



**City of Dallas
Planning Commission
Council Chambers - City Hall
August 11, 2009 - 7:00 p.m.**

MINUTES

CALL TO ORDER

President Lerwick called the meeting to order at 7:07 p.m.

ROLL CALL

Commissioners Present: Carol Kowash, Chuck Lerwick, Carrie Mendell, Murray Stewart and Doris Stefani

Absent: Robert Wilson and Dave Pederson

Staff present: City Attorney Lane Shetterly, Community Development Director Jason Locke, Planner John Swanson and Recording Secretary Joanne Ballweber.

Joanne Ballweber was sworn in as Recording Secretary

APPROVAL OF MINUTES

President Lerwick presented the minutes of the regular meeting of July 14, 2009. Commissioner Stewart moved to approve the minutes as presented. Commissioner Kowash seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

QUASI-JUDICIAL PUBLIC HEARINGS

Annexation Application

A public hearing on the application of Jerry W and Jewel L Carlson applicants for annexation of Tax Lots 8.5.5B 200, 300, 400, 500, 600, 1800, 1801, 1900, 1902, 1093, 2000, 2100 and 8.5.5A 400, totaling 49+ / - acres in the Urban Growth Boundary.

President Chuck Lerwick opened the hearing at 7:07 p.m. and read the hearing procedure.

Community Development Director Jason Locke discussed the annexation area. He pointed out on the map which property owners were opposed to the annexation. Mr. Locke explained the area being annexed and advised there would be no zone change at this time. There were 3 property owners that did not respond to the annexation letter and one that was opposed. Mr. Locke stated the triple majority has been met. This meeting is only about boundary change. Staff is recommending approval with the condition that the applicant provide a legal description of the property to be annexed upon approval by the City Council. Mr. Locke entertained any questions. There were none.

President Lerwick asked if the applicant wished to make a statement.

Mr. Carlson, the applicant, said he wanted to make clear that even though he is not a resident of Dallas at this time, he previously has been a member of this community, raised his children here and he is planning on retiring back to this community next year. He stated he does not own any of this property and is looking for property for self storage and RV storage.

Mr. Carlson presented a PowerPoint slide show regarding the potential future use of the property. Mr. Carlson said he intends to provide service to Dallas, increased tax revenue and clean up the wrecking yard and he believes it would encourage the neighbors to upgrade their property. He added that this property is the South entrance to Dallas and his proposal would improve that image. He indicated he would be seeking a zone change to light industrial.

Lane Shetterly clarified that the Planning Commission is not addressing the use or future zoning. The issue is the annexation only. Anything else regarding development and the ultimate use are future issues and subject to their own approvals

President Lerwick asked for comments and questions from the audience.

Daniel Blair, who resides at 2208 SW Fairview, owns two of the adjoining properties. Mr. Blair expressed his approval of the annexation. He is interested in the development plans for the future regarding sewer, water and other facilities Mr. Locke responded that this annexation gives the City of Dallas an opportunity to plan that area and receive the property owners input regarding that.

Dale Ropp stated he does not live in Dallas but owns property in that area and expressed his approval.

Laurie Carlson spoke on her concern for her goat dairy at 2340 SW Fairview. She wants to make sure this annexation would not affect her business and wants to protect that. She indicated she is not against it, but would like to make sure the Planning Commission is aware of her concerns. Mr. Locke and Mr. Shetterly assured her she would not be affected. She also wanted to know about the plans for sewer. Mr. Locke explained the topography and about where sewer might be placed in the future.

Ron Coxson, of 1311 SW Brown Street, said he also would like to have the City annex this property. He expressed his support.

Mr. Lerwick asked for further comments. There were none.

The hearing was closed at 7:31 p.m.

Carrie Mendell made a motion to recommend approval of the proposed annexation to the City Council with the condition that the applicant shall provide a legal description of the property to be annexed upon approval by the City Council. Doris Stefani seconded the motion. President Lerwick called for a vote. The motion passed unanimously

OTHER BUSINESS

Continued Review of Draft Development Code.

Mr. Locke discussed which direction the Planning Commission wanted to go with the new development code. Mr. Locke touched on the major changes and amendments that are being proposed for the draft development code. He has gone through it again and Lane Shetterly has reviewed it for procedural errors. Mr. Locke said his question is based on prior discussions with a few minor changes that he picked up. He wanted to know what is the Commission's vision. Mr. Locke added that the new development code will

offer more flexibility and will determine how Dallas conducts business in the future. Mr. Locke also feels the new development code will put more of a burden on developers, builders and staff to make sure this actually happens and the product being turned out is what the City of Dallas wants.

Scott Siegel, consultant said he felt they tried to honor the intent of the Comprehensive Plan noting the standards that are in the code today that worked well were carried forward. The new parts are those that Mr. Locke had already summarized. The Planning Staff is still open to any ideas or thoughts on how to improve these ideas. Mr. Siegel said he and the staff want to make sure there are not any structural or policy issues that haven't been addressed. Mr. Siegel stated part of what the City is looking at is small commercial centers, which would be buildings with no more than 1,200 sq. feet. There will be some policy decisions regarding that issue.

Commissioner Kowash asked what comments Mr. Locke and the City wanted to hear. She stated that in her past the issues were multifamily density, environmental concerns and noise. She also mentioned that the City should have affordable housing and there is a range of cost for homes. Mr. Locke said the realignment of zones will allow for that. Mr. Locke stated that commercial property might be an issue. The City doesn't want to provide a lot of general commercial property on the outside fringe, therefore, need to do smarter commercial development. This would allow residential and commercial uses to mix. Mr. Locke indicated what the City staff hears time and time again is how convoluted the process and rules are in the code and the new development code will address those issues.

Murray Stewart asked how the new zoning will impact historical property. Mr. Locke answered that there is no impact. Code names and definitions have changed and the City needs to be cognizant of that. There have also been changes in State law regarding group and care homes. The new development code will include those issues as well. When the City receives projects or subdivision plan developments of greater than five acres it will require Public Works to change their standards for development and their way of thinking on how they will deal with water, storm water and sewer.

Mr. Locke, Mr. Shetterly and Mr. Lerwick discussed the final date for changes and how many, if any changes, Mr. Locke anticipated. Mr. Locke said he anticipates maybe one or two hearings or possibly one with a continuation.

Mr. Siegel injected that the philosophy behind the new development code is: every time you see a hard standard, you should also have language that allows an applicant to present an alternative design and discuss how their proposal would be equal and/or better and should be allowed. He indicated the new development code is moving in the direction of sustainability with a flexible approach.

Mr. Locke advised that the September 8, 2009 meeting date will be reset to September 15 @ 7:00 p.m. for the Development Code Public Hearing. He explained the Planning Commission has to hold a public hearing and there is a conflict with a Council meeting on September 8th.

COMMISSIONER COMMENTS

STAFF COMMENTS

ADJOURN @ 8:15 p.m.

APPROVED:

President

Date

