

Call meeting to order on March 13, 2018 at 5:30 PM:

Roll Call: Mary Benton [x] Albert Brown [] Gordon Fry [] Charles Jennings [x] Mike Munson [x] Andy Paton [x]
Dr. Scott Rogers [] Chris Tackett [x] Brian Wells []

Staff present at roll call was Principal Planner Josh White. Also present were applicant Lori Newsome and citizens Nola Riggs, Debbie Bland and Leslie Johnson.

1. Declaration:

At this time I would like to ask the Planning Commission members to make a declaration of any conflict of interest or of any Ex parte or outside communication that might influence their ability to hear all sides on any item on the agenda so they might come to a fair decision.

No conflicts were noted

2. Public Comments:

Persons who wish to address the Planning Commission regarding items not on the agenda. Speakers will be limited to three minutes. Any presentation is for information purposes only. No action will be taken.

No members of the public brought any comments for items not on the agenda.

3. Consent Agenda:

Meeting Minutes, **February 13, 2018 meeting.**

Benton made a motion to approve the February 13, 2018 meeting minutes as written. The motion was seconded by Tackett. Voice vote carried the motion.

4. Hold a public hearing to consider the advisability of granting a conditional use permit for a lodging or craft house in an R-2, Medium Density Residential District at 2526 Valley View Drive

The meeting was turned over to White for the staff report. White noted that lodging house was the closest use to what was proposed and showed the definition. He noted the conditions recommended by staff including the requirement to have all parking off-street, the house shall meet all building codes, there shall be no more than 8 overnight guests and there shall be no food catered by the owner but the kitchen may be used by guests. A motion was made by Jennings seconded by Benton to open the public hearing. Voice vote carried the motion. Nola Riggs 2518 Valley View Dr expressed concerns about how the applicant would control who occupies the home for the craft house. Debbie Bland 2550 Valley View Dr also wondered about how to police activities at the house. She also asked for clarification on how conditional use permits work. Paton helped to explain. She felt this use would interfere with the residential character of the neighborhood and that this would set a precedent. She also asked about signage. White indicated that signage would be limited to that which was allowed with a home occupation. Lori Newsome, the applicant, explained more in depth what she was proposing for the site. They had difficulty in selling the house and were looking at an income source for the property. A craft house, where women come in to do quilting or sewing or scrapbooking would come in and socialize and use the space to carry out their project. She is offering overnight stays for those guests that wish to stay. She stated that she would be at the house much of the time it was occupied. She would impose strict guidelines on conduct and no children or pets would be allowed. Parking would also not be an issue because of the drive and smaller groups. She indicated it would be stricter than a short-term rental offered on sites such as Airbnb. Paton asked if she was currently living in the house. Newsome replied no. Tackett asked if there was a charge and Newsome replied yes. Munson asked about insurance coverage for this use and Ms. Newsome indicated she would carry a rider on her insurance policy. She also indicated she would form an LLC and would be willing to do anything required of the fire code. The project would not start until May at the earliest. Ms. Riggs asked for clarification about how the conditional use permit is carried out. She wondered if it went to the next owner or was limited in time. White said modifications could be made to the length but an ownership change would be harder to track. Paton saw no issue with this project but worried this wasn't the right classification or requirements. White indicated the list of conditions could be altered

from staff recommendations. Munson felt with neighborhood opposition, it probably should be denied. Leslie Johnson 1213 W Oklahoma Ave and daughter of Ms. Bland, worried what else this project could turn in such as a safe house or halfway house. Ms. Newsome explained further that the guests would be very limited and she would know at all times who was in the house. She also added that Newton and Valley Center have similar houses in their communities. The house would also provide economic benefits to the community in the form of shopping and eating out. Munson asked if the house would remain up for sale. Ms. Newsome replied that would depend on the success of the project. She also added that there was no guarantee that if she sold the house, that the neighbors would be any better than the proposed use. She indicated this is not likely a long term thing, maybe a few years. Jennings concurred with the statement that nobody can control who buys the house and standard single family home occupancy would only be policed in the manner that nuisances are. Tackett asked what recourse we had if the conditions weren't met. White replied if the conditions weren't met, the permit would be revoked and the use no longer allowed. Paton asked if this was a staff determination. White indicated it was but that decision could be appealed to the Board of Zoning Appeals. Munson was concerned that this closely resembled a commercial use. The consensus from the opposition was that this was a commercial use in a residential neighborhood and the neighbors were not in favor of approving it. A motion was made by Munson and seconded by Benton to close the public hearing. Voice vote carried the motion. Further discussion included what sort of conditions could be imposed on the project as well as limiting in time and single ownership. White indicated he would look further into possible conditions. Paton also expressed he would like to make it clear that this should not just be a true Airbnb type rental. White mentioned that other cities classify this as a bed and breakfast and require a special use permit. Jennings made a motion to table the request for a conditional use permit for a lodging house at 2526 Valley View Drive until the next meeting. The motion was seconded by Benton. Voice vote carried the motion.

5. Other Items: There are no items to go before the Board of Zoning Appeals

There were no other items discussed.

6. Adjournment:

A motion was made by Jennings and seconded by Munson to adjourn the meeting. Voice vote carried the motion.

Meeting adjourned at 6:31pm.