

1. Agenda Packet

Documents: [MAY 12, 2015 PLANNING AGENDA PACKET.PDF](#)



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**PLANNING COMMISSION MEETING
WAITE PARK CITY HALL
TUESDAY, MAY 12, 2015
6:30 P.M.**

1. Pledge of Allegiance
2. Roll Call
3. Approve Agenda for Tuesday, May 12, 2015
4. Approve Minutes of March 24, 2015
5. Public Hearing—Alfred Karls - Preliminary and Final Plat of property located at 2411 Graniteview Road
6. Public Hearing – McMereditth Development Amendment to Planned Unit Development at 500 Heritage Drive
7. Overview of Lane Use Study by Saint Cloud State University
8. Other

ADJOURN

PLANNING COMMISSION MEETING FOR THE CITY OF WAITE PARK

The Waite Park Planning Commission met on Tuesday, March 24, 2015 at 6:30 pm.

The meeting was called to order by Acting Chair Jansky beginning with the Pledge of Allegiance.

Members Present: Tim Jansky, Bonnie Hermanutz, Bob Zabinski, Ken Schmitt and Jeff Blair.

Others Present: Shaunna Johnson, Administrator, Sheila Mockros, Secretary, City Engineer, Terry Wotzka, Jonathan Noerenberg, Planning and Community Development Director and those on the attendance sheet.

Commissioner Blair made a motion to accept the agenda as presented which was seconded by Commissioner Zabinski. Motion carried

Since the Commissioners had not had a meeting in 2015, they needed to appoint a Chair and Assistant Chair. Commissioner Zabinski made a motion to appoint Tim Jansky as chair which was seconded by Commissioner Blair. Motion carried

Commissioner Blair made a motion to appoint Commissioner Hermanutz as Assistant Chair which was seconded by Commissioner Schmitt. Motion carried.

Commissioner Hermanutz made a motion to approve the minutes of October 14, 2014 with corrections, which was seconded by Commissioner Blair. Motion carried. 4/0 with Commissioner Schmitt abstaining as he was not present at the meeting.

Public Hearing: Division and 6th Avenue South Hotel and Conference Center Development Preliminary and Final Plat

An application has been received from the Silver Leaf Group, LLC for subdivision and Planned Unit Development of the properties located at the corner of Division Street and 6th Avenue South. The properties of the former Salvation Army site, the former Radiator Shop, and the Tri-County Mobile Home Park as well as an additional lot located on 1st Street South are included in the development. The current zoning of the site is B-3 Second Street South Corridor.

The property is proposed to be divided into 4 lots. The plat is proposed to be known as Silver Leaf Addition. Each of the four lots is over the 1 acre minimum. Block 1, Lot 1, located on the corner of Division and 6th Avenue is proposed for a retail site. The remaining 3 lots in Block 2 are proposed for two hotels and a conference center.

The Public Hearing Notice was read by Chair Jansky and the Public Hearing was opened at 7:09 p.m.

City Engineer Wotzka stated that easements will be dedicated for final design. Parkland dedication fees on this subdivision will be calculated based on our already established city policy. The Park Board will consider making a recommendation on the parkland dedication at their meeting on April 1st.

March 24, 2015

Lois Zabetti, 50 6th Avenue South, Lot 33- Ms. Zabetti questioned why the property needs to be turned into motels . She stated that no one knows what is going on and what the time table will be for closing the park.

Kirk Dickison, 634 Pinewood Court - Mr. Dickison stated that the mobile home park was built in 1965 and was later sold to Mr. Lechner as an investment. Mr. Dickison states that there is a need for motels in the area as many times all motels are full. He sees no problem with the property changing uses. Mr. Dickison stated that some years ago some of the mobile home park was sold and that 18 homes were moved out when LaCasita Restaurant bought the property. The property has been for sale for many years.

Mitchel Wenning, 50 6th Avenue South Lot 51 Mr. Wenning stated that he grew up in the park and has since bought the home from his parents. He stated that Mr. Lechner will not talk to them and they have not gotten any information as to what is going on and what the time frame to move might be. He stated that these have been people's homes for years with lots of memories and joys.

Don Evenson stated that they do understand the concern of those living in the mobile home park but since the property has not closed yet and that there is just a purchase agreement they cannot speak to the timing of the closing of the park. He said that there are three separate owners who Silver Leaf has purchase agreements with. He stated that the Waite Park area is growing and that there is a need for a conference center and motels. He said that this development will allow for addition future growth.

Larry Woinarowic - 50 6th Ave South #10 said that he has just bought his mobile home and now is hearing that the park is closing. He said he has not received any information from the property owner as to the timeline.

