

RESOLUTION NO. 2016 – 660

Resolution of the City Council for the City of Waitsburg denying a Site Specific Rezone Application submitted by Marvin Aronson

WHEREAS, A regular meeting of the Planning Commission was held on Wednesday, June 8, 2016, at 7:00 p.m., for the purpose of considering an application for a Site Specific Rezone. A quorum of the Planning Commission was present. The public hearing was conducted pursuant to law. Testimony was taken and recorded in the minutes of the meeting. On the basis of the application filed, written comments and the public hearing the Planning Commission made the following:

FINDINGS OF FACT

1. The application is complete in accordance with the Waitsburg Municipal Code and applicable state regulations. It is adequate to describe the nature and purpose of the project.
2. Notice of the application for site specific rezone was given as required by law, and was adequate.
3. City Staff reviewed the application for Site Specific Rezone. City Staff considered the application complete and moved it onto the Planning Commission for consideration.
4. During the period for written comments the City received four written comments from the public and interested agencies regarding the application. This was made known to the Planning Commission and made part of the record.
5. At the public hearing, 11 people testified. Their comments are noted in the minutes of the hearing. The Commissioners considered comments and reviewed all materials submitted.
6. Notice of the Planning Commission hearing was given as required by law.
7. The proposed rezone is inconsistent with the City's Comprehensive Plan and does not meet the requirements and intent of the Waitsburg Municipal Code.
8. The property in question is suitable to uses permitted under the proposed zoning.
9. The proposed zone change and associated uses are incompatible with neighboring land uses.
10. The proposal addresses a need which was improperly or inadequately addressed by the present ordinance text or map.

From the foregoing, the Planning Commission makes the following:

CONCLUSIONS

1. The proposed Site Specific Rezone is inconsistent with the policies and procedures of the City of Waitsburg and is inconsistent with the City's Comprehensive Plan and the Waitsburg Municipal Code.
2. The proposed rezone addresses a previous map and zoning error brought forth to the City's attention by the current property owner due to a change in ownership of the property related to historic usage of the property.
3. While the site does have a history of being used in a commercial manner, it is incompatible with the surrounding land use zoning
4. Allowable uses under the requested zoning would be incompatible with the surrounding land use.
5. Planning Commission will work to create a new mixed zoning for the site along with areas along W. 2nd Street that will allow for conditional uses related to the applicants desired commercial use.
6. The Planning Commission recommends to the City Council that it deny the application and not issue the Site Specific Rezone; leaving the property at 503 W. 2nd Street in the City's Residential Land Use Zone.

NOW THEREFORE, the Waitsburg City Council agrees with the findings and conclusions of the Waitsburg Planning Commission and hereby denies the Site Specific Rezone with/without condition(s).

PASSED, ADOPTED AND APPROVED this 15th day of June, 2016.

APPROVED:

Mayor Walt Gobel

APPROVED AS TO FORM:

City Attorney Jared Hawkins

ATTEST:

City Clerk Randy Hinchliffe