

Minutes
of the
NORTH MANKATO PLANNING COMMISSION MEETING
North Mankato, Minnesota
September 12, 2019

A regular meeting of the North Mankato Planning Commission was held at 7 p.m., September 12, 2019, in the Council Chambers of the Municipal Building.

Planning Commission Members present: Chair Stephanie Stoffel, Randy King, Bryan Bode, Jason Beal, Nick Meyer, and Jason Ceminsky. Staff members present: Council Liaison Sandra Oachs, City Attorney Chris Kennedy, and Community Development Director Mike Fischer.

A motion was made by Commissioner Beal, seconded by Commissioner Bode, to approve the minutes of the August 1, 2019, regular meeting of the North Mankato Planning Commission. Vote on the motion: all ayes, 0 nays; motion carried.

Z-1-19, Request to Rezone 1253/1255 Lake Street from R-1 to R-2

Staff presented a request from Cole Halvorson to rezone 1253/1255 Lake Street from R-1 to R-2 for refinancing purposes. Staff summarized the existing conditions, past use of the property, downzoning, and a rezoning policy adopted in 2012 to address properties affected by downzoning, including the criteria to qualify. Staff indicated that the dwelling was vacant for approximately ten years due to damage and was not continually occupied or licensed as a rental dwelling. The Planning Commission held discussions regarding past ownership, licensing, zoning and spot zoning. The Planning Commission discussed the unique circumstances of the past use of the property, the rezoning policy and options to rezone the property. The Planning Commission held considerable discussion regarding the rezoning policy, the criteria to qualify and proposed amendments to the policy. Barb Church, 102 Wheeler Avenue stated the Planning Commission should consider the entire community when making land-use decisions. Commissioner Beal made a motion to deny Z-1-19 and recommended that at a future Planning Commission meeting, number three within the policy be amended to read, "The dwelling has been continually used and licensed as a multiple-family dwelling or originally designed and built as a multiple-family dwelling," seconded by Commissioner King. Vote on the motion: all ayes, 0 nays; motion carried.

Review of Off-Street Parking

Staff indicated that the Planning Commission has discussed the current off-street parking regulations on multiple occasions with no recommendation for changes so far. The Planning Commission continued discussion of this issue including green space requirements, cost to hard surface off-street parking spaces, use of gravel, limit on number of items stored outdoors, access to parking spaces, setbacks, lot sizes and balance between citizen needs and respect for neighbors. Barb Church, 102 Wheeler Avenue, spoke about the differences in lot sizes within the City when considering off-street parking. The Planning Commission held further discussions regarding the number of complaints received for off-street parking, drainage of parking areas, getting public input on the issue, MPCA

regulations for gravel surfaces, public works opinion and enforcement of off-street parking regulations. After further discussion, it was moved by Commissioner Meyer, seconded by Commissioner Stoffel to recommend no changes to the current off-street parking regulations. After further discussion, vote on the motion: 0 ayes, all nays; motion did not carry. It was moved by Commissioner Beal, seconded by Commissioner Bode to table the issue and have staff contact the MPCA and Public Works Department regarding the use of gravel parking surfaces. Vote on the motion: all ayes, 0 nays; motion carried.

In other business, staff welcomed Jason Ceminsky to the Planning Commission and acknowledged Heather Anderson will be leaving the City to pursue another opportunity.

Barb Church, 102 Wheeler Avenue, requested that the Planning Commission meeting minutes be posted on the City's website similar to the City Council Minutes.

It was moved by Commissioner Beal, seconded by Commissioner King to adjourn. Vote on the motion: all ayes, 0 nays; motion carried. The meeting was adjourned at 8:25 p.m.

Chairperson

Secretary

AMENDMENTS TO REZONING POLICY

THE CITY OF NORTH MANKATO

SUBJECT: Amendment to Rezoning Policy
APPLICANT: City of North Mankato
LOCATION: City Wide
EXISTING ZONING: -
DATE OF HEARING: October 10, 2019
DATE OF REPORT: October 1, 2019
REPORTED BY: Mike Fischer, Community Development Director

APPLICATION SUBMITTED Request to amend Rezoning Policy

COMMENT

In August of 2019, the Planning Commission considered a request to rezone a property R-1 to R-2 for a two-family dwelling which was affected by the down zoning which occurred in 2005.

In response to the conversion of one-family dwellings into two-family dwellings, in May of 2005 the City Council adopted ordinances which down zoned residential areas within the City from R-2, One-and Two-Family Dwelling to R-1, One-Family Dwelling. As a result, due to the presence of multi-family dwellings in R-1 zoning districts, non-conforming uses were created which can pose challenges for refinancing and resale of certain properties. For the reason, the attached policy shown as Exhibit A was created in 2012 to accommodate zoning changes for certain non-conforming uses.

As stated in the policy, for properties which are considered non-conforming due to the down zoning in 2005, rezoning approval will be granted by the City if the owner can demonstrate the following:

1. The dwelling was originally permitted and constructed as a multi-family dwelling
2. The dwelling was originally located in a zoning district which allowed such use
3. The dwelling has been continually used and licensed as a multiple family dwelling

As part of the review of the previous rezoning request, the Planning Commission discussed the rezoning policy and the criteria required to qualify for rezoning. As a result, it was recommended that an amendment to the policy be drafted whereby rezoning consideration would be given to dwellings which had been constructed as multiple-family but not used or licensed for rental purposes.

