

MINUTES OF THE
AUSTIN CITY PLANNING COMMISSION REGULAR MEETING
TUESDAY, JUNE 11, 2002

MEMBERS PRESENT: Janet Anderson, Jack Rosenberg, Gordy Kuehne, Rich Bergstrom, Glenn Mair, & Roger Stratton

MEMBERS ABSENT: Brian Johnson, Sue Grove, & Sue Howard

OTHERS PRESENT: Community Development Director Craig Hoium and City Attorney Craig Byram

Commission Member Kuehne called the meeting to order at 5:30 p.m., June 11, 2002, in the Austin City Council Chambers located at 500 4th Ave. N.E., Austin, Minnesota.

Motion to approve the May 14, 2002 minutes was made by Commission Member Kuehne. Motion was seconded by Commission Member Anderson. Unanimous Ayes. Motion passed.

- 1.) **OPEN PUBLIC HEARING: To consider a request from Anthony & Patricia Slowinski, 1003 13th Ave. N.W., Austin, MN, for a 2-foot variance to be issued pursuant to Austin City Code Section 11.30, Subd. 5, which requires a minimum 5-foot sideyard setback for structures located within an "R-1" Single-Family Residence District. This requested variance has been made to accommodate a proposed 33-foot by 32-foot attached garage/breezeway addition.**

Mr. Hoium reviewed the request. (The recording tape was started late again) "...the petitioner originally approached Mr. Hoium for this request. Mr. Hoium suggested two other ways to look at the proposed garage addition- one would be to construct a detached garage with an Agreement to Build Form to reduce the setback requirements. The petitioner indicated that at this age they desire to have an attached garage mostly for the winter to eliminate an injury from the weather. Another proposal would be to attach the garage with the breezeway and locate it in a way so that the garage doors would face the east property line.

Commission Member Kuehne asked if it would be possible for the petitioner to move the garage 2' to the west. Mr. Hoium said a standard double garage door is 16' wide and if it were to be moved, the area getting in and out of the garage would be restricted- the southeast corner of the house would encroach on the ingress and egress.

Mailings went out to the surrounding property owners and it was published in the newspaper. Mr. Hoium did not receive any replies. Mr. Hoium asked the Planning Commission to review the statutory requirements when considering this variance request.

The petitioner, Mr. Anthony Slowinski, said he would like to build his new garage in the exact same spot as the existing garage and widen it out. Because he only has a single car driveway it does make it hard for him to move his cars around. He also feels that this would be a safety factor on the busy street. The old foundation will be taken out because it is only 18" deep and to attach it to the house you must have footings and foundation. Mr. Hoium explained that when a foundation is installed for replacing a structure or construction of a new structure the new setbacks must be met.

Commission Member Stratton asked if the petitioner were to construct his garage as Mr. Hoium suggested if windows in the house would have to be eliminated. Mr. Slowinski said the lot is so narrow that it would be real difficult to get in and out. Commission Member Kuehne asked the frontage of the lot. Mr. Slowinski said 52'. Commission Member Rosenberg asked the square footage of the proposed garage. Commission Member Mair said 1,050 sq.ft. Commission Member Rosenberg asked if that exceeds the limit. Mr. Hoium

said that the 33-foot by 32-foot dimension includes the breezeway and that limit would only be necessary if it were to be a detached garage.

Motion was made by Commission Member Anderson to recommend approval of this variance request to the City Council as it will not alter the essential character of the neighborhood and that the safety and convenience considerations that the petitioner stated are worthy of granting the variance. Motion was seconded by Commission Member Mair. Unanimous Ayes. Motion passed.

