

PLANNING COMMISSION

Minutes

December 16, 2004

I. ROLL CALL

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| Fred Walstrom | Present |
| Andrew Bowman | Present |
| Jack Deegan | Absent |
| Jeff Ford | Present |
| Mary Ellen Hughes | Present |
| Sheryl McCleery | Present |
| Pringle Pfeifer | Present |
| Peter Sears | Present |
| Sara Smith | Present |

Also present were City Planner Larry Nix and City Manager Fred Geuder.

The meeting was called to order by Chairman Fred Walstrom at 6:30 p.m.

II. MINUTES

Motion by Pfeifer, seconded by Bowman, to approve the minutes of the November 18, 2004, meeting, as presented. Motion carried.

III. PUBLIC COMMENT AND CORRESPONDENCE

None.

IV. NEW AND OLD BUSINESS

A. Public Hearing on and Consideration of Proposed SLU-2004-06, Two-Story Accessory Building, Ken Large, 258 Fourth Street

The City Manager noted that a public hearing is required for any two-story accessory building, and for any one proposed to be used as guest quarters.

Applicant Ken Large noted that he was taking advantage of the new ordinance as he was building a garage. He noted he should be in compliance with setbacks, and other regulations.

The City Manager noted the letter from Michael Brochert, who voiced support for the project.

The City Manager noted a call from Melissa Marchand, who while not opposed to the project, voiced a concern about how the building will look.

Motion by Bowman, seconded by Smith, to close the Public Hearing. Motion carried.

The City Manager noted that generally the proposal meets regulations, but suggested that Nix review the plan.

Planner Larry Nix noted that the proposed structure is well within the 75% footprint regulation, and the structure is proposed to be 22' tall, within the 25' height limits.

Nix asked the applicant whether the two small accessory buildings would be removed. Large indicated that they would be removed.

Nix also noted that the building while it has a 5' setback from the property line, it would also have to be 5' from the adjacent accessory building that belongs to the neighbor, even though it is encroaching on Large's property. The proposed building could be moved slightly to the southeast to meet this requirement. Large noted that he may move the neighbor's building off of his property, in lieu of relocating the proposed structure.

Nix also commented on the architectural style, which seems to conform to the principal building, but asked Large if the siding would be similar type of lap siding, whether wood or vinyl. Large noted that it would be the same style.

Large was asked whether the building would have a retaining wall as part of the structure. Large hoped to place the retaining wall behind the structure.

It was noted that M-DOT has a right-of-way, and it was suggested that the retaining wall should not encroach into the right-of-way.

The Commission also looked at a map the City Manager requested from Benchmark engineering to see where the proposed structure would be in relation to the toe of the bluff. In this case, the proposed structure will be in what the City is looking at as the "regulated area", but not in the "restricted" area. The City Manager commented that the aerial mapping that was done should prove useful in providing the information we will need to administrate the bluff issues.

Large also replied in response to a question that certain trees on the property should be able to remain based on his placement of the building.

Motion by Bowman, seconded by Ford, to approve the proposed SLU-2004-06, a two-story accessory building with guest quarters, noting that the Special Land Use standards have been met, and subject to the following conditions:

- a. That the structure be located at least five feet from any other building; and
- b. That no part of the structure or a retaining wall be built on the M-DOT right-of-way; and
- c. That the architectural style match the principal building; and
- d. That the applicant comply with all rules toward the use of an accessory guest quarters.

Motion carried, 8-0.

B. Public Hearing on a Proposed Zoning Code Amendment to Clarify Time Limits for the Occupancy of Guest Quarters

The City Manager noted that this proposed amendment was designed to be another tool in the event someone abused the intent of guest quarters.

No public comment was received.

The Public Hearing was closed.

The Commission discussed the proposal. Some questions were posed as to whether it should guests should be able to stay longer, or did it really matter? Also asked was would this be difficult to administrate?

The City Manager said that while he had heard comments that this might be too restrictive, it was a limitation on a use that up until several months ago was not even technically permitted at all. The only intent was to have an additional tool in the event of an abuse.

It was also noted that this use was not intended to be accessory living quarters but guest quarters. Whether the ordinance changes in the future remains to be seen.

Bowman asked whether this applied to the R-1-A zoning district, and the City Manager said that these rules were not part of that district.

Motion by McCleery, seconded by Hughes, to recommend City Council approval of the proposed changes to the code for accessory guest quarters. Motion carried.

C. Zoning Code Changes—Bluff Ordinance

The City Manager noted that the City Attorney was unable to be at the meeting. But the City Manager and Planner did meet with the City Attorney to look at several of the issues, and it was expected that a revised version will be presented at the January meeting.

D. 2005 Schedule of Meetings

The City Manager presented a schedule for meeting for 2005, showing the meeting date as the Third Thursday of the month.

Peter Sears suggested that the meeting time be changed to 6:00 p.m., and it was the consensus of the Commission to go a 6:00 p.m. meeting time.

V. MEMBER COMMENTS

Peter Sears suggested that the names of the Commissioners appear on the agenda, like on the Harbor Commission agenda, so that the public would see who was on the Commission. Sears also suggested that there be some type of social event for the Commissioners during the year. The City Manager said he would look into it.

VI. ADJOURNMENT

There being no further business, the meeting was adjourned. The next meeting is scheduled for Thursday, January 20, 2005, at 6:00 p.m.

Frederick W. Geuder, City Manager