Motion by Commissioner Member Schmitt to close the public hearing. Seconded by Commissioner Member Hermanutz. Motion carried 5/0.

Public hearing on the platting process closed at 7:32 p.m.

SUGGESTED MOTION:

Commissioner Zabinski moved to recommend to the City Council to approve the preliminary and final plat to be known as Silver Leaf Addition on the condition of approval of Stearns County and Sauk River Watershed District, the parkland dedication fees being determined by the Park Board and City Council, any other necessary easement in order to finalize the design of the project, TIF financing in place and a Development Agreement being approved by the City Council.

Commissioner Hermanutz seconded the motion. Motion approved 5/0.

Public Hearing: Division Street and 6th Avenue South - PUD Overlay District Modification

Silver Leaf Group LLC is requesting approval of a Planned Unit Development for two hotels and a conference center to be constructed on Lots 1, 2, and 3 of Block 2 in the Silver Leaf Addition. There will be 2 phases for the project, one now which includes constructing one of the hotels and the conference center. This phase of the project will be completed in 2015-2016 with the remaining hotel being construed in 2016-2017 with a full build out of the development to be completed by 2017. This zoning district is B-3 Second Street South Corridor (PUD). The proposed development fits under permitted uses. The developers are asking for consideration of a PUD to allow for some variances from the parking, side yard setbacks, and sign height requirements.

This property proposed for development covers three separate parcels. The proposed development shares the parking and adjoins the three buildings together. As a result of this, it requires varying from the side yard setback and allowing all three sites to share their parking which then allows them to remain in compliance with the parking requirements. In addition to this, the developers are requesting some variance from the sign height. They show two elevated signs and are proposing them to be 40 feet in height. Our sign ordinance maximum height is 20 feet. In addition, they are requesting an elevated sign to be collocated with the proposed elevated sign along 6th Avenue North. The distance requirement between these two signs by Ordinance is 100 feet. It appears from the drawing to be much closer than allowed.

Public Hearing was re-opened at 7:09 PM to discuss the Planned Unit Development.

Mr. Evenson stated that they are still working with the name of the hotels but is requesting that a sign which would be placed off of Division Street be allowed to be higher than the 20 foot maximum. Since the building will be 4 stories high the sign will fit in well and is critical for marketing. There currently is a billboard sign on one of the properties and they will be requesting that it could be used as a rolling digital sign.

All of the setbacks and lot size requirements have been met.

There was some discussion regarding having adequate parking on the property and the plan is to have some cross easement parking with area property owners and some of the agreements are already in place.

Rick Brix who is employed at the Grocery Clearance spoke questioning the time of the project. Mr. Evenson responded that they do not know about the timing since it depends on getting all the approvals and then being able to close on the property.

Attorney Hansmeier stated that the property owners will need to meet all state laws in proceeding with the redevelopment of the property.

Commissioner Zabinski questioned the Parkland Dedication Fees and Administrator Johnson said that the Park Board will review and make a recommendation to the City Council. Mr. Zabinski also questioned how the TIF works. Administrator Johnson stated the money can be used for getting the property ready for construction, assisting in relocating mobile home

residents, legal fees, demo of current utilities... It cannot be used for any above ground costs. The TIF is a pay as you go so the money would be paid out a year at a time.

There was a question as to why the corner lot was not being included in the PUD and it is because that lot will be owned by Silver Leaf for future development and has been platted separately from the property for construction of the hotels and conference center.

Councilmember Schmitt moved to close Public Hearing. Councilmember Hermanutz seconded the motion. Motion carried 5/0.

Public Hearing closed at 7:32 PM.

Administrator Johnson read the following Findings of Facts for the Commissioners to review:

1. The proposed project shall not be detrimental to present and potential surrounding land use.
2. Land surrounding the proposed development can be planned in coordination with the proposed development and can be developed so as to be mutually compatible.
3. Streets and sidewalks, existing and proposed, are suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the proposed project, in light of the criteria set forth in the Subdivision Ordinance and the comprehensive plan.
4. Services including potable water, sanitary sewer and storm drainage are available or can be provided by the development prior to occupancy.
5. Each phase of the proposed development, as it is planned to be completed, contains the required parking spaces, recreation spaces, landscape and utility areas necessary for creating and sustaining a desirable and stable environment.
6. The project conforms with the purposes and standards prescribed in this chapter.
7. The project conforms to the Comprehensive Plan.

B. Conformance with the design standards and required improvements as set forth within the Subdivision Ordinance.

Commissioner Blair, based on the Findings of Facts, moved to recommend to the City Council to approve the Preliminary and Final Planned Unit Development and the Development Plan for Silver Leaf Development.

