

**MINUTES**  
**AUSTIN CITY PLANNING COMMISSION**  
**TUESDAY, MARCH 13, 2007**  
**5:30 P.M.**  
**AUSTIN CITY COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Tony Bennett, Shawn Martin, Glen Mair, Lynn Spainhower, Jim Mino and Kathy Stutzman

**MEMBERS ABSENT:** Suzanne McCarthy, Rich Bergstrom and Elizabeth Bankes

**OTHERS PRESENT:** Craig Hoium, Council Member Dick Pacholl, Council Member Jeff Austin and public

The meeting was called to order by Commission Member Mair at 5:30 P.M.

Commission Member Spainhower made a motion to approve the February 13, 2007 Planning Commission minutes as written, seconded by Commission Member Mino. Motion passed unanimously.

**OPEN PUBLIC HEARING:** To consider a request from Dan Morem, 3608 4<sup>th</sup> St NW, Austin, MN for a preliminary plat review of property to be known as Morem Addition. This 4.25 acre site is located within the 1700 and 1800 blocks of 6<sup>th</sup> Avenue NW and 8<sup>th</sup> Avenue NW. This plat will consist of 6 new single-family lots with said action pursuant to Austin City Code Chapter 12.

Craig Hoium pointed out the additional materials in front of the Commission Members for tonight's public hearings. He then reviewed the first request giving a brief history of the development site. In 2006 the petitioner went through the plat review process for this same piece of property. At that time the proposed plat consisted of 14 single family lots and an extension of a public right-of-way through the center of the subdivision with a cul-de-sac. In the design phase for that plat the petitioner decided not to proceed with the project as it was designed. That particular plat was never recorded. The petitioner redesigned the project and that is what we have before us tonight. There are six single family lots in the subdivision, all of the lot dimensions meet or exceed the minimum design requirements. Mr. Hoium read through the 8 staff recommended conditions of approval. The storm water retention pond is a state design requirement included with this project. Run off from the proposed lots would discharge into the pond which would reduce water discharging into the storm water municipal system. The sizing of the pond is determined by the impervious surface in the area and the roof area of the structures to be built there. The calculations have not been submitted to the city yet but will be reviewed by the City Engineer when they are submitted. The comment from Qwest relates to an existing underground phone cable that extends through the plat area from north to south. Qwest has requested a five foot easement to be implemented on the plat that would provide

accessibility for any repairs. Mr. Hoium also read through the City Engineers following comments:

- 1) Provide pond calculations
- 2) Pond ownership will remain private. Provide for ownership of ponds and outlets to all lots
- 3) Pond cannot be built over existing storm sewer (two separate ponds with burn in between)
- 4) Verify drainage from backyard of home on 8<sup>th</sup> Avenue NW
- 5) Vacation of existing storm sewer easement contingent upon recording of new plat
- 6) Payment of deferred assessments
- 7) Easement for backyard drainage to be from Morem to homeowner
- 8) Plat should include parcels of property in northeast corner of plat and ownership
- 9) Grading plan to provide building elevations of lots
- 10) Clarify ownership and plat as outlet, the off-set parcel on west side

Mailings went out to adjacent property owners with no response speaking for or against the request. If the Planning Commission recommends approval please include the 8 staff recommendations, the City Engineer's 10 recommendations and the request from Qwest.

Commission Member Martin asked how accurate the scale of the pond is drawn on the preliminary plat.

Mr. Hoium said once the calculations are turned in there could be some minor adjustments to the ponds depth.

Commission Member Martin asked if splitting the pond is a feasible thing to do.

Mr. Hoium said yes there would be a 20' wide burn in between the ponds for maintenance of the municipal storm line. That issue has been reviewed with the petitioner and he has agreed to that design.

Commission Member Mair asked where 18<sup>th</sup> St NW is in relation to the proposed development.

Mr. Hoium pointed out where 16<sup>th</sup> St NW is on the proposed plat and stated that 18<sup>th</sup> St NW would be two blocks further to the west. In reviewing this plat with the staff we had discussion on whether a north/south street was needed through the proposed subdivision and we feel that since it is not a dense area an additional street would not be needed.

