

PLANNING COMMISSION MEETING MINUTES

CITY OF GRANT

January 14, 2008

Present: Kevin Fernandez, Glenn Larson, Craig Johnston, Jeff Huber, Holly Borrelli and Dean Strehlau, Christine Bray

Absent:

Staff Present: City Planner, Sherri Buss

1. **CALL TO ORDER**

Chair Fernandez called the meeting to order at 7:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

MOTION by Commissioner Johnston to approve the agenda, as presented. Commissioner Huber seconded the motion. The agenda was approved.

4. **APPROVAL OF MINUTES**

Page 1, New Business, was corrected to read "City Planner Buss advised that the City Council has brought this issue forward.

The minutes were approved unanimously.

5. **NEW BUSINESS**

a. **Ritt Variance Request** – Chair Fernandez opened the public hearing. City Planner Buss summarized the staff report and the issues related to the request. No one representing the Applicant was present. There were no comments from the audience. The public hearing was closed at 7:10 p.m.

The Planning Commission discussed the application, and the Applicant's failure to obtain the required COC and building permit before construction. They noted that based on site visits and the site photos, it appeared that there were other feasible locations for the pool, outside the wetland buffer area. While they noted sympathy for the Applicant due to health issues from an auto accident, it appears that the need for a pool could have

been accommodated on the site without violating the requirement for the wetland setback. The requirement for a “hardship” was not met. Commissioners also noted that there appeared to be willful disregard of the City’s ordinance requirements.

A Commissioner also noted that the pool appears to be large enough to require a fence or cover for safety under the City’s code. There may also be building permit issues related to the pool location relative to the house and frost footings on the deck.

Members also recommended that the Council consider requiring an escrow or other means to ensure that the Applicant to remove the construction fill and restore the wetland area at his expense.

Members noted that the Council should consider a fine or restitution in this matter that is strong enough to discourage others from ignoring City ordinances.

MOTION by Commissioner Johnston to deny the variance. Commissioner Larson seconded the motion.

Commissioners recommended that the findings include the following:

- The variance was not granted because other viable locations outside the wetland buffer were available
- The request does not meet the definition of “hardship”

MOTION carried unanimously.

- b. Brother’s Manufacturing CUP Application --** Chair Fernandez opened the Public Hearing at 7:26 p.m. Planner Buss summarized the two CUP applications (Brother’s Manufacturing and Custom Stainless) because the common site and circumstances were important to the Commission’s discussion. She reviewed the options identified by the City Council in their information review of the Application the previous week. Thomas Kendhammer of Brother’s Manufacturing summarized his request, noting that his business is currently occupying the location identified in the application, under the existing CUP. He suggested that if the Commission recommends only one CUP, his application should have the priority on that basis.

The Commission discussed the application and the options for addressing the two CUP requests, including granting a variance, changing the City code, and giving one CUP rather than the two requested on the parcel.

Robert Kroening and Gary Nord, representing Custom Stainless, noted the existing CIC on the property, and the condominium nature of the ownership. They indicated that the site owner had indicated that this would allow for a relatively simple approval of the CUP's by the City, and that they have cancelled their lease on their current building on this basis. Mr. Nord suggested that changing the ordinance would be a "cleaner" option than issuing a variance. They noted that the two proposed uses together have fewer employees and are likely to have fewer impacts on the site and surroundings than the previous business on the site. In response to Commission questions, Mr. Kroening provided additional information on the characteristics of his business.

Council Member Kim Linner asked about what will happen with the existing CUP on this site, given the sale of Building A and its parcel, and the potential changes to Buildings B and C.

Mr. Kendhammer noted that the buildings on the site are less than 20' tall, meeting the ordinance requirement regarding height of structures

Chair Fernandez noted that several pieces of information, including a current site plan, are missing from the application. Planner Buss indicated that due to the Council's desire to provide an informal review, and the questions about how to approach the planning issues on both applications, the Planners have not pushed for additional information, or completed more review than was necessary for the Planning Commission to address the key issues in the applications. This information can be requested if the Applications proceed.

Council Member Hinseth indicated that he believes that either business would be good for Grant, and each on its own meets City standards. However, he recommended that both CUP's not be approved, as allowing both businesses would violate the City's density requirements in the General Business zone, and that allowing the second business on the property also violates the City's PUD ordinance. He suggested it would be logical to approve the CUP for the business that is already occupying the property.

In response to questions, Brother's Manufacturing indicated that they do not manufacture cleaning products on the site--their activities on the site are limited to packaging. They responded to several questions on the specifics of their operations.

Steve Sint, 19526-117th Ave asked about the previous application from Erskine Wood Products. The Commission indicated that the Erskine business is no longer part of the application.

Commissioner Bray indicated that she would not support a variance to allow both business on the parcel, and also would not support amending the City's ordinance to allow smaller sites within the General Business District. She suggested that the best option was to grant a CUP to one business.

Chair Fernandez closed the Public Hearing at 8:10 p.m.

Commissioner Larson suggested that he would be willing to allow both businesses on the parcel. He suggested that this is the best thing to do with the property for the longer term, and that the change in the City's PUD ordinance had decreased the value of the property. He noted that both businesses have low impacts, and the variance might be a reasonable approach to allow both businesses on the site. He suggested that Grant should be friendly to small businesses when possible. Commissioner Huber indicated that he did not believe that the PUD ordinance change affected the current owner. While small businesses are good for Grant, he did not support granting a variance on that basis. He noted that the 10-acre lot requirement also impacts "potential" value of properties in Grant.

Chair Fernandez identified several additional conditions for the applications, in addition to those identified by the Planner

MOTION by Commissioner Johnston to approve the CUP for Brother's Manufacturing, with the conditions identified by the Planner and by Chair Fernandez. Chair Fernandez seconded the motion.

The motion was approved unanimously.

- c. **Custom Stainless CUP application** -- The Applicant withdrew the application, in light of the discussion and approval of the Brother's CUP.
- d. **Liaison Appointment for Rice Creek and Carnelian-Marine St. Croix Watershed Districts.** Commissioner Huber will serve as liaison to Carnelian-Marine St. Croix Watershed District. Chair Fernandez will serve as the liaison to Rice Creek and Valley

Branch Watershed Districts. Commissioner Johnston will continue to serve as the liaison to Brown's Creek Watershed District

6. OLD BUSINESS

There was no old business.

7. NEXT PLANNING COMMISSION MEETING

The next Planning Commission Meeting is scheduled for February 25, 2008, 7:00 p.m. There will be a Comprehensive Plan meeting at 6 p.m. the same evening.

The Planning Commission reviewed a current draft of the Comprehensive Plan at 6:00, on January 14 and provided comments. Nearly all elements are now complete. The next review will focus on the Goals and Policies section, and finalizing the plan.

8. ADJOURNMENT

MOTION by Commissioner Johnston to adjourn the meeting at 8:40 p.m. Commissioner Huber seconded the motion. MOTION carried unanimously.

Respectfully submitted,

Kim Points
City Clerk