

Hastings Planning Commission

**June 22, 2015
Regular Meeting**

Chair Estenson called the meeting to order at 7:00 p.m.

1. **Roll Call**

Commissioners Present: Estenson, Rohloff, Slaten, Wallace, Alpaugh, Deaver, and Johnson

Commissioners Absent: None

Staff Present: City Planner Justin Fortney

2. **Add Agenda Item 6** – Lee Anne & Steven Benson – Variance #2015-25 – Maximum number of accessory structures – 519 17th Street East.

Motion by Commissioner Johnson to add the item to the agenda. Seconded by Commissioner Wallace. Upon vote taken Ayes 7, Nays 0. Motion carried.

3. **Approval of Minutes – May 26, 2015**

Motion by Commissioner Slaten to approve the minutes. Seconded by Commissioner Alpaugh. Upon vote taken Ayes 7, Nays 0. Motion carried.

PUBLIC HEARING

4. **Crossfit HSC** – Special Use Permit #2015-23 – Operation of a Commercial Use (Fitness Center) in the I-1 Zoning District – 2911 Enterprise Avenue, Suite C

Fortney provided a summary of the staff report

Chair Estenson opened and closed the public hearing at 7:07 pm with no comments received.

Commissioner Wallace asked if there was any outdoor activities or retail sales to the general public. Jeff Tate, applicant stated they generally do not have any outdoor activities other than running and a special event about once per year. He added that they sell a small amount of products to members.

Commissioner Rohloff asked staff if they needed handicapped parking spaces or a fire inspection. Fortney said that handicapped parking spaces are determined by the Building Safety Department at the time of building construction and added that the Fire Department would have already inspected the business during its change of occupancy license.

Commissioner Slaten asked what fees would be required. Fortney said there was a \$500 SUP application fee and a change of occupancy license that would have already been paid.

Commissioner Deaver asked if the SUP comes up for renewal each year. Fortney said it is permanent and runs with the land unless it is revoked. He added it is only for a specific type of use and a retail sales business for example, would have to reapply for its own SUP.

**Motion by Commissioner Deaver to recommend approval of the SUP as presented.
Seconded by Commissioner Slaten. Motion passed.**

OTHER ACTIONS

5. Phillip Vieth – Variance #2015-24 – Maximum Square Feet of Accessory Buildings – 1516 Eddy Street.

Fortney presented a summary of the staff report.

Deaver asked if the total number of structures would also need a variance. Fortney said it appears that there are 2 accessory structures from the aerial photograph, but the garage has an attached lien-to and there is a camper situated next to it.

Johnson said his only concern is regarding possible glare from the panels negatively affecting the neighbors. He added that the panels on the roof of Kings Cove can give quite a glare at certain times of the day. Fortney said he believes that is due to reflection panels on the King's Cove site that are not part of the current proposal. Fortney added that the City Nuisance Ordinance can address some issues related to glare, but it can be difficult to address after installation.

Deaver said this request is only due to size and added that the actual installation of panels is allowed outright. He asked if there is any concern over wind for a structure like this. Fortney said the Building Safety Department will inspect the structure and require the appropriate wind speed rating for our region.

Chair Estenson asked if a variance could be undone if its approval caused issues. Fortney said a variance is a permanent resolution and undoing one would be extremely unlikely.

Deaver said there are solar panels along Highway 316 and he has never noticed any glare from them.

**Motion by Commissioner Slaten to recommend approval of the variance as presented.
Seconded by Commissioner Alpaugh. Motion passed.**

6. Lee Anne & Steven Benson – Variance #2015-25 – Maximum number of accessory structures – 519 17th Street East.

Fortney presented a summary of the staff report.

Commissioner Alpaugh asked if they had considered adding it on to an existing structure. Fortney said they would like to place it in the same location as the destroyed greenhouse. Fortney added that these green houses are sold as kits and it may be difficult to incorporate them into an existing structure, from the applicant's perspective.

Slaten asked if they had gotten permits for the existing buildings. Fortney said they did not get one for the 48 SF greenhouse, he was not sure about the tin shed that was replaced with a wood shed last year, which did have a permit. He added that there most likely was one for the garage.

Estenson said if the applicants build the third structure originally, then this is caused by their actions. Fortney said that due to a staff error, the third structure was allowed to be replaced. He added that if it had not been allowed, the applicants may have had different plans for structures that could have met the ordinance.

Deaver asked why detached garages are treated differently than attached. Staten said he didn't know and added that maybe they shouldn't.

Wallace said he has some concern that the notice hasn't been sent out to neighbors. Estenson said that notification isn't required and it will still be sent out before the City Council meeting on July 6th.

Estenson said the staff does a very good and thorough job, but added that sometimes mistakes happen and he asked if citizens should be required to research the ordinances themselves every time they submit an application or do we think it is reasonable that they can rely on city staff to provide them with the information. He added that he does not believe the applicants had any mal-intent to usurp the ordinance or they would have just installed the greenhouse without a permit. He also add that this is a unique situation that wouldn't likely be seen again.

Motion by Commissioner Deaver to recommend approval of the variance as presented with the following condition. Seconded by Commissioner Johnson. Motion passed.

- **Staff send a notice to the adjacent homeowners**

7. Other Business

Fortney updated the Commission on past City Council actions and future Planning Commission Business.

Comments from the Audience

No comments from the audience.

Adjourn

Motion by Commissioner Slaten to adjourn the June 22, 2015 Planning Commission Meeting. Seconded by Commissioner Johnson

Upon vote taken, Ayes 7, Nays 0. Motion carried.

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Justin Fortney
Recording Secretary