

**MINUTES
AUSTIN CITY PLANNING COMMISSION
TUESDAY, OCTOBER 12, 2010
5:30 P.M.
AUSTIN CITY COUNCIL CHAMBERS**

MEMBERS PRESENT: Jeff Bednar, Tony Bennett, Steve Kime, Lynn Spainhower, Lonnie Skalicky, Kathy Stutzman, and Shawn Martin

MEMBERS ABSENT: Jodi Krueger and Jim Mino

OTHERS PRESENT: Craig Hoium, Attorney Craig Byram, Council Member Dick Pacholl, and public

The meeting was called to order at 5:30 P.M. by Commissioner Spainhower with no corrections to the agenda.

Commissioner Bennett made a motion to approve the September 14, 2010 Planning Commission Minutes as written, seconded by Commissioner Kime. Motion passed unanimously.

Parking Appeal: To consider a request from Clasen-Jordan Mortuary Inc., 209 2nd Avenue NW for an off-street parking appeal involving the proposed expansion of this funeral home facility. This property under review is located in a "B-3" Central Business District with said action pursuant to City Code Section 11.42, Subd.5(E)

Craig Hoium reviewed the request located at 209 2nd Avenue NW for a chapel expansion with an estimated occupant load of approximately 150 people. Mr. Hoium referred to attachments including building plans pointing out areas on of scope of work. Surrounding land uses most part of a business nature with some multi-family development to the west of the property in question. Referring to attachments are three municipal parking lots that come into play with this project. They would be Mower County Lot (previously Library Lot), Austin Drug Lot, and the Nemitz Lot that are all located within the 300 foot radius of the property under question. The Methodist Lot has available stalls as well. With the proposed addition in using factors available there would be 5-10 additional stalls required. The old chapel occupant load was 100-120, the new chapel would increase this to 150.

Commissioner Spainhower requested clarification of occupant load in the existing visitation area which is unchanged. Mr. Hoium clarified that the chapel is the main change and one stall is required for every six seats within this building area.

Referring to a handout Mr. Hoium clarified the Mower County Lot (previously Library Lot) was acquired or purchase from both the City of Austin and Mower County. That would take 5 or 6 of these stalls.

Norm Cole with Cole Architects was requested to step forward. He was in attendance with Leanne Clausen whom stated the project was going to be this fall and they have decided to push that back until spring 2011.

Motion made by Commissioner Skalicky to recommend approval of the Off-Street Parking Appeal submitted by Clausen-Jordan Mortuary, Inc., 209 2nd Avenue NW and second by Commissioner Martin. Motion passed unanimously.

Mr. Hoium clarified the motion was for recommendation to the City Council and will be on the agenda for the October 18, 2010.

Open Public Hearing: To consider a request from St. Marks Lutheran Home, 400 15th Ave SW for an amendment to an existing conditional use permit for a proposed 46,600 square foot facility expansion for this property located in an "R-2" Multi-Family Residence District. Said action is pursuant to City Code Sections 11.31, Subd.3 and 11.56

Craig Hoium reviewed the request which is a conditional use permit amendment which means whenever land use is changed or intensified you have to go through this process. In reviewing the attachments the land to the north is residential R-1, R-2 District; to the east is the Waste Water Treatment Plant, which is an I-2 Industrial District; to the east is an R-1 District and likewise to the south of the property in question. Referring to Provisions in City Code Section 11.54, Subd. 3 and Subd. 1 stating the Planning Committee needs to take the listed items into consideration when approving or denying this request and the area is located at the corner of 4th Street SW and 15th Avenue SW. North of expansion area is a single family dwelling and in the lower SE corner is the single family dwelling's garage for that residential site.

Mr. Hoium went over the Site Summary stating a correction on the Maximum Lot Coverage. The lot coverage was originally calculated at 55.8%, but the actually coverage would be 36% which would be in compliance with the zoning ordinance with 40% being the maximum lot coverage. He continued on going over the Setbacks and Off-Street Parking.

Mr. Hoium stated he has been to this area a number of times and off street parking is in compliance with our off-street parking ordinance, but generally all on street parking stalls seems to be occupied. Consideration for additional parking being provided on site would be a plus for this project. Mr. Hoium discussed the staff report and did receive a phone call regarding this issue. The call was regarding a nursing home licensing issue that allows them to be open which does not affect the land use.

Commissioner Stutzman questioned what the setback is for the garage and the single family dwelling and the site. Craig Hoium explained the north setback is 24 feet from the property line. The garage is three feet from the property line due to a variance from 15 years ago. This means there would be 27 foot difference from the St Marks north building to the single family dwelling's garage.

Hoium went over the attachment from St Marks on the project summary and time frame of project which is to begin March 2011 and set for completion of fall 2012. Prior to this meeting the petitioner's and the design team provided a neighborhood informational meeting on the project inviting them to the facility.

Commissioner Stutzman asked if the exterior lighting is something they need to be thinking about or recommending between the facility and the single family dwelling. Mr. Hoium stated he would like to see downward exterior lighting which should be included in the landscape plan.

Commissioner Martin asked for clarification regarding why there were six extra stalls if the requirement was met. Craig Hoium stated they are in compliance and seems parking is inadequate but the off street parking is always full of cars assuming they are with the St Marks facility.

