

**Planning Commission Meeting
Thursday, May 18, 2023 6:00 PM
Minutes**

Planning Commission Members in Attendance: Vice Chair Olson, Commissioners Wolf, Tande, Casey
Planning Commission Members Absent: Chair Markert
Others in attendance: Planner Nash, via remote Clerk Donovan

Vice Chair Olson opened the May 18, 2023, Planning Commission Meeting with Pledge of Allegiance at 6:00pm.

1. Approve or Amend Agenda

Motion to approve the Agenda as presented: Tande

Second: Casey

Motion Passed: 4-0

2. Consent Agenda

2.1 Approve Draft Minutes of March 13, 2023, Planning Commission Orientation Meeting

2.2 Approve April 13, 2023, Planning Commission Meeting Minutes

Vice Chair Olson requested to move 2.1 Minutes from March 13, 2023, Planning Commission Orientation Meeting to General Business 4.1 due to corrections.

Motion to approve the Consent Agenda as amended: Wolf

Second: Tande

Motion Passed: 4-0

3. Public Hearing(s)

3.1 Northern Natural Gas Conditional Use Permit

Planner Nash reviewed the Northern Natural Gas CUP. Staff recommends approval with the conditions noted in the Staff Report.

Steven Martinez, representative from Northern Natural Gas, appeared and had no additional comments for the Planning Commission.

Vice Chair Olson opened the Public Hearing for comments on the CUP for Northern Natural Gas.

Planner Nash advised no written comments were received.

Hearing no comments from those in attendance, Vice Chair Olson requested a motion to close the Public Hearing.

Motion to close the public hearing for the Northern Natural Gas Conditional Use Permit: Wolf

Second: Tande

Motion Passed: 4-0:

Vice Chair Olson asked the Planning Commission for any comments.

Wolf: Will vegetation screening be used?

Planner Nash advised if needed to request along Vernon frontage to road.

Steven Martinez from NNG commented that NNG will not be able to supply vegetation due to the county right-of-way which would require a variance from the County.

Planner Nash will contact Scott County to confirm.

Olson – Could the request be added to the motion and if the county is not able can it be removed?

Motion to recommend to the City Council to approve the Conditional Use Permit for Northern Natural Gas with the addition of the vegetation screening: Wolf

Second: Tande

Motion Passed: 4-0

3.2 Ordinance Amendment - Election of Officers

Planner Nash explained the existing ordinance provides for the election of officers in January. Since a change was made to our ordinance last year to appoint new members in the month of February, it is recommended that the election of officers should now occur in March. The ordinance amendment reflects that proposed change.

Vice Chair Olson opened the Public Hearing for the Ordinance Amendment regarding the elections of officers.

Planner Nash advised no written comments received.

Lucas Ince suggested the election of officers should take place at the next regularly scheduled meeting after the appointment of planning commission members.

Hearing no further comments Vice Chair Olson closed the public hearing.

Vice Chair Olson asked for any comments from the Planning Commission.

No comments were heard from the Planning Commission.

Motion to recommend to the City Council to approve the Ordinance Amendment for the election of officers: Wolf

Second: Casey

Motion Passed: 4-0

3.3 Ince Orchards

Planner Nash gave a summary of the variance request and preliminary plat for Ince Orchards. An application was received on behalf of Lucas and Sara Ince (Owners) for a variance, preliminary plat, and final plat. The property consists of approximately 6.27 acres and is located on the east side of Vernon Avenue (CSAH 91) on the north side of CSAH 8. The PID number is 049330196. The parcel consists of an unplatted parcel that the Owners would like to build a single-family home upon. Credit River's ordinances require that any new principal buildings must be constructed on platted lots. The Owner is proposing to receive direct access from Vernon Avenue, which also requires a variance as Vernon Avenue is a collector road.

Lucas Ince was available to speak and had no further comment.

Vice Chair Olson opened the public hearing for the variance request and the preliminary plat for Ince Orchards

Planner Nash advised no written comments were received.

No residents in attendance chose to make comments at the public hearing for the Ince Orchards variance request and preliminary plat application.

Hearing no comments Vice Chair Olson asked for a motion to close the public hearing.

Motion to close the public hearing for the Ince Orchards variance request and preliminary plat application: Tande

Second: Casey

Motion Passed: 4-0

Vice Chair Olson asked for any Planning Commission Comments.

Planning Commission member Wolf asked if granting this variance is a hardship?

Planner Nash noted in this case yes, it is a hardship.

