

**MAHTOMEDI PLANNING COMMISSION
MEETING MINUTES
JANUARY 8, 2020**

Chairperson Rogosheske convened the regular Planning Commission meeting at 6:30 p.m. with the following members in attendance: Dan Soler, Greg Maples, Chantell Knauss and Susan Stewart. Also in attendance were City Planner Hannah Rybak, City Engineer John Sachi, Mayor Jud Marshall and Office Assistant Luann Tembreull.

APPROVAL OF THE AGENDA

Commissioner Maples moved, and Commissioner Knauss seconded the motion to approve the agenda as presented. The motion was unanimously approved.

APPROVAL OF THE DECEMBER 11, 2019 REGULAR PLANNING COMMISSION MEETING MINUTES

Commissioner Soler moved, and Commissioner Stewart seconded the motion to approve the minutes of the December 11, 2019 regular Planning Commission meeting as written. The motion was approved.

4. PUBLIC HEARING

4a. CONSIDER APPROVAL – Request from Erin and Steve Berens for a conditional use permit in order to allow for a reduction in the front yard setback requirement and an increase in allowable building coverage for the purpose of constructing an attached garage at 1157 Park Avenue and described as PID 20.030.21.32.0030,

Planner Rybak introduced the item and provided a power point presentation. She said the applicant is requesting a conditional use permit in order to allow for a reduction in the front yard setback requirement and an increase in allowable building coverage for the purpose of constructing an attached garage at 1157 Park Avenue.

The house was constructed in 1920 as a summer cabin, and the owners currently rent the home but wish to cease renting and reside there fulltime.

The area is currently zoned R1-E, so the building coverage is based on a formula derived from the size of the lot. According to this proposed project, the attached garage would be under the allowable impervious surface coverage of the lot.

The house currently sits 18.7 feet from the property line and the existing driveway is entirely within the boulevard area in front of the property.

4a. (Continued)

The proposed garage will be situated in the yard area in front of the home, with no reduction to the length of the existing driveway.

Therefore, the proposed garage conforms to all ordinance requirements, except for the two areas for which the Conditional Use Permit is requested. The proposed garage is not a safety issue for drivers on Park Avenue, as there is a twenty six (26) foot strip of boulevard between the property line and the edge of the Street. The garage is similar to others in the vicinity, and is designed to integrate well with the existing home. The driveway serving the home will remain the same length as what exists today, and the addition of the parking stalls within the garage will improve the parking on the property and lessen the need for street parking.

Engineer Sachi reviewed the plans and stated that the boulevard area from Park Avenue is adequate for a full-size car so doesn't have any concerns with the zero-front setback. Nor does he anticipate any issues with the grading plan around the garage, porch or deck, which will be reviewed again at the time the building permit is applied for.

Three letters from neighboring property owners in opposition to the application have been received in the last few days and have been provided to the Commissioners at this meeting. (See Attachments A – C). Three other neighboring property owners have signed off on the application with their approval.

Based on the Conditional Use permit criteria, staff recommends approval, as submitted, of the requested Conditional Use Permit for a reduction in the front yard setback and an increase in allowable building coverage at 1157 Park Avenue.

Discussion ensued and upon a question by Commissioner Soler, Engineer Sachi stated that there are no current plans to widen Park Avenue in this area, and that there is additional right-of way on this west side of Park Avenue. Upon a question by Chair Rogosheske, Engineer Sachi stated that there will only be signage for the bike route, no painted lines nor depiction of a bike in the roadway itself.

Upon a question from Chair Rogosheske, Engineer Sachi stated that when parking on the boulevard, vehicles need to be 3 feet from any driveway and 20 feet from an intersection.

Upon another question from Chair Rogosheske, Engineer Sachi stated that the applicants are only proposing an addition, not rebuilding the home.

4a. (Continued)

Applicant, Steve Berens, stated that he and his wife currently live on Dahlia Street and rent out the house at 1157 Park, but would like to sell their house on Dahlia and live at 1157 Park Avenue.

Upon a question by Chair Rogosheske, Mr. Berens indicated that the proposed garage color will be consistent with the house.

