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DATE: April 5, 2017  
TO: Glenwood City Commission  
FROM: Mark Sprague and Ben Oleson, Hometown Planning  
RE: Planning Commission Recommendations for April Public Hearing Applications

The Planning Commission held their regular meeting on April 3, 2017. They reviewed six separate applications and are providing you with their recommendations as noted in the report below.

Attachments, drawings and photos related to the application are attached for your reference.

#### **PUBLIC HEARING #1**

**Application:** Variance to install a patio and enlarge their driveway and sidewalk on their property located at 440 1<sup>st</sup> Avenue SE. Currently the property is 29.7% impervious. With the addition, the property is proposed to be 37.1% impervious. Maximum allowed by City Zoning Code is 30%.

**Applicant:** Mark and Jane Murphy

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#### **Background Information:**

- Location:**
  - Property address: 440 1st Avenue SE, Glenwood, Minnesota
  - Sec/Twp/Range: 7/125/37
  - Parcel number(s): 21-0592-000
- Zoning:** R1 - Suburban Residential
- Lot size:** Approx. 6,435 sq ft according to provided survey/site plan.
  - Existing Impervious Coverage: About 1,909 sq ft (29.7%)
  - Proposed Impervious Coverage: About 2366, sq ft (36.8%)

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**Planning Commission Recommendation:** The Planning Commission has unanimously recommended approval of the requested variance.

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**City Commission Action:** The City Commission may approve the request, deny the request(s), or table the request(s) if it should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

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**Findings of Fact:** Staff would recommend the following findings of fact consistent with the discussion at the Planning Commission meeting and their recommendation for approval:

**1. Will the granting of the variance be in harmony with the general purposes and intent of the Zoning and/or Subdivision Ordinance?**

The City's subdivision ordinance does not apply to this application.

The general purposes and intent of the limit on impervious coverage is to allow for infiltration of rainwater, prevention of pollution of public waters, and prevention of flooding or other problems related to surface water runoff. In this case, the lot is steeply sloped and creating a flat area via the proposed patio will help to somewhat slow down that water. The soil types are also of a nature that allows for stormwater to infiltrate into the ground fairly readily.

**2. Is the proposed use of the property reasonable?**

The requested variance is reasonable in that it is not unusual for a residential property to contain a patio or other kind of sitting area. The proposal would also replace a deteriorating stairway and retaining walls.

**3. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?**

The need for the variance would appear to primarily be related to the relatively small size of the lot (approx. 55' x 117'), which inhibits how many improvements can be made to the lot without running into the 30% limit on impervious coverage. Other lots in the area are generally larger and can have additional improvements without needing a variance from the 30% impervious limit.

**4. Will the variance, if granted, alter the essential character of the locality?**

The use of the property would remain residential and very similar in character to what already exists. The primary change would be the addition of a patio area.

**5. Are economic considerations the only reason the applicant cannot meet the strict requirements of the ordinance?**

Economic considerations do not appear to play a significant factor in the requested variance. The request is due primarily to the small lot size relative to other lots in the area.

## PUBLIC HEARING #2

**Application:** Variance to add a 24' x 26' garage to their property located at 470 7<sup>th</sup> Avenue SE. The proposed addition would be constructed at a 3' front yard setback where 30' is required. The 3' setback is proposed for the north side of the building, adjacent to 7<sup>th</sup> Avenue SE. Currently a portion of the building encroaches into the 30' front yard setback area.

**Applicant:** Glenwood Plaza

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### Background Information:

- Location:**
  - 470 7th Avenue SE
  - Sec/Twp/Range: 7/125/37
  - Parcel number(s): 21-2010-024
- Zoning:** R1 - Suburban Residential

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**Planning Commission Recommendation:** The Planning Commission has unanimously recommended approval of the requested variance.

