

MINUTES OF THE PROCEEDINGS OF THE PLANNING COMMISSION OF THE CITY OF CHAMPLIN IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA PURSUANT TO DUE CALL AND NOTICE THEREOF

REGULAR SESSION
AUGUST 15, 2016
CITY COUNCIL CHAMBERS

CALL TO ORDER THE CHAMPLIN PLANNING COMMISSION MET IN REGULAR SESSION AND WAS CALLED TO ORDER BY CHAIRPERSON R.J. THIEL AT 7:00 P.M.

ROLL CALL PRESENT WERE: CHAIRPERSON THIEL, COMMISSIONERS STEPHANIE BITTERMAN, MATT BOLTERMAN, DAVID BOUCHARD, DAN COSTELLO, TIM LACROIX, KATHY MANEMANN, AND NATE TRUESDELL. ABSENT: COMMISSIONER MICHAEL PETERSON. ALSO PRESENT WAS CITY PLANNER SCOTT SCHULTE.

ROLE OF THE COMMISSION CHAIRPERSON THIEL BRIEFLY REVIEWED THE ROLE OF THE COMMISSION.

APPROVAL OF AGENDA (AUGUST 15, 2016) MOTION BY COMMISSIONER BOUCHARD AND SECONDED BY COMMISSIONER LACROIX, TO APPROVE THE AGENDA OF THE AUGUST 15, 2016 PLANNING COMMISSION MEETING AS PRESENTED. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

APPROVAL OF MINUTES (JULY 18, 2016) MOTION BY COMMISSIONER TRUESDELL AND SECONDED BY COMMISSIONER MANEMANN, TO APPROVE THE MINUTES OF THE JULY 18, 2016, PLANNING COMMISSION MEETING AS PRESENTED. ALL VOTED IN FAVOR AND THE MOTION CARRIED. COMMISSIONER BITTERMAN ABSTAINED.

OPEN FORUM NO ONE WAS PRESENT FOR OPEN FORUM.

PUBLIC HEARINGS

PROJECT 2016-17: PRELIMINARY PLAT; REQUEST FROM CALCO DEVELOPMENT LLC FOR A PRELIMINARY PLAT CREATING SIX TOWNHOME LOTS ON LOT 4, BLOCK 1, EMERY VILLAGE THIRD ADDITION THE CITY PLANNER STATED THAT LOT FOUR, BLOCK ONE, WAS ESTABLISHED IN 2009 AS A SIX UNIT CONDOMINIUM SITE WITH THE EMERY VILLAGE DEVELOPMENT. HE STATED THAT SITE IS NOW OWNED BY THOMPSON TOWNHOMES LLC AND THIS REQUEST IS SIMILAR TO THE REQUEST MADE FROM THOMPSON TOWNHOMES LLC FOR A NEARBY SITE WITHIN THE DEVELOPMENT WHICH ALSO CONVERTED CONDOMINIUMS TO TOWNHOMES. HE STATED THAT A DRAWING WAS INCLUDED IN THE PACKET WHICH SHOWS THE PRELIMINARY PLAT WITH A ROW OF SIX TOWNHOMES AND WOULD MATCH THE COLOR PALLET AND DESIGN OF EMERY VILLAGE. HE STATED THAT THE CONVERSION FROM CONDOMINIUMS TO TOWNHOMES MAKES CHANGES TO THE UTILITIES AS EACH TOWNHOME WOULD HAVE ITS OWN SEWER AND WATER FACILITIES AND THEREFORE AN EXTENSION OF THE SANITARY SEWER AND WATERMAIN WOULD BE NECESSARY. HE NOTED THAT FINANCIAL GUARANTEES AND ESCROWS WOULD BE REQUIRED FOR THE PUBLIC UTILITY EXTENSION. HE NOTED THAT A DECLARATION OF COVENANTS WOULD BE REQUIRED. HE RECOMMENDED APPROVAL OF THE REQUEST SUBJECT TO THE FIVE CONDITIONS IN THE STAFF REPORT.

PUBLIC HEARING CHAIRPERSON THIEL OPENED THE PUBLIC HEARING AT 7:05 P.M.

