

## MINUTES OF PLANNING COMMISSION MEETING

October 14, 2019

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 14th day of October, 2019 at 6:30 PM

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

**THE FOLLOWING WERE ABSENT:** None

**THE FOLLOWING WERE ALSO PRESENT:** Interim-Administrator Nancy Zaworski, City Clerk Rappe, Ron Kasel, Rayelle Hasse and Tony Bigelow

**CALL TO ORDER AT 6:30PM**

**MINUTES OF THE PREVIOUS MEETINGS – September 9, 2019 – Motion to Approve the Minutes as presented by Commissioner Thompson, second by Commissioner Torkelson with All Voting Aye.**

### **PUBLIC HEARING STROH REQUEST FOR CONDITIONAL USE PERMIT FOR PLANNED UNIT DEVELOPMENT FOR SOUTH FORK THIRD**

Interim City Administrator Zaworski stated that this includes staff review comments and much of this comes out of the agreements from the previous two development there.

Public Hearing Opened

Tony Bigelow – 1210 16<sup>th</sup> St NE – all conditions look agreeable. Mr. Bigelow asked if he needed a performance bond but since they are not public streets he is asking if that is needed. Zaworski stated that was one of the things recommended.

Public Hearing Closed

Discussion:

Commissioner Burton stated that most of this was hashed out during the preliminary and final plats. All commissioners agreed.

Zaworski reminded the commissioners to address the 13 conditions either individually or blanketed. The Commissioners agreed that this conditional use permit is compliant and compatible with all 13 conditions.

**Motion to Approve the Conditional Use Permit for A Planned Unit Development with conditions set forth by the staff review made by Commissioner Burton, second by Commissioner Zelinske with All Voting Aye.**

### **NOVEMBER 11 MEETING**

The Planning Commissioners discussed and settled on moving the November meeting to November 5.

**Motion to Reschedule the November 11, 2019 meeting to Tuesday, November 5 made by Commissioner Burton, second by Commissioner Thompson with All Voting Aye.**

### **KASEL**

Interim Administrator Zaworski stated that the background that there was a nuisance complaint and with other things happening she would like to keep this conversation to ‘is this a nuisance or not’ and how to respond. As it stands right now if the commission does not choose another action, staff will continue as

Planning Commission Meeting October 14, 2019

normal and have the owner mow the property. There is an Attorney opinion in the packet. The Ordinance is not clear on mowing and maintenance of open spaces and drainage easements. Commissioner Burton stated that it is difficult making a decision when we don't have an updated flood map and what does mow and maintain mean and how do we find a line.

Commissioner Torkelson stated that noxious weeds should be taken care of.

Kasel stated that there is foxtail and the open area on Lot I is only about 8 inches tall and.

Commissioner Zelinske – His biggest concerns are stuff on the lots such as debris and garbage and noxious weeds. As far as the grasses as long as they are natural prairie grasses leave it.

Commissioner Thompson – does the city have anyone to go out and look at it. Zaworski stated that the Public Works Director goes out and looks at it.

Commissioner Torkelson asked if the rest of the lots are in the same condition.

Commissioner Burton stated that from a Planning Commission perspective he would advise not to take any action, there is not enough information in our ordinances that address this type of situation.

Commissioner Torkelson stated that 50 feet of a waterway is not mow able.

Commissioner Fitch stated that we can't make a decision on one lot without considering all of the other lots.

Zaworski stated that we are going to try to solve this with the ordinance rewrite and has consulted Laura Chamberlain with Hoisington Koegler.

Zaworski summarized stating that for this complaint tall grasses can be allowed except for noxious weeds.

**PW 4<sup>TH</sup> CUP AMENDMENT** – The setback measurements are per the preliminary plat.

**OTHER** - Nothing

ADJOURN 7:03PM

Respectfully Submitted,

---

Linda Rappe, City Clerk