

**MINUTES
HUTCHINSON PLANNING COMMISSION
TUESDAY, JANUARY 15, 2002
5:30 P.M.**

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Arndt at 5:30 p.m. with the following members present: Lynn Otteson, Brandon Fraser, Jason Olsen, Jim Haugen and Dean Kirchoff. Also present: Julie Wischnack, AICP, Director of Planning/Zoning/Building; Melissa Starke, Recorder; and Dick Schieffer, City Attorney.

Absent: Jeff Jones

Planning Commission Reorganization

Ms. Wischnack disbursed a letter to the Commission from Jeff Jones announcing his resignation from the board and the Mayor will be appointing a member to fill his position.

Jim Haugen nominated Dean Kirchoff for Vice Chairman of the Planning Commission.

Motion by Haugen, second by Olsen to nominate Dean Kirchoff as Vice Chairman of the Planning Commission.

Dean Kirchoff, Vice President, called for the nominations of the Chair of the Planning Commission.

Motion by Otteson, second by Olsen to nominate Bill Arndt as Chairman of the Planning Commission.

2. CONSENT AGENDA

Motion by Haugen, second by Otteson, to approve the minutes from the December 18, 2001, meeting as submitted. Motion carried.

3. PUBLIC HEARINGS

A.) CONSIDERATION OF REZONING FROM R4 TO R3 AND A SKETCH PLAN REVIEW AS REQUESTED BY ED RETTMAN JR., OWNER OF PROPERTY AT 1111 BLACKHAWK DRIVE SE

Ms. Wischnack explained that currently this area is zoned as R4, which would occupy multiple-use housing (over 8 units). The applicant is requesting this area be rezoned as R3 for single-family dwellings. Ms. Wischnack explained that staff agreed that rezoning this area as R3 would not be a major issue. The total number

of units will be approximately 26 in this area. There are no airport safety issues in this area.

Ed Rettman, 564 Hassan St, explained that grading would be complete throughout the entire area. Mr. Rettman plans on selling the lots. If the lots do not sell, he would develop in phases.

Mr. Kirchoff questioned whether or not the city would be requiring Mr. Rettman to move the current pond. Ms. Wischnack explained that the original plat has changed greatly as compared to the current application and the entire site plan needs to be re-evaluated.

Motion by Haugen, second by Olsen, to close the public hearing. Motion carried.

Motion by Haugen, second by Olsen, to approve rezoning this area from an R4 district to an R3 and approving the sketch plan review with staff recommendations. Motion carried unanimously.

B.) **CONSIDERATION OF A CONDITIONAL USE PERMIT TO OPERATE A MOTORCYCLE REPAIR, SALES AND PAINTING BUSINESS IN THE INDUSTRIAL/COMMERCIAL (I/C) DISTRICT, AS REQUESTED BY MICHAEL ANDERSON, APPLICANT AND BERNIE MCRAITH, OWNER LOCATED AT 700 AIRPORT ROAD**

Ms. Wischnack explained that this application is for an expansion within an existing building. Ms. Wischnack explained that opaque fencing is needed outside the existing building. In addition, there are several disassembled vehicles outside of this building as well as unlicensed vehicles. These vehicles do need to be moved in a timely manner so that a “salvage-lot look” does not transpire. The septic area also needs to be evaluated for maintenance. Sewer services may be installed as soon as 2003.

There are several conditions that staff is requiring if this conditional use permit is approved. Height elevations of tree plantings will be researched.

Michael Anderson, 455 Rose Lane, applicant, spoke before the Commission commenting that this would be an advantageous business for the community.

Ms. Wischnack referred to the letter received from Yamaha MotorSports stating wishes that guidelines being applied to the newly annexed area on Hwy 7 will also apply to the developing area on and around Hwy 15 South. Mr. Arndt commented that the Planning Commission expects this area to look nice and kept up as a gateway to the city.

Ms. Wischnack reported on the vandalism issue in this area and how it is being addressed.

Mr. Fraser questioned where the gateway boundaries are set in the city. Ms. Wischnack explained that in the Comprehensive Plan it is clarified as to the areas incorporated into the gateway areas. Ms. Wischnack explained that when the Urban Design Guidelines ordinance is approved, the content would apply to other parts of the city as well and not just the area along Hwy 7 East.

Mr. Schieffer explained that the conditions placed on this permit deal with the applicant and not the property owner. The property owner is currently not in compliance with the original conditional use permit when the building was constructed. Mr. Schieffer also noted that the Commission would have the ability to not allow any further expansions/additions until the property owner meets compliance with the current conditional use permit. Mr. Arndt recommended requesting a letter of intent from the property owner. Mr. Schieffer stated that a letter of intent would not be necessary, due to the fact the conditional use permit is already in place. Mr. Fraser questioned whether or not the property owner could be forced to meet compliance and not penalize the applicant regarding the new business. Mr. Schieffer noted that opening a conditional use permit could have ramifications and there could be alternatives to handling this issue.

Motion by Fraser, second by Haugen to close the public hearing. Motion carried.

Motion by Fraser, second by Haugen to approve the conditional use permit with staff recommendations. Motion carried.

- (C) **CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A 14 X 30 FOOT ACCESSORY TEMPORARY BUILDING FOR STORAGE IN AN INDUSTRIAL/COMMERCIAL (I/C) DISTRICT, AND REZONING FROM AN R1 TO AN I/C DISTRICT AS REQUESTED BY LOWELL BAUMETZ (MODERN MAZDA), LOCATED AT 585 HWY 7 W.**

Ms. Wischnack explained the site plan to the Planning Commission. There is a small piece of property connected to the north of the property that is zoned as R1 that needs to be rezoned as I/C.

Ms. Wischnack explained that the original application submitted was requesting a temporary building, which staff denied. Mr. Baumetz submitted a revised application that includes a permanent shed-type building. Reasons for original denial by staff dealt with lack of windload/snowload information, setting a precedence with other businesses along Hwy 7 with this type of building, the placement of the building and the visibility of the building from Hwy 7. Staff questioned the ability to expand to the current building, however due to the drain field, this option was not feasible.

A pumping agreement needs to be signed by the applicant with the city. This is required of any business within city limits that may possibly have septic failure.

Ms. Otteson questioned whether or not this structure could possibly be moved in the coming years. Ms. Wischnack explained that the applicant does have intentions to move this structure once underground improvements are made.

Bonnie Baumetz, Modern Mazda, explained that the additional piece of property to the north was zoned in Acoma Township when the property was purchased. In addition, the small structure to the west of the current building will be moved, as well as the structure up for application. The structure being applied for will house a tow truck that is currently too large for the existing structures. Future plans are to expand the current building once it's feasible. Ms. Baumetz noted that the structure size is 10' in height.

Motion by Otteson, second by Olsen to close the public hearing. Motion carried.

In the staff recommendations section, Line 5, the word utility will be added to service lines.

Motion by Haugen, second by Kirchoff to approve conditional use permit with staff recommendations. Motion carried.

- (D) **CONSIDERATION OF A CONDITIONAL USE PERMIT TO PLACE A PORTABLE SIGN AT 1200 ADAMS STREET SOUTH, AS REQUESTED BY KNIGHTS OF COLUMBUS, APPLICANT AND NATIONAL GUARD ARMORY, OWNER**

Ms. Wischnack explained that this is an annual request that has been grandfathered into this process, even though the ordinance no longer allows such a use.

Motion by Kirchoff, second by Olsen to close the public hearing. Motion carried.

Motion by Kirchoff, second by Haugen to approve conditional use permit with staff recommendations. Motion carried unanimously.

Ms. Wischnack explained that the Knights of Columbus is required to pay a fee for the signage, which is a new policy of the Council.

- (E) **CONSIDERATION OF A CONDITIONAL USE PERMIT TO CREATE A RECREATIONAL PARK FACILITY WHICH WOULD INCLUDE A SKATE PARK, BMX TRACK, SOFTBALL FIELD AND PLAYGROUND AREA WITHIN AN R2 ZONING DISTRICT, AS REQUESTED BY WORD OF LIFE CHURCH, LOCATED AT 950 SCHOOL ROAD SW**

Matt Jannich, Intern with EDA, presented the site plan information to the Commission. Ms. Wischnack explained that Mr. Jannich assisted in her

department through the month of December. Mr. Jannich explained that staff had concerns with the recreation area and the possibility of expansion in the future. The applicant explained that if expansion is completed, the recreation area would be removed. Staff is also recommending that the softball diamond change positions, so that home plate faces the southwest. Additional items addressed were hours of operation and supervision of the facility. Staff recommends approval with conditions.

Mr. Fraser questioned whether or not the facility would be monitored at all times (7 days/week, 365 days/year). If this is not done, he suggested fencing be placed around the entire facility.

Rev. Jim Hall, 1085 Randall Road and Brad Messner 835 Elm Street, presented before the Commission. Rev. Hall presented that this type of facility is needed within the community. Mr. Hall explained that there are 13 acres available behind the current church structure. Mr. Hall noted that the BMX track will require 2000 lbs. of clay. He is recommending moving the track to the north and the softball field to the south.

Mr. Kirchoff questioned whether or not there would be outdoor lighting at the facility. Rev. Hall stated that there are no plans for outdoor lighting at this time. Mr. Kirchoff also suggested having posted hours at the facility.

Mr. Arndt is in favor of switching the location of the BMX track and the softball field due to drainage issues.

Rev. Hall addressed some of the issues brought up by staff and residents. One issue was the condition stating “no outdoor music”.

Mr. Arndt questioned Rev. Hall on liability coverage. Brad Messner explained that he has spoken with the church’s attorney and insurance company. The insurance company recommended having waiver forms signed by users. He noted that helmets will be a requirement in the skate park. He also stated that he has been informed by the church’s insurance company that the insurance policy will cover all liability issues.

Mr. Haugen questioned whether or not dusting from the BMX park would be an issue to area residents. Rev. Hall replied that he didn’t feel that there would be any additional dusting that hasn’t already occurred. If there is additional dusting, a process of watering the track down would be in place.

Ms. Otteson raised the issue of outdoor music. Ms. Otteson suggested wording such as, “no permanent outdoor speakers”, as compared to “no outdoor music”. Rev. Hall noted that if outdoor speakers were installed by the church, the church would have control over the volume and type of music.

Kevin Messner, 86 Century Ave., presented on the topic of music being played outdoors. He encouraged the wording of “no music allowed” be removed from the conditions. He did state that if the church regulated the type of music being played, it would be less offensive to residents.

Dennis Kahl, 960 Milwaukee Ave., owns the property to the north of the proposed developed area. Mr. Kahl’s concern is that there is proper separation between the BMX track and future housing developments.

Joe Wozniak, 1525 McDonald Drive, commented that speakers could be placed on the property facing away from the residents, even to the point that the residents may not be able to hear any sound at all.

Mr. Schieffer suggested wording, “no outdoor music in connection with the BMX or skate park which creates excessive noise....”

Rev. Hall also had concerns with condition #9 on the staff report. He wishes to see specific complaints listed. Mr. Schieffer noted that this condition is already addressed in the City Code. He also noted that revocation of the permit would most likely be a last resort if compliance issues have been addressed by the property owner.

Rev. Hall noted that the church would build a burm if required between the BMX track and the residential lots.

Mr. Haugen questioned Item #2 and the hours of supervision. Rev. Hall stated that it is not feasible for the church to have someone supervising on site every day. This park will be open to the public and not just parish members.

Mr. Fraser questioned whether or not a conditional use permit would be needed if outdoor lighting would be installed at a later date. Ms. Wischnack stated that staff would like to be informed if outdoor lighting is installed. Rev. Hall commented that no outdoor lighting is planned at this time for the purpose of activities being held after dark at the park.

Mr. Fraser stated that an additional condition should be that if outdoor lighting is installed, it would require reviewal by the Planning Commission. Rev. Hall questioned whether or not that would pertain to security lights. Ms. Wischnack stated that security lights would not need a conditional use permit.

Motion by Haugen, second by Kirchoff to close the public hearing. Motion carried.

Motion by Fraser, second by Haugen to approve conditional use permit with the following amendments to staff recommendations: 1) striking the word “volunteer” from condition #2; 2) strike “no outdoor music shall be played” in

condition #7, replacing with the wording “...relating to outdoor music being allowed in conjunction with the softball park and skating facility but would not create excessive noise to the residents” (wording provided by Dick Schieffer); 3) add condition #10 – an additional conditional use permit would be required for the installation of outdoor lighting for softball park/BMX track; 4) a revised site plan should be submitted before approval at the Council meeting. Motion carried unanimously.

Ms. Wischnack reminded the applicant that a new site plan should be submitted to address the placement of the softball field and BMX track, as well as the separation between the track and the residential area.

Mr. Kirchoff requested that Hunter’s Ridge Church and Word Of Life Church continue working in a good relationship and that Word of Life continue to comply with requests of Hunter’s Ridge.

(F) CONSIDERATION OF ORDINANCE NO. 01-304, AMENDMENT TO CHAPTER 11 (ZONING ORDINANCE) ADDING LANGUAGE FOR A NEW ZONING DISTRICT NAMES “GATEWAY ZONING DISTRICT”

Ms. Wischnack explained that this is a first draft that was modeled after Mankato’s Urban Design Guidelines. Ms. Wischnack explained the details of the draft. Much emphasis was placed on building design and construction, landscaping and fencing.

Mr. Haugen stated that a definition is needed for transitional yard.

Ms. Otteson questioned whether or not there was enough staff to enforce the landscaping portion of the ordinance. Ms. Wischnack stated that the City Forester would be able to handle the enforcement.

Dennis Miller, contractor working with Bob Wiehr, Yamaha MotorSports presented before the Commission. Mr. Miller has concerns with the section pertaining to building design and construction, especially relating to precast panels. He has concerns with the expense incurred for “nicer looking buildings”. Mr. Miller also has concerns with no chain link fences. His example is that if Yamaha would like to display products, but does not want them to be stolen or vandalized, the only choice would be for them to have a chain link fence. Another issue would be the type of building used for storage.

Lenny Greggis, Lester Buildings, requested that the Commission be sensitive to various types of material and not limit the type of material used. “Cheaper” material can be used and look very attractive.

Mr. Miller commented on the buildings his construction company has done work on and the ability there is to “dress up” the buildings.

Ms. Wischnack addressed these concerns by stating that this area is receiving the most scrutiny because of the extremely highly visible area, the “gateway”. Ms. Wischnack further noted that there is room to work with the types of structure under Section A (5).

Mr. Schieffer noted that if there are no controls within the code, there will be no controlling of the design or of requiring applicants to provide the design of the building.

Mr. Kirchoff requested that verbage from the C-5 district be incorporated into the ordinance regarding building design.

Ms. Wischnack is requesting suggestions for revisions to present at the workshop being held with the City Council on January 22.

Ms. Otteson noted that transitional yard needs to be defined, the purpose verbage from C-5 needs to be incorporated and the issue of materials needs to be addressed.

Mr. Schieffer suggested that a title be assigned to the bullet “or similar or better materials.....” as well as a process be assigned to this item.

Mr. Haugen also suggested striking the word “better” out of “or similar or better materials...”

Motion by Otteson, second by Kirchoff to close public hearing. Motion carried.

Motion by Olsen, second by Haugen, to table this item until February 19, 2002. Motion carried.

4. NEW BUSINESS

- a.) Comprehensive Plan Open House - Tuesday, February 19, 3:00-5:30 p.m.
A second Open House will be held – Wednesday, February 20, 3:00-5:30 p.m.

Ms. Wischnack explained that there will be two open houses to share the Comprehensive Plan with the public. The open houses will be walk-around events with maps stationed at various locations. A public hearing will be held those same nights regarding the Comprehensive Plan.

5. OLD BUSINESS

6. COMMUNICATION FROM STAFF

- a) Tentative February Agenda

Mr. Haugen noted that if anyone has a recommendation to fill Jeff Jones's position, they should provide such names to the Mayor for appointment.

7. **ADJOURNMENT**

Motion by Haugen, second by Fraser to adjourn. Meeting adjourned at 8:20 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, February 19th, 2002

1. **CALL TO ORDER 5:30 P.M.**

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Jim Haugen, Dean Kirchoff, Lynn Otteson, Jason Olsen, Brandon Fraser, Kathy Hanneman and Chairman Arndt. Also Present : Julie Wischnack, AICP, City of Hutchinson Director of Planning/Building/Zoning, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

City Attorney, Marc Sebor, swore-in Kathy Hanneman as a member of the Hutchinson Planning Commission.