2.) **SIGN APPEAL: To consider the appeal request from Clark Thares, Thares Management, P.O. Box 1359, 613 N.W. 8th Avenue, Aberdeen, S.D., for the denial of the issuance of a sign permit to erect a 12-foot, 4-inch by 7-foot, 4-inch freestanding ground sign. City Code Section 4.50, Schedule II, 1(C) limits signage located within an "R-2" Multi-Family Residence District to 30 sq.ft in area. descriptions for these acres.**

Mr. Hoium reviewed the request. Thares Management is the owner of the Primrose development currently being constructed at 1701 22nd Ave. S.W. This is a 64-unit multi-family development located in an "R-2" district. The surrounding land uses are single and multi-family dwellings to the north, south, and east- all located in an "R-1" Single Family Residence District. To the west there is agricultural land located in Austin Township. Mr. Hoium told the Planning Commission that in their back-up material the sign was said to be 90 sq.ft., but Mr. Byram brought it to Mr. Hoium's attention that in measuring square footage, only the cabinet measurements should be considered and not the foundation supporting the sign, so the actual square footage of the proposed sign would be 43.2 sq.ft. City Code specifies that the maximum height of a sign in an "R-2" District should not exceed 8', and that the square footage of the sign shall not exceed 30 sq.ft. The actual appeal for the proposed sign should then be 13.2 sq.ft. of sign face. Mr. Hoium listed various code sections that apply to this sign appeal in the back-up material for the Planning Commission. Location of the development site and where the proposed sign would be located are just south of the intersection of 16th St. S.W. & 22nd Ave. S.W. Mr. Hoium asked the Planning Commission that if they recommend to the City Council the approval of this sign appeal, that consideration be given to try to minimize any traffic obstruction that this sign could cause. At some point 22nd Ave. S.W. will continue on the north side of this development and will dead-end on the west end of the development, but may possibly at some point continue on if further development occurs west of the development site.

Commission Member Anderson asked if a recommendation needs to be made because of visibility/obstruction. Mr. Hoium said front yard areas in residential districts have a clear zone from 30" high up to 10' high. This proposed sign would not meet that clear zone area. Mr. Hoium suggested that the Planning Commission consider a condition of approval that the sign would be setback 25' from the front property line eliminating any traffic obstructions. Commission Member Kuehne asked if the St. Paul's Church sign down the street from Primrose is 25' back from the front property line. Mr. Hoium said he is not sure and he is not sure of the height, but there is a separate code section for signs for religious facilities.

Commission Member Bergstrom asked if the west wing of the Primrose development is setback 30' from the property line. Mr. Hoium said yes with an approximate 15-foot boulevard. Commission Member asked if this would mean the sign would be 40' from the street and Mr. Hoium said yes. Mr. Hoium said there is a street intersection, a school, and church nearby, with vehicle and pedestrian traffic. Commission Member Anderson said this sign seems to be more of an identification issue than to be a help in finding where Primrose is. Mr. Hoium said this is an elderly housing development and to remember the age of the drivers. Mr. Hoium reminded the Commission that this is just a recommendation- when Primrose was being considered there were a lot of concerns from the surrounding neighbors regarding traffic issues. Commission Member Rosenberg said there would be a stop sign. Commission Member Kuehne said that it might as well be figured from the edge of the street, because if a stop sign were placed there no one would stop for the stop sign behind the crosswalk anyway. Commission Member Bergstrom said the sign would almost look out of place if set so far back.

Commission Member Rosenberg asked if the proposed sign is illuminated. Mr. Hoium said yes, but there are provisions in the ordinance for illuminated signs in "R" Districts so it may not adversely affect the surrounding area. Commission Member Anderson recalled approving the Westminster Presbyterian Church sign, which is not a problem. Commission Member Kuehne said the if the sign is 12' long and there is a 25' front yard setback and the buildings are 30' from the property line, the sign will be encroaching on the building sides by 7' already.

Motion was made by Commission Member Mair to allow the sign to be placed along with the recommendation of a 25-foot setback from the property line. Motion was seconded by Commission Member Rosenberg. Five Ayes. One Nay by Commission Member Bergstrom. Motion passed.

ADJOURN

Motion was made to adjourn by Commission Member Anderson. Motion was seconded by Commission Member Bergstrom. Unanimous Ayes. Motion passed. Meeting adjourned at 5:58 p.m.

(The Planning Commission toured the Cooperative Response Center with no business done at the facility- an informational tour only)