Following are the recommended conditions being recommended to become part of the PUD Modification which include that the City receives a copy of parking cross easement with other properties for parking.

Commissioner Hermanuz seconded the motion. Motion carried 5/0.

Administrator Johnson gave the Building Department Update. She stated that the city has contracted with Jeff and Jim Howe to provide building inspection services.

Administrator Johnson introduced Jon Noerenberg the City's new Community Development Director.

Commissioner Schmitt made a motion to adjourn which was seconded by Commissioner Hermanutz. The motion carried and the meeting was adjourned at 8:01 p.m.

Tim Jansky, Chair

Sheila Mockros,
Building/Planning Assistant

March 24, 2015

Agenda Item No. 5

Issue: Review of Preliminary and Final Plat Plat – Granite Meadows

BACKGROUND

The subject property is located at 2411 Granite View Road. The applicant and property owner is Alfred Karls (d/b/a Alfred Karls Revocable Trust), and the process is being aided by his daughter Sandy Harrison. The applicant is requesting preliminary and final plat review of Granite Meadows subdivision. The property is zoned A-1, Agricultural/Rural Residential.

The applicant is pursuing the platting of the property in order to split the existing parcel for eventual sale. The total land area encompasses 69.30 acres. The A-1, Agricultural/Rural Residential District requires a minimum lot size of 10 acres. The proposed plat consists of a single-lot, single-block subdivision, with an outlot reserved for the remainder of the property. Proposed Lot 1, Block 1 consists of 12.24 acres and contains the existing residential property at 2411 Granite View Road.

The remainder of the property is depicted as Outlot A, with an area of 56.87 acres. No development or change-in-use is anticipated for Outlot A at this time; however, the property must be included as an outlot at time of platting as it is part of the property being subdivided. Outlot A contains likely wetland areas, but wetland delineation is not required in conjunction with the request for preliminary and final plat review as no impacts to the potential wetland areas are proposed or anticipated at this time. At such time in the future as access may be provided to the outlot and development may be feasible, wetland delineation may be required at this time. However, this is not likely to occur in the foreseeable future.

The plat depicts necessary standard drainage and utility easements around the perimeter of the properties. In this instance the site is not being prepared for immediate or near-term development, and design considerations for such development are not needed.

As it has not been previously platted, proposed Lot 1, Block 1 will be subject to required payment-in-lieu of parkland dedication fee. This fee will be determined by staff and reviewed by the Park Board prior to review of the preliminary and final plat by the City Council.

It is also worth noting that upon platting the property will be subject to the standard city residential tax rate, instead of the lesser township rate that is currently utilized. This is the standard agreement that the city has with recently-annexed properties.

PUBLIC HEARING

(Chair of Planning Commission should read public hearing notice)

Public hearing was opened at _____ PM.

Motion by Planning Commission Member _____ to close the public hearing.

Seconded by Planning Commission Member _____.

(Motion approved or denied)

Public hearing closed at _____ PM.

REQUIRED ACTION

Conduct the public hearing taking any comments from the public and the applicant. After closing the hearing, the Planning Commission's action could be any of the following regarding the request:

1. Approval of the preliminary plat with conditions as presented – with findings of fact.
2. Denial of the preliminary plat, with findings of fact.
3. The Planning Commission may, at its discretion and with the approval of the applicant, table the matter pending further information from the applicant that will help it render a recommendation to the City Council. An extension of the 60-day request review period as noted by State Statutes may be required.

STAFF RECOMMENDATION

Staff recommends approval of the preliminary plat with the following conditions:

1. Payment-in-lieu of parkland dedication, as established by the Park Board and approved by the City Council, shall be paid prior to affixing of City signatures on the final plat.
2. The property is subject to the standard City of Waite Park residential tax rate upon recording of the final plat.

Provided that conditions of the preliminary plat are satisfied, staff recommends approval of the final plat.

SUGGESTED MOTION

Commissioner _____ moved to recommend to the City Council to approve or deny the final plat of Granite Meadows.

Commissioner _____ seconded the motion.

