

I. CALL TO ORDER

A meeting of the Planning Commission was held on Monday, March 11, 2019, commencing at 5:30 p.m. in the Council Chambers of City Hall. Commissioner Asmus called the meeting to order.

A. ROLL CALL:

Chairperson	Shannon Asmus	Present
Commissioner	Michael Flaata	Present
Commissioner	Judy Hudson	Absent
Commissioner	Larry Dahl	Present
Commissioner	Eric Mathwig	Present
Commissioner	Jeff Woods	Present
Commissioner	Tom Zens	Present
City Planner	Hannah Rybak	Present

B. ANNOUNCEMENT OF ADDITIONAL ITEMS –

1. Planning Commission Training Opportunities

II. APPROVAL OF MINUTES

It was moved by Commissioner Woods, seconded by Commissioner Dahl, to approve the minutes of the February 11, 2019, meeting. All members present voted aye.
Motion Carried.

III. SCHEDULED ITEMS

A. PUBLIC HEARINGS:

***1. Conditional Use Request – by Charity Ross at 403 E 4th St
To allow a Level Two Home Occupation (cake and cupcake baking)***

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a Conditional Use Request.

11 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Staff recommendation and potential action were reviewed.

Commissioner Woods asked how many other businesses in town do this. City Planner Rybak stated there are probably a handful, but they never approached the City to find out if they needed a permit. Charity Ross has been very proactive in the process, which staff appreciates.

This being the time, date and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 5:41 p.m., March 11, 2019, to

consider a Conditional Use Request from Charity Ross to allow a Level Two Home Occupation (cake and cupcake baking) at 403 E 4th St.

An attendance list is on file.

No written comments were received.

Charity Ross was present to answer any questions and explain the request.

Commissioner Woods asked Ross if she had talked to the neighbors with the shared driveway about business parking. She said she had and they are okay with it. Further, she will direct clients to pull right up to the house when they pick up. This will keep them far from the neighbor's portion of the driveway.

Commissioner Asmus thanked Ross for being proactive and coming to the City to find out what she needed to do for her business to be in compliance.

The hearing was closed at approximately 5:42 p.m.

Following the public hearing, Commissioner Dahl thanked Ross for doing this the right way and getting the CUP. He commented that he wishes she would consider cookies in addition to the cakes and cupcakes.

Commissioner Mathwig commented that some small businesses can't make it if they are forced to pay rent for a storefront on top of everything else. He's glad we have an option for this to work.

Commissioner Dahl made a motion to recommend approval of the requested Conditional Use Permit to allow for a Level II Home Occupation (cake and cupcake baking) at the property located at 403 E 4th St., based on the findings of fact, submitted plans, and the four (4) conditions outlined in this motion:

1. The business shall operate entirely under the framework that the Applicant has provided. Any deviation from this shall require a CUP amendment.
2. Signage shall be limited to one (1) sign, no more than four (4) square feet in area.
3. Hours of operation shall be limited to 8:00 a.m. to 8:00 p.m. all days of the week.
4. Parking for the home occupation shall be provided in the driveway of the property.

This motion was seconded by Commissioner Flaata. Upon roll call vote, all members present voted aye.

Motion Carried.

2. Variance Request – by Teri Jo & David Luedtke at 1009 N Sibley Ave
To allow an increase in the height of the existing pole sign on the property

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a variance.

10 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Staff recommendation and potential action were reviewed.

Commissioners asked if there was a limit on how bright the electronic sign could be. City Planner Rybak explained that the sign will have to meet our ordinance requirements for all electronic signs. The Commission asked if they should put a condition for brightness on it. Rybak recommended against specifying a condition on that and leaving it up to the existing sign ordinance.

The Commission asked if moving the sign three feet away from the building would eliminate the need for the variance. Commissioners discussed and agreed that it probably would not have enough of an impact.

Commissioner Asmus wondered if the purpose of the variance was solely financial, given that the purpose of sign visibility is to bring in business. Rybak stated that the purpose was also aesthetic in nature and that a hardship, in the form of elevation of the property, does exist in this case.

