

# PLANNING COMMISSION MEETING MINUTES

## CITY OF GRANT

June 19, 2018

**Present:** John Rog, James Drost, Jeff Schafer, Jerry Helander, Jeff Giefer and Robert Tufty

**Absent:** Matt Fritze

**Staff Present:** City Planner, Jennifer Swanson; City Clerk, Kim Points

### 1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

### 2. PLEDGE OF ALLEGIANCE

### 3. APPROVAL OF AGENDA

MOTION by Commissioner Schafer to approve the agenda, as presented. Commissioner Tufty seconded the motion. MOTION carried unanimously.

### 4. APPROVAL OF MINUTES, May 15, 2018

MOTION by Commissioner Giefer to approve the May 15, 2018 Minutes, as presented. Commissioner Helander seconded the motion. MOTION carried unanimously.

### 5. NEW BUSINESS

**PUBLIC HEARING, Consideration of Minor Subdivision Application, 9411 Joliet Avenue North** – City Planner Swanson stated the Applicant and Owner, Richard Bennett, is requesting a lot line rearrangement (minor subdivision) of the property located at 9411 Joliet Avenue North. There is an existing home, accessory structure, pool and tennis court located on the existing northerly parcel and the southerly parcel is currently vacant with no structures.

A duly noticed public hearing was noticed for June 19, 2018 at 6:30 PM, and letters were sent to individual property owners located within ¼-mile (1,320 feet) of the proposed subdivision.

The following staff report is provided for your review and consideration of the subject application:

**Project Summary:**

Owner & Applicant:	Richard Bennett
PID:	1503021410001 (23.06 Acres) 1503021410002 (19.98 Acres)
Address:	9411 Joliet Avenue North
Zoning & Land Use:	A-2
Request:	Lot Line Rearrangement (Minor Subdivision) to create Parcel A: 5.00 acres, and Parcel B: 38.04 Acres

The Applicant is proposing a Lot Line Rearrangement, a subsection of Minor Subdivision, to rearrange the existing parcels into a new 5.00 acre lot and a 38.04 acre lot that would include the existing homestead and accessory uses. A new single-family structure is denoted on the survey which is attached to this staff report. Full plans for the proposed home are not provided, however, the Applicant has submitted septic tests and supporting information that is consistent with the proposed lot configuration. The existing homestead and accessory uses on the larger parcel will remain and no alterations are proposed as part of this application.

The City's subdivision ordinance allows for minor subdivisions and lot line adjustments as defined in Section 30-9 and 30-10. The sections of the code that relate to dimensional standards and other zoning considerations are provided for your reference:

Secs. 32-246

City Planner Swanson advised there are two existing parcels associated with this application which are located northeast of the Joliet Avenue North and Dellwood Road North (State Highway 96) intersection. The southerly parcel is approximately 23.06 acres and is bordered on the south property line by Dellwood Road North, and the westerly property line is Joliet Avenue North and is the primary frontage of the parcel. The parcel in its current configuration has approximately 570-feet of frontage on Joliet Avenue North, and 1,391-feet of frontage on Highway 96. The existing lot is vacant with no structures or improvements currently on the parcel. Based on the National Wetland Inventory and available GIS data there is an existing wetland on the north-central portion of the property. The aerial, and survey, denote that much of the property is wooded, with extensive woodlands comprising the easterly half of the property, with what appears to be planted trees (primarily conifers) on the western half of the property.

The northerly parcel is approximately 19.98 acres and shares its south border with southerly parcel's north property line. The Applicants and Owners have an existing homestead on the northerly property located approximately 176-feet from the westerly property line. The existing homestead, accessory building, and accessory uses are all accessed from one driveway which connects to Joliet Avenue North on the property's westerly property line. The existing accessory building is approximately 3,500 square feet and is located to the northwest of the existing home.

The parcel in existing configuration has approximately 660-feet of frontage along Joliet Avenue North. Per the NWI and available GIS there is a wetland area located on the south-central portion of the property which extends onto the southerly parcel. The site is heavily vegetated on the eastern half of the property, as well as vegetated along the northerly property line.

