

Hastings Planning Commission

February 27, 2017 - Regular Meeting
Hastings City Hall - City Council Chambers
7:00 p.m.

Commissioner Deaver called the meeting to order at 7:00 PM.

1. Call Meeting to Order

Planning Commissioners Present: Alpaugh, Barse, Deaver, Johnson
Planning Commissioners Absent: Estenson, Slaten, Wallace
Staff Present: City Planner Justin Fortney

2. Approval of Minutes – January 23, 2017

Commissioner Johnson motioned to approve minutes from the meeting of January 23, 2017 as presented, seconded by Commissioner Alpaugh. Motion approved 4-0.

PUBLIC HEARINGS

3. Mitch Shermom – Type II Home Occupation Permit #2017-07 – Use of a Garage – 3923 Martin Lane.

City Planner Justin Fortney introduced the item recommending the Planning Commission review the permit request. Fortney defined a Type II Home Occupation as a residence that uses a garage to conduct a business, has employees working at the home but don't reside there, or have 1 or more customer visiting at a time. The permit being requested is for an equipment rental business. Ordinance states one vehicle and one trailer for business occupation. The proposed garage has 500 square feet of storage, customers would not need to come to property. Applicant would have 1 or 2 employees in the summer and they would not work on site. Instead they would pick up equipment from the proposed garage and bring to the customer's site. Types of equipment stored would be tents, chairs, and trailers. Proposed site located near Tuttle Drive and Martin Lane off of Highway 316; site is still under construction. These types of permits are allowed as long as the existence of the business doesn't negatively affect surrounding neighborhood. Applicant does not have any signage planned and they have notified neighbors of their intent with no responses yet. Approval of this permit would allow a 1 year probationary permit, followed by a report to and approval by council where a 5 year permit would be issued after that and renewals every subsequent 5 years. Property would be inspected by planning and fire department to check for hazards.

Public Hearing opened at 7:04 PM.

No comments

Public hearing closed at 7:04 PM.

Commissioner Barse asked about the presence of 2 trailers on site when ordinance only allows 1 trailer.

Fortney replied that they were proposing to have 1 trailer in the garage and 1 parked outside the garage but this is not possible without an ordinance amendment.

Commissioner Alpaugh asked what the renewal process is for this type of Occupation Permit.

Fortney replied that the first year is probationary and then it's reported to council for recommendation of approval for a 5 year permit with a review at the end of the permit term for renewal by council.

Commissioner Alpaugh asked what would happen if the business grew to be bigger than anticipated and they exceeded the 500 square feet of storage space they have planned for the business.

Fortney replied if there were any changes to the operations that qualify them as a Type II Home Occupation they would have to reapply. Other changes not required to reapply.

Commissioner Deaver posed a question about the ordinance and grounds for revocation of the permit if any rules therein were not followed.

Fortney replied that if they don't follow regulations of conditions of approval or were receiving random nuisance complaints, this would be grounds for reopening it up and revoking the license.

Commissioner Alpaugh asked if there were any comments from the neighbors, specifically the ones to the north of the proposed property.

Fortney responded there were no comments made to City staff.

Commissioner Deaver addressed the applicants Mitch Sherman and Steve Dress with a question about how they would address receiving wet equipment and how they would avoid constantly having equipment out in the yard to dry.

Sherman responded he has taken equipment to his parents' property south of town to dry off in the past but that the garage will allow for enough room to lay things out if need be.

Commissioner Deaver asked the applicant if the trailer would be stored in the garage.

Sherman replied the plan was to have the trailer on the side of the garage out of the direct view of neighbors and one inside the garage.

Commissioner Deaver asked if that was in line with the ordinance requirements previously stated.

Fortney responded that the ordinance states one car and one trailer, whether or not it's parked inside is inconsequential. It could be open to interpretation if the Planning Commission or City Council saw it differently. To make it clearer for applicants in the

future, an ordinance amendment could be considered.

Commissioner Deaver stated that as long as one trailer is inside he didn't foresee a problem with having both.

Commissioner Barse asked the applicants how many other vehicles, boats, trailers, etc. would be parked at the property that weren't considered business vehicles.