DICK BROWN, 701 EAST HAYDEN LAKE ROAD, RECEIVED CLARIFICATION ON THE LOCATION FOR THIS PROPOSED DEVELOPMENT.

THE CITY PLANNER NOTED THAT THIS IS JUST THE ONE LOT WITHIN THE EMERY VILLAGE DEVELOPMENT, NOTING THAT THIS SITE IS ABOUT 1,000 FEET FROM THE GOODWILL SITE.

MR. BROWN STATED THAT HIS CONCERN WAS THE HISTORIC OAK TREE ON BUSINESS PARK BOULEVARD, WHICH IS PROBABLY THE OLDEST TREE IN CHAMPLIN. HE NOTED THAT THIS DEVELOPMENT IS NOT IN THAT LOCATION AND THEREFORE HE DOES NOT HAVE ANY CONCERNS.

MOTION

MOTION BY COMMISSIONER LACROIX AND SECONDED BY COMMISSIONER BOUCHARD, TO CLOSE THE PUBLIC HEARING. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

THE PUBLIC HEARING WAS CLOSED AT 7:07 P.M.

THE CITY PLANNER CLARIFIED THAT THIS ITEM WOULD BE CONSIDERED BY THE CITY COUNCIL ON AUGUST 22ND SHOULD THE PLANNING COMMISSION RECOMMEND APPROVAL OF THIS ITEM.

CHAIRPERSON THIEL NOTED THAT THIS SEEMS VERY SIMILAR TO THE LAST REQUEST THE COMMISSION APPROVED.

THE CITY PLANNER STATED THAT THIS CHANGE IS MAINLY TO ASSIST WITH FINANCING FOR THE TOWNHOMES. HE CONFIRMED THAT SURROUNDING HOMEOWNERS WERE NOTIFIED OF THE MEETING TONIGHT.

COMMISSIONER BOUCHARD REFERENCED CONDITION FIVE IN THE STAFF REPORT AND ASKED IF THERE IS A DIFFERENCE IN THE NUMBER OF UNITS FOR A HOMEOWNERS ASSOCIATION.

THE CITY PLANNER STATED THAT CRITICAL MASS IS ONE CONSIDERATION FOR AN ASSOCIATION BUT NOTED THAT WITH THIS PLAT THERE IS NOT A LOT OF COMMON SPACE TO HAVE RESPONSIBILITY OF.

COMMISSIONER BOUCHARD ASKED HOW LONG HOMEOWNERS WOULD HAVE TO JOIN THE ASSOCIATION.

THE CITY PLANNER STATED THAT ONCE ESTABLISHED THE HOMEOWNERS WOULD NEED TO JOIN.

COMMISSIONER LACROIX ASKED IF THERE WERE ANY DISCUSSIONS IN THE LAST REQUEST WITH OTHER ASSOCIATIONS FOR THE COMMON EXPENSES TO BE SHARED, SUCH AS LANDSCAPING AND SNOW REMOVAL.

THE CITY PLANNER STATED THAT THE CITY WAS HOPEFUL THAT THE LARGER ASSOCIATION COULD SHARE THOSE ELEMENTS BUT AN AGREEMENT COULD NOT BE MADE. HE STATED THAT THE COMMON ELEMENTS, SUCH AS THE PRIVATE DRIVE AND UTILITIES, ARE SHARED THROUGH THE ORIGINAL DECLARATION FOR EMERY VILLAGE.

COMMISSIONER LACROIX ASKED AND RECEIVED CONFIRMATION THAT EMERY VILLAGE WOULD STILL MAINTAIN THE SHARED DRIVE.

COMMISSIONER MANEMANN ASKED IF THERE ARE MORE REQUESTS THAT WILL COME THROUGH AS THERE ARE SOME OPEN LOTS.

THE CITY PLANNER STATED THAT THERE WERE FOUR OPEN LOTS THAT EXCHANGED HANDS FROM THE ORIGINAL OWNER. HE NOTED THAT THIS WOULD BE THE SECOND OF THOSE LOTS TO CONVERT TO TOWNHOMES FOR DEVELOPMENT. HE EXPLAINED THAT THE REMAINING TWO LOTS COULD NOT BE CONVERTED TO TOWNHOMES AND WOULD NEED TO REMAIN AS CONDOMINIUMS SHOULD THEY DEVELOP IN THE FUTURE.

MOTION

MOTION BY COMMISSIONER BOUCHARD AND SECONDED BY COMMISSIONER MANEMANN, TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE PRELIMINARY PLAT, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE TOWNHOME DESIGN AND EXTERIOR MATERIALS AND COLORS SHALL BE CONSISTENT WITH THE REQUIREMENTS OF THE EMERY VILLAGE PLANNED UNIT DEVELOPMENT.
2. THE APPLICANT SHALL CONSTRUCT AN EIGHT INCH PUBLIC SANITARY SEWER EXTENDING FROM THE PRIVATE DRIVE AND RUNNING LATERALLY IN FRONT OF THE TOWNHOMES. INDIVIDUAL SANITARY SEWER SERVICES SHALL EXTEND FROM THE LATERAL.

3. THE APPLICANT SHALL EXTEND PUBLIC WATERMAIN FROM THE PRIVATE DRIVE TO INDIVIDUAL WATER METERS.
4. THE APPLICANT SHALL PROVIDE THE FINANCIAL GUARANTEES AND ESCROWS FOR PUBLIC UTILITY EXTENSIONS. THE CITY'S ENGINEERING DEPARTMENT SHALL DETERMINE THE REQUIRED FINANCIAL GUARANTEE AMOUNTS.
5. THE RIGHT TO USE AND ENJOY THE COMMON AREA SHALL BE RESERVED TO TOWNHOUSE OWNERS BY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS THAT SHALL BE APPROVED BY THE CITY ATTORNEY AND FILED WITH THE COUNTY RECORDER. THE DECLARATION SHALL ALSO PROVIDE FOR A HOMEOWNER'S ASSOCIATION THAT MUST BE PROPERLY FORMED. FURTHER, THE DECLARATION SHALL PROVIDE THE MANNER OF IMPOSING ASSESSMENT FOR UPKEEP OF THE COMMON AREA AND PRIORITY OF ASSESSMENTS MUST BE DESCRIBED. ALL PERSONS HAVING AN INTEREST IN THE PREMISES MUST JOIN IN THE DECLARATION. A COPY OF THE DECLARATION OF COVENANTS SHALL BE FILED WITH THE CITY.

ALL VOTED IN FAVOR AND THE MOTION CARRIED.

THIS ITEM WILL MOVE FORWARD TO THE CITY COUNCIL FOR CONSIDERATION ON AUGUST 22, 2016.

PROJECT 2016-18:
ZONING ORDINANCE
AMENDMENT;
REQUEST FROM THE
CITY OF CHAMPLIN TO
AMEND SECTION 126-
195 OF THE ZONING
ORDINANCE TO
PERMIT LOT SPLITS IN
NON-CONFORMING
TWO-FAMILY LOTS

THE CITY PLANNER STATED THAT SECTION 126-195 ESTABLISHES THE CRITERIA FOR SUBDIVIDING A TWO FAMILY DWELLING INTO A TWO PARCEL RECORD WITH THE COMMON WALL ACTING AS A LOT LINE. HE STATED THAT THERE IS AN EXISTING TWO FAMILY DWELLING LOCATED AT 18 SUNSET DRIVE EAST THAT IS OWNED BY HABITAT FOR HUMANITY. HE STATED THAT THEY HAVE AN INTEREST OF SUBDIVIDING THAT PROPERTY FOR SEPARATE OWNERSHIP. HE NOTED THAT THE EXISTING LOT FALLS SHORT OF THE ABILITY TO DIVIDE BECAUSE OF THE MINIMUM LOT SIZE FOR THAT ZONING DISTRICT. HE STATED THAT HABITAT FOR HUMANITY HAS DONE SOME RESEARCH AND WOULD LIKE THE CITY TO CONSIDER AN AMENDMENT TO THE CODE TO ALLOW THEM TO SUBDIVIDE THE LOT. HE REFERENCED CODE LANGUAGE IN PRIOR LAKE THAT WOULD ALLOW THE CITY TO WAIVE SOME OF THE MINIMUM STANDARDS IN ORDER TO ALLOW SEPARATE OWNERSHIP OF THE TWO FAMILY DWELLINGS. HE STATED THAT THE PROPERTY IN QUESTION EXISTS AS A NON-CONFORMING LOT. HE NOTED THAT THE BENEFIT OF ALLOWING THE SUBDIVISION IS THAT IT WOULD RELIEVE THE NON-CONFORMING STATUS AND WOULD ALSO PROMOTE HOMEOWNERSHIP. HE NOTED THAT FOLKS THAT OWN PROPERTY ARE MORE LIKELY TO INVEST AND MAINTAIN THEIR PROPERTY. HE STATED THAT AFTER REVIEWING THE CITY'S GIS THIS COULD IMPACT ABOUT 22 PROPERTIES THAT ARE CURRENTLY ZONED R-2 AND FALL SHORT OF THE MINIMUM LOT REQUIREMENTS. HE NOTED THAT THIS WOULD APPLY TO EXISTING STRUCTURES AND NOT NEW CONSTRUCTION AND THEREFORE STAFF RECOMMENDS MODIFICATION OF THAT ZONING SECTION TO SUPPORT A TWO FAMILY DWELLING TO BE SUBDIVIDED WITHOUT MEETING THE MINIMUM LOT STANDARDS.

