

5.04: Public Hearing: Consider Amendment to Chapter 117, Section 111 and 112 to Modify the R-1 Residential and R-2 Residential Zoning Districts to Allow 50- and 65-Foot-Wide Lots and Clarifying Existing Language

Public Hearing

Chairperson Bauer called the public hearing to order at 9:26 p.m.

Presentation

City Planner McGuire Brigl presented the staff report stating the purpose of this case is to review a proposed zoning amendment (text) to allow 50- and 65-foot-wide lots. The case came forward as part of the Harvest Estates 2nd Addition Preliminary Plat application, but is being handled and treated as a separate case. The proposed zoning amendment (text) modifies both R-1 and R-2 regulations, while consolidating and making the R-2 section easier to read and utilize. These changes have been requested by a number of Developers over the past several years.

Community Development Director Gladhill explained the City would be creating a district that would allow 50- and 65-foot-wide lots based on changing market conditions. He reported the City has been allowing 50- and 65-foot-wide lots through the PUD process, however, this would codify a change in City Code.

Citizen Input

Commissioner VanScoy asked why setbacks were being changed. He feared that the proposed setbacks would make it difficult for new neighborhoods to have sidewalks or be able to park cars in driveways.

Community Development Director Gladhill stated a 25-foot front yard setback would allow for sidewalks and proper driveway length to allow for cars to be parked.

Commissioner VanScoy questioned if staff had received feedback from the Fire Department regarding the reduced side yard setback.

City Planner McGuire Brigl stated she reached out to the Police and Fire Departments regarding this matter. She noted the Police Department did not have any concerns. She explained the Fire Marshall supported a 10-foot separation between buildings, or a five-foot side yard setback. She suggested the language regarding the separation for detached villas be changed from 15 feet to 10 feet in the R-2 district.

Commissioner VanScoy stated he would support a 30-foot front yard setback.

Community Development Director Gladhill discussed how neighborhood design was changing and certain neighborhoods were bringing their homes closer to the street. He discouraged the Commission from changing the front yard setback from 25 feet.

Ben Minks, Capstone, explained the 25-foot front yard setback was adequate to allow for residents to park their cars in the driveway and noted there was still room for sidewalks.

Commissioner VanScoy questioned if the setbacks for Harvest Estates had to be addressed.

Community Development Director Gladhill reported this development was approved with 30-foot front yard setbacks. Staff was directed to review this matter with the City Attorney to ensure the setback would remain 30 feet.

Rich Hennes, 5690 152nd Lane NW, stated he did not support the proposed project.

Chairperson Bauer reported the proposed project would be discussed under the next Public Hearing.

Motion by Commissioner Gengler, seconded by Commissioner Woestehoff, to close the public hearing.

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

Chairperson Bauer closed the public hearing closed at 9:49 p.m.

Commission Business

Motion by Commissioner Gengler, seconded by Commissioner Surma, to recommend that City Council introduce Ordinance #19-02.

Further discussion

Commissioner VanScoy requested staff speak with the City Attorney regarding prevailing setback requirements.

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