ROLL CALL

- Commissioner Ken Schmidt _____
- Commissioner Bonnie Hermanutz _____
- Commissioner Tim Jansky _____
- Commissioner Bob Zabinski _____
- Commissioner Jeff Blair _____

Motion (Approved) (Denied)



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Planning Commission Platting Guidelines for consideration of Granite Meadows

The Planning Commission shall conduct a public hearing. The applicant or a designated representative thereof shall appear before the Planning Commission at the public hearing in order to answer questions concerning the proposed request. Following the closing of the public hearing, the Planning Commission shall take one of the courses of action identified in Section 58.3, Subd. 7(K) below. The following guidelines should be followed when findings of fact are issued:

Preliminary Plat Considerations:

1. The proposed preliminary plat conforms to the requirements of this Ordinance and the applicable zoning district regulations.
2. The proposed subdivision is consistent with the City's Comprehensive Plan and any other adopted land use studies and is compatible with the platting or approved preliminary plat on adjoining lands.
3. The proposed plat does not constitute a 'premature subdivision' under section 58.7, Subd. 1(D) of this Ordinance.
4. The physical characteristics of the site, including but not limited to topography, vegetation, wetlands, susceptibility to erosion and siltation, susceptibility to flooding, water storage and retention, are such that the site is suitable for the type of development or use contemplated.
5. The design or improvement of the proposed subdivision complies with applicable plans of the County and the state of Minnesota.
6. The design or improvement of the proposed subdivision is not likely to cause environmental damage or health problems.
7. The completion of the proposed development of the subdivision can be achieved in a timely manner so as not to cause an undue economic burden upon the City for maintenance, repayment of bonds or similar burden.
8. That permits applicable to the site/project as required by local, state and federal law have been applied for and/or have been approved. The Applicant is required to prove compliance with all local, state and federal law. The City and/or its assigns may determine if whether an application for approval is sufficient or if approval a permit application is acceptable.

Final Plat Considerations:

1. The final plat conforms to the approved preliminary plat and any/all conditions for approval of the preliminary plat.
2. All submission requirements have been satisfied.
3. The plat conforms to all applicable requirements of this Ordinance, subject only to approved rule exceptions.

Staff Review of Final Plat Requirements with Comments for Granite Meadows

Subd. 9. Final Plat Data Requirements. As required by Section 58.3, Subd. 9 of this Title, the applicant shall submit a final plat together with any necessary supplementary information. The final plat, prepared for recording purposes, shall be prepared in accordance with provisions of Minnesota State Statutes and Stearns County regulations, and such final plat or accompanying submittals shall contain the following information:

- A. Name of the subdivision, which shall not duplicate or too closely approximate the name of any existing plat theretofore recorded in the City of Waite Park or its vicinity and which shall be subject to City Council approval.
- B. Location by section, township, range, county and state, and including descriptive boundaries of the subdivision.
- C. The location of monuments shall be shown and described on the final plat. Locations of such monuments shall be shown in reference to existing official monuments on the nearest established street lines, including true angles and distances to such reference points or monuments. The applicant shall provide coordinating data on all subdivision documentation in a format approved by the City Engineer.
- D. Location of lots, outlots, streets, public highways, alleys, and parks and other features, with accurate dimensions in feet and decimals of feet, with the length of radii and/or arcs of all curves, and with all other information necessary to reproduce the plat on the ground shall be shown. Dimensions shall be shown from all angle points of curve to lot lines.
- E. Lots shall be numbered clearly, blocks are to be numbered, with numbers shown clearly in the center of the block.
- F. A drawing or listing of total square footage per lot, acreage per block, square footage or acreage of each land use proposed (where applicable) and total acres in the plat.
- G. The exact locations, widths and names of all streets to be dedicated.
- H. Location, purpose and width of all easements to be dedicated.
- I. Name, address and phone number of surveyor making the plat.
- J. Scale of the plat to be one (1) inch to one hundred (100) feet (1"=100'—the

scale to be shown graphically on a bar scale), date and north arrow.

K. A current abstract of title or a registered property certificate along with any unrecorded documents that are subject to review and approval by the City Council.

L. Copies of any protective or restrictive covenants affecting the subdivision or any part thereof.

M. Statement dedicating all easements as follows: Easements for installation and maintenance of utilities and drainage facilities are reserved over, under and along the designated areas marked "drainage and utility easements".

N. Statement dedicating all streets, alleys and other public areas not previously dedicated as follows: Streets, alleys and other public areas shown on this plat and not heretofore dedicated to public use hereby so dedicated.

STAFF COMMENTS: Dedication of public right-of-way is non-applicable to this plat.

0. Other data: Such other information that may be required by the City following final plat approval, including but not limited to:

1. A signed Development Agreement approved by the City which includes provisions for a financial guarantee of cash escrow or letter of credit, as provided for in Section 58.6, Subd. 16 of this Ordinance.

STAFF COMMENTS: Development agreement is not applicable to this plat as no development or additional infrastructure is proposed.

2. A complete set of construction plans and specifications to construct the required public improvements and to make the subdivision suitable for development, which conform to the City requirements. These documents will be prepared by the City for projects following the publicly financed public improvement process.

