



COUNCIL PUBLIC HEARING

Wednesday, December 16, 2020

APPROVED MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten
Councilor Keith Locke (arrived at 6:41 p.m.)
Councilor Ginny Carlson
Councilor Stephen R. Topaz

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Sue Nelson, City Engineer
Jenny Dimsho, Associate Planner

OTHERS

Howard Blumenthal

OPEN PUBLIC HEARING – 6:16 p.m.

TOPIC

1. Street Vacation - Part of S. 2nd Street Right-of-Way (Zender)

Associate Planner Dimsho presented the staff report. A copy is included in the archive packet for this meeting. Based upon the facts and findings, staff recommends Council only grant the street vacation petition along Lot 22 with the provisions that:

1. The S. 2nd street ROW abutting the adjusted Lot 21 shall remain public right-of-way.
2. The legal description and exhibit from a private surveyor be provided within one year from the date Council approves the vacation request.
3. Lot Line Adjustment (LLA.2.20) shall be recorded within one year from the date Council approved the vacation request.
4. Conditions two and three are required prior to the ordinance that completes this right-of-way vacation.

Councilor Topaz asked if the owner can still access the property even without the vacation of the little triangle. Dimsho confirmed they can because it is public. The purpose of vacating it was for a bigger front yard and contiguous access. Councilor Topaz talked about the piece going down the cliff. Could anything be built there other than a stairway? Dimsho will not say, "no," but it is very steep. It does not meet buildable lot size for a structure.

Council President Morten asked if citizens would lose anything by vacating the small triangle. How would that benefit the builder? Dimsho responded that the builder would gain control over what happens on that little parcel. The trees would not be publicly protected and could be cut. Council President Morten asked about a deck. Dimsho said they would have to comply with setbacks.

Council President Morten asked if the Planning Commission discussed transportation issues. Are there issues with turning around at the end? Dimsho responded that their main focus was preserving public views. She had to do a four-point turn to get out of there. It is a dead-end site with topography challenges.

Council President Morten suggested looking at that site for a future trail and viewing platform.

TESTIMONY

- ◆ Howard Blumenthal. He voiced his concern about giving up control of the beautiful oak trees in that area.

Councilor Carlson asked if there is anything in the Code to protect the stability of the bluff. Dimsho responded that when a lot is more than 15% in grade, they have to obtain a Sensitive Lands Permit. Building Official Mike De Roia also has authority to require a geotechnical report to determine if the land is buildable and suitable for the proposed development. Councilor Carlson wants to be extra careful about vegetation on a hillside.

Council President Morten pointed out that the ground is solid basalt. The first thing he did on his property was to get a geotechnical report to find out if it was buildable. It gives reassurance.

Keith Locke arrived at 6:41 p.m.

Discussion ensued.

CLOSE PUBLIC HEARING – 6:43 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne

Kathy Payne, City Recorder

/s/ Rick Scholl

Rick Scholl, Mayor