

Baker City Planning Commission

April 25, 2007 @ 7:00p.m.

The meeting was called to order at 7:00 p.m. by Chair Alan Blair. Sharon Rudi, Wayne Burnside, Rick Rembold, Rob Ellingson, Ken Rockwell and newly appointed commissioner Ryc Rienks were present. Staff members present were Jennifer Murphy and David Fine

Ryc Rienks gave some background on himself to start out the meeting.

Approval of Meeting Minutes from March 21, 2007

Sharon Rudi MOVED to approve the minutes and Wayne Burnside SECONDED it. The motion carried UNANIMOUSLY.

Planning Commission Case 07-CUP-06

A request by Lee and Lorna Swiger to construct a 1,800 sq. ft. accessory structure within the Residential-Medium Density Zone.

Alan Blair read the hearing procedures. All commissioners stated they had the opportunity to view the property.

Ken Rockwell asked staff why this was a CUP instead of a variance. Jennifer Murphy explained that anything over 1,000 ft of an accessory structure must have a CUP. One of the primary issues for the commissioners is for them to determine if the size of the accessory structure is larger than the house. If they feel it is then they may not proceed with this case because it would not qualify. David Fine stated that as it stated in the staff report, they supported the applicant's information that helped determine that the proposed accessory structure is not larger than the house.

Ken Rockwell stated that in his observation of the property and the surrounding neighborhood he did not find any accessory structures that appeared to be more than 400 to 600 sq. ft. This concerned him because it would appear out of place in this neighborhood. He asked if there was any written testimony. Staff stated that there was not.

Lee Swiger, 2350 16th St. approached the podium. He stated his wife measured the house and did the mat, and the house is 1700 sq. ft. There was an attached garage built in 1994 that is 27'x36', which is an additional 972 sq. ft. Combined total of 2672sq. ft. on continuous foundation. They want to build this shop because they collect classic cars and this would give them an adequate place to store them. He stated that the proposed shop is similar in size to that of shops within a few blocks of his house. There is one about a half a block away that they are able to put a long haul truck in. There are a few others that are able to accommodate a camper and a few vehicles. All are within a 2-3 block radius but he is unaware if they are considered to be part of the commercial zone or not. He measured all the cars he has, the camper and the boat and combined they total 900 sq. ft.,

if they were all squeezed together. He stated that all of the vehicles are nice ones. He has spoken with all of his neighbors and they are all in favor of it and hope he is able to regardless of the size.

Rick Rembold asked if his structure then compared to the one a half a block away. Mr. Swiger explained that his would be bigger, that that one is around 1200sq. ft. Sharon Rudi asked if the square footage of the patio was included in calculating the size of the home. Mr. Swiger stated that is was not; just the home and attached garage were calculated in. Mr. Swiger went on to explain he owns a lot of lots in that area and the structure will not be next to the street, it will be set back. He owns 7 lots in that area altogether. Rick Rembold asked where he came up with the number 1800 as the square feet he needed. Mr. Swiger stated that it was 900 sq. ft. for the boat, cars, and camper and he added on the remaining area to allow him to open the doors to work on them, and have some tools in the garage as well.

Ken Rockwell asked if there were any covenants or restrictions in that area. Mr. Swiger stated no that he has owned that property since 1963 and there are no covenants. It is primarily old farm houses, trailers and old homes in that area of town. Ken Rockwell asked what type of utilities he planned for the structure. Mr. Swiger stated just electricity. Maybe somewhere down the line he would pursue adding heat. He would like to add his welder and tools to the structure as well. Ryc Rienks asked if there would be any commercial use and was informed by Mr. Swiger that there would not be. Ken Rockwell asked about the type of lighting he was going to use. Mr. Swiger stated he was going to be using regular lighting, no flood lights or anything like that. Mr. Swiger stated that the primary use of the structure will be to simply store the vehicles out of the elements.

Alan Blair asked what color he was going to paint it and informed him that color does make a difference. Mr. Swiger stated that he was thinking of gray with possibly some blue trim.

Ken Rockwell stated that the maximum height allowed by the code is 18ft, and Mr. Swiger stated he planned the building being 18ft.

There was no one in the audience opposed or in favor to the application, so the public hearing was closed.

Wayne Burnside said then that their first issue was to determine if there were any issues or doubt that the dwelling was larger than the proposed structure. Alan Blair stated he felt there was no issue with the size and asked staff what the correct dimensions are for them to use. David Fine stated that if they find that the house is less than 1800 square feet they must stop this process as it would not qualify. Fine indicated that they must decide if the accessory building is customary and incidental to the occupancy of the residence. He stated it is not customary to have a building of this size in a residential zone. When looking at the surrounding area as well and as the recommendation of staff, Fine stated that it might be so big that it could detract from the neighborhood.

Jennifer Murphy stated that according to the assessor's records the attached garage is 825sq. ft and the home is 1606 sq. ft.

Rob Ellingson asked why there needed to be a 14ft. eave. Swiger stated that it was so he could park the camper.

Ken Rockwell stated that he feels the house size is adequate. The next concern is the size of the structure. He feels it is inconsistent with the surrounding neighbors. He feels that 1000 sq. ft. would be the maximum for that area. Alan Blair agreed that the proposed size is not customary as well. He asked staff if at this meeting they are able to grant him a permit for a smaller building. David Fine stated that that decision would be up to the commission.

Mr. Swiger stated he does not consider his place an eyesore but does consider some of the neighbors places an eyesore. He is willing to compromise on the size if it is not going to be approved. Wayne Burnside felt that he should be able to do what he wants if he owns the land.