Attached as Exhibit B is an amended rezoning policy including language recommended by the Planning Commission.

RECOMMENDATION

Staff recommends approval of the amended rezoning policy

**CITY OF NORTH MANKATO
POLICY FOR REZONING OF RESIDENTIAL PROPERTIES
AFFECTED BY 2005 CITY-WIDE DOWN ZONING**

In response to the conversion of one-family dwellings into two-family dwellings, in May of 2005 the City Council adopted ordinances which down zoned residential areas within the City from R-2, One- and Two-Family Dwelling to R-1, One-Family Dwelling. As a result, due to the presence of multi-family dwellings in R-1 zoning districts, non-conforming uses were created which can pose challenges for refinancing or resale of certain properties. For this reason, this policy is created to accommodate zoning changes for certain non-conforming uses.

For properties which are considered non-conforming due to the down zoning in 2005, rezoning approval for City-approved districts will be granted by the City of North Mankato if the owner can demonstrate the following:

1. The dwelling was originally permitted and constructed as a multiple-family dwelling.
2. The dwelling was originally located in a zoning district which allowed such use.
3. The dwelling has been continually used and licensed as a multiple-family dwelling.

Approval will be granted by both the Planning Commission and City Council at regular scheduled meetings including proper public notification. The rezoning application fee will be waived; however, the fee for required neighborhood notifications will apply.

This policy was adopted by the Planning Commission on 12/13/12 and by the City Council on 12/17/12.

PLANNING COMMISSION


Chair

CITY COUNCIL


Mayor

CITY OF NORTH MANKATO
POLICY FOR REZONING OF RESIDENTIAL PROPERTIES
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For properties which are considered non-conforming due to the down zoning in 2005, rezoning approval for City-approved districts will be granted by the City of North Mankato if the owner can demonstrate the following:

1. The dwelling was originally permitted and constructed as a multiple-family dwelling.
2. The dwelling was originally located in a zoning district which allowed such use.
3. The dwelling has been continually used and licensed as a multiple-family dwelling or originally designed and built as a multiple-family dwelling.

Approval will be granted by both the Planning Commission and City Council at regular scheduled meetings including proper public notification. The rezoning application fee will be waived; however, the fee for required neighborhood notifications will apply.

This policy was adopted by the Planning Commission on _____ and by the City Council on _____.

PLANNING COMMISSION

CITY COUNCIL

Chair

Mayor

OFF-STREET PARKING AMENDMENTS

THE CITY OF NORTH MANKATO

SUBJECT: Off-Street Parking Amendments
APPLICANT: City of North Mankato
LOCATION: Residential Zoning Districts
EXISTING ZONING: -
DATE OF HEARING: October 10, 2019
DATE OF REPORT: October 3, 2019
REPORTED BY: Mike Fischer, Community Development Director

APPLICATION SUBMITTED

Request to consider amendments to off-street parking regulations

COMMENT

On several occasions, the Planning Commission has discussed potential changes to the City Code off-street parking regulations in residential zoning districts. Most recently, at the September Planning Commission meeting, staff was directed to contact the MPCA and Public Works Department regarding the use of gravel parking surfaces as it relates to State and local pollution regulations. While staff repeatedly asked to MPCA to comment, they choose not to respond to our multiple requests. Regarding comments from the Public Works Department, the only concern was for the containment of gravel.

As staff was able to research the off-street parking regulations of other cities, proposed City Code off-street parking amendments are attached. In summary, the proposed amendments allow for the use of gravel parking surfaces adjacent to alleys, limit the number and size of items stored outdoors and regulate parking in side yards.

RECOMMENDATION

Consider proposed off-street parking amendments and recommend approval if acceptable.

(FF) *Outside storage of vehicles, campers, trailers, boats, and recreational vehicles in Residential districts.* In any Residential district, the off-street parking of vehicles shall conform to the following provisions.

(1) The off-street parking on any automobile, trailer, camper, boat, or recreational vehicle shall be on a lawfully permitted hard-surfaced area constructed of concrete or asphalt or paver bricks. If adjacent to an alley, the surface may be constructed of gravel.

(2) The off-street parking of any automobile, trailer, camper, boat, or recreational vehicle shall not be within any building setback area unless on a lawfully constructed parking area adjacent to an alley.

(3) Any automobile, trailer, camper, boat or recreational vehicle stored on private property shall be licensed and registered to the property owner or tenant.

(4) Any automobile, trailer, camper, boat, recreational vehicle stored on private property shall not be used to store materials or equipment.

(5) In combination, no more than two (2) trailers, campers, boats or recreational vehicles shall be stored outdoors on any property

(6) No vehicles, campers, trailers, boats, or recreational vehicles greater than 45 feet in length shall be stored outdoors on any property

(7) No inoperable or unlicensed vehicles, campers, trailers, boats or recreational vehicles shall be stored outdoors on any property

(8) Off-street parking in a side yard shall be connected to a driveway having street access and be lawfully constructed (being permitted and meeting setback requirements) with a hard surface of concrete, asphalt, or paver bricks. The side yard parking area shall be constructed of either concrete, asphalt, or paver bricks.