

MINUTES OF PLANNING COMMISSION MEETING  
December 14, 2020

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 14th day of December, 2020 at 6:30 PM

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

**THE FOLLOWING WERE ABSENT:** Commissioner Tinsley

**THE FOLLOWING WERE ALSO PRESENT:** Administrator Tim Ibisch, Clerk Linda Rappe, Brad Scheib – HKgi, Jerry Giese, Marvin Jensen, Jerry Dallman and Tony Bigelow

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

**MINUTES OF THE PREVIOUS MEETING – October 12, 2020 - Motion to Approve the Minutes as Submitted made by Commissioner Burton, second by Commissioner Thompson With All Voting Aye.**

**PUBLIC HEARING – PRAIRIE MEADOWS 4<sup>TH</sup> CUP FOR PUD AMENDMENT** – Brad Schieb, Planning Consultant, gave the background and stated that permits being submitted were not attached patio homes as approved. This is just to amend the cup to change to individual patio homes. Tony Bigelow, Developer, was in attendance.

PH opened  
No comments  
PH Closed

Discussion – this is pretty straight forward. **Motion to Approve the Amendment to make the homes individual patio homes on Lots 1-12 of Block 1 PW 4<sup>th</sup> made by Commissioner Zelinske, second by Commissioner Fitch with All Voting Aye.**

**PUBLIC HEARING – DOMINOS VARIANCE RESCIND AND REISSUE** – Mr. Schieb stated that we either need to rescind or alter this variance. The original variance was granted in 2016 and the condition of a barrier was never constructed. That condition is not necessary or practical according to multiple contractors. The property owner who is most affected has submitted a letter that this condition is not needed. A variance is a right granted to the property owner, and the property owner has the right to relinquish the right of the variance. The City Attorney has been consulted and was of the opinion that the property owner has the right to relinquish their rights.

Mr. Schieb spoke to the issue of precedence and each variance needs to be taken on its own merit and each variance is different so precedence would not be an issue.

PH Opened

Jerry Dallman, 10840 Riverbend Lane, Oronoco, he is the property owner. He contacted multiple contractors and they told him that this barrier is not possible to build and stay on/up.

PH Closed

Discussion – Commissioner Burton, precedent is not what we need to consider but for him consistency is. It is the fact that we are reducing the condition and not adding to the variance. He is ok with subtracting from the variance.

Commissioner Zelinske – has no issue with this being rescinding since the homeowner does not have an issue. His concern is what if they replace this compressor with one that makes noise.

Commissioner Fitch – if the adjacent homeowner is ok that is why it was there to begin with.

Moving forward he is not worried with a precedent issue. Just worried that if it does get noisy and the neighbors complained.

Chairman Ferris – this process lacks a certain amount of documentation that concerns him.

**Motion to Rescind the Established Variance and Replaced with a New Variance less the Condition of the Noise Barrier made by Commissioner Burton, second by Commissioner Torkelson with All Voting Aye.**

Chairman Ferris would like to see if there something we can look at changing in the ordinance. We have variances that were given on projects that never happened.

**2020 COMMITTEE LIST** – Commissioner Fitch would like to continue his term.

**OTHER** – Southwest Property – Administrator Ibisch stated that this is the EDA's planning, this is only for your information. This is very subject to change. We want to make sure everyone is in the know.

**ADJOURN** 7:02PM

Respectfully Submitted,

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Linda Rappe, City Clerk