Chair Rogosheske opened the public hearing to the audience for commentary.

Marilyn Kaplan, 1165 Park Avenue, indicated that when she moved in many years ago, there was a stop sign at the corner of Locust and Park. She stated that when the street was currently improved, they made the street much narrower. She wanted to know where all the construction trucks are going to park during construction. She wanted to make sure there will be no parking on the street in front of this home, since this would be a safety hazard being so close to the corner of Locust and Park.

Pat Schultz, 1158 & 1160 Park Avenue stated that she has lived here for 47 years and has no objection to the proposed garage, but would like to know how many trees will be cut down. She also wanted to make sure none of the construction trucks park on her property. She is also concerned about the City pushing snow onto her property.

Roxanne Hodgeson, 1161 Park Avenue indicated that when she built her house in 1992 she had to be eight (8) feet off the side property line. She has a problem with young people driving down the street at Forty (40) miles per hour. She is asking the applicant what compelled her to bury this property. She noted that she wanted to buy the property in the past and the owner at that time didn't want to sell. She stated that the proposed garage seems larger than the house and is wondering why it is proposed to be built asymmetrical. She is concerned about the width of the garage and feels the size of the garage is not justified. She also feels it hits the site line from her driveway, and that it does not meet the historic character and will be intrusive.

Applicant, Erin Berens stated that they purchased the property because they have always wanted to live on the lake. They are requesting a three (3) car garage for additional storage area since there is not a basement in this house, and that she is not proposing to ever put a second story on the house.

Applicant, Steve Berens stated that the garage exceeds the driveway slightly, but they are still within the side yard setbacks. He stated that the entrance from the garage into the house is the reason why there will no longer be a second bedroom, since that entrance will be at that point.

There being no further comment, Chair Rogosheske closed the public hearing.

4a. (Continued)

Planner Rybak stated that if the owner of this property wanted to add a second story to this house, the applicant would need to apply for another Conditional Use Permit, and that staff would recommend denial.

Engineer Sachi noted that construction truck (s) will more than likely just park on the existing driveway of this property since it will be just construction of a garage.

Planner Rybak stated that there is an existing oak tree that will be removed, and perhaps the Maple tree in the boulevard, but the City requires a replacement of at least two (2) inch caliber or greater for each tree removed. She also noted that asymmetrical in size does not make any difference to how it is placed on the property as long as it meets the setback ordinance.

Engineer Sachi stated that this proposed garage may be wider along the front, but shorter in depth. There will be no encroachment on the northern side of the property since the proposed garage will still be six feet 7 inches (6'7") off that property line.

Chair Rogosheske stated that the proposed garage fits in with the neighborhood.

Commissioner Knauss agrees with chair Rogosheske and stated that it is designed to fit and is by no means unique to the area. She feels this is a reasonable request and supports the request.

Commissioner Soler stated that he was involved with the creation of the Historic District R-1E zoning and that the City would rather not see cabins replaced with huge homes, so Conditional Use Permits were created for this area. He indicated that zero setbacks don't bother him and that this request meets the intent of the Historic District, so is in support of this request.

Commissioner Maples is also in support.

Commissioner Stewart has the same views at Commissioner Knauss.

Engineer Sachi stated that the width of the street at Locust and Park needs to be brought to the City Council's attention, not at the Planning Commission.

Upon motion by Commissioner Knauss, seconded by Commissioner Stewart, the Commission recommends the City Council approve a resolution approving a conditional use permit in order to allow for a reduction in the front yard setback requirement and an increase in allowable building coverage for the purpose of constructing an attached garage at 1157 Park Avenue as outlined in Exhibit C with the wording amended to state the above approval. The motion was unanimously approved.

