

**MINUTES**  
**AUSTIN CITY PLANNING COMMISSION**  
**TUESDAY, AUGUST 15, 2017**  
**5:30 P.M.**  
**AUSTIN CITY COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Megan Burroughs, Steve Kime, Jay Lutz, Troy Nelson, Michael Postma and Greg Siems

**OTHERS PRESENT:** Holly Wallace, David Olson, Kevin Larson, Perry and Kimberly Byam and public

Commissioner Kime called the meeting to order at 5:30 p.m. Commissioner Lutz made a motion to approve the July 11, 2017 Planning Commission Meeting minutes. Commissioner Nelson seconded the motion. All were in favor and the motion was carried.

**OPEN PUBLIC HEARING:** To consider a request from David Olson, o/b/o Sunbelt Motors, LLC, to continue auto sales at its current location in a "B-2" Community Business Zone. This request is pursuant to City Code Section 11.56, Subdivision 1

Sunbelt Motors, LLC, located at 904 Oakland Avenue West, is an existing used car sales business recently sold to David Olson. No Conditional Use Permit was obtained by the original owner. Parcel is approximately 4700 sq. ft. The building is approximately 1200 sq. ft. Current zoning of surrounding property is North – "R-2" Multi-Family; East, West and South- Commercial Business- "B-2" District. This request was continued from the July 11, 2017 Planning Commission Meeting.

**Ms. Wallace briefly reviewed the request made at the July meeting, reminding the Commission the issue regarding State licensing would be enforced by the State licensing authority. She also reviewed Staff Recommendations.**

**Staff Recommendations:**

If the Planning Commission should choose to approve this requested conditional use permit, consideration should be given to include the following conditions with this approval:

- a) Off street parking compliant with building code and local zoning ordinances. 1 space/500 sq ft gross floor area. Minimum two spaces required.
- b) 20% greenspace required.
- c) No more than 4-5 cars for sale at one time.
- d) Hours of business shall be clarified.
- e) On-site lighting shall be downward designed to minimize any adverse effects to adjacent residential properties.

The renter on the property will manage the car lot. Commissioner Postma questioned where the renter will park since the lot will hold four-five cars. Ms. Wallace explained that there will be two lots reserved for customers. The renter could use one of these spots when the business is not open, otherwise there is street parking.

Commissioner Burroughs questioned if this request is compatible with the future land use plans for this area. Ms. Wallace stated that it is.

Owner David Olson addressed the Commission. He has been working with the previous owner of the car lot for five to six of the last eight years. He intends to use the car lot the same way it has been used in the past. Mr. Olson spoke to John Howe, a residential property owner of nearby property. Mr. Howe had a question regarding a dual use (residential and commercial) of the property, which does not violate any city ordinance. He also had some questions related to state licensing, which will remain under the state's jurisdiction.

Commissioner Lutz moved to approve the request, including Staff Recommendations a – e. Commissioner Nelson seconded the motion. Motion was carried.

**OPEN PUBLIC HEARING:** To consider a request from Kevin Larson and John Bergstrom for a proposed mini storage development in a "B-2" Community Business District. A conditional use permit is required for storage facilities in a "B-2" District. Current zoning of surrounding property is North – "R-1" Residential, East – Commercial Business- "B-2" District; West Commercial Business- "B-2" District and South- "R-2" Multi-Family. This request was continued from the July 11, 2017 Planning Commission Meeting.

**Ms. Wallace reviewed Section 11.41, Subd. 3 Conditional Uses, E. *Warehousing, storage and wholesaling, Sections 11.56, Subdivisions 1, 5 and 2* provided in the meeting materials. She also reviewed Staff Recommendations.**

**Staff Report:** The petitioner proposes to develop the property as shown in the development plans provided in the meeting minutes. If the Planning Commission should choose to approve the requested conditional use permit, Ms. Wallace requests that consideration be given to include the following conditions:

- 1) Site development shall be completed in accordance to Exhibit "A" which includes:
  - f) Hard-surface material (asphalt or concrete) shall be provided for off-street parking.
  - g) Landscaping shall be provided and meet the approval of the Planning and Zoning Office.

The conditional use permit will remain unless the request is appealed to City Council with 15 days.

Commissioner Kime asked if there was a building currently on site. There is not. Commissioner Burroughs asked if there will be additional fencing to provide privacy between the lot and the Bremerton Apartments. The petitioner stated that there is existing fencing and they intend to add on to it.

Commissioner Postma moved to approve the request, including Staff Recommendations. Commissioner Siems seconded the motion. Motion was carried.

**OPEN PUBLIC HEARING:** To consider a variance for 2403 15<sup>th</sup> Ave SW from Austin City Zoning Code Section 11.01, Subd, allowing a maximum coverage of 1,584 square feet, in an R-1 single family residential district. Petitioners Perry and Kimberly Byam propose to add a detached 36' x 44' garage to the property.

The petitioner has requested a 1024 square foot variance from City Code Section 11.01,(1) limiting the total aggregate area of all “accessory structures” to 1,000 square feet for properties under one acre located within an “R-1” Single-Family Residence District (1584 for parcels exceeding one acre). All surrounding properties are zoned “R-1” Single-Family Residence.

The property in question is approximately 36,653 square feet in area (0.85 acres). With this proposed 36 foot by 44 foot detached garage addition, the total lot coverage with structures would be approximately 7.6% (40% lot coverage is the maximum allowed).

Structures on property being reviewed:

Dwelling	=	792 sq. ft.
Existing detached garage (will remove)	=	- 380 sq. ft.
2 <sup>nd</sup> Detached garage	=	440 sq. ft.
Proposed Garage Addition 36' x 44'	=	1584 sq. ft.
Total	=	2816 sq. ft.

Ms. Wallace reviewed data she and the petitioner compiled regarding the size of detached structures in the area as well as the statutory requirements provided in the meeting materials.

Petitioner Byam plans to store recreational and other vehicles to keep them protected and keep the property looking uncluttered. The structure is intended to “fit in” with the surrounding environment. Letters were sent to neighboring property owners. No comments were received. One neighbor was present in support of the petition.

Commissioner Lutz moved to approve the recommendation to council for a variance including statutory requirements 1 through 3 listed in the meeting materials. Commissioner Nelson seconded the motion. Motion was passed.

**OTHER BUSINESS:**

Grow Solar – For planning commission review, no additional action needed. Austin was selected to participate in a program called SolSmart, which provides technical assistance for improving community solar readiness. The level of readiness is reflected in a designation of Bronze, Silver and Gold. Each designation requires certain activities, one of which is to provide a memo from Brian Ross at Great Plains Institute, which was included in the meeting materials, with the Planning Commission.

Ms. Wallace informed the Commission that SolSmart is a national designation, which recognizes local governments for making it faster, easier and cheaper to go solar. Our region includes three current designees, Duluth, Minneapolis and St. Paul.

For designation, each participant must reach a specific score in various categories, including: Permitting; Planning, Zoning, and Development Regulations; Inspection; Construction Codes; Solar Rights, Community Engagement; Utility Engagement; and Market Development and Finance.

The City currently has a solar ordinance and will provide a solar landing page on the City Web site. Austin could easily meet the Bronze designation, but is working to achieve Silver status. The City’s focus is on residential and small-use solar projects. Upon receiving the designation the City will be “shovel-ready” for solar initiatives. The process for designation should be completed in October 2017.

## **ADJOURN**

Commissioner Burroughs made a motion to adjourn the meeting and Commissioner Postma seconded the motion. The motion passed and the meeting was adjourned at 6:00 pm.