

**MELROSE PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, APRIL 13, 2020 – 6:30 P.M.**

To access the meeting please call the phone number and enter the access code below at the meeting start time.

Phone number: 1-571-317-3122

Access code: 405-905-029

Or join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/405905029>

AGENDA

1. Call to Order/Roll Call/Pledge of Allegiance
 2. Oath of Office
 3. Approval of Agenda
 4. Approval of Minutes
 5. Public Hearings
 - a. VAR-3-2020-101 Variance – Thom/Hennen
 6. Reports
 - a. Community Development Director Report
 7. Action Items
 - a. VAR-3-2020-101 Variance – Thom/Hennen
 8. Unfinished Business
 9. New Business
 - * a. Parking Area Surface Requirement
 10. Informational Items
 - a. Next Meeting
 11. Issues by Planning and Zoning Commission Members and/or Staff
 12. Adjournment
- * Amendment

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MONDAY, APRIL 13, 2020– 6:30 P.M.**

A.I. #1 CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

The Melrose Planning and Zoning Commission met in a Regular Meeting on Monday, April 13, 2020 at 6:30 p.m. via global gotomeeting, pursuant to due notice being given thereof. Present were Commission Members Jason Seanger, Shawn Mayers, Dave Berscheit, Mark “Bunker” Hill, City Administrator Colleen Winter, and Community Planning/ Development Director Lisa Atkinson. Commission Members Adam Paulson, and Mike Klaphake, were absent. There is one vacancy on the Planning and Zoning Commission. Also, in attendance was Mr. Joe Hennen, and Mr. Travis Thom. The meeting was called to order.

The Pledge of Allegiance was recited.

A.I. #2 OATH OF OFFICE

At its January 6, 2020 meeting, the Council reappointed Jason Seanger to the Planning and Zoning Commission for a four-year term. Community Development Director Atkinson administered the Oath of Office to Mr. Seanger.

Mr. Seanger chaired the remainder of the meeting.

A.I. #3 APPROVAL OF AGENDA

A motion was made by Mr. Hill to approve the agenda as submitted. The motion was seconded by Mr. Berscheit with a roll call vote recorded as follows:

FOR: Commission Member Hill, Berscheit, Mayers, and Seanger

AGAINST: None

ABSENT: Commission Member Paulson and Klaphake

A.I. #4 APPROVAL OF MINUTES

A motion was made by Mr. Mayers to approve the minutes from the Commission’s January 27, 2020 Regular Meeting. The motion was seconded by Mr. Hill with a roll call vote recorded as follows:

FOR: Commission Member Mayers, Hill, Berscheit, and Seanger

AGAINST: None

ABSENT: Commission Member Paulson and Klaphake

A.I. #5 PUBLIC HEARING

- a. The Melrose Planning and Zoning Commission met on Monday, April 13, 2020 at 6:30 p.m. vial global/gotomeeting to consider a request for numerous variances submitted by Joe Hennen/Blue Can Properties and Travis Thom. The request pertains to a vacant parcel proposed to have an 8-unit multi-family apartment complex. It is located immediately east of 120 5th Ave. NW on the south side of 2nd

St. NW. Variances are requested from the minimum lot width, the minimum lot area per dwelling unit (density), building setback requirements, the parking lot setback/landscape buffer requirements, the drive lane width, and the access lane paving requirement. Shared parking, allowing parking for this site to extend onto the abutting apartment building lot is being requested with a permanent shared parking agreement. The apartment building is proposed to have paved parking stalls that abut and back directly onto the alley. The alley is proposed to be improved to be a 20-foot-wide Class 5/gravel alley (currently 14 feet wide grass surface), using a proposed 6 feet of additional permanent access easement along the north side of the alley to allow the alley to be built 20 feet wide. The request relates to real property in the City of Melrose, legally described as follows: Lot 2, Block 1 Fifth Avenue Addition, according to the plat and survey on file and of record in the office of the County Recorder, in and for Stearns County.

Community Development Director Atkinson gave an overview of the requested variances by application **VAR-3-2020-101**. Ms. Atkinson stated that the property is currently zoned multi-family.

Joe Hennen stated that he is the current owner of the 8-plex and is looking to construct another 8-plex on the vacant lot.

