

PLANNING & ZONING COMMISSION MINUTES
September 8, 2015 - 6:00 p.m.

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission was called to order at 6:00 p.m.

MEMBERS PRESENT: Chair Bob Kinzel, Commissioners Howie Oswald, Gwen Carleton, Bob Ryan and Council Liaison Steve Barrows

MEMBERS ABSENT: Steve Lund

STAFF PRESENT: Community Development (CD) Director Josh Doty and Planner Matthew Gindele

OTHERS PRESENT: Geary Brase, Scot Riser, Bill Beard, Gary Revenig, Micky & Bob Bush and Jeff Seil

APPROVAL OF MINUTES

MOTION by Commissioner Carleton, seconded by Commissioner Oswald to approve the minutes from the August 11, 2015 meeting as presented. Motion carried unanimously.

PUBLIC HEARINGS

*All items under old and new business items will go to City Council on
September 15, 2015 if not tabled, continued or otherwise noted.*

Chair Kinzel stated that this Commission is advisory and the final approval/denial is given at the City Council Meeting on September 15, 2015 at 7:00 pm.

OLD BUSINESS

None

NEW BUSINESS

1. **PUBLIC HEARING.** Conditional Use Permits to allow for a non-conforming structure on a riparian lot to be enlarged and to allow grading in a shoreland area for a home addition to be constructed on a lot on White Sand Lake at 13980 Memorywood Drive and a variance to allow a non-conforming use to be enlarged to occupy a greater area of land within the required 75 foot setback to White Sand Lake. N 150FT OF LOT 1 LYING E OF TWP ROAD (complete legal on file at City Hall) (City file 15-26)

Requested by: Geary Brase 5353 East Fellars Drive, Scottsdale, Arizona 85254

Chair Kinzel asked staff to review the conditional use permits and variance request with the Commission. Planner Gindele indicated the applicant is requesting conditional use permits to allow an addition to the existing home and grading on a shoreland lot on White Sand Lake and a variance to allow a non-conforming use to be enlarged within the 75 foot setback of White Sand Lake. He then reviewed the staff report and maps showing the location of the proposed addition with the Commission. He reviewed all of

the setbacks that are currently non-conforming and the addition location within the setbacks. He explained the request for both conditional use permits for shoreland grading and the proposed addition. Planner Gindele reviewed the conditions provided in the staff report and stated that staff is recommending approval of the conditional use permits and variance as requested.

Chair Kinzel opened the public hearing.

Mr. Geary Brase, applicant and homeowner, stated that he is trying to improve the property and create a nice fit into the neighborhood. He reviewed his project with the Commission and noted the current plan did not meet the regulation regarding the 3 foot separation from the lowest level elevation and he intends to meet with the building official this week to resolve that. The other condition that he wanted to make the Commission aware of was regarding the materials matching the existing home. He intends to replace the entire home with hardy board siding upon the completion of the project. Chair Kinzel asked if he had any concerns with staff findings, he indicated that he did not have any concerns.

Chair Kinzel closed the public hearing.

Motion by Commissioner Ryan, second by Commissioner Carleton to recommend the City Council approve the conditional use permits to allow for a non-conforming structure on a riparian lot to be enlarged and to allow grading in a shoreland area for a home addition to be constructed on a lot on White Sand Lake at 13980 Memorywood Drive and a variance to allow a non-conforming use to be enlarged to occupy a greater area of land within the required 75 foot setback to White Sand Lake as recommended by staff. Motion carried unanimously.

B. PUBLIC HEARING. Rezoning to Planned Unit Development (PUD) for Baxter Mainstreet, LLC for property located at the northeast corner of State Highway 371 and County Road 48. THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (complete legal on file at City Hall) (City file 15-12)

Requested by: Baxter Mainstreet LLC. 1001 Highway 25 South Monticello, MN 55362

Chair Kinzel asked CD Director Doty to review the planned unit development (PUD) rezoning request with the Commission. CD Director Doty stated that this is a 73 acre piece of property that is currently zoned C-1 (Neighborhood Commercial) and OS (Office Service). He stated that the applicant had been involved in the comprehensive plan update. Throughout the comprehensive plan update process the applicant requested different guiding for his parcel of land that would assist with marketing the property. CD Director Doty provided history of the property with staff and City Council. He indicated that this PUD request is just for marketing purposes and there are no plans at this time for development. He stated that the application is incomplete for a review of a PUD general plan per the current ordinance. However, to work with the applicant, staff has prepared a rezoning to PUD resolution so the applicant can market the property. CD Director Doty reviewed the staff report and map for this location. He indicated that the applicant is aware that they will have to come back for a PUD general plan application. CD Director Doty stated that staff is recommending approval of the PUD rezoning with several conditions noted in the resolution, as presented.

Chair Kinzel confirmed that nothing can be done on that property until a PUD plan is received by staff and submitted to Planning and Zoning Commission and City Council for approval. CD Director Doty indicated that he was correct, this is just the zoning piece of the process.

Commissioner Ryan asked for clarification on condition Number 8, what did I.C.E. stand for, CD Director Doty stated that is the abbreviation for Intersection Control Evaluation, a report that is generated after a traffic study is completed.

Chair Kinzel opened the public hearing.

Bill Beard, representing the applicant, stated that he appreciated the work that all parties have put into this application. They have no concerns regarding the staff report.

Chair Kinzel closed the public hearing.

Motion by Commissioner Carleton, second by Commissioner Oswald to recommend the City Council approve the rezoning to Planned Unit Development (PUD) for Baxter Mainstreet, LLC for property located at the northeast corner of State Highway 371 and County Road 48 as recommended by staff.

Commissioner Ryan asked that the PUD sketch plan resolution provided tonight is attached to this property, as there was 2 years of discussion that took place regarding what was allowed and what was not going to be allowed in the Gateway District.

Motion carried unanimously.

OTHER BUSINESS

CD Director Doty indicated that earlier today staff was notified that Commissioner Lund will not be able to attend meetings from September through December and then Chair Kinzel is typically out of state for the months of November and December, thus leaving a few Commissioners left. He asked that the Commissioners keep staff informed in order to achieve a quorum. Chair Kinzel stated that he would be at the November meeting but would be gone for the December meeting.

ADJOURNMENT

MOTION by Commissioner Ryan, seconded by Commissioner Oswald to adjourn the meeting at 6:28 p.m. Motion carried unanimously.

Approved by:

Submitted by:

Chair Bob Kinzel

Shanna Newman CD Administrative Assistant