Dress wanted to answer a previous question posed by Commissioner Alpaugh about unexpected business growth. Dress assured that the business would stay small because of the size of the garage for storage as well as Shermon's availability being a school teacher during the year.

Dress replied that the vehicle is personally owned but is insured for business. The company itself owns the 2 trailers. Dress stated that they were really hoping to have one trailer inside and one along the outside of the garage and asked if having the 2 trailers was something that would have to be addressed now or if that would have to be addressed in the future after further discussion.

Fortney replied that it should be addressed now and that it wouldn't need to be addressed in the future unless they amend the ordinance to allow more leniency.

Dress asked for clarification on if the ordinance was open to interpretation.

Fortney replied that the way he interprets the ordinance, the applicants are asking for 2 trailers and the ordinance allows for 1.

Dress asked if they need to consider a variance.

Commissioner Deaver replied that the matter can be discussed amongst the Planning Commission and a variance wouldn't be necessary.

Shermon asked if that means they are allowed to have the 2 trailers for now and be notified later on about whether or not the second trailer was allowed.

Commissioner Deaver stated it would be discussed at this meeting.

Commissioner Barse went back to his question about how many total personal vehicles can be parked outside the residence.

Fortney replied that this zoning district allows for 5 personal vehicles to be parked at the residence, this is separate from the business vehicles.

Shermon stated he only has his truck and wife's car as personal vehicles that would be present at the property.

Commissioner Alpaugh asked the applicant if they were planning to pave the parking spot alongside the garage for the trailer that is proposed to be parked there.

Shermon responded that a paved parking spot is in the plan for the building.

Commissioner Alpaugh asked if the trailer would be left there (outside) through the winter when the business shuts down.

Shermon responded it may have some infrequent use in the winter but that it may be parked in the garage if space allows. He does not know for sure which way he would do it.

Dress stated that ideally they would like to keep one outside.

Commissioner Deaver asked what kind of trailers they have.

Shermon responded that they have one 14 foot enclosed trailer and one 16 foot enclosed trailer with no exterior markings, one silver and one black.

Commissioner Johnson asked the width of the lot and if it could accommodate what they are proposing as far as width of the house as well as the parking pad alongside the garage.

Shermon states they think the lot is around 90 feet wide, the home plus parking pad would be about 70 feet of that.

Commissioner Johnson made a motion to approve Type II Home Occupation Permit #2017-07, Commissioner Alpaugh seconded on the grounds that one trailer must be parked inside at all times. Motion approved 4-0

OTHER ACTIONS

4. Discussion – Downtown Parking Standards

Fortney introduced the item and explained that it will be going before Council on March 6th, 2017 for approval. The discussion is about parking standards downtown and how they are applied to businesses, currently there is an exemption where a business can change its operations as long as they don't change parking needs. If they do change parking needs they have to come up with parking solutions themselves which is virtually impossible in the downtown blocks so new businesses are limited. The City wants to look at that and come up with some solutions. This will be explored in the future.

5. Other Business

South oaks 4th edition – development agreement approved at council.

Next regular Planning Commission meeting will be held March 13, 2017 at 7 PM. Prior to the regular Planning Commission meeting there will be a joint meeting with the Heritage Preservation Commission and Planning Commission about the 2017 street and utility reconstruction project at 6:30 PM in the Community Room at City Hall.

Commissioner Deaver asked what kind of feedback is being requested about the construction project.

Fortney replied they want to discuss the changes proposed for reconstruction and how it would affect streetscape or any other issues that may arise.

Commissioner Deaver asked for clarification on an earlier discussion regarding if 5 vehicles means 5 vehicles parked outside at a residence or 5 vehicles total inside and outside in relation to the Type II Home Occupation Permit.

Fortney replied it is interpreted to mean outside only, not inside.

Commissioner Deaver stated he felt they made the right choice with allowing the Type II Home Occupation Permit applicants to have their two trailers as long as one is parked inside.

6. Adjournment

Commissioner Alpaugh motioned to adjourn the meeting at 7:28 PM. Commissioner Barse seconded the motion. Motion approved 4-0.

The next regular Planning Commission meeting is scheduled for March 13, 2017 at 7:00 PM