

PIERCE PLANNING & ZONING COMMISSION MEETING -----July 17, 2023

Chairman Paul Sedlacek called the meeting to order at 6:02 p.m. The following members were present: Paul Sedlacek, Dave Bachman, Mark Luebe, Chad Theisen, Chad Anderson, Devin Muncher, and Jordan Wintz. Absent: Doug Lesser, Blaine Bockelman, and Leon Janovy.

Minutes of the March 22, 2023 meeting were approved as submitted.

Dave Bachman made a motion to open the hearing for a conditional use permit for a home occupation at 221 S. 2<sup>nd</sup> St. Chad Theisen 2<sup>nd</sup> the motion. The motion carried. Jordan Wintz who presently has a Home #1 daycare facility at her home (up to 8 children) wants to expand her daycare to a Home #2 facility which can have up to 12 children. Home occupations are listed as a permitted conditional use within a MDR-1 District. Being aware of the shortage of daycare in Pierce, the board thought that it was necessary to continue to be somewhat lenient for these types of requests. Mark Luebbe made a motion to close the hearing. Dave Bachman 2<sup>nd</sup> the motion. The motion carried. Mark Luebbe made the motion to recommend to the City Council the approval of the conditional use permit for the home occupation (Home #2 daycare facility) at 221 S. 2<sup>nd</sup> St. Dave Bachman 2<sup>nd</sup> the motion. A roll call vote was taken. The motion passed 4-0.

The next item of business was apartments within the main level of buildings downtown. The zoning regulations within a C-2 General Commercial District state that residences are only allowed as a conditional use permit when located above the ground floor. Currently, the zoning regulations do not allow for any residences within the main level of a downtown building. Devin Muncher who owns the Fitness Center building was present. Devin would like to turn a portion of his building into an apartment. To the surprise of the Board, Mr. Muncher said there was an apartment on the main level of his building up until 2013. However, the zoning regulations state that "if the non conforming use ceases for any reason for a period of more than twelve (12) months, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located". There was much discussion of going over the two options of staying with the status quo or proceeding to advertise for a hearing to amend the zoning regulations allowing a residence within the main level of a downtown building as a permitted conditional use. The Board members were concerned that if they allow one apartment request on the main level of a downtown building they would have to allow them all. This could open up a big can of worms and restrict the amount of potential businesses that could be located within our downtown. The Board decided to stand behind the present zoning regulations of not allowing a residence within the main level of a downtown building. No action was taken.

Chad Anderson mentioned that at the last City Council meeting on July 10<sup>th</sup>, he was questioned whether or not the City needs to continue to find lot pins for private residences when applying for a zoning permit. The City Council thought it should be up to the resident to find the lot pins or they should have a survey done. Chad said he would do some research on the matter.

Zoning permits were reviewed.

Mark Luebe made a motion to adjourn. Dave Bachman 2<sup>nd</sup> the motion. The motion carried. The meeting adjourned at 6:45 p.m.