

MINUTES
EVANS PLANNING COMMISSION
Regular Meeting
March 27, 2012 – 7:00 p.m.

CALL TO ORDER

Chairperson Bisel called the meeting to order at 7:00 p.m.

ROLL CALL:

Present: Chairperson Bisel, Vice Chairperson Brothe, Commissioner Phillips, Commissioner Numoto

APPROVAL OF MINUTES

Commissioner Brothe moved, seconded by Commissioner Numoto, to approve the February 28, 2012 minutes as presented. Motion passed with all voting in favor thereof.

APPROVAL OF AGENDA

The agenda was approved as submitted.

AGENDA ITEMS

Public Hearing – Public Hearing – Use by Special Review – Shed Construction – 3202 11th Avenue – Campus Crest

The public hearing was opened by Chairperson Bisel and staff was asked for a report. Ms. Trent reviewed the following information included in the packet:

BACKGROUND INFORMATION		
Location:	3202 11 th Avenue	
Applicants:	Campus Crest, Owner SolarCity Corp, Applicant	
Existing Land Use:	C-3 High Intensity Commercial	
Proposed Land Use:	Same	
Surrounding Land Use:	North	Commercial vacant land to be developed, church
	South	Post Office, Moose Lodge
	East	Ditch, storage and industrial uses
	West	Residential
Existing Zoning:	C-3	
Proposed Zoning:	Same	
Surrounding Zoning:	North	C-3
	South	C-3
	East	C-3
	West	R-1, R-2, C-1
Future Land Use Designation:	Commercial	

PROJECT DESCRIPTION: The City has received an application from Campus Crest, land owner, represented by SolarCity Corp, for a Use by Special Review for construction of attached sheds to protect and conceal the electronics for the solar panels which are mounted on the roof of the buildings.

The reason this is a Use by Special Review is that the entire project as constructed was approved by USR and any material changes or additions must also be approved by USR.

Please see the attached vicinity map and the attached application for the property location, which is 3202 11th Avenue in Evans, commonly referred to as The Grove.

SolarCity is proposing to install these sheds on the indented corners of the buildings that house the solar roof panels. They will be constructed of the same materials as the

outside of the building and any landscaping will be moved to other areas on the site.

RECOMMENDATION: Recommend approval to City Council.

ANALYSIS:

1. Background:

The development was originally constructed in 2005 with a Use by Special Review as allowed under the code. High Intensity Commercial land, as this is zoned, allows multi family housing to be constructed pursuant to the USR. As such, any changes to that use, including the installation of sheds, must also be approved through a Use by Special Review.

2. Section 19.44 of the Evans Municipal Code:

Below are the Criteria for approval of a USR per Section 19.44.020.

Chapter 19.44
Approval of Special Uses

19.44.020 Criteria for Use by Special Review.

A. All special uses are listed within each zoning district. If a use is proposed that is not defined within the Evans Municipal Code and does not reasonably fall within the definition of any defined use in the Municipal Code, the property owner may apply for use by special review approval in accordance with this chapter.

B. Criteria. The following criteria shall be used to evaluate use by special review requests:

1. The proposed use is found to be unlikely to harm the health, safety, or welfare of the City or its residents. **Staff finds that this criteria can be met.**
2. The proposed use would benefit the City in terms of employment, tax revenue, or other similar effects, as compared to the absence of the proposed use. **Staff finds that this criteria can be met.**
3. The proposed use shall be consistent with the Evans Comprehensive Plan and shall be compatible with the surrounding area. **Staff finds that this criteria can be met.**
4. The location, size, design, and operating characteristics of the proposed use shall be compatible with the existing and proposed future land uses within the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity.

Reasonable conditions may be placed on uses by special review to protect the public health, safety, and welfare by mitigating impacts. **Staff finds that this criteria can be met.**

5. The site shall be physically suitable for the type and intensity of the proposed land use. **Staff finds that this criteria can be met.**
6. The proposed land use shall not adversely affect traffic flow and parking in the neighborhood. **Staff finds that this criteria can be met.**
7. The location of other approved uses by special review in the neighborhood shall be determined, in order to avoid an over-concentration of such uses. **Staff finds that this criteria can be met.**

3. Issues:

The main concern with the application is the adjacency and compatibility with the existing structure and the surrounding land uses. The applicant has submitted photos of where and how the sheds would be constructed and how they would improve the look and safety of the buildings

Notice of this public hearing was provided in accordance with Chapter 19.64 of the Municipal Code.

FINDINGS OF FACT AND CONCLUSIONS

After reviewing the Campus Crest USR for installation of carports the following findings of fact and conclusions have been determined:

The review criteria in Sections 19.44 of the Evans Municipal Code have been appropriately and sufficiently met.

Staff recommend that the Planning Commission forward a recommendation of approval of the requested USR with no conditions.

There were no questions of staff.

Chairperson Bisel asked if anyone in the audience was in favor of the application. Mr. Derek Esposito, representing Solar City made a brief presentation to the Planning Commission regarding the Use by Special Review. There are ten (10) buildings that will house the solar arrays feeding a meter on the ground. Between five and twelve meters are tied into the various arrays, and the mechanics that are required for the arrays require piping and conduit as well as boxes for the meters. He stated that the building of the sheds will house the electrical equipment and keep it out of sight. The finish will be the same as the exterior of the building and will improve safety for the residents.

Mr. Brothe stated that Mr. Esposito had answered his questions. Mr. Bisel asked if the sheds were attached to the building, and Mr. Esposito indicated that the sheds were attached to the building. Mr. Bisel indicated that often the wind or other weather factors will harm the buildings.

There were no members of the audience testifying against the use by special review.

The public hearing was then closed by Chairperson Bisel. He asked for further discussion or a motion on the subject. Mr. Bisel stated that he saw no problems with the request and that it met the requirements of the code. Mr. Brothe agreed. There was no further discussion.

Commissioner Brothe moved: "Mr. Chairman, on the issue of the Campus Crest Use by Special Review for construction of sheds, I move that the Planning Commission forward a recommendation of approval because it meets the criteria outlined in Sections 19.44 of the Municipal Code." ***Commissioner Numoto seconded the motion. Motion passed with all voting in favor thereof.***

This will be heard in a public hearing with the City Council on Tuesday, April 17th at 7:30 pm.

AUDIENCE PARTICIPATION:

There were no comments from the audience.

GENERAL DISCUSSION:

PC asked to see if they would like to go to ZBA Thursday, April 5th, for work session setting.

The next meeting was set for April 5, 2012 at 5:30 pm with the Zoning Board of Appeals, with April 24th, 2012 at 7:00 pm for a regular Planning Commission meeting.

Mr. Bisel brought up a Community Gardens project such as the one at RMLUI. He suggested that John Evans could be a site. Mr. Bisel stated that RMLUI was very interesting and worthwhile, especially the oil and gas sessions.

ADJOURNMENT:

Chairperson Bisel adjourned the meeting at 7:22 p.m.