

**MINUTES**  
**AUSTIN CITY PLANNING COMMISSION**  
**TUESDAY, AUGUST 16, 2016**  
**5:30 P.M.**  
**AUSTIN CITY COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Rick Bremner, Steve Kime, Jay Lutz, Troy Nelson, Greg Siems, Lynn Spainhower, and Aaron Stewart

**MEMBERS ABSENT:** Laura Helle and Jim Mino

**OTHERS PRESENT:** Craig Byram, Holly Wallace and public

Commissioner Kime called the meeting to order at 5:30 pm. Commissioner Nelson made a motion to approve the July 12, 2016 Planning Commission Meeting minutes as written. Commissioner Spainhower seconded the motion and the motion was carried.

**FENCE APPEAL:** To consider an appeal by Science Park from the six foot fence height restriction in Austin City Code Section 4.70, Subd. 5. The petitioner wishes to have a seven foot high fence around the perimeter of their gas meters.

Science Park Apartments, LLC, 901 16<sup>th</sup> Avenue NE, is requesting this fence appeal from the sixth foot to a seven foot height screening the gas meter of the units. The fence would match the concrete block on either side. Commissioner Bremner made a motion to recommend approval to the city council allowing the seven foot fence as a screen for the gas meters. Commissioner Lutz seconded the motion and the motion was carried, 7 - 0.

**OPEN PUBLIC HEARING:** To consider a request from David Watson and Jim Royston on behalf of Austin Tire and Service, 415 10<sup>th</sup> Street NE, Austin, Minnesota for a conditional use permit to allow a used car dealer license on his property. The property is located in a B-2 Community Business District. This action is pursuant to Austin City Code 11.56.

Petitioner David Watson requested a conditional use permit to obtain a used car dealer license. Three or less cars will be purchased at auction, repaired and sent back to the auction for resale. The cars will remain on the property for approximately seven to ten days.

David Watson, 53753 306<sup>th</sup> Street, Austin, will continue the regular repair shop business. Jim Royston, the Austin Tire manager, 212 East Luella Street, Leroy, explained dealer plates need to be used and maintained to purchase cars from auction. To receive dealer plates a used car sales certification is required. The hauler can move three vehicles at time.

Ms. Wallace included reassurance of no car sales on the property. She received no communication regarding this requested action.

Commissioner Spainhower made a motion to approve the conditional use permit including the applicable ordinance provisions and amending the staff recommendations as follows:

1. Salvaged and/or auctioned vehicles must be stored inside a building, if the vehicle is not properly licensed.
2. The storage area must be paved as required by city ordinance.
3. Three auction vehicles may be stored on the property at a time subject to other provisions.
4. No on site sales.

Commissioner Bremner seconded the motion. Motion passed unanimously.

**OPEN PUBLIC HEARING:** To consider a request from Paulette Clark, 1200 20<sup>th</sup> Street NE, Austin, Minnesota for an interim use permit to allow a massage business out of her home. The property is located in an R-1 Single Family Residential District. This action is pursuant to Austin City Code 11.56 and 11.57.

This will be the first application under the interim use permit. The home occupation is allowed as a conditional use permit; however, the home owner has no intention to continue the activity after her daughter leaves the home. Her daughter has completed some education in massage and is allowing her to temporarily use the home for that occupation until she moves to a new location and starts her own business. This does not create approval for a future interim use permit. Once the activity ceases, the interim use permit will expire. Hours would fluctuate from 9 am to 10 pm, client scheduling would leave half an hour between clients, parking is available both in the driveway and on the street, and only one client at a time. Ms. Wallace went over the ordinance provisions, staff recommendations and surrounding areas of the property. Four calls were received in opposition of the request based on concern with the number of vehicles currently located on the property as well as mailbox and garbage truck access and snow plowing. A photo was received showing the vehicles currently parking in the street; usually there are four to six vehicles and a motorcycle. Neighbors do not want to create conflict and asked to remain anonymous.

Paulette and Katie Clark, 1200 20<sup>th</sup> Street NE, indicated the garage is being cleaned out for parking. The daughter and clients can park in the driveway. Commissioner Spainhower felt the parking would not be an issue and feels it is a very quiet in home business.

Commissioner Spainhower made a motion to recommend approval to the Council for the five year interim use permit. Following the staff recommendations, emphasizing the use of parking in the petitioner's driveway over on street parking. Commissioner Siems seconded the motion and the motion was carried with Commissioner Lutz abstaining from voting as he is a neighbor of the petitioner's.

## **ADJOURN**

Commissioner Bremner made a motion to adjourn the meeting and Commissioner Lutz seconded the motion. The motion passed and the meeting was adjourned at 6:10 pm.