

**BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR MEETING
JANUARY 13, 2020**

PLEDGE OF ALLEGIANCE

Chair Cauley led those present in the Pledge of Allegiance.

1. CALL TO ORDER. 1.1. Roll Call.

The Planning and Zoning Commission met in Regular Session on Monday, January 13, 2020 at City Hall 218 North Meridian Street, Belle Plaine, MN. Chair Cauley called the meeting to order at 6:32 PM with Commissioners Ashton Pankonin, Lee Petersen and Ryan Herrmann. Commissioner Kiecker was not present.

Also present were Community Development Director Smith Strack and Council Liaison Chard.

2. APPROVAL OF AGENDA.

MOTION by Commissioner Herrmann, second by Commissioner Petersen, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

3. APPROVAL OF MINUTES. 3.1. Regular Session Minutes of December 9, 2019. 3.2. Work Session Minutes of December 9, 2019.

Approved later in the meeting.

4. RECOGNITION OF INVOLVED CITIZENS.

*Persons may make statements to the Planning Commission pertaining to items **not** on the agenda. Maximum of three (3) minutes per speaker. No official action will be taken.*

No citizens stepped forward.

5. PUBLIC HEARINGS.

5.1. Ordinance 20-01 The Planning Commission will hear public comment on proposed Ordinance 20-01 which, if approved, will amend Section 1105.08 of the City Code Pertaining to performance standards in the R-7 Mixed Housing District and Sections 1105.05, 1105.06, and 1105.07 pertaining to maximum site coverage.

Community Development Director Smith Strack explained the Planning Commission will provide recommendation for City Council regarding Ordinance 20-01 amending Section 1105.08 of the City Code Pertaining to performance standards in the R-7 Mixed Housing District and Sections 1105.05, 1105.06 and 1105.07 pertaining to maximum site coverage. Smith Strack explained if approved the ordinance would decrease required lot square footage per dwelling units in structures containing more than four units from 2,000 sf to 1,600 sf; decrease required side and rear yard setbacks that are currently tied to 100% of the building height to the greater of 20 feet or 50% of the building; increase maximum building height allowed from 35' to 45'; adjust minimum dwelling unit sized for one, two and three bedroom units to reflect average of existing units in Scott County and provide for minimum square footage for studio/efficiency units and reinstate surface coverage maximums in the R-1, R-2 and R-3 districts which were inadvertently deleted under a previous code amendment. Smith Strack explained a public hearing notice has been posted and published and the draft text has been posted on the City's website. Smith Strack noted no comments for or against the proposed amendment have been received. Smith Strack explained initial discussions with area builders find the ordinance encouraging.

Commissioner Cauley opened the public hearing at 6:36 PM and asked for public comment.

No one stepped forward to speak.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann, to close the public hearing at 6:36 PM. ALL VOTED AYE. MOTION CARRIED.

5.1.1 Resolution PZ 20-001, Recommending Approval of Ordinance 20-01, an Ordinance amending Chapter 11, Section 1105.08 of the Belle Plaine City Code pertaining to performance standards in the R-7 Mixed Housing Residential District and amending Sections 1105.05 (R-1), 1105.06 (R-2), and 1105.07 (R-3) pertaining to maximum site coverage.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann, to approve Resolution PZ 20-001, Recommending Approval of Ordinance 20-01, an Ordinance amending Chapter 11, Section 1105.08 of the Belle Plaine City Code pertaining to performance standards in the R-7 Mixed Housing Residential District and amending Sections 1105.05 (R-1), 1105.06 (R-2), and 1105.07 (R-3) pertaining to maximum site coverage. ALL VOTED AYE. MOTION CARRIED.

6. BUSINESS.

6.1. Discussion: Existing Code Language Non-Conformance Expansion Permit.

Community Development Director Smith Strack explained reviewing existing code language for non-conformance expansion permits is an item which has been on the work list for many years. Smith Strack explained in 2011 the City amended its code to allow for expansion of non-conforming structures but required a public hearing to authorize non-conformance expansion. Smith Strack noted after review of the language the non-conformance expansion permit is identical to a variance. Smith Strack noted a difference between a variance and non-conforming expansion and requested additional discussion. Smith Strack explained a sample of conditional language is included in the memo.

Commissioners held a lengthy discussion on variances verses non-conformance permits and the value of allowing certain permitting administrative level verses in a public hearing setting.

Commissioners requested the City Attorney give direction and bring back for review of language. Commissioners requested the addition of sample language in lieu of A2 to help define findings.

7. ADMINISTRATIVE REPORTS.

7.1. Commissioner Comments.

No Commissioner Comments were made.

7.2. Director's Report.

Community Development Director Smith Strack explained the directors report is in the packet and requested any questions.

Commissioner Cauley requested review of the regular session minutes' agenda item 3.1.

3.1. Regular Session Minutes of December 9, 2019. 3.2. Work Session Minutes of December 9, 2019.

MOTION by Commissioner Pankonin, second by Commissioner Cauley, to approve the Regular Session Minutes of December 9, 2019 and Work Session Minutes of December 9, 2019. ALL VOTED AYE. MOTION CARRIED.

7.3. Upcoming Meetings.

1. Next Regular Meeting, 6:30 p.m., Monday January 7, 2020.

The Commission was advised of the upcoming meeting.

8. ADJOURNMENT.

MOTION by Commissioner Herrmann, second by Commissioner Pankonin, to adjourn the meeting at 7:55 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary

WORK SESSION.

The Planning Commission convened their work session at 7:55 PM.

a. Fair Housing Policy Background

The Planning Commission received information on fair housing issues with real world examples.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann, to adjourn the meeting at 8:16 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary