

PLANNING AND ZONING COMMISSION  
TUESDAY, JULY 2, 2019  
6:00 PM AT THE CITY HALL  
680 Byron Main Court NE

1. SWEARING IN NEW MEMBER - Member Putzier swore in new member Jacob Gave.
2. CALL MEETING TO ORDER - Member Putzier called the meeting to order at 6:00PM Tuesday, July 2, 2019 at Byron City Hall

Members Present: Brain Oxley, Bruce Putzier, Jacob Gave

Also Present: Gretta Becay, Barbara Pehler-Williams, Jim Lundberg

3. APPROVE AGENDA - Motion made by Member Oxley, second by Member Gave to approve the agenda. Motion carried unanimously.
4. CONSENT AGENDA
  - a. P&Z Minutes - April 2, 2019 - Motion made by Member Oxley, second by Member Gave to approve the minutes as written. Motion carried unanimously.
5. COMMUNICATIONS, REPORTS AND PETITIONS
  - a. Monthly Budget - May
  - b. Monthly Budget - June - Table
  - c. City Council Minutes - April 9th May 14th
  - d. City Administrator Newsletter - April & May
  - e. Community Newsletter - May & June
  - f. Rochester-Olmsted Planning Minutes
  - g. East Village Final Plat - FYI
  - h. Fareway Replat - FYI
6. PUBLIC HEARING - 6:00PM - Motion made by Member Oxley, second by Member Gave to open all the public hearings. Motion carried unanimously.
  - a. RES 19-01 P&Z - 1101 & 1103 4th St. NW - Variance Request - Cheney spoke about the request of property owner Barb Pehler-Williams regarding the Variance request. Cheney stated that the home was permitted with 5 foot rear yard. Property owner is requesting to have the setback acknowledged via a variance to avoid potential issues with any future property transfers.

Motion made by Member Gave, second by Member Oxley to close the hearing. Motion carried unanimously.

Motion made by Member Gave, second by Member Oxley to approve the variance request. Motion carried unanimously.

b. RES 19-02 P&Z - 715 Frontage Rd NE - Metes and Bounds Request  
Cheney discussed the request to create a separate outlot for the purposes of the existing sign remaining and the proposed business also being allowed to have a sign.

Dollar General Representative Jim Lundberg introduced himself and was there to answer any questions from the board. Members discussed if this request will still fall within the sign ordinance. Expressed concerns if the current pylon sign needed to be on the direct property. They didn't see an issue with the request after reviewing.

Motion made by Member Oxley, second by Member Gave to close the public hearing. Motion carried unanimously.

Motion made by member Oxley, second by Member Gave to approve the Metes and Bounds Request. Motion carried unanimously.

c. RES 19-03 P&Z - 715 Frontage Road NE - Variance Request for parking stall sizes.

d. RES 19-04 P&Z - 715 Frontage Road NE - Variance Request for the number of parking stalls

Board agreed to discuss both public hearings at the same time.

Monosmith discussed the request of the proposed business for stalls to be smaller than the required 9.5 x 18 feet and fewer than the required parking stall. The proposed store should have a 37 stalls counting only the retail space, not including storage. Staff is recommending that the business meet the minimum parking stall size and receive a variance for fewer stalls with the condition that any future business be restricted to no restaurants and not be allowed to increase the parking variance.

Jim Lundberg discussed that the 9 foot wide parking stall is a standard for all the Dollar General's. Dollar General has their own requirement to have a minimum of 30 stalls. He did not see an issue with meeting the 30 stall requirement if the City were to deny the Variance of 9 foot wide.

Motion made by Member Oxley, second by Member Gave to close both public hearings. Motion carried unanimously.

Motion made by Member Oxley, second by Member Gave to deny Variance Request 19-03 for the parking stall size, requiring to follow City Ordinance on 9.5 foot wide parking stall.

Motion made by Member Oxley, second by Member Gave to approve the Variance Request 19-04 for the number of parking stalls, with the condition that any future business cannot be a restaurant/eating establishment or a business that would need to increase the parking variance.

7. GENERAL BUSINESS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
  - a. Member Resignation - Members discussed Member Falcon's resignation. Members discussed the need for more volunteers.
10. PUBLIC COMMENTS
11. ADJOURN - Motion made by Member Oxley, second by Member Gave to close the meeting. Motion carried unanimously.