

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, January 18, 2005
Hutchinson City Council Chambers**

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

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

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated December 21, 2004

Mr. Hantge moved to approve the minutes of December 21, 2004 as submitted. Seconded by Mr. Currimbhoy. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **REZONING** FROM R2 (MEDIUM DENSITY RESIDENTIAL) TO C1 (NEIGHBORHOOD CONVENIENCE COMMERCIAL) SUBMITTED BY CHRIST THE KING CHURCH LOCATED AT 1040 SOUTH GRADE RD SW

Chairman Kirchoff opened the hearing at 5:33 p.m. with the reading of publication #7280 as published in the Hutchinson Leader on January 6, 2005.

Ms. Wischnack commented on the permitted use in the C1 zoning district in the event the church would sell a portion of the property. She stated the Planning Commission must consider the long term effects of rezoning and explained this is not considered spot zoning because of the 5 acre size of the property. She commented on the following five factors discussed by staff:

1. Neighborhood Commercial Zoning is the least intensive land use.
2. There are many neighboring properties, which have a partial home occupation or non-conforming commercial use.
3. The City has previously considered this entire area for some type of multi-use district.
4. A church is the existing and anticipated future use of the property.

5. The area is sizable, greater than 5 acres, which would remove consideration that it would be viewed as “spot zoning”.

Discussion followed on the possibility of future lot splits as was proposed last month by Mr. Bloemke for an office building use.

Mr. Hantge questioned the parking lot on the southern portion of the church property which extends over the property line.

John Rodeberg stated he was the building committee chairman at the time the parking lot was constructed and explained a Conditional Use Permit was granted at the time and there was a verbal agreement with the property owner to the south. He stated property was to be transferred to the church. Mr. Rodeberg explained the reason for rezoning the church property was to make the church a permitted use and future additions would not require a Conditional Use Permit. He stated the church does not intend to split the lot or sell the land for additional uses. He commented on the access off the potential Cleveland Avenue and the possibility for the church to access the property with a drive in and another drive out.

Ms. Wischnack stated the house discussed at a previous meeting for use as an office building has been sold and will be moved to the Ravenwood West property for residential use.

Mr. Exner stated a new access on to South Grade Road would be questionable.

Mr. Flaata asked how this would affect abutting properties which could ask to be rezoned.

Mr. Currimbhoy questioned why the church would want to rezone when there is no plan for the property.

Mr. Rodeberg stated the church does have future plans to expand the parking lot.

Mr. Fraser stated it does not seem necessary to rezone now that Mr. Bloemke is not asking to move the house for an office. Mr. Rodeberg stated it would be a permitted use if rezoned and the church would not have to go through the Conditional Use Permit process. Mr. Fraser stated it is hard to buy into rezoning for flexibility.

Mr. Rodeberg stated there are already mixed uses on Dale Street and he doesn't foresee a more intense use for the church property.

Mr. Fraser stated this does set a precedence for other properties to be rezoned in the area. Mr. Rodeberg stated the zoning does fit with the area.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 5:50 p.m. Mr. Hantge made a motion to recommend approval of the request with staff findings. Seconded by Ms. Otteson. The motion failed 3 ayes to 4 nays (Ayes: Mr. Hantge, Ms. Otteson and Mr. Haugen Nays: Mr. Currimbhoy, Chairman Kirchoff, Mr. Fraser and Mr. Flaata). Mr. Fraser made a motion to deny the rezoning due to no substance to the changes. Seconded by Mr. Flaata. During further discussion Mr. Currimbhoy stated we do not know the future for the property. The motion to deny was approved 4 ayes to 3 nays. (Roll Call Vote – ayes: Mr. Currimbhoy, Chairman Kirchoff, Mr. Flaata and Mr. Fraser; nays: Mr. Hantge, Mr. Haugen and Ms. Otteson) Ms. Wischnack stated this item will be placed on the City Council regular agenda at their meeting held January 25, 2005 in the Council Chambers at 5:30 p.m.

- b) **CONSIDERATION OF CONDITIONAL USE PERMITS AND VARIANCE REQUESTED BY THE CITY OF HUTCHINSON FOR CONSTRUCTION OF A WATER TREATMENT PLANT LOCATED BETWEEN HIGHWAY 7 AND 5TH STREET NE AND BETWEEN PROSPECT AVENUE AND BLUFF STREET AND TREATMENT WETLAND LOCATED AT 30 AND 40 ARCH STREET NE AND 300 4TH STREET NE**

Chairman Kirchoff opened the hearing at 5:55 p.m. with the reading of publication #7281 as published in the Hutchinson Leader on January 6, 2005.

Ms. Wischnack explained the three requests individually. The first Conditional Use Permit is necessary for the use of the proposed building in a residential area. She stated there was a previous neighborhood meeting which was attended by 3 neighboring property owners. She stated there were approximately 70 notices mailed. She commented there have been no discussions of concern by neighbors with the present facility and she explained the site plan. The second Conditional Use Permit is for placing a wetland in the flood plain to deal with water effluent discharge. This pond creation would restore the wetland area, which is locally known as the “old bass pond”. She explained the effluent is created by a reverse osmosis procedure and needs to be treated prior to entering any public waterway. She stated the County Environmentalist has approved the design for the wetland portion of the project. Ms. Wischnack commented on the third request being a variance for the setback of the reservoir structure. The setback to the Highway right-of-way will be reduced from 30’ to 0’. She explained, after the highway construction, the sidewalk would be 60 feet from the reservoir structure. She explained the reservoir tank will hold 1.5 million gallons of water and will be partially exposed 5 feet to 8 feet.

Mr. Rodeberg stated the top of the reservoir will be at the same elevation as Prospect Street. He explained the tank will be constructed into the hill.

Mr. Wischnack commented on the staff recommendations as follows:

1. The parking lot areas for the new plant area must be paved prior to final occupancy treatment plant.
2. The plans do not indicate any significant removal of trees during construction. The site is heavily vegetated and screened from the surrounding neighborhood.
3. Noise from the construction of the wells, plant and reservoir shall meet the ordinance requirement for work hours.
4. The setback variance would be approved based on the hardship of other alternatives would have a negative impact on the surrounding properties.
5. The floodway and wetland impact areas must be properly controlled for erosion, during and after construction to ensure no siltation occurs toward the river area.
6. Establishment of permanent vegetation must be complete; prior to removal of silt control.
7. The conditional use permit shall be valid through 2006.

Ms. Wischnack explained the new well will run 24 hours per day. She stated the location of the reservoir is the least invasive to the site and will be placed in the “hole in the hill”.

Chairman Kirchoff asked if the project could be built without the reservoir.

Mr. Rodeberg stated the reservoir is part of the operation of the plant.

Discussion followed on the process used to treat the capacity and quality of the water.

Mr. Flaata asked if this project will be screened the same as we direct other projects in the City. Mr. Rodeberg stated the building will look more architecturally like the electric plant and stated there will be screening from the homes. Ms. Wischnack explained the landscaping plan is not complete and commented on the existing trees on the property. She stated the process for the construction of the well and reservoir must begin.

Scott Young, Earth Tech, stated the reservoir is placed in the hole rather than taking out trees.

Discussion followed on the appearance of the reservoir. Ms. Wischnack commented on the possibility of the top being seeded with grass to serve as a look-out area. The reservoir will be architecturally designed.

Mr. Rodeberg commented on the new wetland.

Mr. Young showed the Commissioners drawings of the proposed look of the building and the reservoir and explained there will be façade on the tank with a terraced landscaping. Mr. Hantge asked why the reservoir could not be placed on the north side of the property. Mr. Young explained placing the tank on the north side would endanger wells 4 and 5.

Mr. Young commented on the consideration of security for the facility which would account for visibility of the building. He explained the finished face of the reservoir which will be terraced and landscaped. Mr. Young commented on the parking and explained there will be limited parking. The building is not staffed 24 hours and the employees will enter from the rear or north side. The front will be off Prospect Street.

Discussion followed on the use of the generator only in emergency situations.

Mr. Young explained a water plant is not noisy or odorous. He stated they will screen the trash container, transformer, outdoor storage, etc. He explained they will begin construction next Fall. He explained the process of the water movement and why the water does not freeze. He stated the reservoir will be secure.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 6:25 p.m. Mr. Fraser made a motion to recommend approval of the Conditional Use Permits with staff recommendations. Seconded by Mr. Haugen. The motion carried unanimously. Mr. Hantge made a motion to recommend approval of the Variance with staff recommendations adding number 8 to include: Special landscaping of the reservoir tank with terracing is required for aesthetics. Also, façade treatment of the tank is required. Seconded by Mr. Flaata. Discussion followed. Ms. Wischnack stated staff will present drawings of the buildings and landscaping as they are completed. Chairman Kirchoff stated another presentation at a later date would be helpful. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council regular agenda at their meeting held January 25, 2005 in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

a) UPDATE ON POWER LINE ALONG LUCE LINE TRAIL

Ms. Wischnack commented on the previous Conditional Use Permit for the powerline and stated the line must be relocated to the north.

Dave Hunstad, Hutchinson Utilities, explained the placement of the line too close to the Luce Line trail. He stated they will move the line 60 feet to the north.

Mr. Wischnack stated the approved Conditional Use Permit was for the use. This is an update because of the line movement.

Discussion followed on the DNR permits and the private easements.

Mr. Fraser stated previously there was discussion regarding the safety of the line near the Luce Line Trail.

Ms. Wischnack stated the line must be moved to make the placement permissible by the DNR.

5. OLD BUSINESS

a) DISCUSSION OF ENFORCEMENT OF GRAVEL PARKING LOT ORDINANCE

Ms. Wischnack commented on the number of commercial, industrial and high density residential properties with parking lots or portions of the access. She stated there are approximately 50 parcels with this situation. She commented on the 3 following solutions:

1. At the next realtor's information meeting; staff would provide the ordinance data and indicate there are approximately 50 properties in this situation.
2. Indicate the information on an assessment search as a note or an attachment.
3. Send a specific notice to each individual property owner explaining the requirements of the ordinance.

Mr. Fraser asked is some of the parking lots would be exceptions to the dust and runoff issues. Chairman Kirchoff stated we did make allowances for some parcels according to the map.

Discussion followed on the property owners dilemma with large parcels.

Ms. Wischnack stated staff is trying to get compliance of the ordinance.

Chairman Kirchoff stated there is some leeway to the ordinance.

- b) Mr. Flaata questioned if the City has the same requirements for screening and landscaping as other businesses. He stated he was talking about the Creekside facility. Ms. Wischnack explained the difference between the I/C district and the I-2 district. She stated I-2 is the least restrictive. She explained outdoor storage and outdoor display.

Gary Plotz, City Administrator, explained 25 acres or the main portion of the facility is zoned properly. He commented on the blending line building and the proposal to enclose the building. He stated most of the site is a permitted use. The southerly portion has more restrictions.

Ms. Wischnack stated some plantings have been added.

Mr. Plotz explained the plan is to further improve the property.

6. COMMUNICATION FROM STAFF

- a) DISCUSSION WITH MAYOR COOK REGARDING CHANGING MEETING DAY FOR PLANNING COMMISSION

Mayor Cook explained the need to get more City Council meeting information to the public ahead of the meeting day.

Discussion followed on possible meeting days.

Mr. Plotz commented on the importance of the Planning Commission and the coverage by the newspaper.

Ms. Wischnack stated the Planning Commissioners could decide next month and staff will check deadline dates for both the 3rd Monday of the month or the 2nd Thursday.

Mr. Hantge stated he would prefer Tuesday.

b) Discussion of joint meeting with the City Council

Ms. Wischnack will discuss February 10th for a meeting and tour with the City Council.

c) DISCUSSION OF ANNUAL ELECTION OF OFFICERS USUALLY HELD IN FEBRUARY

Ms. Wischnack commented on the election of officers in February and stated with new commissioners coming on the Commission in March it would make more sense to move elections to March.

Mr. Hantge asked staff to research enforcement issues for Conditional Use Permits of other communities. He also asked if the Building Inspector checks building setbacks and parking lot setback at the time of construction.

7. ADJOURNMENT

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, February 15, 2005
Hutchinson City Council Chambers

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

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

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated January 18, 2005

Ms Otteson moved to approve the minutes of January 18, 2005 as submitted. Seconded by Mr. Haugen. The minutes were approved unanimously.

3. PUBLIC HEARINGS

Chairman Kirchoff made a change to the order of the agenda calling for item (b) to be heard first.

a) CONSIDERATION OF AN AMENDMENT TO THE **CONDITIONAL USE PERMIT** TO EXPAND THE AREA AT THE HUTCHINSON AIRPORT DESIGNATED FOR CONSTRUCTION OF PRIVATE STORAGE HANGARS AND ALSO CONDITIONAL USE PERMIT CONSIDERATION TO ALLOW POLE TYPE CONSTRUCTION OF HANGARS. CONSIDERATION IS ALSO BEING REQUESTED FOR A PRIVATE AIRPORT RELATED COMPANY TO PLACE A TEMPORARY TRAILER ON AIRPORT PROPERTY.

Chairman Kirchoff opened the hearing at 7:05 p.m. with the reading of publication #7296 as published in the Hutchinson Leader on February 3, 2005.

Ms. Wischnack explained the request to allow an area of the airport for general private hangars. She reported there is a Conditional Use Permit in place for another area at the airport which would allow private commercial hangars. The second request of the Conditional Use Permit is to allow a temporary office trailer structure for air ambulance service at the airport. There was discussion regarding the placement of a permanent building on the site in the future.

Ms. Wischnack commented on the staff recommendations as follows:

1. The Airport Commission has control over the appearance of hangars to be constructed and appearance of any signage. (Separate permits are required for signage)
2. Hangars must meet building codes.
3. Three year limit on the property for the hangars to be constructed.
4. There is no water and sewer service to the property; thus connections into the existing on-site systems is required.
5. The hangars are not for repair of planes.
6. The office trailer is to be temporary for a period of 18 months from the date of approving resolution.
7. There must be emergency service accessibility to the hangars.
8. There should be additional screening done on the property. Location and number should be discussed with the Planning Commission .

Ms. Otteson asked how the City could prevent repair of airplanes in the general private hangars. John Olson, Public Works Superintendent, stated the lease agreement will address the use of the hangars.

Ms. Wischnack stated the Conditional Use Permit is to allow the general private hangar location and allow the temporary office trailer on the property.

Mr. Olson explained there are 3 parts to the Conditional Use Permit. He commented on the commercial hangar area for air businesses and repair. He stated the new area would not allow businesses and would have the same regulations as the City owned existing hangars that are leased. The second part to the Conditional Use Permit is to allow pole type and steel frame structures. The third part is to allow placement of a temporary office trailer for an air ambulance service on airport property. Mr. Olson stated utility and telephone service is available if the trailer is placed at the proposed location. He commented on the screen to the northeast of the property and explained the wetland was created by a broken tile. He stated when the tile is repaired and the wetland is drier he will be able to determine the size of the wetland and the area available to plant. He stated his intention is to place plantings along the northeast corner. Mr. Olson stated the screening is the airport responsibility not the hangar owners. Ms. Otteson stated the City owned property must be held to the same standard as other businesses. Mr. Olson explained there must be flexibility with the screening process until the wetland is determined.

Mr. Haugen asked how long is temporary? Mr. Olson stated 18 months should be adequate for the temporary building. He introduced Mr. Andrew Kirchoff from Life Link III.

Mr. Haugen left the meeting at this time. (7:30 p.m.)

Mr. Kirchoff explained that Life Link III is an air ambulance company headquartered in Minneapolis. He stated they are looking for the opportunity to place a helicopter in Hutchinson to save time when transporting patients from this area to the Twin Cities. He stated they must be out here to save time to save lives. He stated 18 months would be sufficient to get everything together for a permanent building. He reported the trailer will be used as office and rest area for the 24 hour staff.

Mr. Kirchoff explained Life Link III is a not –for-profit company owned by health care facilities. He commented on the company and their mission. He explained they would be good stewards of the airport. Security would be raised with the 24 hour staff in the area. He explained they would still fly to the hospital to transport patients. He reported they would be able to service hospitals 60 – 90 miles west of Hutchinson with a facility in Hutchinson. They propose a possibility of 27-29 transports per month.

Mr. Olson stated the airport commission met last night and supports the request for all three Conditional Use Permits.

Ms. Wischnack asked if the Commissioners would be approving the general area and not each hangar separately. Mr. Olson stated 5 hangars would fit on one lot.

Discussion followed and the consensus was to approve the first row and they must come back to the Planning Commission for each subsequent row.

Mr. Jim Lauer commented on his aviation experience and cautioned the Planning Commission when adding the private uses in defining commercial and private hangars. He commented on the assets of the airport and explained they should be deliberate in how they lay out the airport. He commented on the air ambulance business and questioned where they would maintain the helicopters. He agrees with the expansion capability of the airport.

Mr. Hantge stated the Airport Commission will process each lease agreement individually. Mr. Lauer stated they may not know the use.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 7:45 p.m. Mr. Hantge made a motion to recommend approval of the requests to extend the private hangar area with no commercial use, include pole type hangars or steel structures and allow the temporary office trailer use for 18 months with staff recommendations changing number 8 to state screening will be determined by John Olson and the Airport Commission and adding number 9 to include the first row only. Seconded by Ms. Otteson. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held February 22, 2005 in the Council Chambers at 5:30 p.m.

- b) CONSIDERATION OF A **CONDITIONAL USE PERMIT** TO ALLOW CONSTRUCTION OF AN OFFICE BUILDING IN THE 100 YEAR FLOOD PLAIN, C5 (CONDITIONAL COMMERCIAL) DISTRICT, LOCATED AT THE FORMER DALE'S AUTO SITE (14-4TH AVE. N.W.) ON THE SOUTHWEST CORNER OF HWY 7 AND HWY 15.

Chairman Kirchoff opened the hearing at 5:35 p.m. with the reading of publication #7297 as published in the Hutchinson Leader on February 3, 2005.

Ms. Wischnack commented on the request to alter the flood plain and allow an office building in the C5 (Conditional Commercial) District which requires a Conditional Use Permit for all uses. She stated the Southwest MN Foundation has prepared a formal presentation for this meeting. She commented on the location as the former Dale's Auto site at the corner of Highways 7 and 15 and updated the commission on a previous request by Walgreens. She commented on the access concerns to Hwy 7 with the reconstruction. Ms. Wischnack stated there are some setback issues with the proposed plan. The Commissioner should consider the 20 foot setback of the building on the north and the setback to the south from the railroad property which is owned by the City.

Ms. Wischnack explained the platting process and the fact these properties are abstract and torrens which complicates the project. She commented on the parking to the west. They provided a view shed for the river site. She reported the houses on the west side of Hwy 15 North will be removed. She commented on the access and final grades from MnDOT.

Ms. Wischnack reported on the staff review and concerns with the building design and roof line. She stated the landscaping does meet the requirement for number of trees. She explained the flood plain encroachment and construction must be one foot above the 100 year flood elevation of 1045.2 feet. There must be a stormwater quality review. She commented on other issues. There are construction nuisances as old services may be found from the many homes that were on the lot at one time. The electrical lines need to stay in the area and there would be an opportunity to remove the guyed poles if the property owner purchased new poles for the non-guy wire supported structures. This is a costly factor. Contamination of soil should be studied. The storm sewer line in the northeastern portion of the property may or may not be relocated depending on MNDOT construction. Intersection grades and 3rd Ave. grades need to be provided to expedite the final site plan grading information. Ms. Wischnack commented on the platting problems since the properties are abstract and torrens. She stated the staff would recommend tabling the request for a Conditional Use Permit for the following items:

1. Civil engineering drawings/calculations.
2. Verify proposed location of water and sewer lines.
3. Verify what will be done with the storm sewer line on the property.

4. Landscaping is a high priority. A landscaping plan must be provided.
5. The platting of the property must be completed.
6. Revise the building elevation drawings.
7. A definitive plan on power poles must be received.

Chairman Kirchoff asked if the additional information has been submitted since the staff report.

Ms. Wischnack stated there is now a civil engineer on the project.

Mr. Hantge asked about the railroad property.

Ms. Wischnack stated the owner must come to an agreement with the City. She explained the City can sell the property, grant a temporary easement or grant a permanent easement.

Discussion followed on the placement of the building. Ms. Wischnack stated that MNDOT did not indicated the 20 foot setback was a concern.

Chairman Kirchoff commented that City staff believes the Conditional Use Permit application is incomplete.

Ms. Sherry Ristau, President of Southwest MN Foundation, stated they are excited about the project. She explained the property is the Gateway to Southwest Minnesota. She stated this is a good plan and benefits downtown Hutchinson.

Mr. Lee Tollefson, Rafferty, Rafferty, Tollefson Architects, presented the project beginning with the site line concept. He showed the view shed and positioning of the building and trees. He explained the 20 foot setback and the building placement quickly falling away from the right of way. He stated the building must stay to the north because of the flood plain. He commented on the terraced walls at the entrance of the building. He mentioned the closeness of the building to the south lot line which is the City owned property and he stated there is enough setback from the street right of way. Mr. Tollefson stated a surveyor is working on the platting issues. He commented on the open area on the west side of the property being lawn and trees and will work with the City Forester on the plantings. There will be parking for 32 cars which is sufficient for this business. He stated Otto Engineering from Buffalo MN is working on engineering plans. The building is a one story masonry building intentionally curve shaped. Mr. Tollefson stated the building is designed with the downtown buildings in mind.

Mr. Currimbhoy asked what the plans were for the westerly portion of the property.

Mr. Tollefson stated that portion of the property would be for future expansion or for sale.

Mr. Fraser asked to explain where they were on resolving the staff item list. Mr. Tollefson stated items 1 – 3 were completed. The landscaping plan would be complete in about a week. He stated they will work with the City Forester to finalize the plan. Ms. Wischnack commented they may want to consider not planting so many trees along the west parking lot in the event there needs to be more parking or shared parking. Architect Steve Jensen explained depending on the MNDOT they may have to alter the grade. Mr. Tollefson stated they are waiting for MNDOT grading plans and then revisit the building elevation drawing.

Ms. Wischnack stated the parking issue must be considered. The ordinance requires 5 spaces per 1000 sq. ft. of building. Ms. Ristau stated there are 25 employees and little need for more that 32 spaces. Parking could be expanded to the west.

Mr. Tollefson stated platting is complicated and the surveyor is working on the plat.

Atty. Seborá stated the hang up is the abstract and torrens properties. He explained our zoning ordinances require plats in recordable form and the McLeod County Recorder's office is hesitant to have abstract and torrens recorded. They are in the process of turning the entire parcel into torrens and are working with the County Recorder's office. He explained Carver County has been successful at turning parcels into torrens properties.

Mr. Tollefson stated City staff have been helpful.

Mr. Fraser asked if a plat is needed.

Atty. Seborá stated there must be a plat in recordable form. The County is working with the City on this.

Ms. Wischnack stated you can not build over property lines.

Ms. Otteson asked the height of the building.

Mr. Tollefson stated the main wall is 16' 8". Ms. Otteson stated the ground will not be flat. Mr. Tollefson explained they would add 4 feet to make the wall 20 feet in height. Ms. Otteson asked why the building could not be placed farther west on the property to protect the site of the river as you come down Highway 15 from the north. She stated she is concerned with the placement and architectural style of the building. Mr. Tollefson stated this building is more conservative than a two story building and the architecture is compatible with Main Street buildings. It is modern not outlandish. The brick is conservative. He stated the building is over 100 feet west of the right of way and does allow site to the river.

Mr. Fraser commented on number 7 regarding the power poles. Mr. Tollefson stated there would be two options. One to leave the guy wires which would put them right at the entrance of the building or full

replacement. Mr. Fraser asked where postponing the request would put them. Mr. Tollefson stated construction in April is desirable. They are trying to get in before the highway work in 2006.

Mr. Exner stated he has talked to Bolton and Menk regarding the grade of the bridge and highway. They have indicated they are waiting to hear from the MNDOT hydrologist. The bridge will be raised 5 feet raising Hwy 15 and 3rd Ave. 5 feet which will transition to the north and place the intersection 3' to 4' higher.

Mr. Fraser stated it could take months before MNDOT responds.

Mr. John Muske, 71- 4th Ave NW, commented on previous information from MNDOT which indicated 3rd Ave. would not go through to Hwy 15. He stated he understood this use is better than what could be there but it doesn't make sense to allow a building in the flood plain. Ms. Wischnack stated originally 3rd Ave. was proposed to be closed to Hwy 15. Since then the connection is integral to the businesses on 3rd Ave. She explained construction now is smarter.

Chairman Kirchoff stated the encroachment must be looked at and there are a number of items to be resolved. Pertinent information must be received.

Mr. Tollefson stated they have responded to the setback issues. He commented on the project being constructed in a significant park like setting. He explained if the building were placed farther south it would be more in the flood plain. He commented on the continuity in urban design and this building is part of a community of buildings.

Mr. Jensen commented on the heavy traffic and the building would be a buffer to the parkland.

Mr. Hantge commented on the balance of setting a precedence allowing the 20 foot setback of the building.

Mr. Haugen stated the C5 District has recommended setbacks not required.

Mr. Wischnack explained the setback would not technically be a variance but must be noted in the Conditional Use Permit recommendations. The C5 requirements are reviewed on an individual basis.

Mr. Muske asked why the building could not be placed to the west side of the property to allow greater site to the river from the intersection. Mr. Tollefson commented on the view shed. Ms. Ristau stated the insight of the Southwest MN Board was to find a visible lot for an office building in Hutchinson. The Foundation serves 18 counties and this location is the gateway to the Southwest. She stated the Board gave specific directions to leave the westerly property open for sale to other potential professional businesses.

Mr. Tim Ulrich, Trustee of Southwest MN Foundation, stated the Foundation is investing in downtown Hutchinson.

Mr. Fraser stated the design looks good to him.

Mr. Hantge made a motion to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:45 p.m. Ms. Wischnack reminded the Commissioners to address the reduction in parking request. Mr. Fraser stated they know what they need which should be sufficient. Ms. Wischnack stated new building plans must be submitted including the architectural drawings. She stated the staff is concerned with the design. Recommendation number 6 is the design of the building. Ms. Otteson made a motion to recommend tabling the request until all staff recommendations are clarified and include revisiting the design, revise the elevation drawings and also add an explanation of reducing the parking requirements. The motion failed for no second.

Chairman Kirchoff asked about the 60 day waiver. He stated there are 2 options table the request or have the applicant sign a 60 day waiver. Discussion followed on the fact the applicant is waiting for information from MNDOT. Ms. Wischnack stated the Conditional Use Permit and Preliminary Plat can be handled together. She explained they need the civil engineer to set the elevations.

Mr. Hantge stated Ms. Otteson had the right motion to table the request until there is more information. He made the motion again. Ms. Otteson seconded the motion adding recommendation #8 to clarify parking. Ms. Otteson asked about the 60 day waiver. Atty. Seboria stated the applicant was notified of an incomplete application in writing. Under the law, the letter stops the 60 days until a complete application is filed with the City. The motion carried unanimously. Ms. Wischnack stated the next Planning Commission meeting will be held on March 15th. The Plat and all supporting information must be to City staff by February 25th.

- c) **CONSIDERATION OF CONDITIONAL USE PERMIT AND VARIANCE REQUESTED BY MARVIN WILLHITE, 465 HIGH ST. N.E. FOR CONSTRUCTION OF SECOND DETACHED GARAGE OVER 1000 SQ. FT.**

Ms. Wischnack explained the applicant was not able to attend the meeting and would like his request tabled.

Mr. Hantge moved to table the request. Seconded by Mr. Currimbhoy. The motion carried unanimously.

- 4. NEW BUSINESS**
CONSIDERATION OF LOT SPLIT LOCATED AT 77 MCLEOD AVE. NE SUBMITTED BY ART HAGEN, HAGEN BUILDERS

Ms. Wischnack explained the properties are owned by two parties. They are proposing to make 3 lots into 2 lots with a lot line rearrangement. She commented on the site inspection and the construction materials left on the lot. She stated this will be addressed with the building permit. She commented on the following staff recommendations:

1. Any relocation of services will be at the owner's expense. Staff would further recommend that the water service be relocated to the Ash Street portion of the property.
2. There should be an effort made to save the tree near the driveway.
3. Deeds documenting the change in property line need to be filed by the property owners.
4. The proposed addition on the southern lot requires further building permit approval.

Mr. Currimbhoy made a motion to recommend approval of the lot split with staff recommendations. Seconded by Mr. Fraser the motion carried unanimously.

