

**MINUTES
PIERRE CITY PLANNING COMMISSION MEETING
PIERRE CITY COMMISSION ROOM
Monday, April 10, 2017 at 5:15 p.m.**

Commission members present: Vern Bump, Scott Carbonneau, Rick Dockter, Bill Markley, Laurie Schultz, and Dave Templeton.

Staff members present: Sharon Pruess, and John Childs.

Guests present: Lavern Lenz, Glennis and Mark Zarecky.

Chairman Templeton called the meeting to order at 5:15 p.m. Chairman Templeton noted a correction to the minutes of January 23, 2017. The second to the last paragraph included two parties seconding a motion. Commissioner Carbonneau made a motion to approve the minutes with the noted correction. The motion was seconded by Commissioner Schultz. Approval was unanimous.

First on the agenda is a **Public Hearing – Request for a conditional use permit to construct a duplex in Local Business Zoning. Petitioners – Lavern & Veronica Lenz.**

Sharon Pruess, City Planner, provided a summary of the proposal. Lavern Lenz owns a lot at the NE corner of Humboldt Street & Hayes Avenue. In 2011 he proposed to remove a single wide mobile home and construct a 4-plex on the lot. The City Planning Commission and City Commission approved a conditional use permit in 2011 for the 4-plex in Local Business zoning. The mobile home was removed in 2012. Construction on the 4-plex never started in 2012 so the conditional use permit expired. He now proposes to construct a duplex on the lot. Constructing an apartment building in the Local business zoning district requires a conditional use permit. The property is ½ block west of the Truck Bypass/Garfield Avenue. The Alcoholics Anonymous building and the Hope Reformed Church are directly to the east and the Terry Kuxhaus residence is directly to the north. A business could be constructed on the lot today without any special permits. However, a 2-unit apartment building is proposed. The lot is 86' X 132' for a total of 11,352 square feet. Parking is proposed at the front of the two units off Humboldt Street. The single family residences on the block are actually a legal, non-conforming use. A public notice was printed in the paper and individual notices have been sent to 7 adjacent property owners. The property owner and staff considered rezoning the property to multiple family. However, the nearest Multiple Family zoning is several blocks away. Rezoning one lot on the block could be considered spot zoning. The proposed duplex will include two 2-bedroom, 2 bath units with garages in a single story building. The City Planning Commission and City Commission approved a conditional use permit for a 4-plex in Local Business zoning in 2011. This area has a mix of businesses, offices, mobile homes and single family homes. A business could be built today with the current zoning. The proposed 2-unit apartment is a less intensive use than a 4-plex or a business which is currently permitted on the lot. The proposed apartment building may provide a better transition from the businesses on Garfield to the single-family residences to the west side of Garfield Avenue.

Lavern Lenz said that he got out and talked with the neighbors as recommended by staff. He provided them with a copy of his site and building plan and answered questions. He could not get ahold of folks with the Hope Reformed Church or the Alcoholics Anonymous businesses. The neighbors viewed the

duplex more favorably than the previous plan for a 4-plex. He noted that last time the public hearing was held for the 4-plex almost all of the neighbors showed up and tonight none of the neighbors were present to object. He said the units were being planned with an oversized single car garage with parking in the front of Humboldt Street. The garages would have a shared 40' approach.

Commissioner Bump made a motion to recommend approval of the conditional use permit to construct a duplex in the Local Business Zoning district at 2510 E. Humboldt Street. Commission Markley seconded the motion and all voted in favor of the motion.

The second item on the agenda was the **Preliminary Plat and Plans for Lot 3, Highlands Ridge West Addition. Petitioner – Midwest Development LLC/Glennis & Mark Zarecky.**

Sharon Pruess, City Planner, provided a summary of the proposal. Midwest Development is requesting approval of a preliminary plat and plans for Lot 3 of the Highland's Ridge West Addition. The plat for Lots 1-3, Highland's Ridge West was approved by the Planning Commission and City Commission in 2010. Lot 2 now includes Edgewood Senior Living consisting of 48 assisted living units and 20 memory care units. The proposal for Lot 3 is a town home project around the cul-de-sac. The sketch plat approved by the Planning Commission on 1/23/17 included 11 townhomes. The preliminary plat includes 16 townhomes in 8 buildings. The proposed lots range in size from 7,800 sq. ft. to 39,000 sq. ft. The plan would require extending Wellington Place to the West and extending utilities to the west to serve the townhomes. The sketch plat had a street radius over 90 degrees which may have limited access by firetrucks and snow plows. The street radius has been revised and is now acceptable to the City staff. The next required step will include a final plat and plans.

The City staff has been working with Midwest on an alternate plan for sewer with more acceptable grades and to reroute drainage onto Fourth Street rather than in a northerly direction over the hill. A couple of items that will need to be addressed include the following:

1. City ordinance requires a minimum of 40' of street frontage for each of the 16 units and the preliminary plat includes approximately 24' – 56' of street frontage for each unit. . It appears that approximately 6 units will not have the required 40' of street frontage. Approximately 9 units around the circle portion of the cul-de-sac is a pretty high density that could result in challenges with snow removal, off street parking, accommodating utility services & appurtenances, neighbor conflicts, etc.
2. A sewer line is proposed to be routed up Wellington Place along the east boundary of Lot 3B8. How far will the sewer line be away from the foundation for the easterly unit on Lot 3B8?

