

Planning Commission Meeting

Thursday, November 18, 2021, at 6:00pm

Minutes

Planning Commission Members Attending: Markert, Siemers, Olson, Wolf, Zanto
Others: Mayor Kostik, Council Member Schommer, City Planner Nash, Engineer Nelson, Attorney Ruppe, Clerk Donovan

6:00PM: Clerk Donovan called the November 18, 2021, Planning Commission Meeting to Order. Pledge of Allegiance. The Planning Commission Members were sworn in.

1. Approve or Amend Agenda

Clerk Donovan asked the Planning Commission to approve or amend Agenda.
Hearing no amendment, a motion was heard.

Motion to Approve the Agenda as presented: Planning Commission Member Siemers
Second: Planning Commission Member Zanto
Motion Passed: 5-0

2. Select Chair and Vice-Chair

Planning Commission Member Markert offered to be the Chair of the Planning Commission.

Motion to approve Planning Commission Member Markert as Chair of the Planning Commission :
Planning Commission Member Olson
Second: Planning Commission Member Wolf
Motion Passed: 5-0

Planning Commission Member Siemers recommended Planning Commission Member Olson as Vice Chair of the Planning Commission.

Motion to approve Planning Commission Member Olson as Vice Chair of the Planning Commission: Planning Commission Member Siemers
Second: Planning Commission Member Zanto
Motion Passed: 5-0

3. **Consent Agenda** Those items on the Planning Commission Agenda which are considered routine or non-controversial are included as part of the Consent Agenda. Unless a Planning Commission Member specifically requests that an item on the Consent Agenda be removed and considered separately, items on the Consent Agenda are considered under one motion, second and vote. Any item removed from the consent agenda shall be placed at the end of General Business.

1) No Items on the Consent Agenda

4. Public Hearings

1) Century Pond 2nd Addition – Variances and Preliminary Plat

- a. Variance #1
- b. Variance #2
- c. Variance #3
- d. Variance #4
- e. Variance #5
- f. Variance #6
- g. Variance #7
- h. Preliminary Plat

Planning Commission Chair Markert introduced Planner Nash. Planner Nash reviewed the Century Pond 2nd Addition project seven variances requested by the developer, which are related to extending Kane Ave.

Developer's Representative, Attorney Anton Cheskis attended meeting. Developer John Kane was not available to attend. Attorney Cheskis discussed the property and its history. John Kane is the original developer of Century Ponds. Currently there is no intention to subdivide Hobby Farm.

The property consists of approximately 22 acres and is located at the intersection of County Road 8 and County Road 27. Kane Avenue was previously stubbed to the western property line to serve as access for future development of this property. The Developer is proposing to develop the site into three (3) detached single-family residential units.

A typical plat for a development such as this would show the three (3) lots all fronting upon a proposed city street ending in either a permanent or temporary cul-de-sac that would be improved to City standards at the Developer's sole expense. In this circumstance, the developer is proposing to dedicate right of way for a future road but has applied for a series of variances to request that he be permitted to not construct the road to city standards but having that be done in the future by some other entity. This would permit the developer to sell two new lots on this property (with the other one already being occupied by the farm homestead/hobby farm). The plans also show Lot 3 can be re-platted in the future to add additional lots with the further extension of Kane Avenue and a permanent cul-de-sac.

The Developer is proposing to allow Lot 3 to continue having direct access to the County Road system instead of an interior local road network and currently has no intention to subdivide the Hobby Farm. The developer believes that extending Kane Ave to serve Lot 2 (hobby farm) is not needed due to the access from County Roads.

Planning Commission Chair Markert- clarified that the variances are not needed if Kane Ave was extended in accordance with city standards – something that is feasible.

Engineer Nelson- Explained that a Storm Water Management Plan is recommended but had not yet been received.

Planning Commission Chair Markert opened the Public Hearing for Century Pond 2nd Addition at 6:37pm.

Planner Nash reviewed five comment letters received. Copies were provided to the Planning Commission, Developer and Owner representative regarding the variances and concerns. In summary, the concerns were mostly related to storm water and ponding, the number of variances being requested and the placement of homes.

Residents who spoke at the Public Hearing:

- 21871 Century Ct. Martha Bjork– sent letter and spoke. Doesn't believe Preliminary Plat should be approved before a storm water plan is submitted – concerned Mr. Kane will not submit a Storm Water Plan
- 21901 Century Ct- Ben Lemke – Concerns with drainage and road as gravel/grass.

