

**City of Austin**  
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**MEETING MINUTES**  
**AUSTIN CITY PLANNING COMMISSION**  
**TUESDAY, JUNE 13TH 2023**  
**AUSTIN CITY COUNCIL CHAMBERS**  
**5:30 PM**

**COMMISSIONERS PRESENT:** Jay Lutz, Melissa Swenson, Brad Lindberg, Karem Salas Ramirez, Jana Norman, Megan Burroughs

**COMMISSIONERS ABSENT:** Jason Duffy, Aaron Stewart, Rita Srock

**OTHERS PRESENT:** Planning & Zoning Administrator Holly Wallace, Craig Byram

Commissioner Lutz called meeting to order at 5:30 pm. Commissioner Swenson made a motion to approve the May minutes. Commissioner Norman seconds. All in favor, none opposed. Motion carried.

Lutz – Aye  
Swenson – Aye  
Norman – Aye  
Lindberg – Aye  
Salas Ramirez – Aye  
Burroughs – Aye

Ayes – 6 Nays – 0

**OPEN PUBLIC HEARING:** To consider a petition from The Muffler Center for a variance at 1204 W Oakland Ave for a 40x65 addition.

Holly Wallace went over the proposed information as well as the variance criteria that the commissioners should be considering. Mitch Meyer is requesting to build a 40x65 addition on the North side of the property leaving a 2.5 ft set back from the residential neighbors. The shed currently on the property will be removed. Notices were sent to all neighboring properties. Comments were received from 1207 1<sup>st</sup> Ave NW and the owners of Dairy Queen. Both property owners were present at the meeting.

Commissioner Lutz questioned the height of the addition. The limit in a B-2 district is 5 stories. Mitch Meyer stated that is will be around 18 ft tall, no taller than 20 ft (8 ft taller than current structure). The roof will drain to the North (downspout to discharge towards Wescott)

The addition will be constructed of steel and wood to match the aesthetic of the current building.

Mitch Meyer explained that they removed 9 trees. The residents to the North both have fences and tree coverage.

There will be a sign on the West side of the addition illuminated with swan neck lighting.

This business does comply with the cities' comprehensive plan.

Kathleen Weins of Dairy Queen questioned the East boundary and if she should get a survey. She also had concerns regarding a fence, parking, landscaping, snow plows, dumpsters.

Staff confirmed that the set back from commercial to commercial is 0 feet.

Holly Wallace stated that The Muffler Center will be required to survey the property as part of the permit process.

Craig Byram said if it is not required it would be in the property owner's best interest to avoid legal issues in the future.

Mitch Meyer confirmed he will be set back 1 foot from the East property line.

Paul Fischer promotes the addition. Growing businesses increase the tax base.

Commissioner Norman motioned to recommend approval to council as presented. Commissioner Lindberg 2<sup>nd</sup> Commissioner Burroughs went over the 5 conditions ensuring The Muffler Center complied. Commissioner Norman amended her motion to include the 5 conditions listed. All in favor, none opposed. Motion Carried.

Lutz – Aye

Swenson – Aye

Lindberg – Aye

Norman – Aye

Salas Ramirez – Aye

Burroughs- Aye

Ayes – 6 Nays – 0

Commissioner Lutz asked some procedural questions regarding the public having the ability to speak at a council meeting.

Holly Wallace explained that MN state law only requires one public hearing which is held at the Planning Commission meeting. When the city revised their ordinance, they eliminated the 2<sup>nd</sup> public hearing

Craig Byram confirmed that the mayor and the city council always has the ability to invite comment from the public.

Commissioner Burroughs motioned to adjourn. Commissioner Norman 2<sup>nd</sup>. All in favor, none opposed. Motion Carried.

Lutz – Aye

Swenson – Aye

Lindberg – Aye

Salas Ramirez – Aye

Burroughs- Aye

Norman- Aye

Ayes – 6 Nays – 0

Meeting adjourned at 6:18 pm.