

## MINUTES OF PLANNING COMMISSION MEETING

November 28, 2016

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 28<sup>th</sup> day of November, 2016 at 6:30 PM

**THE FOLLOWING MEMBERS WERE PRESENT:** Chairperson Dean, Commissioner Ferris, Commission Sannes, Commissioner Torkelson; and Commissioner Borgstrom.

**THE FOLLOWING WERE ABSENT:** Commissioner Tinsley

**THE FOLLOWING WERE ALSO PRESENT:** City Administrator Coleman, City Clerk Rappe, Rich Massey, Tony Bigelow, Wade Dumond, David Dripps, Gerry and Virginia Giese, Jeremy Kramer, Mike Burton and Jason Rathburn

**CALL TO ORDER:** Chairperson Dean called the meeting to order at 6:30 PM.

**MINUTES OF PREVIOUS PLANNING COMMISSION MEETING:** Chairman Dean made a correction to the October 11 minutes that he asked for the Dominos sign to be brighter during the day and dimmer at night. **Motion to Approve the October 11 minutes with corrections made by Commissioner Sannes, second by Commissioner Torkelson with all voting Aye.**

### **PUBLIC HEARING – Conditional Use Permit for Planned Unit Development - Outlot B Prairie Willow 2<sup>nd</sup> –**

Tony Bigelow of Bigelow and Sons and Rich Massey of Massey Surveying were present. Mr. Bigelow stated that there is a big fiber optic easement running through this land and wetlands to the east. The townhomes will be two story slab on grade. Commissioner Borgstrom stated there was a lot of fill brought in. Rich Massey stated that they will have that tested. Commissioner Torkelson asked if the retention pond will be capable of handling the runoff. Mr. Bigelow stated that they are planning on cutting down on the impervious surface and to drain this all to the pond and will work with the City Engineer on this. Hopefully the fill has sat long enough where there is compression.

Open public comment – Mike Burton 1507 2<sup>nd</sup> St NW – we do not have an issue with the building of townhome his concern is the street and car lights that would shine in his windows and the increased traffic from these homes.

Jeremy Kramer – 1501 2<sup>nd</sup> St NW - Concerned that there is only one entrance in and out.

Jason Rathburn - 1503 2<sup>nd</sup> St NW – Concerned with drainage and with the current rainfalls the streets have been flooded. Looks different being two story units from the residential feel of the neighborhood. Mr. Bigelow stated that with two stories you usually attract families/single parent families and children, they are partial two stories. The neighbors suggested putting the entrance on the gravel road. Mr. Bigelow is willing to look at that option but is not sure how feasible that is.

Public Comment Closed.

Commissioner Sannes clarified that it will be cars leaving the subdivision whose lights would shine into the adjacent houses. Chairman Dean asked about the staff review comments. Administrator Coleman stated that she had condensed them into the memo handed out of conditions that can be included in the conditional use permit. Commissioner Torkelson asked what it would entail to upgrade the township road. Administrator Coleman stated that could mean a lot of things, like putting money aside to upgrade and the City currently owns half of the road. Commissioner Borgstrom stated that when the City updated the

Comprehensive Plan the township road was talked about and decided that the City would expand to the east and would most likely not jump this township road to the west. Chairman Dean asked how emergency vehicles will turn around if this is not a cul de sac. Administrator Coleman stated that is in the conditions and would be part of the final approval.

City Administrator Coleman stated that there is a large setback line on the west side that could accommodate a trail easement. Commissioner Borgstrom asked the commissioners if they had read through the findings of fact and he thinks it is a good fit for a conditional use permit. This fits the neighborhood and it fills a need in town. Mr. Bigelow stated that these should be in the range of \$200K to \$250K.

Commissioner Torkelson stated that the traffic is specifically going to or from this subdivision since it is not a through street.

**Motion to Approve with Conditions as Submitted and has Met the Findings of Fact made by Commissioner Borgstrom, second by Commissioner Ferris with all voting Aye.**

#### **PUBLIC HEARING – Conditional Use Permit for Planned Unit Development – 1500 Main St W**

Mr. Bigelow stated that this is to the east of the previous development and will be single story slab on grade individual townhomes. Mr. Bigelow stated that he is trying to capture the retirement community. We don't think these will detract from the area in any way. He needs to talk with the Fire Chief and City Engineer to determine how the fire trucks could get in and out. Commissioner Torkelson asked if they are planning on bringing the grade up. Mr. Bigelow stated that they are not planning on it but it depends on how the water will flow but they will make it flow to the pond. Mr. Bigelow stated that if the County Highway Engineer, Guy Kohlnhofer, requires them to move the entrance they will just move the houses.

