

**WALKER PLANNING COMMISSION
BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
APRIL 24TH, 2017
6:00 p.m. 701 Elm Avenue Walker Fire Hall Meeting Room**

- 1. Call to Order** 6:03 p.m. by Chair Wilkening.

Roll Call-

Members Present: Gary Wilkening, Annie McMurrin, Randy Carlson, Rich Hansen and Susan Ostlund

Public: None

Staff: Terri Bjorklund, Pamela Smith

Absent:

- 2. Additions or Deletions to the Agenda.**

None.

- 3. Announcements by Chair.**

Chair Wilkening remarked that it was nice to see a full board here.

- 4. M/S McMurrin/Hansen to recommend approval of Minutes for March 27th, 2017.
Motion passed (5-0)**

- 5. Planning/Zoning –Report for March 2017.**

Smith reviewed the report noting that the dynamic display sign listed on the sign permits for March did not need a conditional use permit because the signage decreased.

Bjorklund explained that they just refaced the sign vs. increasing or changing the structure.

- 6. M/S McMurrin/Hansen to deny the Ringle request for the Planning Commission to consider the re-zoning of the Traditional Residential area of Cleveland Blvd east.**

Bjorklund explained that this request came from Otto Ringle. She stated that his thought process is to rezone the area shown by Cleveland Boulevard as Transitional Commercial and in doing so, would help sell properties that have been sitting on the market.

Wilkening adds that Mr. Ringle would like it either Transitional Commercial or Waterfront Commercial. Bjorklund explained the first step in this proposal would start with every property owner between 6th Street and the Park would need to be on board for this process. It would then go before planning commission and so on. Bjorklund questioned if they would want that much of their Residential section taken up by Transitional Commercial. It is discovered that the reason may be for future use of one of the houses on Cleveland to be used as a VRBO. She added that they also have the option of applying for an Interim Use Permit to use it for VRBO if they so choose. Wilkening stated that from his perspective they have to decide what it would do for land use and how does it affect the neighborhood and the quality for the people within the City; how the City is viewed from all angles whether it is from the Street, Park or Lake Side. Changing it to Transitional Commercial or Waterfront Commercial simply because

someone intends to do a VRBO, would not make much sense because they could apply for an Interim Use for VRBO in the Residential Zone.

Motion passed (5-0)

7. Discussion on the information for building permits on Doors vs. Windows.

The Board further clarified that if it is an exterior repair or replacement you need a permit; if you are changing the door frame it calls for application for a building permit.

8. M/S Hansen/McMurrin to recommend to City Council to call for a public hearing at the next May 22nd, 2017 Planning Commission meeting; to hear public comment on the adoption of Ordinance 2017-03 adding Temporary Dwelling Performance Standards to our City Code.

Hansen recommend approval with the suggested grammatical change in section three first sentence; changing 'are' to 'is'. Wilkening noted that he will not be able to attend the May 22nd meeting.

Motion passed (5-0)

9. M/S Hansen/Ostlund recommend to City Council for to approve the revised Building Permit application and policy in regards to estimating the value of a building permits when work is not being performed by a licensed contractor.

Wilkening questioned if this would be considered part of the fee schedule. Bjorklund stated that it would not. This is changing the policy of how we get to the fees. The consideration is for approval of the application with the revisions. Bjorklund and Wilkening make several suggestions on the application.

Motion passed (5-0)

10. Carlson and Ostlund agree to work on a rough-draft on a policy regulating the Sale, Acquisition or repair of City owned property.

Bjorklund reviewed the verbal responses from City Attorney Valen with the board. McMurrin suggested that any property that the City plans to sell will be put out for public bids. Hansen adds that he knows of two other separate bids that would have been submitted on that parcel. He states as stewards of City property we should be looking at getting the most value for the property. Carlson agrees and refers to a previous notice that he had received for sale of City property and even though he had no interest in purchasing it, it was nice to be notified. He adds that having it go for public bids would make it more transparent. Wilkening questioned the board on the following scenario: If a piece of City owned land was acquired and it brought a 12 million dollar development and gave us \$64,000 in a sealed bid for it and the people that wanted to do the 12 million dollar development gave you \$62,000, would we have a caveat for something like that. Ostlund suggested that in the policy to state; we make it our practice to open it up for public bids, but we reserve the right to consider the economic development of our community to make our decision. McMurrin suggested that they make it available for the top two bidders. Ostlund added that if a business was to give a lower bid but they bring 100 jobs to the City and a higher bid was for private use; we have the right to accept a lower bid because it will enhance the community as a whole. Ostlund suggested possibly making the recommendation, if the offer is part of a development to not put it up for