**CITY OF MAHTOMEDI
WASHINGTON COUNTY, MINNESOTA
RESOLUTION NO. _____**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A FRONT
YARD SETBACK REDUCTION AND INCREASE IN ALLOWABLE BUILDING
COVERAGE FOR A PRINCIPAL STRUCTURE ON THE PROPERTY
LOCATED AT 1157 PARK AVE., PID 20.030.21.32.0030**

WHEREAS, the City of Mahtomedi received a request from the Applicants Erin and Steve Berens on November 12, 2019 for a conditional use permit to allow for the following deviations:

- a reduction in the required front setback from 20-feet to 0-feet; and
- an increase in allowable building coverage from 29.2% to 30.2%

The property is legally described as follows:

All that part of Lot 6, Block 1, East Shore Park, Washington County, Minnesota, according to the plat thereof on file of record in the office of the Register of Deeds in and for said County, described as follows: Beginning at a point on the west line of said Lot 6, distant 40 feet north of the southwest corner of said Lot 6; thence north along said west line 10 feet to the Northwest corner of said Lot 6; thence east along the northerly line of said Lot 6 to the northeast corner of said Lot 6; thence southerly along the easterly line of said Lot 6; 62.7 feet to a point; thence at an angle of 90 degrees 40 minutes to the right a distance of 105 feet to a point; thence westerly in a straight line to the point of beginning. Together with a perpetual easement for the benefit of grantee, his heirs and assigns, and their invitees, for all lakeshore purposes and access to White Bear Lake over, across and upon that part of Lot "A" in said Block 1 lying northerly of the south line of said Lot 6 extended west to White Bear Lake and southerly of a line which if extended would run in a straight line from the southwest corner of Lot 5 in said Block 1 to the point of intersection of the northerly line of said Lot 5 and the southerly line of said Lot 6 both extended westerly, subject to all existing rights and easements of any and all owners of land in said East Shore Park in, to and upon the easterly 15 feet of said Lot "A", according to the plat thereof on file and of record in Register of Deeds of Washington County, Minnesota.

WHEREAS, the Applicants have requested a conditional use permit for a reduction in the required front yard setback, and an increase in allowable building coverage to allow for the construction of a new attached garage and two porches; and

WHEREAS, the proposed attached garage and porches meet all other zoning requirements for the R1-E Historic Mahtomedi District; and

WHEREAS, the Planning Commission reviewed and considered the request based on the related documents shown in the Applicants' Application at their regular meeting on January 8, 2020; and

WHEREAS, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented; and

WHEREAS, the City Council, acting as the Board of Adjustments and Appeals, can approve a conditional use permit if it finds that the standards for granting a conditional use permit as described in Chapter 11, Section 8.21 C.1 a through f of the Mahtomedi City Code have been met.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Mahtomedi approves the Applicants' request for a conditional use permit for a reduction in the required front yard setback and an increase in allowable building coverage.

The requested conditional use permit is consistent with all the standards for granting a conditional use permit as described in Section 11.01, Subdivision 8.21, C., 1, a through f of the Mahtomedi Zoning Ordinance. More specifically, the City Council finds that the requested conditional use permit is justified for the following reasons:

1. Lack of a garage is a hardship for a residential property;
2. The proposal conforms to the District and conditional use provisions and all general regulations of the Ordinance;
3. The proposal does not involve any element or cause any conditions that may be dangerous, injurious, or noxious to any other property or persons;
4. The proposed attached garage is sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties;
5. The proposed attached garage produces a total visual impression and environment which is consistent with the environment of the District and neighborhood in which it is located;
6. The proposal promotes the objectives of this Ordinance and the overall Comprehensive Land Use Plan of the City;

Adopted by the City Council of the City of Mahtomedi on _____, 2020.

Judson Marshall, Mayor

Attested:

Jerene Rogers, City Clerk

MAHTOMEDI PLANNING COMMISSION MEETING MINUTES
January 8, 2020

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- 5. STAFF REPORT - NONE**
- 6. UPDATE – CITY COUNCIL AND OTHER COMMISSION ACTIVITIES AND INFORMATIVE ITEMS.**
- 7. ADJOURNMENT**

There being no further discussion, Commissioner Soler moved, and Commissioner Knauss seconded the motion to adjourn the regular Planning Commission meeting at 7:40 p.m. The motion was unanimously approved.

Respectfully submitted by Luann Tembreull, Office Assistant.

APPROVED:

ALEX ROGOSHESKI
CHAIRPERSON

ATTESTED:



LUANN TEMBREULL
OFFICE ASSISTANT