STAFF COMMENTS: Non-applicable.

3. A certified mylar copy of the plat evidencing filing of the plat with the County within sixty (60) days after approval by the City. No building permits shall be approved for construction of any structure on any lot in said plat until the City has received evidence of the plat being recorded by Stearns County.

4. Three complete sets of 11" x 17" reproducible as-built construction drawings for any public improvements constructed in the subdivision shall be furnished to the City for the City files and City Engineer, within one hundred and twenty (120) days after the construction is complete and approved by the City. In

addition one digital GIS formatted copy and one scanned copy for imaging shall be submitted to the City.

5. Upon adoption and filing of a final plat, the City shall prepare a street address map and distribute it to the applicant, utility companies, police department, ambulance, fire department, post office and County.

6. A digital disk of the recorded plat consistent with the Stearns County coordinate system in a format specified by the City and/or the City Engineer for inclusion in the City's base map.

P. Certification Required.

1. Certification by a registered surveyor in the form required by Minnesota Statutes 505.03, as amended.

2. Execution by all owners of any interest in the land and holders of a mortgage thereon of the certificates required by Minnesota Statutes 505.03, as amended, and which certificate shall include a dedication of the utility easements and other public areas in such form as approved by the City Council.

3. Space for certificate of approval and review to be filled in by the signatures of the Mayor and City Administrator.

STAFF COMMENTS: Staff will ensure that applicable requirements above are completed prior to affixing of staff signatures on the final plat documents.

GENERAL STAFF COMMENTS: Staff has reviewed and believes that all applicable requirements for the proposed preliminary and final plat have been satisfied. As installation of infrastructure and new development is not contemplated as part of the request, many typically-required aspects are not applicable in this case.

Agenda Item No. 6

Issue: 500 Heritage Court (“Heritage Point Estates Apartments”) Adjustment to Planned Unit Development (PUD) Public Hearing and Review

BACKGROUND

The subject property is Heritage Point Estates Apartments, located at 500 Heritage Court. The property owner/applicant is McMerideth Development. The applicant is requesting an adjustment to the previously-approved Planned Unit Development for the property, collectively known as Heritage Court, to allow for construction of an additional five-stall parking garage in an area currently utilized for parking upon the northwest corner of the property. The property is zoned R-1, Single Family Residential District; the use of the property for multi-family residential apartment units was previously approved as part of the Planned Unit Development process.

Due to the development having been previously reviewed and approved by the Planning Commission and the City Council as a Planned Unit Development, and requested change to the development is subject to additional review and approval via a public hearing process.

The intent of the applicant is to utilize the same garage design as is utilized elsewhere on the property to erect an additional five-stall garage on the location of existing parking lot area upon the northeast corner of the site. The applicant has advised that the garage would have four regular parking stalls, and one centrally-located handicap accessible parking stall. The structure would have a footprint of 1,500 square feet and the exterior design will mirror that of other garages upon the site, including the existing garage immediately to the north.

The garage is requested in this location so as to provide additional enclosed parking nearby to the building, which makes access easier. The applicant has noted that this improved access is important as many residents of the building are older and have mobility issues, and as such the garages in this location are more desirable than elsewhere upon the property where the distance from the building to parking areas is greater.

The existing setbacks will not be impacted as the garages will not be any closer to the adjacent residential buildings than the existing parking area is.

The Planning Commission is required to hold a public hearing on the request to provide the public an opportunity to respond to the proposed adjustment. You can hear testimony from the applicants and any other members of the public interested in speaking on the request. Once you have taken comments, you may close the public hearing and consider the adjustment as presented.

PUBLIC HEARING

(Chair of Planning Commission should read public hearing notice)

Public hearing was opened at _____ PM.

Motion by Planning Commission Member _____ to close the public hearing.

Seconded by Planning Commission Member _____.

(Motion approved or denied)

Public hearing closed at _____ PM.

REQUIRED ACTION

Conduct the public hearing taking any comments from the public and the applicant. After closing the hearing, the Planning Commission's action could be any of the following regarding the request:

1. Approval of the requested adjustment to final Planned Unit Development as presented – with findings of fact.
2. Approval of the requested adjustment to final Planned Unit Development with conditions – with finding of fact.
3. Denial of the requested adjustment to final Planned Unit Development, with findings of fact.
4. The Planning Commission may, at its discretion and with the approval of the applicant, table the matter pending further information from the applicant that will help it render a recommendation to the City Council. An extension of the 60-day request review period as noted by State Statutes may be required.