Commissioner Schultz asked why they plan to route storm sewer to the south when the bike path area already has erosion issues. City Engineer, John Childs, said that the plan is to install curb and gutter along a portion of Fourth Street and install a drop structure. Midwest Development and Edgewood Senior Living have agreed to participate in the cost of this effort. He said this a better and more cost effective solution than routing the storm drainage to the north over the hill. Glennis Zarecky said they want to do units that are similar to the Brighton Court Villas. Commissioner Schultz asked how many units could be constructed to meet the 40 foot street frontage requirement per lot. Mark and Glennis Zarecky did not provide a response. Sharon Pruess said that she did a rough calculation and it appeared that 13-14 units may work around the cul-de-sac street. Glennis Zarecky said that the units would include standard 2-stall garages. They have 2 units already spoken for and those two parties have requested 3-stall garages. John

Childs asked how the driveways for 3-stall garages would work. Would they be requesting a variance on driveway width and how would off-street parking and snow removal be handled. Mark Zarecky said the snow removal and driveway widths would be handled similar to Brighton Court.

Commissioner Templeton asked if the townhomes on Brighton Court met the 40' street frontage requirement. Pruess said that the townhomes on the east side of the Court were under the 40' requirement and were done in 2006 and 2007. However, the ordinance increasing the frontage requirement from 25' to 40' was not enacted until 2008. The townhomes on the east side of Brighton Court did meet the 40' frontage requirement. Commissioner Markley asked if it would make any difference to go with a wider sidewalk around the cul-de-sac. John Childs replied, "No, it would not make any difference as the City already requires a 7' sidewalk around cul-de-sacs and the amount of required frontage is determined at the property line. Childs asked for clarification on how many units were approved on the sketch plat. Pruess noted that the City Planning Commission approved the sketch plat on January 23, 2017 with 11 lots. Commissioner Schultz wondered if two units were eliminated whether the development would still pencil out. Commissioner Markley asked, "If two units are already spoken for with triple garages, will the frontage for those units need to be wider than 40 feet?" Glennis Zarecky said that the frontage for those two units is wider than 40 feet. They first thought the preliminary plat would not have to have any lot lines and they would be established when the foundations went in. They then realized that lot lines would have to be established up front between the 8 buildings and the lot lines between the 16 units would be established after the foundations went in. She noted that the 8 lots may need to be tweaked for setbacks between units.

Commissioner Markley asked if a 3-car garage on two of the lots would allow for enough frontage for the remaining fourteen lots. Glennis said that you would have to walk past the front of the garage to enter the unit and that you would not see as much of the front of the unit as you would with the 2-stall garage. She said the base plan is for 2-stall garages. The Commission asked about the plan for snow removal and where snow would be stored on the property. Mark Zarecky said that the snow would be stored between the units in the green space areas. He said that Brad Blow lives in one of the units on Brighton Court and he said they have never had to move snow as their property owner's association hires a third party contractor to take care of it. Commissioner Schultz asked if the preliminary plat was approved as present would it be in violation of current city ordinance. Pruess replied that it would be as city ordinance currently requires 40 feet of street frontage per lot. This ordinance was amended by the City Planning Commission and the City Commission in 2008 to increase the front footage requirement from 25' to 40' primarily due to a developer in northwest Pierre who regularly platted multiple lots with the minimum of 25' of frontage. The City continues to receive complaints from property owners on the Country Drive and River Rim cul-de-sac related to density of units around the cul-de-sac and inadequate street frontage per lot.

Mark Zarecky said they did not realize their preliminary plat did not meet the front footage requirement. Commissioner Templeton noted that if less than 40' of frontage was allowed in this development it would have to be considered for other developments and other developers as well. He said that inadequate street frontage would be something the City would have to live with forever. It is the City staff that will have to deal with the related problems such as inadequate off-street parking; inadequate street frontage width for utility access and appurtenances such as street lights, hydrants, transformers, phone/cable pedestals; blocked driveways, snow removal challenges, etc. Commissioner Markley asked if the current proposal doesn't meet city ordinance if the appropriate action would be to not approve this preliminary plat and have it resubmitted for a future meeting.

Glennis Zarecky said that this layout worked at Brighton Court and she doesn't want to be penalized for another developer that has other practices. They will have an association to handle snow removal so that should not be an issue. Pruess noted that City staff had taken a look at the Brighton Court cul-de-sac which currently includes 9 units and there would have been 12 units if the same density and lot frontage proposed for Wellington Place is applied. Commissioner Dockter noted that he had a family member that lived in the Country Drive cul-de-sac and snow removal and adequate off-street parking were continuing issues. Commissioner Schultz said she visited with a former coworker on Brighton Court and adding 3 more units would have created issues for that cul-de-sac. Glennis noted that off-street parking is an issue in every cul-de-sac in Pierre.

Commissioner Schultz made a recommendation to approve the preliminary plat and plans for Highlands Ridge West to include maintaining forty foot of street frontage on the cul-de-sac street. Commissioner Markley seconded the motion and all voted in favor of the motion.

With no further old or new business, Commissioner Schultz moved to adjourn. Commissioner Markley seconded the motion. The motion carried unanimously and the meeting was adjourned at 5:55 pm.

Minutes by Sharon Pruess.