2. **CONSENT AGENDA**

a) CONSIDERATION OF MINUTES DATED January 15, 2002

Mr. Haugen stated there was an error in the minutes regarding the election of officers. The sentence "Jim Haugen nominated Bill Arndt as Chairman of the Planning Commission" is to be deleted. Mr. Haugen made a motion to approve the minutes with the change, seconded by Mr. Olsen, the motion carried.

3. **PUBLIC HEARINGS**

A) DAVID TIFFT, OWNER OF PROPERTY AT 705 CHURCH STREET S.W. IS REQUESTING A VARIANCE FROM 25 FEET TO 24 FEET FRONT YARD SETBACK FOR CONSTRUCTION OF A 28 X 32 FOOT DETACHED GARAGE

Chairman Arndt opened the hearing at 5:35 p.m. with the reading of publication #6676 as published in The Hutchinson Leader on Thursday, February 7, 2002.

Ms. Baumetz commented on the request by Mr. Tift noting the staff recommendations dated February 1, 2002. She stated the garage was not to be used for a home occupation. Mr. Tift stated the garage was for personal storage and workshop area.

Mr. Kirchoff moved to close the hearing, seconded by Mr. Olsen the hearing closed at 5:45 p.m. Mr. Fraser made a motion to approve the request with staff recommendations. Seconded by Mr. Kirchoff. There was discussion regarding the access curb cut unto Miller Avenue. Access will be provided at owner's expense. The motion carried unanimously. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting February 26, 2002.

B) JEFF HAMILTON, PROPERTY OWNER, IS REQUESTING VARIANCES TO REPLACE A DEMOLISHED STRUCTURE AT 605 BROWN STREET. THE HOME WOULD BE RECONSTRUCTED ON TOP OF THE EXISTING FOUNDATION. THE VARIANCES WOULD BE FOR THE FOLLOWING REGULATIONS: REDUCE FRONT YARD SETBACK TO 17 FEET AND CORNER SIDE SETBACK TO 18.7 FEET (REQUIRED SETBACK IS 25 FEET) AND REDUCE REQUIRED LOT AREA FOR A TWO FAMILY DWELLING UNIT FROM 10,000 SQUARE FEET (5,000 SQUARE FEET PER UNIT) TO 8,500 SQUARE FEET.

Chairman Arndt opened the hearing at 5:50 p.m. with the reading of publication #6677 as published in The Hutchinson Leader on Thursday, February 7, 2002.

Ms. Wischnack commented on the request and presented pictures of the house which has been demolished. She explained the request is to accommodate a two-family dwelling unit. She stated many lots in the area would have a similar front yard setback situation. Staff is aware the foundation work was in process and the owner has been notified the work is to cease until receiving approval of the variance. Ms. Wischnack stated Building Official, Barry Greive, has noted the garage to the east is closer to the house than allowed by Uniform Building Code and will require that the existing garage openings next to the house need to be removed or protected to one-hour construction. The wall adjoining the newly constructed house must also be protected by materials approved for one-hour fire resistance as per code. She noted access curb cuts must be 20' from the intersection. Addresses will be issued at a later date.

Jeff Hamilton, owner, presented a blueprint to show the building plan. He stated the garage will be 16' wide not 14'. A 6' setback from the interior lot line is allowed. Discussion followed regarding the average setback requirement. Ms. Wischnack explained in the R-1 district there is a requirement to that affect. However, Mr. Hamilton's foundation is pre-existing.

Lon Sweeny, Winsted, stated the proposed porch appears to extend into the setback.

Ms. Hanneman questioned Mr. Hamilton regarding the setback. Mr. Hamilton stated the porch is 5' deep. Ms. Wischnack stated a covered porch was not presented in either setback variance requested.

Jeanette Lee, 560 Brown St., voiced concern that allowing two-family dwellings in the area would be too congested for the small lots.

Lori Lomis, 626 Brown St., is concerned with allowing a rental area instead of home-owned properties. She stated she would like to see more neighbor oriented.

Mr. Hamilton addressed the parking concerns, stating he has provided sufficient parking area. He stated will live in one of the units.

Craig Nelson, 218 Milwaukee Ave., also is concerned the lot is not large enough for a two-family dwelling. He stated in the past many vehicles have been parked in the back yard and is concerned the parking lot in the back and may continue to be used.

Nancy Murphy, 570 Brown St., is concerned about property values dropping in the area and the upkeep of the property. She is also concerned about the plans for off street parking. Ms. Murphy questioned the requirements of square footage per dwelling unit. Ms. Wischnack explained the ordinance was amended in 1996. She explained the City Council at that time approved 5,000 sq. ft. per dwelling unit is sufficient. She stated this area of the city has small lots.

Mr. Hamilton stated the rent will not be inexpensive and will be owner occupied in one unit. He explained the parking in back will not be used as parking and will be lawn area.

Discussion followed on the 17 and 18 foot setbacks and lot size for this public hearing.

Mr. Haugen moved to close the hearing, seconded by Ms. Otteson the motion carried and the hearing closed at 6:15 p.m.

Ms. Hanneman made a motion to recommend to approve the variances as requested with the conditions from staff excepting #4 and the addition of fire code wall on the east as required by Building code. Seconded by Mr. Fraser, discussion followed. Mr. Haugen added with approval of the building plan. Ms. Hanneman stated the hardship is the lot size in an older part of town. Mr. Kirchoff stated staff recommendation #5 should read building staff. Ms. Otteson commented on addressing the issues to hear the neighbors. She stated the building will be a vast improvement and owner occupied should calm concerns of the neighborhood. She also stated rental cost should alleviate concerns with type of renter. There is an advantage with the homeowner living in the other half of the building. The owner should respect the neighbors concerns. The motion to approve carried unanimously. The item will go before the City Council on February 26, 2002.

C) CONSIDERATION OF ORDINANCE NO. 01-304 AMENDMENT TO CHAPTER 11 (ZONING ORDINANCE) ADDING LANGUAGE FOR A NEW ZONING DISTRICT NAMED "GATEWAY ZONING DISTRICT"

Chairman Arndt opened the hearing at 6:20 p.m. with the reading of publication #6678 as published in The Hutchinson Leader on Thursday, February 7, 2002.

Ms. Wischnack explained an ordinance addressing aesthetics is to be adopted before the moratorium may be lifted in the area. She commented on the changes made to the draft. The setback in Subd. 7 (A) was changed to 30' as a response to MNDot. Also, Transitional Yard Subd. 7 (D) has been defined. Bob Weihr Yamaha Motorsports, voiced his concerns with some sections of the ordinance. He asked to add motorcycle sales and service to the conditional use section. He also has concerns with the 30' setback and does not understand the philosophy of the close setback and rear of building to the highway. Ms. Wischnack commented on the examples in the city with similar development along the highway. Mr. Weihr is concerned with all buildings placed the same distance from the highway and he

questioned what happens if the highway is expanded. Discussion followed regarding possible variation in setback with the objective to create interesting spaces. There was further discussion on workable restrictions maybe 30' minimum and 50' maximum. Discussion followed on the types of landscaping and parking to break up and protect the look and avoid conformity. It was the consensus of the Planning Commission to change the ordinance to minimum 30', maximum 50'.

Ms. Wischnack stated Subd. 9 (A) seemed too restrictive and has been changed to give some leeway to use other materials. Bob Hennen stated concerns with the restrictions. He stated business that is market driven is good in theory. However, selection is most important to owners in competition with other businesses.

Jim Heikes stated he is on same team to keep the entrance to the city looking aesthetically pleasing. He questioned to accomplish the goals in less restrictive ordinance. Mr. Weihr presented pictures of his proposed building. Ms. Wischnack explained that through the conditional use permit process the planning commission would address each building proposed as stated in Subd. 9 (A) Sec. 6. Discussion followed on the ability of the applicant to deviate from the ordinance. Applicant must present all information to the commission.

Mr. Weihr asked to clarify pylon sign and to consider chain link fence that is opaque with more latitude on height of fence. He suggested 10' height. Discussion followed on security issues with opaque fences.

Bob Hennen commented on the flexibility of the ordinance he has fewer concerns.

Landscaping issues were discussed. Ms. Wischnack stated landscaping plans would be presented at the time of the proposal with the conditional use permit application. She will add language "in consultation with Forester". There were concerns by Mr. Hennen on the requirement to screen delivery vehicles. Ms. Wischnack will clarify section.

Commissioner Olsen left the meeting at 7:00 p.m.

Jim Heikes stated concern with wording of the ordinance for future interpretation.

There was discussion on landscaping portions of undeveloped land. Identify any spaces not planned for improvements. Ms. Wischnack stated language could be added regarding undeveloped areas. Discussion followed on transitional yards being a green belt screen between business and residential developments.

Mr. Heikes voiced concerns with parking placement Subd. 7 (F). Mr. Hennen stated his furniture business depended on parking in front of the building. Ms. Wischnack presented a concept for the parking requirements.

There was lengthy discussion on fencing requirements including types of materials used, maintenance concerns and landscaping possibilities. Ms. Wischnack stated she will review and change wording to maintain flexibility in the ordinance.

John Mlinar asked to clarify "permanent means of watering...." found in Subd. 12, C, Sec. 2 (h). Ms. Wischnack stated she would take out the word permanent.

Discussion followed on Subd. 12 (E) regarding perimeter landscaping on off-street parking lots. There were concerns regarding snow removal in parking lots with islands throughout the lot. Ms. Wischnack explained the island concept along the parking lot to denote property. She explained the sidewalk concept is to promote connection to bicycle friendly community.

Ms. Otteson moved to close the hearing, seconded by Mr. Kirchoff, the hearing closed at 8:00 p.m. Mr. Fraser made a motion to approve the ordinance with the following changes: Add motorcycle sales and service; front yard setback minimum 30', maximum 50'; identify unimproved areas; delivery vehicles excluded as on-site storage; include front parking lot changes; allow opaque chain link fences; remove the word "permanent" in section (h) (Watering Plant Material); allow 10' fences, change off-street loading visible from all streets shall be screened. Mr. Haugen seconded. The motion carried unanimously.

Ms. Wischnack stated the ordinance would be forwarded to the City Council for their meeting February 26, 2002, and a copy of the changes would be sent to the affected property owners.

D) CONSIDERATION OF APPROVING THE COMPREHENSIVE PLAN

Chairman Arndt opened the hearing at 8:05 p.m. with the reading of publication #6679 as published in The Hutchinson Leader on Thursday, February 7, 2002.

Jay Blake, Senior Planning Consultant, complimented the Planning Commission on their efforts made in adopting a Gateway Ordinance. He cautioned them to enforce the ordinance when making decisions for the area.

Mr. Blake commented on the Comprehensive Plan and stated the process began 295 days ago. He explained there were numerous meetings with community members. Mr. Blake stated there would be some changes in the housing language making it more specific. He commented on the goals of the plan to encourage appropriate housing mix for community, give attention to the expanding commercial and industrial base of community and enhance the river. Ms. Hanneman complimented and thanked all who worked on the comp plan. She stated it is an impressive plan.

Lon Sweeny, Winsted, explained his mother lives in Hutchinson and commented on the safety of pedestrians in the downtown area, he noted the traffic problems were addressed in the plan. Mr. Haugen made a motion to close the hearing, seconded by Ms. Otteson the hearing closed at 8:25 p.m. Ms. Hanneman made a motion to approve the plan, seconded by Mr. Fraser the motion carried unanimously. The City Council will review the plan. There will be an AUAR plan for next month.

4. **NEW BUSINESS**

a.) FINAL PLAT TO BE KNOWN AS SUMMERSET SECOND ADDITION

Ms. Wischnack commented on the plat and reminded the Planning Commission of the preliminary plat. This is phase two and will consist of 36 lots. Staff is requesting the developer to verify street names, and provide Subdivision Agreement for second phase. Mr. Haugen made a motion to approve with staff recommendations. Ms. Hanneman seconded the motion. The motion carried unanimously.

Ms. Wischnack stated the final plat will be on the City Council agenda on February 26, 2002.

5. **OLD BUSINESS**

None

6. **COMMUNICATION FROM STAFF**

a.) Registration for Land Use Planning Workshops

Ms. Wischnack commented on the workshops to be held in March. She encouraged commissioners to call Bonnie Baumetz to register for the workshops they wish to attend.

7. **ADJOURNMENT**

There being no further business, the meeting adjourned at 8:30 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, March 19th, 2002

1. **CALL TO ORDER 5:30 P.M.**

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2. **CONSENT AGENDA**

a) CONSIDERATION OF MINUTES DATED February 19, 2002

Mr. Haugen made a motion to approve the minutes dated February 19, 2002. The motion was seconded by Mr. Kirchoff and carried unanimously.

3. **PUBLIC HEARINGS**

A) CONSIDERATION OF A **CONDITIONAL USE PERMIT** TO APPROVE A PROPOSED SITE ENTRANCE AND SECURITY BUILDING CONSTRUCTION (which involves grading in the 100 year flood plain) AS REQUESTED BY 3M COMPANY, 905 ADAMS ST. SE.

Chairman Arndt opened the hearing at 5:35 p.m. with the reading of publication #6684 as published in The Hutchinson Leader on Thursday, March 7, 2002.

Ms. Wischnack commented on the request. She explained, the same request was approved in May, 2001, however, the conditional use permit expired six months after approval. She stated the basement of the security building was to be used for storage and lockers. The flood proofing regulations have been discussed with 3M Company engineers. Ms. Wischnack stated planning staff is satisfied with the request and noted the staff recommendations which include: protected waters permitting, landscaping must be provided, as-built certification of the building's lowest level is required, movement of utilities will be at owner's expense and silt control must be provided.

Mr. John Buncher, resident 3M engineer, stated the delay was due to a corporate decision. The plan is to have construction completed by September of this year.

Rett Young, 446 Monroe St., voiced concern with increased traffic on 5th Ave. Ms. Wischnack stated the traffic count will increase. Mr. Young stated he is concerned children will play in heavy traffic. He asked if the city would consider providing development of a ramp park in Tartan Park. Ms. Wischnack explained there are plans to do some development within the next year of Tartan Park.

Discussion followed on the type of entrance which will be an employee and shipping/receiving entrance. It will be developed with two lanes. One lane for employees and one for shipping and receiving.

Brad Burich, 445 Adams, asked about the use for the other entrance at Fair Ave. Ms. Wischnack commented on the parking. Mr. Buncher stated one access will create one control point for security purposes. He stated traffic counts have been estimated. Mr. Burich stated this would cause a major over load with many workers from out of town. He also has concerns with truck traffic on 5th Ave.

Mr. Buncher stated the traffic plan for 3M was developed with the city plan at the time 5th Ave was constructed. He stated there will be a 4-way stop at 5th and Adams St. which will control traffic at that point.

Mr. Kirchoff moved to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:00 p.m. Mr. Kirchoff made a motion to approve the request with staff recommendations. Seconded by Mr. Haugen the motion carried unanimously. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting March 26, 2002.

B) CONSIDERATION OF A **CONDITIONAL USE PERMIT** REQUESTED BY LARSON BUILDERS,

APPLICANT, TO CONSTRUCT AN ADDITION ON A DETACHED GARAGE LOCATED AT 45-5TH AVE. NW. (THE PROPOSED GARAGE WOULD BE LARGER THAN 1000 SQ. FT)

Chairman Arndt opened the hearing at 6:05 p.m. with the reading of publication #6685 as published in The Hutchinson Leader on Thursday, March 7, 2002.

Ms. Baumetz presented the request and explained the revised building plans and location of the addition in relation to the house on the property. Ms. Otteson inquired about tree removal on the site. Ms. Delores Saar, property owner, stated no trees would be removed. Ms. Hanneman questioned the opening to the North. Mr. Arthur Saar, Jr. stated the revised plan is to have the opening to the South.

Ms. Hanneman inquired about the need for a firewall with a gas fireplace in the porch. Ms. Wischnack stated the building official would look at building code issues at the time of building permit review.

Mr. Haugen moved to close the hearing, seconded by Ms. Otteson the motion carried and the hearing closed at 6:25 p.m.

Mr. Haugen made a motion to recommend to approve the request, seconded by Mr. Olsen the motion carried unanimously. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting March 26, 2002.