STAFF RECOMMENDATION

Staff believes that the adjustment is nominal and maintains the design intent and quality of the original approval, as well as meeting all other criteria for approval as outlined by the zoning ordinance. Staff recommends approval of the request.

SUGGESTED MOTION

Commissioner _____ moved to recommend to the City Council to approve or deny the requested adjustment to final Planned Unit Development of Heritage Court.

Commissioner _____ seconded the motion.

Following are recommended conditions to become part of the requested Final PUD Adjustment (not required if no conditions discussed/established)

ROLL CALL

Commissioner Ken Schmidt _____

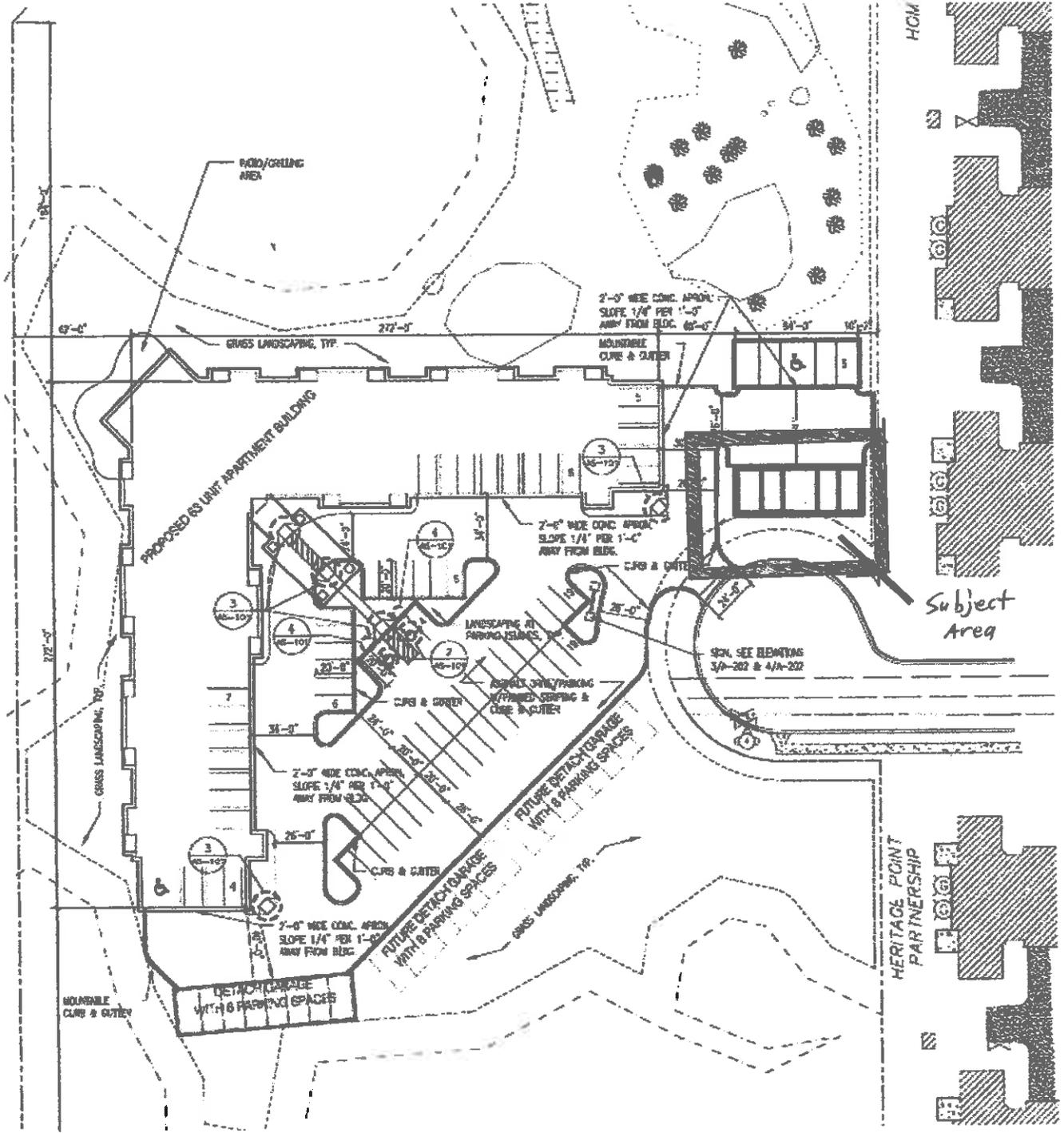
Commissioner Bonnie Hermanutz _____

Commissioner Tim Jansky _____

Commissioner Bob Zabinski _____

Commissioner Jeff Blair _____

Motion (Approved) (Denied)



