
Minutes
WASHINGTON CITY PLANNING COMMISSION
September 3, 2014

Present: Commissioner Smith, Commissioner Williams, Commissioner Papa, Commissioner Martinsen, Commissioner Henrie, Attorney Jeff Starkey, Councilman Nisson, Drew Ellerman, Kathy Spring, Debbie DePompei, Jerry Sandberg, Kay Kirkland, Nancy Allen, Larry Schoepflin, Nancy Schoepflin, Jed Allen, Beulah Pectol, Judy Pectol Hoffman, Jack Pulsipher, Linda Pulsipher.

Meeting called to order: 5:35 P.M.

Commissioner Smith excused Commissioner Shepherd.

Invocation: Commissioner Williams

Pledge of Allegiance: Commissioner Henrie

1. APPROVAL OF AGENDA
 - A. Approval of the agenda for September 3, 2014.
Commissioner Papa Motioned to approve the agenda for September 3, 2014.
Commissioner Henrie seconded the motion.
Motion passed unanimously.

2. APPROVAL OF MINUTES
 - A. Approval of the minutes from August 20, 2014.
Commissioner Williams motioned to approve the minutes from August 20, 2014.
Commissioner Papa seconded the motion.
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. EXTENSION OF TIME FOR A CONDITIONAL USE PERMIT
 - A. Consider approval of a request for a 6 month extension of time for a Conditional Use Permit C-13-13 a Communication Tower located at approximately 1900 North 500 East. Applicant: Insight Towers LLC, Debbie Depompei

Commissioner Papa asked how many extensions can be requested and what the consequences are for not completing within the 6 months.

Mr. Ellerman stated the ordinance only allows for a 6-month period. If they don't complete the tower they will have to start over.

Commissioner Papa asked if there is another tower request on the north side of the interstate and if that is the one that had conditions regarding color.

Mr. Ellerman stated there was a request, but it didn't happen. This one is the only one for a while. This is the one that involved conditions for colors.

Commissioner Papa asked if they are ready with SITLA.

Debbie Depompei stated there are some minor issues and a lease should be ready by the end of the month but 6 months will be adequate.

Attorney Starkey asked if there are any outstanding issues that the Planning Commission should be aware of.

Ms. Depompei stated the easement rights with SITLA and the cost but nothing to do that involve with the Planning Commission the plans are the same.

Commissioner Williams motioned to approve a 6- month extension.

Commissioner Henrie seconded the motion.

Motion passed unanimously.

5. ZONE CHANGE

- A. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-14-09 to change from R-1-6 (Single Family Residential) to AP (Administrative and Professional) located at 181 East 200 North (The Covington House). Applicant: Washington City, Drew Ellerman

Commissioner Smith asked if the General Plan is necessary.

Mr. Ellerman stated he decided that city owned properties are zoned Professional, if it was privately owned it probably would be necessary.

Commissioner Williams asked if the city owns this property.

Mr. Ellerman stated the city does own the Covington House. The youth council holds their meeting there.

Commissioner Williams asked if there is another use has been requested besides the reception area.

Mr. Ellerman stated it is a historic house and certain criteria has to be met as a historic house. This house doesn't have handicap restrooms.

Commissioner Williams stated there are cities that use historic buildings for office space. He stated that the parking is an issue.

Mr. Ellerman stated that the parking is why he is taking a neutral stand.

Commissioner Williams asked if they need a CUP for a reception area.

Commissioner Henrie asked if Fire Station and public Works listed as AP zones.

Mr. Ellerman stated the permitted uses for AP are Accessory uses and buildings, customarily incidental and subordinate to an approved permitted use. Administrative, executive, professional, medical and research offices. Banking and other financial institutions. General research, not involving industrial or manufacturing processes. Parking lots for approved principal uses. Public buildings and offices. Public park, playground or recreation facilities. He stated if the zone was approved and it isn't in list as a permitted use a CUP would be required even the city would need to do a CUP for a reception center.

Commissioner Williams stated the city should not be in business for money purposes.

Mr. Ellerman stated the city purchased it to keep the oldest building in Washington City.

Attorney Starkey stated City Council had many discussions on the use for the building. Some of the suggestions have come to the city and people are using the building for pictures without permission from the city. The city is looking for the best use for the building.