4. **NEW BUSINESS**

A) DISCUSSION OF SOIL ENHANCEMENT REQUIREMENT LANGUAGE TO BE ADDED TO CITY CODE

Ms. Wischnack commented on the City Forester's request for the amendment.

Mark Schnobrich, City Forester, stated there are areas in the city with horrendous soils which should be corrected during development of land. The goal is to have soil conditions upgraded at the development stage. He commented on his presentation with the HRA board and suggestions to create incentives to upgrade soils and educate the homeowners.

Mr. Schnobrich stated the boulevards are in need of soil upgrades. He explained possible solutions and proposals. Discussion followed regarding different ways to assess for the upgrade. Mr. Schnobrich stated he has contacted several other cities regarding their plan for soil upgrades in developments. Discussion followed on when and who to charge.

It is the consensus of the Planning Commission for the City Forester to come back next month with options.

5. **OLD BUSINESS**

None

6. **COMMUNICATION FROM STAFF**

A) UPDATE ON THE VARIANCE REQUEST AT 605 BROWN ST.

Ms. Wischnack commented on the City Council decision not to grant the lot area variance for a duplex. She explained they tabled the item once due to public concerns and the hardship issues.

B) UPDATE ON THE GATEWAY ORDINANCE

Ms. Wischnack stated the ordinance was adopted with changes.

C) NEXT MEETING

The next meeting will be held on Monday, April 22, 2002, at 5:30 p.m.

7. **ADJOURNMENT**

There being no further business, the meeting adjourned at 7:30 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Monday, April 22, 2002

1. **CALL TO ORDER 5:30 P.M.**

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Jim Haugen, Dean Kirchoff, Lynn Otteson, Brandon Fraser, Kathy Hanneman and Chairman Arndt. Also Present : Julie Wischnack, AICP, City of Hutchinson Director of Planning/Building/Zoning, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. **CONSENT AGENDA**

A) CONSIDERATION OF MINUTES DATED March 19, 2002

Mr. Kirchoff made a motion to approve the minutes dated March 19, 2002. The motion was seconded by Ms. Hanneman and carried unanimously.

3. **PUBLIC HEARINGS**

A) CONSIDERATION OF A **VARIANCE** REQUESTED BY CHRISTIAN CHRISTENSEN TO REDUCE SIDE YARD SETBACK FROM 6' TO 2'4" FOR EXPANSION OF SHED LOCATED AT 915 2ND AVE SW

Chairman Arndt opened the hearing at 5:31 p.m. with the reading of publication #6701 as published in The Hutchinson Leader on Thursday, April 4, 2002.

Ms. Wischnack commented on the request and the property location. She presented pictures of the existing non-conforming structure and the proposed new shed. She stated the irregular terrain prohibits other site locations on the lot. There is also a substantial foundation which Mr. Christensen will use for the new building. Ms. Wischnack explained the staff recommendations.

Ms. Hanneman asked if the existing shed is a legal non-conforming use or not. Ms. Wischnack stated it is a legal non-conforming use.

Chairman Arndt stated the building can not be a boat house.

Christian Christensen, 915 Second Ave. SW, property owner, stated this will not be a boat house. It will be a utility shed for storage with a 36" standard door.

Ms. Hanneman questioned the hardship. Mr. Christensen explained the excavation problems to move the shed 6' from the property line.

Mr. Kirchoff asked if there would be a need to remove trees. Mr. Christensen stated none would be moved.

Mr Haugen moved to close the hearing. Seconded by Mr. Kirchoff the hearing closed at 5:38 p.m. Mr. Haugen made a motion to approve the request with staff recommendations. The motion was seconded by Ms. Otteson. Discussion followed with Ms. Hanneman commenting on granting variances on non-conforming structures. She stated it is not the best practice to add on to non-conforming structures. Chairman Arndt called for the vote. The motion passed with 5 ayes and 1 nay (Hanneman). Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting April 23, 2002.

B) CONSIDERATION OF A **CONDITIONAL USE PERMIT** REQUESTED BY BRUCE SCHULTZ TO INSTALL A 47" FENCE IN FRONT YARD LOCATED AT 545 MAIN ST. S.

Chairman Arndt opened the hearing at 5:40 p.m. with the reading of publication #6702 as published in The Hutchinson Leader on Thursday, April 4, 2002.

Ms. Baumetz commented on the request and location of the property. She explained staff

recommendations.

Mr. Bruce Schultz, 545 Main St. S, property owner, stated the fence would be off-set to show the corner of property and to give a look of the past. He stated there would be no gate. The fence would begin and end at the sidewalk.

Ms Otteson moved to close the hearing, seconded by Mr. Haugen the motion carried and the hearing closed at 5:50 p.m.

Ms. Hanneman made a motion to recommend to approve the request, seconded by Mr. Kirchoff. The motion carried unanimously. Ms. Baumetz stated the item will be placed on the City Council consent agenda for their meeting April 23, 2002.

C) **CONSIDERATION OF CONDITIONAL USE PERMIT AND SKETCH PLAN SUBMITTED BY KEVIN COMPTON TO CONSTRUCT TWIN HOMES IN PLANNED DEVELOPMENT DISTRICT**

Chairman Arndt opened the hearing at 5:50 p.m. with the reading of publication #6702 as published in The Hutchinson Leader on Thursday, April 4, 2002.

Ms. Wischnack commented on the property location and request. She stated this property has been platted and replatted several times with changes in zoning as well. The property is now zoned Planned Development District which requires a conditional use permit for all development. The sketch plan which is included in the request is to accommodate 3 twin homes on the property. The preliminary plat will be presented next month. The lots meet minimum lot size requirements. Lot coverage allowed is 35% and this request would be at 38% lot coverage.

Ms. Wischnack explained staff concerns which are with the drainage on the property and the south driveway too close to the intersection. The payment of SAC/WAC and Park dedication must also be addressed. She stated the staff recommends approval of the sketch plan and to table the conditional use permit until the May meeting and act on both the conditional use permit and preliminary plat at that time.

Discussion followed on water services to the property and if there will be an association agreement addressing the maintenance of the shared driveways. Mr. Compton stated there will be no association documents.

Mr. Kirchoff moved to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:04 p.m. Mr. Kirchoff made a motion to approve the sketch with staff recommendations. Seconded by Mr. Haugen the motion carried unanimously. Ms. Otteson moved to table the conditional use permit to amend the PDD to the May 21, 2002, meeting. Seconded by Mr. Kirchoff the motion carried unanimously.

D) **CONSIDERATION OF CONDITIONAL USE PERMIT REQUESTED BY THE CITY OF HUTCHINSON TO CONSTRUCT A STORM WATER RETENTION POND IN THE FLOOD PLAIN LOCATED AT 840-2ND AVE. SE**

Chairman Arndt opened the hearing at 6:06 p.m. with the reading of publication #6702 as published in The Hutchinson Leader on Thursday, April 4, 2002.

Ms. Baumetz commented on the location of the pond and the request by the City of Hutchinson Engineering Department. She explained the staff recommendations.

Discussion followed on pond depth. Ms. Wischnack explained the pond construction. Ordinary High Water on the pond is 1040' which is the 100 year elevation. There was further discussion of natural ponding methods and treatments. Chairman Arndt asked about the number of ponds in the area and if this pond is necessary. Discussion followed regarding the appropriate sizing for the area.

Dick McClure, 945 – 5th Ave SE, asked about the assessments to his property. Ms. Wischnack stated staff would check into the assessments.

John Rodeberg, City Engineer, explained the slope and the plantings to deter people from going into the pond. He does not recommend fencing ponds. He stated Mr. McClure will be assessed as the pond will benefit his property. This pond will handle an area of Hwy 7 which will drain in that direction. He explained private areas must provide their own ponding. Mr. McClure was not required to provide ponding in anticipation of this construction by the city.

Mr. Rodeberg stated there will be plantings of prairie grass and wildflowers. He explained that portion of Arch St. will be removed.

Mr. Haugen moved to close the hearing. Seconded by Ms. Hanneman the hearing closed at 6:25 p.m. Mr. Haugen made a motion to approve the request with staff recommendations. Seconded by Mr. Kirchoff the motion carried unanimously. Ms. Baumetz stated the item will be placed on the City Council consent agenda for their meeting April 23, 2002.

E) CONSIDERATION OF A **CONDITIONAL USE PERMIT** REQUESTED BY THE CITY OF HUTCHINSON FOR SHORELAND IMPROVEMENTS LOCATED AT 300 LES KOUBA PARKWAY

Chairman Arndt opened the hearing at 6:26 p.m. with the reading of publication #6702 as published in The Hutchinson Leader on Thursday, April 4, 2002.

Ms. Wischnack explained the request and location of the request. She states the improvements impacts the flood plain and flood way area. There will be plantings to reduce the wide gravel road and to slow traffic in the area. She explained the parks department received a grant to improve the park.

Discussion followed on the gravel road.

Mr. Kirchoff inquired about the use of the area by the fire department. Ms. Wischnack explain the issue is being resolved and she will check with the departments.

Mr. Kirchoff moved to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:31 p.m. Mr. Kirchoff made a motion to approve the request with staff recommendations. Seconded by Mr. Haugen the motion carried unanimously. Ms. Hanneman commented on the landscaping and her appreciation for the improvement. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting April 23, 2002.

4. **NEW BUSINESS**

A) CONSIDERATION OF ORDINANCE FOR ANNEXATION OF CITY PROPERTY LOCATED IN HASSAN VALLEY TWP. – EDMONTON AVE. RIGHT-OF-WAY (7.98 ACRES) AND PROPERTY DEEDED TO THE CITY FOR BICYCLE TRAIL PURPOSES (APPROX. 22.2 ACRES)

Ms. Wischnack explained the location and ordinance. She stated this item is for information purposes and does not need approval. The property is city owned and will not take township approval.

5. **OLD BUSINESS**

None

6. **COMMUNICATION FROM STAFF**

1. Jefferson St. annexation – Ms. Wischnack commented on the meeting with residents held April 15, 2002. She commented on the agenda items which included a feasibility study. She stated the process will begin with annexation by ordinance unless Hassan Valley Township would like an orderly annexation which may benefit the residents by incrementally instituting tax assessments over five or six years.

2. AUAR Report – Ms. Wischnack demonstrated locating the document on the web site. She explained the formal review will take place until July.

3. Atty. Sebora commented on the determination by the City Council to appoint a Planning Commissioner whether the codes state in or out of city limits. He stated he is still researching the intent of the ordinance.
4. Atty. Sebora informed the commission there is consideration of licensing excavators who work in the city. The licensing would be handled by the city staff.

7. **ADJOURNMENT**

There being no further business, the meeting adjourned at 7:00 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, May 21, 2002

1. **CALL TO ORDER 5:30 P.M.**

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Jim Haugen, Dean Kirchoff, Lynn Otteson, Brandon Fraser, Kathy Hanneman and Chairman Arndt. Also Present : Julie Wischnack, AICP, City of Hutchinson Director of Planning/Building/Zoning and Bonnie Baumetz, Planning Coordinator

2. **CONSENT AGENDA**

A) CONSIDERATION OF MINUTES DATED April 22, 2002

Ms. Hanneman made a motion to approve the minutes dated April 22, 2002. The motion was seconded by Mr. Haugen and carried unanimously.

3. **PUBLIC HEARINGS**

A) CONSIDERATION OF TABLED **CONDITIONAL USE PERMIT** REQUESTED BY KEVIN COMPTON TO CONSTRUCT 3 TWIN HOMES ON PROPERTY IN HELLAND'S 7TH ADDITION ALSO, CONSIDERATION OF A **PRELIMINARY PLAT** TO BE KNOWN AS COLORADO RIDGE LOCATED ON COLORADO ST. AND EIGHTH AVE.

Chairman Arndt opened the hearing at 5:34 p.m. with the reading of publication #6720 as published in The Hutchinson Leader on Thursday, May 9, 2002.

Ms. Wischnack commented on the request and reminded the commissioners of the request for a conditional use permit which was tabled until a preliminary plat was provided. She stated the revised plan does address the recommendations of staff. Ms. Wischnack explained the fees for sewer and water access and park and playground dedication. Sewer and water access fee is \$1900 per unit and park dedication fee is \$175 per unit. Both permits are due at the time of building permit acquisition.

Mr. Kirchoff asked staff to explain flared end drainage inlets. Ms. Wischnack stated the flared end type of drainage inlet will take more water.

Mr. Compton commented on the drainage and the request by the City Engineer.

Mr. Haugen moved to close the hearing. Seconded by Mr. Kirchoff the hearing closed at 5:45 p.m. Mr. Haugen made a motion to approve the conditional use permit request with staff recommendations. The motion was seconded by Mr. Kirchoff. The motion carried unanimously. Mr. Kirchoff made a motion to approve the request for preliminary plat. Seconded by Ms. Hanneman the motion carried unanimously. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting May 28, 2002.

B) STEVEN SENART, PROPERTY OWNER, 986 THOMAS AVE SW, IS REQUESTING A **CONDITIONAL USE PERMIT** TO REPLACE A WOODEN FENCE WITH A 6' VINYL FENCE IN THE FRONT YARD

Chairman Arndt opened the hearing at 5:46 p.m. with the reading of publication #6721 as published in The Hutchinson Leader on Thursday, May 9, 2002.

Ms. Baumetz commented on the request and explained staff recommendations for an angled corner to permit sight distance to Lake St. while backing from driveway.

Mr. Senart stated there are a number of trees and shrubs planted on the inside of the fences area and it would be difficult to change the fence location from the present site. He explained the driveway access and stated he backs from the driveway slowly. He is not interested in angling the fence. However, there would be a possibility of moving the fence in from the street 6 to 8 inches.

Discussion followed on the placement of the fence and the height limiting sight distance. Ms.

Wischnack stated the staff is looking at public safety concerns.

Mr. Senart stated the fence has been at the same location on the property for several years and he would like to improve the property by installing a vinyl fence. Discussion followed on the angle of the fence and what would be necessary for safety. Ms. Wischnack stated the Police Chief and City Engineer would be asked to verify the safety issues discussed.

Mr. Kirchoff moved to close the hearing, seconded by Mr. Haugen the motion carried and the hearing closed at 6:08 p.m.

Mr. Kirchoff made a motion to recommend to approve the request with the following recommendations: 1. Fence must be moved to the east 8" from present location; 2. Any removal of utilities will be at owner's expense; 3. City staff will re-verify sight distance backing from driveway. Seconded by Mr. Fraser, discussion followed regarding legal placement of fences. The motion carried with 4 ayes (Kirchoff, Fraser, Haugen and Arndt) and 2 nays (Otteson and Hanneman). Ms Wischnack stated the item will be placed on the City Council regular agenda for their meeting May 28, 2002.

- C) BRUCE NAUSTDAL HAS SUBMITTED A **PRELIMINARY PLAT** TO BE KNOWN AS 1ST ADDITION TO RAVENWOOD LOCATED SOUTH OF CENTURY AVE. AND WEST OF THE FAIRGROUNDS THE APPLICANT HAS SUBMITTED A REQUEST TO **REZONE PROPERTY** TO BE PLATTED 1ST ADDITION TO RAVENWOOD FROM R-3 TO PDD. MR. NAUSTDAL IS ALSO REQUESTING A **CONDITIONAL USE PERMIT** TO AMEND THE PDD LOCATED IN THE PROPERTY TO BE PLATTED 1ST ADDITION TO RAVENWOOD

Chairman Arndt opened the hearing at 6:10 p.m. with the reading of publication #6722 as published in The Hutchinson Leader on Thursday, May 9, 2002.

Ms. Wischnack commented on the requests and explained the conditional use permit to amend the setbacks in the planned development district. The property is intended for lower density with a planned development district rather than an R3 zone.

Ms. Wischnack explained the flexibility of setbacks for placement of decks in the future. She stated the sewer and water access fees would be \$1900.00 per unit and park dedication fees are \$135.00 per unit. This area is also in the electric service territory and there will be a fee of \$800.00 per unit. All fees are collected at the time of building permit acquisition.

There was discussion on the requirement of open space dedication for the planning development district. Ms. Wischnack explained the open space requirement was addressed in the Ravenwood plat. She stated the airport no-build zone was intended to meet the open space policy for the entire plat. Ms. Wischnack commented on the timing of the project.

Mr. Naustdal stated this is the first phase of the project and the intent is to meet the 20% open space requirement.