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**City Commission Action:** The City Commission may approve the request, deny the request(s), or table the request(s) if it should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

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**Findings of Fact:** Staff would recommend the following findings of fact consistent with the discussion at the Planning Commission meeting and their recommendation for approval:

**1. Will the granting of the variance be in harmony with the general purposes and intent of the Zoning and/or Subdivision Ordinance?**

The general purposes and intent of the front yard setback is to allow for adequate space between buildings and the traveled road surface and right-of-way to protect property during installation or maintenance of utilities in the right of way and to prevent damage to property or persons from vehicles running off the road. The proposed garage addition would be located closer than is allowed by ordinance, but consistent with other buildings that have been allowed on the same property and in the neighborhood. The roadway is not heavily traveled and vehicle speeds are not such that damage would be likely to occur if a vehicle went off the road.

The City's subdivision ordinance does not apply to this application.

**2. Is the proposed use of the property reasonable?**

The requested variance is reasonable in that there is no other feasible direction to go to allow for a garage addition than toward the road.

**3. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?**

The need for the variance is primarily related to the location of the existing building, which has been in place for many years and was presumably allowed by the City at some point in the past.

**4. Will the variance, if granted, alter the essential character of the locality?**

The use of the property would remain residential and very similar in character to what already exists. The primary change would be the additional building coverage on the lot, although many buildings within the same development have similar garage structures.

**5. Are economic considerations the only reason the applicant cannot meet the strict requirements of the ordinance?**

Economic considerations do not appear to play a significant factor in the requested variance. The request is due primarily to the existing location of the building in relation to the road.

**PUBLIC HEARING #3**

**Application:** Variance to add a porch on their home located at 244 1<sup>st</sup> Avenue SW. The proposed addition would be constructed at a 15' front yard property setback where 30' is required and an 8' side yard setback where 10' is required. The property is currently 40% impervious. With the addition of the porch and removal of some concrete and an overhang on the home, the net change is zero.

**Applicant:** Greg and Denise Stoen

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**Background Information:**

- Location:**
  - o 244 1st Avenue SW, Glenwood, Minnesota
  - o Sec/Twp/Range: 12/125/38
  - o Parcel number(s): 21-0336-000
- Zoning:** R-3 (Multiple Residential)

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**Planning Commission Recommendation:** The Planning Commission has unanimously recommended approval of the requested variance.

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**City Commission Action:** The City Commission may approve the request, deny the request(s), or table the request(s) if it should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

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**Findings of Fact:** Staff would recommend the following findings of fact consistent with the discussion at the Planning Commission meeting and their recommendation for approval:

**1. Will the granting of the variance be in harmony with the general purposes and intent of the Zoning and/or Subdivision Ordinance?**

The general purposes and intent of the front yard setback is to allow for adequate space between buildings and the traveled road surface and right-of-way to protect property during installation or maintenance of utilities in the right of way and to prevent damage to property or persons from vehicles running off the road. The proposed porch addition would be located closer than is allowed by ordinance, but not inconsistent with other buildings that have been allowed in the area. Vehicle speeds on the roadway are not such that damage would be likely to occur if a vehicle went off the road.

The purpose of the side yard setback is to maintain a minimum amount of space between buildings on adjoining property and to allow for adequate light and air between buildings. The proposed porch would not extend any closer to the side lot line than exists for the remainder of the building, which has been present for many years. Additionally, the home on the adjacent property to the east is located 50+ feet from the property line.

The general purposes and intent of the limit on impervious coverage is to allow for infiltration of rainwater, prevention of pollution of public waters, and prevention of flooding or other problems related to surface water runoff. In this case, the applicant has indicated that they will be removing a roofed area on the west side of the home and converting that area mostly to grass so that the net impact on impervious coverage on the lot will be minimal, if any.

The City's subdivision ordinance does not apply to this application.

**2. Is the proposed use of the property reasonable?**

The requested variance is reasonable in that there is no other feasible direction to go to allow for an addition on the road side of the existing dwelling. Also, the addition is not a fully enclosed structure, but a porch with open sides which minimizes the impact on surrounding properties and the amount of building within the setback.

**3. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?**

The need for the variance is primarily related to the location of the existing building, which has been in place for many years and was presumably allowed by the City at some point in the past.

**4. Will the variance, if granted, alter the essential character of the locality?**

The use of the property would remain residential and very similar in character to what already exists. The primary change would be the additional building coverage on the road side, which is not uncommon in the immediate area or the city more generally.