Public comment opened – no comments

Public comment closed

Commissioner Torkelson stated that this will be a nice addition.

Commissioner Borgstrom stated that this fits in there fine.

Chairman Dean stated that this is more in keeping with the character than commercial development.

**Motion to Approve with the Conditions as Submitted and has Met The Findings of Fact made by Commissioner Sannes, second by Commissioner Borgstrom with all voting Aye.**

#### **PUBLIC HEARING – Kwik Trip Minor Subdivision – South Bend Subdivision**

The city council approved the vacation of the easements between the lots at their November 22 meeting. Wade Dumond, representing Kwik Trip was present to answer any questions the commissioners may have and stated that Kwik Trip needs to combine the lots to build.

Public comment opened – no comments

Public comment closed.

**Motion to Approve the Minor Subdivision to Combine Lots 2, 3 and 4 of Block 3 of South Bend Commercial Park Into One made by Commissioner Torkelson, second by Commissioner Ferris with all voting Aye.**

#### **PUBLIC HEARING – Conditional Use Permit for an Auto Dealership– Davidsons Developments LLC**

David Dripps of Davidsons Developments LLC stated that he would like to put two offices in there, one a real estate development company and an auto dealership. Chairman Dean asked if Mr. Dripps will use existing building just change the appearance. Mr. Dripps stated that was correct.

Mr. Dripps stated that the building is 3600 sf and the parking lot 5000 sf . Commissioner Torkelson inquired as to how many vehicles Mr. Dripps intended on having in the lot at any one time. Mr. Dripps stated that he owns two empty lots in Mantorville and can move cars back and forth. Commissioner Torkelson stated that the State of MN owns the corner lot to the west. Chairman Dean asked Mr. Dripps how many vehicles he anticipates having at any given time. Mr. Dripps stated 5 to 10 and he has 5 now. Commissioner Borgstrom asked whose yellow signs are on the property currently. Mr. Dripps stated that they are business partners. Following discussion regarding parking, the Planning Commissioners asked for a parking plan. Mr. Dripps would like to move the entrance and will talk to Guy Kohlhofer.

**Motion to Table this to next meeting December 12 made by Commissioner Sannes, second by Commissioner Borgstrom with all voting Aye.**

**Chicken Ordinance**

The Planning Commissioners were given a letter from Johann Marsland regarding the Ordinance. The Planning Commissioners were in agreement that in Section 90.34 to remove D and adopt changes made by City Attorney. The updates will be made and brought back to the next meeting.

**Radel Annexation Discussion**

Rich Massey handed out copies of a sketch plan for the Al Radel property. Mr. Massey was there on behalf of Mr. Radel who had some questions. Mr. Massey stated that this area doesn't seem like it will be residential anymore and makes more sense to be commercial. Mr. Massey is wondering about access to Highway 57, before, the State wouldn't give any accesses to the Highway until the traffic is handled. MnDOT has talked about a roundabout at 16<sup>th</sup> St NE. Mr. Massey stated that there is a lot of stuff stirring out there and asked the Planning Commission to think about what they want on this corner. Mr. Massey asked how big a deal it is to rezone. If Mr. Radel sells 2 ½ acres and they just put in storage units will he be required to pay wac (water access charge) and sac (sewer access charge) fees or bring water and sewer out. Mr. Massey asked if Mr. Radel was to sell on the north end will we require a subdivision plat, or can he sell it with a meets and bounds description. Mr. Massey was told that Mr. Radel can sell it meets and bounds but when it comes time to build it would have to be platted. The Commissioners agreed that a general development plan would be the first step if Mr. Radel is considering changing the last general development plan and rezoning would have to be discussed.

**Other Business**

**Just Like Home Parking** – Administrator Coleman stated the school brought this up and the options presented were; designated bus loading zones or timed parking. Commissioner Borgstrom stated that there is enough space in the lot next to them for a bus to pull in. It was suggested that Just Like Home put out cones like Dibble's does. Commissioner Ferris stated that there is a safety concern. Chairman Dean stated that this may open a can of worms and every business owner would like their own spots. Commissioner Torkelson doesn't think it is the best answer. No action was taken.

**Planning Commissioner Terms** – Commissioners Torkelson and Dean's terms are expiring December 31. Torkelson expressed an interest in being reappointed. Dean will let staff know at the next meeting whether he is interested in continuing.

**ADJOURN:** Since the agenda had been met the meeting was adjourned at 9:06 pm.

**ATTEST:**

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Linda Rappe  
City Clerk

Steve Dean  
Planning Commission Chair