Ms. Wischnack commented on the goals of the planning department to discuss fence regulations providing an area on corner lots which would be the zone of visibility.

Ms. Hanneman moved to close the hearing. Seconded by Mr. Kirchoff the hearing closed at 6:27 p.m. Mr. Haugen made a motion to approve the rezoning request with staff recommendations. Seconded by Ms. Hanneman the motion carried unanimously. Mr. Kirchoff made a motion to approve the preliminary plat with staff recommendations. Seconded by Ms. Otteson the motion carried unanimously. Mr. Haugen made a motion to approve the conditional use permit with staff recommendations. Seconded by Ms. Otteson the motion carried unanimously. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting May 28, 2002.

- D) JAMIE EMANS IS REQUESTING A **CONDITIONAL USE PERMIT** TO CONSTRUCT A DETACHED GARAGE LARGER THAN 1000 SQ. FT. IN THE FRINGE COMMERCIAL DISTRICT (C-4) LOCATED AT 885 HWY. 7 WEST

WITHDRAWN

- E) JEFF HAMILTON IS REQUESTING A **VARIANCE** TO CONSTRUCT A PORCH 12.7' FROM PROPERTY LINE LOCATED ON MILWAUKEE AVE.

Chairman Arndt opened the hearing at 6:28 p.m. with the reading of publication #6724 as published in The Hutchinson Leader on Thursday, May 9, 2002.

Ms. Baumetz commented on the request and reminded the commissioners of the variance request approved in February to construct the home.

Discussion followed on request by the public to construct a porch on the front to improve the look of the structure.

Chairman Arndt read a letter into the record in opposition of the variance.

Ms. Hanneman moved to close the hearing. Seconded by Mr. Kirchoff the hearing closed at 6:36 p.m. Ms. Hanneman made a motion to approve the request with staff recommendations. Seconded by Mr. Fraser the motion carried unanimously. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting May 28, 2002.

- F) SHERRY BETHKE IS REQUESTING A **VARIANCE** TO REDUCE SIDE YARD SETBACK FROM 6' TO 2' FOR CONSTRUCTION OF A 20' X 30' DETACHED GARAGE WITH AN 8' X 18' ATTACHED SCREEN PORCH LOCATED AT 325 ADAMS ST. SE

Chairman Arndt opened the hearing at 6:38 p.m. with the reading of publication #672 as published in The Hutchinson Leader on Thursday, May 9, 2002.

Ms. Wischnack commented on the request and explained the change of variance requested to reduce side yard setback from 2 feet to 4.5 feet. She stated the code does require garages and Ms. Bethke does not have a garage on her property. Ms. Wischnack explained the staff recommendation to deny the request based on lack of hardship. Staff suggested alternatives which would not require a variance.

Ms. Bethke explained her need for parking space and the narrowness of her lot. She presented a letter of support from the neighboring property owner to the north. She stated the property has been greatly improved since she purchased and a garage would upgrade the property.

Discussion followed on parking and the main entrance of the dwelling.

Ms. Hanneman commented on the difficulty to grant variances.

There was discussion on the placement of a garage and alternative locations which would not require a variance.

Mr. Kirchoff moved to close the hearing. Seconded by Mr. Fraser the hearing closed at 6:58 p.m. Mr. Kirchoff made a motion to deny the request based on lack of hardship. Seconded by Ms. Hanneman the motion carried unanimously. Ms. Wischnack stated the item will be placed on the City Council regular agenda for their meeting May 28, 2002.

- G) FREDERICK SELTZ, JAMES HEIKES AND HENNEN'S PROPERTIES HAVE SUBMITTED A **PRELIMINARY PLAT** TO BE KNOWN AS SELTZ SUBDIVISION LOCATED ON HWY 7 EAST

Chairman Arndt opened the hearing at 7:00 p.m. with the reading of publication #6724 as published in The Hutchinson Leader on Thursday, May 9, 2002.

Ms. Wischnack commented on the request and stated the sketch plan was reviewed in October, 2001. She explained the property ownership and the staff review of the first request and revised preliminary plats thereafter. Ms. Wischnack commented on the staff recommendations and the requirements that have been addressed.

Mr. Heikes commented on plans for his property. Discussion followed on access to Lots 2 and 3 and the sewer and water availability.

Ms. Wischnack stated the lot sizes meet the gateway ordinance requirements. She stated she met with City Engineer John Rodeberg and he agrees the last revision meets the requirements. However, there could possibly be other design options for the service road. Mr. Heikes commented on exact road placement. He stated they would like to wait until they know what will develop on the lots.

Mr. Fraser stated they have complied with the request of staff.

Mr. Kirchoff stated he would be more comfortable tabling the request for further review of the revisions by staff.

Mr. Seltz explained the easement agreement with Mr. Heikes will follow the recommendations.

Ms. Hanneman voiced her frustration that the new material was presented at the last minute.

Ms. Wischnack stated the minimum staff expectations have been met.

Discussion followed regarding the service road being built by property owners.

Ms. Wischnack explained the final plat process which will include the subdivider's agreement.

Ms. Otteson moved to close the hearing. Seconded by Mr. Fraser the hearing closed at 7:45 p.m. Ms. Hanneman made a motion to table the request to next month. Seconded by Mr. Kirchoff the motion carried 4 ayes (Hanneman, Kirchoff, Haugen, Arndt) 2 nays (Fraser and Otteson). Ms. Wischnack stated the property owners may prepare the final plat for review with the preliminary plat.

4. **NEW BUSINESS**

5. **OLD BUSINESS**

Ms. Otteson commented on the land use workshops she attended. She stated the workshops were very beneficial.

6. **COMMUNICATION FROM STAFF**

Ms. Wischnack and Ms. Baumetz updated the commissioners on the progress of the Jefferson St. annexation.

Ms. Wischnack stated she has a handout explaining when to abstain from voting on issues.

7. **ADJOURNMENT**

There being no further business, the meeting adjourned at 8:00 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, June 18, 2002

1. **CALL TO ORDER 5:30 P.M.**

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present: Jim Haugen, Dean Kirchoff, Lynn Otteson, Kathy Hanneman, Robert Hantge and Chairman Arndt. Absent: Brandon Fraser Also Present: Julie Wischnack, AICP, City of Hutchinson Director of Planning/Building/Zoning, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

City Attorney Marc Sebor swore in the new Planning Commissioner, Robert Hantge.

2. **CONSENT AGENDA**

A) CONSIDERATION OF MINUTES DATED May 21, 2002

Ms. Hanneman made a motion to approve the minutes dated May 21, 2002. The motion was seconded by Mr. Kirchoff and carried unanimously.

3. **PUBLIC HEARINGS**

A) CONSIDERATION OF **PRELIMINARY PLAT** SUBMITTED BY FREDERICK SELTZ, JAMES HEIKES AND HENNEN'S TO BE KNOWN AS SELTZ SUBDIVISION LOCATED ON HWY 7 EAST AND HWY 22 (TABLED FROM MAY MEETING)

Chairman Arndt reopened the hearing at 6:10 p.m. with the reading of publication #6726 as published in The Hutchinson Leader on Thursday, May 9, 2002.

Ms. Wischnack explained the process up to this time and commented on the many meetings that have taken place with the property owners. She explained the proposal this month will allow for semi-trailer turning and car stacking traffic if the need arises. She stated this proposal is a good resolution to what was requested by staff. Ms. Wischnack commented on the subdivider's agreement and explained filing of the document. She stated the final plat will possibly be submitted for review at the July Planning Commission meeting.

Ms. Hanneman moved to close the hearing, seconded by Mr. Haugen the hearing closed at 6:20 p.m. Mr. Kirchoff made a motion to approve the request with staff recommendations 4-10 listed on the first page of the staff report. The motion was seconded by Ms. Hanneman. The motion carried unanimously. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting June 25, 2002.

B) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY ROGER DERRICK, VILLAGE HOMES OF HUTCHINSON INC., TO CONSTRUCT 5 AND 6 UNIT DWELLINGS IN R-3 DISTRICT LOCATED IN RAVENWOOD PLAT

Chairman Arndt opened the hearing at 6:20 p.m. with the reading of publication #6738 as published in The Hutchinson Leader on Thursday, June 6, 2002.

Ms. Wischnack commented on the request and location. She stated Mr. Derrick received approval for four plex units previously. This request is for up to 6 units per building. She commented on the street system in the development, stating the East/West streets are mostly private. Ms. Wischnack explained timelines for the completion of storm water ponding and drainage. She stated the conditional use permit is also for the decreased parking for the smaller units.

Roger Derrick, property owner, commented on the housing market and his reasons for changing to five and six unit buildings. He explained the development is not only for senior citizens.

Discussion followed on the homeowner's association.

Mr. Derrick stated the documents will be changed.

Ms. Hanneman moved to close the hearing, seconded by Mr. Kirchoff the motion carried and the hearing closed at 6:35 p.m.

Mr. Hantge made a motion to recommend to approve the request with staff recommendations. The motion was seconded by Mr. Haugen. Ms. Hanneman moved to amend the motion to include parking allowance to one enclosed space for units under 715 sq. ft. Seconded by Mr. Haugen. The motions carried unanimously. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting June 25, 2002.

C) CONSIDERATION OF **VARIANCE** REQUESTED BY DONOVAN BOETTCHER, 745-4TH AVE. SW, TO REDUCE CORNER SIDE SETBACK 9.8 FEET FROM 25 FEET TO 15.2 FEET FOR CONSTRUCTION OF 3 SEASON PORCH ADDITION UNTO NON-CONFORMING HOUSE

Chairman Arndt opened the hearing at 5:31p.m. with the reading of publication #6739 as published in The Hutchinson Leader on Thursday, June 6, 2002.

Ms. Baumetz commented on the request and explained the staff recommendations and hardship of the property owner.

Mr. Boettcher explained the construction of the present deck and the footings for the porch.

Mr. Kirchoff moved to close the hearing. Seconded by Ms. Hanneman the hearing closed at 5:40 p.m.

Mr. Kirchoff made a motion to approve the request with staff recommendations, seconded by Mr. Haugen. Ms. Hanneman stated the hardship being the home built before the zoning ordinance was amended and the property was established prior to the established zoning ordinances. Mr. Kirchoff agreed to add the hardship to the motion. The motion carried unanimously. Ms. Wischnack stated the item will be placed on the City Council consent agenda for their meeting June 25, 2002.

D) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY TROY ROLING, 47-5TH AVE. NE, FOR CONSTRUCTION OF A 1344 SQ. FT. DETACHED GARAGE

Chairman Arndt opened the hearing at 5:41p.m. with the reading of publication #6740 as published in The Hutchinson Leader on Thursday, June 6, 2002.

Ms. Baumetz commented on the request and explained the garage will be placed at least 6 feet from the property line. She also stated the present garage and shed will be removed. She explained the staff recommendations.

Mr. Roling explained the garage will provide for a workshop area and storage in the rear of the building. He stated the other buildings will be removed and there will be no other buildings on the property. This building will not require plumbing.

Mr. Haugen moved to close the hearing, seconded by Ms. Otteson the motion carried and the hearing closed at 5:50 p.m.

Ms. Otteson made a motion to recommend to approve the request with staff recommendations including the recommendation: no additional accessory buildings will be allowed on the property. Seconded by Mr. Haugen, the motion carried unanimously. Ms Wischnack stated the item will be placed on the City Council consent agenda for their meeting June 25, 2002.

D) CONSIDERATION OF **VARIANCE** REQUESTED BY JAMIE EMANS, 885 HWY 7 WEST, TO CONSTRUCT A 12' X 26' STORAGE SHED ON PROPERTY ZONED C-4

Chairman Arndt opened the hearing at 5:55 p.m. with the reading of publication #6741 as published in The Hutchinson Leader on Thursday, June 6, 2002.

Ms. Wischnack commented on the request and explained the placement of the shed. She explained the mixed uses on the parcel and stated the ordinance does not address sheds in the C-4 district. She explained the shed is consistent with the commercial use. Staff questioned the placement of the shed near the residential use. Staff does recommend approval of the request.

Mr. Emans stated his concern with staff recommendation not allowing a garage door. He explained the garage door is consistent with the business and the appearance of the shed.

Ms. Wischnack stated the garage door may promote residential use which is nonconforming in the C-4.

Mr. Emans stated the shed is shielded from public view. He explained he may want to add on to his existing commercial building and does not want a shed in the way.

Ms. Hanneman moved to close the hearing, seconded by Mr. Kirchoff, he motion carried and the hearing closed at 6:05 p.m.

Ms. Hanneman made a motion to recommend to approve the request with staff recommendations based on the hardship of the unique use of land adding the recommendation the screening to the north be maintained and the recommendation regarding the garage door remain as required by staff. The motion failed for lack of a second. Mr. Haugen moved to recommend approval stating the same hardship, deleting the staff recommendation regarding the garage door and adding the screening to the north shall remain. Seconded by Ms. Otteson, the motion carried unanimously. Ms Wischnack stated the item will be placed on the City Council consent agenda for their meeting June 25, 2002.

E) CONSIDERATION OF **VACATION OF EASEMENTS** LOCATED IN HELLAND'S

SEVENTH ADDITION FOR REPLATTING PURPOSES

Chairman Arndt opened the hearing at 6:40 p.m. with the reading of publication #6742 as published in The Hutchinson Leader on Thursday, June 6, 2002.

Ms. Baumetz explained the utility and drainage easements must be vacated prior to replatting property.

Ms. Otteson moved to close the hearing, seconded by Mr. Kirchoff the motion carried and the hearing closed at 6:45 p.m.

Mr. Haugen made a motion to recommend to approve the request with staff recommendations. Seconded by Ms. Hanneman, the motion carried unanimously. Ms Wischnack stated the item will be placed on the City Council consent agenda for their meeting June 25, 2002.

4. **NEW BUSINESS**

A) CONSIDERATION OF **FINAL PLAT** SUBMITTED BY NAUSTDAL/SORENSEN TO BE KNOWN AS 1ST ADDITION TO RAVENWOOD

Ms. Wischnack commented on the final plat stating there are no changes from the preliminary plat. She explained the PDD has been approved by City Council and processed.

Mr. Kirchoff made a motion to recommend to approve the request with staff recommendations, seconded by Mr. Hantge. The motion carried unanimously. Ms Wischnack stated the item will be placed on the City Council consent agenda for their meeting June 25, 2002.

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

A) UPDATE ON ORDERLY ANNEXATION OF JEFFERSON STREET PROPERTIES

Ms. Wischnack stated a resolution has been signed by Hassan Valley Township and the City for the Orderly Annexation of the Jefferson St. Area. She stated the project will be late in the year and badly failing systems will be hooked up to sewer.

B) UPDATE ON MEETING WITH DEVELOPERS REGARDING THE PROPOSED SOIL AMENDMENT ORDINANCE

Mark Schnobrich commented on his meeting with contractors and developers to introduce the proposed amendment. He stated there were many suggestions for changes and many concerns.

C) SPECIAL MEETING DATE

Ms. Baumetz explained the need for a special meeting to act on a conditional use

request by Hutchinson Utilities. The meeting will be held on Tuesday, July 2, 2002, at 5:00 p.m.

7. **ADJOURNMENT**

There being no further business, the meeting adjourned at 7:20 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, July 2, 2002
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present Kathy Hanneman, Brandon Fraser, Jim Haugen, Lynn Otteson, Dean Kirchoff, Robert Hantge and Chairman Arndt. Absent: Also present: Julie Wischnack, AICP, Planning Director, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PUBLIC HEARINGS

a) CONSIDERATION OF CONDITIONAL USE PERMIT REQUESTED BY HUTCHINSON UTILITIES TO CONSTRUCT A SUBSTATION AND LINES ASSOCIATED WITH THE PROJECT

Chairman Arndt opened the hearing at 5:05 p.m. with the reading of publication #6748 as published in The Hutchinson Leader on Thursday, June 20, 2002.

Ms. Wischnack commented on the request and the section of code regulating the request.

Clarence Kadrmas, Hutchinson Utilities, gave a history and background of the project. He stated the present system does not support the City need for electric service. He explained the substation will increase power to the City. Mr. Kadrmas commented on the route and cost of the lines.

Discussion followed on when an Environmental Assessment Worksheet is needed. This will not require the EAW.

Mr. Robert Hartsuiker, 708 Hilltop Dr., stated he is not against the project but does have some concerns with lighting of the property and how it will affect the residential properties and also fencing or marking the guy wires as a safety precaution especially in the winter when the snowmobilers are present.

