

MINUTES
PLANNING COMMISSION MEETING
December 9, 2008

CALL TO ORDER:

Chairman Hardy called the meeting to order at 7:30 P.M.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Hardy

COMMISSIONERS PRESENT:

Hardy, Harries, Lowthorp, Bloom and Huntley

COMMISSIONERS ABSENT (Excused)

Hess and Foote

OTHERS PRESENT:

Richard F. Pucci, City Administrator
Peter Tracy, City Attorney
Gary Schley, Public Services Officer
Kathy Lehr, Secretary
Michele Thomas, Secretary

PUBLIC COMMENT:

Chairman Hardy asked if anyone wished to speak on a subject not calendared on the Agenda. There was no public comment.

(1) APPROVAL OF MINUTES

Chairman Hardy asked if there were any additions or corrections to the minutes of the September 30, 2008 meeting.

MOTION

Commissioner Harries moved to approve the Minutes of the September 30, 2008 meeting as written.

Ayes: Lowthorp, Bloom, Harries, Huntley and Hardy

MOTION CARRIED: 5-0

CORRESPONDENCE: Received a letter dated December 8, 2008 from Jon and Tina Palmer, 737 W. Pine Street to be discussed during the Public Hearing.

PUBLIC HEARING

- (2) Request for a Conditional Use Permit to set aside the side yard setback and residential parking requirements at 731 West Pine Street, which is located in an R-2000 district.

Chairman Hardy opened the public hearing at 7:31 PM and stated that if anyone wished to appeal any decision by the Planning Commission, they may do so by writing to the City Council within five days of this meeting.

Tim Maloney, proponent, stated that they are proposing to add a master bedroom and bathroom to their existing house (a 200 square foot addition). They are requesting a 1 foot setback so that the addition will align with the existing dwelling. The original house was built 4' from the adjacent property. They are also requesting a waiver of the tandem and covered parking.

Mr. Palmer, 737 West Pine Street, stated that he wrote the letter to the Commissioners as he had some concerns, wanted to see what the plans looked like and an explanation of the 5 foot set back. Commissioner Lowthorp said that many of the houses were built when there were no setback regulations. He said that the addition would look better to maintain the 4' setback easement they already have. Mr. Palmer said they would like to see a fence placed between properties and the Maloney's agreed to a fence along the west property line. Mr. Palmer was also concerned about the privacy, fire hazard and property value due to the close proximity of both structures. Public Hearing was closed at 7:42.

NEW BUSINESS

- (4) Request for a Conditional Use Permit to set aside the side yard setback and residential parking requirements at 731 West Pine Street, which is located in an R-2000 district.

Commissioner Lowthorp said that he would like to see the bushes along the fence taken out because of the already closeness of the properties and feels it is a fire hazard. He would also like to see a covered parking space as it would be more conforming to the city code. He had no problem with the 4 foot setback. Chairman Hardy referenced the east side of the plan (enclosed garage/shop) and an option would be to re-open it into a parking spot. Commissioner Huntley feels the "wooded nature" of the property translates to a fire hazard.

Krista Maloney said that the entire east side of the dwelling is built right to the property line and that a carport would block the entrance of the house.

MOTION

Chairman Hardy made a motion to approve the request for a conditional use permit to set aside the side yard setback and residential parking requirements at 731 West Pine Street with the condition that the bushes and shrubbery along the existing house and proposed addition at the west property line be removed.

Ayes: Hardy, Harries, Bloom, Huntley and Lowthorp

MOTION CARRIED: 5-0

PUBLIC HEARING

- (3) Request for a conditional use permit to set aside the commercial parking requirements at 156 East Pine Street, which is located in a C-1 district.

Chairman Hardy re-opened the public hearing at 8:54 PM. David Mason, 2609 Honolulu Ave., Montrose, CA, owns the property at 156 East Pine Street. He stated that about 40% of the building is being used. 2,000 square feet is a beauty shop. Previously, most of the building was being used for industrial use and they are trying to change the use to professional or retail. He feels this would be more attractive for the area, however he cannot meet the city's parking requirement of 5 spaces for the new retail space. He can only provide 2 spaces and said he would eliminate a loading door on the Pine Street side and this would provide an additional parking space. He did a site survey of the parking spaces within a couple of blocks, which represents 90% of the commercial area. He feels parking is adequate as there were available spaces on a typical midweek day. Many of the surrounding business require short term parking and doesn't feel there is a great impact on the street during the day.

Commissioner Lowthorp suggested taking out the easterly driveway and replace with sidewalk and Mr. Mason said he hoped he would not have to do that. Commissioner Lowthorp said when you see a driveway, you assume it is an active driveway, and it is illegal to park in front of a driveway. He also stated that existing on-site parking is not being used efficiently. Commissioner Lowthorp would like to see the driveway taken out and replaced with solid curbing and sidewalk.

Dale Comontofski, 2763 Audrey Lane, Bishop, leases the building for a beauty shop and when he went by earlier today there were 9 parking spaces left on Rose Street. He stated that part of the building has been vacant and that using the remainder of the building for retail or professional would be an improvement and still feels that the parking is adequate in the area.

Mike Johnston, Coldwell Banker, said that we need retail office space. He talked to Ann Wong (the building next door on Rose Street), and she said that parking has not been a problem. Dale Comontofski said what has been done so far to this building is a definite improvement and what they propose to do would also be a big improvement to this location. Chairman Hardy closed the public hearing at 8:10 PM.

NEW BUSINESS

- (5) Request for a conditional use permit to set aside the commercial parking requirements at 156 East Pine Street, which is located in a C-1 district.

Commissioner Harries said that they have done a nice job on the commercial building, however, the curbing issue needs to be addressed. It is illegal to park in front of a driveway. Commissioner Huntley said that the roll up door could still be used at a future date. If the roll up door on the front (west) side of the building is removed, the sidewalk would have to be redone. Chairman Hardy walks around that area and has never noticed all the spaces full. Usually there are spaces available.

Mr. Pucci stated that we are waiving 5 parking spaces for the retail/office portion of the building. The proposed change would require 11 spaces – six for the existing beauty shop and 5 for the proposed retail/office space. The original use was industrial and the 4 required spaces were “grandfathered” in.

MOTION

Commissioner Huntley made a motion to grant a conditional use permit to set aside the commercial parking requirements at 156 East Pine Street to waive 5 parking spaces with the condition that the existing driveway at the easterly end of the building be removed and curb, gutter and sidewalk be installed to City Specifications.

Ayes: Huntley, Harries, Hardy and Bloom
Noes: Lowthorp

MOTION CARRIED 4-1

STAFF AND COMMISSION REPORTS:

Mr. Schley stated that there has been a potential tenant inquiring about the old Kmart building.

Due to lack of a quorum, the meeting of December 30, 2008 will be cancelled.

ADJOURNMENT:

Chairman Hardy adjourned the meeting at 8:25 P.M. The next scheduled meeting will be January 27, 2009 at 7:30 P.M. in the City Council Chambers.

Chairman Hardy

Kathy Lehr, Secretary