Ken Rockwell stated he does not feel an 1800 or 1400 sq. ft. building fits in with the neighborhood and he does not believe it meets their criteria. Sharon Rudi stated in theory she agrees with Ken; however, she can see the point of the applicants and can see why neighbors want this as well. Rob Ellingson stated he can see a CUP for larger than 1,000 sq. ft. due to the size of the lots he owns.

Rob Ellingson MOVED to approve a 1400 sq. ft. accessory structure with a width not to exceed 28ft., the 28' portion of the building running parallel to 16th Street, and the color must be gray or beige with the exterior trim being painted a muted color. Rick Rembold SECONDED the motion.

The motion CARRIED with a vote of 5-2. Ken Rockwell and Sharon Rudi opposed.

Planning Commission Case 07-CUP-07

A request by Hills Contracting to allow the construction of a 580' long cul-de-sac on platted Oak St. south of H St. and to allow a 30' wide curb cut on the southernmost lot on the west side of the cul-de-sac to accommodate a hammerhead turnaround. Applicant also asks for a variance to be excused from providing a sidewalk on the east side of Oak St.

All commissioners had seen the property.

Dick Fleming, 955 Park St., Baker City, approached the podium. Mr. Fleming stated that since the application was originally filed, the property owner to the south decided that he might be willing to develop his land, which Oak Street would be extend through. Oak Street would then extend from H to D Street. Mr. Fleming indicated that the Hills would like to proceed with the application so that they may get started on this project. Fleming said the primary issue here is the issue of a sidewalk on the east side of Oak St.

Alan Blair asked if anyone else is in favor.

Applicant Barrett Hills, 3310 Cedar St approached the podium. Hills stated that at the time of the proposal the owner of the property to the south of them did not feel like he was going to be doing anything anytime soon with his property, that is why they proceeded. At this time the gentleman is willing to work with them and is in favor of this getting approved. Mr. Hills indicated that he really hopes that the street will be a thru street. They would like this variance so they may get started on their properties this year. He stated the concern was that they did not want to put sidewalks in on the east side of Oak St. He stated that all the houses there face toward Cedar St. and not Oak Street. There are also large power poles there that cannot be placed underground in the future. He feels that leaving sidewalks out there would not be a problem at all.

Sharon Rudi asked if they would be building single family homes. Mr. Hills stated that yes they will be building single family stick-built homes. Sharon then asked if there would be any covenants and restrictions. Mr. Hills said that there will be some but very basic ones. They plan on doing the building on the lots and not selling the land bare.

Wayne Burnside asked if it is an approved subdivision. Jennifer Murphy said that this part of Oak St., south of H St., is an already platted right-of-way.

Mr. Hills stated there is discussion to change the size of the lots in the future but it is still being discussed. Ken Rockwell asked how wide the sidewalks will be. Mr. Hills stated it has to be 5 ft. per the City's requirements, and that there is also a planning strip between the street and sidewalk.

Roger Holden, 3135 Cedar St. approached the podium. He owns the only two lots facing Oak St. and has no issue with there not being a sidewalk there. He fears that instead of allowing this to proceed the City will put in a street and he as well as the other property owners will be assessed the fee. He stated he has no intention of selling his land in the future.

No one else in the audience spoke in favor or against this matter.

Ken Rockwell felt that they should follow staff's recommendations and require sidewalks on both sides of the street. Rob Ellingson and Sharon Rudi indicated they agreed.

Ken Rockwell MOVED they approve the two variances with recommendations following the staff report. Sharon Rudi SECONDED. The motion CARRIED unanimously.

Other Business/Adjourn

Alan Blair stated that this next piece of business was not a public hearing and that there will be no votes. It was simply a discussion for the future when they bring a plat forward.

Mr. Broughton approached the podium. Chuck Broughton owns the property to the south of the Hills property on Oak Street. Broughton stated that it only makes sense for him to connect to the Hills' project. He however would like to minimize the size of the street width though so it doesn't affect the size of the lots. OTEC has already given him the go ahead on moving the poles, they were going to have to be moved no matter what. The reason they want them on the west side is because there is no need to double up on the poles. As of right now there are 12 lots set up but there could eventually be as many as 16 lots.

Jennifer Murphy stated the only obvious concern she sees is that they require 5-6 ft. of sidewalk, plus a minimum landscape strip requirement. Broughton stated this would not be a problem, but that his concern is if the road must be 5-10 feet wider it would really impede on the lots.

Jennifer Murphy said the original intent was for Mr. Broughton to come before the commission in May, however there is a time constraint and his application was not technically complete. The code currently requires an applicant to file a preliminary plat map reflecting everything that will be involved with the project, such as light pole location, even though the commission does not approve such an item, and it requires an applicant to expend an extreme amount of money without knowing if the concept of the land division will be approved. It is something that needs be looked at and potentially amended.

Alan Blair then asked the commissions how they felt about the conceptual plan Broughton presented them with regarding his property connecting to Oak Street, asking if they saw anything that was a major concern. Ken Rockwell asked about the street grid system, about F St. going east to Oak St. Jennifer stated that F Street is not platted to go through to Cedar Street in this area.

After further discussion over these same key points, Alan Blair stated that he encourages Mr. Broughton to proceed and to submit his application with the Planning Department.

Any other issues:

Sharon Rudi was concerned that there was a misconception of the inventory of vacant land that is available to build on in Baker. There are currently 29 properties on multiple listings in the entire county. The vacant lots that they do have are getting more and more expensive to build on. These numbers do not include land which is for sale by owner and the parcels that are not for sale.

She also said that homes on the market are drastically down as well; currently there are only 72 houses in Baker County on the market.

The next commission meeting will be May 16th, 2007 at 7:00pm

Meeting adjourned at 9:25 p.m.