MAHLER & ASSOCIATES
ARCHITECTURE

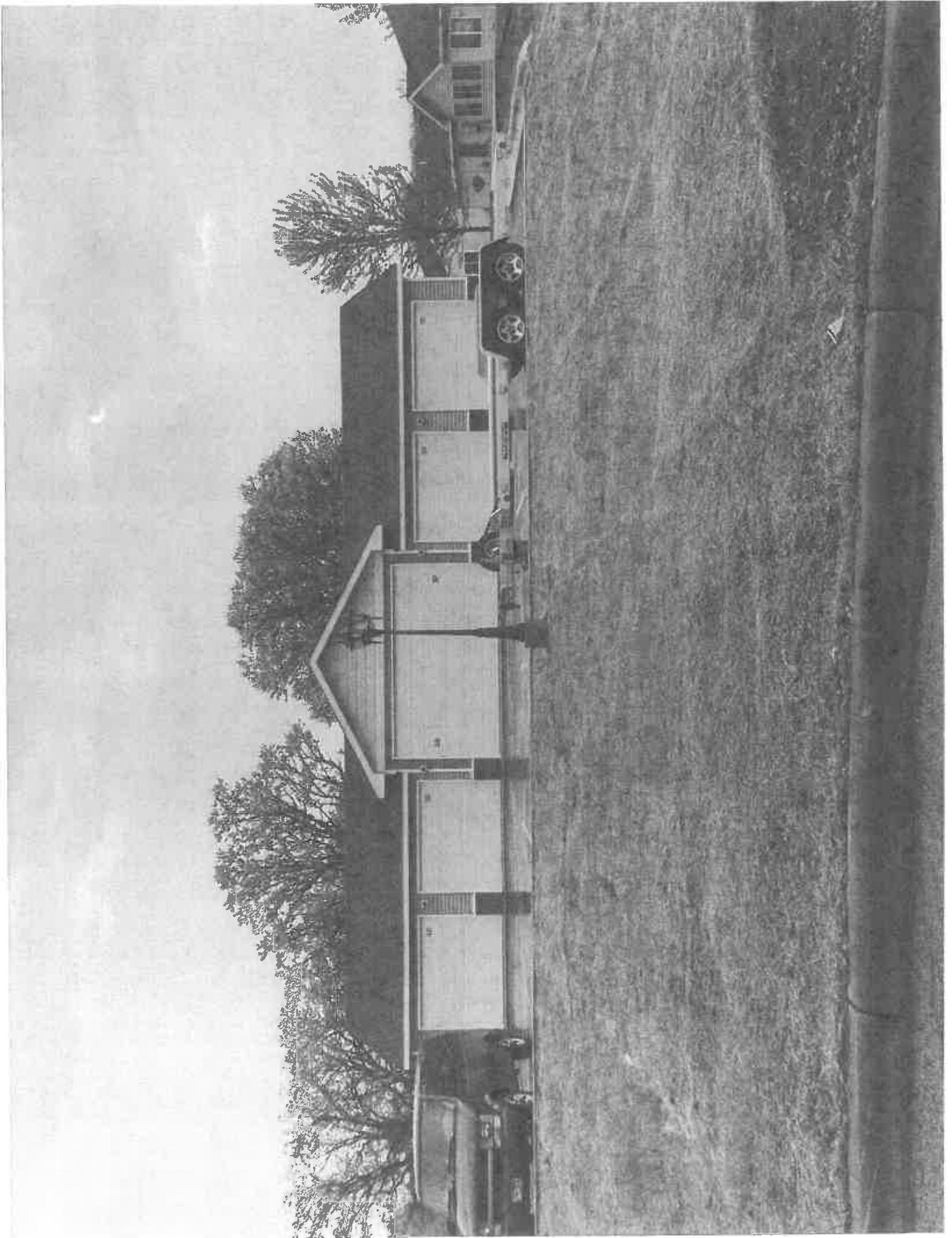
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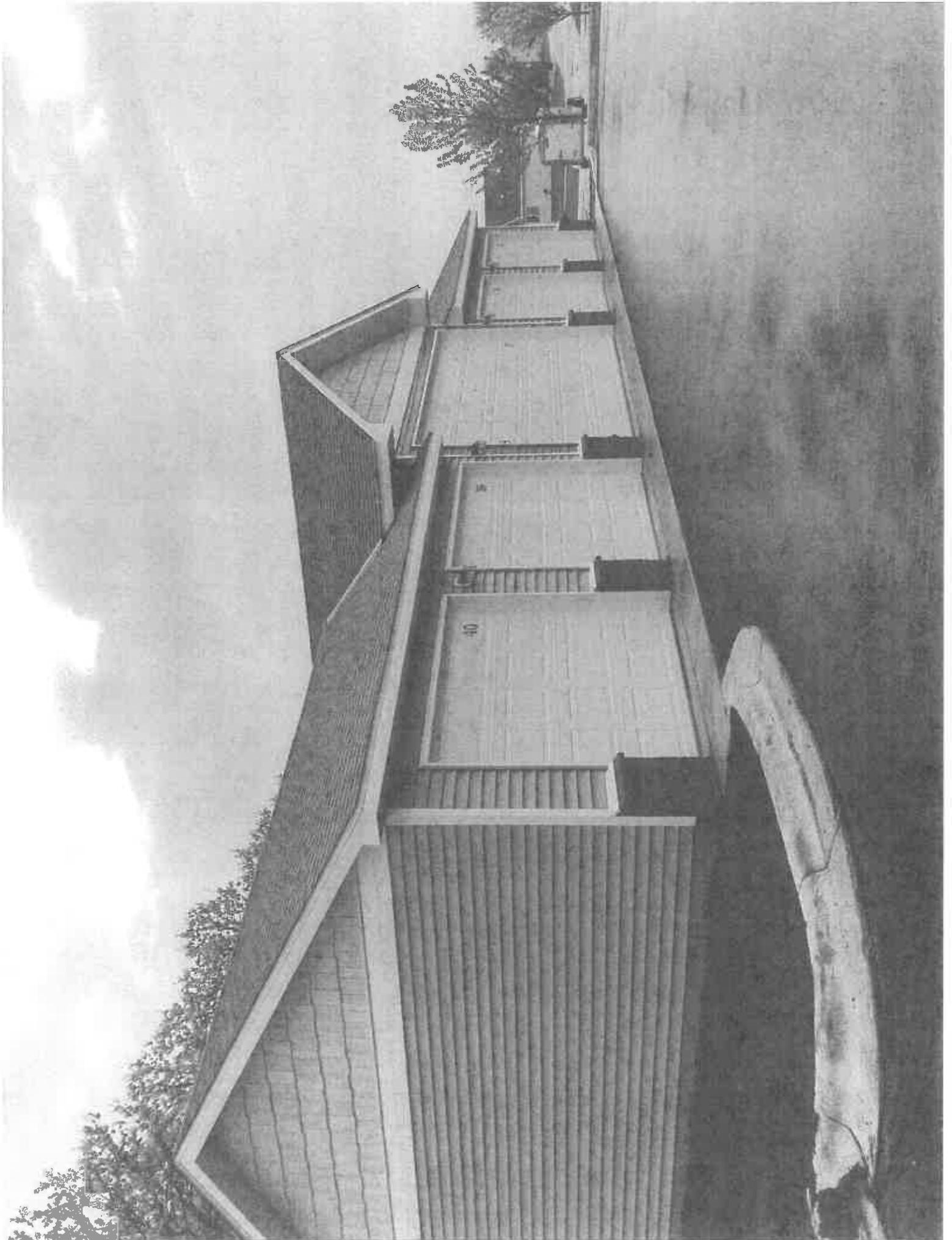