The adopted Comprehensive Plan sets a maximum density of 1 unit per 10 acres in the A-2 land use designation. The proposed minor subdivision/lot line rearrangement of the total 43.04-acres results in no additional lots but will likely result in another home being constructed. The minor subdivision as proposed meets the density requirements as established in the comprehensive plan. Further, the intent of the A-2 land use designation is to promote rural residential uses, and the proposed subdivision/rearrangement is consistent with that objective.

The following site and zoning requirements in the A-2 district are defined as the following for lot standards and structural setbacks:

<b>Dimension</b>	<b>Standard</b>
Lot Area	5 acres
Lot Width (public street)	300'
Lot Depth	300'
FY Setback – County Road (Centerline)	150'
Side Yard Setback (Interior)	20'
Rear Yard Setback	50'
Maximum Height	35'

The proposed subdivision is depicted on Attachment B: Minor Subdivision. As shown the proposed subdivision would result in newly created Parcel A and Parcel B. The following summary of each created parcel is identified on the table below:

**Lot Tabulation:**

<b>Parcel</b>	<b>Size</b>	<b>Frontage/Lot Width</b>	<b>Lot Depth</b>
Parcel A	5.00 Acres	300.04'	726'
Parcel B*	38.04 Acres	924.17'	1,317.62'

*\*Frontage of Parcel B in non-contiguous based on lot configuration. That portion of the lot which provides access/frontage to the existing home contains approximately 1,224-feet of frontage on Joliet which is the calculated primary frontage for this analysis.*

***As proposed, both created lots meet the city's dimensional standards for size, frontage/lot width and lot depth.***

City Planner Swanson advised the existing homestead and accessory structures are located on proposed Parcel B and are subject to the city's setback requirements. The existing principal structure is setback approximately 1,010-feet from the right-of-way line (westerly property line)

of Joliet Avenue North; 640-feet from the southerly right-of-way line of Highway 96; 175.7-feet from the easterly property line; and 422-feet from the northerly property line. The accessory building is setback approximately 380-feet from the newly created property line of Parcel A; 252-feet from the northerly property line; and 750-feet from the westerly right-of-way line of Joliet Avenue North. ***The existing home and accessory building on Parcel B meet or exceed all City setback requirements.***

While it is unknown whether the proposed house location on Parcel A is conceptual, staff performed a review of the setbacks to determine whether the location as proposed would comply with the City's ordinances. As denoted on the Survey, the proposed home would be setback approximately 111.7-feet from the right-of-way line of Joliet Avenue North (westerly property line, and primary frontage); 129.8-feet from the northerly property line; 480.1-feet from the easterly property line; and 94.0-feet from the southerly property line. Additionally, though a formal wetland delineation has not been completed, a rough estimate of the wetland edge based on GIS information and topography suggests that the new home would be setback approximately 500-feet from the wetland area. As shown on the survey, the proposed home on Parcel A would meet or exceed all setback requirements. Since it is unclear whether this plan is conceptual, ***Staff would recommend including a condition that all new structures, accessory and principal proposed on Parcel A, will be subject to the city's setback requirements; and if an alternate location is proposed a wetland delineation may be required to ensure appropriate setbacks and wetland buffers are maintained.***

There is an existing driveway that serves the existing home on Parcel B, and there is currently no existing access to Parcel A. As denoted on the survey, a new driveway would be constructed to serve a new home when constructed on Parcel A. ***As depicted, the proposed driveway would meet the City's driveway standards and setback requirements.***

As previously stated there is one existing accessory building located on Parcel B which is approximately 3,500-square-feet. The rearrangement of the lot will result in Parcel B containing approximately 38.04 acres. Per Section 32-313 of the City's ordinance, parcels greater than 20-acres have no restriction on total size and number of accessory buildings. As such, the existing building, and any future accessory structures on Parcel B will comply with the City's ordinances and standards. There are no accessory buildings denoted on Parcel A as part of this application. The Applicant should be aware that accessory buildings on parcels between 3 and 4.99-acres a total square footage not to exceed 2,000 square-feet and a maximum of two (2) accessory structures are permitted. ***Staff would recommend including a condition that any future proposed accessory building(s) shall be subject to size and permitted number as stated within section 32-313 of the City's Zoning ordinance.***

