



Norwood Young America Planning Commission
Tuesday, October 1, 2019
Norwood Young America City Council Chambers, 310 Elm St. W.
6:00 p.m.
AGENDA

1. Call to Order
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of September 4, 2019 meeting
4. Introductions, Presentations, and Public Comment
(Citizens may address the Planning Commission about any non-agenda item of concern. Speakers must state their name, address, and limit their remarks to three minutes. The Planning Commission will take no official action on these items but may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting.)
5. Public Hearings
6. New Business
 - A. Accessory Structure Dwellings
 - B. Reschedule November 5th Regular Meeting (Election Day)
7. Old Business
8. Miscellaneous
 - A. September Building Permit Report
9. Commissioner's Reports
10. Adjourn

**Jerry
Barr**

**Mike
Eggers**

**John
Fahey**

**Bill
Grundahl**

**Paul
Hallquist**

**Bob
Smith**

**Craig
Heher
Council
Liaison**

UPCOMING MEETINGS

- | | |
|--------------------------|--|
| October 9 th | Economic Development Commission 5:00 p.m. |
| October 9 th | Joint Meeting – City Council, PC, EDC, Parks & Recreation Commission & Chamber of Commerce Board 6:30 p.m. |
| October 14 th | City Council 6:00 p.m. |
| October 15 th | Parks & Recreation Commission 4:45 p.m. |
| October 28 th | City Council Work Session/EDA/Regular meeting 6:00 p.m. |
| November 5 th | Planning Commission 6:00 p.m. |

A quorum of the City Council may be present but no official action by the Council will be taken at this meeting.

*Norwood Young America
Planning Commission Minutes
September 4, 2019*

Present: Commissioners Jerry Barr, Bill Grundahl (arrived 6:15 p.m.), Paul Hallquist, Craig Heher and Bob Smith.

Absent: Commissioners Mike Eggers and John Fahey.

Staff: City Administrator Steve Helget and Planning Consultant Cynthia Smith Strack.

Public: Randy Martinnen, Ally Clark, Andrea Gerth, and Yvonne Gerth.

1. Call to Order.

The meeting was called to order by Chair Heher at 6:00 pm. All present stood for the Pledge of Allegiance.

2. Adoption of Agenda.

Chairperson Heher introduced the agenda.

Motion – Hallquist, seconded Barr to approve the agenda. The agenda was approved 4-0.

3. Approval of Minutes from the Regular Meeting August 6, 2019.

Heher introduced the minutes from the August 6, 2019 regular meeting.

Motion – Barr to approve the August 6, 2019 regular meeting minutes. Seconded by Smith. With all in favor the regular meeting minutes were approved 4-0.

4. Public Comment.

None.

5. Public Hearings.

None.

6. New Business.

A. Lot Split – 417 2nd Avenue SW

Chairperson Heher introduced agenda item.

Strack noted Randy Martinnen, owner of property at 417 2nd Ave SW proposes the split of an existing, contiguous, improved lot currently combined under one legal description and one parcel number. Strack referenced a certificate of survey illustrating a proposed lot split that was included in the information packet. The Martinnen parcel, as legally described, extends to the centerline of 2nd Avenue SE and the centerline of Central Avenue South. This means 33 feet of the east side of the lot and 55 feet of the west

side of the lot are under easement for public right of way purposes but said rights of way have not been dedicated to the public.

Strack noted the certificate of survey illustrates a proposed lot division that includes Parcel A, the portion of an existing through lot that abuts Central Avenue South and Parcel B, the portion of an existing through lot that abuts 2nd Avenue SE and the site of an existing dwelling. The property encompassed by the legal description, if split appears to meet code minimums for lot size, width, and setbacks. However, if the property under use for right of way purposes is excluded, minimum front setback for the dwelling on proposed Parcel B is not met. This is not uncommon in areas including state highways.

The Commission is asked to comment on whether or not a variance to required front setback is needed. The interpretation for front yard setback could affect other parcels in similar situations. Strack noted the applicant is in the audience.

Heher asked the applicant to comment on the request. Martinnen introduced himself and noted the proposed lot split.

Strack clarified that if the Commission finds a variance is needed the variance would be to Section 1100.11, Subd. 1 of the Subdivision code and not district performance standards.

