

**VALLEY CENTER
PLANNING COMMISSION/BOARD OF APPEALS
MINUTES**

7:00 P.M., Tuesday, December 11, 2012
Valley Center City Hall at 121 S. Meridian Avenue

CALL TO ORDER:

Chairperson Park called the meeting to order at 7:00 p.m. with the following members present: Don Bosken, Gary Janzen, Danny Park, Ronald Colbert Sr., Terry Nantkes, Ricky Shellenbarger, Dee Wretberg, Del James and Steve Jackson.

Staff Present: Warren Utecht and Deby Taylor - Community Development Department, Joel Pile - City Administrator, Mayor Michael McNown, Lou Cicirello and Kate Jackson - Council members.

AGENDA: Community Development Director, Warren Utecht requested to amend the current agenda regarding Transportation Enhancement monies to build a path on McLaughlin. A Motion was made by Commissioner Jackson and seconded by Commissioner Shellenbarger to set the agenda with a new item of business. Motion passed unanimously.

APPROVAL OF November 27, 2012 DRAFT MINUTES: A motion was made by Commissioner Janzen, seconded by Commissioner Colbert, to accept November 27, 2012 minutes as written. Motion passed unanimously.

COMMITTEE AND STAFF REPORTS: Community Development Director, Warren Utecht commented on the minutes of November 27, 2012 Pedestrian and Bicycle Facilities Master Plan Steering Committee meeting.

COMMUNICATIONS: None at this time

PUBLIC HEARING ON ALL COMMISSION INITIATED AMENDMENTS TO THE ZONING REGULATIONS.

- Chairperson Park opened the hearing for comments from the public at 7:03 p.m.
- Chairperson Park asked the commissioners if they had any conflict of interest or any ex parte verbal or written communication from a third party prior to this hearing that would disqualify them from participating. No one responded.
- Zoning Administrator, Warren Utecht, informed the commissioners that at the November 6th City Council meeting, Ordinance 1249-12; adopting the amended Zoning Regulations, was sent back to the Planning Commission for review and make sure that procedures were followed properly. Mr. Utecht shared a 9 page staff review summarizing the history of the 2012 CPC Zoning Amendments. He stated that this would be the 4th Public Hearing on the recommended changes. This discussion included the need for compromise regarding the recreational vehicle issue.
- Chairperson Park asked the public if anyone wanted to speak on the Zoning Amendments. With no response, he repeated the question. There were no comments or questions.
- Chairperson Park closed the public hearing at 7:10 p.m.

DELIBERATION.... Mr. Utecht questioned the three new commissioners; Del James, Terry Nantkes and Ronald Colbert Sr. asking if they had been apprised on the prior City Planning Commission meetings regarding the 2012 Zoning Amendments. All three stated they had lengthy discussions with Mr. Utecht over the prior meetings and had received copies of the minutes and supplemental materials for those meetings. Commissioner Nantkes also stated that he had been in attendance at the meetings in question.

Commissioner Janzen shared his frustration over the Zoning Amendment issue. He stated that the CPC had come up with a good compromise, the citizens he has spoken with felt content with the decision and there was no reason that the regulations should have been sent back to the commission. Chairperson Park reiterated to the public that “we will take care of you” with regard to those cases where recreational vehicles cannot be stored in side or rear yards.

Based on the discussion of all proposed amendments to the Zoning Regulations at the August, September, October, and December Public Hearings, which includes the Recreational Vehicle language being a revised version going back to the pre-2011 amendment, the compromise amendment, Commissioner Janzen made a motion to amend the Zoning Regulations and forward them to the City Council for Ordinance adoption. The motion was seconded by Commissioner Bosken. All commissioners voted for the motion.

Commissioner Jackson questioned the previous motion, stating that it included both the pre-2011 and the compromise language. Commissioner Janzen made a motion and Commissioner Shellenbarger seconded to rescind the vote for the Zoning Regulation amendment. All agreed.

A seconded motion was made. Based on the discussion of all proposed amendments to the Zoning Regulations at the August, September, October, and December Public Hearings, which includes the Recreational Vehicle language being the compromise amendment, Commissioner Janzen made a motion and Commissioner Bosken seconded to amend the Zoning Regulations and forward them to the City Council for Ordinance adoption. Commissioners Colbert, Janzen, Park, James, Shellenbarger, Bosken, Nantkes and Wretberg voted to pass the motion. Commissioner Jackson opposed. Motion passed.

UNFINISHED BUSINESS: (Item tabled at last meeting) Petition filed by Mennonite Housing to amend the underlying base zoning in the Ridgefield Subdivision Planned Unit Development for lots 47–65, Block A; Lots 1-14, Block B; and Lots 1–29, Block C from R-1B One-Family Residential, to R-3 Multi-family Residential.

