

CITY OF LAFAYETTE
PLANNING COMMISSION MEETING MINUTES FOR
MARCH 17, 2011

Call to Order: Beth Cooke called the meeting to order at 7:01p.m.

Roll Call: Lori Martino called the roll.

Present: G. Doug Cook, Marian Chasse, Ronald Kerr, Beth Cooke, Todd Holt and Jesse Huffman.

Absent: Sam Dunn.

Staff Present: Jim Jacks- City Planner and Lori Martino-Community Development Clerk.

Others: Darrell Flood, Stan Hill, Richard Olsen, Robin Mullins and approximately two others.

Approval of Minutes:

Doug Cook made a motion to approve the February 17, 2011 meeting minutes. Todd Holt seconded the motion. Motion passed unanimously.

Public Hearing: Public hearing on Major Variance, File # 11-02-05. The Applicant is requesting variance's to the following requirements that were a condition of approval for a Site Development Review for the placement of an Espresso stand. The Lafayette Zoning and Development Ordinance, Section 2.201 requires public facility improvements for a new commercial facility.

- Sidewalk installation on Madison Street
- Sidewalk installation on 2nd Street
- Dedication of Right of Way on Madison Street
- Dedication of Right of Way on 2nd Street
- ¾ Street Improvements on both Madison and 2nd Street

Beth Cooke went over the hearing procedures and opened the hearing at 7:02.

Jim Jacks read the hearing statement.

Beth Cooke questioned if there were any objections to the hearing notice that was sent. There were no objections. Beth questioned if there were any objections to jurisdiction of the Commission to hear and decide the case. There were no objections. Beth asked the Commissioners if there were any declarations of ex-parte contact, conflict or bias by any members of the Commission.

Jim Jacks read over the staff report.

Marian Chasse voiced her concern about the road width on 2nd Street for fire lane purposes.

Applicant Testimony:

Robin Mullin-1100 Monroe Street - noted that financially she would not be able to go through with the project if the improvements that she was requesting a variance for were required. She noted that she has lived in Lafayette for 13 years and she owned a coffee kiosk that she would like to place. She noted that she was in the process of purchasing the property. There is a five foot path on Madison Street and if they could continue a path instead of a sidewalk that would help. She is aware that they will need to connect the paving of the property to the road but would like to see the improvement requirements varied. Todd Holt questioned what the cost of the improvements would be. Robin noted that she was not sure of the exact amount but she knew it was a large amount. With just the improvements she has proposed that are not required the cost is 20 to 40 thousand dollars.

Proponents:

Richard Olson-722 Washington Street- noted that he was the contractor for the project. He noted that due to the fact that there are no existing curb and cutters it is redundant to do the 60' stretch of improvements. There is surface water that drains to a grate on the corner of the property which is the only escape hatch for the water. Playing with elevations to install a sidewalk, there will be a situation where the sidewalk will meet the asphalt and there will need to be some sort of impact slab for the vehicles to drive on. He continued to explain what he could do to help with the run-off from the driveway and the property.

Darrell Flood-287Canyon View Drive- noted that the City should be begging businesses to be in Lafayette especially during this economy. New businesses provide jobs and money. These improvements should not be put on a small business owner.

Stan Hill- Duniway road- Should be encouraging commercial use on 2nd Street. Temporary businesses should be provided with temporary services ability.

Opponents:

General Testimony: None

Government agencies: None

Staff response:

Marian Chasse questioned how the applicant was going to designate the walk-up area. Robin Mullin noted that she had planned to block the area with block and railing. Marian Chasse questioned what the two walkways shown on the diagram would be constructed with. Robin Mullin noted that she planned to use pavers on the walkway. Marian Chasse

noted that she had some concerns regarding the rough terrain leading to the coffee shop off 2nd Street.

There was a discussion amongst the Commissioners and staff on how the Non-remonstrance agreement worked.

There was a discussion regarding the Public Works Design Standards taking precedence and the cost associated with the improvements.

Doug Cook-had to excuse himself from the meeting at 7:47pm

Ron Kerr asked the applicant if she had any thoughts on what the vehicle to pedestrian ratio would be. Robin Mullin noted that she believed there would be a lot more vehicle traffic than pedestrian.

Applicant Rebuttal: None

Jim Jacks read over the staff recommendation.

There was a discussion about the sidewalk requirements and the curving of the corner of the lot.

Close Public Testimony

Commission Deliberation:

Todd Holt noted that there would need to be street improvements done eventually however, what the applicant was proposing was a good thing.

Ron Kerr noted that he felt that with the railroad issues on Madison Street, the improvements should not be required as long as the non-remonstrance agreement were recorded. Regarding 2nd Street, Ron noted that having a sidewalk and improvements for twenty feet when the rest of the street has no improvements serves no purpose.

Marian Chasse noted that requiring the applicant to install sidewalks when they do not exist anywhere in the area does not sound reasonable. However, she still had concerns about the pedestrian traffic along 2nd Street.

Jesse Huffman noted that as nice as it would be see sidewalks and improvements, he would hate to see the financial burden drive the business away.

Jim Jacks noted that the Commission could have a conditional of approval that requires, in a year or two, a review by the Planning Commission.

Beth Cooke noted that the comment "no worse than we have now" has been the designed standard in Lafayette for way too long. The applicant, who is purchasing the property, should be taking these costs for improvements into consideration with the purchase. The City can no longer continue the idea of the saying "no worse than we

have now". She noted that she would like to see additional business, however if the city continues the current design standards that we pulled into the city, it is never going to get better. Beth noted that if one business does the improvements, you will see others start to follow.

Todd Holt noted that he agreed with Beth however the gas station next door to City Hall was a small coffee shop in the beginning.

Ron Kerr questioned of the Commission could place a condition that states the applicant would be required to come back to the Planning Commission in 18 months to review the situation and then have a requirement that states the applicant will be required to install sidewalks by a determined date. Jim Jacks noted that the Planning Commission could place such conditions.

Ron Kerr recommended that the Planning Commission action be to approve the application subject to the recording of the Construction deferral and non-remonstrance agreement for Madison Street, Subject to the Construction deferral on non-remonstrance agreements on 2nd Street, dedication of appropriate right-of-ways on both Madison and 2nd Street, a referral for a Planning Commission review for traffic issues in respect to the sidewalk in 18 months from the date of approval, and a hard and fast requirement that a minimum requirement of sidewalks being placed in 40 months after approval.

Marian Chasse made a motion to approve the application subject to the recording of the Construction deferral and non-remonstrance agreement for Madison Street, Subject to the Construction deferral on non-remonstrance agreements on 2nd Street, dedication of appropriate right-of-ways on both Madison and 2nd Street, a referral for a Planning Commission review for traffic issues in respect to the sidewalk in 18 months from the date of approval, and a hard and fast requirement that a minimum requirement of sidewalks being placed in 40 months after approval.

Discussion: Beth Cooke noted that the applicant should really look at the cost of the improvements for the consideration of the purchase price of the property.-end discussion.

Ronald Kerr second the motion.-Discussion- There was a discussion on the time line of the requirement of the sidewalk.-end discussion

The motion passed by a 4-1 vote with Beth Cooke voting Nay.

Hearing closed at 8:15 pm.

Lori Martino noted that the Planning Commission meeting for April has been rescheduled for April 28th.

Adjourn: Todd Holt made a motion to adjourn. Jesse Huffman seconded the motion. Motion passed unanimously. 8:16 pm.