

Meeting of the Planning and Zoning Commission for Thursday, March 29, 2007.

The meeting was called to order by Chairman Lee at about 7:30 p.m. Present were Jerry Parmeley, Randy Adams, Don Bobbitt, Jason Ridgel, Mark Mustain, and Tim Grenke. Also attending were Lynn Behrns, City Attorney Merritt Beck, Darren Adams, David Peavler, Ginny Zoellers, Mark Prenger, Shelly Becker, Louis Norden, James Smith, and others.

Bobbitt moved approval of the minutes of March 8, 2007. Adams seconded the motion. The question was called. All members present voted aye, and the motion carried.

Behrns introduced the request on behalf of Virginia L. Gibson for permanent zoning for a parcel of land proposed for annexation to the City of Centralia. The parcel is north and west of the west City water tower. The request asks for most of the land to be zoned R-1 (One Family Dwelling District). A portion of the parcel on the west end totaling 6.92 acres is proposed to be zoned B-2 (Highway Business District). A public hearing was scheduled for this evening and another for the April 16 meeting of the Board of Aldermen. A notice for the public hearing was placed in the March 14, 2007 issue of the Centralia Fireside Guard

Lee opened a hearing for public comment on the request.

Darren Adams, speaking on behalf of Gibson and for prospective developers of the property, said that they were willing to adopt deed restrictions to protect the City and the future residential owners from any bad choice in the commercial uses of the B-2 parcel. Many, if not most of the uses allowed by B-2 are not among those contemplated for the parcel. Darren had no complete answer for Bobbitt about what specifically would be proposed for the parcel. It seemed likely that a convenience store with car wash and a bank might be among the tenants, but he told Grenke that the developers thought B-1 zoning might not be broad enough. Darren Adams did say that there would not be direct access from the parcel to Highway 124, and Behrns encouraged them to site any entrance on Lakeview Street as far east as practical. Darren Adams said they would prefer to have a planning business zone designation which still allowed for multiple ownership. The closest existing designation allows only a planned business district under one ownership. The developers were determined to have an option on the property which would not allow them to wait for the City to consider changes to the zoning classifications. Prenger said that this was a hindrance to commerce. Behrns said that this was the first time in his tenure that the issue of any planned business designation had been brought up by a developer. Behrns briefly referred to his comments from the last Commission meeting. Action to allow commercial development along Highway 124 would set the pattern for use on the other three corners and for the intersection of Highway 124 and Gano Chance. Once the choice is made, the precedent is set. Behrns said that accepting the requested zoning would not legally commit the developers to the promised uses if there were changes in the economy. Also, covenants made at the time of platting of future residential and commercial subdivisions would only be protective after that fact and only if the covenants covered both the residential and commercial areas. Beck repeated that the City is not a party to covenants and could not enforce them. Bobbitt noted that limited commercial could provide a buffer between housing and Highway 124.

The Commission engaged in further extended discussion on the matter.

Lee closed the hearing

Parmeley moved that the Planning and Zoning Commission recommend to the Centralia Board of Aldermen that the land contained in Virginia Gibson's petition of March 6, 2007 of annexation be zoned R-1 and B-2 as described in her Zoning Request dated March 6, 2007. Ridgel seconded the motion.

On roll call vote, the following members voted aye: Lee, Parmeley, Ridgel, and Mustain.

The following members voted nay: Bobbitt and Grenke.

Adams abstained, citing a conflict of interest.

The motion carried.

Behrns presented a request by Regina Williams for a conditional use permit for a day care home at 607 S. Allen Street. The property is zoned R-1. There are no other day care facilities presently operating within 800 feet of the Williams property and on property zoned R-1 or R-2. Behrns has prepared a notice of the public hearing for this evening's meeting, and it ran in the March 14, 2007 issue of the Centralia Fireside Guard. The same notice was sent by certified mail before that date to all property owners and residents within 300 feet of this property. A sign was posted in the front yard of the property on or before March 14, 2007, and remained in place until this evening. Prior to the meeting, staff has received a letter of support from Ruby and Harold Meeks. Staff received no letters opposing the permit, and no verbal comments on this proposal. Parmeley said that he had received a call concerning the fitness of Williams to operate a daycare. Commissioners decided that this was a matter to be determined by the State.

Lee opened a hearing for public comment on the application. No comments were made.

Lee closed the hearing for this evening and the Commission briefly discussed the issue..

Bobbitt then moved that the following be adopted: It is the decision of the Planning and Zoning Commission that all applicable provisions of Section 31-65 and Section 31-19(B) of the Centralia City Code have been met or will be met by the applicant, Regina Williams, to obtain the conditional use permit for a day care home. Grenke seconded the motion. The question was called.

On roll call vote, the following members voted aye: all members present.

The following members voted nay: none.

The following members abstained: none.

The motion passed.

Bobbitt moved that the application made by Regina Williams for the issuance of a conditional use permit to operate a day care home be granted and that a conditional use permit be issued with the following stipulated conditions: (1) that a fenced-in area be provided that will meet the outdoor recreational needs of the children, (2) that the applicant receive and maintain a state license to operate a day care home, (3) that the facility keep no more children than is allowed by said state license and by City Code Section 31-19, Subsection B-4, whichever is more restrictive, (4) that an operational telephone be provided and maintained on the premises, (5) that the applicant shall operate the facility in conformance with all applicable city and state laws as they now exist or may be revised from time to time, and (6) that the applicant inform the City whenever the use as a day care home is ended. Grenke seconded the motion.

On roll call vote, the following members voted aye: all members present

The following members voted nay: none.
The following members abstained: none.
The motion carried.

Before the adjournment of the meeting, no one signed a written objection to the granting of the conditional use permit. Thus, the matter need not be referred to the Board of Adjustment for further review.

Bobbitt moved that the meeting adjourn. Ridgel seconded the motion. The question was called. Voting aye: all members present. Voting nay: no members. The motion carried.

The meeting adjourned at about 9:20 p.m.

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