Zoning Administrator, Warren Utecht commented that the zoning amendment had been tabled from the November 27th meeting. Chairperson Park asked if petitioner Andrew Bias, CEO of Mennonite Housing had any comments. Mr. Bias explained the Ridgefield Subdivision Planned Unit Development plans which include 27 duplexes; 1 office, 18 for senior living and 35 for multi-family. He shared a packet of information with pictures of the current lots and other projects they’ve done in the area. The project will be income eligible with rental rates running from \$625.00 to \$725.00 per unit. Mennonite Housing will be managing the rentals with all mowing and maintenance handled by them.

Questions asked from the commissioners...

- Water standing on the property? Sod had just been installed and the sprinkler system was going often.

- Are there adequate fire hydrants? Fire hydrants have been approved as per the Fire Department requirements.
- Railroad track access concern... A berm with trees on top is being constructed to separate the community and the railroad tracks.
- Will there be any shrubbery or fencing facing Kessler Street? Nothing is planned at this time.
- Will income be the only criteria for residency? Age, credit, and background checks will also have bearing on potential occupants.
- How will the Ridgefield HMO relate to the rental project? They will be under the same guidelines.
- Will units be ADA compliant? All duplexes will be ADA compliant with at least 2 units being 100% Handicap accessible.
- Will there be safe rooms? All slab units will have a safe room. Other units will have basements.

Mr. Bias thanked the commissioners for their time and consideration.

DELIBERATION.... Based on the City Staff recommendations, public comments, and discussion by the Planning Commission, Commissioner Colbert make a motion to approve, approve with PUD conditions, deny, or table a petition for the underlying base zoning in the Ridgefield Subdivision Planned Unit Development from R-1B One Family Residential to R-2 Two-Family Residential for lots 47–65 Block A, Lots 1-14 Block B, and Lots 1–29 Block C, Ridgefield Addition Subdivision. Motion was seconded by Commissioner Shellenbarger. Motion passed unanimously.

Commissioner Janzen questioned the previous motion. To avoid any confusion he made a motion to rescind the vote. Commissioner Wretberg seconded the motion and all agreed.

Based on the City Staff recommendations, public comments, and discussion by the Planning Commission, Commissioner Colbert make a motion to approve a petition for the underlying base zoning in the Ridgefield Subdivision Planned Unit Development from R-1B One Family Residential to R-2 Two-Family Residential for lots 47–65 Block A, Lots 1-14 Block B, and Lots 1–29 Block C, Ridgefield Addition Subdivision. Motion was seconded by Commissioner Shellenbarger. Motion passed unanimously.

NEW BUSINESS: Community Development Director, Warren Utecht presented a transportation enhancement program application for a pedestrian and bicycle path at McLaughlin / 7th Street from 5th to Meridian. The program would cover 80% of the cost leaving the city to cover the remaining 20%. The path would be 10 ft. wide for pedestrians and bicyclers.

Commissioner Janzen asked if the funding would only cover sidewalks. He pointed out safety concerns over the school crosswalk at North Meridian and 5th Street. There were several comments on the safety of that intersection. Recommendations were made to request a crosswalk light and possibly adding to the 20% in hopes of receiving a better response to our application. City Manager Pile commented that a pedestrian crossing with lights would increase the cost substantially and may threaten our ability to get the funding for the path.

Commissioner Shellenbarger moved to direct the Community Development Director to write a letter of support on behalf of the Planning Commission to make application for Transportation Enhancement Program funding to assist in the construction of a 10 foot path along McLaughlin Street and 7th Street, from E. 5th Street to N. Meridian, and to recommend the City Council passage of a Resolution of Support for the same purpose. Commissioner Nantkes seconded the motion and the motion passed unanimously.

ITEMS BY PLANNING COMMISSIONERS:

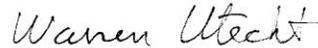
- Del James - none
- Don Bosken – none
- Gary Janzen – none
- Dee Wretberg - none
- Danny Park – Was glad to get so much accomplished at this meeting. Wished everyone a Merry Christmas and Happy New Year.
- Terry Nantkes - none
- Ronald Colbert Sr. – Wished everyone a Merry Christmas and Happy New Year.
- Steve Jackson – none

ADJOURNMENT:

Motion made by Commissioner Janzen and seconded made by Commissioner Colbert to adjourn. Motion passed unanimously

Time of Adjournment 7:57 p.m.

Respectfully submitted,



Warren Utecht,
Planning Commission Secretary

Minutes approved by the Valley Center Planning Commission on January 22, 2013.

/Danny Park/
Danny Park, Chairperson
WU/dt