



**City of Jordan
City Planning Commission
March 10, 2009**

Members Present: Chair Terry Jeffery; Council Representative Jeanne Marnoff; Dawn Benko; Rolf Hafslund; Rob Mishica; John Watkins

Staff Present: Senior Planner Joe Janish; Planning Consultant, Joanne Foust, MDG Inc; City Administrator Ed Shukle

Others Present: Mayor, Pete Ewals; Economic Development Authority Member, Ray Sandey; David Linner

1.0 Call to Order.

Chair Jeffery called the Planning Commission to order at 6:35 pm.

2.0 Adopt Agenda.

Motion Marnoff seconded by Mishica to approve agenda as submitted. Motion unanimously approved.

3.0 Approval of Minutes.

Motion Mishica, seconded by Benko to approve the February 10, 2009 minutes. Motion unanimously approved.

4.0 Public Hearings. (This item followed the CGO portion of the meeting).

A. Conditional Use Permit (CUP) – Duplexes in Medium Density Single Family Residential (R2) Zoning – Lot 1 and Lot 3 Block 2. Haefner 3rd Addition

Senior Planner Janish indicated an application was submitted by Greentree Development Corporation which is affiliated with Scott County Community Development Agency, to construct two duplex buildings. The site formally had two duplex units that after review by the Scott County CDA where demolished a few years back. Mr. Janish noted that Greentree Development Corporation would rent the units at Fair Market value and the units would not be subsidized.

Mr. Janish outlined the criteria for issuing a conditional use permit along with the specific conditions for a duplex in the R2 zoning district and noted the information is also defined in the draft resolution as follows:

CONDITIONAL USE PERMITS:

Chapter 11 Section 11.11 ADMINISTRATION, Subd. 4 Conditional Use Permits:

- A. Criteria for Approval. In granting a conditional use permit, the Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the comprehensive plan and the health, safety, morals and general welfare of the occupants on surrounding lands. Among other things, the Council shall make the following findings where applicable.
 - a. The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.

The applicant notes the property was previously duplexes and there should be no change in the impact on schools, parks, streets, utilities, and public facilities.

- b. The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

The applicant indicates the property was previously duplexes. The nearest vacant land is across the street which has been sold to a private builder who intends to move a home onto the site. The next closest vacant parcel is owned by Scott County Highway department. The proposed duplexes are proposed to exceed the current architectural requirements within the zoning code and it is expected the homes would not depreciate the value since the proposed duplexes and replace the former units which were determined to have extensive rehabilitation costs by Scott County CDA.

- c. The Structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.

The site was formerly duplexes and the applicant is proposing to exceed the current architectural controls for the City of Jordan.

- d. The use in the opinion of the Council is reasonably related to the overall needs of the City and to the existing land use.

The applicant indicated the duplex units will replace duplex units that were formerly removed.

- e. The use is consistent with the purposes of this Chapter and the purposes of the zoning district in which the applicant intends to locate the proposed use.

Medium Density Single Family allows for a duplex as a conditional use permit. The property was formerly duplex units and the applicant is proposing to construct two new duplex units on the two parcels. The applicant also notes the design meets ordinance

Section 11.23 Subd. 3C, 1-5; with two car garages, two parking spaces off-street, separate entrances and a minimum of 900 square feet of liveable floor area.

- f. The use is not in conflict with the comprehensive plan.

The Future Land use map show this property with the same zoning classification as what is in place today.

- g. The use will not cause traffic hazard or congestion.

The site formerly had 3 duplex buildings and the new construction would remove one duplex building. The new construction is not expected to cause traffic hazards or congestion in the area. The new construction would replace units that previously existed.

- h. Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, or general unsightliness.

There are no businesses located nearby. This is expected to not adversely affect customer trade brought about by intrusion of noise, glare, or general unsightliness.

CODE REQUIREMENTS:

The City of Jordan amended the Code to require a CUP in order to construct or modify a home into a duplex. The City of Jordan notes the following 5 conditions:

- Two-family dwellings must provide for two off-street parking stalls with immediate access off street and one garage stall measuring at least 14 feet in width and 20 feet in depth for each unit.

The applicant is providing a two stall garage and two parking spaces within the driveway. The garage measures 553 square feet in area, exceeding the minimum requirement by 273 square feet. This also meets the minimum requirement of Chapter 11.23, Subd. 6. B. Parking and garage; which requires each dwelling unit to have a minimum of a one-car garage, expandable to a two-car garage while meeting required yard requirements at time of constructing of the dwelling.

- Each unit must have separate entrances.

According to the plans dated 2/17/09 the units have separate entrances.

- All units must meet the current building code and fire code.

A building permit will be required and the applicant will be required to meet all the current building and fire codes. The homes are also consider slab homes which also

requires a FEMA shelter within the home; the plans dated 2/17/09 are currently showing the bathrooms as a FEMA shelter.