The Commission discussed the request and reached consensus that setbacks should be measured from the edge of the right-of-way easement rather than then center of the right-of-way easement. As such the Applicant should submit a variance request for consideration prior to administrative action on the lot split request.

B. Accessory Dwelling Units.

Chairperson Heher introduced the agenda item. Heher noted the Commission agreed to revisit accessory dwelling units as a result of a request from the public.

Strack noted that in 2015-2016 the Planning Commission investigated whether or not to move forward with drafting language to allow accessory dwelling units (ADU) in the City. The Commission ultimately placed discussion on hold until more interest was evident. In August a member of the public requested the Commission again consider ADU and the Commission concurred.

Strack reviewed why accessory dwelling units are of interest nationally today: they provide for changing family needs: children home from college, means of caring for/keeping an eye on aging parents, demand for multi-generational housing; they allow an additional revenue stream for older homeowners on fixed incomes or facing higher costs of living; they provide an affordable housing option for renters; and they encourage a more efficient use of existing housing stock and public investment.

Strack referenced information contained in the packet.

Heher invited Andrea Gerth to speak. Ms. Gerth stated she would like the Commission to review the potential to allow ADU, specifically detached ADU. Ms. Gerth noted she had a detached shed she would like to convert to a living space for a family member.

Smith stated ADU are common in Florida, more attached units versus detached units.

Grundahl commented on electrical and utility service needs.

Barr opined attached ADU may tend to be kept up better than detached units but he was open to discussing both. Hallquist stated detached units could lead to more crowding in residential areas but if surface coverage limits were enforced that could potentially mitigate some concern.

Heher suggested the Commission discuss general parameters of potential ADU framework.

The Commission discussed what type of ADU may be appropriate. The Commission reached consensus to continue to discuss internal, attached, ADU additions, and detached ADU. Concerns were expressed pertaining to detached ADU.

The Commission briefly discussed what types of housing units may be suitable to ADU. The Commission discussed ADU being appropriate for one-family dwellings and twin homes.

The Commission favored the owner of the principal dwelling occupy either the principal dwelling or ADU.

The Commission discussed requiring common or separate entrances. Consensus was not reached.

The Commission discussed parking requirements and noted additional parking would need to be provided.

The Commission favored the establishment of size restrictions for ADU.

The Commission favored requiring an interim use permit for ADU establishment.

The Commission briefly discussed utility services and indicated additional discussion is needed.

The Commission favors requiring the integrity of single family dwelling appearance be retained.

The Commission consented to continue its discussion of ADU at future meetings as a means of defining a regulatory framework to be presented to the City Council prior to drafting language.

C. Open Meeting Law Training.

Heher introduced the agenda item. City Administrator Helget alerted Commissioners to training scheduled for September 12th to be led by the City Attorney. All members are encouraged to attend.

7. Old Business.

A. Curfman Trucking Conditional Use Permit Compliance.

Chairperson Heher introduced the agenda item.

Strack noted City Administrator Helget requests the Commission provide input on a proposed extension to a compliance timeline authorized at the close of 2018. The extension pertains to property at 600 Railroad

Street West operated by Steve Curfman as Curfman Trucking. The Property Owner was to bring the site into compliance with a previously issued conditional use permit by June 1, 2019. The property remains out of compliance. The property owner has requested an extension to October 31, 2019.

Strack referenced a copy of the conditional use permit allowing outdoor storage which was included in the meeting packet. To be in compliance the property owner needs to construct bunkers and walls to enclose and contain outdoor storage.

Strack requested input on the extension request.

Chairperson Heher cited the conditional use permit contained in the information packet. Heher noted the conditions, including bunkers and containment, were items agreed to by the property owner in 2017.

Barr asked if the property owner had been fined. Helget confirmed no fines have been issued as the City has been trying to work with the owner to bring the property into compliance.

Smith inquired as to why the initial extension was granted last year. Helget noted construction was just being completed and the property owner simply ran out of time to complete the conditions.

Hallquist suggested sending a letter to Curfman explaining if the site wasn't in compliance by October 31st then revocation proceedings would begin.

Additional discussion ensued. The Commission reached consensus to send the issue to the City Council immediately for discussion of potential revocation.

B. Minimum Opacity Standard for Building Openings in the C-3 Downtown District.

Heher introduced the agenda item and provided an update from the Joint Committee working on downtown redevelopment. He noted the Joint Committee suggested a potential amendment should be abandoned due to public feedback.

8. Miscellaneous.

A. August Building Permit Report.

The August building permit report was reviewed.

9. Commissioner Reports.

Smith and Barr did not have comments.

Grundahl provided updates from the Parks and Recreation Commission meeting.

Hallquist inquired as to whether or not the City's standards pertaining to tobacco products should be updated to include vaping.

Heher provided updates from the City Council meetings, including noting an interim use permit for

outdoor storage at 717 Faxon Lane had been approved, but with one Council Member was not in support of outdoor storage.

Helget summarized the phasing of MnDOT's 2020 Highway 212 Mill & Overlay project.

10. Adjourn

Motion – Grundahl, Seconded Barr to adjourn the meeting. With all in favor the meeting adjourned at 7:40 p.m.

Respectfully submitted,

Steven Helget
Zoning Administrator



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: October 1, 2019

Re: Accessory Dwelling Units

BACKGROUND

The Planning Commission in September began renewed discussion of accessory dwelling units in response to a request from the public.

The Commission is to have additional discussion on the following potential framework items:

1. What types of accessory dwelling units are appropriate: internal units, attached units, and/or detached units?

The Commission had initial discussion regarding this topic. Consensus appeared to be internal and attached ADU were acceptable but there was no consensus was achieved regarding detached ADU. Some members noted detached ADU are allowed in other communities/states. Further discussion pertaining to detached ADU is requested. Potential concerns of detached ADU included:

- *More difficult to ensure upkeep of detached units.*
- *Potential for increasing density of low density districts.*
- *What detached ADU look like: tiny houses, detached garages, carriage houses, manufactured homes.*
- *May more likely be rented by general public vs. response to family need.*

2. What types of residential uses are allowed to have an ADU: duplexes, attached townhomes, apartments, twin homes, dwellings with less than X-number of square feet (e.g. 1,500), etc.

The Commission had initial discussion regarding this topic. Consensus appeared to favor ADU for single family dwellings and to not favor ADU in apartments or condominiums. Further discussion pertaining to ADU for twin homes is requested.

3. Does either the principal or accessory dwelling unit need to be owner occupied?

The Commission had initial discussion regarding this topic. Consensus appears to favor either the principal of accessory dwelling be occupied by homestead owner.

4. Are separate ingress/egress points discouraged or desired?

The Commission had initial discussion regarding this topic. Consensus was not reached, additional direction is requested.

Common ingress/egress points may encourage rental by persons known to the property owner. Common point may alter nature of single family dwelling for future occupancy.

5. Parking requirements?

The Commission had initial discussion regarding this topic. Consensus is additional off-street parking is needed. Additional off-street parking was not discussed in detail as it is likely tied to maximum size (i.e. number of bedrooms) for ADU.

6. Size restrictions for accessory structures (e.g. percentage of principal structure limit or maximum sq footage limit).

The Commission had initial discussion regarding this topic. Consensus is minimum and maximum size limitations are viewed favorably. Further discussion pertaining to how to limit size (i.e. square footage, number of bedrooms) is requested along with assigning actual details (e.g. minimum sq ft, maximum sq ft, maximum percent size of principal dwelling, maximum number of bedrooms, etc).

7. Allowed by right or through issuance of a CUP?

The Commission had initial discussion regarding this topic. Consensus appeared to be the Commission favored allowing adjacent property owners to comment on proposed ADU. The Commission discussed the difference between CUP (runs with property) and IUP (can include amortization) but did not ultimately embrace approach (i.e. CUP or IUP). Direction is requested.

8. Water/sewer service – separate lines or shared?

The Commission had initial discussion regarding this topic. Consensus was not reached, additional direction is requested.

9. Retain integrity of residential appearance (e.g. prevent alterations of principal structure which is uncharacteristic of conventional dwelling) (e.g. limit the number of ADU's per lot to one).

The Commission had initial discussion regarding this topic. Consensus was reached that residential integrity should be maintained. The Commission did not directly address maximum number of ADU per lot. Additional direction is requested.

10. How to prevent from becoming a condominium arrangement?

The Commission had initial discussion regarding this topic. Consensus was not reached, additional direction is requested.

ACTION

This item is for discussion purposes. Sample language from other communities is included for information.