Commissioner Williams stated the increase traffic would be addressed with the CUP.

Mr. Ellerman stated his concern is not with the AP zone it is what would be brought in that would affect the citizens. There is a difference between an Attorney's office and an event that would bring in a lot off traffic.

Commissioner Williams stated it would be hard to make a parking area and not take away from the home.

Mr. Ellerman stated he would make the city do a CUP with conditions.

Commissioner Papa asked if the reason for AP is to allow for other uses.

Mr. Ellerman stated an event center doesn't fit unless there is a CUP.

Commissioner Papa stated an office building would not generate as much traffic, but there is an argument to be made if there were numerous employees then the traffic would be an issue.

Commissioner Papa asked what changes could be done because it is historic.

Mr. Ellerman stated upgrade the kitchen area and the handicap access. He stated they couldn't change the structure of the home. You can add heating and plumbing but cannot cut into the walls.

Commissioner Henrie asked if the home is listed on the historic registry
Mr. Ellerman stated it is.

Commissioner Henrie asked if a County or State event could be held.

Mr. Ellerman stated yes because the permitted use allows for that.

Commissioner Henrie asked if something like WICK could go in.

Mr. Ellerman stated it could but the city would have to look at the daily users. He stated there is a lot of grey area.

Commissioner Henrie asked if they could approve the AP with conditions.

Mr. Ellerman stated yes due to concerns.

Commissioner Henrie stated his concern is with the citizens and the effect on them and the Planning Commission is here to protect them. He stated he could see why the AP zone would be okay but would not want allow for an event to cause problems with traffic and parking.

Mr. Ellerman stated parking is not allowed on the streets and we as a city would allow for that just because the zone is for the city.

Attorney Starkey stated the City Council hasn't preconceived anything yet. It isn't they're intent to hold something that would be harmful to the citizens. He encouraged the Planning Commissioners to add all conditions that they feel necessary.

Commissioner Smith opened the public hearing.

Jerry Sandberg stated they were happy when the city bought the property but he does have concerns with parking. He asked why the change.

Commissioner Smith stated even with the youth council it doesn't meet the zoning standard of residential because the home will not be used as a single family home. The zone change would allow the city to use the home. He stated he would not like to have a reception center. This is more of a clean up.

Mr. Sandberg stated he likes his peace and quiet and doesn't want to have noisy events. The community center is noisy enough.

Commissioner Papa stated the youth council is a quasi function. He stated anything outside of that would have to come in for a CUP.

Judy Pectol Hoffman stated their family has lived in the area since the 1800. She asked if the city sold the property what would happen to the property when the house can no longer be used? She stated there would be too many cars with wedding events. She stated during holidays it is great to use the house but it is too dangerous with all the kids in the area. She would like the Planning Commission to deny this unless there is a condition that the zone revert back to the original zone. Wednesday nights there are 17 cars when the kids meet for city council.

Nancy Allen stated there are a lot of kids in the area. There is a lot of traffic with people going to the recreation center.

Attorney Starkey stated he would encourage the city to list what uses they would like to see.

Jake Pulsipher stated he is also concerned with the selling of the property.

Sherry (not clear on last name) stated her concern is the lighting. She asked if there is a requirement for handicap bathrooms.

Commissioner Williams stated on historic buildings there would need to be an addition for handicap use.

Attorney Starkey stated they would need to comply with ADA requirement.

Nancy Schoepflin stated she is concerned if the property was sold to a person that would use it as a strip bar. She stated she is concerned with a gas station coming in.

Commissioner Williams stated with a CUP permit they wouldn't allow for such a business.

Attorney Starkey stated the city has an ordinance for a sexual oriented business that would have to go into an Industrial Zone.

Commissioner Smith stated the use would be for professional office use not a gas station.

Linda Pulsipher stated there is a community center that has a reception area. This is not a good area for a reception area. She stated her family owned property up north that was registered as historic and the city made the agreement that it remain as a historic house. She stated the kitchen in the Covington House would not be usable and the stairs are very narrow. She asked that it remain historic and asked the commissioners to deny this request.

