

1. Call to order / attendance: Chair K. Moran called the meeting to order at 6:13 p.m.

Members Present:

Kate Moran, Chair (Arrived at 6:12 p.m.)
Chad Utecht, Vice Chair
Nancy Aldrich, Commissioner
Trini Garibay, Commissioner

Members Absent:

Melanie Olson, Commissioner
Kathleen Smith, Commissioner
Michael Peterson, Commissioner

Staff Present:

Emily Weimer, Senior Planner
Nicole Stickney, AHBL Consultant/Planner
Roscoe Slade, Public Works/Community Development Director
Jessica Bates, Staff Recorder
Tobie Webb, Staff Recorder
Rachel Rocheck, Staff Recorder

Commissioner N. Aldrich moved to excuse Commissioners M. Olson, K. Smith & M. Peterson, seconded by Vice Chair C. Utecht. The motion carried unanimously.

2. Approval of the agenda: Vice Chair C. Utecht moved to approve the agenda, seconded by Commissioner T. Garibay. The motion carried unanimously.

3. Approval of the minutes of September 26th: Commissioner C. Utecht moved to approve the September 26, 2019 minutes, seconded by Commissioner T. Garibay. The motion carried unanimously.

4. Old Business: There was no old business.

5. New Business:

A. Open Record Quasi-Judicial Public Hearing: CUP 2019-05 Fuller (Shop)

Chair K. Moran opened the public hearing at 6:17 p.m.

Recorder J. Bates swore in those planning to provide testimony.

Recorder J. Bates announced that *this hearing is quasi-judicial in nature and therefore the appearance of fairness and conflict of interest rules apply. Quasi-judicial actions determine legal rights, duties or privileges of specific parties in a hearing. The public hearing must be fair in three respects: form, substance and appearance.* She asked the following questions:

Do any Planning Commissioners have an interest in this property or issue, or stand to gain or lose any financial benefit as a result of the outcome of this hearing, or have any disclosures to make?

Commissioner N. Aldrich did inform the staff that she is using the same Contractor (Steel Structures of America) but this would not impact her decision.

Is there anyone in the audience who objects to any Planning Commission member's participation in these proceedings? There were none.

Senior Planner E. Weimer noted that based on the staff analysis and the written findings of fact and conclusions of law, staff recommends approval of Conditional Use Permit No. 2019-05, authorizing the construction of a 36' x 60' accessory building (detached garage) 2,160 sq. ft. at 6100 Norma St as requested, with three recommended conditions of approval.

No comments in favor of, or in objection to, the proposed conditional use permit were received from other departments, agencies or citizens.

Owner was present but did not comment.

Commissioner N. Aldrich asked some clarifying questions. Next she moved to approve the staff-report and recommended approval of the proposed Fuller Shop, with all three conditions being met, based upon the prepared Findings of Fact and Conclusions of Law, as detailed in the staff report. Vice Chair C. Utecht seconded the motion and it carried unanimously.

B. Legislative Hearing: CPA 2019-05 Comprehensive Plan Map Amendment- Emergency Docket

Chair K. Moran opened the public hearing at 6:28 p.m. and introduced Consultant Nicole Stickney.

Nicole Stickney stated she is from ABHL and assists the city as a contract planner. She introduced the emergency docket. She explained how the proposed amendments fall under an emergency, due to the fact that the owners of three parcels of land included in the proposal are unable to pull any permits and as a court case has concluded that the three parcels may not be commercial. One of the properties currently has a single family residence on it and due to the current zoning that it falls under it is legally non-conforming.

No comments in favor of, or in objection to, the proposed Comprehensive Plan map amendment were received from other departments, agencies or citizens.

Mrs. Stickney stated that the required notice to commerce has been sent, and staff anticipates the matter will be referred to City Council in January. If the amendment and rezone passes the effect will be that the land will revert back to original zoning of RL-40. Staff recommends approval to make the proposed changes to the Comprehensive Plan map amendment and associated rezoning.

Chair K. Moran asked for any written materials that were submitted – there were none.

Chair K. Moran asked for any public comments:

Kathy Sprague of 108 Austin Dr. asked for clarification about the area-wide rezone. Consultant N. Stickney answered with the definition of zoning. Chair K. Moran, Vice Chair C. Utecht and Commissioner T. Garibay further answered her question.

Chair K. Moran closed the public hearing at 6:42 pm and asked for a motion. Vice Chair C. Utecht moved to accept the Comprehensive Plan map amendment, Commissioner T. Garibay seconded the motion and it carried unanimously.

6. Citizen Public Comment: Peggy Panisko of 901 Bombing Range Rd made a comment on CPA 2019-05 Comprehensive Plan Map Amendment- Emergency Docket that Griggs left the swale as residential because it looks residential.

7. Announcements, Reports, and Comments: City planner E. Weimer said December 12th is the next meeting.

8. Adjourn: Chair K. Moran adjourned the Planning Commission Meeting at 6:45 p.m. Vice Chair C. Utecht seconded the motion.



For Kate Moran, Chair



Jessica Bates, Staff Recorder