

Planning Commission Meeting
Thursday, April 13, 2023 6:00 PM
Minutes

Planning Commission Members Present: Chair Markert, Vice Chair Olson, Planning Commissioners Wolf, Tande and Casey

Others Present (remotely): Planner Nash, Clerk Donovan

Chair Markert opened the April 13, 2023 Planning Commission Meeting at 6:00PM with the Pledge of Allegiance.

1 Approve or Amend Agenda

Motion to approve the Agenda as presented: Vice Chair Olson
Second: Planning Commissioner Tande
Motion Passed: 5-0

2 Consent Agenda

2.1 March 16, 2023, Planning Commission Minutes

Motion to approve the Consent Agenda as presented: Planning Commissioner Wolf
Second: Planning Commissioner Casey
Motion Passed: 5-0

3 Public Hearing(s)

3.1 Variance -- 21061 Prairie Hills Lane

Planner Nash reviewed the variance application for 21061 Prairie Hills Lane. Mr. Zak has applied for a variance to construct a detached accessory structure within the side yard setback. The property is zoned Rural Residential and consists of approximately 2.5 acres. The required side yard setback is 30 feet.

The purpose of the variance is to permit an accessory structure to be constructed in a location that does not meet the side yard setback of 30 feet for an accessory structure in the Rural Residential Zoning District. The property is a pie shaped lot that contains an existing single-family home that is approximately centered on the lot. The existing driveway is also centered with a circular turn around in front of the house, and then a branch that goes to the west to access the garage. The proposed accessory building would be accessed from this branch of driveway and be near the existing garage. The proposed accessory structure is approximately 60' x 34' for a total of approximately 2,040 square feet. The maximum size of accessory structure in aggregate permitted on a parcel of this size is 3,000 square feet.

A variance from the provisions of the Zoning Ordinance may be issued to provide relief to the landowner where the Ordinance imposes practical difficulties to the property owner in the reasonable use of this land. No use variances may be issued.

Based on the criteria for granting variances as specified in the staff memorandum, staff recommends denial of the variance.

Mr. Zac offered pictures of what the area looks like. Accessory structure will be used to store camper, trailers and truck.

Chair Markert opened the public hearing for variance application for 21061 Prairie Hills Lane.

Planner Nash advised no written comments were received.

Public comments:

- Christine Anderson –Is it aesthetically pleasing? What are the materials? No opposition with location.

Hearing no further comments Chair Markert requested a motion to close the public hearing for the variance at 21061 Prairie Hills Lane.

**Motion to close the public hearing for the variance for 21061 Prairie Hills Lane:
Planning Commissioner Wolf
Second: Planning Commissioner Casey
Motion Passed: 5-0**

Chair Markert asked Planning Commission members for any questions or comments.

Vice Chair Olson asked what the lot size is for this property? 2.5 acres.

Vice Chair Olson asked if similar requests have been made for a variance? Planner Nash explained variances are not encouraged and few are submitted. There has to be a hardship. Setback is the same as when Scott County was doing the planning and zoning.

Chair Markert asked if Mr. Zak's engineering firm has looked at other options for building and location? Mr. Zak said it could be made longer and landscape added but felt it would not be as aesthetically pleasing as the current plan.

Commissioner Wolf commented that he appreciates Mr. Zac trying to be a good neighbor and effort. Yes, it looks better but there are other options for building without a variance. If the variance is granted it would affect others in the city and many variance requests going forward.

Planning Commissioner Wolf asked if a hardship is defined and if aesthetics is a hardship? Planner Nash explained aesthetics is dependent on opinion.

Chair Markert asked for a motion to recommend denial to the City Council for the variance to 21061 Prairie Hills Lane.

Motion to recommend denial of the variance request to 21061 Prairie Hills Lane to the City Council based on the variance criteria and staff comments: Planning Commissioner Wolf
Second: Vice Chair Olson
Motion Passed: 5-0

3.2 Ordinance Amendment -- Fee Schedule

Planner Nash summarized the fees that are proposed to be updated on the 2023 Fee Schedule with the changes to the Wetland Conservation Act and Right of Way Permits Fees and naming conventions. These fees have not been changed for at least twelve years.

NPDES Escrow wording was also changed due to changes made in the Scott County SWCD invoicing process. Wording was added to make it clear that the escrow is for both review and inspection expenses.

Chair Markert opened the public hearing for the proposed amendments to the fee schedule ordinance.

Planner Nash stated that no written comments were received.

Hearing no comments from residents in attendance, Chair Markert requested a motion to close the public hearing regarding the Ordinance Amendment to the Fee Schedule.

Motion to close the public hearing on the purposed amendments to the fee schedule ordinance: Planning Commissioner Casey
Second: Planning Commissioner Tande
Motion Passed: 5-0

Chair Markert asked for comments or questions from the Planning Commission.

Vice Chair Olson– Is there a schedule for updating the fee schedule? Planner Nash advised that this is done at times when fees increase from the county, for example. Fees are established to cover city costs and not to generate profit. A future schedule for revising fees periodically will be discussed with the new City Administrator.

Chair Markert – Since fees were updated in January, why are these changes being recommended now. Planner Nash explained the city will be introducing of a new permitting system for planning and zoning. The fees were reviewed as part of this process.

Chair Markert: Recommended that the NPDES wording change to state: “Any escrow required is in addition to the minimum fee to cover additional review and/or administrative costs”.

Planning Commissioner Wolf – How does the fee schedule compare to other cities. Planner Nash said it depends on the fees. The goal of the fee is to cover the cost of the process and for providing services.

Motion to recommend approval to the City Council to the amendment the Fee Schedule Ordinance with the change to the wording under NPDES to reflect “and/or administrative costs “ : Vice Chair Olson

Second: Planning Commissioner Tande

Motion Passed: 5-0

3.3 Holman Addition -- Preliminary Plat

Planner Nash summarized Cheryl Holman has applied for a preliminary plat and final plat. The property consists of approximately 31.725 acres and is located on the east side of Texas Avenue on both sides of Longview Lane. The PID number is 049300230. The Applicant is proposing to separate the part north of the road from the part south of the road. The part on the north side would be a lot with the existing house on it to be retained by the Applicant. The portion south of Longview Lane would be an outlot that would be purchased by a developer for a future residential neighborhood.

Staff recommends that the Planning Commission recommend approval of the preliminary plat subject to the conditions listed in the Staff Report and the revised preliminary plat received April 12, 2023.

Chair Markert opened the public hearing for the Holman Addition – Preliminary Plat.

Planner Nash received no public comments. However, she received a revision of the preliminary plat which changes the shape of the outlot.

Public comments:

- Ron Schmidt. Owns the 10-acre lot next to the proposed outlot. At what point will there be a new easement and will the city take another 10 ft easement to make the road 66 ft wide.

No other public comments were heard.

Russell (engineer)– 10 ft of additional ROW will be dedicated on the north side of Longview Lane and will be centered which will properly aligned with the rest of Longview Lane.

Planner Nash showed a revised preliminary plat received on 4/12/23, which shows the addition of the 10 ft ROW on the north side of the road. The 10 ft piece would remain with outlot A.

Gary Tupy representing Cheryl Holman– Asking for one lot, and the outlot. Part of the condition for purchasing the lot from Cheryl Holman is to retain the 10 ft piece

along Longview Lane so that there is no driveway will be coming out onto Longview Lane. The 10-acre lot next to the outlot was intentionally sold with no access to Longview Lane.

Vice Chair Olson – Will the future subdivision trigger improvements of Longview Lane? Planner Nash stated it is too early to say at this point.

Motion to close the public hearing for the Holman Preliminary Plat: Planning Commissioner Tande

Second: Planning Commissioner Casey

Motion Passed: 5-0

Motion to recommend approval of the Holman Preliminary Plat to the City Council subject to the conditions as stated in the staff memo and the updated Preliminary Plat: Planning Commissioner Wolf

Second: Vice Chair Olson

Motion Passed: 5-0

4 General Business

None.

5 Adjourn

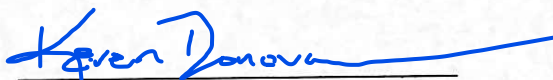
Having no further business, a motion to adjourn the April 13, 2023, Planning Commission meeting was requested.

Motion to adjourn the April 13, 2023, Planning Commission Meeting at 7:03pm: Vice Chair Olson

Second: Planning Commissioner Casey

Motion Passed: 5-0

Recorded by:



Karen Donovan,
Clerk Credit River

Approved by:



William D. Markert,
Chair Planning Commission Credit River