the Parking Lot portion of the old hotel; request a Special Land Use permit for the Condo-Hotel; and to request the Overlay District. Mr. Mossburg also made a request that the re-zoning be a “Contract Zoning”, that is the re-zoning would be tied to this specific project, and only takes effect if the project is approved.

Mossburg reviewed his plans for the project. The front entrance would be on Main Street, but more in the middle of the of the building. The architectural designs that have been submitted have tried to respond to comments received from his meetings with people. The west side yard along the old parking lot is set back about 3’; the west setback by where the current building stands will about 5’. The Bay Street setback is generally 25’ (the setback for residential buildings in the TR district), except for the porches.

The City Manager noted that the City had reviewed the parking needs for the project, and asked Planner Larry Nix to review the calculation.

Nix noted that the basic definition for a “lock-out” room would be that a bedroom that is part of a larger unit has a separate door/entrance to the common hallway. As such it has to be counted as a separate living unit for parking purposes. Nix also noted that there are three one-bedroom units, as well as two two-bedroom units that do not fit the definition for having a “lock-out”. The total number of parking spaces required is 39. The plan as shown only shows 30 or possibly 31 spaces.

Nix noted that the applicant has four options:

1. Eliminate “lock-outs” so that the parking requirement matches the number of available spaces.
2. Go the Zoning Board of Appeals and request a parking variance.
3. Ask the City to amend the Zoning Code.
4. Potentially develop off-site parking to make up for the shortfall.

Nix also noted that the City was still trying to determine whether the proposed height was in compliance, but noted that more information was needed.

Nix noted that both of these issues should be addressed before a Planning Commission Public Hearing is held.

Planning Commissioners noted that “lock-outs” are one way to ensure that more moderate-priced rooms are potentially available, but recognized the dilemma of parking. It was noted that this was not specifically considered during earlier discussions while the ordinance changes were being addressed.

Council Member Dennis Wiggins commented that the City Council was concerned about having parking for the “lock-outs” and in fact asked for a clarification of the requirement from the City Attorney before they approved the parking requirements for the condo-hotel.

Mossburg noted that some lenders did not view a requirement that the units be in the rental pool as in a favorable light.

McCleery asked why not go to the ZBA. It was noted that it would be difficult to show a practical difficulty or hard-ship in this case.

The City Manager noted that it will depend upon how quickly Mossburg can find answers to the questions as to whether or not the public hearing will be held in January or not.

Pete Wallin, whose parents own property across Gardner from the hotel site asked whether the pool was enclosed. (Mossburg noted that the pool was indoors).

Wallin also noted that parking for employees and guests could potentially impact the neighbors. Wallin also suggested that whether or not the hotel is approved, the City should look at taking parking off of one side of Gardner Street (he suggested the east side) between Bay and Main. The street is narrow, and in fact narrower than Gardner north of Main.

Mossburg also noted that the hotel might request a loading zone on Main Street for guests to pull up and do registration.

The City Manager said this could be looked at as part of the hotel and in general.

Kors asked whether this was the time to talk about the re-zoning request.

Nix said that this was not a hearing on the re-zoning, and that discussion on that issue should wait until after the public hearing.

In response to a question, Nix also noted that the design as presented had 14 units that had “lock-outs”. Two of the units did not fit the definition of “lock-outs”. Changing the design of the units was one option for the developer.

#### B. Consideration of Master Plan

The City Manager noted that he had distributed wording changes as supplied by Larry Nix. If the changes are acceptable, the Commission could send the document on to the City Council. The next step would be for the Council to send it to neighboring municipalities and utilities for comment.

Sears asked that wording be added to the document to explain the purpose of the Master Plan. Nix said that he could do that.

Motion by Sears, seconded by Bowman, to send the document, as amended on to the City Council for the next step in the planning process. Motion carried.

#### C. Conflict of Interest Policy

The City Attorney reviewed the policy that he had written. He suggested that if a member of the Commission feels that he/she has a potential conflict on an issue, they should put it in writing to the City Manager, who can refer it to the Attorney for review.

Before discussion on that item takes place, the question of the conflict must be resolved.

#### V. MEMBER COMMENTS

Mayor Jardine thanked the Commission members for their volunteer contributions of time and service.

VI. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:30 p.m.. The next regular meeting is scheduled for Thursday, January 18, 2007, at 6:00 p.m.

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Frederick W. Geuder, City Manager