PUBLIC HEARING

CHAIRPERSON THIEL OPENED THE PUBLIC HEARING AT 7:21 P.M.

MIKE NELSON, DIRECTOR OF LAND DEVELOPMENT FOR TWIN CITIES HABITAT FOR HUMANITY, STATED THAT HE IS PRESENT TO DISCUSS THE PROJECT. HE STATED THAT THIS PROPERTY WAS DONATED TO THE ORGANIZATION FROM AN INDIVIDUAL THAT WAS GETTING OUT OF PROPERTY RENTALS. HE STATED THAT AFTER COMPLETING DUE DILIGENCE THE HOMES ARE COMPLETELY SEPARATE FROM EACH OTHER WITH A COMMON WALL. HE STATED THAT HIS ORGANIZATION IS VERY EXPERIENCED AND HAS A SHARED WALL AGREEMENT THAT COULD BE USED. HE STATED THAT THEY HAVE BEEN PLEASED WITH THE SUPPORT AND COOPERATION OF CITY STAFF. HE STATED THAT HABITAT FOR HUMANITY IS A HOMEOWNERSHIP ORGANIZATION AND THEY WOULD LIKE TO TRY TO MAKE THIS TWO SEPARATE PARCELS, NOTING THAT THIS WOULD BE A GREAT FIT FOR A SINGLE PARENT WITH CHILDREN.

COMMISSIONER TRUESDELL REFERENCED THE SHARED WALL AGREEMENT AND ASKED IF SIDING AND ROOFING WOULD BE ADDRESSED.

MR. NELSON CONFIRMED THAT THE ROOF AND SIDING ARE ADDRESSED IN THE

AGREEMENT, NOTING THAT THE HOMEOWNERS WOULD NEED TO WORK TOGETHER ON THOSE ELEMENTS AND NOTED THAT THE AGREEMENT WOULD STAY WITH THE PROPERTY. HE NOTED THAT A PAYMENT IS RECEIVED THROUGH ESCROW THAT WOULD ASSIST WITH MAINTENANCE AND ADVISED THAT INSURANCE WOULD BE REQUIRED AS WELL.

THE CITY PLANNER STATED THAT THERE ARE A NUMBER OF TWO FAMILY DWELLINGS WITH A ZERO LOT LINE AND SHARED WALL AGREEMENT AND NOTED THAT THE CITY HAS BEEN SUCCESSFUL IN MANAGING THOSE AGREEMENTS TO ENSURE THAT SIDING AND ROOFING MATCHES. HE STATED THAT THERE ARE ALSO A NUMBER OF TWO FAMILY DWELLINGS THAT EXIST AS RENTALS AND THEREFORE ACT AS CONDOMINIUMS. HE NOTED THAT THIS WOULD CONVERT THAT CONDOMINIUM LIKE SETUP TO A HOMEOWNERSHIP SITUATION.

MR. NELSON STATED THAT VOLUNTEERS WORKED THIS SUMMER TO RESIDE AND ROOF THE HOMES WHICH WILL PROVIDE AN ESTIMATED 30 YEAR LIFESPAN.

