

MINUTES OF PLANNING COMMISSION MEETING

September 13, 2021

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 13th day of September, 2021 at 6:30 PM

THE FOLLOWING WERE PRESENT: Chairman Ferris, Commissioner Burton, Commissioner Thompson, Commissioner Tinsley, Commissioner Egler and Commissioner Fitch

THE FOLLOWING WERE ABSENT: Commissioner Torkelson

THE FOLLOWING WERE ALSO PRESENT: City Administrator Ibisch, Clerk Rappe, Brad Scheib – HKGi, Mary and Ryan Pennington, Roger and Renee Horsman, Jamie Judisch, Jim Judisch and Tim O'Morro

CALL TO ORDER AT 6:30PM

MINUTES OF THE PREVIOUS MEETING – August 9, 2021 - Motion to Approve the Minutes as Submitted made by Commissioner Thompson, second by Commissioner Burton With All Voting Aye.

PUBLIC HEARING – CONDITIONAL USE PERMIT FOR FENCE ON THE PROPERTY LINE – Administrator Ibisch stated that this property is in Stone Ridge Subdivision and the side/south property line is along the trail that extends all along the Methodist Church north boundary. Mary Pennington property owner, was in attendance and would like the Planning Commission to strike the staff recommendation of putting the fence three feet from the property line on the west side that is not along the trail. Mrs. Pennington has permission from the neighbor to put it on the property line. Brad Scheib stated that an access easement with the neighbor would be needed and filed with the County.

Public hearing open

No comments

Public hearing closed

Motion to Recommend Approval with the modification of Condition #3 To Be Able To Put The Fence On The Property Line with An Access Easement, made by Commissioner Burton, second by Commissioner Fitch with All Voting Aye.

PUBLIC HEARING – VARIANCE TO REBUILD GARAGE 2 FEET FROM PROPERTY LINE – Administrator Ibisch stated that the garage burned down and the Horsman's would like to rebuild on the footprint. Roger and Renee Horsman were in attendance. Mr. Horsman stated that they would like to replace the garage that caught fire and was a total loss that is closer to property line than 6.6 feet. Mr. Horsman stated that the pins and corner markers are still there and the neighbors don't have a problem with this. Planning Consultant, Brad Scheib stated that the one thing we want to make sure is that the structure is entirely on your property. If the pins are there that makes it easy for the surveyor to locate.

Public hearing open

No comments

Public hearing closed

Commissioner Tinsley confirmed that the garage would be the same size as the previous.

Commissioner Burton stated that if we can locate the property pins then he has no problem with this.

Commissioner Thompson stated that do we want a survey or just locate the pins. Mr. Scheib stated that the survey is suggested out of caution and given the age of this plat.

Commissioner Thompson stated that ultimately it is the homeowner's responsibility if the pins are off and he would do it without a survey. Renee Horsman stated that they are barely getting enough from insurance to rebuild without the extra expense of a survey. Mr. Scheib stated that the certificate of survey would show where the property line is in relation to the foundation.

Commissioner Burton stated that this plat is old enough so he is ok not to have the survey but would like a verification of where the pins. Administrator Ibisch stated that he would like to protect the city from liability when we are not surveyors. Mr. Horsman stated that the neighbor put a fence in 6 years ago and they put up a string line and the back of the garage is actually 3 feet from the property line. The southwest corner of the garage is 2.5 feet and the back of the garage is 3 feet. Mr. Horsman stated that if the garage was moved over to accommodate the 6.5 foot setback it would be behind the house and useless.

Motion to Approve the Garage Following Staff Recommendations made by Commissioner Thompson. Due to the lack of a second the motion fails.

Motion to Approve the Variance With The Findings of Fact and Conditions Minus The Survey Requirement by Commissioner Burton, second by Commissioner Thompson. Roll call: Ayes- Thompson, Burton and Tinsley Abstain: Fitch Nays: Egger and Ferris

VAIL PROPERTY – UPDATE/DISCUSSION – Administrator Ibisch stated that he received these last week and there are some developers that have expressed interest in the property by the water tower to develop into more townhomes and apartment buildings. Commissioner Thompson asked if they are interested in doing the entire project or just one building. This is a concept. Ibisch stated that there is a large need for affordable housing. Commissioner Egger likes Concept B better for traffic and emergency vehicle flow.

Commissioner Thompson asked if this would be assisted living or senior housing. Ibisch stated it would be senior living. Concept B had the parking lot being a buffer from the railroad tracks. Ibisch stated that fencing and landscaping would have to be worked out. Commissioner Tinsley also favors Concept B also, giving more distance from the train. Commissioner Thompson asked if there would there be a possibility of any of the former viaduct buried there. Commissioner Thompson stated that apartments that have garages instead of just parking tend to be nicer.

4TH AVE NE APARTMENTS – UPDATE/DISCUSSION – Jamie Judisch presented plans for an apartment building in the Thompson Addition. They believe this location is a prime location for this building given its proximity to the school campus, it is drawn at 33 units and they believe they can fill a fair number with the senior population. Parking garage would come out on 5th Ave NE and they are not sure yet what the grade would be. Judisch is not concerned with traffic flow and sited his building in Pine Island is close to a school. A private drive is going in off 16th St and that would terminate in a parking lot at the apt building. They are figuring one parking spot per unit. The construction could start in early 2022. This would take about 10 month construction schedule. Storm water is a question that is being worked out. Commissioner Fitch has quite a few questions from a fire department viewpoint. He is concerned with the location and access for the fire department. He is not prepared to get into specifics. Mr. Judisch stated that the building would be sprinkled and all of the fire requirements will be met. They will be predominately 2 bedroom apartments. Laura Chamberlain from HKGi sent a letter with requirements that would have to be met.

INFORMATION ON BYRON SOLAR – Administrator Ibisch shared the letter and maps from the Byron solar project, this is a very large solar project and will be close to our borders. This will be approximately 1800 acres. These are not in our urban expansion zone. We can bring more information next month on urban expansion and annexation areas and how much control we actually have.

OTHER – Administrator Ibisch informed the Commissioners that a public meeting will be held Sept 30 6:00PM at the forum room at the KMHS for the Highway 57 project.

ADJOURN – 7:43pm

Respectfully Submitted,

Linda Rappe, City Clerk