**5. Are economic considerations the only reason the applicant cannot meet the strict requirements of the ordinance?**

Economic considerations do not appear to play a significant factor in the requested variance. The request is due primarily to the existing location of the building in relation to the road and the side lot line as well as impervious coverage that has been in place for many years.

**PUBLIC HEARING #4**

**Application:** Conditional Use Permit to operate a short term rental operation at their property.

**Applicant:** Greg and Denise Stoen

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**Background Information:**

- Location:**
  - 244 1st Avenue SW, Glenwood, Minnesota
  - Sec/Twp/Range: 12/125/38
  - Parcel number(s): 21-0336-000
  
- Zoning:** R-3 (Multiple Residential)

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**Planning Commission Recommendation:** The Planning Commission has unanimously recommended approval of the requested conditional use permit.

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**City Commission Action:** The City Commission may approve the request, deny the request(s), or table the request(s) if it should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

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**Findings of Fact:** Staff would recommend the following findings of fact consistent with the discussion at the Planning Commission meeting and their recommendation for approval:

**1. Will the granting of the conditional use conform to the comprehensive land use plan of the community?**

The City's Comprehensive Plan does not directly address applications such as this.

**2. Is the proposed use compatible with the existing neighborhood?**

The requested variance is compatible in that the building will be converted from a two-unit dwelling to a single-unit dwelling and will retain the same character as the home that has been on the site for many years. The building is also not out of character with the neighborhood. Concerns relating to the use as a short-term rental rather than a permanent dwelling can be adequately addressed via existing city ordinances relating to noise and nuisances and the conditions of the approval require an annual review to ensure that it remains compatible with the neighborhood.

**3. Will the proposed use create soil erosion or other possible pollution of public waters, both during and after construction?**

The proposed use will have no additional impact on soil erosion or possible pollution of public waters.

**4. Will the proposed use affect the visibility of structures and other facilities as viewed from public waters?**

The proposed use is located well back from the shoreline and will be only very minimally visible as viewed from the water.

**5. Will the proposed use be adequately served by water supply and sewage treatment?**

Yes, the site is served with city sewer and water.

**6. Will the proposed use generate additional watercraft use of public waters and can these be safely accommodated on the water?**

The proposed use would not be expected to create any significant increase in watercraft on the lake or that could not be safely accommodated.

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**PUBLIC HEARING #5**

**Application:** Re-zone vacant property from B-1 (Community Business) to R-3 (Multiple Residential). The property, located south and east of Midwest Machinery, is proposed to become the site of a 32 unit apartment complex, known as The Ridge.

**Applicant:** Pope County HRA

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**Background Information:**

- Location:**
  - No address
  - Sec/Twp/Range: 6/125 /37
  - Parcel number(s): 21-1044-000
- Current Zoning:** B-1 (Community Business)
- Proposed Zoning:** R-3 (Multiple Residential)
- Lot size:** Approx. 8.03 acres

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**Planning Commission Recommendation:** The Planning Commission has unanimously recommended approval of the requested rezoning.

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**City Commission Action:** The City Commission may approve the request, deny the request(s), or table the request(s) if it should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

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**Findings of Fact:** Staff would recommend the following findings of fact consistent with the discussion at the Planning Commission meeting and their recommendation for approval:

**1. Will the granting of the rezoning be consistent with the zoning of adjacent properties or is the existing zoning no longer appropriate due to a change in circumstances.**

The zoning of property surrounding the subject property is B-1 (Community Business). The proposal is to rezone the property to R-3 (Multiple Residential). While the zoning will change, R-3 zoning is of a nature where allowed uses (such as the proposed multi-family residential apartment building) that is not incompatible with business uses. Further, the

city and area has a need for workforce housing, which would be provided by the anticipated use.

**2. Is the proposed use compatible with the existing neighborhood?**

The requested variance is compatible in that the building will be converted from a two-unit dwelling to a single-unit dwelling and will retain the same character as the home that has been on the site for many years. The building is also not out of character with the neighborhood. Concerns relating to the use as a short-term rental rather than a permanent dwelling can be adequately addressed via existing city ordinances relating to noise and nuisances and the conditions of the approval require an annual review to ensure that it remains compatible with the neighborhood.