Commission Member Mair asked the petitioner if there are any access on the south side of the plat.

Dan Morem, 3608 4<sup>th</sup> St NW said there would be three lots accessing directly to 8<sup>th</sup> Ave NW and three lots accessing directly to 6<sup>th</sup> Ave NW.

Commission Member Stutzman asked how safety for the pond would be provided.

Mr. Morem said the pond is very large so it can be shallow.

Commission Member Spainhower said the calculations have not been turned in yet so how do we know the size of the ponds.

Mr. Morem said the lots on the plat are huge and the pond will be an accent to the properties. I can increase the size of the ponds if needed.

Commission Member Mino asked if the state has requirements on whether the ponds are retention or detention.

Mr. Hoium said the ponds are required to be wet. There are no state requirements to provide a barrier or fence around the pond. The property owners will own the pond which would be a gradual grade design.

Commission Member Mino made a motion to recommend approval of the preliminary plat contingent upon the City Engineers 10 recommendations, the 8 staff recommendations and the request from Qwest, seconded by Commission Member Martin. Motion passed unanimously.

**OPEN PUBLIC HEARING:** To consider a request from Dan Morem, 3608 4<sup>th</sup> St NW, Austin, MN for the preliminary plat review of property to be known as Morem's 2<sup>nd</sup> Addition. This 4.96 acre site is located within the 700 and 800 blocks of 10<sup>th</sup> St SW and 12<sup>th</sup> St SW. This plat will consist of 7 single-family lots with said action pursuant to Austin City Code Chapter 12.

Mr. Hoium reviewed the request giving a brief history of the development site. There are 7 single-family lots in the proposed subdivision. All of the lots on the proposed site meet the minimum lot design requirements. There was an email from MnDot referring to the development but did not address an access permit required for the two lots on 12<sup>th</sup> St SW which is also Highway 105, please include that in any motion for recommendation of the request. Fill has been hauled into parts of the development site and one of the staff recommendations is for the developer to provide a geological analysis for any fill material to verify soils are capable of supporting structures. Typically for structure load bearing requirements there has to be a 95% compaction done. Mr. Hoium read through the 11 staff recommendations stating that number five should be omitted. He then read through the City Engineer's following comments:

- 1) MnDot permits required for any openings onto 12<sup>th</sup> St SW
- 2) Clarify property lines for existing lot in northeast corner of plat
- 3) Provide pond calculations
- 4) Grading plan to provide drainage from existing parking lot on 8<sup>th</sup> Ave to pond
- 5) Pond ownership will remain private. Provide for ownership of ponds and outlets to all lots
- 6) Verify pond outlet installed as per design
- 7) Obtain Austin Utilities approval for water service line location
- 8) Grading plan to provide building elevations to ensure drainage of individual lots in regards to pond design.

Mailings went out with no response speaking for or against the request.

Commission Member Spainhower made a motion to recommend approval of the preliminary plat with the eleven staff recommendations, omitting number five, the City Engineers 8 recommendations and the request from MnDot, seconded by Commission Member Mino. Motion passed unanimously.

#### **OTHER BUSINESS:**

Mr. Hoium said there are a few things that will be coming before the Planning Commission in the next few months. One is the possible updating of portions of the City of Austin's

Comprehensive Plan. A lot of growth has occurred in the SW and the NW parts of the city and we need to look at the future land-use plan in those areas and also the transportation plan. There are also some ordinances that may need to be updated including a sign ordinance relating to illuminated signage or billboards. Another thing I would like to bring to the council is the issue of accessory structures on vacant lots if the adjacent property has a dwelling. The accessory structure is recorded as a separate parcel and if the owner decides to sell that parcel we end up with a stand alone accessory structure on that parcel in a residential area. When that case comes to the building department I would like there to be a requirement to consolidate the two parcels to prohibit the selling of a parcel with a stand alone accessory structure on it. In this scenario you could end up with a 988 square foot garage as the primary structure on a land parcel.

**ADJOURN:**

Commission Member Mino made a motion to adjourn the Planning Commission Meeting at 6:07 P.M., seconded by Commission Member Martin. Motion passed unanimously.