



**City of Newport
Planning Commission Minutes
May 11, 2017**

1. CALL TO ORDER

Chairperson Haley called the meeting to order at 5:30 p.m.

2. ROLL CALL

Commissioners Present – Kevin Haley, Marvin Taylor, Anthony Mahmood, David Tweeten, Saengmany Ratsabout

Commissioners absent –

Also present – Deb Hill, City Administrator; Renee Eisenbeisz, Asst. to the City Administrator; Bill Sumner, Council Liaison; Sherri Buss, TKDA Planner.

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of the April 13, 2017 Meeting

Saengmany Ratsabout - David was here.

Motion by Haley, seconded by Mahmood, to approve the April 13, 2017 minutes as amended. With 5 Ayes, 0 Nays the motion carried.

4. APPOINTMENTS WITH COMMISSION

A. Public Hearing – To consider an application from David Roering for Approval of a Conditional Use Permit for Property Located at 222 21st Street

Sherri Buss, City Planner, presented on this item as outlined in the May 11, 2017 Planning Commission packet.

The public hearing opened at 5:38 p.m.

Bill Sumner, 737 21st Street - This request is before us today and this gentleman has gone through the required procedure. He has the opportunity to bring a couple of businesses into Newport and is employing some people. Now that he's gone through the required process and with the backing of the Planning official, I think this would be a good addition to the business community.

Jerry Gamer, 1975 3rd Avenue - I think what he's doing here is a good thing. He's been in there about a year and you don't even know he's there. I think it's a good addition and brings business in. We need all the help we can get.

The public hearing closed at 5:42 p.m.

Anthony Mahmood - What is the drain covered up by?

Ms. Buss - It was covered up to expand parking.

Dave Roering, 222 21st Street - I thought it was abandoned so was filling it in when the owner called me to say it was still active so I removed the dirt.

Saengmany Ratsabout - Are they required to put parking spots in?

Ms. Buss - No, they need a hard surface for wherever they park. There's not a required number of spaces for this use.

Chairperson Haley - It shows two parcels and there are two different businesses. I'm concerned that there will be too many cars and the businesses won't like each other. I've seen a lot of cars there.

Mr. Roering - That's a good thing right? I'm in the other part of the building. I do home repair and snow removal.

Chairperson Haley - I'm just concerned that there's a lot of cars. I don't disagree with you that it's a good thing but they need to be kept within the parking lot and off the streets. If those conditions are not met, the permit can be taken away.

Mr. Roering - I hear you and I don't think he's parked anything on the street.

Chairperson Haley - It's well spelled out here and we expect those conditions to be met.

Saengmany Ratsabout - Are they required to do proper signage? I drive by it daily and see the old sign is still there and the detailing sign is very small. Is that a requirement?

David Tweeten - We require signs to be in good repair.

Mr. Roering - We plan on putting up a new sign.

Vice-Chair Taylor - Could it be a condition to remove the abandoned sign?

Ms. Buss - You can say that it would need to be removed within 6 months.

Vice-Chair Taylor - I would like to add that. It's sat there for years. If we don't put a date in it'll still sit there.

Mr. Roering - I didn't want to put a sign in until things got approved.

Ms. Buss - How long do you want to give?

Vice-Chair Taylor - 6 months. I have some more concerns about your use. I was told that you are using that side for residential use to a certain extent.

Mr. Roering - To a point. My primary residence is in St. Paul.

Vice-Chair Taylor - Single-family residential use is not allowed in this district.

Ms. Buss - There are existing residential uses that are permitted to stay but anything new would need to be multi-family.

Mr. Roering - So an addition with apartments could be an acceptable use?

Ms. Buss - Could be.

Vice-Chair Taylor - I think it's a safety issue. If you have a detailing use and the chemicals and someone sleeping in the other half.

Ms. Buss - You would also need an occupancy permit for the residential side. I think the city is working on that through another direction.

Asst. to the City Administrator Eisenbeisz - They applied for a certificate of occupancy so that will be done once this is approved.

David Tweeten - I don't know if that needs to be tied to the CUP, it can be dealt with separately.

Vice-Chair Taylor - Just so you know that you cannot live there. Residential is not allowed there. This is an important area for the city. I just want to make sure that things are followed and it's used within the context of our ordinances. That's where a lot of my concerns are. That'll be inspected. Another question I had was the culvert. Do we need to put a distance for it?

Ms. Buss - The engineer didn't say that.

Vice-Chair Taylor - Another question, there are two entries but one is blocked by cars. Do we need to require anything there?

Chairperson Haley - No.

Ms. Buss - There's an entrance on the back as well. If a fire truck needed to get in there, they would drive over the grass. Jon didn't comment on that at all.

