

**BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR MEETING
AUGUST 12, 2019**

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 Commissioner met in Regular Session on Monday, August 12, 2019 at City Hall 218 North Meridian Street, Belle Plaine, MN. Chair Cauley called the meeting to order at 6:30 PM with Commissioners Ryan Herrmann, Lee Petersen, Ashton Pankonin and Omni Kiecker present.

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

2. APPROVAL OF AGENDA.

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

3. APPROVAL OF MINUTES. 3.1. Regular Session Minutes of June 10, 2019.

MOTION by Commissioner Herrmann, second by Commissioner Kiecker, to approve the Regular Session Minutes of June 10, 2019. ALL VOTED AYE. MOTION CARRIED.

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.

Chair Cauley introduced the public hearing portion of the meeting and the guidelines for speaking during the public hearing portion.

5.1. Planned Unit Development Request: 103 – 109 Court Street East– Scott Schmidt. The Planning Commission will consider public comment on a request to approve development and final stage Planned Unit Development plans for two rental duplexes on one lot.

Community Development Director Smith Strack explained Scott Schmidt proposes the development of two rental duplexes on one lot in the 100 block of Court Street East. Smith Strack noted the entitlements as 1) Section 1104.11 (1) of the Code limits the number of principal structures per lot to one. The Applicant requests approval of two principal structures on one lot. 2) The lot fronts on Court Street East. Section 1105.08, subd. 5(3)(b) a minimum corner lot street side yard setback of 20 feet. The applicant proposes 16 feet. The same section requires an interior side yard setback of ten feet. The applicant proposes an interior side yard setback of 8 1/2 feet. The interior side yard abuts an unimproved alley. Other performance standards are met. Smith Strack reviewed the proposed density, elevations, transportation and landscaping. Smith Strack noted a 2019 projected build date of mix residential use.

Scott Schmidt explained his plan of building the first home in 2019 and the second home in 2020. Schmidt believes the single-family homes are perfect for new families and marketable close to North Park. Discussion regarding the height of the building and rear setback. It was the consensus of the committee an additional entitlement may be added to the resolution regarding rear setback.

Chair Cauley opened the public hearing at 6:57 PM.

No one spoke at the hearing.

MOTION by Commissioner Kiecker, second by Commissioner Peterson to close the public hearing at 6:57 PM. ALL VOTED AYE. MOTION CARRIED.

Commissioner Herrmann inquired about height of building as it pertains to required rear yard setback. The Commission discussed the issue and reached consensus to include a minimum rear yard setback of 22 feet in the PUD entitlements.

**5.1.1. (Planning Commission Consideration, Specify Resolution A or B)
Resolution PZ 19-021(A) A Resolution Recommending The City Council Conditionally Approval Development and Final Stage Planned Unit Development Plans For 103 – 109 Court Street East.**

MOTION by Commissioner Pankonin, second by Commissioner Kiecker to approve Resolution 19-021 A A Resolution Recommending The City Council Conditionally Approval Development and Final Stage Planned Unit Development Plans For 103 – 109 Court Street East with the addition of 22 foot setback in the rear yard added to 2.C. ALL VOTED AYE. MOTION CARRIED.

5.2 Ordinance 19-10, An Ordinance Amending Chapter 11, Sections 1101, 1005, and 1107 of the Belle Plaine City Code to Provide for Accessory Dwelling Units. The Planning Commission will consider public comment on a code amendment allowing accessory dwelling units in certain residential districts.

Community Development Director Smith Strack explained the Planning Commission had developed code amendment language to provide for certain types of accessory dwelling units in specified zoning districts. Smith Strack explained if the ordinance is enacted it will allow accessory apartments often referred to as mother-in-law suites in the R-1, R-2 and R-3 low density residential districts. Smith Strack noted the amendment is intended to provide for housing options and accommodate multi-generational living arrangements. Smith Strack cited the following parameters placed on ADU: ADU limited to internal and attached units, detached ADU are prohibited; ADU allowed as accessory to one-family detached dwellings, but not duplexes, attached townhomes, apartments, twin homes, etc.; Either the principal or accessory dwelling unit must be owner occupied, homesteaded, and both dwellings must be under unified ownership without possibility of being split; No more than one dwelling entry can face the front street; Two off-street parking spaces required; these are in addition to those needed for the principal dwelling unit; Size restrictions: maximum one bedroom per ADU, one ADU per principal dwelling. Minimum ADU size 300 sf; maximum 900 sf or 40 % of the principal structure whichever is less; Allowed by interim use permit with expiration at point of sale and Water/Sewer service has to be shared/ ADU shall be designed and constructed to maintain the outward appearance of a single family dwelling. Smith Strack noted no oral or written comment was received.