Mr. Kadrmas stated they will make modifications to face the lighting away from the residential properties. He stated there may be flood lights on at night only in emergencies while they are working at the site.

Discussion followed on fencing the wires or using reflective material to warn snowmobilers.

Mr. Hantge made a motion to close the hearing, seconded by Mr. Fraser the hearing closed at 5:25 p.m. Ms. Hanneman made a motion to

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recommend approval of the request with the following conditions: 1. Lighting must be shielded form abutting residential neighborhood and 2. Guy wires must be covered with florescent reflective material for safety. Seconded by Ms. Otteson, the motion carried unanimously.

3. NEW BUSINESS

4. OLD BUSINESS

5. COMMUNICATION FROM STAFF

a) Neighborhood informational meeting regarding Hospice house

Ms. Wischnack commented on the informational meeting with neighbors of a proposed Hospice House located at the end of Park Island Dr. The proposal is by Connect Care. She stated there will be some zoning issues. There was concern by some of the neighboring property owners.

6. ADJOURNMENT

There being no further the meeting adjourned at 5:40 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, July 16, 2002
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present Kathy Hanneman, Brandon Fraser, Jim Haugen, Lynn Otteson, Dean Kirchoff, Robert Hantge and Chairman Arndt. Absent: None Also present: Julie Wischnack, AICP, Planning Director and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

- a) CONSIDERATION OF MINUTES DATED JUNE 18, 2002, AND JULY 2, 2002.

Mr. Kirchoff made a motion to approve the minutes dated June 18, 2002. Seconded by Mr. Hantge the motion carried. Ms. Hanneman made a motion to approve the minutes of July 2, 2002. Seconded by Mr. Haugen the motion carried.

3. PUBLIC HEARINGS

- a) CONSIDERATION OF **CONDITIONAL USE PERMIT** AND VARIANCE REQUESTED BY TONY BENTON, PROPERTY OWNER, TO REPLACE EXISTING GARAGE THREE FEET FROM PROPERTY LINE AND HARD SURFACE DRIVEWAY UP TO THE PROPERTY LINE AT 418 MILLER AVE. S.W.

Chairman Arndt opened the hearing at 5:35 p.m. with the reading of publication #6753 as published in the Hutchinson Leader on Thursday, July 4, 2002.

Ms. Wischnack commented on the location and lot size. She explained the placement of existing and proposed garage stating the proposed garage door will be in the same place as the existing door. Ms. Wischnack explained the need for a conditional use permit as the existing garage is non-conforming 3' from the property line and the proposed garage will be constructed in the same location. The variance is for the driveway which will be hardsurfaced up to the property line leaving a 0' setback. She commented on the staff review and the revised drawing. The staff recommendations should be revised after the explanation of placement by property owner.

Ms. Wischnack stated the hardship for the variance would be the property lot width, driveway location and drainage.

Tony Benton, 418 Miller Ave., explained the flat roof is designed for drainage purposes. Discussion followed on flat roof garages and the aesthetics of the neighborhoods.

Mr. Haugen moved to close the hearing, seconded by Mr. Hantge the hearing closed at 5:45 p.m. Mr. Haugen made a motion to approve the request with staff recommendations excluding the first recommendation. The motion was seconded by Mr. Kirchoff. Ms. Hanneman voiced concern with the look of a flat roof in the neighborhood and would like staff to research the standards limiting flat roofs. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the July 23, 2002, City Council consent agenda.

b) **CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY MPI CHOPPERS, INC., APPLICANT, TO ALLOW SALE OF USED MOTORCYCLES IN THE C-4 DISTRICT LOCATED AT 492 HWY 7 EAST**

Chairman Arndt opened the hearing at 5:48 p.m. with the reading of publication #6754 as published in the Hutchinson Leader on Thursday, July 4, 2002.

Ms. Wischnack commented on the requirement of a conditional use permit in the C-4 location. She stated the City Code does not address sale of used motorcycles. The Code does address other used motor vehicles. She commented on the intent of the ordinance being as a used motor vehicle option. Ms. Wischnack explained staff believes the use of 3 parking spaces is appropriate for this request. The applicant is requesting five spaces. Ms. Wischnack explained the cycles will be brought inside at night. Hours of operation will be Monday – Friday (8:30 a.m. – 5:30 p.m.) and Saturday (9:00 a.m. – 3:00 p.m.)

Ms. Hanneman questioned the number of parking spaces for the entire complex of businesses. Ms. Wischnack stated the request does not affect the requirements. She noted cycles may not be placed on the right of way.

There was much discussion on parking spaces and number of cycles to be sold.

Michael Anderson, applicant, 455 Rose Lane, commented on the parking on the lot and their intent to display cycles. He stated they do not intend to clutter the lot with cycles their business is to rebuild and service. Mr. Anderson stated they would like room for 12 – 15 cycles to be displayed outdoors.

Mr. Kirchoff moved to close the hearing, seconded by Ms. Otteson the hearing closed at 6:10 p.m. Mr. Fraser made a motion to approve the request with staff recommendations and increase area to 5 parking spaces. The motion was seconded by Mr Haugen. Discussion followed on limiting the number of cycles on display as well as the size of display

area. Ms. Wischnack reminded the Planning Commissioners of the possibility for future sales expansion. Mr. Fraser made a motion to amend the first motion to read approve with staff recommendations and increase area to 8' x 100' with a maximum of 15 cycles on display. Mr. Haugen seconded the amended motion. The motion carried with Mr. Hantge voting nay. Ms. Wischnack stated this item will be forwarded to the City Council and be placed on the regular agenda July 23, 2002.

- c) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY WILLIAM HAACK, PROPERTY OWNER, TO MOVE AN 18' X 18' GARAGE ONTO PROPERTY LOCATED AT 705 GROVE ST. S.W.

Chairman Arndt opened the hearing at 6:20 p.m. with the reading of publication #6755 as published in the Hutchinson Leader on Thursday, July 4, 2002.

Ms. Baumetz commented on the request and the requirement for a conditional use permit to move a structure from one parcel to another within the city. The garage will be moved across the street.

Mr. Haack, 705 Grove St. SW, stated there will be no conflict with the utility lines and he will keep the garage 25' from the property line.

Mr. Kirchoff moved to close the hearing, seconded by Mr. Haugen the hearing closed at 6:28 p.m. Ms. Otteson made a motion to approve the request with staff recommendations. The motion was seconded by Mr. Hantge. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council July 23, 2002, consent agenda.

- d) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY CITY OF HUTCHINSON POLICE DEPARTMENT TO MOVE A HOUSE FROM 127 – 1ST AVE. S.W. TO 1100 ADAMS ST. S.E.

Chairman Arndt opened the hearing at 6:30 p.m. with the reading of publication #6756 as published in the Hutchinson Leader on Thursday, July 4, 2002.

Ms. Wischnack commented on the request and the use of the house for training purposes. She explained research on the Adams St. site and the conditional use permit for moving the structure. She commented on the staff recommendations.

Discussion followed on the foundation in the new location. Ms. Wischnack stated the house will be placed on a slab on grade. She stated the site on 1st Avenue will be filled with clean fill. There has been an asbestos abatement completed.

Police Chief Steve Madson, commented on the proposal and the present training site. He stated the training site will eventually be a small neighborhood atmosphere. The area will be fenced.

Discussion followed on the use of the site by other departments and cities.

Chief Madson stated the 1st Ave. property will remain vacant at this time.

Steve Drew, 15 Glen St., asked about the long range plans for the entire block. He questioned if future plans would go through the public hearing process. Ms. Wischnack stated no public hearings would be required. Chief Madson stated this lot should sustain the department needs for 10 – 15 years and expanding onto other lots is not in the immediate future. Mr. Drew has property value concerns.

Ms. Wischnack stated a neighborhood meeting could be called should development be discussed.

Mr. Kirchoff moved to close the hearing, seconded by Mr. Haugen the hearing closed at 6:50 p.m. Mr. Kirchoff made a motion to approve the request with staff recommendations. The motion was seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council July 23, 2002, consent agenda.

4. NEW BUSINESS

a) CONSIDERATION OF LOT SPLIT LOCATED AT 205 NORTH HIGH DRIVE SUBMITTED BY GREG MARTIN, PROPERTY OWNER

Ms. Wischnack commented on the request and the zoning requirements. She stated there are concerns with the survey and the building placement. She explained there should be legal documentation on sewer line connections. The staff recommends tabling the request to avoid future problems.

Mr. Haugen made a motion to table the request. The motion was seconded by Ms. Hanneman. The motion carried unanimously.

b) CONSIDERATION OF LOT SPLIT LOCATED AT 500 GOLF COURSE ROAD SUBMITTED BY JEFF MUNSELL, PROPERTY OWNER

Ms. Baumetz commented on the request to split .08 acres of the Munsell property and add to the Thunstrom property.

Discussion followed on the utilities in the area.

Mr. Kirchoff made a motion to approve the request with staff recommendations. The motion was seconded by Mr. Hantge. The motion carried unanimously.

Discussion followed on adding language to the Code regarding flat roofs in residential neighborhoods and vacant property nuisances. Ms. Wischnack stated staff will research not only the flat roof requirements but

also the use ordinance in commercial districts and the fence ordinance. She stated she will e-mail the weed ordinance to the Commissioners.

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

a) UPDATE ON SELTZ SUBDIVISION PLAT

Ms. Wischnack explained the platting process and the revised plat which will exclude the Heikes property. The preliminary and final plat will be on the August agenda.

b) UPDATE ON HOSPICE HOUSE

Ms. Wischnack commented on a proposal for a Hospice House in the Tyler St. area. She stated the request will come before the Commission in September. A pre-development meeting is scheduled for July 24, 2002.

7. **ADJOURNMENT**

There being no further business the meeting adjourned at 7:20 p.m.

**MINUTES
HUTCHINSON PLANNING COMMISSION
TUESDAY, AUGUST 20, 2002
5:30 P.M.**

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Arndt at 5:25 p.m. with the following members present: Lynn Otteson, Brandon Fraser, Robert Hantge, and Jim Haugen. Also present: Julie Wischnack, AICP, Director of Planning/Zoning/Building; Lisa McClure, EDA Intern; and Marc Sebor, City Attorney.

Members Absent: Dean Kirchoff and Kathy Hanneman

2. CONSENT AGENDA

Robert Hantge moved to approve the minutes for the July 16, 2001, meeting as submitted. Lynn Otteson seconded the motion. Motion carried.

3. PUBLIC HEARINGS

- a) CONSIDERATION OF **PRELIMINARY AND FINAL PLAT** SUBMITTED BY FRANK FAY FOR FREDRICK SELTZ AND HENNEN'S PROPERTIES TO BE KNOWN AS SELTZ SUBDIVISION LOCATED ON HWY 7 EAST AND HWY 22.

Chairman Arndt opened the hearing at 5:30 p.m. with the reading of the publication #6762 as published in the Hutchinson Leader on August 8, 2002.

Ms. Wischnack commented on the nature of the plat application. The process has been long and had some changes made. Mr. Heikes' property has been removed from the plat therefore it will only have the Seltz and Hennen's properties.

Issues that have been resolved are road right of way, and there will be room for future development and access to the Heikes property.

There will not be utilities run to the property, which is stated in the Subdivision Agreement. Ms. Wischnack read Page 1 on the Subdivision Agreement regarding the access road.

Mr. Hantge moved to close the hearing, seconded by Mr. Haugen the hearing closed at 5:32 p.m. Mr. Fraser made a motion to approve the request for preliminary and final platting with staff recommendations. Ms. Otteson seconded the motion. The motion carried unanimously. Ms. Wischnack stated this item would be placed on the August 27, 2002, City Council consent agenda.

- b) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY MICHAEL DEMMER, PRAIRIE SENIOR COTTAGES, TO CONSTRUCT AN ASSISTED LIVING PROJECT FOR 16 PERSONS WITH MEMORY LOSS LOCATED AT 850 CLEVELAND AVE. S.W.

Chairman Arndt opened the hearing at 5:33 p.m. with the reading of publication #6763 as published in the Hutchinson Leader on August 8, 2002.

Ms. Wischnack explained the location of the proposed project to be the NE corner of Sunset and Cleveland. The layout of the facility will be the same as the existing Prairie Senior Cottages of Bradford Street. It will be a one level, duplex type facility with 8 persons living on each side. They will have covered entrances and a fenced in courtyard area in the back. Ms. Wischnack showed pictures of the facility on Bradford and of the property, as it now stands, vacant.

Chairman Arndt asked where the courtyard would be located. Ms. Wischnack showed a picture and explained it would be located on the West side of the facility.

Ms. Wischnack went on to explain that it will be a 24 hour a day, seven day a week care facility for people with memory loss. Prairie Senior Cottages have a State License as an assisted living facility. The property is 42,000 square feet. .35 parking spaces per unit is the minimum requirement for this facility and they do meet this requirement.

Ms. Wischnack discussed the staff recommendations, number one: was there enough turnaround space for fire and emergency vehicles? The building will be fully sprinkled, alleviating that issue. The remaining issues have been taken care of.

Michael Demmer, applicant, Prairie Senior Cottages, said he would answer any questions. Ms. Otteson asked why on the proposed courtyard drawing was there a circular sidewalk. Mr. Demmer explained that it would be a circular sidewalk with grass and a flower garden. The reasoning for this is that people with dementia often walk in circles; this will help them to find their own way around the courtyard. Mr. Demmer also commented on being in Hutchinson, it is a good location and he appreciates being here to provide this type of service.

Bev Alsleben, 835 Cleveland, a neighbor, toured the existing cottages and said they look nice and are well kept. She came to the meeting to lend her support to the project.

Ms. Wischnack stated she had a call from a man who asked about the fencing. She explained it would be a 6-foot, green, plastic coated, chain-link fence, just like the existing fence.

Mr. Haugen moved to close the hearing, seconded by Mr. Hantge the hearing closed at 5:45 p.m. Ms. Otteson made a motion to approve the request with staff recommendations. Mr. Haugen seconded the motion. Ms. Wischnack explained that due to the time it would take to start this project, this fall, and to complete it this spring, a

timeframe of one year be a condition, instead of the usual six months. Chairman Arndt asked if the motion could include that timeframe. The motion carried.

4. NEW BUSINESS

a) CONSIDERATION OF **FINAL PLAT** TO BE KNOWN AS COLORADO RIDGE SUBMITTED BY KEVIN COMPTON LOCATED IN HELLAND'S SEVENTH ADDITION

Ms. Wischnack stated that drainage and driveway issues have been resolved. This project is three sets of twin homes, equaling six units. The preliminary plat was brought before the Planning Commission in May.

Ms. Wischnack went through the staff recommendations. Most have been completed, a couple are ongoing issues.

Mr. Hantge made a motion to approve the request with staff recommendations. Mr. Haugen seconded the motion. The motion carried unanimously.

b) DISCUSSION OF WEED ORDINANCE AND PROVESS USED (PRESENTED BY CITY FORESTER MARK SCHNOBRICH)

Mr. Schnobrich was not at the meeting at this time. This item was moved later in the meeting.

c) DISCUSSION OF RESEARCH ON FENCE ORDINANCE

Ms. Wischnack explained that Ms. McClure had done research on other city ordinances to find out how they handle fence issues. Ms. Wischnack asked about this research because people have to come in for a Conditional Use Permit every time they do not meet front yard setbacks, which is very often. She would like to make it easier for the public and for city staff.

Research was presented in the packet. Ms. Wischnack commented looking through the research that Hutchinson was in the middle as to setbacks. She explained the Site Line Triangle used by many cities. Mankato and Maple Grove were two cities that used this triangle. Ms. Wischnack asked for feedback from the commissioners.

Mr. Haugen commented on the language used by some cities, including hedges and walls with their fence ordinances. He liked that language.

Mr. Hantge and Ms. Otteson liked the site line triangle concept.

Ms. Wischnack said she would bring back language for the Planning Commission to review including language on the site line triangle. She also mentioned that allowing a

Conditional Use Permit should still be allowed, if the proposed fence is not in compliance with the new language.

d) **DISCUSSION OF RESEARCH ON ROOF ORDINANCE**

Ms. Wischnack discussed the research done by Ms. McClure on roof requirements. She commented that most cities do not have requirements about prohibiting flat roofs.

