

**REGULAR MEETING
PLANNING COMMISSION
MINUTES**

FEBRUARY 13, 2020

THE REGULAR MEETING OF THE RICHMOND PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 P.M., ON THURSDAY, FEBRUARY 13, 2020, BY CHAIRMAN McCLELLAN

ROLL CALL

Present: Frank, Kaminski, Majchrzak, McClellan, Moore, Prior, Rix, Weinert

Absent: Zink

Others: City Planner Jeschke, City Clerk Stagl

Visitors: Gary Holiday, Carol Austin, Mike Misteravich

Motion by **Rix**, seconded by **Frank**, to excuse Commissioner Zink from tonight's meeting, due to being out of town.

All yeas

Motion passes

APPROVAL OF MINUTES

Motion by **Rix**, seconded by **Frank**, to approve the minutes of the December 13, 2019, regular meeting as presented.

All yeas

Motion passes

AUDIENCE PARTICIPATION

None.

CORRESPONDENCE

- City Council Meeting Minutes of December 2, 2019
- City Council Meeting Minutes of December 16, 2019
- City Council Meeting Minutes of January 6, 2020
- Quarterly Roundtable Minutes of January 20, 2020
- City Council Meeting Minutes of January 20, 2020

Motion by **Moore**, seconded by **Frank**, to receive and file correspondence as presented.

All yeas

Motion passes

ADOPTION OF AGENDA

Motion by **Rix**, seconded by **Kaminski**, to adopt the agenda as presented.

All yeas

Motion passes

PUBLIC HEARING

None scheduled.

ITEMS FOR CONSIDERATION

B-1. SPR-01-2020/Gary Holiday/Site Plan Review/70190 Main Street

City Planner Jeschke informed the Commission that the applicant was proposing a 2-unit expansion of an existing 3-unit multiple family site on 0.34 acres of property located at 70190 Main Street.

The site is currently developed with one former single family dwelling at the front of the property that has been divided into 3 apartment units. An existing garage toward the central-rear portion of the property had an addition made in 2005 that resulted in the larger 2-story garage that exists today. The property owner would like to convert the existing garage into 2 additional units on the property – one unit on the upper floor and one unit on the ground floor.

The existing 3-unit house does not meet side setbacks from either the north or south side property lines. The existing garage does not meet side setbacks from the north or south side property lines. Therefore, both structures are considered legal, non-conforming, which means they are allowed to remain as long as they are not increased or enlarged in a manner that increases their non-conformity. The question before the Planning Commission is whether or not increasing the number of units from 3 to 5 constitutes enlarging or increasing the non-conformity of the site.

When the applicant met with the Building Inspector and City Planner, there were some specific requirements that must be met in order to be allowed to convert the rear building into additional apartments. First, the site by going from three units to five will in fact change the way it is treated within the building code. The proposed units within the garage will have to be sprinkled for fire suppression. Also, at least one of the ground floor units must be brought up to full ADA standards. The applicant has been made aware of these requirements.

Based on the application's merits relative to only the Zoning Ordinance and Master Plan, there is not sufficient cause for approval of the requested site plan review. Even though the property may be zoned RM-1, there are several factors that make the site legal, non-conforming: 1) the buildings on the property do not meet setback requirements for RM-1 zoning; 2) there is no dedicated open space for recreation provided; 3) the parking lot is not curbed or hard surfaced.

Additionally, there have been complaints in the past that have arisen between the neighbors and this site. The City Planner feels that by adding two additional units to the site will only increase the complaints from the surrounding neighbors, therefore the recommendation of the Planning & Economic Development Directors is for this request to be denied.

Gary Holiday, the property owners, informed the Commission that he wanted to convert the garage into 2 additional rental units and utilize the space that was available. Already the site is being used as multi-family. If approved, he would have a reason to invest additional money into the property. He indicated that he has spoken with the adjacent property owners and neither neighbor had an issue with the additional 2-rental units being added.