Travis Thom stated that to address the parking situation, they are looking to use the alley way to alleviate people having to park on the street or in front of anyone's residential property.

Kelly Linn 425 1st St NW opposed to improving the alley and does not want cars parking in the alley as it will create dust and headlights into his yard. Melanie Linn stated her concern of risk of property damage, theft, vandalism and appearance.

Letter from Mike and Denise Schmitz

We are completely against the construction of a compartment complex on the parcel. This piece of property is much too small for an apartment building. This is evident by the number of variances required. They are requesting a variance to reduce the minimum lot width, which means the lot is too small. They are asking for a variance to reduce the minimum lot area per dwelling unit, which means the lot is too small. They want a variance for the building set back requirements, which means the lot is too small. They want a variance for the parking lot setback/landscape buffer requirements, which means the lot is too small. They want variances for the drive lane width, which means the lot is too small. Need I go on? Then they want to share parking with the existing apartment building? Which again means the lot is too small. Building an apartment building on this lot will serve no purpose but to create an overcrowded overpopulated area in the middle of a quiet residential neighborhood. It will do nothing to benefit the city or enhance the property.

Letter from Joseph Maxwell

My name is Joseph Maxwell and I live at 405 2nd St NW in Melrose. I'm writing in concern of the apartment building complex that they want to build across the street from my residence. My concern on this is that the overflow of vehicles will cause street congestion... I have already had to call the Melrose police because of vehicles parked alongside of the street from the existing apartment building from keeping me to be able to back out of my driveway. I see from the existing apartment residence park along both sides of 2nd street and also along 5th avenue. So that said the existing apartment building has 2 roads that the residence are parking on. Since this new building would be in the middle of the block the residence would be parking on both sides of 2nd street making it hard to see for vehicles coming down 2nd street for me to exit my driveway. I'm sure that most of the 8 apartments would have 2 drivers, so instead of 8 in the designated area for the building there would be 16 vehicles if not more. Looking at that lot there is no possible way to have enough designated parking for that many vehicles causing the overflow to park along 2nd street.

Letter from Sarah Peterson

I am writing today in regards to concerns about the proposed 8-unit multi-family apartment complex to be built on a vacant lot on the block where I reside. Submitted by Joe Hennen Blue Can Properties and Travis Thom. The request pertains to a vacant parcel proposed to have an 8-unit multi-family apartment complex. It is located immediately east of 120 5th Ave. NW on the south side of 2nd St. NW. There are a lot of concerns in regard to this possibly happening, here are some of those concerns, but not all. One of the concerns is that by building an apartment complex, it would bring more residents in on what is zoned as a quiet zoned area. The more residents that are brought in, the potential for more traffic and noise in this area. Another concern is that by bringing in more residents into apart living, it's a potential risk of crime/drugs etc. especially if there are garages being built in a potential alley right behind homes with children. It's an invitation and an easy access to kidnapping, drugs, crime and more. If a home were built in place of an apartment instead, there would be more potential in the quality of standards by a homeowner verses multiple renter. The main concern to do what's best for everyone involved and to look into other options that could hopefully be can be agreed on or considered.

Donavan Freimmer 425 2nd Street NW shares most of concern as others have voiced however main concern is the overflow parking as there are many cars already parking on the street from the current 8-plex. Mr. Freimmer is also concerned of decrease in property values.

Mike Schmitz letter was read however he wanted to mention that in information he had received from Community Development Atkinson it is mentioned several times that the plan for the additional 8-unit complex was in place 40 years ago when the other apartment was built. Mr. Schmitz stated that things have changed; statutes change, laws change from 40 years ago and he thinks this needs to be put into consideration. A couple of single-family homes or a duplex would work, but not an 8-unit complex

Chair Seanger asked for any further comment. There being none, the Public Hearing was closed at 6:52 p.m.

