

**MINUTES
DAYTON PLANNING COMMISSION
MEETING JANUARY 14, 2021**

PRESENT: Jim Maguire
Ann-Marie Anderson
Tim Parsons
Larry Smurthwaite

ABSENT:

STAFF: Kiel Jenkins, Associate Planner
Cyndi Park, Library Director/Planning Coordinator

CALL TO ORDER

Chairperson Jim Maguire called the meeting to order at 6:35 p.m.

APPROVAL OF ORDER OF AGENDA

The Commission needed to elect their Chairperson and Vice Chairperson, so this was added to the agenda. Commissioner Anderson nominated Commissioner Maguire as Chairperson, Commissioner Smurthwaite seconded the nomination, nomination passes unanimously. Commissioner Maguire nominated Commissioner Anderson as Vice Chairperson, Commissioner Smurthwaite seconded, nomination passes unanimously.

APPEARANCE OF INTERESTED CITIZENS

None present for general comments.

APPROVAL OF MINUTES

Chairperson Maguire asked for a motion to approve the minutes of the December 12, 2020 meeting as written. Vice Chairperson Anderson moved that the minutes be approved, Commissioner Smurthwaite seconded the motion, motion passed unanimously.

PUBLIC HEARING

Chairperson Maguire opened the public hearing at 6:40 p.m. Chairperson Maguire read the Public Hearing script into the record. The Commissioners reported no conflicts or bias. The meeting was turned over to Associate City Planner Kiel Jenkins. Mr. Jenkins provided a summary of the sections of the code that applied to the applications a Minor Partition, Major Variance, and Minor Variance (applications MINPAR 2020-01, MAJVAR 2020-06, and MINVAR 2020-07). Mr. Jenkins began the reading of the Staff report into the record, beginning with a description of the property and then an explanation of each proposed planning action.

The proposed Minor Partition would divide the single parcel into two parcels. The proposed Minor Variance would allow the setback on parcel 2 to be reduced from 15 feet to 14.7 feet. The proposed Major Variance would allow the applicant to enter into a non-remonstrance agreement with the City to defer frontage improvements to the property. Because all applications were filed at the same time, they must all be considered Type II applications under LUDC 7.3.201.01, so all applications were heard together at the higher

processing type. Approval for each individual application was dependent upon the approval of the other two, no single application could be approved on its own.

Mr. Jenkins gave an overview of the subject property and discussed each of the applications and their approval criteria. The approval of the Minor Variance was recommended because, among other reasons, it would not adversely affect the neighboring properties and required improvements would enhance pedestrian access to the area. The approval of the Major Variance was recommended because, among other reasons, the request was not a result of a deliberate action or knowing violate on part of the applicant, and because of the lack of quantifiable standard for the improvement to the site. It is already fully developed, so deferring improvements to a developed site qualifies as minimally necessary. The approval of the Minor Variance was recommended because, among other reasons, it was for not more than 10 percent more than the standard and because it would not unreasonably impact surrounding residences. The Commissioners had a few questions of clarification for Mr. Jenkins.

Chairperson Maguire asked the other Commissioners what their thoughts were on the application, and it was evident that everyone present was in favor of approving all the applications as recommended by staff. No additional questions were asked. Chairperson Maguire called for a motion and closed the meeting at 7:03 p.m. Vice Chairperson Anderson moved that the Planning Commission adopt the staff report and direct staff to prepare a Planning Commission Order for the Chairperson to sign Minor Partition 2020-01, Minor Variance 2020-07, and Major Variance 2020-06 with conditions (Sample motion A). Commissioner Smurthwaite seconded the motion, motion passed unanimously.

OTHER BUSINESS

None.

ADJORN

There being no further business, the meeting adjourned at 7:07 p.m.

Respectfully submitted:

APPROVED BY PLANNING COMMISSION on:

By: Cyndi Park Library Director/Planning Coordinator

As Written As Amended