**PUBLIC HEARING #6**

**Application:** Preliminary Plat Approval of The Ridge, a site proposed for a 32 unit apartment complex.

**Applicant:** Pope County HRA

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**Background Information:**

- Location:**
  - o No address
  - o Sec/Twp/Range: 6/125 /37
  - o Parcel number(s): 21-1044-000
- Current Zoning:** B-1 (Community Business)
- Proposed Zoning:** R-3 (Multiple Residential)
- Lot size:** Approx. 8.03 acres

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**Planning Commission Recommendation:** The Planning Commission has unanimously recommended approval of the requested preliminary plat.

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**City Commission Action:** The City Commission may approve the request, deny the request(s), or table the request(s) if it should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

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**Findings of Fact:** Staff would recommend the following findings of fact consistent with the discussion at the Planning Commission meeting and their recommendation for approval:

**1. Completion and Maintenance of Improvements**

All required improvements, including installation of streets, sewer and water, will be adequately funded and installed consistent with the requirements of the ordinance.

**2. Conformance to Applicable Rules and Regulations**

The proposed preliminary plat, to the best of the City's knowledge or as a condition of future permitting, will conform to all applicable requirements of state law, local ordinances and building codes

**3. Adequate Public Facilities**

The site will be served with city sewer and water and has adequate access to utilities. The subdivision will be served by local schools, police and fire services.

**4. Consistency with Comprehensive Plan and Capital Improvement Plans**

The proposed development is not inconsistent with the City's 1979 Comprehensive or Capital Improvement Plans.

**5. Water Facilities**

The development will be connected to city water.

**6. Sewerage Facilities**

The development will be connected to city sewer.

**7. Stormwater/Drainage Management**

Stormwater and drainage management is being reviewed by the City's Engineer for compliance with the City Code and to ensure it is being adequately addressed.

**8. Extension of Public Improvements**

Streets and utilities will be extended to adequately serve all lots within the subdivision. Extension of the road to the east boundary would allow for future extension if feasible, although it currently abuts State Highway 55, which is a limited access road. No connection to State Highway 55 is currently planned.

**9. Required Monuments**

Monuments will need to be installed in accordance with the requirements of state and local requirements.

**10. Lot Improvements, Arrangement and Dimensions**

All proposed lots meet the minimum dimensional standards and are arranged in accordance with the requirements of the City Code.

**11. Roads**

The proposed layout of roads conforms to the requirements of the City Code and will need to be constructed in accordance with applicable requirements. The City will be constructing the roads and utilities in this case.

**12. Blocks**

Block length at approximately 1,325 feet conforms to the requirements of the City Code.

**13. Street Lights**

Any requirement for street lights is as per the City Engineer.

**14. Intersections**

The proposed intersection of the new road will be on the west side connecting with NE 2<sup>nd</sup> Street and adequately conforms to the requirements of the City Code. No connection is currently proposed on the east side as it abuts State Highway 55 which is a limited access highway.

**15. Sidewalks**

Sidewalks were not determined to be necessary by the Planning Commission due to the location of the subdivision within the City.

**16. Utilities**

All utilities will need to be installed as required in the City Code and have been properly shown on the preliminary plat.

**17. Land Reservation and Public Use**

Reservation of land for parks and playgrounds was not determined to be necessary by the Planning Commission.

**18. Preservation of Natural Features and Amenities**

The site does not contain any significant natural features in need of preservation.

**19. Landscaping and Screening**

The preliminary plat indicates adequate landscaping to meet the requirements of the City Code.

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If you have questions or concerns on the items in this report or any other issues, please do not hesitate to contact me. You can reach us by email at [marksprague@hometownplanning.com](mailto:marksprague@hometownplanning.com) or [oleson@hometownplanning.com](mailto:oleson@hometownplanning.com) or by phone at 320-759-1560.

Sincerely,  
HOMETOWN PLANNING

 Mark Sprague	 Ben Oleson
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