


February 4, 2010

TO MEMBERS OF THE PLAN COMMISSION:

There will be a Regular Plan Commission Meeting on **Monday, February 8, 2010 at 6:00 p.m.** held in the Council Chambers at Altoona City Hall.

Agenda:

1. Call Meeting to Order.
2. Roll Call.
3. Citizen Participation Period.
4. Discuss/consider approval of January 11, 2010 Regular Plan Commission Meeting.
5. Public hearing at 6:00 p.m. or as soon thereafter as is practical for a Conditional Use Permit applied for by Clint Merrick, parcel #201-1009-10-010), to allow the rebuilding and enlarging of a guest cottage located at 1900 Moonlight Bay Drive (parcel #201-1009-10-010) as regulated by Section 19.28.090 C. of the Altoona Municipal Code Book.
6. Discuss/consider approval of the Conditional Use Permit for Clint Merrick.
7. Discuss/consider recommendation to council to rezone Parcel # 201-1048-06 (Lot 2-2-R) located at 1203 10th Street West from Commercial to Residential Single Family as submitted by Gary Rambo.
8. Miscellaneous Business and Communications.
9. Adjournment.


Cindy Bauer
City Clerk

Note: If you are unable to attend, please contact 839-6092.

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the City Clerk's Office at 839-6092 with as much advance notice as possible.

NOTE: It is possible that members of other governmental bodies of the municipality may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.



MEMORANDUM

TO: Plan Commission Members

FROM: Mike Golat, City Administrator

DATE: February 4, 2010

SUBJECT: Summary of February 8, 2010 Plan Commission Meeting Items

Provided below for your consideration is a summary of the February 8, 2010 Plan Commission Meeting agenda items.

NEW BUSINESS

ITEM 5 - Public hearing at 6:00 p.m. or as soon thereafter as is practical for a Conditional Use Permit applied for by Clint Merrick, parcel #201-1009-10-010), to allow the rebuilding and enlarging of a guest cottage located at 1900 Moonlight Bay Drive (parcel #201-1009-10-010) as regulated by Section 19.28.090 C. of the Altoona Municipal Code Book.

The item for your consideration is a request to allow the removal, rebuilding, and enlarging of a waterfront guest cottage owned by Clint Merrick at 1900 Moonlight Bay Drive. The project is subject to Plan Commission review for the reason that his request exceeds certain residential accessory building limitations set by Municipal Code Section 19.28.090 B as follows:

1. A conditional use is required when there are to be more than three accessory buildings on a residential (R-1) lot. The property has four accessory buildings, a garage, a boathouse, a wood shelter, and a guest cottage. In July of 2009, Mr. Merrick was granted a Conditional use to allow four accessory buildings when he requested a building permit for the wood shelter.
2. A conditional use is required when the combined area of all accessory buildings will exceed 1000 square feet. The total area of the existing accessory buildings is 3818 square feet, including a 288 Sq. Ft. deck on the guest cottage.
3. A conditional use is required for accessory buildings that have more than one floor level, or when a wall that is not a gable end wall is built to exceed eleven and one half (11 ½) feet in height. The existing guest cottage has two floor levels and a relatively low roof slope, about 3 in 12. Its overall height at the gable is about eighteen (18) feet as viewed from the lake. The proposed guest house will have two floor levels plus a loft space within a vaulted 'roof and ceiling' truss assembly. It will be about thirty seven (37) feet in height at its gable peak as viewed from the lake.

Aside from the above aspects of the proposal, which require Conditional Use approval, the proposed project is subject to other Municipal regulations, including but not limited to the following:

1. **Section 19.28.090 A.** The combined area (the area is calculated according to Section 19.28.090 A 1. and 2.) of all accessory buildings in a residential (R-1) district cannot exceed the enclosed habitable area of the main use dwelling. The main use dwelling at 1900 Moonlight Bay Drive has a total of 5966 sq. ft. on two levels. With the guest cottage removed, the total combined area of the other three accessory buildings is 2680 square feet. Therefore the Plan Commission may authorize Mr. Merrick to build a guest dwelling unit, however the building cannot exceed 3286 aggregate square feet of all levels.

