



**DEVELOPMENT REVIEW BOARD PANEL B
MEETING MINUTES**

Approved
March 27, 2023

February 27, 2023 at 6:30 PM

City Hall Council Chambers & Remote Video Conferencing

CALL TO ORDER

A regular meeting of the Development Review Board Panel B was held at City Hall beginning at 6:30 p.m. on Monday, February 27, 2023. Chair Rachelle Barrett called the meeting to order at 6:30 p.m.

CHAIR'S REMARKS

ROLL CALL

Present for roll call were: Rachelle Barrett, John Andrews, Justin Brown, Megan Chuinard and Alice Galloway.

Staff present: Daniel Pauly, Kimberly Rybold, Sarah Pearlman, and Shelley White

CITIZEN INPUT

This is an opportunity for visitors to address the Development Review Board (DRB) on items not on the agenda. There were no comments.

CONSENT AGENDA

1. Approval of minutes of January 23, 2023 DRB Panel B meeting

Megan Chuinard moved to approve the January 23, 2023, DRB Panel B meeting minutes as presented. John Andrews seconded the motion, which passed 4 to 0 to 1 with Alice Galloway abstaining.

PUBLIC HEARINGS

2. **Resolution No. 412. Frog Pond Crossing Five-Year Temporary Use Permit.** The applicant is requesting approval of a five (5) year Temporary Use Permit for one (1) 48-foot by 12-foot sales trailer and the eventual use of the Pulte Homes Model Home's garage as a sales office at the Frog Pond Crossing Subdivision.

Case Files:

DB22-0013 Five-Year Temporary Use Permit

Chair Barrett called the public hearing to order at 6:36 p.m. and read the conduct of hearing format into the record. Chair Barrett and John Andrews declared for the record that they had visited the site.

No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Daniel Pauly, Planning Manager, introduced Sarah Pearlman, new Assistant Planner with the City.

Sarah Pearlman, Assistant Planner, announced that the criteria applicable to the application were stated starting on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room and on the City's website.

Justin Brown asked what constituted temporary [inaudible].

Mr. Pauly explained that temporary meant up to five years, and nothing would be authorized beyond five years. For Code purposes, that was considered semipermanent. Some items were approved as permanent but then only existed for a decade before being torn down and rebuilt.

- He clarified temporary permits could be extended as the Code did not preclude an Applicant from reapplying for a Temporary Use Permit of any level. If nothing had changed after five years and the Applicant had justification, there could be questions as to whether or not it was really temporary. If there was a justification, it would be acceptable to extend the temporary use permit. Per City Code, Staff could only approve up to 120 days; anything more automatically went to the DRB, even for something minor.

Mr. Brown understood that meant the subject application would have to be reviewed by the DRB. [inaudible]

Mr. Pauly confirmed that was correct, even though it was pretty straightforward.

Sarah Pearlman, Assistant Planner, presented the Staff report via PowerPoint, briefly noting the site's location and background and reviewing the requested applications with these key comments:

- On Lot 6, a 576 sq ft sales trailer on a temporary asphalt pad, along with four parking spaces, was proposed for use until the model home was built. On Lot 7, a 402.25 sq ft sales office was proposed in the model home's garage with the four parking spaces remaining on Lot 6 for use by the model home. At the conclusion of the Temporary Use Permit, the sales trailer and parking lot would be removed, the model home converted to a for-sale home, and a for-sale home would be constructed on Lot 6.
- A showing of good cause was required for the DRB to grant a Temporary Use Permit. The factors and considerations used to evaluate good cause for a Temporary Use request were listed on Slide 5. The proposed application demonstrated good cause, as the Applicant owned the adjacent land on which single family homes would be developed and wished to market the homes from an onsite sales office, along with a model home, which would provide convenience for their customers. Onsite sales offices were a typical part of model homes in residential subdivisions, including Frog Pong Crossing, as a limited-duration accessory use.
- Staff recommended DRB approval of the Temporary Use Permit with conditions as noted in the Staff report.

John Andrews asked if the subject application proposal was typical of most developments.

Mr. Pauly replied that most developers requested Temporary Use Permits for model home sales offices but not all. Some opted to use the office of a local realtor. He noted the original applicant, Mission Homes, typically did not have model homes, but instead worked with a local real estate company. Generally, if an applicant knew they were going to have a model home, they would include it in their subdivision package that went before DRB. However, Mission Homes subsequently sold the subdivision to Pulte Homes, a developer that typically used model homes, which was why the application was separated from the subdivision package in this instance.

Chair Barrett asked how the Engineering Division conditions differed for the proposed model home versus the model home previously approved.

Ms. Pearlman replied she believed the engineering conditions applied to both the model home and the sales trailer in this instance, since the application addressed both, and that it had to do with ensuring the erosion control standards were met when the homes were built.

Mr. Pauly added that the trailer and parking lot were specific to this application. For the model home, they were a bit duplicative of what would be required anyway with a Building Permit, and that did not go through DRB. He clarified that no Building Permit had been approved, but the Engineering Division would require erosion control with the Building Permit.

Chair Barrett confirmed there were no further questions from the Board and called for the Applicant's presentation.

Razvan Mosu, Pulte Homes, stated that Ms. Pearlman's presentation covered the bulk of what the Applicant wanted to achieve, but clarified that the sales trailer would only stay up until the design studio was operational within the garage of the model home. At that time, the trailer would be removed from the site. While the trailer was onsite during construction of the model home, landscaping would be present that was visually pleasing. They were proud of their site, and it would be presented to the best of their abilities. The trailer that housed the design studio would be a nice building.

Alice Galloway asked how long he anticipated the trailer would be onsite.

Mr. Mosu replied he hoped to submit for a Building Permit sometime in March but did not know the process for building and planning review or how long it would take to get said permit. Once the Applicant received the Building Permit, however, construction would likely start within the week, while the approval process from building inspectors generally took a few months. He understood the application was for five years, but he hoped the trailer would not be onsite for more than one year.

Chair Barrett called for public testimony regarding the application and confirmed with Staff that no one was present at City Hall to testify, no one on Zoom indicated they wanted to testify, and that no testimony was received via email.

Chair Barrett confirmed there was no additional questions or discussion and closed the public hearing at 6:58 pm.

Justin Brown moved to approve the Staff report as presented. Megan Chuinard seconded the motion, which passed unanimously.

Megan Chuinard moved to adopt Resolution No. 412, incorporating the approved Staff report. Justin Brown seconded the motion, which passed unanimously.

Chair Barrett read the rules of appeal into the record.

BOARD MEMBER COMMUNICATIONS

3. Results of the February 13, 2023 DRB Panel A meeting

There were no comments.

4. Recent City Council Action Minutes

There were no comments.

STAFF COMMUNICATIONS

5. DRB Member Training

The DRB member training was conducted after the meeting was adjourned.

Daniel Pauly, Planning Manager, welcomed Alice Galloway to the Board.

The DRB members introduced themselves, noting how long they have served on the DRB and their reasons for serving on the Board.

ADJOURNMENT

The meeting adjourned at 7:05 p.m. and the Board continued with DRB Member Training.