I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the state of Connecticut.

[Signature]
George E.D. Mahler
Reg. No. 22314
DATE 08/01/2013

revision/issue	Date







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Planning Commission

Adjustment to Planned Unit Development Guidelines

For Consideration for Heritage Point Estates Apartment

The Planning Commission will hold a public hearing to hear from the public and the applicant on their proposed amendment to existing development. Once the public hearing is closed, the Planning Commission will need to consider the Planned Unit Development (PUD) adjustment, taking into account the following requirements for approval:

Adjustments to Approved Final PUD – Criteria for Approval

1. The adjustment maintains the design intent and quality of the original approval.
2. The amount of landscaping, buffering, and open space shall not be reduced.
3. The number of dwelling units in residential developments and the square footage of structures shall not increase.
4. The adjustment shall not relocate a building, street, or other use more than 20 feet in any direction and shall not reduce any required yard and/or setback.
5. The height of buildings and other structures shall not increase.
6. Views from both structures on-site and off-site shall not be substantially reduced.
7. Traffic volumes shall not increase and circulation patterns shall not change.
8. Changes in colors, plant material and parking lot configurations are minor.
9. The adjustment does not add significant new environmental impacts or significantly increase environmental impacts disclosed in the original documents.
10. The zoning administrator determines that the change will not increase any adverse impacts or undesirable effects of the project, or that the change in no way significantly alters the project.