Ms. Wischnack also brought up language used by other cities as to the size requirement of an accessory building. Brainerd uses language to regulate the size (square footage) and height of the accessory building.

Mr. Fraser commented that he did not see a problem with a flat roof and does not think the city should regulate against them.

Ms. Otteson commented she liked the language used that would require an accessory building to be smaller than the principal building.

Ms. Wischnack explained that some cities even have requirements on the size of the doors of the accessory building, this would discourage some people wanting a business or to store large objects in their accessory building.

Mr. Haugen stated he received a call from a woman whose neighbor came in for a conditional use permit regarding a garage and she and her husband did not come to the meeting. Now that the garage is built, she is very unhappy with it and does not like that her neighbor has built a garage so large.

Ms. Wischnack commented that in the year-end report they could include pictures of accessory buildings that are of varying sizes, to get an idea of what the building would look like before it is built. Chairman Arndt suggested the Planning Commissioners going on a tour to look at sites to see the size of them now that they have been constructed.

5. OLD BUSINESS

UPDATE ON AUAR

Ms. Wischnack updated the Planning Commission on the progress of the AUAR. She told the commission that the County Board had approved it. Now that the County Board, City Council, Planning Commission, and Joint Planning Board had approved it, the AUAR will be published soon.

6. COMMUNICATION FROM STAFF

a) **UPDATE ON ANNEXATION BY JOINT RESOLUTION OF VINCENT DOOLEY PROPERTY (1 ACRE)**

Ms. Wischnack explained that the city is now going to go through the process of orderly annexation for the Vincent Dooley property. Ms. Baumetz will go to the township meeting next week to get more information. Mr. Dooley would like to be annexed because of sewer and water issues.

c) JEFFERSON STREET PROJECT

Ms. Wischnack updated the Planning Commission on the progress of the Jefferson Street project. The project cost has come in lower than original anticipated. There will be a meeting with the neighbors to discuss the construction and the costs of the project. **Dunnick** Brothers has gotten the bid for the project.

Chairman Arndt commented that two school buses would need to get in that area during the school year. Ms. Wischnack said the school buses, garbage, and day care are three issues they are currently working to fix. The city has set aside money for gravel trails for people to walk on to be constructed during the project.

The timeline for the project is to put in sewer and water this fall and to connect the homes to those services. Put a gravel base on the road and leave it for the winter. Then in the spring finish the road and pave it.

d) HOPSICE HOUSE

The Hospice House project is still coming on the agenda. Ms. Wischnack anticipates it will be on the October meeting. They will have a neighborhood meeting coming soon.

Some of the opposition to the project has come from rezoning and granting a Conditional Use Permit, what type of state licensing the facility will have and parking and traffic issues.

DISCUSSION OF WEED ORDINANCE (FROM NEW BUSINESS ABOVE)

Mark Schnobrich came to the meeting to discuss the issue of the weed ordinance. He stated that thistle is the biggest problem. In the year 2002, 108 notices have been sent out and about 1/3 of them are to absentee or forfeited landowners.

Chairman Arndt asked Mr. Schnobrich if they could send notices earlier in the year? He said yes they could and they will do so next year. Chairman Arndt asked if they could change the process. Mr. Schnobrich said they were going to for next year.

Mr. Schnobrich explained that it is hard to get contractors out to clean up the lot once the city has sent a notice to the property owner. Some notices sent to businesses get sent to Corporate Headquarters. This never gets a response.

Mr. Schnobrich explained the regulations; piles cannot be left for a certain number of days. The weeds once they are 8 inches tall can be tagged.

There was been a good response from people who were fined. People are fined the cost of mowing/removal and administrative costs, which are \$50.

Mr. Haugen asked why they could not tag properties and then keep adding to the amount of the fine year after year.

Mr. Hantge asked if the city ever gets their money from fines? Ms. Wischnack said no.

Spraying is one solution, it is acceptable and does work, but sometimes it leaves brownfields, creating another problem.

Mr. Schnobrich said they are going to send notices right away in April in 2003. He also said that he needs support from the Planning Commission and the City Council to do this enforcement. It makes it easier to handle.

Suggestions given to Mr. Schnobrich: earlier notices, getting rid of piles faster, try to get a phone number of someone who will be responsible for handling this problem, who owns the property that Mr. Schnobrich can work with if weed become a problem.

Mr. Hantge suggested having a deposit when developers come in to do a subdivision, like a park dedication fee. If they meet the agreement, they can have their deposit back, if not, the city uses the money to clean up the property. Ms. Wischnack did not think this would work.

7. ADJOURNMENT

The next Planning Commission meeting is September 17, 2002 at 5:30 p.m.

With no further business to discuss, the Planning Commission adjourned at 6:35 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, September 17, 2002
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present Kathy Hanneman, Brandon Fraser, Jim Haugen, Lynn Otteson, Dean Kirchoff, Robert Hantge and Chairman Arndt. Absent: None Also present: Julie Wischnack, AICP, Planning Director, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated August 20, 2002.

Mr. Haugen moved to approve the minutes of August 20, 2002 as submitted. Seconded by Mr. Hantge the minutes were approved with Ms. Hanneman abstaining.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY BURNS PHILP FOOD INC., 35 ADAMS STREET N.E. FOR REMOVAL OF TWO 4,000 GALLON STORAGE SILOS AND INSTALL ONE 20,000 SILO (FOOD GRADE)

Chairman Arndt opened the hearing at 5:31 p.m. with the reading of publication # 6772 as published in the Hutchinson Leader on September 5, 2002.

Ms. Wischnack commented on the request and explained the difference between flood plain, flood way and 100 year flood. She commented on the staff recommendations and conditions. Discussion followed on the tanks to be replaced. Mr. Tim Smith, Burns Philps, stated the smaller tanks were used for emergency only and were difficult to keep maintained. He stated the smaller tanks will be demolished to make room for the 20,000 gallon stainless steel tank with room for another tank in the future.

There was discussion on the odor emitted from the plant. Mr. Smith explained the process of drying. He stated the new process will eliminate the odor. Mr. Smith stated the plant is in compliance with MPCA regulations. He stated there should be no odor at the Hutchinson site. That portion of the process will be moved to Alexandria.

Ms. Wischnack stated there is record of PCA clearance on file at the City Center.

Discussion followed regarding adequate means to take care of a spill. Mr. Smith explained no containment is required for food grade storage. A risk analysis has been completed and the plant is at a low risk assessment. They have also submitted flood proofing procedures.

Mr. Smith stated loading and unloading is all done inside in full containment. He asked the commissioners to consider the permit be valid for 12 months instead of 6 months because of the time of year.

Mr. Kirchoff moved to close the hearing. Seconded by Mr. Haugen the hearing closed at 5:43 p.m. Ms. Hanneman made a motion to approve the request with staff recommendations adding the condition of flood proofing and the permit being valid for 12 months. Seconded by Mr. Kirchoff the motion carried unanimously. Ms. Wischnack stated the request will be forwarded to City Council on their September 24, 2002 consent agenda.

b) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY LOWELL BAUMETZ, MODERN MAZDA, 585 HWY 7 WEST, TO CONSTRUCT A 3-BAY POLE TYPE ADDITION ONTO EXISTING BUILDING LOCATED IN I/C (INDUSTRIAL COMMERCIAL) DISTRICT

Chairman Arndt opened the hearing at 5:45 p.m. with the reading of publication # 6773 as published in the Hutchinson Leader on September 5, 2002.

Ms. Wischnack commented on the request and the history of the property. She explained a temporary hookup to sewer with ejection system will be used until the new street is constructed next to the property. She commented on the new fencing plan and explained staff recommendations. Discussion followed on future access to the property.

Mr. Baumetz commented on placement of the existing shed. Ms. Wischnack stated the accessory shed must be 6 feet from interior property lines. Mr. Baumetz stated he is trying to purchase a 10' to 20' strip of land along the north side of his property for a possible screen of plantings.

Mr. Haugen moved to close the hearing. Seconded by Ms. Otteson the hearing closed at 5:55 p.m. Mr Kirchoff made a motion to approve the request with staff recommendations. The motion was seconded by Mr. Fraser. Ms. Hanneman began discussion of buffering the North side of the property which is zoned R-1 (Single Family Residential). Further discussion followed regarding requiring a screening at the time of development to the north. Ms. Wischnack stated in the past, commercial properties bordering vacant residential property were required to screen after development of the residential at the time the business requested another permit for addition to their property. An example is Erickson Templin Construction. Chairman Arndt called for the vote. The motion

carried with Ms. Hanneman voting naye. Ms. Wischnack stated the request will be forwarded to City Council on their September 24, 2002 regular agenda.

- c) CONSIDERATION OF **VARIANCE** REQUESTED BY GARY HAMMER, 646 HASSAN STREET S.E., TO REPOACE NON-CONFORMING GARAGE WITH 30' X 24' GARAGE TOO CLOSE TO NORTH AND WEST PROPERTY LINES

Chairman Arndt opened the hearing at 6:05 p.m. with the reading of publication # 6774 as published in the Hutchinson Leader on September 5, 2002.

Ms. Wischnack stated this is a challenging lot because of its small irregular shape. She commented on the request and present a sketch of the property which was submitted this afternoon. She stated the existing garage is setback 3.3' from the west property and 10" from the north line. Planning Staff is recommending the garage be placed no closer that 3' from the west property line. Ms. Wischnack explained access off 7th Ave. would not be advised because of a large tree which would need to be removed. This is a tight lot and there is a hardship because of lot size. A variance of some type could be granted.

Discussion followed on the survey requested. Mr. Hammer explained the site plan provided.

Ms. Wischnack stated fire proofing is required on the garage closer than 6' from the house. Discussion followed on the size of garage that would fit on the property and the proposed site plan based on the recommendations. Ms. Wischnack recommended tabling the request until a more complete site plan is submitted. She gave some options for the property owner.

Mr. Haugen moved to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:25 p.m. Mr. Fraser made a motion to table the request until the October meeting and a site plan is submitted. Seconded by Mr. Kirchoff the motion carried unanimously.

- d) CONSIDERATION OF **VACATION OF UTILITY EASEMENTS** REQUESTED BY GREG WHEATLEY LOCATED BETWEEN LOTS 8 AND 9 BLOCK 1, ISLAND VIEW HEIGHTS SECOND ADDITION

Chairman Arndt opened the hearing at 6:27 p.m. with the reading of publication # 6775 as published in the Hutchinson Leader on September 5, 2002.

Ms. Baumetz explained the request for a vacation of easements between two lots to construct a house across the lot line.

Mr. Hantge moved to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:30 p.m. Mr. Haugen made a motion to approve with

staff recommendations. Seconded by Ms. Hanneman the motion carried unanimously. Ms. Wischnack stated the request will be forwarded to City Council on their September 24, 2002 consent agenda for the first reading.

- e) **CONSIDERATION OF CONDITIONAL USE PERMIT AND VARIANCE REQUESTED BY BEN STENZEL, 55-5TH AVE. N.E., TO CONSTRUCT A 24'X32' ADDITION ONTO EXISTING 24'X32' GARAGE (1536 SQ. FT.) 5.5' FROM PROPERTY LINE**

Chairman Arndt opened the hearing at 6:31 p.m. with the reading of publication # 6776 as published in the Hutchinson Leader on September 5, 2002.

Ms. Baumetz explained the request for both a conditional use permit and variance. The garage will be larger than 1,000 square feet and will be closer than 6 feet to the property line.

Ms. Otteson asked about the setback. Ms. Baumetz clarified.

Mr. Kirchoff asked if there are utilities in the back yard. Ms. Baumetz stated there were none.

Discussion followed on the distance from the back property line. Mr. Stenzel stated the garage will be 124' from rear line. Ms. Hanneman questioned if Mr. Stenzel had a building permit for the previous work on the garage. Mr. Stenzel stated he did receive a permit and explained the reason for the large addition. He stated the access would be drive-thru

There was discussion on ordinances regulating garage size relative to the house size. Hutchinson does not have an ordinance like that now in place.

When asked about drainage on the property, Mr. Stenzel explained the lot drainage pattern. Discussion followed on the interior floor of the present garage.

Mr. Hantge moved to close the hearing. Seconded by Mr. Fraser the hearing closed at 6:46 p.m. Mr. Fraser made a motion to approve with staff recommendations. Seconded by Mr. Haugen, discussion followed regarding concerns with large garages on lots with smaller houses. There was also discussion on prior approvals and the changing needs of society. Chairman Arndt called for the vote. The motion carried on a 5 to 2 vote. Ms. Otteson and Ms. Hanneman voting nays. Ms. Wischnack stated the request will be forwarded to City Council on their September 24, 2002 regular agenda.

- f.) **CONSIDERATION OF CONDITIONAL USE PERMIT REQUESTED BY MIDWEST WIRELESS TO CONSTRUCT A 140' MONOPOLE STYLE TOWER AND ACCESSORY BUILDING LOCATED AT THE MCLEOD COUNTY FAIRGROUNDS**

Chairman Arndt stepped down from opening the hearing as he is a member of the Fair Board. Vice Chairman Kirchoff opened the hearing at 6:55 p.m. with the reading of publication # 6777 as published in the Hutchinson Leader on September 5, 2002.

Ms. Wischnack commented on the request and explained the staff report. She stated the submission is incomplete. The staff recommendations require a response from the Attorney General's office and that has not been received.

Atty. Seboria reported there has been verbal conversation from MNSCU and the Attorney General of approval for placing a structure at the water tower at Ridgewater College. He stated an easement will be drawn within three weeks.

Ms. Wischnack noted the Airport Commission must provide a recommendation. Mr. John Olson, Assistant Public Works Director, reported on concerns of the Airport Commission relating to location in the approach to the airport. He explained the low visibility. They require a verification of the ground elevation. An elevation of 1070 to 1080 would just meet the requirements.

Mr. Chuck Beisner, Midwest Wireless, stated they have been in the process of expanding capacity in the area since October of 2001. He explained the issues with the water tower and the length of time it has taken to resolve the issue.

Atty. Seboria stated he is confident the easement will be granted. Ms. Wischnack explained co-location efforts have not been exhausted as there has been nothing in writing of denial or approval.

Mr. Fraser moved to close the hearing. Seconded by Ms. Hanneman the hearing closed at 7:10 p.m. Mr. Fraser made a motion to table the request for an incomplete submittal. Atty. Seboria stated the motion should not be tabled but deemed an incomplete submittal. Mr. Fraser amended the motion to state the application is incomplete. Documentation has not been provided to eliminate the possibility of co-location. Seconded by Mr. Haugen the motion carried with Mr. Hantge and Chairman Arndt abstaining.

REVISED

- g) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY RIGHT WAY BUILDERS INC. TO OPERATE A CONSTRUCTION BUSINESS OFFICE IN THE C-5 DISTRICT AT 225-3RD AVE. N.W.

Chairman Arndt opened the hearing at 7:10 p.m. with the reading of publication # 6778 as published in the Hutchinson Leader on September 5, 2002.

Ms. Baumetz explained the request in the C-5 (Conditional Commercial) district.

Ford Rolfe owns the property to the East

Ms. Baumetz commented on the letter received from the owners of Subway approving of the business however addressing concerns the property will be maintained properly.

Roger Stearns, Stearnswood, commented on his concerns of the appearance of the property and possible improvements to the property.

Mr. Kirchoff moved to close the hearing. Seconded by Mr. Haugen the hearing closed at 7:25 p.m. Ms. Otteson made a motion to approve with staff recommendations. Seconded by Mr. Haugen the motion carried unanimously. Ms. Wischnack stated the request will be forwarded to City Council on their September 24, 2002 consent agenda.

h.) **CONSIDERATION OF CONDITIONAL USE PERMIT REQUESTED BY HUTCHINSON MUNICIPAL AIRPORT TO IDENTIFY AN AREA IN THE AIRPORT LAYOUT PLAN FOR CONSTRUCTION OF PRIVATE HANGARS**

Chairman Arndt opened the hearing at 7:26 p.m. with the reading of publication # 6779 as published in the Hutchinson Leader on September 5, 2002.

Ms. Wischnack explained the I/C district requirements and the conditional use permit process. She stated the private hangars on leased land is an innovative plan. She explained the location of the request and commented on the recommendations. Ms. Wischnack stated parking requirements would be 3 spaces per hangar.