- Each unit shall have a minimum of 900 square feet of liveable floor area.

According to the plans dated 2/17/09 the units are shown to have 1914.5 square feet in living space. This exceeds the minimum requirement of 900 square feet by 1,014.5 square feet.

- Must meet all other requirements of the Zoning Ordinance.

The applicant will need to make the following provisions in order to meet all other requirements:

- *Revise driveway grades to reflect the maximum driveway grade of 10%.*
- *Provide water and sewer service to each duplex unit.*
- *Obtain proper building permits prior to construction of the units.*
- *An opportunity also exists to provide for a storm sewer service line to each of these homes to connect the foundation drains.*

Mr. Janish also noted that a draft resolution was included in the Commissioners packet which if the agenda item received a positive recommendation the City Council would consider action in April.

Chair Jeffery opened the public hearing at 7:55 p.m.

Senior Planner Janish noted that he had received a phone call from a resident next to the subject property and responded to a few questions. Mr. Janish also noted that he had emailed the 11x17 drawings the Planning Commission is currently reviewing and did not receive additional questions from the individual.

Hearing no additional Public Comments.

Chair Jeffery closed the public hearing at 6:37 p.m.

Chair Jeffery expressed concern about having the driveway access the low point of the road in which this particular case along with other areas of town contain a catch basin. Jeffery questioned if the applicant could look to determine if the driveway could be moved so the catch basin is not located within the end of the drive. Mr. Jeffery also noted the City may want to look into not allowing driveways to be located at the low points of a road if there is a catch basin going into the future.

Chair Jeffery also questioned if it would be possible to alter the drainage so the water does not travel behind the proposed duplex units.

Project Architect David Linner commented that he would take a look at the suggestions made and also make the corrections noted in the draft resolution.

Motion Hafslund, seconded by Marnoff to make a positive recommendation to the City Council based upon the draft resolution and items mentioned by Chair Jeffery. Motion unanimously approved.

5.0 New Business.

A. Oraganization.

Senior Planner Janish informed Planning Commissioners that every year a new Chair and Vice Chair is to be selected. The Chair is only able to serve for three consecutive terms.

Motion Marnoff, seconded Mishica to nominate Jeffery as Chair. Motion unanimously approved.

Motion Mishica, seconded Jeffery to nominate Hafslund as Vice-Chair. Motion unanimously approved.

6.0 Old Business.

A. Community Growth Options (6:30 p.m. start; other agenda items followed)

Joanne Foust, Principal, Municipal Development Group, INC. noted at the last meeting which was held on February 10, 2009 the Planning Commission began to discuss the Central Business District (CBD) and future design standards/guidelines as well as evaluating and updating the Zoning Ordinance related to Permitted, Accessory and Interim Uses allowed in the Central Business District. Foust provided copies of several maps indicating specific items related to the Central Business district which included:

1. Age of Structure – Foust noted from the County records it appears as though the majority over one-third of the buildings in Jordan's CBD were constructed in 1901 and 1925, followed by buildings constructed prior to 1900's.
2. Building Height – According to the draft inventory, 45 percent of the structures in the CBD are one-story buildings, approximately 34 percent are 2-story, 5 percent are 3-story and 1% are 1.5 stories, with 15 percent showing as vacant.
3. Roof Style – of the parcels with buildings on them, 72 percent have flat roofs, 15 percent have a gable or sloped roof and 5 percent have mixed style roof types.
4. Historical Properties – Foust noted that 14 properties in Jordan's CBD are listed on the National Register of Historic Places. Foust noted this map is currently being updated.
5. Homestead Map – According to Scott County's records the 51 percent of the buildings are taxed as commercial as their primary use in the CBD. 35 percent are taxes as residential as the primary use, 4 percent as residential duplex/triplex, 4 percent as residential 4 or more units, 6 percent as municipal or public use and 1 percent as church/school.
6. Facades – Foust noted a building façade map has been created illustrating primarily brick buildings, with a mix of other facades including stucco, wood, etc.

Foust also provided an overview of 19 surveys that were conducted by City Commissioners and Council members relating to the current list of permitted/conditional uses in the downtown.

The Planning Commission also reviewed the format for the March 31, 2009 Community Input session.

7.0 Planners Report.

None.

8.0 Commissioner Report.

Commissioner Mishica noted that on a recent visit to Kauai, California along with other visits he has noticed how the cities and communities promote themselves and also how they promote their business and believes the City of Jordan should take a look at how these other communities promote themselves and possibly implement something similar.

9.0 Adjournment.

*Motion, Marnoff seconded Hafslund to adjourn the Planning Commission meeting at 8:15 p.m.
Motion unanimously approved.*

Respectfully submitted,

Joe Janish
Senior Planner