MOTION

MOTION BY COMMISSIONER LACROIX AND SECONDED BY COMMISSIONER BITTERMAN, TO CLOSE THE PUBLIC HEARING. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

THE PUBLIC HEARING WAS CLOSED AT 7:27 P.M.

COMMISSIONER BITTERMAN ASKED IF THIS PROPERTY IS CURRENTLY NON-CONFORMING.

THE CITY PLANNER CONFIRMED THAT THIS EXISTS AS A NON-CONFORMING PROPERTY BECAUSE THE TOTAL LOT SIZE DOES NOT MEET THE MINIMUM LOT REQUIREMENTS AND NOTED THAT THERE ARE 22 SIMILAR LOTS IN CHAMPLIN.

COMMISSIONER COSTELLO ASKED THE DIFFERENCE BETWEEN THE VERTICAL AND HORIZONTAL WALL.

THE CITY PLANNER EXPLAINED THAT IN A STACKED TWO FAMILY DWELLING THE HORIZONTAL WALL WOULD BE THE CEILING/FLOOR.

COMMISSIONER BOUCHARD STATED THAT HE IS NOT OPPOSED TO THIS REQUEST. HE ASKED WHY THIS WOULD NOT BE APPROVED THROUGH A VARIANCE RATHER THAN CHANGING THE CODE.

THE CITY PLANNER STATED THAT HAS BEEN DEBATED WITH HABITAT FOR HUMANITY AND NOTED THAT THE HARDSHIP ELEMENT WOULD BE DIFFICULT TO PROVE AND THEREFORE STAFF WAS NOT SURE THAT THE PRACTICAL DIFFICULTIES TEST COULD BE MET. HE STATED THAT STAFF FELT THAT THIS WOULD BE THE RIGHT THING TO DO FOR THE OTHER TWO FAMILY DWELLINGS AS WELL, AS THE OTHER 22 EXISTING TWO FAMILY NON-CONFORMING LOTS COULD BENEFIT FROM THIS AS WELL. HE NOTED THAT THE CRITERIA FOR A SUBDIVISION WOULD STILL NEED TO BE MET.

COMMISSIONER MANEMANN ASKED IF THE CITY PLANNER ENVISIONED A CASE WHERE THE MINIMUM LOT STANDARDS WOULD NOT BE WAIVED.

THE CITY PLANNER STATED THAT EACH CASE WOULD STILL COME BEFORE THE PLANNING COMMISSION AS A LOT SPLIT AND CONDITIONS COULD BE PLACED ON THE REQUESTS AT THAT TIME.

COMMISSIONER LACROIX NOTED THAT THERE WOULD BE AN OPPORTUNITY FOR REVIEW IN EACH CASE AND A SHARED WALL AGREEMENT WOULD BE REQUIRED THAT WOULD ADDRESS OTHER CONCERNS. HE NOTED THAT THIS WOULD MODIFY THE ORDINANCE TO ALLOW THESE EXISTING NON-CONFORMING PROPERTIES TO BE SOLD TO PROMOTE HOMEOWNERSHIP AND TO ASSIST IN FINANCING.

CHAIRPERSON THEIL AGREED THAT THE OPPORTUNITY FOR HOMEOWNERSHIP CREATES MORE OPPORTUNITIES FOR PEOPLE TO INVEST AND MAINTAIN PROPERTY.

MOTION

MOTION BY COMMISSIONER LACROIX AND SECONDED BY COMMISSIONER TRUESDELL TO RECOMMEND THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO SECTION 126-195 OF THE ZONING ORDINANCE TO PERMIT LOT SPLITS IN NON-CONFORMING TWO-FAMILY LOTS AS NOTED IN THE STAFF REPORT. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

IT WAS NOTED THAT THIS ITEM WILL MOVE FORWARD FOR CONSIDERATION BY THE CITY COUNCIL ON AUGUST 22, 2016.