Variance Request

Motion to recommend to the City Council to approve the Ince Orchards variance request subject to a driveway permit being approved by and obtained from Scott County. Tande

Second: Wolf

Motion Passed: 4-0

Preliminary Plat

Motion to recommend to the City Council to approve the Ince Orchards preliminary plat subject to the conditions listed in the staff report: Tande

Second: Wolf

Motion Passed : 4-0

4. General Business

4.1 Mesenbrink Commercial Concept Plan

John Mesenbrink has a purchase agreement to purchase the Feldman property located on both sides of CR 21 east of CR 27. The property ID is #049080030. He has submitted a concept plan for review by the City. The proposed project consists of six (6) lots on the north side of CR21, and five to six (5-6) lots on the south side of CR21. Two versions of the plan have the southern road connecting to 180th Street or ending in a cul-de-sac. The proposed uses are industrial lots with outside storage. Mr. Mesenbrink estimates that across the eleven (11) lots there may be 300,000 to 325,000 square feet of buildings.

Planner Nash explained the Concept Plan review is non-binding but is intended to provide the developer with information for consideration prior to preparing engineering plans. High-level comments are provided for consideration and discussion by the Planning Commission, City Council and Developer.

This area is zoned as Urban Expansion Reserved (UER) – South side envisioned as commercial. The North side is envisioned as commercial and medium density residential i.e., townhouses. To do what is proposed in the concept plan would require a rezoning change to industrial or a mix of industrial/commercial. The City would also need to make up the density requirements in another area. Land use amendments can become very complicated. There is no projection on municipal services at this time for this area.

Vice Chair Olson stated that this is not a public hearing, but comments or questions will be taken at this time.

Dave Martell: 17935 Texas Ave: Mr. Martell stated his concerns as this is a big change. There has been no discussion about turning this land from a field to not a field. Asked what this will mean to the city and its residents if approved. Wants to make sure all things are considered and whatever decision is made, it is made in the long-term best interest of the city and residents. Wants the city to think this is all through so it is not surprised. Also commented to be careful about the proposed road – cars wanting to cut through on the proposed road.

Mr. Prettyman - representative for the Feldman family who owns the property. Stressed that the sellers want to sell the property and that the sellers have property rights as well. Sellers have been approached by many potential buyers but for various reasons, a sale has not been made. Stated Mr. Mesenbrink's plan is reasonable. Others have an opportunity to purchase the property if they want.

Justin Nolte: 18020 Cleary Lake Ct- Would like to keep Credit River quiet, safe and pretty.

Andy Chase: 18178 Cleary Lake Ct. Feels it is not ready. There is a comprehensive plan. If you change the comp plan, there will be a lot of land available for sale. Believes if this is outdoor storage, it would not be acceptable to any city.

Planning Commission Members:

Wolf : Development is inevitable. Need to consider how does it work best within our city. Must consider future development and tax roll as well. Respect current owners and respect the city as an entirety. What does the city want it to look like in the future? Need to look at it as whole before we start rezoning it.

Olson: Comprehensive Plan is to guide development. CR 21 is a prime area for commercial development. If we lose commercial development where are other areas commercial development can be placed?

Planner Nash: Comprehensive plan is updated every 10 years. In 2025, the city will be given a system statement, and the city will need to adopt its updated plan by 2028. People at anytime can apply for comprehensive plan amendments, however.

If the developer changes the request, developer escrow would cover the cost of the change.

Planner Nash noted the build out map in the current Comprehensive Plan on each side of CR 21. This area is guided for commercial – however, the area is an approximation. If an amendment is made to remove or shrink this commercial area, the city would have to find other areas for commercial areas along CR 21 or other areas in the city.

Tande – asked about who would be responsible for developing roads / access.

Planner Nash noted any intersection improvements would be paid for by the developer. Turn lanes would be up to Scott County to determine.

Casey – Asked what density we used for commercial property and if we took away land guided for commercial, what impact that would have on our overall density. Planner Nash confirmed there would be no impact as we count commercial land as zero in density calculations.

Olson: Each land use is associated with various tax codes and factors like that. What does changing the land from Commercial to industrial do to city tax collections?

Planner Nash will need to do additional research to determine the tax differences.

Tande – need to consider how this plan might impact land/property valuations. If you are staring at a water tower, it brings your value down. There would have to be significant buffers for noise and eye sores – this plan might reduce the value of existing residential property.

Planner Nash is unsure whether values would drop if this plan were approved. It is hard to determine tax values.

Planner Nash stated the Planning Commission and City Council will need to determine what we want Credit River to look like in the future?

Olsen – will need to rebalance our density if this plan is approved.

4.2 Approve Draft Minutes of March 13, 2023, Planning Commission Orientation Meeting

Vice Chair Olson noted spelling errors in the March 13, 2023, Planning Commission Orientation Minutes.

Motion to approve the March 13, 2023, Planning Commission Orientation Minutes with noted corrections: Wolf

Second: Casey

Motion Passed: 4-0

5. Adjourn

Hearing no further business, Vice Chair Olson asked for a motion to adjourn the May 18, 2023, Planning Commission Meeting.

Motion to adjourn the May 18, 2023, Planning Commission Meeting at 7:25PM: Tande

Second: Casey

Motion passed: 4-0

Recorded by:

Karen Donovan – Clerk

Approved by:

Amy Olson – Vice Chair Planning Commission