



Planning Commission Meeting

September 28, 2009

CALL TO ORDER: President Randy Cranston called the Sublimity Planning Commission meeting to order at 7:00PM. Other members present; Randy Cranston, Fed Dobler, Gary Frank, Steve Janiszewski and Jim Crowther, Others present: Carrie Corcoran, City Recorder; Alan Frost, Public Works Director, Bob Brundage, City Councilor and Suzanne Dufner, Planner with the Council of Governments. There were 7 audience members. A quorum was established and the pledge of allegiance was said.

Zone Change 09-01 / Legislative Amendment 09-01 / Partition 09-03 & Partition 09-04

A request to convert two (2) existing duplex dwellings into single family attached townhomes. The request includes a zone change from R-1 (Low Density Residential) to R-2 (Medium Density Residential); and amendments to the Sublimity Development Code to establish minimum lot size and lot width standards for the single family attached townhomes located in the R-2 Zone District. The request also includes partition approval to divide two duplex lots into townhome lots approximately 4,265 and 4,279 square feet in size.

President Randy Cranston opened the public hearing and asked for any ex parte disclosures.

Randy declared that he had spent a day fishing at the lake with a gentleman who testified at the last meeting but that they did not discuss the application.

Suzanne Dufner presented the staff report

George Jennings - Applicants Attorney from Garrett, Hemann Robertson; 1011 Commercial St NE Suite 210, Salem – Presented his letter sent to the PC dated 09/28/09 and letter date 09/28/09 (both attached to minutes)

Sam Labbe – Principal Broker with Coldwell Banker & Applicants Real Estate Broker – Discussed the difficulties with selling the condos due to the economy and financing requirements.

Randy Cranston disclosed that he was a licensed Broker with Prudential, but that his current status was inactive.

A discussion occurred concerning CC&R's.

Randy asked for testimony in favor of, in opposition of or for a general statement.

In favor - Randy Rogers – 840 Lupine Ct Sublimity, stated that he was a builder and that the CC&R's wouldn't change at all with the approval of this application and feels that this is just an issue with terminology that needs to be corrected.

In opposition – no one spoke.

General testimony – George Jennings said that the proposal should adjust to fit the needs of the applicant and their conditions. Also, gave the Planning Commission copies of letters from neighbors who are in support of the applicant's proposal.

Randy Cranston closed the public portion of the hearing

A recess occurred from 7:50 to 7:55

Randy re-opened the hearing and George Jennings explained how the Robertson's acquired the property.

The public portion of the hearing was closed again.

Randy informed the Planning Commission that they are only able to make a recommendation to the council and that they would be the one's to render a final decision. He also stated that he did not feel that the reasoning (economic restraints) justified changing a portion of our code.

All members of the Planning Commission agreed that the request did not warrant an approval to make changes to our current code.

MOTION: Jim Crowther made a motion to deny Zone Change 09-01, Legislative Amendment 09-01, Partition 09-03 and Partition 09-04 and recommend denial to council because the Planning Commission unanimously agrees that the market does not justify a change in the current code; Gary Frank seconded the motion; unanimously approved.

Planning Commission reiterated that the recommendation that they will make to the City Council will be for denial at the hearing to be held on November 11, 2009.

Meeting Minutes

MOTION: Gary Frank made a motion to approve the August 31, 2009 meeting minutes; Steve Janiszewski seconded the motion; unanimously approved.

Meeting was adjourned: 8:15PM.