

PLANNING COMMISSION MEETING

The meeting was called to order at 5:32 p.m. by Vice Chair Gerard.

ROLL CALL

Christie Mathews-Leidal
Mike Giller - absent
Dan Schroder

Jim Lamb
Steve Gerard
Lowell Moore

Ron Schuman

APPROVAL OF MINUTES

With no changes, the April 10, 2019 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the May 7, 2019 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No comments.

CONSENT CALENDAR:

1. Hutchings Residence (JL), 19 Evans Court, PL-2019-0089

With no call-ups, the Consent Calendar was approved as presented.

PRELIMINARY HEARINGS:

1. Cavanaugh Residence (CK), 305 N. French Street, PL-2019-0067

Mr. Kulick presented a proposal to construct a new 1,275 sq. ft. residence on North Ridge Street with 2 bedrooms, 2 bathrooms, and a 3 car subterranean garage. The applicant, Michael Cavanaugh, was present; along with the Architect, Mark Provino. The following specific questions were asked of the Commission:

1. Landscaping – Staff finds the proposed landscaping plan does not provide adequate street trees along French Street. Does the Commission agree?
2. Perceived Scale and Height– Staff finds the perceived scale in compliance with Priority Design Standards 80, 86, 138, 140 and 144. Does the Commission agree?
3. Windows and Doors - Staff believes the windows and doors comply with Design Standards 95, 96 and 148. Does the Commission support this recommendation?
4. Does the Commission agree with the preliminary point analysis?

Commissioner Questions / Comments:

Mr. Schuman: Do all three owners (of properties associated with the Development Agreement) qualify for a positive point for shared access? (Mr. Kulick: I'm not sure about the previous point allocations, but there is precedent for each subsequent property taking access from a common driveway to receive a positive point.)

Mr. Lamb: This project is part of a development agreement that was approved by Council. What I recall was a lot of discussion around the parking and the concrete block. Why are we giving them a positive point for something that was in the development agreement to begin with? (Mr. Kulick: Council weighed the benefit of restoring the Brown Hotel to a point in time and restoring the outbuilding. The Council felt the public benefit for the historic preservation was a fair trade to reduce the amount of required parking for the Brown Hotel.) It just strikes me as strange. (Mr. Kulick: The required amount of parking vs. the access are separate things, and the Streets Department desires to reduce the number of curb

cuts throughout Town to ease circulation and make snow plowing more efficient. Without a shared driveway, each property would have had its own curb cut. Assigning one positive point to each property helps discourage additional curb cuts.) (Ms. Puester: Typically, if the points aren't specifically addressed in the development agreement we follow the code.)

Mr. Schuman: I recall there being a heated walk but I don't see that in the site plan. (Mr. Kulick: I'm not aware but maybe the applicant can address that.)

Ms. Leidal: Are we under the old or new code? (Mr. Kulick: Old code, prior to the recently adopted code amendments.)

Mr. Schroder: The functionality of parking, it seems like a Rubik's cube to make it work. Maybe it's a question for the applicant to clarify. (Mr. Kulick: The design is three parking spaces, and essentially, like tandem parking where you have to move one to get to the other. But by code this is one more space than required. We do have another house that uses this system on French Street. It does take some additional time.) It just takes a little bit of planning.

Mark Provino, Architect, Presented:

Thank you to the staff and to the Planning Commission for hearing this application. I have a couple things to state and then I can answer questions. Regarding the drive access and parking off French Street, as was noted, this was established under a previous development agreement. The negative points recommended are because I don't have room to put any more trees. Landscaping should have been addressed previously when the existing parking was approved. I hope the commission understands that burden and finds an exception. I designed the adjacent house for the Kelleys. My recollection is we got positive points for landscaping on that application. I think that given the limited amount of space I have to work with, the additional landscaping is above and beyond and perhaps we can negotiate a positive point on that. In terms of parking, the vehicle will be driven onto a platform, which lowers to the basement slab, and auto dollies will roll it sideways. It's not a daily thing moving the cars; but it's a car collector scenario.

Mr. Schuman: What about the heated sidewalk? (Mr. Provino: The sidewalk was approved under the Brown Hotel application. Lot 7B also has a heated sidewalk I believe but is not part of this application.) Mr. Schuman: It should be part of this application if it's on the property, it equals negative points. (Mr. Provino: It was in the Brown's development permit and points were assessed during that review. We can note it on the future plans.)

Mr. Gerard: Are we in a situation where the points come into play if they're not in the agreement? (Ms. Puester: We wouldn't give this applicant negative points for something that the other owner has already received a permit for. Not sure if the Brown received the points or not for heating, we can check that but either way, assuming it was permitted since it exists today, it is an estoppel issue if not). Mr. Gerard: I'm saying, if we're assessing points under one scenario, don't we need to do it for all? (Mr. Kulick: It's existing under a separate permit, not proposed, so they can't get negative points twice.) (Ms. Puester: If the town already approved it, we do not ding people later again. Will report back if it had a legal permit.)

