

5.05: Public Hearing: Review Sketch Plan for Lavern Estates (Project No. 117-137); Case of Joshua Peterson

Public Hearing

Vice Chair Van Scoy called the public hearing to order at 8:01 p.m.

Presentation

Planning Intern Henderson presented the staff report stating this file is to review the Sketch Plan Submittal for Lavern Estates. The Sketch Plan proposes to subdivide one 36.17 Acre Lot into two (2) buildable lots; Lot 1 is 35.49 Acres and Lot 2 is 4.05 Acres. The submittal consisted of one (1) sheet, prepared by Developer Josh Peterson (You Wish You Had This Land, L.L.C.) and Carlson McCain dated October 3, 2016. The submittal also includes a request for a Zoning Amendment and Comprehensive Plan Amendment to rezone the property from R-1 Residential (MUSA) to R-1 Residential (Rural Developing) and to re-guide the land from Low Density Residential to Rural Developing (Received July 6, 2017). The land use and zoning amendments will officially occur during Preliminary Plat approvals. Staff recommends that the Developer proceed with preparation of the Preliminary Plat, contingent upon the directives of the Staff Review Letter, including the necessary Comprehensive Plan Amendment.

Community Development Director Gladhill reported staff was not completely supportive of the proposed Sketch Plan as it was creating a number of flag lots. He believed another local road should be considered to serve these homes.

Citizen Input

Vice Chair Van Scoy asked if the surrounding property owners were aware of the proposed zoning change.

Community Development Director Gladhill explained all of the adjacent landowners were aware of the applicant's intent, but noted their approval was not required.

Vice Chair Van Scoy questioned how long it would take City water and sewer to get to this area.

Community Development Director Gladhill estimated this would take 10 to 15 years, if ever.

Lonnie Gray, 17530 Nowthen Boulevard, stated the back of his property abuts the property in question. He stated his only concern was with the increased number of cars that would be traveling past his property. He requested numerous lots not be developed.

Community Development Director Gladhill clarified the applicant was proposing to develop 2.5 acre lots.

Mr. Gray questioned how this property would be impacted by the proposed Comprehensive Plan Amendment.

Community Development Director Gladhill reported the impacts would be very minimal to adjacent property owners.

Norm Novak, 7041 175th Avenue, indicated he has lived in his home for the past 16 years. He explained his property abuts the proposed project as well. He stated he has been trying to purchase five or six acres from the applicant for some time and was told by the City the property could not be rezoned. He expressed frustration that he was not able to purchase these five acres.

Community Development Director Gladhill commented the property owner and Mr. Novak could come to an agreement, but recommended this remain separate from the request before the Planning Commission.

Josh Peterson, 7009 175th Avenue, stated he did speak to all of his neighbors north of 175th and west of Nowthen Boulevard. He stated all but three or four signed off on the project.

Vice Chair Van Scoy asked if the applicant had any objections to the staff recommendations and conditions for approval.

Mr. Peterson stated he has yet to review this letter in detail.

Community Development Director Gladhill recommended staff review this information in further detail with the application.

Motion by Commissioner Anderson, seconded by Commissioner Nosan, to close the public hearing.

Motion Carried. Voting Yes: Vice Chair Van Scoy, Commissioners Anderson, Nosan, Gengler, and Surma. Voting No: None. Absent: Chairperson Bauer and Commissioner Brauer.

Vice Chair Van Scoy closed the public hearing closed at 8:22 p.m.

Commission Business

Motion by Commissioner Nosan, seconded by Commissioner Surma, to recommend that City Council approve the Comprehensive Plan Amendment and Zoning Amendment to change the zoning from the urban service area to Rural Developing, contingent upon the Staff Review Letter.

Motion Carried. Voting Yes: Vice Chair Van Scoy, Commissioners Nosan, Surma, Anderson, and Gengler. Voting No: None. Absent: Chairperson Bauer and Commissioner Brauer.