

Ritter: Good evening, Chair and Commission Members. I'm Linda Ritter, associate planner.

Here we go. So, the first item tonight is the Petsche rezone. So, this is a site that consists of .60 acres of land, zoned C-C, and it's located at 1508 North Meridian Road. So, the request is for a rezone to facilitate the renovation of the existing into Old Town would apply to the applicant -- would allow the applicant to submit building permit applications for the construction of a new building and making structural modifications to the existing building without obtaining a conditional use permit for each proposed improvement to the site. A single family detached dwelling unit is considered a nonconforming use in the C-C zone under district per UDC Table 11-2B-2. The applicant intends to retain the existing home by renovating the old detached garage situated behind the home. The applicant also has future plans to potentially construct the accessory dwelling unit or a live-work structure at a later date. Access is provided via North Meridian Road. This driveway doesn't currently adhere to ACHD district's guideline for success of driveways in terms of alignment or offset as it falls short of the minimum of 330 feet separation from any existing or proposed driveway and is not located a minimum of 355 feet away from the nearest intersection. Since the applicant is not intensifying or changing the use of the property, staff and ACHD are supportive of the driveway configuration remaining for the residential use. And since the property abuts several on undeveloped -- underdeveloped properties and there is potential for further expansion on the property staff believes cross-access is warranted, but identifying which properties and the exact location of the shared driveways will be determined when actual development is proposed for the property. This may include closing one or both driveways. Staff recommends that in the event the properties intensify or redeveloped in the future, the applicant should provide cross-access to the neighboring properties located to the south and north and east to eliminate the need for multiple accesses off the arterial -- arterial roadway within close proximity in accordance with UDC 11-3A-3. So, there is -- currently there is sufficient parking. It has -- the current home has a 20 by 20 parking pad and a two car garage. So, therefore, parking provided on site meets the minimum requirement. There is an existing seven foot wide attached sidewalk -- sidewalk on Meridian Road along the existing property frontage that is consistent with ACHD's policy for arterial roads, with the exception of dedicated right of way. Therefore, additional right of way dedication totaling 96 feet on Meridian Road abutting the site should be required as part of the future application. So, based on ACHD's recommendation of approval Staff recommends that the applicant provides a permanent right of way easement to two -- two feet behind the back of the sidewalk for any sidewalk placed out -- outside of the dedicated right of way. A landscape buffer is not required for single family dwelling units in the Old Town zoning district. However, the existing house is currently set back approximately 30 feet from Meridian Road leaving several areas in front of the residence to be landscaped to enhance the street along Meridian Road. So, staff believes street frontage should be landscaped with a mix of trees, shrubs, lawn, hardscape and/or water conserving design in accordance with UDC 11-3B-7C. A design review application is not required for single family dwellings. However, when the property redevelops to commercial use in the future a design review application will be required for the proposed building elevations. So,

therefore, staff recommends approval of the proposed rezone from C-C to OT per the findings in the staff report with the inclusion of a development agreement and at this time I will stand for any questions that the Commission may have.

Seal: Thank you very much. Will the applicant, please, come forward. Good evening. Just need your name and address for the record, sir. detached garage while retaining the property's current residential use. The rezone

Petsche: Dave Petsche. Need the address of the house or the one we live at?

Seal: Can you speak into the microphone, sir.

Petsche: It's 1508 North Meridian Road.

Seal: Thank you. That's the formality. I know we just heard it. Do you have any comments that you would like to make or any statements or anything about the application?

Petsche: Didn't quite understand the two feet section on the -- by the sidewalk. Is that -- is that just for utility work?

Seal: Linda, if you want to address that.

Ritter: That's a requirement that the highway district requires.

Petsche: Okay. So -- but if there is plants and stuff there that doesn't matter; right?

Ritter: That is fine.

Petsche: Okay. Because that can just be tore out.

Ritter: It's just an easement.

Petsche: Yeah. Okay. The cross-section, driving in and out, is that just basically so you can have a car coming out and one that can pull in at the same time?

Ritter: Cross-section means that it's an alternative way for traffic to travel without coming in off of Meridian Road.

Petsche: Oh. So, to come in on Meridian Road and they could go out on another road or --

Ritter: It's coming through the property. So, if it -- if your property turns into commercial property it's cross-access for the adjoining properties, so --

Petsche: Like one to the north of us.

Ritter: To the north or south.

Petsche: Yeah. There is no -- there is nothing built on the property.

Ritter: If they develop. When they develop.

Petsche: Right. So, that they would have to grant access there.

Ritter: So, you will have an easement for cross-access to cross your property if you turned it into a commercial development.

Petsche: Sure.

Ritter: That will allow the properties that develop that are adjacent to you to have access across your property.

Petsche: Okay. Yeah. I think that could happen. I don't know if I have any other questions. I just want to do -- you know, repair that -- or fix the shed thing in the back and clean that up for now and, then, down the road built something maybe down the road in the back. That's my plan.

Seal: Okay. Commissioners, do we any questions for the applicant?

Grace: Mr. Chairman, I have one.

Seal: Uh-huh.

Grace: This is Commissioner Grace. So, Dave, I'm just looking at a picture that perhaps you can or can't see, but it's just an over -- overhead shot. I'm trying to find this detached structure and I'm --

Petsche: You can't find it?

Grace: Is it just very close to the --

Petsche: Yeah. That's it right there where you are pointing. That's the front of it. So, it's all open on that side and it's got three walls, you know, in the back and the two sides are cinderblock walls and I want to -- and the roof's totally rotten. It leaks -- rains right through it.

Grace: Okay.

Petsche: I want to clean that all up and close that in, so it's not open just to everybody to look at.

Grace: Okay. I was thinking that was it, but I wasn't -- so thank you.

Lorcher: Mr. Chair.

Seal: Commissioner Lorcher, go ahead.

Lorcher: Are you comfortable with the landscaping?

Petsche: Yeah. We will do whatever we have to do to -- I think that's a great idea. I think it will look better. I just didn't do anything, because I didn't know what to do.

Lorcher: Right. Okay. That's all the questions I have.

Seal: Chris, do we have anybody signed up to testify?

Johnson: Mr. Chair, no one signed up in advance.

Seal: Is there anybody in Chambers raising their hand or anybody online?

Johnson: Nobody online. Nobody in Chambers raising their hand.

Seal: All right. Sir, if there is nothing further to add we will go ahead and have you take a seat. And with that I will take a motion to close the public hearing for File No. H-2023-00393, Petsche rezoning.

Grace: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close public hearing for File No. H-2023-0039. All in favor, please, say aye. Opposed nay? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Seal: This one to me seems pretty straightforward. So, I completely understand what the applicant is trying to do. So, I do appreciate staff putting in some verbiage in there about intensification of the property in the future and what that may mean so that it's on record. That's always -- you, know the concern is that we are -- we are in one of these areas where we definitely don't want to inhibit a property owner from doing what they need to do on their property to -- you know, especially if they want to do repair, but at the same time if the use of that property intensifies, then, we have to redress that. So, I do appreciate that from the staff. But other than that I have no issues with the application. Any other comments? I will always take a motion.

Grace: Mr. Chairman, I would be happy to make a motion. Excuse me. After considering all staff, application, and public testimony I move to recommend approval to the City Council of File No. H-2023-0039 as presented in the staff report for the hearing date of September 21st, 2023, with no modifications.

Lorcher: Second.