5. OLD BUSINESS

a) RECONSIDERATION OF PENDING REQUEST BY CHRIST THE KING CHURCH AND ~~WITHDRAWN~~ REVISION OF C1 ZONING

b) UPDATE ON JOINT MEETING AND TOUR WITH THE CITY COUNCIL AND PLANNING COMMISSION

Ms. Wischnack stated there will be two changes as a result of the meeting. The draft City Council minutes will be e-mailed to Planning Commissioners following their meeting and enforcement issues will be directed to the City Council. She reported the City Council members are interested in continuing joint meetings when needed.

c) DISCUSSION OF CHANGE OF DAY FOR THE PLANNING COMMISSION MEETINGS

Chairman Kirchoff stated the next Planning Commission meeting is scheduled for March 15th. The new proposal would put the meeting on March 10th. Mayor Cook stated he wants the date to work for everyone. Mr. Hantge stated he has a conflict on the 2nd Thursday of the month. Ms. Otteson made a motion to leave the date as it is. Seconded by Mr. Fraser. The motion carried unanimously.

6. COMMUNICATION FROM STAFF

a) Ms. Wischnack commented on a request from Mr. Marv Haugen regarding a lot split to get feed back from the Planning Commission for Mr. Haugen. She explained the lot is presently a flag lot on septic and private well. Service would have to come

from Maple Street on the west. She commented on the concerns of staff regarding a cross private sewerline and driveway easement. This would require a lot split and variance.

Discussion followed on the access for emergency vehicles and fire hydrant placement like on the Schierman property. There was also discussion regarding the ability to get sewer and water service to the property at this time.

Mr. Marv Haugen, property owner, stated the property slopes to the east. He stated one idea for the split was to share the cost of the services. He commented on the possibility of the area south of his property may develop. The east is outside City limits.

Discussion followed on affordability of getting the services to the property. The property was rural now in the City. The discussion was that lots in the City need city services. The consensus was to go ahead with the request.

- b) Mr. Hantge commented on a concern he has regarding hearing partial projects. He stated they listened for over an hour to the Southwest MN Foundation presentation and still did not know enough to make a decision.

Chairman Kirchoff explained he said the application was incomplete. He stated he didn't want to crush their presentation by saying we don't need to look at your presentation until you get your application in order.

Ms. Otteson stated quick presentations are fine. It gives the Planning Commission information but for them to try to act on something was out of line.

Chairman Kirchoff stated keep in mind when you come down College hill and look at that building all you will see is the roof top units on top of the building. He explained addressing the screening would help.

Ms. Wischnack stated she agrees with them. The idea is to have a complete application wrapped up and ready for the Planning Commission to deal with. This project got to be larger than what staff was comfortable with telling the applicant what they need to do especially with the architecture which is a very subjective matter. Staff was looking for Planning Commission advise in that respect and hoping to guide the applicant over the next month for their final drawings.

Ms. Otteson stated they did not like to hear what her opinion of the building. Mr. Fraser stated he liked it.

Mr. Hantge stated that is fine to ask for opinions but when they want something acted on the Planning Commission is put in a tough spot. It is like they want us to do their homework for them. He stated he didn't think it was appropriate to bump them to the head of the agenda when everyone else had their ducks in order.

Chairman Kirchoff stated we did ask the other applicant if it was ok to move them up.

Mr. Fraser stated the biggest gap was not that staff let them come forward but staff provided what was missing and expected that the list would be addressed. In this case, the missing things were not completed. Chairman Kirchoff stated that is why he asked if any other information had been submitted.

Mr. Currimbhoy questioned the building being placed in the 100 year flood plain when a few years ago buildings were being removed from the flood plain. Mr. Fraser stated this building would be adjusted to accommodate for the 100 year flood elevation like Shopko or the bank.

Mr. Hantge explained what could happen now would be politicking the City Council to get this through and the homework is not done.

Ms. Otteson stated in her opinion, this is a terrible plan.

Mr. Currimbhoy stated 6 months or so there was a different plan before them. Ms. Otteson stated and that was beautiful.

Ms. Wischnack stated she was trying to get the Planning Commission reaction.

Mr. Hantge stated they were put into a corner with the 60 day rule whether it applies or not. He explained do they table or what. He suggested if the information is not complete the Planning Commission will not review the request. You want to help them but you can not do their homework for them.

Ms. Wischnack stated we will not do this in the future. She explained it was such a big project she thought it needed to get in front of the Planning Commission before they got too far down the path. Mr. Currimbhoy asked if this could have been discussed separately. Mr. Hantge stated it is different to just review something as opposed to acting on it. Ms. Otteson stated they were not ready. If someone wants to make a presentation that is acceptable to show the Planning Commission what the applicant is proposing but without enough information the Planning Commission can not act on the request.

Chairman Kirchoff stated we have to recognize when the application is incomplete it is not to be acted on.

Discussion followed on the sketch plan review process.

Mr. Hantge stated he did not care for the plan. Mr. Currimbhoy agreed.

7. ADJOURNMENT

There being no further the meeting adjourned at 8:20 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, March 15, 2005
Hutchinson City Council Chambers

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

The meeting was called to order by Vice Chairman Brandon Fraser at 5:30 p.m. with the following members present: Jim Haugen, Lynn Otteson, Mike Flaata, Farid Currimbhoy, Robert Hantge and Vice Chairman Fraser. Absent: Chairman Dean Kirchoff Also present: Julie Wischnack, AICP, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney, John Rodeberg, Director of Public Works and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated February 15, 2005

Ms. Otteson moved to approve the minutes of February 15, 2005 as submitted. Seconded by Mr. Haugen. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **CONDITIONAL USE PERMIT AND VARIANCE** REQUESTED BY MARVIN WILLHITE, 465 HIGH ST. N.E. FOR CONSTRUCTION OF SECOND DETACHED GARAGE OVER 1000 SQ. FT.

Vice Chairman Fraser opened the hearing at 5:35 p.m. with the reading of publication #7298 as published in the Hutchinson Leader on February 3, 2005.

Ms. Wischnack commented on the request and explained a Variance was required for a second accessory garage and Conditional Use Permit was required because the new garage would be over 1000 sq. ft. She commented on the site and explained the home is a multi-family residence which has been inspected and approved by the Fire Chief. She stated staff consensus was to approve the Conditional Use Permit for a larger garage and deny the Variance for the second accessory building. She explained the staff would like to see the 16'X16' shed removed along with the 20' x 24' dilapidated garage. Ms. Wischnack noted that drainage is a problem in the area. She commented on the staff recommendations as follows:

1. Elevation drawings of the building are required.

2. A copy of the first page of the abstract is required.
3. The existing building and new building must meet fire safety codes (see recent inspection information from Fire).
4. Document proposed grades after structure is constructed.
5. Remove existing two detached garages prior to final inspection of the new structure.
6. Removal or relocation of services are at owner's expense.
7. A home occupation is not allowed exclusively in accessory building.
8. The garage must not exceed 16' in height.
9. The building may not be pole constructed.

Ms. Wischnack reported the applicant has not provided elevation drawings but he states the building will look similar to the existing attached garage.

Mr. Willhite, 465 High St. N.E., property owner, stated he agrees with removing the dilapidated 20' x 24' detached garage. He stated he uses the 16'x16' shed for his gardening business for storage of equipment. The new garage would be for vehicle parking. He would like to keep the 16'x16' storage shed.

Ms. Otteson asked Mr. Willhite what materials the new garage would be constructed of and how the garage would look. Mr. Willhite stated very similar to the existing attached garage.

Vice Chairman Fraser asked if the gardening business could be incorporated into the new garage. Mr. Willhite stated all the equipment would not fit in the new building with the tenants vehicles parked in the garage. Mr. Willhite stated there is room on the lot for both buildings. He stated the new building will not exceed 16 feet in height.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy. The hearing closed at 5:45 p.m. Mr. Hantge made a motion to recommend approval of the Conditional Use Permit and the Variance with staff recommendations changing number 5 to state remove the 20' x 24' garage and keep the 16' x 16' shed. Seconded by Mr. Haugen. Discussion followed with Ms. Otteson asking what staff would think about keeping the smaller building. Ms. Wischnack stated the 16' x16' building is too large to be called a utility shed and staff would be uncomfortable with moving an older building. Mr. Willhite stated the building is sturdy. Vice Chairman Fraser called for the motion. The motion carried with 4 ayes and 2 nays (Haugen and Flaata). Ms. Wischnack stated this item will be placed on the City Council regular agenda at their meeting held March 22, 2005 in the Council Chambers at 5:30 p.m.

- b) CONSIDERATION OF **VARIANCE** REQUESTED BY HERBERT KRIENKE, 456 PROSPECT ST N.E., TO REDUCE FRONT YARD SETBACK FROM 25' TO 12' FOR THE REPLACEMENT OF EXISTING NONCONFORMING PORCH

Vice Chairman Fraser opened the hearing at 5:50 p.m. with the reading of publication #7307 as published in the Hutchinson Leader on March 3, 2005.

Ms. Wischnack introduced Ms. Crystal Foust, EDA intern, who will present the next item.

Ms. Foust commented on the request and the hardship. She stated the house is being updated to be more energy efficient. The addition is to replace the existing porch and will not protrude closer to the front property line than it is presently. She stated the addition will not affect the character of the neighborhood. Ms. Foust commented on the following staff recommendations:

1. Any relocation of natural gas or electric lines or meters will be at the property owner's expense.
2. The structure may not extend closer than the original porch into the required setback. (12')
3. Verify location of water shut off.
4. Side yard drainage shall not be diverted to neighboring properties.
5. If any changes in dimensions of proposed structure change, further consideration by the Planning Commission and the City Council is required. (Date received 2/10/05)

Ms. Otteson. made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 5:55 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations noting the hardship of the existing building was constructed before the setback ordinance was in place. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held March 22, 2005 in the Council Chambers at 5:30 p.m.

c) **CONSIDERATION OF VARIANCE REQUESTED BY KENNETH BALLARD, 312 STONEY POINT RD., TO REDUCE REAR YARD SETBACK FROM 30' TO 28' FOR THE CONSTRUCTION OF A 16' X 20' FAMILY ROOM ADDITION**

Vice Chairman Fraser opened the hearing at 5:57 p.m. with the reading of publication #7308 as published in the Hutchinson Leader on March 3, 2005.

Ms. Foust explained the request and the hardship of the unique shape of the lot. She stated the addition would take the place of the existing deck. She commented on the flat lot and poor drainage at the property line. She explained there is a private tile along the property line which does enter the catch basin at the northwest corner of the lot. She commented on the staff recommendations as follows:

1. Relocation of natural gas or electric lines or meters will be at the property owner's expense.

2. Verify the existing drainage and provide that the covered structure will not hinder the existing drainage system. (Additional fill to raise the elevation of the site is not allowed.)
3. If any changes in the dimensions of proposed structure change, further consideration by the Planning Commission and the City Council is required. (Date received 11/9/04)

Ms. Wischnack stated John Olson, Public Works Supt., verified the drainage to the catch basin.

Mr. Exner addressed the drainage stating it is a flat lot and it does drain to the catch basin.

Ms. Otteson commented on the odd shape of the lot.

Ms. Wischnack commented on the construction being on piers and the Variance is for a short corner of the addition.

Mr. Haugen made a motion to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:02 p.m. Ms. Otteson made a motion to recommend approval of the request with staff recommendations noting the hardship of the odd shaped lot. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held March 22, 2005 in the Council Chambers at 5:30 p.m.

d) CONSIDERATION OF **CONDITIONAL USE PERMIT** TO AMEND THE PLANNED DEVELOPMENT DISTRICT SUBMITTED BY CROW RIVER HABITAT FOR HUMANITY LOCATED AT 560 AND 570 HILLTOP DRIVE N.E. AND LOT SPLIT AT 560 HILLTOP DRIVE N.E. FOR CONSTRUCTION OF TWIN HOME

Vice Chairman Fraser opened the hearing at 6:04 p.m. with the reading of publication #7310 as published in the Hutchinson Leader on March 3, 2005.

Ms. Wischnack stated this is a familiar request which the Planning Commission has seen before. She reminded the Commissioners of the Jay Pettit request on Hilltop Drive which was the same as tonight's request. She stated Mr. Pettit's building is completed. She explained this request is to vary the lot area and width in the Planned Development District and to split the lot for a twin home. She stated the garages are appropriated and commented on the following staff recommendations:

1. Each unit must have separate water and sewer service.
2. Parkland dedication is \$135.00 per unit and SAC/WAC is \$2,490 per unit to be collected at the time of building permit.
3. Garages must be 400 square feet or larger.

4. An additional utility easement must be dedicated to the City along the eastern portion of lot 7 and the western portion along lot 8.
5. Specific consideration for proper drainage between the units is essential. The property owner will be required to complete appropriate drainage for the site prior to final landscaping and sodding.

Mr. Flaata asked if the zoning allows the 6 foot setback. Ms. Wischnack stated a Planned Development District may allow the 6 foot setback and in this case it is allowed. She commented on the drainage problems that do arise with a lesser setback and the owners must be aware of providing proper drainage.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:08 p.m. Ms. Otteson made a motion to recommend approval of the request with staff recommendations number 1-5. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held March 22, 2005 in the Council Chambers at 5:30 p.m.

e) CONSIDERATION OF **CONDITIONAL USE PERMIT** TO AMEND THE PLANNED DEVELOPMENT DISTRICT, **VACATION** OF EASEMENTS IN SOUTHFORK RIDGE AND 28 LOT **FINAL PLAT** OF SOUTHFORK RIDGE THIRD ADDITION LOCATED IN THE SOUTHFORK RIDGE PLAT

Vice Chairman Fraser opened the hearing at 6:09 p.m. with the reading of publication #7311 as published in the Hutchinson Leader on March 3, 2005.

Ms. Otteson stated she would abstain from voting.