A.I. #6 REPORTS

- a. Director Atkinson presented the year-to-date building permit report. The March MADA meeting was rescheduled, however multi-housing is still a priority. Ms. Atkinson also noted that Ed Zimney with the Central Minnesota Housing Partnership has been administering the City's federal commercial and housing updates grant. The balance for the funds in the residential program is \$112,019. The balance for the commercial program is \$80,120. There is one residence in the process of getting approved. There is one residence and one business who have requested applications but not yet submitted them. Ms. Atkinson noted that after only one 4:00 on the 4th event, the program will be on hold indefinitely due to COVID-19. Ms. Atkinson reported that MADA and the City Council approved offering a program to provide funds to local small businesses affected by COVID-19 at their April 2, 2020 joint meeting. It is being referred to as the Emergency Revolving Loan Fund (ERLF).

A.I. #7 ACTION ITEMS

- a. **VAR-3-2020-101 Variance from lot minimums and setbacks.** Following its review of the Planning Report, the related information and documents associated with this Report and the Variance Application along with public input received at the public hearing or in writing, the Commission gave consideration to making a recommendation to the Council regarding the request for numerous variances submitted by Joe Hennen/Blue Can Properties and Travis Thom. The request pertains to a vacant parcel proposed to have an 8-unit multi-family apartment complex. It is located immediately east of 120 5th Ave. NW on the south side of 2nd St. NW. Included in this public hearing notice are numerous variances. Variances are requested from the minimum lot width, the minimum lot area per dwelling unit (density), building setback requirements, the parking lot setback/landscape buffer requirements, the drive lane width, and the access lane paving requirement. Shared parking, allowing parking for this site to extend onto the abutting apartment building lot is being requested with a permanent shared parking agreement. The apartment building is proposed to have paved parking stalls that abut and back directly onto the alley. The alley is proposed to be improved to be a 20-foot-wide Class 5/gravel alley (currently 14 feet wide grass surface), using a proposed 6 feet of additional permanent access easement along the north side of the alley to allow the alley to be built 20 feet wide.

The Planning and Zoning Commission reviewed the Planning Report and Finding of Facts. For record purposes the revised Planning Report and Finding of Facts are entered in the meeting minutes.

A motion was made by Mr. Berscheit approving the Staff Report and Finding of Facts recommending granting variance requests 1 and 2 with revisions as noted and recommending denying variance requests 3, 4, 5 and 6 for reasons noted in the revised staff report. The motion was seconded by Mr. Mayers with a roll call vote recorded as follows:

FOR: Commission Member Berscheit, Mayers, Hill and Seanger
AGAINST: None

ABSENT: Commission Member Paulson and Klaphake

A motion was made by Mr. Hill to modify the resolution to coincide with the revised staff report. The motion was second by Mr. Berscheit with a roll call vote recorded as follows:

FOR: Commission Member Hill, Berscheit, Mayers, and Seanger

AGAINST: None

ABSENT: Commission Member Paulson and Klaphake

A motion was then made by Mr. Mayers recommending the Council grant variance requests 1 and 2, and denying variance requests 3,4,5 and 6. The motion was seconded by Mr. Berscheit with a roll call vote recorded as follows:

FOR: Commission Member Mayers, Berscheit, Hill, and Seanger

AGAINST: None

ABSENT: Commission Member Paulson and Klaphake

A.I. #8 UNFINISHED BUSINESS

None

A.I. #9 NEW BUSINESS

- a. There have been some questions regarding the parking area surface requirements. Community Development Director Atkinson has researched the current Zoning Ordinance and Melrose City Code and has found a solution by allowing recreational vehicles to be parked on durable surfaces or crushed rock or crushed granite. Commission Member Seanger asked if staff would be looking at a maximum surface area. Commission Member Mayers stated that he would have some concern with allowing crushed rock. This will be brought back before the Commission at an upcoming meeting.

A.I. #10 INFORMATIONAL ITEMS

- a. The Commission's next meeting date is scheduled for Monday, April 27, however this meeting will most likely be rescheduled or cancelled..

A.I. #11 ISSUES BY PLANNING AND ZONING COMMISSION MEMBERS

None

A.I. #12 ADJOURNMENT

A motion was made by Mr. Berscheit that the meeting be adjourned at 7:50 p.m.. The motion was seconded by Mr. Mayers with a roll call vote recorded as follows:

FOR: Commission Member Berscheit, Mayers, Hill, and Seanger

AGAINST: None

ABSENT: Commission Member Paulson and Klaphake

PATRICIA HAASE – CITY CLERK