Commissioners asked if the existing electronic sign was ever issued a permit. Rybak stated she would check. Regardless of if it was issued a permit, a new one would need to be issued upon variance approval. Staff assured the Commission that a thorough review would be performed and a permit would only be issued if the entire sign was in conformance with the sign ordinance, with the exception of the height.

Commissioner Amsus opened the Public Hearing.

This being the time, date and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 6:00 p.m., March 11, 2019, to consider a Variance Request by Teri Jo & David Luedtke at 1009 N Sibley Ave. to allow an increase in height of the existing pole sign on the property.

An attendance list is on file.

No written comments were received.

No representatives of the applicant were present.

Following discussion, no further comments were heard and the hearing was closed at approximately 6:01 p.m.

A motion to recommend approval of the requested variance to allow for a variance of seven (7) feet to the maximum allowable sign height of an existing pole sign on the property located at 1009 North Sibley Avenue, based on the findings of fact and the submitted plans, was made by Commissioner Dahl and seconded by Commissioner Flaata. Upon roll call vote, all members present voted aye.

Motion Carried.

3. ***Variance Request*** – by Robert Richards at 708 W Crescent Ln
To allow a decrease in the required rear yard setback to allow for an addition on to the principal structure

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a variance.

9 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Staff recommendation and potential action were reviewed.

Commissioner Asmus opened the public hearing.

This being the time, date and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 6:09 p.m., March 11, 2019, to consider a Variance Request from Robert Richards to allow a decrease in the required rear yard setback to allow for an addition on to the principal structure at 708 W Crescent Ln.

An attendance list is on file.

No written comments were received.

Robert Richards was unable to attend the meeting due to travel.

Commissioner Mathwig did a property visit and explained Richards's view. His stance is that the property line in question is his side property line, not the rear property line

Commissioner Flaata stated this is a common issue with irregular lots.

Commissioner Asmus stated in his opinion, it is common sense to allow this garage enlargement.

Following discussion, no further comments were heard and the hearing was closed at approximately 6:10 p.m.

Commissioner Woods made a motion, seconded by Commissioner Flaata, to recommend approval as submitted of the Variance Request from Robert Richards to allow a variance of five (5) feet to the required rear yard setback to allow for an addition on to the principal structure at 708 W Crescent Ln, based on the findings of fact and the submitted plans. Upon roll call vote, all members present voted aye.

Motion Carried.

IV. NEW BUSINESS

A. ELECT CHAIR & VICE-CHAIR PERSONS

Following discussion, Commissioner Dahl made a motion, seconded by Commissioner Flaata, that the chair and vice-chair persons remain the same with Commissioner Asmus sitting as Chairperson and Commissioner Woods as Vice-Chairperson. Upon roll call vote, all members present voted aye.

Motion Carried.

B. ELECT HISTORIC PRESERVATION COMMISSION REPRESENTATIVE

Following discussion, Commissioner Dahl made a motion, seconded by Commissioner Woods, to keep Commissioner Flaata on as Historic Preservation Commission representative. Upon roll call vote, all members present voted aye.

Motion Carried.

V. OLD BUSINESS

VI. ADDITIONAL ITEMS

A. PLANNING COMMISSION TRAINING OPPORTUNITIES

City Planner Rybak presented information on upcoming Planning Commission training opportunities. Any commissioner interested will have the opportunity to attend.

VII. SET HEARING DATES AND TIMES

The next scheduled meeting is Monday, April 8, at 5:30 p.m.

VIII. REVIEW OF COUNCIL ACTIONS

- A. CHANGE OF ZONING & VARIANCE REQUESTS GRANTED** – by Mike Braun at 715 E St Paul St
To rezone from R-3 to I-1; Allow reduction to the minimum required lot size and a reduction in the required corner side yard setback
- B. CONDITIONAL USE REQUEST GRANTED** – by First District Association
To allow construction of a parking lot on residentially zoned property bounded by South Austin Ave, Evergreen Park Blvd, West Darwin St, and South Swift Ave
- C. VARIANCE REQUEST GRANTED** – by First District Association at 101 South Swift Ave
To allow a reduction to the minimum number of parking stalls required

IX. ADJOURNMENT

Commissioner Asmus adjourned the meeting at 6:28 p.m.

Hannah Rybak
City Planner

NOTE: There was no recording made of this meeting.