The existing home is currently served by a septic system that will continue to be used for the existing homestead. Both the septic system and well are located on Parcel B. To demonstrate the buildability of Parcel A, the Applicant submitted septic/soil borings which were submitted to Washington County for their preliminary review. Based on the preliminary results it appears that

there is adequate area on Parcel A to install a septic system to support a new home, if and when, proposed. ***Staff would recommend including a condition of approval that a septic permit must be acquired from Washington County prior to the city issuing a building permit for a principal structure on Parcel A.***

There is an existing well on Parcel B that will continue to be used for the property. Since Parcel A is vacant and no home is designed yet for the lot no well has been installed. ***Staff would recommend including a condition that if and when a new home is proposed on Parcel A that the appropriate permits to install a well must be obtained prior to the city issuing a building permit.***

City Planner Swanson noted the Applicant contacted the Browns Creek Watershed District (BCWD) and discussed the proposed minor subdivision, including conceptual location of a new home on Parcel A. Based on the current location of the home, BCWD indicated that they would not have any concerns, but that proper erosion control permits would be required. Additionally, they noted that if the location of the proposed home were to shift further east, that additional information regarding the wetland (which may include a formal delineation) may be required. ***Staff would recommend including a condition that if the location of the proposed home shifts east, that the Applicant is required to obtain proper permits and approvals based on the adjusted house location, if applicable.***

Staff is requesting a recommendation from the Planning Commission reflecting one of the following options:

- Recommendation to the City Council of Approval with Draft Conditions
- Recommendation to the City Council of Denial with Findings
- Continue the discussion to the next available Planning Commission, and request additional information from the Applicant, if applicable

If the Planning Commission recommends Approval, the following draft Conditions are provided for your consideration:

The following draft conditions are provided for your review and consideration:

1. All future structures and improvements, accessory and principal, must comply with the city's and BCWD wetland buffer setback requirements.
2. All future structures and improvements will be subject to the applicable setback rules and regulations in effect at the time of application.
3. A septic permit must be acquired from Washington County prior to the city issuing a building permit for a principal structure on Parcel A.

4. If, and when, a new home is proposed on Parcel A the appropriate permits to install a well must be obtained prior to the city issuing a building permit.
5. If the location of the proposed home on Parcel A shifts east, the Applicant shall be required to contact BCWD and the City to determine if a wetland delineation, or any other permit, is required prior to the City issuing a building permit for the lot.
6. A driveway access permit shall be obtained from the City's Building Official if, and when, a new principal structure is proposed on Parcel A.

City Planner Swanson noted the subdivision does not add to the lot count as there are already two PID's, or parcels. The borings did demonstrate there are two locations for the septic with a design to be determined at the time a home is built.

MOTION by Commissioner Schafer to open the public hearing at 6:43 p.m. Commissioner Tufty seconded the motion. MOTION carried unanimously.

MOTION by Commissioner Tufty to close the public hearing at 6:54 p.m. Commissioner Drost seconded the motion. MOTION carried unanimously.

MOTION by Commissioner Giefer to recommend approval of the Minor Subdivision Application, 9411 Joliet Avenue N, as presented. Commissioner Helander seconded the motion. MOTION carried unanimously.

This item will appear on the regular Council agenda June 28, 2018, 7:00 p.m.

## **6. OLD BUSINESS**

There was no old business.

## **7. ADJOURNMENT**

MOTION by Commissioner Tufty to adjourn the meeting at 6:45 p.m. Commissioner Schafer seconded the motion. MOTION carried unanimously.

Respectfully submitted,

Kim Points  
City Clerk

APPROVED