Ms. Wischnack commented on the request to replat. She explained the housing type and the market changes since the area was originally platted. She stated the proposal is to construct patio homes or cottage homes on smaller lots. She explained the housing style is a coving concept but different than the Greens. She commented on staff concerns with the backyard drainage along the south edge of the property. She stated the developer did add catch basins to the plan. Ms. Wischnack stated staff suggested 20' front setback to alleviate some of the drainage concerns. She noted the encroachment of the sidewalks into the easements on the side entry homes and commented on the following staff recommendations:

1. The maintenance agreements (homeowner's documents) be updated to add the conditions of sidewalks may be removed in the side entry units and replacement would be the responsibility of the homeowner's association. (These

- documents must be completed and executed before the City will allow the plat to be filed.)
2. The legal descriptions on the homeowners documents shall be amended to reflect the new plat.
 3. The setbacks for the units shall be as follows:
Front: 25 feet (20 feet on 3-6, Block 1 and 1-4, Block 2)
Side: 8 feet
Rear: 10 feet
 4. The drainage improvements must be verified with engineering staff prior to landscaping improvements.
 5. An irrigation plan drawing shall be provided to the City, after construction.
 6. The replatting of the property does not release the developer from previous commitments made during platting.

Ms. Wischnack explained the term “as-builts”.

Mr. Charlie Levis, Farr Development, stated they are excited about the product and would answer any questions from the Commission.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 6:15 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Flaata. The motion carried with Ms. Otteson abstaining. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held March 22, 2005 in the Council Chambers at 5:30 p.m.

- f) **CONSIDERATION OF PRELIMINARY AND FINAL PLAT TO BE KNOWN AS SWMF ADDTION SUBMITTED BY SOUTHWEST MN FOUNDATION LOCATED ON THE SW CORNER OF HWYS 7 AND 15 AND CONTINUATION OF CONDITIONAL USE PERMIT SUBMITTED LAST MONTH**

Vice Chairman Fraser opened the hearing at 6:17 p.m. with the reading of publication #7312 as published in the Hutchinson Leader on March 3, 2005.

Mr. Haugen stated he would be abstaining from the vote.

Vice Chairman Fraser commented on the ordinance regarding the C5 District and stated discussion on the architectural design would be open for any public present who did not discuss the item earlier.

Ms. Ristau, Southwest MN Foundation, commented on their meeting the seven recommendations and stated they have invested in the community with the purchase of this property.

Mr. Lee Tollefson, Rafferty, Rafferty, Tollefson Architects, commented on his new presentation for completeness. He stated they are still working with MNDOT to resolve some grading issues and will submit the MNDOT

grade when they are available. He stated the sewer line will be relocated. The forester is in agreement with the landscaping plan. He explained they are in the process of platting the property to one lot. He commented on the parking which will be 38 stalls with the acquisition of the railroad property from the City. He reported MNDOT would not allow the northern 4 spaces. Mr. Tollefson commented on the building exterior and the angled roof on the entry. He stated the windows on the roof of the building were to bring light into the building and for out of town visitors to locate the building. The windows will be high energy rated windows.

Discussion followed on the setback of the building from Hwy 7 after the new construction of the road. Ms. Wischnack stated the plan shows a 26' setback and after the Hwy 7 project the setback could be 11' to 16'.

Mr. Flaata questioned the landscaping and tree placement being the same as required for other businesses along 3rd Ave.

Ms. Wischnack commented on the requirements for commercial and industrial businesses. She stated screening is reviewed on a case by case basis however the requirement is still one tree per 800 sq. ft. of area. She explained in this case the boulevard tree planting will be extended to 2007 because of the Hwy 7 construction. She explained the differences in screening between the I/C and C5 Districts.

Discussion followed on public safety issues.

Mr. Hantge stated concern with the proximity to Hwy 7.

Ms. Wischnack stated there was some discussion on snow removal. She stated the majority of the building will be away from the setback.

Mr. Tollefson stated they adjusted the building from the north to the south and they are more comfortable with the adjustment.

Ms. Otteson commented on the traffic at the intersection and the safety of the building being so close to the intersection.

Mr. Tollefson stated 100 feet seems a safe distance. Mr. Steve Jensen stated they did meet with the engineers to discuss the safety issues. Mr. Rodeberg stated the building does meet the setbacks from the intersection from an engineering standpoint there doesn't seem to be a problem with the placement of the building.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 6:36 p.m. Vice Chairman Fraser made a motion to recommend approval of the request for Preliminary and Final plat and Conditional Use Permit with staff recommendations removing recommendation number 6. Seconded by Mr. Currimbhoy. The motion carried 4 ayes, 1 nay (Otteson) 1 abstained (Haugen). Ms. Wischnack stated this item will be placed on the City Council regular agenda at their meeting held March 22, 2005 in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

- a) RECONFIRM **PRELIMINARY PLAT** AND CONSIDERATION OF THE 102 LOT **FINAL PLAT** OF SUMMERSET THIRD ADDITION SUBMITTED BY ARNE ESTERBROOKS, DEVELOPERS RESOURCE COMPANY

Ms. Wischnack commented on the request to plat and explained the preliminary plat was approved over six months ago (8-24-04) and would need to be reconfirmed. She commented on the staff recommendations as follows:

1. A grading subdivision agreement has been signed and securities are in place. Prior to additional work (i.e. utilities) the subdivision agreement must be updated to include the additional construction.
2. Securities for the development grading have been received. Additional escrows and securities will be required prior to construction of utilities.
3. Additional review comments from the City Engineer shall be followed.
4. A Trail Easement must be filed for the 10' bituminous trail extension from Edmonton Avenue. This Trail Easement will cover the Drainage & Utility Easement between Lots 9 & 10.
5. Provide an additional trail easement along Denver Avenue, to increase the separation for the street and the trail.

Ms. Otteson made a motion to recommend approval of the final plat with staff recommendations. Seconded by Mr. Haugen the motion carried unanimously. Ms. Wischnack stated this item will be forwarded to the City Council consent agenda for their meeting on March 22, 2005 at 5:30 p.m.

- b) CONSIDERATION OF REVISED 29 LOT **FINAL PLAT** OF BRIDGEWATER ESTATES THIRD ADDITION SUBMITTED BY GPS DICKINSON

Ms. Wischnack commented on staff concerns on South Grade Road and explained that 9th Ave. will extend to Honey Tree Rd. and Willow Street will not access South Grade Road. She explained Honey Tree will also not access South Grade Road in the future. She commented on the finalization by the City Council of a trail on the north side of South Grade Road. She commented on recommendation numbers 3,4,6 and 8 and follows:

3. There are continuing safety issues for people walking in the area. There are open discussion with the developer regarding a trail along the north side of South Grade Road up to the end of the lot in the next phase of construction. This item will be finalized prior to the City Council entering a subdivision agreement.

4. The revised plat does show revised 6 foot easements along the interior lot lines and they show 12 foot easements along the front and rear lot lines. The City only requires 10 foot easements in the front and rear.

This had been changed, but the new drawings (dated February 11 indicate 5 feet again on the side yard drainage areas. This needs to be changed.

6. A subdivider's agreement must be executed and fees paid prior to construction.

8. Provide revised pad elevation and house types signed by new engineer.

Ms. Wischnack stated the County Engineer does not want access of Willow or Honey Tree onto South Grade Road for safety reasons.

Mr. Exner stated there is a hill on South Grade Road at the access from Honey Tree which is a serious safety problem.

Discussion followed on the interior road connections and the proposed trail. Ms. Wischnack stated there is a trail from Roberts and Lakewood in the Subdivision Agreement.

Vice Chairman Fraser made a motion to recommend approval of the plat with staff recommendations number 3, 4, 6, and 8. Seconded by Ms. Otteson the motion carried unanimously.

5. **OLD BUSINESS**

None

6. **COMMUNICATION FROM STAFF**

Ms. Wischnack reminded the Commissioners of the upcoming Land Use Workshops. She also commented on the Fall APA Conference in Alexandria.

Ms. Wischnack stated the Year End Report is completed and she will distribute them shortly.

Elections will be held in April.

Discussion followed on the requirement of surveys.

7. **ADJOURNMENT**

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, April 19, 2005
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Dean Kirchoff at 5:30 p.m. with the following members present: John Lofdahl, Jim Haugen, Lynn Otteson, Mike Flaata, and Chairman Kirchoff. Absent: Farid Currimbhoy and Robert Hantge Also present: Julie Wischnack, AICP, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

Atty. Sebor, swore in the new Planning Commissioner Mr. John Lofdahl.

2. ELECTION OF OFFICERS

Ms. Otteson moved to nominate Mr. Kirchoff as Chairman. Seconded by Mr. Haugen. Mr. Haugen moved nominations cease. Seconded by Mr. Flaata nominations ceased. Mr. Dean Kirchoff was unanimously elected Chairman for the coming year.

Mr. Lofdahl moved to nominate Ms. Otteson as Vice Chairman. Seconded by Mr. Haugen the nominations ceased. Ms. Otteson was unanimously elected Vice Chairman for the coming year.

3. APPROVAL OF MINUTES

a) Consideration of Minutes dated March 15, 2005

Ms. Otteson moved to approve the minutes of March 15, 2005 as submitted. Seconded by Mr. Flaata. The minutes were approved unanimously.

4. PUBLIC HEARINGS

a) CONSIDERATION OF A 20 LOT **PRELIMINARY PLAT** TO BE KNOWN AS PARK MEADOWS AND A **REZONING** FROM R4 TO R3 LOCATED IN HUSKI ADDITION SUBMITTED BY SAND COMPANIES

Chairman Kirchoff opened the hearing at 5:35 p.m. with the reading of publication #7317 as published in the Hutchinson Leader on April 7, 2005.

Ms. Wischnack explained the request and the location of the property south of the Rolling Meadows development. She commented on the 20 lots on two cul-de-sacs and the downzoning to R3 from R4 to permit single family housing on the development. She stated the pending

presently on the property was sized sufficiently for stormwater retention of the entire lot. She explained that staff did have issues allowing cul-de-sacs and stated a through road would be difficult to incorporate into the plat. The consensus of the staff was to allow the cul-de-sac because of difficult street connectivity. She reminded the developer the roads are to be 36' with 47' cul-de-sacs. A 6 inch water main would be sufficient to keep the water moving which is a problem when water main is not looped in the development. She explained the fees required with each lot and commented on the following staff recommendations:

1. Street width must be at least 36 feet.
2. Cul-de-sac must be at least 47 feet.
3. There must be a 6-inch water main.
4. A subdividers agreement would be executed at the time of final plat.

Ms. Wischnack stated some of the required trees will be planted as a buffer on the south side of Texas Ave.

Mr. Haugen asked about islands in the cul-de-sacs. Ms. Wischnack stated staff discourages and does not allow islands on public cul-de-sacs. Mr. Exner explained snow removal costs the city more for maintenance and snow storage.

Mr. Flaata asked who maintained the catch basins. Mr. Exner explained the city maintains the catch basins. Mr. Lofdahl asked where the catch basins drained. Mr. Exner explained they drain to the holding pond and discharge to the city system. Ms. Otteson asked about the sump pump drainage. Mr. Exner stated the water goes into tiles and is directed to the sanitary sewer.

Mr. Haugen questioned the width of the cul-de-sacs for emergency services. Mr. Exner explained this is large enough. There is more curb line for driveways. Ms. Otteson asked about on-street parking. Mr. Exner stated there is room on both sides with a 36 foot road. The issue is the number of driveways.

Mr. Lofdahl asked about the placement of mailboxes. Mr. Thelen, President of Sand Properties, explained it would depend on the Postmaster. He stated they could be grouped or on individual posts.

Ms. Wischnack explained the Kottke and The Greens plats were private cul-de-sacs. This plat is proposed with public streets.

Ms. Katie Czeck, 982 7th Ave. NW, stated her concerns with drainage affecting her property. She stated the catch basin does not address the issue for water drainage. She explained she is in favor of the single family development but has concerns with the additional construction her property will be flooded.

Ms. Wischnack commented on the proposed grading. Marty Campion, Otto Associates, explained the corrections. Mr. Exner commented on the grading plan to lower the grade along lot 6 with a swale. He stated the development should improve the drainage problems to the north. Ms. Wischnack commented the drainage looks good on the grading plan and possibly an additional condition could address drainage to the north.

Mr. Campion, project engineer, stated they will work with the neighboring properties to address the problem. He stated they may not be able to resolve the entire problem but should improve the situation. He stated the survey is the most recent elevations and he explained the spot elevations.

Mr. Flaata asked what happens if the holding pond fills. Mr. Campion explained the pond is discharging at the same time as it would be filling.

Mr. Lofdahl commented he suspects there is a plugged tile. Ms. Czeck stated the slope prevents the water to drain. Discussion followed on the flooding onto the property.

Mr. Campion commented on the emergency overflow from the pond to the street.

Ms. Wischnack stated she will provide the plans for the north property to Mr. Campion.

Chairman Kirchoff stated they should add the item to adhere to the grading plan and document existing elevation to the north of the site and verify if the plan is proposed properly.

Mr. Haugen made a motion to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:00 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations adding number 5, document existing grading issues to check for positive drainage specifically to the north. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held April 26, 2005 in the Council Chambers at 5:30 p.m.

b) **CONSIDERATION OF A VACATION OF EASEMENTS TO ALLOW FOR CONSTRUCTION OF A TEAHOUSE / GARDEN SHED OVER THE EASEMENT LINE LOCATED AT 1125 WEST SHORE DRIVE SW SUBMITTED BY LAVONNE HANSEN, PROPERTY OWNER**

Chairman Kirchoff opened the hearing at 6:02 p.m. with the reading of publication #7318 as published in the Hutchinson Leader on April 7, 2005.

Ms. Wischnack explained this is a confinement of easement reducing the easement area on the property. She commented on the request and the 90 foot rear easement to the lake. She explained the drainage does not follow the easement but is, in fact, west of the easement. She

commented on the grading and stated there is no documentation on why the 90 foot easement. She stated the building proposed is 16' x 16' and commented on the following staff recommendations:

1. Relocation of natural gas or electric lines or meters will be at the property owner's expense.
2. Verify the existing drainage and provide that the covered structure will not hinder the existing drainage system or promote siltation to the lake. (Additional fill to raise the elevation of the site is not allowed.)
3. Any shoreland alternation would require additional permitting.
4. If any changes in the dimensions of the proposed structure change or the proposed location, further consideration by the Planning Commission and the City Council is required. (Date received March 16, 2005)

Mr. Flaata stated he likes the plans. Ms. Wischnack explained other properties will be revised separately if the need arises and this should not affect the neighboring properties.

Ms. Hansen explained her proposal and additions to the neighboring properties.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:07 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Flaata. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held April 26, 2005 in the Council Chambers at 5:30 p.m.

- c) **CONSIDERATION OF A 23 LOT PRELIMINARY AND FINAL PLAT TO BE KNOWN AS SUMMERSET FOURTH ADDITION, REZONING AND PDD TO R3-PDD AND VACATION OF DRAINAGE AND UTILITY EASEMENTS IN SUMMERSET THIRD ADDITION SUBMITTED BY DAVID BROLL, APPLICANT**

Chairman Kirchoff opened the hearing at 6:08 p.m. with the reading of publication #7319 as published in the Hutchinson Leader on April 7, 2005.

Ms. Wischnack explained the number of requests for one approval. She stated the Preliminary and Final plat are allowed together since this is a replat of an approved proposal last month. She explained the request to construct single family villas instead of twin homes as previously requested. This is the same concept as the replat of Southfork Ridge Third Addition. She explained a planned development district requires 3 acres and the developer did add 2 lots on the south side of the development. There is an open space requirement in a PDD and this is satisfied by the open space proposed on the back yards and on the west

side of the development. The open space is an easement agreement and no structures will be allowed in the open space area. Ms. Wischnack stated drainage is an issue and there are several catch basins to alleviate the drainage. She commented on staff concerns with the side setbacks and the drainage. She commented on the following staff recommendations:

1. The maintenance agreements (homeowner's documents) be submitted prior to placing these applications on the City Council agenda. The documents must specifically address and describe the open space areas. The documents must also address maintenance.
2. An addendum to the Subdivision Agreement for Summerset Third Addition will reflect the additional lots proposed in the 4th Addition. Specifically, the increase to tree escrow will be reflected in the document.
3. The setbacks for the units shall be as follows (the setbacks apply to all structural elements of the unit, i.e. decks, porches, additions, etc.):
Front: 25 feet
Side: 6 feet
Rear: 25 feet
4. The drainage improvements must be verified with engineering staff prior to landscaping improvements. (Additionally, gutters would be installed on units to alleviate side yard problems.)
5. A 5 foot sidewalk is required as part of the density increase.
6. An irrigation plan drawing shall be provided to the City, after construction (if that will be included as part of the improvements to the development).
7. The appropriate fees will be applied to building permits within this plat area. (SAC/WAC; electric service territory, park dedication, etc.)

Mr. Flaata asked about the addition of catch basins to the site. Ms. Wischnack stated more catch basins are required for density and soil types. She explained there are many drainage complaints in the city.

Mr. Exner explained the existing grades are to be matched. He stated 6 foot setbacks are a drainage concern. Drainage will be directed to the street on the sides of the yards and to the catch basins in the rear yards. Discussion followed on the time it takes for catch basins to drain in large rain events. Discussion followed on the setback issues. Mr. Lofdahl asked what could be built in the common space. Ms. Wischnack stated the Homeowners Association would monitor the property. Mr. Lofdahl stated the Homeowners Association documents would address maintenance of the common space areas. He questioned if there could be platted outlots. Ms. Wischnack stated the problem with outlots is in the event of tax forfeiture the City ends up with the outlots.

Chairman Kirchoff questioned 6 foot side setbacks. Mr. David Broll, applicant, explained he considered the drainage between the lots. He

explained the houses will all be front entry and the rain gutters will direct the water. He stated there will be slab on grade homes and homes with basements. Ms. Wischnack reminded Mr. Broll egress windows are not allowed in easement areas.

Chairman Kirchoff stated the association documents should be a requirement. Mr. Broll stated he is working on the documents.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 6:22 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations. Seconded by Ms. Otteson. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held May 10, 2005 in the Council Chambers at 5:30 p.m. Documents must be provided prior to being placed on the City Council agenda.

d) **CONSIDERATION OF AMENDMENT TO THE ZONING ORDINANCE TO CONDITIONALLY ALLOW DRIVE-THRU SERVICE WINDOWS IN THE C3 DISTRICT REQUESTED BY CHRISTIAN OCHSENDORF**

Chairman Kirchoff opened the hearing at 6:25 p.m. with the reading of publication #7321 as published in the Hutchinson Leader on April 7, 2005.

Ms. Wischnack explained the ordinance change to allow drive-thru service windows in the downtown by conditional use permit. She explained Mr. Ochsendorf is developing a property downtown and would like to be allowed a drive thru window. She stated all the banks have the drive thru areas. She explained as a conditionally permitted use it would allow review of each request separately.

Discussion followed on the Wells Fargo Bank and how did they get a drive thru. Ms. Wischnack stated it could have been part of the agreement.

Mr. Ochsendorf explained he has purchased the Rix Gas Station corner from the antique shop to the corner. He commented on the uses in the new building. One use would be a coffee shop and he would like a drive thru window in the alley.

Ms. Otteson commented on the traffic pattern and the rerouting of traffic.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:34 p.m. Mr. Flaata made a motion to recommend approval of the request. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held April 26, 2005 in the Council Chambers at 5:30 p.m.

e) **CONSIDERATION OF A LOT SPLIT AND VARIANCE SUBMITTED BY LOWELL WRIGHT LOCATED AT 1325 JEFFERSON ST S**

Chairman Kirchoff opened the hearing at 6:35 p.m. with the reading of publication #7324 as published in the Hutchinson Leader on April 7, 2005.

Ms. Baumetz explained the request to split Mr. Wright's property into two lots. This request would create his frontage to be 33 feet which is not a conforming lot width. A variance is required to allow a 33 foot lot. She commented on the staff recommendations as follows:

1. Relocation of utility service is at property owners expense.
2. Separate water and sewer service required.
3. Deeds documenting the change in property line need to be filed by the property owners.
4. Additional splitting of the lots would require a platting procedure.
5. Outstanding, deferred assessments, will be activated on the property will be recalculated and reassigned appropriately.

Mr. Lofdahl asked about resplitting the new lot. Ms. Baumetz explained a plat would be required to split the new lot.

Ms. Baumetz stated the new lot would access off Jefferson Street. The present driveway is already shared by two residents. Discussion followed on the shared driveway. Atty. Seborá stated there is a cross easement agreement. Ms. Otteson stated she has concerns with backing onto Jefferson Street. Mr. Lofdahl stated there could be as many as 5 other lot splits on Jefferson Street.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:46 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Flaata. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held April 26, 2005 in the Council Chambers at 5:30 p.m.

f) **CONSIDERATION OF RIGHT OF WAY PLAT NO. 9 SUBMITTED BY THE CITY OF HUTCHINSON (EXTENDING DENVER AVENUE)**

Chairman Kirchoff opened the hearing at 6:49 p.m. with the reading of publication #7322 as published in the Hutchinson Leader on April 7, 2005.

Ms. Wischnack explained the Right of Way plat is an official mapping process. She commented on the extension of Denver Ave. to allow the development of the Farr property. She commented on the fact the Attorney General's Office is involved with the College property and it can be a slow process.

Mr. Haugen made a motion to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:50 p.m. Mr. Haugen made a motion to

recommend approval of the request. Seconded by Mr. Lofdahl. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held April 26, 2005 in the Council Chambers at 5:30 p.m.

5. **NEW BUSINESS**

a) CONSIDERATION OF A 3 LOT **FINAL PLAT** TO BE KNOWN AS 15 SOUTH SUBMITTED BY FARR DEVELOPMENT

Ms. Wischnack explained the staff recommends tabling the request and she has been in contact with Farr Development. She commented on the items needed before the plat will be placed on the agenda again. We are waiting for detailed plans. The wetland does not line up. The right of way acquisition is slow but not major. She explained they could get a grading agreement with the city to begin work. The city needs more final plans.

Ms. Wischnack commented on the Denver Ave. project and concerns of the college. They are looking at assessment costs.

Mr. Haugen made a motion to table the request to May. Seconded by Mr. Flaata. The motion carried unanimously.

b) CONSIDERATION OF A **LOT SPLIT** SUBMITTED BY TOM WIPRUD LOCATED AT 257 GAUGER STREET NW

Ms. Baumetz commented on the lot split request and explained both lots will be conforming in size to allow for development. She commented on the elevations of the newly created lot with a quite steep slope. She presented the following staff recommendations:

1. Any relocation of services will be at the owner's expense.
2. All lots require separate sewer and water services.
3. Appropriate sewer and water access fees will be collected at the time of building permit.
4. Deeds documenting the change in property line need to be filed by the property owners.
5. There are outstanding assessments on the property. The City will discuss with the property owner, how they would like to spread the assessment.

Mr. Flaata made a motion to recommend approval of the request with staff recommendations. Seconded by Ms. Otteson. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held April 26, 2005 in the Council Chambers at 5:30 p.m.

6. **OLD BUSINESS**

None

7. **COMMUNICATION FROM STAFF**

Ms. Wischnack commented on the new Hwy 7 plans and reconstruction of the dam is still possible.

Ms. Wischnack reported on the downtown streetscape project and stated a set of plans are ready. This project could begin in July of 2005.

Ms. Wischnack stated the liquor store bids were opened today and need City Council approval. She also commented on the Harrington Merrill house stating the new foundation will begin soon. She stated the new water plant will begin soon.

Ms. Baumetz reminded the Commissioners of the Landuse workshop registrations.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 7:05 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, May 17, 2005
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Dean Kirchoff at 5:30 p.m. with the following members present: John Lofdah1, Jim Haugen (5:34 p.m.), Lynn Otteson, Mike Flaata, Farid Currimbhoy, Robert Hantge (5:34 p.m.) and Chairman Kirchoff. Absent: none Also present: Julie Wischnack, AICP, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated April 19, 2005

Ms. Otteson moved to approve the minutes of April 19, 2005 as submitted. Seconded by Mr. Lofdah1. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) **CONSIDERATION OF AN 8 LOT PRELIMINARY PLAT TO BE KNOWN AS FRASERS SUBDIVISION AND REZONING FROM R1 TO R2 SUBMITTED BY BRANDON FRASER LOCATED SOUTH OF MCDONALD DRIVE SW**

Chairman Kirchoff opened the hearing at 5:35 p.m. with the reading of publication #7332 as published in the Hutchinson Leader on May 5, 2005.

Ms. Wischnack commented on the location of the request and explained the plat was to be for twin homes. She commented on a 1993 sketch plan of the entire parcel and stated the wetlands were delineated by Barr Engineering and should be accurate information. She pointed out Harvest Street was to go through the plat at the time of the sketch plan. She commented on her findings regarding Honey Tree Road and explained the southern portion was accurate however the northern portion is platted right-of-way in the 5th Addition to Lakewood Terrace plat. The present roadway of Honey Tree is on Lot 7 of the Fraser plat. She stated the lot sizes, coverage and width do meet the guidelines of the R2 zoning. She reported stormwater retention is not required with this plat since it is not over an acre of impervious surface. She commented on the issues with service.

Mr. Exner explained the issues with the services. He stated the two Lot 1 parcels were intended to be serviced off of Harvest and the remainder of the lots from McDonald Dr. He explained the intention was to service

single family homes. He stated each unit must have separate sewer and water service. He reported on the bill passed by legislature requiring cities to locate and protect sewer and water service to properties effective January 1, 2006. He explained the requirement is not now in effect but the city does try to locate the services. He reported the plumbing code and City ordinance requires a service to each lot.

Mr. Haugen asked how the costs are handled.

Ms. Wischnack explained the SAC/WAC fees are charged on the building permit for each unit since this property has not previously been charged.

Ms. Wischnack referred to Atty. Sebor on the issue of the road across Lot 7.

Atty. Sebor addressed the present use of the road across Mr. Fraser's property. He questioned what could be done with the road. He explained Statute states if a road is maintained for over 6 years it is a dedicated road. He explained the right-of-way does exist since it was dedicated to the City in a plat.

Ms. Wischnack suggested Lot 7 not be granted through a final plat until the road issue is settled. She reported Mr. McDonald is aware of the issue. She commented on the staff recommendations as follows:

1. Lot 7 issues of road encroachment or the city rights be identified and documented (legal opinion).
2. Sewer and water services be separate for each unit.
3. Any existing utility lines be relocated at the owners expense.
4. Any fees be paid at the time of building permit (SAC/WAC; park fee, etc.)
5. If there are existing assessments on the property, the property owner should identify the acceptable split of the assessments.
6. Driveways be consolidated on the twin homes or reduce units by constructing single family homes on the interior lots.

Ms. Wischnack commented on the notes from the one stop shop and the memos from the City Engineer.

Chairman Kirchoff asked if the May 9th meeting with the developer was to discuss the issues. Ms. Wischnack stated they discussed the issues at that meeting and in numerous phone conversations. She stated now we have to get sewer and water to the undeveloped parcels.

Discussion followed on the road system in the entire parcel. Ms. Wischnack stated the City could vacate the north portion of Honey Tree Drive.

Mr. Hantge questioned the driveway widths. Ms. Wischnack explained the shared driveway width would be 24' at the road.

Brandon Fraser, property owner, 510 Jackson St., commented on the plat and explained the need to face Lot 1 to McDonald Drive because of the depth requirement. He stated both units could be serviced from the main service into the property. He explained whether single or two family some of the lots will require breaking into the street. He stated he understands the condition regarding Lot 7 and agrees with conditions 1,3,4 and 5. He stated in #2 the liability issues of the homeowner could be mitigated by a common wall agreement and he also disagrees with #6 and consolidating the driveways. He explained he will probably stay with twin homes but could change to single family depending on the market. He stated the lots are larger than required so there is extra room and consolidating the driveways could lead to parking on the street. He commented if single family lots they would be large enough to keep the cars parked on the driveways. He researched the twin homes and safety on the street parking. He stated there are already 12 single family homes on McDonald Dr. and there were many cars and trailers on the street. On Graham St. there are 26 twin homes and there were no cars parked on the street. He reported the curb is surmountable and will not require curb cuts.

Ms. Otteson stated she liked the 1993 plan and has concerns with backing onto McDonald Dr.

Carole Hannemann, 580 Barley St. SW, commented on two concerns which are traffic congestion and drainage. She explained the traffic situation along McDonalds Dr. presently with many vehicles parked on both sides of the street which makes two way traffic hard to maintain. She stated McDonald Dr. is heavily traveled and 16 more driveways are a concern. She suggested a cut back of the road for on-street parking area at the new lots or make the north side of the street no parking. She commented on the drainage problems presently on Barley Street and asked if there would be more water with the driveways sloping to the street.

Mr. Exner explained the property slopes away to the back and the front and driveways do slope to the street. He stated there are intakes in the street to take the run-off. He stated drain tile issues vary in the city.

Ms. Wischnack explained the traffic concerns must be placed in writing to the City to request no parking signs. This is a separate procedure.

Mr. Hantge asked if there was a compromise to item #2 the separate services to each unit rule. Mr. Exner explained there are liability or shared ownership issues. He stated his concerns with sewer backup. He explained issues with shared water service and lack of water pressure. He stated the City gets caught in between. He explained it is the property owner's responsibility to get the service from the street to the home. Ms. Wischnack stated the service into the right-of-way cannot be addressed in a common wall agreement.

Mr. Exner stated the City takes on more liability to locate the services and does not want them shared.

Dean Braulick, 1400 McDonald Dr. SW, commented on his concern with the traffic on McDonalds Dr. He asked if a 4 way stop at Harvest St. to slow the traffic would be allowed. He stated there are many children in the area and safety is an issue. He asked if Lot 1 would be a twin home.

Ms. Wischnack stated the lots are designed for single or twin. The 8 lots could be split to 16. Lot 1 will face McDonald Dr. and there will be no street construction in the Harvest St. right-of-way. It would be dedicated for a future road.

Mr. Lofdahl commented on the 35% coverage with a twin home.

Mr. Flaata asked who maintains the Harvest Street dedication. Ms. Wischnack stated the property owner maintains the property. Ms. Otteson commented on plantings, fences, etc. that are eventually placed in the dedicated right-of-way.

Mr. Flaata asked to explain the requirement to preliminary plat the entire area.

Ms. Wischnack stated everything contiguous must be preliminary platted but this has two owners.

Discussion followed on the sketch of the area.

Chairman Kirchoff stated it seems there is more work to do on the plat. He asked if they could approve 6 lots now. Ms. Wischnack stated Mr. Fraser is proposing to final plat the 2 lots numbered 1. She explained it is hard to change preliminary plat approval later.

Mr. Fraser stated he has no issue with lot 7 and the road until Mr. McDonald agrees, Lot 7 will not be final platted. He explained the homes will be slab on grade with no basements and will market to seniors and single folks. He stated he will also be living in the neighborhood and does not want to dodge cars either. He stated single family units tend to have more on-street traffic. He stated he is not ok with requiring 2 services into each lot.

Mr. Lofdahl stated if the High School moved in the future that may alleviate some traffic.

Ms. Hannemann asked if there were a figure available for the cost of the homes. Ms. Wischnack stated that is not available to the City.

Randy Otto, 550 Harvest St., commented on his concern with rezoning to twin homes. He asked if the houses would all be the same or a single and twin family mix. He stated he liked the idea of no parking on the

north side of McDonalds. He asked if Harvest Street could be eliminated. Ms. Wischnack stated we don't know the status of the property today.

Mr. Otto asked the size of the twin homes.

Mr. Fraser stated the parking problems will be alleviated with the twin homes. He stated there are no covenants at this time. He explained he hopes to maintain control of what happens. The square footage of the homes will be on a case by case basis. Mr. Otto stated the whole area is single family and he would like to see this single family also.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 6:35p.m. Mr. Hantge made a motion to recommend approval of staff recommendations 1,2,3,4, and 5 and eliminate 6 regarding the driveways. Seconded by Mr. Flaata. Discussion followed with Ms. Wischnack asking that number 1 state Lot 7 cannot be final platted until the road is relocated. Mr. Hantge moved to reflect that change in the motion, seconded by Mr. Flaata. Ms Otteson asked to add a recommendation that the undeveloped Harvest Street right-of-way cannot be privately utilized by the property owners in the area. Mr. Hantge moved to add the recommendation, seconded by Mr. Flaata. The motion carried with Mr. Lofdahl abstaining. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held May 24, 2005 in the Council Chambers at 5:30 p.m.

b) **CONSIDERATION OF A VARIANCE TO REDUCE REAR SETBACK TO 3' AND CORNER SIDE SETBACK TO 0' LOCATED AT 345 WASHINGTON AVE W FOR THE CONSTRUCTION OF A 26' X32' DETACHED GARAGE**

Chairman Kirchoff opened the hearing at 6:40 p.m. with the reading of publication #7333 as published in the Hutchinson Leader on May 5, 2005.

Ms. Baumetz explained the request for a variance and the hardship of the unusually large right-of-way on Grove Street. She stated the garage would be placed to save the large trees on the lot. She commented on the following staff recommendations:

1. The garage should be constructed to compliment the character of the house.
2. Removal or relocation of natural gas or electric service will be at owner's expense.
3. Garage height must not be more than 18'.
4. Home occupations are not allowed exclusively in an accessory building.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:45 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations noting the hardship of the large right-of-way on Grove Street. Seconded by Mr. Currimbhoy. The motion carried unanimously. Ms. Baumetz stated this

item will be placed on the City Council consent agenda at their meeting held May 24, 2005 in the Council Chambers at 5:30 p.m.

- c) **CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF A 36'X60' (2160 SQ. FT.) DETACHED GARAGE OVER 16' IN HEIGHT ON ONE END REQUESTED BY JEFFERY SMITH, 1020 DALE STREET SW**

Chairman Kirchoff opened the hearing at 6:46 p.m. with the reading of publication #7334 as published in the Hutchinson Leader on May 5, 2005.

Ms. Baumetz commented on the request and the location of the property. She presented the staff report and provided the aerial view of the property. She commented on the staff recommendations as follows:

1. City Engineer's access requirements must be followed.
2. City Engineer's water and sewer requirements must be followed.
3. Existing barn on the property must be removed.
4. Removal of City services will be at owner's expense.
5. Accessory buildings must not be used entirely for home occupations
6. Curb stops must not be placed in driveway.

Mr. Lofdahl asked if there was a way to reduce the pitch of the roof to get under the height requirement.

Mr. Smith, property owner, stated the garage would have to be larger in sq. footage if he were to try to change the portion of the garage for storage of his camper.

Mr. Flaata asked about consolidating the curbcuts. Ms. Baumetz stated there is sewer and water stubbed off both the access points. She also explained, in residential districts, the driveways are not required to be hardsurfaced only dust free.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Hantge the hearing closed at 6:55 p.m. Mr. Hantge made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Lofdahl. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held May 24, 2005 in the Council Chambers at 5.30 p.m.

Mr. Lofdahl left the meeting at 6:55 p.m.

- d) **CONSIDERATION OF A 6 LOT PRELIMINARY PLAT FOR THE CONSTRUCTION OF 3 TWIN HOMES SUBMITTED BY JAY PETTIT LOCATED ON THE CORNER OF CLEVELAND AVE SW AND SUNSET STREET SW**

Chairman Kirchoff opened the hearing at 6:57 p.m. with the reading of publication #7335 as published in the Hutchinson Leader on May 5, 2005.

Ms. Wischnack stated this is a small plat which was originally intended for an assisted living complex and now will be 3 twin homes similar to the buildings Mr. Pettit constructed on Hilltop Dr. this past year. She stated the lots are typical twinhome lots which meet size and lot coverage requirements. She explained this plat also has service difficulties. There were no services placed in Sunset Street. She stated no stormwater pond is needed for this development. She explained NPDS has a new permit to be completed.

Mr. Exner stated the services must be revisited for this development primarily because of the intended use. He explained there are services in Cleveland Ave. and not in Sunset because of substantial grade changes. He explained there are services in the intersection and lots 5 and 6 can be served in the boulevard south from the intersection. A fire hydrant will be placed on the southeast corner of lot 6. Mr. Exner explained Lots 1 and 2 must be also served from the intersection with parallel water and sewer service. He stated he has had conversations with Mr. Pettit's engineer who will finalize the drawing to address the issues. He explained the water main must be 6" and the sewer 8". Service to Lots 3 – 6 will be simpler and in the boulevard. The difficulty with serving 1 and 2 is that the main in Cleveland is 20' deep.

Ms. Wischnack commented on the following staff recommendations:

1. Amend the utility plans to reflect placement of a new hydrant and provide revised services line arrangement as described in memo and at meeting with property owner. This should be received prior to consideration of the final plat.
2. A developer's agreement be drafted and executed at final plat staged, if deemed necessary for the improvements.
3. Any repairs to the street, curbing or other public property be required to be completed prior to final occupancy of the homes.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 7:07 p.m. Ms. Otteson made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Currimbhoy. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held May 24, 2005 in the Council Chambers at 5:30 p.m.

- e) **CONSIDERATION OF A ONE LOT PRELIMINARY AND FINAL PLAT AND CONDITIONAL USE PERMIT SUBMITTED BY DEAN SNYDER CONSTRUCTION TO ALLOW FOR CONSTRUCTION OF A CULVERS RESTAURANT WITH A DRIVE THRU WINDOW LOCATED ON THE MENARDS PROPERTY ON HWY 15 SOUTH**

Chairman Kirchoff opened the hearing at 7:08 p.m. with the reading of publication #7336 as published in the Hutchinson Leader on May 5, 2005.

Ms. Wischnack explained the proposal to split a lot off the larger parcel which is in front of Menards. She stated staff discussed access and the appropriate placement of access on the plat. She explained there is one access on the plat with an appropriate traffic circulation. She commented on the number of parking spaces proposed and explained staff believes the parking calculations are excessive. She explained the parking on the west side of the building is close to the drive-thru and would be a tight maneuver. She stated the area could still be paved just not striped and used as pull-off parking for boats and trailers. There is enough stacking and they meet all the setbacks. Ms. Wischnack explained the signage will be consolidated with Menards which will require an easement for Lot 1 signage. She commented on the elevation plan and façade and explained the Conditional Use Permit for the drive-thru. She commented on the following staff recommendations:

1. Parking along the west side of the site seems tight due to the drive-thru service window. Staff would recommend the area remain paved to accommodate larger vehicles, however, not stripe the area as parking.
2. A sidewalk connection is required long Montreal with pedestrian access to the site.
3. All appropriate SAC/WAC fees, Park fees, etc, be paid at the time of building permit.
4. Institute changes in the landscaping plan as identified by the City Forester dated May 6, 2005.
5. Document that there is an easement for the monument sign on the northwestern portion of the property.
6. The stormwater management requirements have been reviewed and are satisfactory.
7. The property owner would be required to meet the NPDES standards (city has received a copy of the application).

Ms. Wischnack stated the pedestrian crossing from Montreal Street must not be in a parking space. Stormwater has been reviewed and meets standards and the City has the NPDS documentation.

Mr. Hantge asked about the recommendation number 1 regarding the parking. He stated Wendy's has the same parking configuration. Ms. Wischnack stated Wendy's needed the parking spaces. There is enough on this plan without the extra parking. Mr. Scott Frerichs, Dean Snyder Construction, stated he has no objection to the recommendation.

Mr. Hantge stated the sidewalk connection seems excessive. Ms. Wischnack stated when Menards developed a sidewalk was in the subdivision agreement. Mr. Hantge stated and they passed it on to each developer to complete with the development.

Mr. Frerichs stated Culvers is excited to come to Hutchinson . This is a 120 day project and should be completed by Oct. 1.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 7:18 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Flaata. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held May 24, 2005 in the Council Chambers at 5:30 p.m.

4. **NEW BUSINESS**

a) **CONSIDERATION OF A 3 LOT FINAL PLAT TO BE KNOWN AS 15 SOUTH SUBMITTED BY FARR DEVELOPMENT**

Ms. Wischnack explained the developer has asked to table the plat until further notice. She stated it will now be named Calaford Place.

Ms. Otteson made a motion to table until further notice. Seconded by Mr. Hantge. The motion carried unanimously.

5. **OLD BUSINESS**

Water Plant – Mr. Exner updated the Commissioners on the progress and the issues with the project.

6. **COMMUNICATION FROM STAFF**

Ms. Wischnack commented and updated the Commissioners on several items as follows:

Liquor Store, Hotel, HTI addition, a new downtown building at the Rix Station corner, Kottke Court, Ravenwood South, Rolling Meadows East, Park Meadows, the Downtown Street Scape and SWMF Addition soil correction issues.

7. **ADJOURNMENT**

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

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, June 21, 2005
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman Dean Kirchoff at 5:30 p.m. with the following members present: John Lofdahl, Jim Haugen, Lynn Otteson, Mike Flaata, Farid Currimbhoy, Robert Hantge and Chairman Kirchoff. Absent: none Also present: Julie Wischnack, AICP, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated May 17, 2005

Mr. Hantge moved to approve the minutes of May 17, 2005 as submitted. Seconded by Mr. Haugen. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION TO **REZONE** PROPERTY ON JEFFERSON STREET SE FROM R1 TO R2 FOR CONSTRUCTION OF A TWIN HOME

WITHDRAWN

b) CONSIDERATION OF A **CONDITIONAL USE PERMIT** TO ALLOW SALE OF FIREWORKS IN THE WALMART PARKING LOT LOCATED AT 1300 HWY 15 SOUTH

Chairman Kirchoff opened the hearing at 5:36 p.m. with the reading of publication #7346 as published in the Hutchinson Leader on June 9, 2005.

Ms. Baumetz explained the ordinance requiring a Conditional Use Permit for tent sales of fireworks and commented on the location in the Walmart parking lot. She commented on the following staff recommendations:

1. The display must be secured.
2. Access must be from the internal parking lot.
3. Signage requires separate applications and permitting.

The youth director from Riverside Assembly Church explained the youth will be selling the fireworks for a fundraiser and the statewide closing date for sales is through the 4th of July. He stated they will not be selling on

the 5th.

Discussion followed on the length of the Conditional Use Permit which is a yearly renewal. Atty. Sebora explained the State mandates cities must allow tent sales of fireworks.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 5:45 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Currimbhoy. Discussion followed on the length the tent could be on the property. Mr. Haugen asked to include the tent could be up 15 days and conclude at midnight on July 4th. Mr. Flaata changed the motion to state the permit is good for 15 days and will sunset at midnight July 4th 2005. Seconded by Mr. Currimbhoy. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held June 28, 2005 in the Council Chambers at 5:30 p.m.

- c) **CONSIDERATION OF A **CONDITIONAL USE PERMIT** TO ALLOW VETERINARY CLINIC, PET EXERCISE YARD AND PET WASH IN THE C5 (CONDITIONAL COMMERCIAL) DISTRICT LOCATED AT 271-3RD AVE NW**

Chairman Kirchoff opened the hearing at 5:48 p.m. with the reading of publication #7347 as published in the Hutchinson Leader on June 9, 2005.

