

Planning and Zoning Meeting Min Feb 17th, 2009

Present: Russ Barney, Mike O'Neill, Pete Linville, Karen Hodge

Meeting Min for Feb 3rd 2009 was approved.

Bud Harley / Continued Conditional Use from Nov. 17th, 2008

Herb Heimerl attorney representing the applicant expressed a desire to allow for the application to go forward with the council and establish an MOU.

Jennifer Zung representing the applicant as their designer explained the building again to the commission. She went over the architecture and the cities requirement of parking. The city requires a gross square footage of the building instead of a net square footage. This makes the requirements harder to meet. She explained that the applicant is willing to agree to a fee in lieu, and they clarify that the access proposed would be a possible access in the future. She discussed the possibility of the proposed parking ordinance being accepted and mentioned that a revision is the only way they could build this building.

The public portion of the hearing was opened for **public comment**. There had been a letter sent to the city from **Mike Sheridan** property owner to the south, that the city did not receive for the meeting of Nov 17th, 2008. The letter was introduced to the meeting and explained to the commission and the public.

George Gillett commented against the access through his property to accommodate the applicants suggestion. He expressed a desire to work jointly with all property owners for a solution that would be an advantage for all.

On rebuttal of the comments, owner **Roger Brecheen** explained that he was told buy the city what they had envisioned for his site. That he was told the city wanted the older building taken down and so he took it down. He was told that they wanted a building much like he was proposing. He likes Victor and wants to build something that would be a compliment to the city.

Herb Heimerl explained that it is what the city wants and the rear access is important but they would propose only to build when there is an easement settled in cooperation with the adjoining property owners and the city changing their parking ordinance.

Jennifer pointed out that the zone allows for 90% lot coverage and they were not taking advantage of their full allowance.

Public portion of the hearing was closed and Chairman O'Neill explained that they discussed in the Nov. 17th meeting, the challenges to the downtown developer and the need for the ordinances to change.

Karen Hodge expressed her concern of the other property owners in the block and their desire and designs to develop need to be included. Ordinances currently do not allow for the project and she leaned towards a no to the application.

Pete Linville expressed his concern of the ordinance not allowing for the desired design. “We need to rule with the ordinance in place at this time.”

Mike pointed out the ordinances that would be in violation. There needs to be an adjustment from the gross to net building assessment for parking. The fee in lieu needs to be in place, and the amount of parking really needs to be adjusted for the downtown.

Russ felt the same. Even if they could negotiate with the council they would not have access to the back of the building. He feels that there would be a problem for deliveries and garbage pick. He is ok without parking in the back, but there still needs to be access to the back of the lot. He felt that this is something that there should have been more communication with the neighbors.

A motion to deny application CU2008-7 was made and seconded. The vote was unanimous. The commission expressed the desire for the applicant to return when the new parking ordinance has been approved.

Meeting our New Mayor / New Mayor Fitzgerald Mayor Fitzgerald introduced himself to the commission and wanted to get a feel from them what he could do to help make their job easier and what concerns they have.

- Leadership and direction
- Clear direction from the council to P&Z.
- A feeling that the process is muddied. A need to be clearer.
- They have been told that the ordinance is difficult to allow development.
- Need to bring the old timers and the new comers together.
- Want the process to be clear to developers coming in.
- Joint meeting to be productive
- Clearer understanding of how the hierarchy woks and who answers to who.
- Give the P&Z marching orders as to what needs work.
- A compliment to public works and their plowing.

The commission was given the new proposed sign ordinance for the next P&Z meeting.

Meeting was adjourned.