Mr. Schuman: I know it was heated because I've plowed it before so I was curious.

The hearing was opened for public comment. No comments and the hearing was closed.

Commissioner Questions / Comments:

Mr. Schuman: Question 1. Landscaping, I agree. Question 2. I agree with scale and height. Question 3. I believe the windows and doors comply. Question 4. I agree with the point analysis.

Mr. Lamb: Question 1. With the landscaping, when you're packing product on a certain size lot, you run out of room. The negative points are a result of that. Question 2. Scale is good, it fits with the buildings on each side. Question 3. Windows and doors are fine. Question 4. I'm still struggling for positive one point for something that was in development agreement. It's off to a good start. I think it will get to positive points.

- Mr. Moore: I agree with everything said. Question 1. Landscaping, you can only do what you can do so I agree with staff. Question 2. The scale fits the standards. I really like the renderings and they fit the standards very nicely. Question 3. Windows and doors comply with standards. Question 4. With point analysis, I do agree at this time but I would double check the negative two points recommended for landscaping if there is no way to get positive.
- Ms. Leidal: Good job, that's a tough site. Question 1. I agree on number one with staff, it's a trade off. Question 2. The perceived scale includes height, and policy 138 talks about story height and this is a full two stories. The garage is lower, but I see it's not meeting the policy. Question 3. Windows and doors I agree. Question 4. The point analysis, I share Jim, Ron and Steve's question about the development agreement and I don't know how the points should be assessed. Can you let us know what's been done in the past? (Mr. Kulick: We'll research it more and include our findings in the next staff report.)
- Mr. Schroder: Question 1. Landscaping, I'm not in support of negative two points. The missing thing is every 15 feet. All of the previous things don't let the applicant do it, so I recommend a variance so points could be avoided. This is preliminary, so there's still time to work these things out. Question 2. Scale, it's interesting that the code says 1.5 stories but the building next door is taller. Perceived scale fits so I support. Question 3. I also support the window and door arrangement. Question 4. I don't agree with the point analysis about the landscaping on French Street.
- Mr. Gerard: I think this is a clever project in a difficult space. I think there's a real issue of balancing out the development project. When you look at what's already been approved with parking, there's no place for landscaping. I don't know if people didn't think of it before. Question 1. I agree with Dan that this applicant shouldn't be dinged two points when it's physically impossible. By the same token, you don't get the positive point for the shared drive. We have to be consistent if we give a pass on landscaping. Question 2. Height, it's a story and a half, but in context it does fit and the perceived scale is acceptable. If you could get positive points for landscaping it's hard to tell. I think there's ways to work some additional points into this. I think the project is a good one. I wouldn't want to be down there jacking up the cars and sliding them, but that's an interesting idea.
- Ms. Puester: Do we want to have more discussion on the points analysis?
- Mr. Lamb: What I'm hearing from Steve and Dan is that going back to the development agreement, I could hop on the bandwagon that you don't ding for landscaping.
- Mr. Schuman: I disagree, it could have been contemplated in the development agreement and it wasn't. I think negative two are warranted.
- Mr. Moore: I don't think the negative points are warranted under the circumstances. The positive point should stay because they could have easily come in and tried to do another type of weird access.
- Ms. Puester: We may want to come up with special findings since this is unique.
- Ms. Puester: Does anyone besides Christie have concerns with the façade height?
- Mr. Schuman: I agree with Christie, it looks like two stories. (Mr. Kulick: It's sort of 1.75 stories; it is not a true two stories. A true two stories is 26'.)
- Mr. Schroder: It's a little house, so perception comes into the massing as well. I support that it fits with the neighborhood.
- Mr. Lamb: I think it's pushing the envelope, so it does give the image of a story and a half. It's pushing it, but I can see the 1.75 stories argument; it complies with policy 138.
- Mr. Schuman: I feel that at this point, we've given feedback but we're trying to correct the situation that's been presented to us and not giving it back to the applicant. (Ms. Puester: I'm just trying to get a feeling for yes or no.)
- Mr. Schroder: The original thing that struck me is how do we do three cars. Someone else in the future will own this house, how will they handle the garage? It would have to be approved in the future. Ms. Puester: We have to determine if you think it meets the parking requirement

right now.
Mr. Gerard: On the next hearing, can you add the dev agreement to the packet? (Mr. Kulick: Yes.)

OTHER MATTERS:

1. Town Council Summary (Memo Only)

Ms. Puester: We had another stakeholder group meeting today and are starting to form recommendations. We'll see where we are at the next meeting May 21.

Mr. Truckey: We'll have an update on the 21st for the Planning Commission as a work session.

Mr. Gerard: People are starting to think about the average size module being the standard for size of additions. The remaining issue on that is the mass bonus and the building height of additions.

Mr. Schroder: About the eBikes, is that passage of Class 1 eBikes consistent with what the county is doing? (Mr. Truckey: Yes. And we'll change the signage when the County has adopted the changes.)

ADJOURNMENT:

The meeting was adjourned at 6:29 pm.

Steve Gerard, Vice Chair