Ms. Wischnack commented on the revised plan and explained the realm of the request which includes the veterinary business in a C5 district, a pet wash and pet exercise area. She explained the present Crow River Veterinary Clinic will be removed with the Hwy 7 project. She explained the location and the rules of tax combining the parcels at the County. She commented on the floor plan and the addition. She stated staff has concerns with the Hwy 7 setback not knowing at this time where the right of way will be located. She commented on the parking requirements and explained the Parking Generation Manual would require less parking than the City Ordinance. She stated the City Ordinance usually requires more parking than necessary and staff does use the Parking Manual to determine a more accurate figure for spaces. She commented on the recommended setbacks which are met by the submittal. A cross driveway easement will not be necessary from the property to the South. She explained the landscaping requirement would be 4 trees for the site. Staff would recommend extending the placement of the trees until sometime in 2008 when the Hwy 7 project is completed. Ms. Wischnack commented on the need for a runoff buffer for the outside exercise area. She stated there will be an inceptor in the building for pet hair. She commented on the following recommendations:

1. Parking area shall be striped prior to receiving a certificate of occupancy for the building. The striping shall be done as indicated on the site plan received June 13, 2005.

2. All parking areas and access lanes shall be paved, prior to occupancy. The additional paved area to the north shall be conducted no later than June 30 of 2008.
3. The landscaping requirements of 4 trees (as described above) shall be installed no later than June 30, 2008.
4. All utility relocation is at the owner's expense.
5. Buffering of the tile inlet shall be installed when the fencing is installed.
6. Any signs necessary for the building shall be acquired through a separate permit.

Discussion followed on the number of parking spaces if the use changes. Ms. Wischnack explained each use in the C5 District requires a Conditional Use Permit.

Mr. Murphy, property owner, explained he has talked to MnDOT regarding the property line.

Discussion followed on the access for emergency vehicles and Ms. Wischnack commented on the original plan.

Mr. Currimbhoy asked if the dogs will be on leashes for exercise before the fenced area is completed. Dr. Voigt explained presently they walk the dogs on leashes. He stated the fence would be a security measure and he explained the reason for a fenced area.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:04 p.m. Ms. Otteson made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held June 28, 2005 in the Council Chambers at 5:30 p.m.

d) RECONFIRMATION OF THE FUTURE DEVELOPMENT PORTION OF ROLLING MEADOWS EAST **PRELIMINARY PLAT** AND CONSIDERATION OF FIRST ADDITION TO ROLLING MEADOWS EAST 14 LOT FINAL PLAT

Chairman Kirchoff opened the hearing at 6:05 p.m. with the reading of publication #7348 as published in the Hutchinson Leader on June 9, 2005.

Ms. Wischnack explained the platting process and the reason for reconfirmation of the plat. She commented on the proposed final plat and explained the staff request to move the label for 5th Ave. before the mylars are completed. The location of 5th Ave and Golf Course Rd is confusing on the present plat drawing. She stated the subdivision agreement is completed and ready for City Council action.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 6:08 p.m. Ms. Otteson made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Lofdahl. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held June 28, 2005 in the Council Chambers at 5:30 p.m.

- e) **CONSIDERATION OF A 1 LOT PRELIMINARY PLAT TO BE KNOWN AS CORNERSTONE COMMONS AND CONDITIONAL USE PERMIT SUBMITTED BY CHRISTIAN OCHSENDORF FOR DEVELOPMENT OF A MIXED USE RETAIL PROJECT WITH A DRIVE-THRU SERVICE WINDOW LOCATED AT 104 MAIN STREET NORTH**

Chairman Kirchoff opened the hearing at 6:10 p.m. with the reading of publication #7349 as published in the Hutchinson Leader on June 9, 2005.

Ms. Wischnack introduced Mr. Steve Oliver, Mohagen Hansen Architectural Group. Mr. Oliver gave a presentation on the project including the location, building placement and floor plan and drive-through proposal.

Ms. Wischnack commented on the process and the need for a Conditional Use Permit to allow alteration of the flood plain and the drive-through. She stated the sewer lines will come off Hwy 15 and the water from 1st Ave. Any other services that are not capped in the process of the development are the property owner's responsibility and the City will not repair these services. She stated the City of Hutchinson previously had investigated developing the property and had received soil test information that indicated some contamination of the soil below the surface of the property. She commented on the site plan which would necessitate the alley direction be changed.

Mr. Exner explained the plan for Hwy 15 and Franklin Street. He stated Franklin Street will be one way off Hwy 15 to the alley. Discussion followed on access to the alley from the South. Mr. Exner stated the City must provide input to MnDOT regarding the one way traffic and the alley.

Discussion followed on the options to access the drive-through.

Ms. Wischnack commented on the portion of the building affected by flood plain and the need for a flood plain elevation certificate before the Certificate of Occupancy may be issued. She commented on the following staff recommendations:

1. All demolition and contamination removal on the site will comply with state standards. A separate demolition permit is required for the buildings.

2. Any work within the right of way will require MNDOT approvals. The permits must be copied to the City.
3. Any placement of dumpsters or equipment in the right of way should be cleared by the Public Works Department.
4. Any damage to the street or repairs to the area that are caused by this construction, will be the owner's responsibility.
5. The sewer and water service locations must be installed as described in the report.
6. Any relocation of utilities are at the owner's expense.
7. Pavement alteration (removal of parking spaces on 1st Avenue) are the owner's responsibility.
8. At the time of certificate of occupancy for the building an elevation certificate must be completed and provided to the City.
9. The City must change the designation for the direction of the alley. (Sign and striping for these changes are the owner's responsibility).
10. It is contemplated that the property owner would work with other property owners in the area to petition an improvement to the alley area.
11. Drainage for the building will connect the roof drains into the alley storm sewer. (Spec: Minimum of 8 inch PVC SDR35)
12. Signage behind the building must be designated employee/tenant parking.
13. Provide specification for median in drive-through prior to obtaining a building permit.

Ms. Wischnack explained parking requirement for the C3 area are exempt. She commented on the utilization of the parking lots downtown.

Discussion followed on loading and unloading of trucks in the alley.

There was also discussion regarding the steps placed over a small portion of the sidewalk. Atty. Seboria stated a franchise agreement with the City will be needed if the steps encroach into public right of way. Mr. Olson stated the steps will encroach 2.5 feet and they are proposing to add planters for safety.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 6:48 p.m. Mr. Hantge made a motion to recommend approval of the request with staff recommendations adding "The direction of the one-way alley will be changed to run from North to South." . Seconded by Ms. Otteson. Ms. Wischnack explained there will be a public hearing to place this development in a TIF District. The process will take 60 days. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held June 28, 2005 in the Council Chambers at 5:30 p.m.

- f) CONSIDERATION OF A 1 LOT **PRELIMINARY AND FINAL PLAT** TO BE KNOWN AS OTTER HILLS ADDITION SUBMITTED BY DAVE AND SARAH HANSEN 690 LAKEWOOD DRIVE SW

Chairman Kirchoff opened the hearing at 6:50 p.m. with the reading of publication #7350 as published in the Hutchinson Leader on June 9, 2005.

Ms. Wischnack explained the problem with the property and the difficulty in adding onto the house. The house is placed over a property line and the addition would also be placed over a property line. The parcel can not be tax combined and must be platted. She stated this is a simple subdivision and the preliminary and final plat may be approved at the same time.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:54 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Mr. Hantge. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held June 28, 2005 in the Council Chambers at 5:30 p.m.

g) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY THE CITY OF HUTCHINSON TO ALLOW CONSTRUCTION OF A BUILDING WITHIN THE FLOOD PLAIN LOCATED AT 1400 ADAMS STREET

Chairman Kirchoff opened the hearing at 6:55 p.m. with the reading of publication #7351 as published in the Hutchinson Leader on June 9, 2005.

Ms. Wischnack explained the request and type of construction method which is approved by the Army Corps of Engineers Flood Proofing methods. She stated this building will be placed behind the other buildings on site and be hidden from the Hwy. She stated there must be a flood emergency plan in the event of a flood.

Discussion followed on the construction and durability of the building.

Bruce Fenske, HATS facility, stated there is a 50 year guarantee on the building. There will be overhead size openings on each end along with a walk thru door on each end. He explained the cost per sq. foot is \$9.58. He explained there will be jersey barriers not footings in the building. The building will be used for storage of seasonal equipment. Ms. Wischnack stated Mr. Rutledge has reviewed the plan for snow and wind load. Discussion followed on the need for a flammable waste trap.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 7:04 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Lofdahl. The motion carried 6 ayes to 1 nay (Mr. Flaata). Ms. Wischnack stated this item will be placed

on the City Council regular agenda at their meeting held June 28, 2005 in the Council Chambers at 5:30 p.m.

Ms. Otteson commented on her concerns with allowing this type of building in residential districts. She would like staff to research changing the ordinance.

4. NEW BUSINESS

a) CONSIDERATION OF A 20 LOT **FINAL PLAT** TO BE KNOWN AS PARK MEADOWS SUBMITTED BY SAND PROPERTIES

Ms. Wischnack commented on the preliminary plat stating the final plat is the same. She commented on the following staff recommendation regarding the subdivider's agreement being executed at the time of the final plat and stated the developer is reviewing the agreement.

Mr. Hantge made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Flaata. The motion carried with Mr. Otteson abstaining. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held June 28, 2005 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION OF A 6 LOT **FINAL PLAT** TO BE KNOWN AS CLEVELAND CORNERS SUBMITTED BY JAY PETTIT

Ms. Wischnack explained the issues with the service extension and stated the property owner was willing to work with the City. She commented on the following staff recommendations:

1. Amend the utility plans to reflect placement of a new hydrant and provide revised services line arrangement as described in memo and at meeting with property owner. This should be received prior to consideration of the final plat. **(The City has received this information 6/15/05 and will review the changes prior to the meeting.)**
2. A developer's agreement be drafted and executed at final plat staged, if deemed necessary for the improvements. **(This document is necessary and is being drafted.)**
3. Any repairs to the street, curbing or other public property be required to be completed prior to final occupancy of the homes.

Mr. Exner stated the revised plans look good.

Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held June 28, 2005 in the Council Chambers at 5:30 p.m.

c) CONSIDERATION OF A 2 LOT **FINAL PLAT** TO BE KNOWN AS FRASER'S SUBDIVISION SUBMITTED BY BRANDON FRASER

Ms. Wischnack commented on the final plat being 2 lots of the 8 lots in the preliminary plat. She commented on the staff recommendations as follows:

1. Lot 7 issues of road encroachment or the city rights be identified and documented (legal opinion). **(This will stay a condition of the plat – Lot 7 can not be development until the road is relocated.)**
2. Sewer and water services be separate for each unit. **(No Change)**
3. Any existing utility lines be relocated at the owners expense. **(No Change)**
4. Any fees be paid at the time of building permit (SAC/WAC; park fee, etc.) **(No Change)**
5. If there are existing assessments on the property, the property owner should identify the acceptable split of the assessments. **(Needs to accomplished.)**
6. ~~Driveways be consolidated on the twin homes or reduce units by constructing single family homes on the interior lots.~~ **(Was not included in Planning Commission recommendation, nor on the final decision of the City Council.)**
7. Undeveloped right-of-way (Harvest Street extension) cannot be privately utilized by the property owners abutting the right-of-way. **(Added by Planning Commission and approved by City Council)**

Mr. Fraser asked about the time frame for the road along lot 7. Ms. Wischnack stated she did not know a definite date and explained the City has met with the property owners. She explained there will be assessments on the properties abutting the road. Discussion followed on closing the road on the west end of the development. Ms. Wischnack stated it is difficult when there are other property owners affected. She stated staff will research the request.

Mr. Haugen made a motion to recommend approval of the request with staff recommendations 1-5 and 7. Seconded by Mr. Currimbhoy. The motion carried with Mr. Lofdahl abstaining. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held June 28, 2005 in the Council Chambers at 5:30 p.m.

5. **OLD BUSINESS**

a) DISCUSSION OF ADOPTING BY REFERENCE THE PARKING REQUIREMENT MANUAL

Ms. Wischnack stated there will be a draft ordinance in the packet next month with some examples of parking requirements by the City ordinance and the manual.

b) CONSIDERATION OF AMENDING CULVER'S RESOLUTION TO REMOVE PARKING ON WEST END OF PROPERTY.

Ms. Wischnack explained Culver's is now asking to remove the parking along the west end of the development as suggested by staff. They will leave adequate access around the building for both the drive-through and the access drive.

Mr. Haugen made a motion to approve the request. Seconded by Mr. Currimbhoy the motion carried unanimously.

6. COMMUNICATION FROM STAFF

None

7. ADJOURNMENT

There being no further business the meeting adjourned at 7:25 p.m.

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, July 19, 2005
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman Dean Kirchoff at 5:30 p.m. with the following members present: John Lofdahl, Jim Haugen, Mike Flaata, Farid Currimbhoy, Robert Hantge and Chairman Kirchoff. Absent: Lynn Otteson Also present: Julie Wischnack, AICP, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated June 21, 2005

Mr. Hantge moved to approve the minutes of June 21, 2005 as submitted. Seconded by Mr. Flaata. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) **CONSIDERATION OF A RECONFIRMATION OF HUTCHINSON FIFTH AVENUE INDUSTRIAL PARK PRELIMINARY PLAT AND CONSIDERATION THE FINAL PLAT**

Chairman Kirchoff opened the hearing at 5:35 p.m. with the reading of publication #7357 as published in the Hutchinson Leader on July 7, 2005.

Ms. Wischnack commented on the request and explained the reason for the reconfirmation of the preliminary plat. She stated the 180 days has expired. The notice was republished. The final plat is also included in the request. She explained a permit has been given for excavation to prep for future building. The property meets the zoning requirements. She commented on the following staff recommendations:

1. The subdivision ordinance requires tree planting. The City Forester has provided an analysis of the existing site. The tree planting could be done when a building is constructed (as would be the case in residential subdivisions).
2. There is an expectation that the isolated accessory structures would be removed from the property on the north side of road within 3 years.
3. A storm water pond would be required for the development and will be constructed as part of the grading improvements on Lot 2, Block 2.

