

July 19, 2018
5:30pm Washburn City Hall

CITY OF WASHBURN PLAN COMMISSION MEETING

COMMISSION MEMBERS: Dave Anderson, Richard Avol, John Baregi, John Gray, Leo Ketchum-Fish, Jeremy Oswald (late).

ABSENT Adeline Swiston

MUNICIPAL PERSONNEL: Scott Kluver-City Administrator, Tammy DeMars-City Treasurer/Deputy Clerk, City Attorney Max Lindsey

Meeting called to order at 5:34PM by Avol attendance as recorded above.

Approval of Minutes – June 21, 2018 – Moved by Avol to approve minutes as presented, second by Gray. Motion carried unanimously.

Public Hearing Moved by Baregi to open floor to public hearing, second by Anderson. Motion carried unanimously. No comments.
Moved by Avol to close floor, second by Gray. Motion carried unanimously.

Discussion and Recommendation on Conditional Use Request for Tourist Rooming House to Operate a tourist Rooming House out of the Property Located at 505 West 3rd Street. Timothy Hay, Petitioner, property is zoned R-6, Mixed Residential – Petitioner was present. Discussion. Kluver points out that the code requires one parking space for each room, the petitioner only has three off street parking spaces so it doesn't meet code. The only two options would be to approve the conditional use permit contingent on removing one room or to amend the code to be more flexible. If he has to have the four spaces, Mr. Hay would like to use the space in front of the garage for the fourth but doesn't feel that at any given time there would be more than two cars. His intention is to rent the whole house to a family, not individual rooms. He currently has two parking spots in the garage and one on the west side of the garage and could have one in front of the garage, the pad is about 7' wide with 1' of gravel on each side. Gray moves to recommend the approval of conditional use permit to Timothy Hay at 505 W. 3rd Street to operate a Tourist Rooming House, with the draft conditions, second by Avol. Motion carried 6 to 0.

Discussion on Site Plan, Architectural Review, and Downtown Design Overlay District Standards of the City's Zoning Code for Potential Ordinance Changes – City Attorney Lindsey recently attended the Municipal Attorneys conference and one of the main topics of discussion was revising sections of zoning codes to remove subjective conditions for zoning permit application. Mr. Lindsey is recommending that the Plan Commission consider amendments to the zoning code to eliminate or revise several sections that could lead to potential legal battles in the future. Kluver, the intent of these changes is to remove the subjective conditions to make the code easier to understand and eliminate potential legal conflicts. He also stated that if corrections are not made, the recent Plan Commission interpretations of the code will block the Iron Works Project, and make the Brokedown Property more difficult to market and utilize. Kluver also suggested that the parking requirement mentioned above also be revisited. Mr. Lindsey did draft a few code provisions that he is recommending to revise. Discussion. The Commission's recommendations would than be sent to the City Council for final approval.

Article 8, Section 9-66 (e) Setback averaging for front-yard setback change. The Commission agreed to recommend this change but should only apply in residential districts, excluding rural residential.

Article 8, Section 8-163 (4) Commission agreed to recommend this change with the removal of "from view".

Article 8, Section 8-183 (1) Commission did not agree on this item, Anderson, Ketchum-Fish and Oswald were opposed to this change, they felt restrictions should apply to the commercial district as well. Avol, Baregi and Gray were in favor of striking it all together, they felt the size of the lot(s) should dictate the size of the buildings.

Article 8, Section 8-183 (2) Agreed by all to recommend striking this entirely.

Article 8, Section 8-183 (3) and (7) need more discussion and Article 14, Section 14-7 was not discussed.

Commission members felt we need to go over the rest of the zoning code to remove or revise other unquantifiable sections, by doing a selected few each meeting.

Adjourn - Moved by Baregi to adjourn @ 7:18pm, second by Gray. Motion carried unanimously.

Respectfully Submitted,
Tammy L. DeMars
Treasurer/Deputy Clerk