

Hastings Planning Commission

November 8, 2021 - Regular Meeting Agenda
Hastings City Hall - Council Chambers
7:00 p.m.

The Planning Commission of the City of Hastings, Minnesota met in a regular meeting on Monday, November 8, 2021 at 7:00 p.m. in the Hastings City Council Chambers.

1. Call Meeting to Order

Planning Commissioners Present: Messina, Romens, King, Halberg, Matzke, Peters, and Teiken

Planning Commissioners Absent: None

Staff Present: Community Development Director Hinzman and City Planner Fortney

2. Approval of Minutes – October 25, 2021 Regular Meeting

Chair Messina asked if there were any additions or corrections to the minutes. Hearing none minutes were approved as presented.

PUBLIC HEARINGS

3. Matthew Heiman - Variance #2021-38 - Sideyard Setback - 502 6th Street East

Planner Fortney presented a summary of the request for a variance to the 10 foot sideyard setback for a detached garage. He also clarified that the request did not include a public hearing, but notification was sent to surrounding residents. Staff is recommending denial.

Matthew Heiman - 502 6th Street East provided further context on the request and rationale for granting the variance. Mr. Heiman distributed handouts to the Commission to support his request.

Commissioner Teiken clarified the sideyard setback was from the street side and any plans for street expansion on the side. Planner Fortney clarified no changes were planned.

Commissioner Romens does not see the practical difficulties rise to the level of granting the variance.

Commissioner Teiken concurs with Commissioner Romens; options exist to place the garage at the minimum setback requirement. The Commission needs to be cognizant of wider implications if the variance is granted.

Chair Messina asked about the number of garage spaces on the property. Mr. Heiman confirmed the sizes.

Commissioner Halberg motioned to recommend denial of the variance as presented and recommended by staff. Seconded by Commissioner Romens. Vote: Ayes 7; Nays: 0. Motion approved as presented. Action will be forwarded to the City Council on the November 15, 2021 meeting for final action.

4. **City of Hastings** - Comprehensive Plan Amendment #2021-45 - Mixed Use High Residential

Director Hinzman presented a summary of the staff report and request.

Chair Messina opened and closed the public hearing with no comments from the public.

Commissioner Halberg asked how large the Stencil property and Depot Park are. Director Hinzman clarified the size of the property.

Commissioner Peters asked if the mixed use would lead to general public access of residential areas of the building. Director Hinzman responded access between commercial and residential areas is generally segregated.

Commissioner Romens motioned to recommend approval of the comprehensive plan amendment as presented. Seconded by Commissioner Teiken. Vote: Ayes 7; Nays: 0. Motion approved as presented. Action will be forwarded to the City Council on the November 15, 2021 meeting for final action.

5. **City of Hastings** - City Code Amendment #2021-42 - Definition of Family

Director Hinzman provided a summary of the staff report and request.

Chair Messina opened the public hearing.

Bryce LeBrun, 735 6th Street W shared concerns about the effect of the ordinance change on the affordability of housing units and that the regulation on the number of people within a home should be based on building or fire codes instead of family.

Chair Messina closed the public hearing.

Chair Messina noted not all Commissioners received the staff memo. Commissioners discussed the potential tabling of the item until the next meeting due to Commissioner limited review of the item. Chair Messina made a motion to table the item until the next meeting and withdrew the motion.

Commissioner Teiken asked what problem was staff seeking to solve with the amendment. Director Hinzman stated the amendment is requested to limit the number of residents within a home above what would normally be expected; the impacts of large numbers of people in a home can have on the number of vehicles and impact to the neighborhood.

Commissioner Teiken asked if there are ordinances regulating the number of cars per household. Director Hinzman stated rules exist, but are based on the number units, not the number of bedrooms.

Planner Fortney provided a history of past consideration by the Planning Commission. Staff receives call from residents living next to homes with large numbers of people living in them in particular vehicle parking, police activity. Most calls originate in the older part of town where duplexes are legal which would allow even further impacts. A number of total maximum individuals is needed.

Commissioner Peters asked how children are counted and would not want to see any unintended questions consequences from the changes relating to children.

Commissioner Matzke added that children would likely be related to the adults in the home. Director Hinzman concurred.

Chair Messina clarified the rationale for the code amendment.

Commissioner Romens does unrelated mean completely unrelated from everyone in the group; how would it be enforced. Director Hinzman concurred and further stated it was not staff's intent to proactively enforce the number of people in a home, but the ordinance would be used in instances where there may be evidence of increased activity and people within a home.

Commissioner Teiken stated he understands the intent of the ordinance, but struggles with the language. Not very scientific, and how do we enforce.

Commissioner Matzke asked if we currently have ordinances that regulate duplexes. Director Hinzman stated the zoning code regulates where duplexes and townhomes can be placed. We do not regulate how many people can go live within a specific unit.

Commissioner Romens could you regulate the number of rentals in a home. Director Hinzman stated we can regulate land use, but not the ownership status.

Commissioner Halberg asked how foster care and sober houses are regulated. Director Hinzman stated foster homes and adoption number of children would not have an effect. Sober houses would have a limitation.

Chair Messina stated he understands the need for the ordinance and that it is consistent with many other communities.

Commissioner Peters questioned whether the definition of family proposed is not inclusive enough.

Chair Messina motioned to recommend approval of the ordinance amendment as presented. Seconded by Commissioner King. Vote: Ayes 3 (Messina, King, and Matzke; Nays: 4 (Peters, Romens, Halberg, and Teiken. Motion to approve fails. Recommendation will be brought forward to the City Council November 15, 2021 for first reading and to schedule a public hearing.

6. Other Business

7. Adjourn

Commissioner Teiken motioned to adjourn the meeting at 8:22pm. Seconded by Commissioner Halberg. Vote: Ayes 7; Nays: 0. Motion approved as presented.

Next Meeting – November 22, 2021

Respectively submitted:

John Hinzman
Community Development Director