2. **Chapter 19.16 Floodplain Overlay Zone.** The provisions of this chapter apply to all projects on properties that are specifically identified as lying within or partially within this zone as determined by the official maps identified in Section 19.16.010 E. 2. This proposal may be within the affected overlay zone. At such time that the existing elevation at the proposed building footprint is known, and at such time that the determination shall have been made as to the Floodplain Overlay Zone boundary, then the effect of the Chapter 19.16 regulations will be known.

If the project is within the zone, two principal options will exist. One option would be to make the project and site comply with the standards for dwellings within the zone. Alternatively, if possible, a Letter of Map Amendment (LOMA) may be submitted to the Federal Emergency Management Agency for review with respect to amending the zone boundary as it relates specifically to this property.

Please note that the provisions of the Altoona Municipal Code Chapter 19.17 Shoreland-Wetland Overlay Zone do not affect this particular project, nor do the Eau Claire County shoreland zoning provisions of the Eau Claire County Code Book, Chapter 18.19.

Mr. Merrick is requesting approval of his project within the following limitations:

A. The new building would not be closer to the ordinary high water mark than the existing building, which is about fifty-nine feet.

B. The new building would not exceed thirty-seven feet above the existing grade nor thirty six feet in width with respect to its north elevation, facing the lake.

In conclusion, two factors are important to note with respect to your consideration of this application. First, the possible impact of the Floodplain Overlay Zone regulations is not yet known. Also, the lake-frequenting public is generally sensitive to the view of lake-front property development. It is to be expected that at least some questions and possible objections will be directed to City Hall on this subject.

Suggested motion: I move to close the public hearing.

ITEM 6 – Discuss/consider approval of the Conditional Use Permit for Clint Merrick.

Please refer to Item 5 above for a description of this item along with the attached materials provided.

If the Plan Commission is granting approval of this request, staff recommends the following possible conditions:

A. The proposed building shall not be closer than fifty-nine feet to the ordinary high water mark.

B. The proposed building (gable at the roof ridge) shall not exceed thirty-seven feet above the existing grade at the proposed location. This also allows for relocating the building farther from the lake and building it to the same height compared to the existing grade

C. The proposed building shall be limited to not more than thirty six feet in width with respect to its north elevation, facing the lake.

D. All exterior lighting for the proposed building shall be only of full cut-off design. Any existing exterior lighting on the property and any future exterior lighting on the property, whether installed on buildings or by other means, shall be only of full cut-off design. City staff may approve individual light fixtures of not more than 75 watts that are not of full cut-off design.

E. The building shall comply with all applicable flood plain regulations.

Suggested motion: I move approval of the Conditional Use Permit for Clint Merrick subject to the above conditions.

ITEM 7 - Discuss/consider recommendation to council to rezone Parcel # 201-1048-06 located at 1203 10th Street West from Commercial to Residential Single Family as submitted by Gary Rambo.

Gary Rambo has submitted a request to rezone his property located at 1203 10th Street West. The request is to rezone the lot from Commercial to Residential (R-1). Rambo is proposing to add a 4-season family room to the back of his existing house. City Code does not allow an addition to a single family home in the Commercial District for the reason that it is a non-conforming use. Adjacent properties to the north, east, and west are zoned residential. The property south of the subject parcel is zoned commercial and also has a non-conforming single family home use. A map of the property is attached for your reference.

City Code stipulates the procedure for rezoning a property is for a public hearing at a future council meeting and to refer the petition to the Plan Commission for consideration. The public hearing date before the Common Council is set for February 11, 2010 at 6:00 p.m.

Suggested motion: I recommend to Council approval of rezoning Parcel Number 201-1048-06 located at 1203 10th Street West, from Commercial to Residential Single Family.