Commissioner Spainhower questioned if parking was going to be an issue with 25 more assisted living spaces. If 75% of those people drove, where are they going to put their cars. Mr. Hoium stated that the ordinance doesn't take this into consideration. There will be more than a 50% reduction in the nursing home from 100 down to 45 rooms.

Commissioner Spainhower opened the floor for comments from the public.

Chris Stevens, 307 12th Avenue SW, questioned if the houses on 12th Avenue SW will be relocated or are they not affected? Mr. Hoium stated they will not be affected by the project. The affected area is at the corner of 4th Street SW and 15th Avenue on the SW corner of the St Marks facility.

Betty Sand, 303 15th Avenue SW stated the cars that are parked on 15th Avenue SW now are all employees and are there from 8 to 12 hours a day. Is that going to change? Mr. Hoium stated to the Planning Commission that if they want to choose to approve the request a condition should be placed to provide additional off street parking so those cars would not be parked on 15th Avenue. Betty suggested painting the curbs yellow as it is impossible to back out of the driveways with parking on both sides. Betty questioned if the deliveries were going to be changed so deliveries will not be taken at 5 in the morning?

Greg Woollums, architect on the project with DLR Group out of Minneapolis explained the parking should take some of the on street parking off of 4th Street SW, moving them back to fill in some of the green space which existed before. Mr. Woollums also stated they have the option to increase more in the back area. At this time parking in the back area is low and fills with water. This project will fix that area and staff is encouraged to park in the back parking lot area. Greg Woollums also clarified that the expansion is not all new, some will be existing with a remodel.

Margie Culton, 401 15 Avenue SW, stated parking is the main concern for funerals, gatherings, activities. If parking is located in the back, this may not be beneficial to older visitors as they may be unable to walk that far. This may cause them to end up again parking in front of our houses. Ms. Culton suggested more parking on the west side where main entrance would be rather than in the back.

Commissioner Stutzman questioned why not consider a variance at this point to include 40% impervious to add the actual number of parking spaces they need in that back area. Mr. Hoium

clarified that his calculations were within the ordinance and would not promoting a variance due to a Supreme Court case regarding a variance issue, but allowing St Marks up to the 40% impervious should not be an issue.

Commissioner Martin asked if the Planning Commission could dictate/mandate employee parking on this east parking lot area. Mr. Hoium remarked that he did feel this was possible.

Commissioner Spainhower stated she felt the employees want to park on 15th Avenue as it is hard finding parking there. Most of the on street parking seemed to be employees of facility. Craig Hoium will talk with the City Engineering regarding setting a time limit of 2 hours between 8 am and 5 pm for the on street parking.

Greg Woollums confirmed that the actually number of stalls would be 89 not 109.

Julie Murray, Ecumen from Minneapolis, who is the manager of St Mark, stated since this condition use permit will change their facility to a different type of services they will provide, there will be a staffing change of 15 less employees from 9 am to 5 pm seven days a week. Commissioner Spainhower noted the possible of 15 less cars or more due to car pooling in the off street parking.

Commissioner Stutzman questioned if deliveries times could be changed to limited noise. Craig Hoium stated that could be accomplished with Conditional Land Use Permit. Attorney Byram stated the Commission could consider whatever controls, limitations, and requirements they feel are necessary in the Staff Report. The effort should be made to consider the Conditional Use Permit assuming that you can avoid these problems and can consider adding as a requirement. Commissioner Stutzman asked to hear from the petitioner regarding the deliveries. What does schedule look like and how will it be impacted?

Christine Harris, Campus Administrator at St Marks explained the delivers start about 6 am and are food deliveries coming in and out at that time which will remain in the same area. No change will occur.

Carol Landgraf, 305 15th Avenue SW was concerned with entrance off 4th Street and under the canopy area and off and on 15th Avenue; is that not going to make a congested corner? Mr. Hoium spoke to the City Engineering and he did not make any responses against the proposal.

Commissioner Martin asked if the deliver schedule could be changed and if so, would it impact how food service would be affected? Commissioner Spainhower thought the delivering schedule should not hold up a motion. Commissioner Stutzman stated what if there is a greater increase in delivers that would make a greater noise factor to the neighbors that would be concerning. Commissioner Spainhower stated it does not sound like that would be the case with this permit.

Commissioner Skalicky stated it was a wonderful idea to add 2 hour parking to the on street parking. Craig Hoium will need the City Engineer's approval and a City Council action for that.

Commissioner's Martin, Skalicky and Spainhower asked to mandate parking so neighbors will not have congested parking with additional parking located in the back.

Commissioner Martin made a motion to approve amending the existing conditional use permit seeing how it meets items A-H of the City Code and it is also in compliance with section 11.56

the bullet points in the agenda. I would also like to make a recommendation that the off street parking be improved up to the 40% impervious that the landscaping plan being supplied that includes a vegetative screen on the north end and also a lighting plan to see how that will be dealt with and how that interacts with your neighbors in addition to the listed item number 3 for verification of the storm sewer drainage plan and erosion control measures as mentioned in the Staff Report. And also adding language to the mandate employee parking be made into the eastern parking space outlines in the plans. Second from Lonnie. Motion passed unanimously.

Mr. Hoiium explained there would be a 15 day appeals period even though the project is scheduled to start until March 2011. If no appeal is submitted this will be the final action taken on this CUP request.

Commissioner Bennett made a motion to adjourn the Planning Commission Meeting at 6:40 pm, seconded by Commissioner Bednar. Motion passed unanimously.