

**MINUTES**  
**AUSTIN CITY PLANNING COMMISSION**  
**TUESDAY, MAY 14, 2013**  
**5:30 P.M.**  
**AUSTIN CITY COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Jeff Bednar, Laura Helle, Steve Kime, Jim Mino, Lynn Spainhower, and Troy Nelson

**MEMBERS ABSENT:** Dan Hirst, Lonnie Skalicky, and Holly Wallace

**OTHERS PRESENT:** Craig Byram, Craig Hoium, and public

At 5:30 pm Commissioner Mino called the Planning Meeting to order. A motion was made by Commissioner Nelson to approve the April 9, 2013 meeting minutes as written. Commissioner Kime seconded and the motion was carried.

**SIGN APPEAL:** To consider a request for the denial of a sign permit to J.J. Kell Lodges LLC, AmericInn Motel, 1700 8<sup>th</sup> St NW and Hy-Vee Food Store , 1001 18<sup>th</sup> Ave NW for the placement of an off-premise/directional sign to be placed on the Hy-Vee Food Store property located at 1001 18<sup>th</sup> Ave NW. Said action is pursuant to City Code Section 4.50, Subd.13, H for both of these properties located in a "B-2" Community Business District.

Mr. Hoium indicated the petitioners for this requested sign appeal are Hy-Vee and AmericInn. The sign appeal is in accordance with a request made to MNDOT for additional signage on Interstate 90. The location of the sign would be on the northwest corner of the Hy-Vee Gas property and would be 3.5 x 3.5 feet (12.25 square feet).

Larry Powell of 1700 8<sup>th</sup> Street NW has requested a sign on Interstate 90 from MNDOT for the east bound traffic exiting on 177. This sign appeal would be in accordance with the approval of the MNDOT request.

Commissioner Spainhower made a motion to approve the requested sign appeal stating it should attract people and should not influence the traffic. Commissioner Nelson seconded the motion and the motion was carried.

**PUBLIC HEARING:** To consider a request from Pro Growth Bank, 320 Main Ave, PO Box 226, Gaylord, MN for the conceptual review to an amendment to an existing Residential Planned Unit Development known as Fox Pointe Addition. This amendment would change the existing development densities and road access point with said action pursuant to City Code Section 11.07, Subd.24 and 11.65, Subd.5

The property regarding this public hearing request is located on 7<sup>th</sup> Street and 24<sup>th</sup> Avenue NW. The current land classification is a partially developed 99 unit condo development classified as a

PDR—Planned Unit Development Residential District. Surrounding land uses to the north and east are R-1, to the south is B-2 and to the west is PDR. A portion of the land has been developed although due to the economy and other issues the project has not been completed. Various options for the land development were shown. The alignment of the street needs would be best met by connecting to 23<sup>rd</sup> Avenue NW.

Owner, Phil Keithahn of 320 Main Avenue, Gaylord, Minnesota wants to make this a successful, quality development. Mick Montag of 1517 Squirrels Nest Road, Kasota, Minnesota, who built Primrose, will be the builder. He would like to develop entry level single family homes with connected townhomes and an assisted/memory care/wellness living unit. His suggestion for the road way would consist of many turns and stops signs disallowing traffic to speed through the developed area. The memory care unit would be one level with an interior and exterior walking path. The assisted living unit would be two stories with an elevator, larger dining room and possible theater.

Steven Lang, City Engineer, would like the traffic flow to be in alignment to 23<sup>rd</sup> Avenue NW. A jog on 23<sup>rd</sup> Avenue would not be feasible for this to occur. Connection onto 24<sup>th</sup> Avenue NW would put two t-sections in a row and vehicles headlights would shine into area homes.

Jon Beckel, a resident at the Village Coop would like to see the assisted/memory care living unit placed on the south location of the land. The southerly location consists of a pond and wetland that would be appealing to these individuals.

Bill Bissen questioned why the development along 24<sup>th</sup> Avenue NW was not being completed.

Corey Haugen, 1006 24<sup>th</sup> Avenue SW, he would like to see the project completed with the city's recommendations of placement and locations.

Ashley Farr, 700 1<sup>st</sup> Drive NW would like to see the housing study completed, release to the public, and be used for what is being requested along with an elderly waiver included. Once the housing study has been completed and if it is different from what is anticipated, the plans can then be changed. There is a need for low income housing, but at this time there is no money. Soil studies will be completed assisting with the placement of homes, townhomes, and care units.

Commissioner Spainhower made a motion to approve the public hearing using the proposed Exhibit F plan, connecting with 23<sup>rd</sup> Avenue NW as indicated by the City and leave the proposal open for review by the City Council once the studies have been completed. Commissioner Bednar seconded the motion and the motion passed unanimously.

**PUBLIC HEARING:** To consider a request from Michael Pepper, 508 10<sup>th</sup> Ave NW, Austin, MN for a 7.5 foot corner side yard variance to be issued pursuant to Austin City Code Section 11.30, Subd.5 for the reconstruction of a 22 foot by 16 foot detached garage/shed. Said property is located in an "R-1" Single-Family Residence District.

This public hearing is requested by Michael Pepper of 508 10<sup>th</sup> Avenue NW. The area in question is along the alley of said property. Set back at this time is 5 feet and construction of a larger shed would require a 12.5 foot setback. Mr. Pepper would like to replace the shed which

consists of a deteriorated block foundation and dirt floor. The existing shed is 10 x 20 feet and the new construction would be 22 x 16 feet. The rear of his property does not contain a large yard and moving the garage in 7.5 additional feet would remove more of the existing yard. Mr. Hoium and Mr. Byram explained the request for variance in order to meet all the statutory requirements.

Commissioner Spainhower made a motion to deny the request for not meeting these statutory requirements. Commissioner Helle seconded the motion. The request was denied with a 4-2 margin. Commissioners Bednar and Nelson voted nay.

**PUBLIC HEARING:** To consider a request from Daniel Coyle, 1003 18<sup>th</sup> St SW, Austin, MN for a 14 foot variance to be issued pursuant to Austin City Code Section 11.30, Subd.5 governing the minimum front yard setback of 22 feet for this property located in an "R-1" Single-Family Residence District. This requested action is for the proposed construction of a 24 foot by 16 foot front yard deck.

Mr. Hoium gave the location for the font yard deck variance request, located at 1003 18<sup>th</sup> Street SW. There is a 22 foot setback requirement for this home and the requested deck size would be 24.5 x 16 feet. With the property as is there can be an additional 4.5 feet deck added and the owner would be in compliance and no longer need to request a variance.

Commissioner Spainhower made a motion to deny the requested variance due to traffic visibility and not showing due hardship. Commissioner Nelson seconded the motion and the motion was denied with a 5-1 margin. Commissioners Mino, Helle and Kime voted yay and Commissioner Bednar voted nay.

**ORDINANCE REVIEW:** Review of Solar Development Standards Ordinance

Mr. Hoium requested approval or denial for the Solar Energy Draft Ordinance with in the community. The subdivisions include purpose, definitions, permitted accessory use, and many others. Letter D. Visibility is particularly an item the Planning Commission will need to act upon.

Commissioner Helle made a motion to approve the Solar Energy Draft Ordinance as written using the second alternative D. Commissioner Kime seconded the motion and the motion passed unanimously.

Commissioner Spainhower made a motion to adjourn the meeting and Commissioner Nelsen seconded the motion. The motion was carried and the meeting was adjourned at 7:33 pm.