Attorney Cheskis: Spoke regarding concerns with the storm water management and stated that the developer would consider preparing a storm water management plan if the variances and preliminary plat were granted/approved.

Planning Commission Chair Markert asked for any additional comments. Hearing no other comments, a motion to close the public hearing was requested

Motion to close the Public Hearing for Century Pond 2nd Addition: Planning Commission Member Wolf

Second: Planning Commission Vice Chair Olson

Motion Passed: 5-0

- Planning Commission Member Zanto – Existing road does not have a cul-de-sac, why?
Engineer Nelson explained that this was done prior to the current ordinance.
Planner Nash – Cul-de-sac needed for fire turn around.
- Planning Commission Member Wolf – The next development would have to complete the road extension to be built by the new developer. Cost \$125k to \$250k to complete road as estimated by Art Johnson Trucking. Driveways for lot 1 & 2 would be off the temporary cul-de-sac.
- Planning Commission Member Zanto – Asked what the responsibility of the HOA and road extension? Planner Nash explained it would be a city road so would be maintained by the city. Variance 7 would remain with driveway.
- Planning Commission Member Siemers – How are we with the 60-day timeline? Planner Nash explained the Planning Commission could still table and have time to get to the City Council.

Planner Nash advised the action for the Planning Commission is to recommend to the City Council either to approve, deny or table the proposed variances #1-#7 and the Preliminary Plat.

Planning Commission discussed concerns with variances and setting precedent. If the variances are denied the applicant cannot apply for the same variance(s) within a certain timeframe.

Planning Commission Chair Markert requested a motion to recommend denial of the 7 variances as well as Preliminary Plat for Century Pond 2nd Addition.

**Motion to recommend denying Variances # 1-#7 and the Preliminary Plat for Century Pond 2nd Addition for the reasons discussed and outlined in the November 11, 2021, Staff Memorandum: Planning Commission Member Siemers
Second: Planning Commission Member Wolf
Motion Passed: 5-0**

2) Fee Ordinance

Planner Nash reviewed the process of the Fee Ordinance approval change. Several of the fees are zoning and land fee changes. In the Planning Packet, Appendix A has the fees listed, changes are highlighted in yellow.

Noted changes:

- Pools: change to valuation
- Application for a final plat: \$500 plus escrow
- Change of address – Address Marker: \$90 plus \$110 for marker or actual cost
- Grading Permit Fee: \$200 plus Escrow
- Driveway Access: (change of placement) Inspection Fee \$100, Access Deposit \$900

Planning Commission Chair Markert opened the Public Hearing regarding the Fee Ordinance at 7:20pm asking for public comments.

Hearing none, Planning Commission Chair Markert requested a motion to close the Public Hearing regarding the Fee Ordinance

**Motion to close the Public Hearing regarding the Fee Ordinance: Planning Commission Vice Chair Olson
Second: Planning Commission Member Wolf
Motion Passed: 5-0**

**Motion to recommend approval of the Fee Ordinance changes as related to Planning and Zoning: Planning Commission Vice Chair Olson
Second: Planning Commission Member Zanto
Motion Passed: 5-0**

5. General Business

1) Discussion - Proposed Zoning Ordinance Amendments – Home Occupations

Planner Nash reviewed the draft version of the purposed Zoning Ordinance Amendments. No action is required at this time.

6. Adjourn Planning Commission meeting

There being no further business before the Planning Commission, a motion to adjourn was heard.

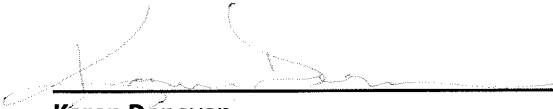
Motion to Adjourn the November 18, 2021, Planning Commission: Planning Commission Vice Chair Olson

Second: Planning Commission Member Siemers

Motion Passed: 5-0

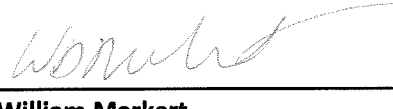
The November 18, 2021, Planning Commission Meeting was adjourned at 7:30 pm.

Recorded by:



**Karen Donovan
City Clerk-Credit River**

Approved by:



**William Markert
Planning Commission Chair- Credit River**