PROJECT 2016-19:
ZONING ORDINANCE
AMENDMENT;
REQUEST FROM THE
CITY OF CHAMPLIN TO
AMEND SECTION 126-9
OF THE ZONING
ORDINANCE TO OPT
OUT OF THE
TEMPORARY FAMILY
HEALTH CARE
DWELLINGS STATUTE
APPROVED ON MAY
12, 2016, CODIFIED AS
MINNESOTA STATUTE
462.3593

THE CITY PLANNER STATED THAT DURING THE MOST RECENT LEGISLATIVE SESSION THE LEGISLATURE PASSED A STATUTE THAT WOULD ALLOW FOR TEMPORARY HEALTHCARE DWELLINGS ON PROPERTIES. HE EXPLAINED THAT THE STATUTE WOULD EXEMPT THE DWELLINGS TO THE CITY'S ZONING REQUIREMENTS BUT ALSO PROVIDES AN OPPORTUNITY FOR COMMUNITIES TO OPT OUT OF THE LEGISLATURE. HE NOTED THAT ALL CITIES HAVE OPTED OUT OF THE STATUTE WITH THE EXCEPTION OF OSSEO. HE STATED THAT THIS SCENARIO WOULD ALLOW MULTIPLE DWELLINGS ON A PARCEL ZONED FOR ONE DWELLING AND WOULD ALSO ALLOW FOR TEMPORARY DWELLINGS WITHOUT A PUBLIC PROCESS. HE STATED THAT IF THE CITY WAS INTERESTED IN ALLOWING THESE TEMPORARY DWELLINGS, STAFF WOULD RECOMMEND THAT THE CITY DEVELOP THEIR OWN REGULATIONS AND PROCESS RATHER THAN FOLLOWING THOSE OUTLINED IN THE STATUTE AND THEREFORE RECOMMENDED OPTING OUT OF THE LEGISLATION. HE STATED THAT THIS ITEM WOULD MOVE FORWARD TO THE CITY COUNCIL THE FOLLOWING WEEK IN ORDER TO MEET THE SEPTEMBER 1ST DEADLINE ESTABLISHED BY THE STATUTE.

PUBLIC HEARING

CHAIRPERSON THIEL OPENED THE PUBLIC HEARING AT 7:37 P.M.

NO COMMENTS MADE.

MOTION

MOTION BY COMMISSIONER MANEMANN AND SECONDED BY COMMISSIONER BITTERMAN, TO CLOSE THE PUBLIC HEARING. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

THE PUBLIC HEARING WAS CLOSED AT 7:38 P.M.

CHAIRPERSON THEIL STATED THAT IT WAS HIS UNDERSTANDING THAT THIS WAS AIMED AT SOME COMMUNITIES THAT WERE NOT ALLOWING THIS IN ANY SHAPE OR FORM. HE STATED THAT HE WOULD AGREE THAT IT IS A BAD IDEA TO LET THE STATE PUT ITS THUMB PRINT WITHOUT THE CITY BEING ABLE TO HAVE A SAY.

COMMISSIONER COSTELLO ASKED IF THERE WOULD BE ANY LIABILITIES FOR THE CITY OPTING OUT.

THE CITY PLANNER STATED THAT THERE ARE NOT AND NOTED THAT THE CITY WAITED TO ALLOW OTHER CITIES TO OPT OUT PRIOR TO THIS DECISION.

COMMISSIONER COSTELLO ASKED IF THE CITY WOULD BE INTERESTED IN OPTION TWO LISTED IN THE STATUTE.

THE CITY PLANNER REPLIED THAT IF THE CITY WAS INTERESTED IN THAT ROUTE HE WOULD STILL RECOMMEND OPTING OUT AND THEN ALLOWING THE CITY TO GO THROUGH THEIR OWN PROCESS. HE WAS UNSURE THAT THERE IS AN APPETITE TO ALLOW TEMPORARY DWELLINGS IN CHAMPLIN RIGHT NOW AND NOTED THAT THE QUESTION COULD APPEAR ON THE RESIDENT SURVEY WHICH WILL BE COMPLETED THIS FALL.

COMMISSIONER BOUCHARD REFERENCED THE DOCUMENTS FROM THE LEAGUE OF MINNESOTA CITIES AND ASKED IF THIS WOULD BE NEW TERRITORY.

THE CITY PLANNER STATED THAT THE CODE CURRENTLY STATES THAT ONLY ONE

DWELLING UNIT CAN EXIST ON A LOT, WHICH IS THE CONFLICT. HE CONFIRMED THAT THE CITY ATTORNEY REVIEWED THIS INFORMATION.