David Tweeten - I'd like to be sure that we're not overly concerned about updating the appearance of the place. I think there should be some clarification on what he can do in terms of landscaping.

Ms. Buss - I think the City would encourage improvement. Maybe once this permit is approved, he'll do some work on it.

Mr. Roering - I take pride in the buildings I own. I am just leasing it now so until the sale goes through I don't want to do too much.

Motion by Haley, seconded by Mahmood, to approve Resolution No. P.C. 2017-5 as amended. With 4 Ayes, Taylor voting Nay, the motion carried.

B. Verbal Update on Variance Request for 1808 3rd Avenue

Asst. to the City Administrator Eisenbeisz provided an update on this variance request. The property owners worked with Engineer Herdegen to reduce the lot coverage so they no longer needed a variance.

5. COMMISSION AND STAFF REPORTS

A. Residential Lot Coverage Discussion

Sherri Buss, City Planner, presented on this item as outlined in the April 13, 2017 Planning Commission packet. The Planning Commission directed staff to put together a table to include in the City Code stating what would need to be done if someone wanted to exceed the 35% lot coverage. These plans would be reviewed at a staff level if allowed. Vice-Chair Taylor noted a concern with going above 40% due to long-term maintenance and enforcement. David Tweeten also noted that he wasn't inclined to go over 40%. The Planning Commission directed the City Engineer to identify a maximum number for lot coverage and to bring that forward for a June 8th public hearing.

6. NEW BUSINESS

Ms. Buss - The Bailey's came in to talk about their 40 acres on the north end of the City and asked if we would be willing to consider it as "commercial/industrial" use in the next comp plan. Woodbury has identified their parcels surrounding it has "places to work" which would allow commercial or industrial. We'll change that if it works for you guys.

Chairperson Haley - That's a great place to have industrial. It's just a potting field right now.

Anthony Mahmood - Are we getting that interesting that you guys wanted to come watch?

Robert Conklin, 2025 1st Avenue - When we bought our house 20 years ago, the realtor said that the area behind us is a buffer zone and that no one can build there.

Chairperson Haley - They lied to you.

Mr. Conklin - Now it's up for sale as residential. In fact, the letter you sent me last year had that area as a park.

Chairperson Haley - It's private property and is zoned as residential. The owner was using it as buffer. It's their choice and land. It could be developed for houses. If the County or City chose to buy it for parks they could.

Admin. Hill - There has been no talk about it being park.

Mr. Conklin - If that area gets developed would I need to pay for taxes to get that road improved?

Ms. Buss - No, that would be charged to the development.

Chairperson Haley - They are still zoned lots but it's in a floodplain so you may not be able to build on it.

Greg Bakken, 1735 1st Avenue - This is also in my back yard. Can they build the land up to be out of the flood zone?

Ms. Buss - Only if they create new flood storage somewhere else which is probably unlikely.

Mr. Bakken - If they tear down these woods, our backyards will be illuminated from the lights on the tank farm.

Chairperson Haley - We have ordinances that don't allow that. If that does happen please come into City Hall and we'll work with the property owners about it.

Ms. Buss - That would be something for the developer to think about on how many trees they'll be removing. Also the tank farm will need to address it.

Vice-Chair Taylor - They are lit up for safety reasons.

Chairperson Haley - If the federal government has laws about lighting, ours doesn't supersede that.

Vice-Chair Taylor - They won't want to screen their property. I think it's deliberately barren.

Ms. Buss - That's a good point to think of if this area gets developed.

Chairperson Haley - Telling a developer that they need to block light from another property is not right.

Ms. Buss - It would need to go to the tank farm folks. I think it's a good thing for us to think about a little bit.

Mr. Bakken - The trees also worked to reduce the noise. To cut that down, the enjoyment of our land is gone. We would like to have that discussed heavily.

Chairperson Haley - I hope you understand that it is private property.

Ms. Buss - It's good to know your concerns if something moves forward with this.

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

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| 1. City Council Meeting | May 18, 2017 | 5:30 p.m. |
| 2. Park Board Meeting | May 25, 2017 | 6:00 p.m. |
| 3. City Offices Closed for Memorial Day | May 29, 2017 | |
| 4. City Council Meeting | June 1, 2017 | 5:30 p.m. |

8. ADJOURNMENT

Motion by Mahmood, seconded by Tweeten, to adjourn the Planning Commission Meeting at 6:32 p.m. With 5 Ayes, 0 Nays, the motion carried.

Signed: _____
Kevin Haley, Chairperson

Respectfully submitted,

Renee Eisenbeisz
Asst. to the City Administrator