



Norwood Young America Planning Commission
Tuesday, November 6, 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 October 1, 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
A. Variance and Lot Split: 417 2nd Avenue SE – Randy Marttinen
6. New Business
A. Variance and Lot Split: 417 2nd Avenue SE – Randy Marttinen
7. Old Business
A. Accessory Dwelling Units – City Council Work Session
8. Miscellaneous
A. October Building Permit Report
9. Commissioner's Reports
10. Adjourn

UPCOMING MEETINGS

November 12 th	City Council 6:00 p.m.
November 13 th	Economic Development Commission 6:00 p.m.
November 19 th	Parks & Recreation Commission 4:45 p.m.
November 25 th	City Council Work Session/EDA/Regular meeting 6:00 p.m.
December 3 rd	Planning Commission 6:00 p.m.
January 8 th	Joint Meeting – City Council, PC, EDC, Parks & Recreation Commission & Chamber of Commerce Board 6:30 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
October 1, 2019*

Present: Commissioners Jerry Barr, Mike Eggers, John Fahey, Bill Grundahl, Craig Heher and Bob Smith.

Absent: Commissioner Paul Hallquist.

Staff: Economic Development / Marketing Director Karen Hallquist and Planning Consultant Cynthia Smith Strack.

Public: Ally Clark and Kennedy Barr

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 – Eggers, seconded Barr to approve the agenda. The agenda was approved 6-0.

3. Approval of Minutes from the Regular Meeting September 4, 2019.

Heher introduced the minutes from the September 4, 2019 regular meeting.

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

4. Public Comment.

None.

5. Public Hearings.

None.

6. New Business.

A. Accessory Dwelling Units.

Chairperson Heher introduced the agenda item. Heher noted the Commission had initial discussion at the previous meeting. Heher noted additional discussion to help create a policy framework was requested at this time.

Heher asked Commissioners to comment on what types of accessory dwelling units (ADU) the Commission thought were appropriate. For example, detached ADU.

Fahey expressed concern for allowing detached ADU citing potential for units to be kept up at a lower threshold and potential complications with extending separate utility services.

Eggers concurred that upkeep could be a disincentive is the ADU wasn't attached to the principal dwelling unit. However, for the sake of discussion, Eggers noted detached ADU on larger lots (e.g. carriage house) could potentially work.

Heher noted detached ADUs potential would likely be limited not only but ADU square footage standards but also by lot coverage maximums within applicable residential zoning classifications.

Grundahl opined detached units would require separate water and sewer connections to mains and separate electrical and gas connections. He opined the costs associated with those separate services would likely function as a disincentive to create such ADU.

Heher stated in his literature review fears associated with detached ADU often don't materialize because the cost of updating or creating a detached ADU is significant.

Smith commented he preferred attached ADU.

Barr concurred, supporting attached ADU only.

Eggers concurred but noted discussion was worth having.

Strack noted a rental license would be needed for any ADU.

Consensus of Commission is to include in ADU framework attached ADU accessory to single family dwellings.

Heher next asked Commissioners to comment on what types of dwellings the Commission thought could house ADU. For example, one family dwellings, attached twin homes, townhomes/condominiums, apartments.

The Commission discussed the question and reached consensus to recommend ADU be allowed accessory only to single family detached dwellings. ADU would not be allowed in twin homes, townhomes, condominiums, or apartment units.

Heher then asked the Commission to discuss whether or not a standard pertaining to ownership of either the principal or accessory dwelling be required. The Commission reached consensus that either of the units should be homesteaded and occupied by the homestead fee owner.

Heher requested the Commission discuss whether shared or separate ingress/egress was preferred, or if both could be allowed. Strack explained often shared ingress/egress in ADU would favor renters known to the homestead owner. Also, separate egress points from the front street could alter the typical appearance of a one family dwelling.

The Commission discussed ingress/egress.

Commissioner Smith spoke to potential for shared vestibule to provide separate ingress/egress while maintaining typical single family character of dwelling.

Commissioners reached consensus to recommend a framework to allow either shared or independent ingress/egress, but limit accesses from the front street to one.

Heher next introduced the topic of parking requirements. Specifically, if additional parking was to be required for ADU what calculation did the Commission want to specify. Strack noted the order of questions in her memo was perhaps inadvertently in need of reordering as comment on parking was likely dependent on what the Commission determined to be the maximum size or number of ADU per property allowed.

The Commission then discussed the number of ADU per property and the minimum and maximum ADU sizes.

Heher clarified maximum impervious surface requirements of the underlying district should also be referenced in any language potentially limiting the size of ADU.

Smith voiced support for limiting ADU square footage.

Heher polled Commissioners as to maximum number of ADU per one family dwelling. The Commission reached consensus on a maximum of one ADU per one family dwelling.

Smith voiced support for identifying both a minimum and maximum square footage for ADU. Grundahl agreed.

Heher noted he preferred having a dual maximum square footage including a percentage in addition to square footage.

Fahey supported a maximum ADU size of the lesser of 40% of the principal dwelling unit size or 900 square feet.

Smith supported minimum of 300 square feet for an ADU.

The Commission reached consensus to recommend a framework standard ADU size requirement of 300 square feet (minimum) and maximum of 40% of size of principal dwelling or 900 square feet, whichever was less.

The Commission then discussed parking requirements and reached consensus that an additional parking space should be required for an ADU.

Heher asked the Commission to discuss the mechanism for allowing ADU, specifically through a conditional or interim use permit. The Commission discussed the merits of each and reached consensus on a framework requirement specifying an interim use permit was needed.

Heher next asked the Commission to provide insight as to whether shared or separate municipal drinking water and sanitary sewer services were favored. The Commission reached consensus to require shared services, reinforcing the limiting of detached ADU.

The Commission then discussed how to maintain the appearance of a one family dwelling if an ADU is added. The Commission favored comprehensive language pertaining to maintaining appearance of

single family dwelling while citing examples of similar structure height, roof pitch, eave/overhang depth, exterior materials, and spacing/treatment of building openings.

Heher asked Commissioners to comment on how ADU could be prevented from becoming a condominium. Heher referenced language contained in an existing code in another community he researched which disallowed sale of ADU as a separate tax parcel that could be sold separately from the principal dwelling. Smith suggested prohibiting sale as an independent dwelling unit and specifying fee simple ownership.

The Commission discussed the next step in reviewing the framework. The Commission would like the City Council to consider the framework outlined by the Commission at a future work session.

B. November Meeting Date.

Heher noted the regularly scheduled November meeting date fell on general election day.

The Commission discussed potential meeting date.

Motion Grundahl, seconded Barr to reschedule November Planning Commission meeting to Wednesday, November 6, 2019 at 6 p.m. Motion carried unanimously.

7. Old Business.

None.

8. Miscellaneous.

A. September Building Permit Report.

The September building permit report was reviewed.

9. Commissioner Reports.

Barr, Eggers, Fahey, Grundahl, and Smith did not have comments.

Heher provided updates from the City Council meetings.

10. Adjourn

Motion – Grundahl, Second Eggers to adjourn the meeting. With all in favor the meeting adjourned at 6:59 p.m.

Respectfully submitted,

Steve Helget
Zoning Administrator



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: November 6, 2019

Re: Variance and Lot Split: 417 2nd Avenue SE – Randy Marttinen

Applicant: Randy Marttinen
Subject Address: 417 2nd Ave SE
Property ID: 580111600
Zoning Class: R-2 Medium Density Single Family Residential
Request: Variance
Approval of Minor Subdivision
Representative: Randy Mattinen
Attachments: Application
Certificate of Survey
Site Map



BACKGROUND

In September the Commission discussed a proposed lot split involving an existing lot with a legal, non-conforming front yard setback. The Commission advised the Applicant to submit a variance to Section 1100.11, Subd. 1 of the City which requires lots petitioned for simple lot division comply with the dimensional requirements of the under lying zoning district.

The Applicant has filed the attached variance and accompanying lot split requests. A current certificate of survey illustrating an existing house, fence, and detached garage is also attached.

The parcel as legally described extends to the centerline of 2nd Avenue SE (platted as Fourth Street) and the centerline of Central Avenue South (platted as Old State Highway 5 & 25). This means East 33 feet and the West 55 feet of the subject parcel is under right-of-way easement.

If setbacks are measured from the edge of the 2nd Avenue SE right-of-way the existing house and garage are encroaching into a required front yard setback. A front setback of 25 feet is required in the R-2 District. On the subject parcel the dwelling is setback approximately 14 feet and the detached garage approximately 20 feet.

Hearing Requirements

A public hearing notice has been drafted, published, and distributed to property owners within 350 feet of the subject parcel.

Comments Received

As of the drafting of this memo no comments were received.

EXAMINATION OF CODE REQUIREMENTS

Section 1210.04 of the City Code pertains to issuance of variances.

A variance from the literal provisions of the Code may be approved where strict enforcement would cause practical difficulties. Practical difficulties when used in connection with the granting of a variance means:

1. The property owner proposes to use the property in a reasonable manner not permitted by the Code.
2. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
3. The variance, if granted will not alter the essential character of the locality.

Variances to allowable uses of property are not allowed, variances to performance standards such as setbacks may be considered. Economic considerations alone do not constitute a practical difficulty.

Potential Findings Supporting Variance Issuance

- The property exists as an oversized, double frontage lot subject to existing right of way easements.
- The variance is not for the use of the property.
- The property is zoned R-2 Medium Density Single Family Residential. The proposed resulting parcels are consistent with lot size, width, and all dimensional requirements with the exception of front yard setback for an existing dwelling.
- The proposed lot split will not materially affect the existing legal nonconforming front yard setback.
- The 2008 Comprehensive Plan supports infill development and lot redevelopment. The proposed split will create a new buildable lot in an area with a full complement of municipal services present.

Potential Findings Opposing Variance Issuance

- The existing legal non-conforming setback does not constitute a circumstance unique to the physical dimensions of the property, existing environmental conditions, or topographic limitations.
- The desire of the property owner to sell the parcels individually relates to an economic condition; economic conditions cannot be sole reason for granting a variance.

Recommendation:

Should the Planning Commission contemplate recommending approval, staff recommends said approval be contingent on the following:

1. The variance is applicable to Parcel Number 580111600.
2. No further intensification of existing non-conforming front yard setback for proposed Parcel B is allowed. Structures proposed for resulting Parcel A shall achieve required setbacks.

3. The existing fence as illustrated on the accompanying certificate of survey dated October 2, 2019 shall be removed prior to sale of Parcel A.
4. Variance approval will expire one (1) year from the date of approval if the property split is not recorded at the Carver County Recorder's Office.

ACTION

The PC shall hold one public hearing regarding the proposed variances and lot split.

During the business portion of the meeting the PC shall consider variance and simple lot split request. **A separate and independent MOTION to recommend the Council to approve/deny each item is in order.**



TO: Planning Commission

FROM: Steven Helget, City Administrator

DATE: November 6, 2019

SUBJECT: Accessory Dwelling Units – City Council Work Session

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As consented to at the Planning Commission's October 1st meeting, proposed is to introduce the Commission's framework for Accessory Dwellings Units (ADU) to the City Council at a work session meeting. The Council has a scheduled work session on Monday, November 25th at 6:00 p.m. Proposed is Commission members attend the work session to review and discuss the proposed ADU framework.

Suggested Motion:

No motion suggested.