

City of Mayer
Regular
Planning Commission Meeting
Meeting Minutes
Tuesday, June 5, 2012

Commission Members Present: Tom Stifter, Bill Michel, Rod Maetzold, Krista Goedel Les Hahn, Don Wachholz and Council Liaison Bruce Osborn.

Commission Members Absent: None

Others Present: Terry Hartman, Mike Bokenewicz, Phil Johnson and Gail Schuette.

Staff Present: Luayn Murphy, City Administrator

CALL MEETING TO ORDER

Meeting called to order at 6:32 PM by Chair Stifter.

ADOPT AGENDA

On a motion by Commissioner Hahn and seconded by Commissioner Goedel to approve the agenda and further labeling the amendments one and two. Motion carried 7/0.

APPROVAL OF MINUTES

On a motion by Commissioner Maetzold and seconded by Commission Osborn to approve the minutes of the March 6, 2012 meeting. Motion carried 7/0.

PUBLIC HEARING ON AMENDMENTS TO THE ZONING CODE

1. Amendment to the Zoning code Section 152.021 Lot Provisions

The Public Hearing was called to order shortly after 6:30 PM. The Planning Commission was presented with the following text amendment to section 152.021 Lot Provisions:

(A) *Lots of record.*

(2) a lot of record shall be deemed a buildable lot even though the lot area and/or dimensions are less than those required for the district provided the following conditions are met:

(a) Evidence must be presented that the lot in question met minimum requirements for the division of property under ordinance regulations in effect at the time the property was divided.

(b) It fronts a public street.

(c) The lot is within 70% of the minimum lot area and lot width required.

(d) A nonconforming single lot of record located within an Agricultural Zone, guided for residential development, may be allowed as a building site without variances from lot size requirements, provided that:

(1) A concept plan or ghost plat is provided showing how the land could be further subdivided in the future to accommodate further development consistent with the City's Comprehensive Plan density requirements.

(2) Water and sewer connections are installed within the house to the exterior foundation to allow future connection to municipal utilities.

- (3) An agreement is executed which would require the property owner to connect to municipal utilities within one year of the extension of municipal utilities to the site/area and properly abandon the private well and/or septic system.
- (4) The property owner executes a waiver of right to appeal assessments for future utility extensions.
- (5) The site was previously utilized as a building site for residential use.
- (6) The lot is a minimum five (5) acres in size
- (7) The lot fronts a public street.

The Planning Commission discussed the proposed text amendment. Terry Hartman property owner thought the wording in item

(1) A concept plan or ghost plat is provided showing how the land could be further subdivided in the future to accommodate further development consistent with the City's Comprehensive Plan density requirements.

and concept plan would mean another meeting and more of a delay to issuing of a building permit. Staff explained the reasoning behind the concept plan and or ghost plat was for City review to be assured that the placement of any structures in areas where roadways or other City improvements are planned for future expansion would not create an issue for the City in the future. The other issue was number

(4) The property owner executes a waiver of right to appeal assessments for future utility extensions.

Planning Commission discussed all of the text amendments and agree to remove item #4 and to change the wording in item 1 to be a site plan instead of a concept plan and or ghost plat.

Public hearing was closed at 7:15 PM. On a motion by Commissioner Wachholz and seconded by Commissioner Hahn to recommend the following to the City Council:

SECTION 152.021 LOT PROVISIONS.

(A) *Lots of record.*

(2) A lot of record shall be deemed a buildable lot even though the lot area and/or dimensions are less than those required for the district provided the following conditions are met:

(a) Evidence must be presented that the lot in question met minimum requirements for the division of property under ordinance regulations in effect at the time the property was divided.

(b) It fronts a public street.

(c) The lot is within 70% of the minimum lot area and lot width required.

(d) A nonconforming single lot of record located within an Agricultural Zone, guided for residential development, may be allowed as a building site without variances from lot size requirements, provided that:

(1) A site plan is provided showing how the land could be further subdivided in the future to accommodate further development consistent with the City's Comprehensive Plan density requirements.

(2) Water and sewer connections are installed within the house to the exterior foundation to allow future connection to municipal utilities.

(3) An agreement/letter of awareness is executed which would require the property owner to connect to municipal utilities within one year of the extension of municipal utilities to the site/area and properly abandon the private well and/or septic system.

(4) The site was previously utilized as a building site for residential use.

(5) The lot is a minimum five (5) acres in size

(6) The lot fronts a public street.

Motion carried 7/0.

Public Hearing on Amendment to the Zoning 152.062 Dimensional Standards was called to order at 7:20 PM.

Staff had reviewed the setback requirements in Hidden Creek 5th Addition and found that of 48 lots 25 of the lots did not meet the 50 foot rear yard setback requirements. No comments during the public hearing. The public hearing was closed at 7:40 PM. On a motion by Commissioner Hahn and seconded by Commissioner Wachholz to recommend the following to the City Council:

SECTION 152.062 DIMENSIONAL STANDARDS shall be amended by changing the rear yard setback for R-1 Low Density Residential District from fifty (50) feet to thirty (30) feet
Motion carried 7/0.

SITE PLAN REVIEW FOR ZION SCHOOL

The Planning Commission heard comments from the planning consultant that a variance would have to be applied for the CO Road 30 setback and a variance from the parking requirements. Further information that needs to be provided is a plan for parking, building materials, setback, sidewalk, storm water and a landscape plan. Planning Commission is suggesting that the sidewalk be continued to the Community Center. The planning commission will hold a meeting for the variance on June 25, 2012 at 5:30 PM.

ORDINANCE 159 WAIVER OF SITE PLAN REQUIREMENTS

City Staff had asked the Planning Commission to change the Site Plan Review process to be able to expedite building permits in the C-2 district. This was in response to the City being awarded the Small Cities Grant.

Previously, in the C-2 Downtown/Commercial a full site plan review by the Planning Commission was required and then by the City Council. The new ordinance had allowed for a waiver from the review by the Planning Commission and Council and had given staff the authority to decide if a full site plan review was needed or if staff can issue a building permit. This was done to allow staff to be able to issue building permits in the downtown area for siding, new roof, windows ect.

The Small Cities Grant has expired and there isn't a reason to expedite building permits staff would like to know if Planning Commission wants to rescind the Ordinance. Planning Commission wants to leave the ordinance 159 in place with no changes.

COMMISSIONERS REPORT

Staff was asked about when a permit is required for an above ground pool.

ADJOURNMENT

On a motion by Commissioner Osborn and seconded by Commissioner Hahn to adjourn the meeting at 8:20 PM. Motion carried 7/0.