

5.03: Public Hearing: Consider Multiple Actions related to 17902 St. Francis Boulevard NW (Project No. 19-101); Case of Dale and Tammy Wills

- 1. Request for a Home Occupation Permit to Operate a Commercial Horse Farm**
- 2. Request for a Conditional Use Permit to Exceed Square Footage for Detached Accessory Building**
- 3. Request for a Variance to Accessory Building Height and Lot Frontage Requirements**

Public Hearing

Chairperson Bauer called the public hearing to order at 8:18 p.m.

Presentation

City Planner Anderson presented the staff report stating Dale and Tammy Wills (the "Applicant") have approached the City about the prospect of operating a commercial horse farm on the property located at 17902 Saint Francis Blvd (the "Subject Property"). Their vision is to provide a setting for youth to learn how to properly care for and build relationships with horses and then continue on with riding lessons, both Western and English style. They have submitted applications for a Home Occupation Permit, Conditional Use Permit, and Variance that would be needed for their endeavor. The Applicant is under contract to purchase the Subject Property; the current property owner has signed the Land Use Application and is aware of and supports the current proposal. Staff reviewed the request in detail with the Commission and recommended approval of the Home Occupation Permit, Conditional Use Permit and Variance.

Citizen Input

Chairperson Bauer questioned where the City limits were located between Nowthen and Ramsey.

City Planner Anderson reviewed the location of the Nowthen and Ramsey city limits. He stated it was his understanding the land in Nowthen may be used as a pasture for the horses.

Commissioner Woestehoff requested further information regarding the existing home and its location.

City Planner Anderson discussed the location of the existing home on the property and noted the proposed location of the new home. He commented further on the proposed lot split and reported the existing home lot would house the new barn structures while the other lot would house the new home.

Commissioner Anderson asked why the cul-de-sac was necessary.

City Planner Anderson stated a public road was not being proposed, but rather the applicant was proposing to connect their driveway to the existing cul-de-sac.

Community Development Director Gladhill explained there was another home on this roadway that required access to the cul-de-sac. He reviewed a map with the Commission noting the location of the cul-de-sac and how the applicant would receive access.

Dale Wills, 2176 157th Lane in Andover, thanked staff for the thorough presentation. He reported the lot split was not completed and noted he would be working with engineers to complete this project. He stated the property in Nowthen would be used for horse riding trails and pasture land. He indicated the urine concerns would not apply to his horse farm given the fact he would not have more than 100 animals and because he had enough land for the horses to feed on. He commented further on the proposed mean gable height (42 feet) for the riding arena and stable building.

Commissioner VanScoy asked why it was important for these two building heights to match.

Mr. Wills described why he had to have the building heights matching in order to tie the buildings together.

City Planner Anderson commented a two-story accessory building was permissible in the R-1 Residential Developing zoning district.

Brian Hiedl, 17826 Potassium Street, questioned where the paddocks would be located.

Mr. Wills described where the two paddocks and pasture land would be located on the property. He discussed how he planned to maintain the paddocks and manure from the horses. He reported he would be composting the manure which would assist in addressing the neighbor's concerns regarding insects and odor.

Deb Kemp, 6003 178th Lane, explained she lived just south of the subject property. She stated she had concerns with road usage along Potassium Street and with how the proposed use would impact the southwest corner of her property. She indicated she had sand hill cranes on the southwest corner of her property and feared they would be displaced.

Community Development Director Gladhill reported the City would not be acquiring any private property on the Potassium Street cul-de-sac. He explained the proposed use would have a lower impact on the neighborhood than a single-family residential development.

Arnie Cox, 6001 177th Lane, asked if any stop signs would be installed in the neighborhood.

City Planner Anderson commented the City had not discussed stop signs but noted this concern could be brought to the Public Works Department for further consideration.

Mr. Cox stated he would like a stop sign at the corner of Potassium Street and 177th Lane. He questioned who would be paying to fix the road in the future. He wanted a guarantee that Mr. Wills would be assisting with this expense.

Chairperson Bauer commented on the City's assessment policy for street reconstruction projects.

Community Development Director Gladhill commented over the past few years, the City has recognized that it has fallen behind on its street and roadway maintenance. He reported the City was working to address this concern.

Motion by Commissioner Anderson, seconded by Commissioner Surma, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Anderson, Surma, Gengler, VanScoy, and Woestehoff. Voting No: None. Absent: Commissioner Onyambu.

Chairperson Bauer closed the public hearing closed at 9:15 p.m.

Commission Business

Motion by Commissioner VanScoy, seconded by Commissioner Surma, to recommend that City Council adopt Resolution #19-042 approving a Home Occupation Permit to operate a Commercial Horse Farm for the property at 17902 St. Francis Boulevard NW.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Surma, Anderson, Gengler, and Woestehoff. Voting No: None. Absent: Commissioner Onyambu.

Motion by Commissioner VanScoy, seconded by Commissioner Surma, to recommend that City Council adopt Resolution #19-043 approving a Conditional Use Permit to exceed Square footage for detached accessory buildings for the property located at 17902 St. Francis Boulevard NW.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Surma, Anderson, Gengler, and Woestehoff. Voting No: None. Absent: Commissioner Onyambu.

Commissioner Anderson asked if staff was comfortable with the proposed building height for the riding arena and stable.

City Planner Anderson explained with the proposed setbacks, staff was comfortable with the proposed building heights.

Motion by Commissioner Anderson, seconded by Commissioner Gengler, to recommend adoption of Resolution #19-044 granting a variance to lot frontage and accessory building height for the property located at 17902 St. Francis Boulevard NW.

Further discussion

Commissioner VanScoy questioned what made this property unique. He wanted to be assured that a precedent was not being set.

City Planner Anderson commented on the lot frontage and grade change that occurred on this property. In addition, he discussed the number of trees that would be lost along the southern property line if the cul-de-sac were extended. He reported it did not appear to accomplish anything

by pushing the cul-de-sac 20 to 30 feet further north. In terms of the accessory building heights, this request was unique in order to accommodate equestrian riding and jumping indoors. He stated staff supported the proposed building heights given the distance these buildings were from neighboring properties.

Commissioner VanScoy asked if the existing cul-de-sac met City requirements.

City Planner Anderson explained the existing cul-de-sac met all City requirements.

Commissioner VanScoy stated the cul-de-sac was placed short of the property line, which was a unique situation. He recommended this be stated in the Findings of Fact.

City Planner Anderson reported this was the case.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Anderson, Gengler, Surma, VanScoy, and Woestehoff. Voting No: None. Absent: Commissioner Onyambu.