Commissioner Herrmann inquired if exterior stairs were allowed. Smith Strack explained exterior stairs would not be allowed.

Chair Cauley opened the public hearing at 7:06 PM.

No one spoke at the public hearing.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann to close the public hearing at 7:07 PM. ALL VOTED AYE. MOTION CARRIED.

5.2.1. Resolution PZ 19-022 A Resolution Recommending the City Council approve Ordinance 19-10, An Ordinance Amending Chapter 11, Sections 1101, 1005, and 1107 of the Belle Plaine City Code to Provide for Accessory Dwelling Units.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann to approve Resolution PZ 19-022 A Resolution Recommending the City Council approve Ordinance 19-10, An Ordinance Amending Chapter 11, Sections 1101, 1005, and 1107 of the Belle Plaine City Code to Provide for Accessory Dwelling Units. ALL VOTED AYE. MOTION CARRIED.

6. BUSINESS.

6.1. Belle Court Apartments.

Community Development Director Smith Strack explained Belle Court Apartments/Schrom Construction have submitted a final application for financial assistance in the form of housing tax increment. Smith Strack noted the request is currently being processed and documents drafted for consideration by the City Council. Smith Strack presented a brief slideshow reviewing the draft TIFF report from Ehlers.

Commissioner Pankonin commented the request falls within the comprehensive plan and is what the plan is designated for.

6.1.1. Resolution PZ 19-023 A Resolution Finding The Development Plan For Municipal Development District No. 3 And The Tax Increment Financing Plan For Tax Increment Financing District No. 3-1 Located Therein Consistent With The General Plan For Development Of The City Of Belle Plaine.

MOTION by Commissioner Pankonin, second by Commissioner Petersen to approve Resolution PZ 19-023 A Resolution Finding The Development Plan For Municipal Development District No. 3 And The Tax Increment Financing Plan For Tax Increment Financing District No. 3-1 Located Therein Consistent With The General Plan For Development Of The City Of Belle Plaine. ALL VOTED AYE. MOTION CARRIED.

6.2. Partial Vacation of East West Alley in Block 40 Original Townsite from Centerline of Vacated Buffalo Street North to Centerline of Vacated Elk Street North.

Community Development Director Smith Strack explained the City has received a petition for partial vacation of an east-west alley in Block 40 of the original townsite. Smith Strack cited more than 50% of the property owners abutting the subject alley from the centerline of vacated Buffalo Street N and centerline of vacated Elk Street north have signed the petition. Smith Strack explained notice of the proposed vacation has been mailed to property owners within 350 feet of the subject parcels and utility serve providers. Smith Strack noted no comment for or against the easement vacation has been received. Smith Strack explained staff reviewed the petition and recommends denial of the request citing previous actions to retain all street and alley rights of way and nothing the petition is for a partial vacation.

Council Liaison Chard explained the petition coming forward due to tax issues. Commissioner Cauley inquired if the alley was platted. Smith Strack confirmed the alley was part of the original plat of Belle Plaine. Pankonin inquired if the owner are requesting the addition of a shed. Smith Strack confirmed the intent of shed placement for one property owner, however noted a shed would not be permitted without the lot combination and cited potential bluff issues. Commissioner Pankonin explained the difficulty in only a partial alley vacation and disliking giving up of City property.

MOTION by Commissioner Pankonin, second by Commissioner Kiecker formal recommendation to deny the Partial Vacation of East West Alley in Block 40 Original Townsite from Centerline of Vacated Buffalo Street North to Centerline of Vacated Elk Street North. ALL VOTED AYE. MOTION CARRIED.

7. ADMINISTRATIVE REPORTS.

7.1. Commissioner Comments.

Commissioner Pankonin commented on the lack of bike trail connections within the City and its need. Commissioner Herrmann commented on the DNR no longer maintaining the trail property adjacent to the

river and shared the DNR's goal of purchasing property. Commissioner Kiecker commended on the shortage of buildings available for small businesses.

7.2. Director's Report.

Community Development Director Smith Strack highlighted items on the director's report.

7.3. Upcoming Meetings.

1. Next Regular Meeting, 6:30 p.m., Monday September 9, 2019.

The Commissioners were reminded of the upcoming meetings as listed.

8. ADJOURNMENT.

MOTION by Commissioner Pankonin, second by Commissioner Herrmann, to adjourn the meeting at 8:03 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary