

WACONIA PLANNING COMMISSION
THURSDAY, JUNE 2nd, 2016

Pursuant to due call and notice thereof, a regular meeting of the Waconia Planning Commission was called to order by Chairperson Blanchfield at 6:30 p.m.

1. CALL MEETING TO ORDER.

MEMBERS PRESENT:	Blanchfield, Osmundson, Meisch, Vilmain and Grohmann
ALTERNATE:	Grohmann
MEMBERS ABSENT:	Hebeisen
STAFF PRESENT:	Braaten
VISITORS:	See Attachment

Braaten indicated that additional public hearing comments had been provided for the Kurth, Weinberger and Matthias variance requests.

2. ADOPT AGENDA: Motion by Vilmain, seconded by Grohmann, to adopt the Agenda as presented. All present voted aye. MOTION CARRIED.

3. APPROVE MINUTES: Motion by Osmundson, second by Meisch to approve the minutes from the May 5th, 2016 meeting. All present voted aye. MOTION CARRIED.

4. NEW BUSINESS

A. PUBLIC HEARING: VARIANCE-REQUEST BY RYAN MOONEN TO PLACEMENT OF A UTILITY BUILDING IN THE SIDE YARD OF THE PROPERTY LOCATED AT 1161 INTERLAKEN PARKWAY NORTH.

Braaten introduced the application by describing the location, zoning and surrounding properties. Further, he indicated a variance was necessary as Mr. Moonen is proposing to locate a utility shed in the side yard of the property located at 1161 Interlaken Parkway North. City Ordinance specifically states “Accessory structures detached from the principal structure shall not be located in any front or side yard, except that a detached garage may be located in a side yard if it meets required setbacks.”

Discussion followed regarding the proposed location of the shed in the side yard of the property. Mr. Moonen indicated that the proposed location would limit the view of said structure from neighboring properties and not block any of the homes existing windows.

The Commission asked about the inconsistencies in the utility building elevations. Mr. Moonen replied that the proposed structure would match the existing home. The images were the closest he could find as a representation of what he was going to build.

Blanchfield opened the public hearing. No comments were received.

Motion by Meisch, second by Vilmain to close the public hearing. All in favor voted aye. MOTION CARRIED.

Motion by Meisch, second by Osmundson to recommend approval of the Variance application submitted by Mr. Moonen with the four conditions of approval stated in the staff report. All in favor voted aye. MOTION CARRIED via a 4-0 vote.

B. PUBLIC HEARING: VARIANCE-REQUEST BY DAN KURTH TO ALLOW A REDUCED SIDE YARD SETBACK FOR THE PROPERTY LOCATED AT 579 TIFFANY LANE.

C. PUBLIC HEARING: VARIANCE-REQUEST BY DAN KURTH TO ALLOW A REDUCED SIDE YARD SETBACK FOR THE PROPERTY LOCATED AT 585 TIFFANY LANE.

Braaten introduced agenda items “B” and “C” explaining to the Commission the he would present the information regarding both applications as they were similar in nature, within the same development and more easily explained together. He indicated that the properties in question were developed as part of the Waterford 3rd Addition plat, which allowed reduced lot sizing and setbacks than typical single-family developments. As such, the Waterford 3rd Addition approval allowed a minimum 6 ft. side yard setback, a 25 ft. front yard setback, and a 35 ft. rear yard setback.

The applicant indicated that a variance was necessary as the properties in question have a 10 drainage and utility easement along their shared property line, which encumbers 10 ft. east and 10 ft. west of the shared north south property line. As the applicant cannot build within the easement area, for all intents and purposes the properties have a 10 ft. side yard setback which limits the home that can be constructed on the parcels. Therefore, the applicant is requesting a 5 ft. side yard setback for both properties to allow a functional floor plan for the homes on said parcels without encroaching into any of the described easement areas.

Discussion followed regarding the number of building sites still available within Waterford 3rd and the 10 ft. (20 ft. overall) drainage and utility easement.

Blanchfield opened the public hearing. Hearing not comments from the public Vilmain moved, second by Grohmann to close the public hearing. All in favor voted aye. MOTION CARRIED.

Motion by Osmundson, second by Vilmain to recommend approval of the Variance requests submitted by Mr. Kurth for 579 and 585 Tiffany Lane with the two conditions stated in the staff report. All in favor voted aye. MOTION CARRIED.

D. PUBLIC HEARING: VARIANCE-REQUEST BY CHRIS WEINBERGER TO ALLOW REDUCED SETBACKS AND EXCEED THE HARDCOVER SURFACE FOR CONSTRUCTION OF A NEW HOME FOR THE PROPERTY LOCATED AT 208 MAIN STREET EAST.

Braaten introduced the application explaining to the Commission that the Weinberger property, located at 208 Main Street East, was unique in the fact that the property was accessed off of an alley intersecting with Spruce Street, approximately ½ block south of Main Street. Further, Braaten described the variance request indicating the applicant was proposing to replace the existing one story structure with a new two level structure and expand the footprint of the building by 160 sq. ft. The proposed overall building height is just short of 26 ft. and the existing building height is approximately 12.5 ft.

Discussion followed regarding the Weinberger Variance request. Mr. Weinberger indicated that the placement of the proposed structure was driven by City Ordinance setback requirements and not encroaching any closer to the neighboring properties.

Osmundson asked the applicant about the letter of opposition and the letter of concern from the neighboring properties to the south and west. Weinberger replied that he had spoken with the neighbors and originally they had no concerns with the proposal.

Blanchfield opened the public hearing at 7:11 PM.

Elizabeth Stacken, 222 Main Street East, indicated that when they purchased their home it was indicated to them that no one could ever build on Mr. Weinberger’s property. She explained she had concerns regarding the proposed expansion of the building vertically as it would significantly alter the existing views from her property.

Motion by Meisch, second by Grohmann to close the public hearing. All in favor voted aye. MOTION CARRIED.

Discussion followed regarding building height. Braaten explained that building height was measured from the highest adjacent grade to the mid-point of the highest gable and that in the Shoreland Overlay District single family homes could be as tall as 35 ft. The applicant is proposing structure of approximately 26 ft. Further discussion followed regarding view from neighboring properties and the impact the proposed structure may have.

Theresa Hamer, 200 Main Street East, gave a brief history of how she believe the parcel was created. She indicated the proposed home would significantly change the property and wipe out her view to the northeast.

Blanchfield stated that he understood the concerns of the neighbors and their desire to retain the current lake views from their properties. He stated that the Commission's decision and recommendation must be determined by the Variance Review Criteria stated in the packet.

Meisch added that it may be appropriate to require the submittal of a stormwater plan as the property exceeds the 25% impervious surface allowed in the Shoreland Overlay District. Blanchfield agreed that it would be appropriate as a condition of approval if the Commission were inclined to recommend approval.

Upon further discussion by the Commission it was determined that in order to make an informed decision on the possible impact of the new home a site visit and further information would be necessary.

Motion by Osmundson, second by Meisch to table the application to: 1) allow the applicant time to submit further information clarifying the view impacts from the neighboring properties, 2) submit a stormwater plan for the property, and 3) directing staff to set up a site visit to the subject parcel and the neighboring properties. All in favor voted aye. MOTION CARRIED.

E. PUBLIC HEARING: VARIANCE-REQUEST BY PETER MATTHIAS TO ALLOW REDUCED SETBACKS AND EXCEED THE HARDCOVER SURFACE FOR CONSTRUCTION OF A NEW HOME FOR THE PROPERTY LOCATED AT 12 POINT DRIVE.

Braaten introduced the application indicating that Mr. Matthias was requesting approval a Variance to construct a new home on the subject property which is bisected by Point Drive causing some significant setback issues when trying to place a new home on the parcel. Braaten further explained the existing conditions proposed conditions and possible conditions of approval if the Commission were inclined to recommend approval.

Discussion followed regarding the Matthias application. It was noted and discussed that Mr. Matthias has been working with the Public Services Director to install a stormwater plan to mitigate the proposed hardcover surface.

Blanchfield opened the public hearing at 7:41 PM and hearing no comments from the public Osmundson motioned, seconded by Grohmann to close the public hearing at 7:42 PM. All in favor voted aye. MOTION CARRIED.

Blanchfield explained his findings regarding the Variance Review Criteria indicating that he was in favor of the applications approval.

Braaten explained that no building plans or elevations were included with the packet material as the applicant did not want to spend addition money designing a home if the Planning Commission and City Council were not in favor of the proposed location. Braaten indicated that, if the variance were approved, City staff would review said building plans and make sure they conform to the variance and the existing City Code. If there were any significant changes or revisions the application would be brought back to the Planning Commission and City Council for review and consideration.

The Commission indicated that property pictures would be beneficial in the future to help the discussion.

Motion Meisch, second Osmundson to recommend approval of the Matthias Variance request with the 4 conditions of approval stated in the packet with one revision. Condition #3 strike the language requiring a raingarden be installed to leave the condition more general. All in favor voted aye. MOTION CARRIED.

5. OTHER

A. MATERIAL REVIEW – Statewide Gas – 201 Main Street West.

Braaten introduced the topic explaining that Tom Kurtz of Statewide Gas was proposing some improvements to the landscaping in front of his building at 201 Main Street East, which falls within the City's Downtown Design Standards District. The improvements included the use of a rusted metal facing material for a portion of the retaining wall. City Ordinance allows metal as an accent material not exceed 15% of the building façade and as the measurement was close and the material was new to downtown it was brought to the Commission for consideration.

After a short explanation by Tom Kurtz and some conversation it was determined by the Planning Commission that the proposed metal material was acceptable as an accent material in this location and that this material may not be appropriate on all buildings.

Motion by Grohmann, second by Vilmain to approve the rusty metal facing material for the retaining walls in front of Statewide Gas. All in favor voted aye. MOTION CARRIED.

There being no further business, Motion by Osmundson, seconded by Meisch to adjourn at 8:08 PM. All present voted aye. **MOTION CARRIED.**

Respectfully submitted,

Lane L. Braaten
Community Development Director