Commissioner Williams stated as a realtor he has shown the home and it was dilapidated. He stated some times a home can stay in residential and not be used but the city restored this home and did a great job. The city is only looking for a zone to use the building. Something like a restaurant would require a CUP. If the home goes to the open market you don't know what would come in.

Judy Hoffman asked if the city sales the home what affect does the value have on citizens in the area.

Commissioner Williams stated with the historic house it improves the value.

Ms. Hoffman asked who is liable for someone that gets hurt because the stairs are so narrow. Attorney Starkey stated probable the city would be sued. He stated the concern appears to be with the AP zone and what if the city sells the property and the need to revert the zone back to residential if the city sells the property.

Commissioner Smith stated the city is just trying to come up with a good use and comply with zoning. He stated he is listening to what the citizens want.

Ms. Hoffman stated she is just concerned with safety noise and parking.

Commissioner Smith stated the concerns stated have been about traffic lighting, parking and noise.

Ms. Pulsipher asked what happens if the house is taken off the historic register.

Commissioner Williams stated letting the building go would be cause to remove a home from the historic registry.

Commissioner Henrie motioned to close the public hearing.

Commissioner Williams seconded the motion.

Motion passed unanimously.

Commissioner Smith stated this is a house that doesn't comply with the zone it is in. He stated it isn't his intent to not make this commercial property.

Commissioner Williams asked Mr. Ellerman if there could be a condition that if the property is sold the property reverts back to the original zone.

Mr. Ellerman stated yes that would be okay. Normally there aren't conditions on a private property owner. He stated the city owns this property which means the citizens own it. He stated he feels comfortable with placing conditions on this. He stated in AP there would not be any allowed retail. The concern is still parking. The only business is a professional with one person at a time.

Commissioner Papa stated the best way to preserve the structure is to do what is best for the citizens. He asked if the AP zone would serve that purpose.

Mr. Ellerman stated the value of property is what a person is willing to pay for it.

Commissioner Papa stated the youth council as good as it shouldn't be in there.

Commissioner Henrie stated he commends the city for buying the property.

Commissioner Papa asked what the Relief Society building is zoned.

Mr. Ellerman stated the city doesn't own it and is in a commercial zone.

Commissioner Henrie asked if perhaps a museum could go in.

Attorney Starkey stated City Council is open to any suggestions. The city isn't in the business of buying property and holding onto it this was a rare opportunity to buy the building.

Mr. Ellerman stated the reception request was something that opened up what could the city use this for. He stated a condition could be that the property reverts back to residential if sold. Also, that the lighting inverts inward.

Judy Hoffman stated if they contract out to an Attorney who maintains it.

Mr. Ellerman stated it would be in a contract for leasing.

Jed Allen asked why Commissioner Henrie complimented the city for buying it on buying the property and what they wanted to use if for when the use isn't known because of the zone?

Commissioner Papa asked what would be the benefit to tabling this to allow Commissioner Shepherd to give opinion on this.

Mr. Ellerman stated he didn't know of any reason. He stated there isn't anything to table on for the city.

Commissioner Papa asked if they could table this.

Mr. Ellerman stated he would recommend the Commissioners come back with a list of uses.

Commissioner Williams stated the youth council shouldn't be using the building now under the current zoning.

Commissioner Henrie motioned to table the item for 4 weeks to October 1, 2014.

Commissioner Smith stated he would request that they come back with uses they want there and what would fit there.

Mr. Ellerman encouraged the commissioner to read the purpose of the AP zone ordinance.

Commissioner Papa seconded the motion.

Motion passed 4-1 voted with Commissioner Williams voting nay.

6. DISCUSSION ITEMS

A. Discussion of Planning Commission Training and project status.

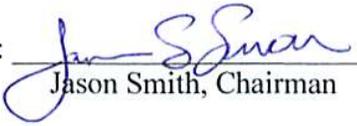
No further discussion.

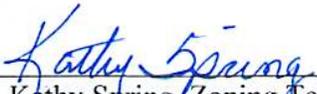
Commissioner Papa motioned to adjourn the Planning Commissioner meeting.

Commissioner Henrie seconded the motion.

Meeting adjourned: 7:14 PM

Washington City

Signed by: 
Jason Smith, Chairman

Attested to: 
Kathy Spring, Zoning Technician