

Minutes
of the
NORTH MANKATO PLANNING COMMISSION MEETING
North Mankato, Minnesota
July 12, 2018

A regular meeting of the North Mankato Planning Commission was held at 7 p.m., July 12, 2018, in the Council Chambers of the Municipal Building.

Planning Commission Members present: Chair Stephanie Stoffel, Isaac Kerry, Corey Brunton, Randy King, Bryan Bode, and Jason Beal. Staff Members present: Council Liason Jim Whitlock, City Attorney Mike Kennedy and Community Development Director Mike Fischer.

A motion was made by Commissioner Beal, seconded by Commissioner Bode to approve the minutes of the May 10, 2018, regular meeting of the Planning Commission. Vote on the motion: all ayes, 0 nays; motion carried.

Request to Amend City Code Chapter 156 Pertaining to Fencing of Swimming Pools

Staff presented a request from Bryan Sowers at 23 Kelly Court to amend City Code Chapter 156 pertaining to fencing of in-ground swimming pools in residential districts. Staff summarized the existing code regulations which require a 6-foot high fence to be installed around all in-ground swimming pools in residential districts. The applicant is requesting a City Code amendment which would allow the option of either using a 6-foot high fence or an ASTM certified automatic pool cover. The Planning Commission held discussions regarding other City/County regulations for protection of swimming pools, maintenance of automatic pool covers, permitting of swimming pools and covers and City inspections of pool covers. Bryan Sowers referenced that other Minnesota Cities and Counties had changed regulations to accommodate automatic pool covers, indicated that safety had been proven for automatic pool covers, referenced ASTM standards for pool covers, noted that the majority of drownings occur when fences are used around pools and stated that energy costs are less with pool covers. Mr. Sowers summarized the key system used for automatic pool covers and how they can be used manually if not operational. The Planning Commission held discussions regarding potential annual inspections of automatic pool covers, what happens if they are not closed when not in use and neighborhood concerns for safety and privacy. The Planning Commission had continued discussion regarding the safety of fences and possible City Code amendments to require gates to be self-closing and have positive latching. After continued discussions regarding the permitting of ASTM certified pool covers by other local units of government, environmental benefits of pool covers and general safety, it was moved by Commissioner Brunton, seconded by Commissioner Bode to recommend approval of City Code language to allow the use of ASTM certified automatic pool covers for in-ground swimming pools as an alternative to fencing. Vote on the motion: Kerry, Brunton, Bode, Beal, and Stoffel voting aye; King nay; motion carried.

Short Term Rental Ordinance

Staff presented the framework for a Short Term Rental Ordinance based on the presence of Airbnb's advertised for rent in North Mankato. As proposed, staff recommends that short-term rentals be permitted by Conditional Use Permits (CUP), leading to a discussion of that process and costs associated with CUP applications. The Planning Commission held considerable discussions regarding licensing for traditional residential rentals, City building inspections of rental dwellings, parking, different classifications of short-term rentals, lodging taxes and the potential to issue licenses for short-term rentals versus CUP's. Stefanie Jaquette, 509 Wheeler Avenue questioned if the permitting of short-term rentals would affect the rental density cap. Lucy Lowry, 2263 North Ridge Drive, questioned if Airbnb's need to be registered with any Airbnb association. After continued discussion regarding property rights, absentee owners, lodging taxes, licensing and enforcement of short-term rentals, the Planning Commission took no action on the issue and will revisit the ordinance in the future.

Review of Commerce Drive Plan

Matt Lassonde from Bolton & Menk presented the Area Design chapter of the Commerce Drive Plan, survey results and pedestrian counts. Mr. Lassonde summarized past stakeholder and citizen meetings used to gain comments to guide the plan. Mr. Lassonde talked about cohesive design, Commerce Drive as a destination, beautification, improved pedestrian accessibility, creation of a business association and access issues. Stefanie Jaquette, 509 Wheeler Avenue questioned the referenced connection between Commerce Drive and Caswell Park. Barb Church, 102 Wheeler Avenue stated there was a previous association called Commerce on Commerce. Lucy Lowry, 2263 North Ridge Drive stated she is excited about the planning process and supportive of certain access closures. Mr. Lassonde stated he would continue to finalize a draft plan including appendices for Planning Commission review in the future.

Other Business

There being no further business, it was moved by Commissioner Kerry, seconded by Commissioner King to adjourn. Vote on the motion: all ayes, 0 nays; motion carried. The meeting was adjourned at 8:35 p.m.

Chairperson

Secretary