

MINUTES OF PLANNING COMMISSION MEETING
May 14, 2018

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 14th day of May, 2018 at 6:30 PM

THE FOLLOWING MEMBERS WERE PRESENT: Commissioner Ferris, Commission Torkelson, Commissioner Tinsley and Commissioner Zelinske, Commissioner Burton and Commissioner Fitch and Commissioner Borgstrom.

THE FOLLOWING WERE ABSENT: None

THE FOLLOWING WERE ALSO PRESENT: Administrator Theresa Coleman, City Clerk Rappe, City Engineer Brandon Theobald, Brad Schieb- Hosington Koegler, Ron Kasel, Rich Massey-Massey Surveying, Nathan Campbell-DCI, Dan Egger, Doug Buck, Dorothy Larsen, Chris McKern, Matt Naatz, Tim O'Marro, Jason Wilker, Julie Nagorski, Steve and Linda Jurens, Martin and Silvia Ramirez, Mark and Ann Torkelson, Justin Haase, Jeff Patzke, Michael Nouch, Mark Dornkamp and Jackie and Earl Longendyke

CALL TO ORDER: Commissioner Ferris called the meeting to order at 6:30 PM.

MINUTES OF PREVIOUS PLANNING COMMISSION MEETING: Motion to Approve the April 9, 2018 minutes made by Commissioner Burton, second by Commissioner Zelinske with all voting Aye.

PUBLIC HEARING – COMPREHENSIVE PLAN

Brad Scheib from the Hosington-Koegler Group noted that an open house was held before the Planning meeting. Mr. Scheib gave an overview of the Comprehensive Plan. The plan looks, which includes a 20 year planning horizon, provides a foundation and structure for evaluating change. The community was engaged in a series of meetings and opportunities for online participation. The vision and guiding principles take into account past studies and current survey results. Parks, trail and sidewalks are a benefit in any community. Mr. Scheib emphasized that there are implementation and action steps to take once the Comprehensive Plan is approved.

Public Hearing Opened

No public comment

Close public hearing

Mr. Scheib has received a couple of action steps to consider adding; branding or promotional strategy and providing a forum for conversations about innovation to promote entrepreneurship.

Commissioner Burton stated that he has been part of the process since inception and thanks the community and Mr. Scheib; this is a significant step up from the previous Comprehensive Plan and hits on many points for this community. **Motion to Send the Comprehensive Plan to City Council for Approval made by Commissioner Burton, second by Commissioner Torkelson with All Voting Aye.**

PUBLIC HEARING – WILKER CONDITIONAL USE PERMIT – Administrator Coleman stated that Jason Wilker submitted a conditional use permit for a garden and nursery.

Public Hearing opened

Julie Nagorsky, Dewitt Law Firm, representing Jason Wilker – Ms. Nagorsky stated that Mr. Wilker has a current Conditional Use Permit for the property on 8th Avenue. The current Conditional Use Permit provides that no additional commercial structures will be allowed on the property. In her opinion there is nothing in the current CUP that limits his ability to make additions or modifications to the existing building. Ms. Nagorsky is asking to extend the 60 day rule. Administrator Coleman noted that the Planning Commission could provide a 60 day extension.

Public Hearing Closed

Motion to Grant the Extension of the 60 days for the Conditional Use Permit made by Commissioner Zelinske, second by Commissioner Borgstrom with All Voting Aye.

Commissioner Burton asked about a committee process to address Ms. Nagorsky's concerns. Administrator Coleman stated the City Attorney will listen to the tape and get back with Attorney Nagorski.

KASEL PRELIMINARY PLAT REVISIONS

Rich Massey noted that there are permitted uses in the floodplain and that Mr. Kasel would be dedicating Outlot R to the City. Commissioner Zelinske asked if Outlot S would be dedicated to the City for park/trail. Administrator Coleman stated that there are three options; 1) not allow the subdivision, 2) allow the subdivision with Outlots Q, R and S (without adjacent residential parcels) dedicated to the City for park/trail, or 3) allow the subdivision with a conservation area. Administrator Coleman noted that the proposed trail along the railroad tracks doesn't follow the City trail plan. Mr. Massey stated that the City could offer to buy the parkland.

Commissioner Zelinske stated that at the last meeting there was confusion among the homeowners that Mr. Kasel needed clear up. Mr. Kasel stated that he has talked to all the owners. Commissioner Tinsley asked for clarification regarding access to Outlots not purchased by adjacent property owners. Mr. Kasel stated that the majority of the neighbors are interested in buying; if not, he will retain ownership. City Engineer Theobald stated that the Comprehensive Plan includes recommendations for the trail; noting that the trail need to go to the north to comply with the trail map. Engineer Theobald stated that the Commission could reject the preliminary plat because most of the lots are not buildable. He added that an environmental corridor document would be the way to preserve the corridor for a future trail. Commissioner Zelinske stated that grading issues are going to come up no matter where the trail goes. He noted that a 20 foot right of way for future bike path will allow for turning the path north when the land to the east is platted. Commissioner Burton would accept the 20 foot easement along railroad tracks and would like to see a first right of refusal on Outlots S and Q. Commissioner Fitch would prefer to see it follow the creek but is ok with it along the railroad tracks. In response to Commissioner Torkelson, Engineer Theobald stated that even a 20 foot easement may not be enough with the grading. Commissioner Tinsley noted that the plat presents a potential land lock situation. Commissioner Borgstrom believes the deed restrictions should be part of a public hearing. Mr. Massey stated that there are a couple of the lots that are outside of the 100 year flood plain.

Jackie Longendyke - 1002 3rd St NE, stated that this should be a public hearing because more information has been given out. She noted City Code 153.070. Engineer Theobald stated the

section of the Code was included in the staff review and the Commission could rejected the plat on that basis.

Commissioner Burton referred to Ordinance 152.054 G.1. Commissioner Tinsley noted Ordinance 153.004, the statement of purpose and, 153.002 and 153.070, including the interpretation of unsuitable.

Motion to Approve the Preliminary Plat as Presented with Deed Restrictions as presented by the Applicant with First Right of Refusal on Outlots S and Q to be recorded at Final Plat and to be Reviewed by City Attorney for Clarification made by Commissioner Zelinske, second by Commissioner Borgstrom with All Voting Aye.

OTHER BUSINESS

None

ADJOURN 8:24PM

ATTEST:

Linda Rappe
City Clerk

Theresa Coleman
Zoning Administrator/City Administrator