public bids stating as allowed by law because of economic development reasons. We still have a right to look at all the bids and determine what is right for the City. Wilkening questioned if the Board could work on putting together a policy. Carlson and Ostlund volunteer to work together on drafting a policy. Hansen stated that you can't tie the City's hands too much, but you don't want to make it too easy. McMurrin adds that City property should start at what the property tax value is unless it is an unusable piece of land. Bjorklund also brings up land acquisitions as well. Hansen clarified that is inclusive; it falls under the same State Law that the Planning Commission has to approve every acquisition or sale of real property or for improvement. Wilkening adds that the Planning Commission should be reviewing every road project because it is an improvement.

11. The Board recommends staff to communicate with the Leech Lake Area Chamber of Commerce to gather input on parking regulations.

The Board discusses at length how to regulate parking issues, meters and enforcement. Hansen recommends that before they go any further with this they include the Chamber in the discussion, because the biggest effect will be on the downtown business owners. The Board recommends Bjorklund communicate with the Chamber to discuss several options that include; no signs, four hour parking, meters. And see what downtown business support the most.

12. Discussion on adding Rural Residential to zoning districts.

Bjorklund reviews the possibility of taking the back portion of the Industrial Park and zoning it as Rural Residential and selling the lots. She questioned if we going to leave it Industrial or are we going to create and rezone it as Rural Residential. Wilkening added that as we look at expanding our City Limits; making it Rural Residential gives us the opportunity where we cannot financially bring sewer and water to those lots, we would be able to allow for them to have their own water and sewer. Wilkening noted that it might make it easier to bring these areas into the City Limits willingly and not forcibly. The larger the lot size the less economically feasible it will be to extend sewer and water. Bjorklund reminds the board of the terrain in that area so a 3 acre lot may only have a certain amount that is buildable. The Board agrees on one acre as minimum lot size. The Land Use classification chart is mutually agreed to prohibit Shooting Range in the Rural Residential zone. Wilkening reads Cass County Rural Residential definition for 2.5 acres and it is almost verbatim the same as the one that is drafted for the City. Wilkening referred to number 2 in the City's draft of performance standards for Rural Residential and noted that we don't currently have a definition for Accessory Structure. The Board discusses how to define Accessory Structure; suggesting perhaps, that it be defined as a building that does not have sewer, water and electricity? Unless you build a garage to live in but then it would not be an accessory structure. Wilkening states they are making an investment in the property that will be taxed accordingly. McMurrin agrees that if it has sewer, water and electricity it becomes a non-accessory structure. Bjorklund questioned if they wanted multiple lots in the City with only a garage or storage shed sitting there? The following bullet points were reviewed and suggested revisions follow each standard.

PERFORMANCE STANDARDS

Rural Residential Performance standards.

The following rural residential performance standards are established by the city:

1. *Minimum lot size is 1 to 3 acres.*
 - The Board agrees to change this to 1 acre.
2. *No accessory building shall be permitted to be constructed on any lot prior to the construction of the principal building to which it is accessory.*
 - This performance standard will apply to all accessory structures, not just within the Rural Residential performance standards.
3. *No accessory building shall exceed 30 feet in overall height.*
 - It is suggested to make this smaller than 30 feet, noting to make this more fitting to a shed. This performance standard will apply to all accessory structures, not just within the Rural Residential performance standards.
 - Define that an accessory structure is anything over 200 square feet.
4. *Maximum building height is 35 feet.*
5. *Impervious coverage 35 %*
6. *Sewer/Septic on-site systems permitable by Cass County with design of two systems for the property.*
7. *On site wells permitted.*
8. *Minimum roof pitch shall be 4/12*
 - Clarify for principal structure
9. *They shall be 1000 square feet minimum*
 - Clarify for principal structure
10. *There shall be a minimum of 24 feet of building width.*
 - Clarify for principal structure
11. *There shall be a full perimeter foundation*
 - Clarify for principal structure
12. *Corrugated metal siding is prohibited.*
 - Better define if this is for accessory structure or principal structure. The Board suggested clarifying that this is meant for principal structure.

13. Chair Wilkening adjourned the meeting at 7:40 p.m.