Frank – This site should not be turned into a small apartment complex. The neighboring properties were all single family.

Weinert – Live on Main Street. The neighboring property has one rental unit – this has not been a problem, but 5 rental units could possibly be too many.

Prior – didn't see a problem with adding the additional 2-units.

Rix – no problem with adding the additional 2 units, but did indicate that he wanted to see the rear of the property cleaned up. Felt this was a great opportunity. The new owners wants to make improvements to this site.

Majchrzak – the biggest issue was the location of the dumpster and the smell associated with the dumpster. Also indicated that 5 units at this site may be too many.

Moore – difficult property – unique in shape. The size of the lot, under our ordinance, would allow for 6 units – the owner was asking for a total of 5 units. Feels we will end up further ahead if we allow and the property owners can maintain the site.

Kaminski – asked for additional hard surface parking.

McClellan – commented that the handicap parking would need to be van accessible.

Motion by **Rix**, seconded by **Prior**, to conditionally approve the requested site plan review for a proposed 2-unit addition of an existing 3-unit multiple family site on 0.34 acres of property located at 70190 Main Street (APN: 50-07-03-35-276-046), subject to the following conditions:

1. Per the building inspector, the garage shall have full fire suppression in the form of sprinklers and at least one unit shall be fully handicap accessible.
2. The applicant shall install additional screening walls along the northern property boundary between the house and garage and from the back of the garage to the eastern (rear) property line. Additionally, the applicant shall install an additional screening wall along the southern property line from the rear of the adjacent property's garage to the eastern (rear) property line.
3. The applicant shall provide at least one handicap van-accessible space nearest to the entrance of the garage. The van-accessible space shall be hard surfaced to allow a person in a wheelchair to access the ground floor unit being created within the garage.
4. The applicant shall have a minimum four foot (4') wide sidewalk extending from the garage to the sidewalks on Main Street in order to provide handicap accessibility.
5. The trash container should be placed within an enclosure that is conveniently placed for the trash hauler as well as not interfering with access or parking on the site.
6. The swing-set at the rear of the property shall remain somewhere on the site to provide at least a small recreation area on the property.
7. The applicant shall work with the building inspector to make all required changes to the structure and site that required by the Building Code.
8. The applicant shall work with the public works director and the building inspector if a larger water line or additional sanitary sewer lines are required on the property.

Discussion on motion:

Gary Holiday indicated that he did have an issue with a couple of the conditions and would like further clarification from the building inspector.

Majchrzak spoke about the location of the trash dumpster – he wanted to add an additional condition regarding the smell of the dumpster.

Motion by **Majchrzak**, seconded by **Kaminski**, to amend the main motion to included condition #9 to read as follows: The trash dumpster will be disinfected on a quarterly basis.

Vote on amendment to the main motion:

Five yeas (Frank, Kaminski, McClellan, Prior, Moore)

Two nays (Moore, Rix)

Motion passes

The original motion was amended to read as follows:

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5. The trash container should be placed within an enclosure that is conveniently placed for the trash hauler as well as not interfering with access or parking on the site.
6. The swing-set at the rear of the property shall remain somewhere on the site to provide at least a small recreation area on the property.
7. The applicant shall work with the building inspector to make all required changes to the structure and site that required by the Building Code.
8. The applicant shall work with the public works director and the building inspector if a larger water line or additional sanitary sewer lines are required on the property.
9. The trash dumpster will be disinfected on a quarterly basis.

All yeas

Motion passes

MISCELLANEOUS MATTERS FROM THE CITY STAFF

None.

CHAIRMAN AND COMMISSION MEMBERS

Commissioners commented on how nice the new signs looked.

ADJOURNMENT

Motion by **Rix**, supported by **Frank**, to adjourn the Planning Commission Regular Meeting at 7:47 p.m.

All yeas

Motion passes

Respectfully submitted:

Karen Stagl
City Clerk