

**HEARING OFFICER –Kelly Conference Room #155
May 29, 2019 @ 2:00 p.m. - Record of Meeting**

The Hearing Officer meeting was held on Wednesday, May 29, 2019 in the Kelly Conference Room #155. Hearing Officer present: Beth Rosenbarger.

REPORTS RESOLUTIONS AND COMMUNICATIONS: None at this time.

PETITIONS:

UV/V-12-19 **David Howard**
1301 S. Walnut St.
Request: Use variance to allow a ground floor dwelling unit. Also requested is a variance from minimum parking requirements to allow the construction of a mixed-use building
Case Manager: Eric Greulich

Eric Greulich presented the staff report on UV/V-12-19. Staff is recommending adoption of the proposed findings in the staff report, including the following condition:

1. This approval allows for only one ground floor dwelling unit in this proposal as submitted.

Rosenbarger, Hearing Officer, clarified that two parking spaces will be provided as part of this petition but only one will be ADA accessible. She also confirmed there will be five (5) on-street parking spaces adjacent to the property. Discussion ensued regarding bicycle parking and if the proposed bike parking is adequate.

Chad Vencel is present to represent David Howard. He said they still need to work out the 7 foot setback; the building meets the setback but not for the parking. With that being said, the trash collection area might need to be modified due to a parking space in the rear of the property that needs to meet a side yard setback.

Rosenbarger, Hearing Officer, said she would like the opportunity to discuss the sidewalk being brought into compliance along Walnut since it isn't currently; however, it doesn't need to be discussed in this forum since it has nothing to do with the variance being requested. Also, she would like for the City Engineer to look at the curb radius and sign off on it. The sidewalk and street trees would be worked out at the grading permit level. Greulich queried whether or not the condition of approval needed to be modified to state that the parking variance is to allow one parking space if needed; this would keep the petitioner from having to come back before the Hearing Officer for a future request. Rosenbarger asked Mr. Vencel if he would be amendable to modifying the parking so that the variance is to allow a minimum of one parking spot on-site. Vencel agreed to that particular modification because it's going to be difficult to meet the 7 ft. setback. Rosenbarger thought it was important to have secured bicycle parking; possibly a minimum of four (4) spaces. Greulich confirmed those spaces would be long-term bike spaces. Greulich said condition #2 would state "*Four (4) Class I long-term bicycle spaces to be added to the site.*"

No comments from the public.

****Rosenbarger approved UV/V-12-19 based on the written findings, including the one condition outlined in the staff report with the added condition #2 as previously stated with regard to the addition of four (4) Class I long-term bicycle spaces to be added to the site (Rosenbarger explained this is a bike space where a person's bike could be inside an enclosure and locked).**

CU-15-19 **Fiona Taggart and Zandro Pleimann**
1003 W. 9th St.
Request: Conditional use approval to allow the construction of a detached accessory building to be used as an accessory dwelling unit in the Residential Core (RC) zoning district.
Case Manager: Ryan Robling

Ryan Robling presented the staff report on CU-15-19. Staff is recommending adoption of the proposed findings in the staff report, including the following three conditions:

1. The conditional use is approved for the proposed structure as submitted.
2. Petitioner shall record a commitment to satisfy 20.05.0333(I), indicating that the ADU cannot be sold separately from the primary unit and that the conditional use approval shall only be in effect as long as the owner(s) of record occupies either the house or the ADU as his or her primary residence. If the ADU approval is revoked at any time, the ADU must be removed from the property.
3. Petitioner shall submit a copy of the property tax homestead exemption for the property.

Fiona Taggart and Zandro Pleimann are present on behalf of their petition. Fiona wanted to clarify that the drive would be expanded for two cars.

Rosenbarger asked if this request went before the Neighborhood Association. Robling confirmed it did. Rosenbarger asked about input from the neighborhood. Robling said Staff received no communication from the public concerning this petition.

No comments from the public.

****Rosenbarger approved CU-15-19 based on the written findings, including the three conditions outlined in the staff report.**

Meeting adjourned.