

**CITY OF BAYPORT
PLANNING COMMISSION MEETING MINUTES
CITY COUNCIL CHAMBERS**

**August 20, 2007
6:00 P.M.**

CALL TO ORDER

Pursuant to due call and notice thereof, Vice Chairperson Wolfe called the regular Bayport Planning Commission meeting of August 20, 2007, to order at 6:00 p.m.

ROLL CALL

Commissioners Present: Commissioners David Levy, Jennifer Schneider, Judith Seeberger and Ron Wolfe

Commissioners Absent: Commissioner Tom Mabie

City Staff Present: Assistant City Administrator/Planner Sara Taylor, City Council Liaison Sharon Ridgway and Attorney Nick Vivian

APPROVAL OF MINUTES

It was moved by Commissioner Seeberger and seconded by Commissioner Levy to approve the May 21, 2007 meeting minutes as presented. Motion carried.

PUBLIC HEARINGS

Consider a request to rezone 386 Maine Street South from I-Industrial to R2 Single-family Urban to allow construction of a new single family home: Planner Taylor reviewed Andersen Corporation's request to rezone 386 Maine Street South from industrial to residential to allow for the construction of a single-family home that would be donated to Twin Cities Habitat for Humanity. The property, that once contained a single-family home, is surrounded by a mixture of land uses, with the majority being single-family homes. If approved, the applicant plans to renovate the existing 2-car garage to complement the proposed home and install landscaping throughout the lot. Prior to tonight's meeting, the city heard from one neighbor who was in favor of the project, and Commissioner Mabie also expressed support for both rezoning requests on the Planning Commission agenda. Staff believes the proposed house and improvements would complement and improve the neighborhood, and that the property may be best suited for residential use. Staff recommended rezoning the property to R2 Single-family Urban.

Commissioner Wolfe expressed concern that installation of the landscaping required in the staff's recommended conditions of approval may be affected by winter weather. Planner Taylor stated staff would add language in the staff report to allow for leeway if installation is not feasible by the end of the building season.

Commissioner Levy questioned whether the proposed fencing and/or bushes on the north side of the property would affect vehicular/pedestrian visibility on the alley. Planner Taylor stated a site triangle for visibility is required and would be added to the conditions of approval.

Commissioner Schneider questioned the location of the proposed 10' x 20' accessory parking space that would be adjacent to the existing driveway and whether it would impact the impervious coverage allowed for the property. Planner Taylor indicated that, based on preliminary calculations,

the addition of the parking space would not exceed the 35% maximum impervious lot coverage requirement.

Commissioner Levy expressed concern with the condition of the existing garage and questioned whether it should be replaced with a new structure, in a different location on the lot. City staff has not yet determined if the existing garage is structurally sound. Planner Taylor stated that if it is structurally sound and complies with the Minnesota State Building Code, the city cannot require the applicant to remove it.

Mike Nelson, Plant Acquisition Manager for the Twin Cities Habitat for Humanity, spoke to the qualifications of his organization, as well as the training and screening involved with prospective homeowners. He answered questions regarding the homeowner selection process.

Mel Horak, 226 3rd Avenue South, stated he was in favor of the rezoning request and believes the project will have a positive effect on the neighborhood. He also commended Andersen Corporation for their involvement with Habitat for Humanity.

Jerry Kromschroeder, 398 Maine Street South, stated he was in favor of the project.

Don Schelander, co-executor for the property at 373 2nd Street South, stated he has no objection to the proposed rezoning and believes it is a commendable project.

It was moved by Commissioner Schneider and seconded by Commissioner Seeberger to close the public hearing. Motion carried.

Commissioner Schneider recommended deleting the 10' x 20' parking space. Planner Taylor stated staff recommended the space to ensure the city code requirement for off-street parking space is met.

Commissioner Levy reiterated his suggestion to raise the existing the garage and build a new one that would provide for a better layout of the property. Planner Taylor stated staff had not explored this option with the applicants. Kirk Hogberg, Andersen Corporation, indicated they would like to reuse the existing garage, if it is structurally sound. Andersen staff proposed the use of pavers for the parking space, and the Planning Commissioners felt this was a good alternative.

It was moved by Commissioner Seeberger and seconded by Commissioner Schneider to recommend to the City Council to approve rezoning of 386 Maine Street South from I-Industrial to R2 Single-family Urban, to allow construction of a new single-family home, with the additional conditions of approval recommended by the Planning Commission. Motion carried.

Consider rezoning 398 Maine Street South from I-Industrial to R2 Single-family Urban: Planner Taylor stated the subject property is directly south of 386 Maine Street South, discussed in the previous agenda item. The property is zoned industrial, but contains a single-family residential home that is considered legally non-conforming. With the rezoning request for the adjacent Habitat for Humanity project, staff evaluated the zoning classifications of surrounding properties and felt this property should be zoned residential to provide consistency with zoning and land use. As such, the city initiated the rezoning request. Rezoning to residential from industrial would allow for potential remodeling, if desired in the future, and remove the legally non-conforming status of the home. The city received one comment from a neighbor stating they were in favor of the project. Staff recommended rezoning the property to R2 Single-family Urban.

Property owner, Jerry Kromschroeder, stated he was in favor of the rezoning request. He questioned whether the rezoning would affect his property taxes. Attorney Vivian clarified that his taxes should not change, as the tax assessment status is based on the use of a parcel, not its zoning classification.

Mel Horak, 226 3rd Avenue South, stated he was in favor of the rezoning request and believes it makes a lot of sense.

It was moved by Commissioner Schneider and seconded by Commissioner Levy to close the public hearing. Motion carried.

It was moved by Commissioner Schneider and seconded by Commissioner Wolfe to recommend to the City Council to approve rezoning of 398 Maine Street South from I-Industrial to R2 Single-family Urban. Motion carried.

OLD BUSINESS - None

NEW BUSINESS - None

GENERAL INFORMATION

1. Residents were reminded that the city will be celebrating Derby Days on September 14th and 15th, with a variety of activities throughout the city.

OPEN FORUM - None

ADJOURN

It was moved by Commissioner Levy and seconded by Commissioner Seeberger to adjourn the meeting at 6:34 p.m. Motion carried.