Mr. John Olson, Assistant Public Works Director, stated a potential for restrooms existed. He commented on the discussions of the Airport Commission regarding the franchise and lease for private construction on public property. The lease will address theme of color and look. He stated there is one request for a franchise presently. Mr. Olson explained there is availability of water and sewer to the south. He stated there will be a limitation of what is to be stored in the hangars. Businesses will require a separate application and a more intensive use would require a conditional use permit. Up to three non-aircraft items are allowed to be stored in the hangar. Mr. Olson stated there is an insurance provision in the lease.

Mr. Kirchoff moved to close the hearing. Seconded by Mr. Hantge the hearing closed at 7:37 p.m. Mr. Haugen made a motion to approve with staff recommendations. Seconded by Mr. Kirchoff the motion carried unanimously. Ms. Wischnack stated the request will be forwarded to City Council on their September 24, 2002 consent agenda.

i.) **CONSIDERATION OF AMENDMENT TO ZONING ORDINANCE SECTION 10.07 REGULATING FENCE PLACEMENT**

Chairman Arndt opened the hearing at 7:38 p.m. with the reading of publication # 6780 as published in the Hutchinson Leader on September 5, 2002.

Ms. Wischnack commented on the fence ordinance and the proposal for a sight triangle on corner lots. She explained the confusion of property owners when determining where the property line is from the curb. She asked the commissioners if a 5' setback from the right-of-way on corner lot sides should be recommended.

Jeff Locy, property owner of corner lot, commented on his support of the new ordinance.

Mr. Kirchoff moved to close the hearing. Seconded by Mr. Hantge the hearing closed at 7:55 p.m. Mr. Kirchoff made a motion to approve with staff recommendations including the 5 foot setback requirement. Seconded by Mr. Haugen the motion carried unanimously. Ms. Wischnack stated the request will be forwarded to City Council on their September 24, 2002 consent agenda for first reading and second reading on October 8, 2002.

4. NEW BUSINESS

- a) Kathy Hanneman stated this is her last meeting. Her family is moving out of city limits.

5. OLD BUSINESS

6. COMMUNICATION FROM STAFF

- a) Julie gave an update on the Jefferson St. project.
- b) Bonnie updated the commission on the request for annexation of approximately 40 acres located in Hassan Valley township for residential development.
- c) Bonnie commented on a request to rezone property by L&P Supply to be on the agenda for October
- d) Julie asked the Planning Commissioners about the best time for a tour of completed projects previously requested. It was decided the tour would be set up on October 15th to leave the City Center at 4:15 p.m. and return by 5:30 p.m. for the meeting.

7. ADJOURNMENT

There being no further the meeting adjourned at 8:15 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, October 15, 2002
Hutchinson City Council Chambers

1. CALL TO ORDER 6:00 P.M.

The meeting was called to order by Chairman Bill Arndt at 6:00 p.m. with the following members present Brandon Fraser, Jim Haugen, Lynn Otteson, Dean Kirchoff, Robert Hantge and Chairman Arndt. Absent: none Also present: Julie Wischnack, AICP, Planning Director, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated September 17, 2002

Mr. Haugen moved to approve the minutes of September 17, 2002 as submitted. Seconded by Mr. Kirchoff the minutes were approved.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **ANNEXATION** LOCATED IN HASSAN VALLEY TOWNSHIP REQUESTED BY HUTCHINSON LAND HOLDINGS, LLC. (SHIMEK PROPERTY)

Chairman Arndt opened the hearing at 6:05 p.m. with the reading of publication # 6785 as published in the Hutchinson Leader on October 3, 2002.

Ms. Wischnack commented on the request and explained the location. She stated Edmonton Avenue is a city boundary. She explained the process of annexation by ordinance and commented on the staging of services to that area. Ms. Wischnack stated it will be late next Fall before the City can complete the project.

Bill Watkins, partner with Paul Betker and Hutchinson Land Holdings, LLC, stated they would try to keep within the Fall 2003 timeline. He explained the density of the project as approximately 130 residential lots with a mixture of single family and two family.

Sandy Lietz, 1540 Jefferson St. South, questioned location of the future services. Ms. Wischnack stated the first phase would begin on the west end of the property. The sewer line would come from Edmonton Avenue and the water would come from the north. She stated there could be services from Jefferson St. in the future.

Mr. Kirchoff moved to close the hearing. Seconded by Mr. Hantge the hearing closed at 6:11 p.m. Ms. Otteson made a motion to approve the

request. Seconded by Mr. Haugen the motion carried unanimously. Ms. Wischnack stated the request will be forwarded to City Council on their October 22, 2002 consent agenda.

b) CONSIDERATION OF VARIANCE REQUESTED BY GENE EBNET, 106 GARDEN RD., TO CONSTRUCT AN ADDITION TO A NON-CONFORMING GARAGE 2.6 FEET FROM PROPERTY LINE

Chairman Arndt opened the hearing at 6:15 p.m. with the reading of publication # 6786 as published in the Hutchinson Leader on October 3, 2002.

Ms. Baumetz explained the request and the staff's split decision on the variance. She commented on phone calls and a letter received from the neighboring property owner to the west regarding the placement of the utility shed on the property line.

Mr. Ebnet, 106 Garden Road, stated he would like to keep the shed.

Discussion followed on the placement of the utility shed.

There was also discussion regarding issues with adding onto a nonconforming garage and where fire wall construction is to be placed. Staff will confirm with the Building Official whether the fire wall is to be across the entire north wall of the building.

Mr. Fraser commented on the overhang of the addition being the same as the existing garage.

Mr. Kirchoff moved to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:34 p.m. Mr. Fraser made a motion to approve the request with staff recommendations adding the addition must conform with the existing overhang design. Seconded by Mr. Haugen, discussion followed regarding the utility shed placement at least 2 feet from the west property line. Mr. Fraser amended the motion to include the utility shed must be moved 2 feet to the east. Seconded by Mr. Haugen the motion carried on a 5-1 vote with Ms. Otteson voting nay. Ms. Wischnack stated the request will be forwarded to City Council on their October 22, 2002 regular agenda.

c) CONSIDERATION OF REZONING PROPERTY FROM R-1 TO C-2 REQUESTED BY L&P SUPPLY, 1470 SOUTH GRADE RD.

Chairman Arndt opened the hearing at 6:35 p.m. with the reading of publication # 6787 as published in the Hutchinson Leader on October 3, 2002.

Ms. Wischnack explained the annexation of the property and commented on the request to install a sign which triggered the need to rezone the property to commercial. She stated staff did question if this would be spot zoning. Ms. Wischnack commented on the letter received from the

McLeod County Engineer regarding the access to the property. She also commented on the letter written in 1983 from the County Engineer regarding the same issues of safe access. A conditional use permit will also be required for the business. A site plan must be provided including display area, parking, landscaping, etc.

Discussion followed regarding access and limitations for vehicles with trailers. There should be sufficient turnaround area for vehicles.

Mr. Lokensgard, B & B Properties, stated they would try to keep the west portion of the property open for trailer turnaround area. He stated he has no problem with changing the access.

Mr. Hantge moved to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:44 p.m. Mr. Kirchoff made a motion to approve the request with staff recommendations. Seconded by Mr. Haugen the motion carried unanimously. Discussion followed on the deadline date of November, 2002, to apply for the conditional use permit. Ms. Wischnack stated the request will be forwarded to City Council on their October 22, 2002 consent agenda.

d) **CONSIDERATION OF VARIANCE REQUESTED BY LARSON BUILDERS TO CONSTRUCT A THREE SEASON PORCH 40 FEET FROM THE SHORELAND LOCATED AT 346 SCHOOL ROAD**

Chairman Arndt opened the hearing at 6:46 p.m. with the reading of publication # 6788 as published in the Hutchinson Leader on October 3, 2002.

Ms. Wischnack commented on the request for the deck and three-season porch and the Shoreland Management requirements. She commented on the existing landscaping and vegetation along the lake. The townshomes were constructed in 1979 and the Shoreland Management Ordinance was not adopted until 1992. Ms. Wischnack reported a permit was issued to the neighbor next door in 1999 for a three-season porch.

Doug Kephart, Larson Builders, stated replacement of the existing deck would require a variance. He also stated the porch or sunroom will require footings. He reported there was approval from the town home association.

Ms. Wischnack commented on a letter received from Rob Collett, DNR Area Hydrologist, recommending denial.

Mr. Hantge moved to close the hearing. Seconded by Mr. Kirchoff the hearing closed at 6:55 p.m. Mr. Hantge made a motion to approve the request with staff recommendations noting the hardship being the Shoreland Management Ordinance was adopted in 1992 after the units were constructed. Seconded by Mr. Kirchoff the motion carried unanimously. Ms. Wischnack stated the request will be forwarded to City Council on their October 22, 2002 consent agenda.

- e) CONSIDERATION OF VARIANCE REQUESTED BY DAVID VANDENBERG, 1035 JEFFERSON ST., TO REDUCE DRIVEWAY SETBACK FROM 5 FEET TO 1 FOOT

Chairman Arndt opened the hearing at 7:00 p.m. with the reading of publication # 6790 as published in the Hutchinson Leader on October 3, 2002.

Ms. Wischnack commented on the request for a reduction from 5 feet to 1 foot. She stated Mr. Vandenberg has submitted a letter changing the request to 3 feet from the property line. She commented on the letter reporting parking problems. Ms. Wischnack explained the ordinance to replace driveways and commented on complaints from neighboring property owners regarding driveways. Staff recommends denial of the requested based on no definite hardship given.

Josh Vandenberg, 1035 Jefferson St. South, commented on reasons for the request to get cars off the street. He stated there has been vandalism to their vehicles. He explained the use of the second garage and how that is accessed. Mr. Vandenberg reported there is no legal access to the back of the second garage.

David Vandenberg, 1035 Jefferson St. South, stated there is a driveway behind the second garage and he does access through the Hansen property.

Jeanette Larson, 1045 Jefferson St. South, stated she did agree to the 3 foot request but they should follow the 5 foot requirement. She reported there is room for at least 6 cars on the lot. She stated they object to the request for a driveway 3 feet from the property line.

Discussion followed on adding a driveway to the north for more parking. Mr. Vandenberg stated he will also be adding to the north.

Ms. Otteson moved to close the hearing. Seconded by Mr. Hantge the hearing closed at 7:15 p.m. Ms. Otteson made a motion to deny the request on the basis of no definitive hardship given. Seconded by Mr. Haugen the motion carried unanimously. Ms. Wischnack stated the request will be forwarded to City Council on their October 22, 2002 consent agenda.

- f) CONSIDERATION OF CONDITIONAL USE PERMIT REQUESTED BY RIGHT WAY BUILDERS TO OPERATE A CONSTRUCTION BUSINESS OFFICE IN THE C-5 DISTRICT AT 177-3RD AVE. N.W. (BRIAN WENDLANDT, OWNER)

Chairman Arndt opened the hearing at 7:17 p.m. with the reading of publication # 6789 as published in the Hutchinson Leader on October 3, 2002.

Ms. Baumetz explained the request reviewing the permit application of September for the same request at a different address in the C-5 district. This property is actually two lots and there will be no outside storage. There is not enough paved parking on one lot however the second lot will be used for parking which is permitted in the flood plain. Discussion followed on the parking being paved with the change of ownership.

John Mast, Right Way Builders, asked when the paving must be completed.

Ms. Wischnack stated the entire lot does not have to be paved only what is required for parking.

Discussion followed and it was the consensus of the Planning Commission paving must be complete by June 30, 2003.

Mr. Kirchoff moved to close the hearing. Seconded by Mr. Hantge the hearing closed at 7:25 p.m. Mr. Kirchoff made a motion to approve the request with staff recommendations adding the parking must be paved no later than June 30, 2003. Seconded by Mr. Haugen the motion carried unanimously. Ms. Wischnack stated the request will be forwarded to City Council on their October 22, 2002 consent agenda.

4. OLD BUSINESS

5. COMMUNICATION FROM STAFF

- a) Appointment to the Planning Commission. – Ms. Baumetz stated a new Planning Commissioner will be appointed at the next City Council meeting.

6. ADJOURNMENT

There being no further the meeting adjourned at 7:30 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, November 19, 2002
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present Mike Flaata, Brandon Fraser, Jim Haugen, Lynn Otteson, Dean Kirchoff, Robert Hantge and Chairman Arndt. Absent: None Also present: Julie Wischnack, AICP, Planning Director, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

The meeting opened with the swearing-in of Planning Commissioner Mike Flaata.

2. APPROVAL OF MINUTES

- a) Consideration of Minutes dated October 15, 2002 and revised minutes of September 17, 2002

Mr. Haugen moved to approve the minutes of October 15, 2002 and revised minutes of September 17, 2002 as submitted. Seconded by Mr. Kirchoff the minutes were approved unanimously.

3. PUBLIC HEARINGS

- a) CONSIDERATION OF **PRELIMINARY PLAT** TO BE KNOWN AS STEARNS WOODS, **REZONING** FROM R1 TO R2 AND **CONDITIONAL USE PERMIT** FOR CONSTRUCTION OF 8 BED HOSPICE HOUSE LOCATED ON PARK ISLAND DRIVE

Chairman Arndt opened the hearing at 5:45 p.m. with the reading of publication #6795 as published in the Hutchinson Leader on November 7, 2002.

Mr. Fraser, Mr. Haugen and Mr. Hantge abstained from voting. Chairman Arndt stated Mr. Haugen, as the architect for the project, would be making a presentation during the hearing.

Ms. Wischnack explained the reasons for the commissioners to abstain when there is a conflict of interest. She stated the request is a 3 part request containing the preliminary plat, rezoning and conditional use permit. The plat is a 12 lot preliminary plat. The final plat will consist of 5 lots. Ms. Wischnack stated the Planning Staff had positive and negative discussion on extending Park Island Dr. to Honey Tree Rd. She commented on the development costs which include park fees of \$1,400 if the hospice house is in the R2 zone. Sewer and water access charge will be \$1900 per unit. A more definitive calculation will be considered for

the hospice house. The City will be bonding for the street improvements and assessing the costs against the property involved. She commented on the Forester's opinion regarding the tree on the northeast edge of the property stating the tree is worth saving.

Ms. Wischnack commented on the request to rezone the northern property to R2 stating the property is adjacent to R2 property to the north. The difference in the zoning districts are the minimum lot size requirements. R1 requires 10,000 sq. ft. and R2 - 8,400 sq. ft. The staff's main considerations in a rezoning request would be the designation of the property within the comprehensive plan and the adjacent zoning districts. The comprehensive plan has provided that this area would be appropriate for any zoning from R1 to R3. She stated the adjacent zoning district to the north is R2 with average lot sizes at 9,500 sq. ft.

Ms. Wischnack commented on the site plan received today. She stated the question to be answered is the use. She explained that hospice is closely related to the two allowances in the City Code, within the R2 District. There are licensed nursing homes and boarding and lodging facilities for elderly, provided as conditional uses within this district. She stated staff is of the opinion the hospice is clearly a nursing home type use and she commented on the definitions of nursing home and boarding and lodging homes. Ms. Wischnack stated staff is concerned that the house and parking be designed to fit into the neighborhood. She stated the revised preliminary plat does show the enlarged lot from 33,000 sq. ft. to 37,000 sq. ft. and compared the lot and building size to Prairie Senior Cottages which is a 7,300 sq. ft. building on an acre lot.

Staff has had many meetings at which the request has been reviewed and also held a neighborhood informational meeting to receive feedback from the neighboring property owners.

Ms. Wischnack commented on the staff recommendations of November 13, 2002 stating there are concerns with the parking lot and access in and out of the area. She explained parking lots are not typically placed in residential neighborhoods and the applicants have tried to isolate the parking lots for this project. She contacted the Edina planning department and the main issue at their hospice house is the parking problem since there is only on-street parking. She explained number of staff on the property is a concern and should be limited by the conditions. The revised site plan does provide a landscaping plan as requested by staff. Ms. Wischnack explained the conditional use permit is for the hospice use only. Any use changes or expansion of the facility would require another conditional use process. The applicants must coordinate with the City Forester during construction of the project to ensure the trees to the rear of the house are not damaged. Applicants are responsible for obtaining all permits prior to commencing construction and are responsible for disconnecting the Stearn's property septic system and connecting to the new sanitary sewer system. Ms. Wischnack stated staff would recommend tabling the request to December to review the most recent site plan.