COMMISSIONER BITTERMAN ASKED WHAT THIS LAW WAS INTENDED TO ALLOW.

THE CITY PLANNER STATED THAT THE LAW LIMITED THE DWELLINGS TO 300 SQUARE FEET AND COMPARED THAT TO A VERY NICE FISH HOUSE. HE STATED THAT THE STATUTE DID ADDRESS CONSTRUCTION TYPE AND FIRE RATING, WHICH WOULD DISALLOW A TENT OR TIN SHED TYPE STRUCTURE.

CHAIRPERSON THEIL NOTED THAT THIS APPEARED TO HAVE A LOT OF DOCUMENT MANAGEMENT THE CITY STAFF WOULD BE IN CHARGE OF AS WELL.

THE CITY PLANNER CONFIRMED THAT AS THE STATUTE SPECIFIES THIS WOULD INVOLVE A LOT OF STAFF TIME THAT WOULD NOT BE COVERED BY THE \$100 APPLICATION FEE. HE ALSO NOTED THAT STAFF WOULD NOT BE PROPERLY TRAINED TO REVIEW HEALTH RECORDS AND MAKE THOSE DECISIONS.

COMMISSIONER COSTELLO ASKED IF THIS WOULD CLOSE THE DOOR ON THE OPPORTUNITY TO ALLOW THIS TYPE OF DWELLING IF THE CITY OPTS OUT.

THE CITY PLANNER NOTED THAT THIS WOULD NOT CLOSE THE DOOR AS THE CITY COULD CHOOSE TO SETUP THEIR OWN REGULATIONS TO ALLOW IF DESIRED BY THE RESIDENTS AND CITY COUNCIL.

COMMISSIONER BOUCHARD RECEIVED CLARIFICATION ON THE RECOMMENDED ACTION APPROVING THE ORDINANCE.

COMMISSIONER BITTERMAN STATED THAT IT APPEARS THAT THE LEGISLATURE HAD A GOOD INTENT IN CREATING THIS STATUTE BUT PERHAPS THIS WAS NOT THE APPROPRIATE SOLUTION, AT LEAST NOT FOR CHAMPLIN.

CHAIRPERSON THEIL AGREED THAT IF SOMEONE IN HIS FAMILY NEEDED HEALTHCARE HE WOULD HAVE A HARD TIME PUTTING THEM IN A SMALL DWELLING ON HIS PROPERTY, RATHER THAN ALLOWING THAT PERSON IN HIS HOME.

MOTION

MOTION BY COMMISSIONER MANEMANN AND SECONDED BY COMMISSIONER LACROIX TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE ORDINANCE OPTING OUT OF ALLOWING TEMPORARY DWELLING UNITS. THE MOTION CARRIED WITH A VOTE OF 7-1 (COSTELLO OPPOSED).

IT WAS NOTED THAT THIS ITEM WILL MOVE FORWARD TO THE CITY COUNCIL FOR CONSIDERATION ON AUGUST 22, 2016.

OTHER BUSINESS

DICK BROWN ASKED FOR ADDITIONAL INFORMATION ON A REQUEST FOR OUTDOOR MUSIC FROM WILLY MCCOY'S.

THE CITY PLANNER REPLIED THAT THERE WAS AN APPLICATION FROM WILLY MCCOY'S REGARDING OUTDOOR ACOUSTICAL MUSIC ON THE PATIO, WHICH WAS PULLED FROM THE AGENDA BY THE APPLICANT. HE NOTED THAT STAFF IS INVESTIGATING THE NOISE STANDARDS BEFORE FURTHER APPLICATIONS CAN BE CONSIDERED.

ADJOURN
MOTION

MOTION BY COMMISSIONER TRUESDELL AND SECONDED BY COMMISSIONER LACROIX, TO ADJOURN THE MEETING. ALL VOTED IN FAVOR AND THE MOTION CARRIED. THE CHAMPLIN PLANNING COMMISSION MEETING ADJOURNED AT 7:54 P.M.

ROBERT J. THIEL, CHAIRPERSON

ATTEST:

SCOTT SCHULTE, CITY PLANNER