

PLANNING COMMISSION MEETING

TUESDAY, March 16, 2021

Immediately following the 7:00 P.M City Council Meeting;

1. Meeting Opening

- A. Call to Order: Chair Johnson called the meeting to order at 7:44 p.m.
- B. Pledge of Allegiance
- C. Roll Call: Members present: Jeff Johnson, Dan Collison, Steve Lundeen, Jimmy Gordan, Paul Bergley, Alexander Collins, Arissya Simon.
Members Absent: None
Staff present: Community Development Director Sheila Sellman, Community Development Specialist Ryan Saltis, City Administrator Josi Wood
- D. Agenda Modifications: None

2. Meeting Minutes

- A. Approval of Minutes from the January 19, 2021 Planning Commission Meeting and the March 2, 2021 Special Planning Commission Meeting motion by Lundeen, second by Collison, motion passes 7-0.

3. Public Hearing

- A. Request by Coffee Holdings, LLC for approval of Site Plans under City Ordinance 445 Section 10 and Conditional Use Permit under City Ordinance 445, Section 13, Article 2, Subd 4, said request is for a Caribou Coffee building with a drive-thru located at PID 16.029.0500.

The Community Development Specialist presented the site plans for a proposed Caribou Coffee building with drive-thru facilities located at 260 5th Ave NE. There was one representative present at the meeting from Coffee Holdings LLC, Jon Fahning the applicant who was available for questioning from the Planning Commission. The Planning Commission discussed access to the site from Main St and 5th Ave NE and the width of the drive-thru lane not being able to accommodate a fire truck per request of the Fire Chief. The applicant discussed other areas on site where a fire truck would be accessible to both the building and drive-thru lanes without the truck needing to pass through these service lanes. The Planning Commission agreed that a Fire Truck would be able to access the building and service lanes by other locations on site. The Planning Commission reviewed the exterior signage on the building and approved all signs on the exterior of the building concluding that the signage plan presented is the signature look for this size of building. The freestanding signs on site will have to apply for a separate sign permit and are not included with the site plans. The applicant was also asked questions regarding employee numbers, other locations in the state with this size of building, and future development plans for the north end of the site. Jimmy Gordon pointed out that the Planning Commission should be aware of the Highway 65 zoning district regulations and how other businesses in the district were also held to higher

standards. Conditions listed in the staff report included lighting design, outdoor patio layout, wall sign placement and entering into a minor development agreement. The Planning Commission discussed with the applicant whether conditions listed in the staff report were reasonable. The applicant was aware of the conditions for approval and concluded that they would be able to accommodate these conditions. There was no one present from the public to speak at the public hearing. Motion for approval of site plans and Conditional Use Permit for drive-thru facilities with conditions listed in the Community Development Specialist staff report dated March 16, 2021 and City Engineer's report dated February 23, 2021 by Lundeen, 2nd by Gordon, motion passes 7-0.

B. Request by Paradise Homes for a Variance under City Ordinance 445, Section 21, Article 2, said request is to construct a four-season porch within the 30-foot rear setback requirement of Legacy Pines Second Addition PUD, located at 511 Blue Bird Ct, PID 16.155.0080.

Sellman presented the variance request to construct a four-season porch within the 30-foot rear setback. The encroachment of the porch would be roughly 4 feet into the 30-foot rear setback. Sellman explained how the variance request does not meet criteria listed for practical difficulties and recommended denial of the variance. Sellman noted that if the Planning Commission would like to approve the variance, they will need to indicate the reasoning and how it meets practical difficulties. The applicant, Bob Straus of Paradise Homes was present at the meeting and available for questions from the Planning Commission. Lundeen asked why the plans for the house or the porch couldn't be altered. The applicant explained how the dimensions of the porch would make it functional, if it had to follow the 30-foot setback requirements, the size of the porch would not be functional. The applicant explained that there is a large outlot behind the property, and that encroaching 4 ft into the rear setback would not impact surrounding properties. Planning Commissioner Simon reminded the Commission that there was a similar variance request for rear setback encroachment for a house that backed up to an outlot and that this request was passed by the Planning Commission. Collison explained that a request like this should be considered on a case-by-case basis and they are not looking to set a precedent. There was no one from the public who spoke at the public hearing. Planning Commission members discussed the reasons for approval and included that there was a similar case approved, there is not a utility easement where the porch will be placed and that the lot backed up to an outlot. Motion for approval of the Variance by Gordon, 2nd by Simon, motion passes 6-1.

4. **Other Business:** None
5. **Discussion Item:** None
6. **Adjournment:** Motion by Bergley, 2nd by Collison to adjourn, motion passed 7-0 meeting adjourned at 8:27 p.m.

Respectfully submitted by Ryan Saltis, Community Development Specialist