Discussion followed regarding the revision of the site plan and the staff recommendations. Ms. Wischnack stated the revised site plan does address all the recommendations.

Discussion followed on the parking. The consensus was the building would be a better buffer on the north side of the property. The revised parking to the south is not intrusive. Ms. Wischnack stated this is a better excavation plan which will save the trees on the west side of the property.

Architect Jim Haugen commented on the building height and the inside of the building. He stated there will be a ramp access to the first floor. Staff will enter the building through the garage. He explained 1,000 sq. ft. of basement space will be used for office and the remaining 5,500 sq. ft. of basement for families and storage of supplies.

Discussion followed on the removal of the excess dirt from the property.

Cheryl Dooley, committee member, explained the history of the project beginning in the Fall of 2002. She stated presently there are 2 hospice beds in Hutchinson. One is located in the hospital and one in the nursing home. Ms. Dooley commented on the overwhelming support the committee has had by the community and they want to be “good neighbors”. She stated they met with staff for a pre-development review and made revisions again after the neighborhood meeting on November 12, 2002. They would like to begin construction in the Spring of 2003. She stated construction vehicles will go through the Stearns property.

Ms. Dooley stated they researched the property to the east and found it to be less desirable than the proposed site. The committee and owners want the house in a home-like setting. She stated they did visit several hospice houses in Minnesota.

Pat Bestick, 645 Park Island Dr., commented on his concerns regarding the process for application, following statutes and following the same rules throughout the community. He stated the most recent plan is a better design than before.

Ms. Wischnack commented on questions posed to staff by the neighborhood and the staff responses.

Discussion followed on the business of ConnectCare in the house.

Ms. Wischnack stated there can be office space in the house as an accessory use. The question being, is the entire ConnectCare use accessory to the hospice house. Consensus of staff is regulation of staffing for the office use.

City Atty. Marc Sebora stated there must be a common sense approach to the question. He explained there typically is an office involved in apartment dwellings. He commented on his research of conditional use

permit as viewed by the courts stating courts use a common sense approach. If a use would make common sense courts will not argue the conditional use decision. He stated ordinances are written in defense of the land owner and applicants if applying a common sense approach.

Discussion followed on stipulations for home occupations as opposed to this request.

Atty. Seboria stated, in his opinion, the office use is accessory to the hospice house.

Ms. Wischnack explained the missing link in the ordinance is stating an acceptable size of building and the impact to the neighborhood. She stated the scale of the operation should be addressed in the ordinance when it pertains to nursing homes, board and lodging facilities, etc.

Roger Stearns, property owner, stated Connect Care will eventually own the property under a 501C3 entity. Title transfer will take place after the first of the year.

Discussion followed regarding the use of the property in the event hospice would not remain in the house. Mr. Stearns stated the agreements are written to state the property would revert back to the Stearn's if the house did not remain hospice.

Mr. Stearns stated 8 of the oak trees will remain on the property.

Leslie Zastre, cancer patient, stated she is terminally ill and would not like to see the project tabled. She explained many terminally ill patients are not able to remain at home and do not want to die in the nursing home as a younger person or in a hospital but in a home-like setting. She stated a house this size is needed in the community.

Mr. Stearns stated he is not sure tabling the project until December would delay Spring construction.

Ms. Dooley stated it does take time to line up contractors.

Chairman Arndt stated he does believe the house belongs where proposed and saving the trees is a donation to the community.

Lori Mittelsteadt, 605 Park Island Dr., presented a petition to the Planning Commission signed by homeowners of 7 properties on Park Island Dr. questioning the business use in the area.

Ms. Wischnack again explained the revised office space plan and the condition set by staff limiting the number of staff.

Ms. Mittelsteadt voiced concern with the traffic and the business in a residential area. She commented on the delivery service to the house as

a concern of the neighborhood. She asked the commissioners to consider all the interests of the neighborhood.

Chairman Arndt commented on the daycare in the neighborhood and traffic associated with that business.

Ms. Wischnack summarized the petition for the record.

DeeAnn Dicke, Director of ConnectCare, stated there will be a small amount of equipment in the business. She explained medical supplies will be stored there. She stated the confusion regarding equipment pick up by ConnectCare customers stems from the fact Allina medical equipment shared an office with ConnectCare for a time. Ms. Dicke stated they do not have pharmaceutical companies coming to ConnectCare. Staffing will relate to the hospice house and bringing ConnectCare to the house will be more efficient for the house and the office. Ms. Dicke believes there would be more traffic if the office were not in the house.

There was discussion on staff meetings on the site.

Ms. Dicke stated currently there small staff meetings once a month. The home health aides meet six times per year. Volunteers meet at the hospital. She explained the staff in the house do the cooking and cleaning.

Mr. Kirchoff stated there is much information they have not seen before tonight and would like to table the request to review the information more closely.

Mark Mittelsteadt asked if there would be laundry trucks, vendors, etc. to the house and would oxygen be delivered there often.

Ms. Dicke stated oxygen is delivered once every 7 – 10 days by the Allina van. Laundry is done at the house.

Ms. Otteson stated she is overwhelmed by the amount of information and would also like another month to review the plans.

Mr. Flaata agrees to waiting another month and stated the plan looks good.

Mr. Kirchoff moved to continue the hearing and table the request to the December 17, 2002 meeting. Seconded by Ms. Otteson the motion carried unanimously.

Ms. Wischnack stated she will ask for an opinion from Atty. Sebora regarding business uses in the R2 district and staff will respond to the concerns and re-recommend. Notices of the continued hearing will be sent to the neighboring property owners.

4. **NEW BUSINESS**

- a) CONSIDERATION OF **LOT SPLIT** REQUESTED BY BRIAN BURGESS LOCATED AT 1383 JEFFERSON ST. S.

Ms. Wischnack commented on the request for a lot split and explained the topography of the property. She commented on staff recommendations regarding the 60' width in the middle of the lot. It is difficult to know where to measure the lot width. Ms. Wischnack stated the address of the present lot will change and she explained the isolated structure must be removed or a principal structure constructed within one year.

There was discussion on the access to the back lot.

Brian Burgess, property owner, addressed the 60' width stating the north/south lines are not parallel and he would like to keep the remaining lot with the ability to subdivide in the future. He explained the access to the back of the new lot and stated the shed will be removed. The Burgess' intend to build a house on the east section of the lot.

Mr. Kirchoff moved to approve the lot split with staff recommendations. Seconded by Mr. Haugen the motion was approved with Mr. Fraser voting nay.

- b) DISCUSSION OF SANDWICH BOARD SIGN ORDINANCE

Ms. Wischnack commented on signage issues in the City. She explained that presently portable signs are illegal and asked the Commissioners if they would be receptive to amending the ordinance to permit sandwich board signs. She stated if they would like to change the ordinance the Downtown committee would be asked to help with the changes. Staff discussion included sign size, snow removal issues, hours of placement, etc. She stated the City cannot regulate content.

The consensus of the Planning Commission is to pursue the amendment.

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

7. **ADJOURNMENT**

There being no further the meeting adjourned at 7:35 p.m.

8. **REOPEN MEETING**

Ms. Otteson made a motion to reopen the meeting. Seconded by Mr. Flaata the meeting was reopened at 7:50 p.m. with Mr. Hantge absent.

Chairman Arndt explained the need to reopen the meeting is to straighten out the action on the lot split requested by Brian Burgess. The motion was to approve the request with staff recommendations.

Mr. Kirchoff amended the prior motion to recommend the motion with the **exception** of staff recommendation #3 - The north property line must be no closer than 80 feet from the south property line at any point. Seconded by Mr. Haugen to amend the prior motion the new motion carried unanimously by a 6-0 vote. Ms. Wischnack stated the request will be placed on the City Council consent agenda November 26, 2002.

The meeting was adjourned at 7:55 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, December 17, 2002
Hutchinson City Council Chambers

1. CALL TO ORDER 5:30 P.M.

The meeting was called to order by Chairman Bill Arndt at 5:30 p.m. with the following members present Mike Flaata, Brandon Fraser, Jim Haugen, Lynn Otteson, Dean Kirchoff, Robert Hantge and Chairman Arndt. Absent: None Also present: Julie Wischnack, AICP, Planning Director, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated November 19, 2002

Ms. Otteson moved to approve the minutes of November 19, 2002 as submitted. Seconded by Mr. Kirchoff. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **PRELIMINARY PLAT** TO BE KNOWN AS STEARNS WOODS, **REZONING** FROM R1 TO R2 AND **CONDITIONAL USE PERMIT** FOR CONSTRUCTION OF 8 BED HOSPICE HOUSE LOCATED ON PARK ISLAND DRIVE

Chairman Arndt reopened the hearing at 5:35 p.m. with the reading of publication #6795 as published in the Hutchinson Leader on November 7, 2002. He stated he would like to act on each item separately beginning with the Preliminary Plat, then Rezoning and last the Conditional Use Permit.

Ms. Wischnack commented on the previous meeting and discussions at that meeting.

Chairman Arndt asked the 3 abstaining voters to step down. The commissioners abstaining are: Jim Haugen, Brandon Fraser and Robert Hantge.

Ms. Wischnack reviewed the most recent site plan and explained the proposed parking. She commented on the Attorney's opinion dated December 5, 2002 regarding the ConnectCare business located in the house and ConnectCare's response dated December 13, 2002. She also commented on the Attorney's opinion dated December 16, 2002 regarding the placement of a hospice house in an R2 district.

Atty. Sebora explained his response to the office for the hospice house and to ConnectCare business offices. He stated his opinion of the office use in the house as it relates to the hospice use. Atty. Sebora stated the ConnectCare business in his opinion should not be allowed in the hospice house.

Ms. Wischnack continued with the staff report explaining the nine recommendations by Planning Staff.

Chairman Arndt stated only new information and discussion from the audience must be presented at this continued hearing.

Cheryl Dooley, hospice house committee member, commented on the ConnectCare service provided by the Hutchinson and Glencoe hospitals. She stated there are other businesses in residential districts such as the funeral home. Ms. Dooley commented on the number of employees coming to the house which would be a few.

Linda Remucal, Hospice Volunteer Coordinator, presented a petition with 284 signatures in support of the hospice facility. She commented on the need for staff to be housed in the facility and the efficient use of staff time and travel if housed at the facility.

Discussion followed on the number of staff needed and the receptionist duties.

DeeAnn Dicke, Director of ConnectCare, stated every ConnectCare employee will have duties within the hospice facility.

Ms. Otteson asked if the building was secured.

Ms. Dicke stated it is locked at night with a door bell just like a residential home.

Jeff Bennin, 705 Tyler St. SW, stated there is an agreement in his development where fences are not allowed in the backyards. He asked how they could change the agreement in the event he would need a shield from lighting at the hospice house.

Atty. Sebora asked if the document was a covenant or subdivision agreement.

Ms. Dooley stated there are restrictive covenants on the development on Tyler Street.

Atty. Sebora stated a majority of the land owners must agree to change the covenant.

Scott Haag, hospice house committee member, stated the committee and the City Forester will work with the neighbors to try to alleviate a lighting problem for the neighbors.

Ms. Wischnack explained the staff requirement to change the parking lot was to protect the neighboring yards.

Mr. Kirchoff commented on the Intent of the Zoning Ordinance to give flexibility to property owners.

Ms. Wischnack commented on the staff recommendation of limiting the number of staff.

Mr. Kirchoff moved to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:00 p.m.

Mr. Kirchoff moved to approve the request for Preliminary Plat with staff recommendations. Seconded by Mr. Flaata the motion carried with a 4-0 vote. Mr. Haugen, Mr. Fraser and Mr. Hantge abstained from voting.

Ms. Otteson moved to approve the request for Rezoning from R1 to R2. Seconded by Mr. Flaata the motion carried with a 4-0 vote. Mr. Haugen, Mr. Fraser and Mr. Hantge abstained from voting.

Chairman Arndt moved to approve the request for a Conditional Use Permit to allow a hospice house in an R2 district with the following recommendations:

1. Park dedication fees at a rate of \$175 per unit for the R2 area, which would equal \$1,400 for the hospice home. The R1 area would be at a rate of \$215 per unit.
2. Sewer and Water Access fees at a current rate of \$1950 per unit. The rate is one SAC and WAC unit per 3 beds. This would equal \$5,199 in 2002.
3. The hospice home CUP is only for that use. If any use changes or expands, the Planning Commission and City Council must review the proposal through an additional CUP process. In the event the Hospice use discontinues, the house can not be used as a multiple family dwelling. The use must be kept hospice or a type of care facility.
4. No large meetings (beyond 10 persons) relating to personnel, shall be held at the home. (This shall exclude items such as open houses, regular use of the home for hospice purposes, etc.)
5. Connect Care must submit their proposal for how they will comply with the Attorney's opinion.
6. The landscaping plan and parking lot must be completed prior to the building obtaining a certificate of occupancy.
7. The applicants are required to coordinate with the City Forester during construction of the project to ensure the trees to the rear of the hospice home location are not damaged.
8. The applicants are responsible for obtaining all building, plumbing and mechanical permitting required for the home, prior to commencing construction.

9. The applicants are responsible for disconnecting the Stearn's property septic system and connecting to the new sanitary sewer system.
10. A maximum of 3.5 FTEs, 3 R.N.s and occasional home health care personnel (2 per day) is allowed. This kind of standard would ensure that any expansion of the organization would not occur at the property.
11. Retail sales or leasing of goods from the facility is not permitted.
12. ConnectCare will be allowed as a part of the hospice house.

Seconded by Mr. Kirchoff the motion carried with a 4-0 vote. Mr. Haugen, Mr. Fraser and Mr. Hantge abstained from voting.

b) **CONSIDERATION OF AMENDMENT TO ZONING ORDINANCE SECTION 12.20, SUBD. 1 (K) TO CHANGE LANGUAGE REGULATING SUBDIVISION PLATTING REQUIREMENTS**

Chairman Arndt opened the hearing at 6.05 p.m. with the reading of publication #6982 as published in the Hutchinson Leader on December 5, 2002 and December 10, 2002.

Ms. Wischnack explained the need to amend the ordinance to clarify how the process works in platting. She stated issues like weed control would be more controllable with a letter of credit or bonding.

Discussion followed on the differences between bonding and letters of credit.

Ms. Wischnack stated the amendment will give the City more control over projects.

Mr. Hantge moved to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:13 p.m.

Mr. Hantge approve the request with staff recommendations. Seconded by Ms. Otteson the motion carried unanimously.

4. NEW BUSINESS

a) **PRESENTATION BY HUTCHINSON LAND HOLDINGS OF CONCEPTUAL PLANS FOR RESIDENTIAL DEVELOPMENT LOCATED IN THE SHIMEK ANNEXATION**

Ms. Wischnack explained the presentation to share ideas and concerns with the developer. She stated the preliminary plat will be brought before the Planning Commission in February. The revised drawing shows ponding on the west side of the property. She commented on the number of lots and units and the additional access to Edmonton Ave. Ms. Wischnack stated one access only will be allowed on Jefferson St. because of the high traffic volume on Jefferson St. She commented on the staff recommendations for the project.

Marty Campion, Otto and Associates, commented on the revised plan submittal due to requests by staff. He commented on the two revisions. #1 the ponding was to occur with the wetland and they are still looking at that option. #2 would take out two lots to place the pond in the development. Mr. Campion stated they have addressed the tile line locations. He explained the placement of single family and duplex lots. He stated a solution to sanitary sewer off of Edmonton Ave. is to place right of way on the north edge of the plat.

Discussion followed on the lots adjacent to ponds. Mr. Campion explained they are looking at mitigating wetland off-site. There has been discussion of a regional pond in the area.

Ms. Wischnack commented on drainage concerns by the neighboring property owners the Sitz and Teigland families.

Mr. Campion stated the outlots would be owned by the association. Discussion followed on the maintenance of the pond and the outlots. Ms. Wischnack stated the City monitors the pond maintenance.

Ms. Wischnack explained the park dedication or park contribution requirement. Discussion followed on parks in the area.

Mr. Kirchoff stated he likes the revised plan with the pond.

Discussion followed on access for bus traffic.

b) **APPOINTMENT TO JOINT PLANNING BOARD**

Mr. Kirchoff moved to recommend Bill Arndt to the City Council to be appointed to the Joint Planning Board by the County Board. Seconded by Mr. Haugen the motion carried unanimously.

5. OLD BUSINESS

6. COMMUNICATION FROM STAFF

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:40 p.m.