Mr. Hantge asked if the recommendations were the same as the previous plat. Ms. Wischnack stated the recommendations are the same. She explained the application fee is not required again for the identical plat.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Lofdahl the hearing closed at 5:38 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Currimbhoy. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held July 26, 2005 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION OF A **CONDITIONAL USE PERMIT** TO ALLOW THE PAINTING OF A MURAL ON THE NORTH WALL OF THE ECONO FOODS BUILDING LOCATED AT 205 WASHINGTON AVENUE EAST

Chairman Kirchoff opened the hearing at 5:40 p.m. with the reading of publication #7358 as published in the Hutchinson Leader on July 7, 2005.

Ms. Wischnack explained this request is an EDA project and turned the meeting over to Miles Seppelt, EDA Director.

Mr. Seppelt updated the Planning Commission on the project and explained the idea came from the Downtown Plan which suggests a large public art exhibit. He stated he met with Mr. Roger Olsen approximately one year ago with a positive outcome. Also, there is an agreement with Nash Finch. He explained he is still working on funding of the mural and would ask the Planning Commission to move the request to a future meeting one to two months from now. He commented on the 30 year guarantee with a 15 year touch up.

Mr. Seppelt commented on the artist and the life of the mural. He explained Southwest MN Foundation has offered to donate the paint.

It was suggested to discuss with the artist to add different ethnic groups and a combination of men and women in the mural.

Mr. Seppelt stated he will be soliciting input from the veterans.

Discussion followed on the removal of the trees and replacement with a lower hedge. Mr. Seppelt suggested the item be tabled and agreed to the 60 day waiver.

The Commander of the VFW stated they have no problem with the mural.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 5:45 p.m. Mr. Hantge made a motion to table the request. Seconded by Mr. Flaata. Ms. Wischnack stated there will be followup in September. The motion carried unanimously.

4. **NEW BUSINESS**

- a) CONSIDERATION OF **LOT SPLIT** LOCATED AT 10 MAIN STREET S. REQUESTED BY HUTCHINSON PROPERTIES, LLC

Ms. Wischnack explained the lot split to divide a building on Main Street. She commented on the lot sizes in the C3 district and the following recommendations by staff:

1. Any relocation of services will be at the owner's expense. (Presently, there are two meters located on the building – one for the jewelry store, one for the hotel).
2. Deeds documenting the change in property line need to be filed by the property owners.
3. Any additional subdivision of the parcels would require platting of the property.

Mr. Lofdahl made a motion to recommend approval of the lot split with staff recommendations. Seconded by Mr. Currimbhoy. The motion carried unanimously.

- b) CONSIDERATION OF AMENDING THE ORDINANCE TO INCLUDE THE PARKING GENERATION MANUAL AS THE PARKING REGULATION FOR THE CITY

Ms. Wischnack commented on the comparison charts. She explained the parking manual is compiled from 36 years of history.

Discussion followed on the number of unrelated people allowed to reside in an apartment. There was also discussion of snow removal and garage use.

Ms. Wischnack stated the special requirements should stay in the ordinance and the manual should be adopted by reference. She explained there are also more uses listed in the manual.

Mr. Exner explained the manual is thorough. He stated the present ordinance is vague and the parking manual is a good tool.

Ms. Wischnack explained we would strike everything in the present parking ordinance and leave the special requirements.

Discussion followed on the requirements of the present ordinance and the older parts of the City. Ms. Wischnack suggested to leave the single and two family and townhouses as in the present ordinance.

Discussion followed on the philosophy of not enough parking or taking away green space. There was also discussion on the concern with parking in the street in higher density residential areas.

Mr. Exner commented on the width of the streets for on-street parking. He stated there were no large parking concerns on the traffic survey.

Staff will keep the Planning Commission informed on the language of the ordinance.

c) **DISCUSSION OF THE NEED TO REGULATE TUBE TRUSS TYPE GARAGES/SHEDS IN THE RESIDENTIAL DISTRICTS**

Ms. Wischnack informed the Commissioners of the action by City Council to table the City request for a tube building. She explained the City Council directed staff to refer the possibility of an ordinance change to the Planning Commission to discuss further. She commented her research of other cities.

Mr. Lofdahl reminded the Commissioners of the fact only sheds over 120 sq. ft. would require meeting the building code wind and snow loads.

Ms. Wischnack showed pictures of this type of building already in place in Hutchinson.

Mr. Flaata stated the approval of this type of building should be fair in all of the City.

There was much discussion regarding the wording and areas to possibly allow the buildings. 1-2 seemed to be appropriate and not residential.

Staff will discuss and provide some language at another meeting.

5. OLD BUSINESS

NONE

6. COMMUNICATION FROM STAFF

NONE

7. ADJOURNMENT

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, August 16, 2005
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Dean Kirchoff at 5:30 p.m. with the following members present: John Lofdahl, Jim Haugen, Mike Flaata, Farid Currimbhoy, Robert Hantge and Chairman Kirchoff. Absent: Lynn Otteson Also present: Julie Wischnack, AICP, Planning Director, Kent Exner, City Engineer and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated July 19, 2005

Mr. Haugen moved to approve the minutes of July 19, 2005 as submitted. Seconded by Mr. Hantge. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A **CONDITIONAL USE PERMIT** TO ALLOW MORE THAN 1000 CUBIC YARDS OF FILL IN THE FLOOD PLAIN LOCATED AT 225 HURON STREET S.E.

Chairman Kirchoff opened the hearing at 5:34 p.m. with the reading of publication # 7371 as published in the Hutchinson Leader on August 4, 2005.

Ms. Wischnack explained the request for fill in the 100 year flood plain. She commented on the requirement for a Conditional Use Permit to place more than 1000 cu. yards of fill in the area. She stated the property owner began filling the property and calculated the amount of fill needed would be approximately 1400 cu. yards. She explained the anticipated building would be placed at 1040.5 feet like the building to the North or the Salt Man building. She stated there is parkland around the lot and commented on the following staff recommendations:

1. The site should be leveled and graded prior to December 1, 2005.
2. The site should be temporarily seeded to deal with weed issues and erosion in the spring.
3. No more than 200 additional cubic yards can be added to the site, but in no case should the elevation of the site be raised beyond 1040.5 to ensure, the elevations of the neighboring building (to the north) is not impacted.

Mr. Lickfelt, property owner, explained if more yardage is needed 200 cubic yards will be sufficient.

Discussion followed on the drainage from the property.

Mr. Lickfelt explained the elevation average will be at 1040.5 when graded. Ms. Wischnack stated an elevation certification will be required to check the finished elevation. She reported the City gets a copy for the files and the certification must be in before a Certificate of Occupancy is granted.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 5:43 p.m. Mr. Hantge made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Flaata. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held August 23, 2005 in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

a) CONSIDERATION OF A LOT SPLIT (.67 ACRES) REQUESTED BY HUTCHINSON COOP LOCATED AT 1060 5TH AVE. S.E

Ms. Wischnack commented on the request which is confusing because of the Railroad tracks. She explained the property lines and the possibility of a road through the Co-op property to the Stritesky property. She commented on the following staff recommendations:

1. The parcel that would be split, must be tax combined with the parcel owned by Hutchinson Iron and Metal after the transfer occurs.
2. The property owners are responsible for recording of all documents regarding the transfer.
3. If for some reason, the property is not transferred to the adjoining property owner, the parcel would be considered unbuildable.

She suggested possible language to ensure the lot split parcel is combined with one of the larger parcels as it is an unbuildable parcel.

Discussion followed on the building that is to be moved by Hutchinson Iron and Metal to the parcel. Ms. Wischnack explained moving the building will require a Conditional Use Permit. She stated Mr. Freeland has submitted an application which is incomplete at this time.

Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Currimbhoy. The motion

carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held August 23, 2005 in the Council Chambers at 5:30 p.m.

b) **CONSIDERATION OF EXTENDING CONDITIONAL USE PERMIT LOCATED AT 465 HIGH ST. N.E. REQUESTED BY MARVIN WILLHITE TO JULY 30, 2006**

Ms. Baumetz commented on the request noting the property owner will not have the building moved before his Conditional Use Permit has expired. She stated the request remains the same as previously granted. Mr. Willhite is asking for an extension to July 30, 2006.

Mr. Hantge made a motion to recommend approval of the request to July 30, 2006, with staff recommendations. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held August 23, 2005 in the Council Chambers at 5:30 p.m.

c) **CONSIDERATION OF FINAL PLAT TO BE KNOWN AS CORNERSTONE COMMONS SUBMITTED BY CHRISTIAN OCHSENDORF**

Ms. Wischnack commented on the final plat and stated the property owner is requesting a slight change to the development regarding the parking request of City Council for a franchise agreement to use two parking spaces in the public parking lot across the alley for the trash receptacle. She reported they would place handicapped parking behind the business to replace the handicapped stall in the public parking lot.

Discussion followed on the handicapped parking behind the building or on 1st Ave. Ms. Wischnack suggested adding a condition for handicapped parking on the street. She commented on the reasons for the franchise agreement which would be for the steps in the front of the building that protrude onto the sidewalk, the planter boxes will encroach onto the public right of way and the trash receptacles in the public parking lot. She stated staff would also recommend the developer stripe 1st Ave.

Miles Seppelt, EDA Director, asked the number of handicapped spaces. He suggested not increasing parking in the rear. Mr. Hantge suggested asking a handicapped person where to place the parking.

Mr. Flaata commented on the placement of the handicapped parking in the rear of the building. He is concerned with the high traffic possibility in the alley. He asked to clarify one or two spaces. Ms. Wischnack stated one handicapped space for the one to be removed by the garbage area. Mr. Flaata stated he does not like the idea of the trash bin so close to the Chiropractic office. Ms. Wischnack recommend the developer include the trash area on the site plan. Discussion followed on the possibility of placing the trash near the transformer north from the requested area.

Mr. Flaata made a motion to recommend approval of the request with staff recommendations adding “Garbage dumpster should be located next to the transformer across the alley pending City Council approval of the franchise agreement; A second handicapped parking stall should be located on 1st Ave and Stripping of the parking on 1st Ave. will be the responsibility of the developer.” Seconded by Mr. Lofdahl. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held August 23, 2005 in the Council Chambers at 5:30 p.m.

d) **CONSIDERATION OF THE PROPOSED MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO. 4 AND THE PROPOSED ESTABLISHMENT OF TIF DISTRICT NO. 4-14**

Mr. Seppelt, EDA Director, explained this is one of the steps to setting up a TIF District. He stated the Planning Commission must approve of the plan which is the development must be consistent with the over all plan of the City.

Ms. Wischnack stated there are excerpts of the Downtown Plan in the packet.

Mr. Hantge asked an explanation of the process. He asked if it is from the HCDC Board. Mr. Seppelt stated the City is setting up a TIF District and the TIF Plan must go to the School District and County as well as the City. Ms. Wischnack explained the Planning Commission must verify this is in compliance with the City Comprehensive Plan.

Mr. Seppelt stated this process is to comply with the Law. The Resolution does not go to the EDA. They also review the TIF Plan. This is a Planning Commission finding only. EDA has their own requirements to approve. This is only one part of the process.

Mr. Haugen made a motion to recommend approval of the resolution. Seconded by Mr. Flaata. Discussion followed. Mr. Hantge stated he is uncomfortable with the change in format from the State Theater TIF District. Staff will research the past TIF process to determine if this is a change. The motion carried unanimously. Mr. Seppelt stated the public hearing will be held by the City Council on August 23, 2005.

5. OLD BUSINESS

A. DISCUSSION OF LANGUAGE TO REGULATE TUBE TRUSS TYPE GARAGES/SHEDS IN THE CITY OF HUTCHINSON

Ms. Wischnack explained the staff discussion and the struggle of Conditional Use Permit review. There will be a definition of Light Frame Construction. She commented on the criteria review as follows:

1. Consideration of neighborhood character. Is the building similar to other structures in the area or on the property in question. Is the building of similar height, scale and density as other buildings?
2. Is the structure entirely visible from the street on which the property is located?
3. Is the building be used only for the purposes of storage?
4. Are there factors that would be impacted that would be considered negative for adjacent land owners, such as site drainage, topography changes, restrictions on light or air, etc.

She commented on the zoning districts the buildings would be permitted in and if they would be for storage only. Discussion followed regarding sheds under 120 sq. ft.

Ms. Wischnack stated she will attempt to rewrite the proposed ordinance to include the zoning districts and the small sheds.

6. COMMUNICATION FROM STAFF

Ms. Wischnack commented on a request from Southwest MN Foundation for a special meeting. She stated the size and architecture of the building approved in the Conditional Use Permit is changing. She stated the Planning Commission must review the changes and amend the Conditional Use Permit. Possible dates for the special meeting will be September 6th or 8th. The consensus of the Planning Commission would be for a September 8th Special meeting.

Ms. Wischnack updated the Commission on the Township review of the Orderly Annexations.

Ms. Wischnack reminded the Planning Commission of the City Request Partner program through the web for citizen complaints and questions.

Mr. Hantge asked staff to check other cities regarding per diems for Planning Commission members.

Ms. Wischnack reminded the Commissioners of the Annual Planning Conference in Alexandria to be held September 28 – 30. Let Bonnie know by Wednesday, August 24th if you a planning to attend.

7. ADJOURNMENT

There being no further business the meeting adjourned at 6:55 p.m.

**MINUTES
HUTCHINSON PLANNING COMMISSION
SPECIAL MEETING
Thursday, September 8, 2005
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman Dean Kirchoff at 5:30 p.m. with the following members present: Jim Haugen, Lynn Otteson, Mike Flaata, Farid Currimbhoy, Robert Hantge and Chairman Kirchoff. Absent: John Lofdahl Also present: Julie Wischnack, AICP, Planning Director, Marc Sebora, City Attorney, Kent Exner, City Engineer and Bonnie Baumetz, Planning Coordinator

2. PUBLIC HEARINGS

a) **CONSIDERATION OF AMENDED CONDITIONAL USE PERMIT REQUESTED BY SOUTHWEST MN FOUNDATION FOR CHANGE IN BUILDING DESIGN AND PLACEMENT ON LOT LOCATED AT 15 – 3RD AVE NW**

Chairman Kirchoff opened the hearing at 5:30 p.m. with the reading of publication #7373 as published in the Hutchinson Leader on August 25, 2005.

Sherry Ristau, Southwest MN Foundation, thanked the Commissioners for allowing a special meeting and explained the importance of the timing to begin the project. She stated there is a new design for the building which will allow larger setbacks from the highway.

Lee Tollefson, architect for the project, gave a power point presentation. He explained the building placement will be further south and west. He stated the view shed will be saved. The parking remains the same as the previous plan. There is a reduced building size and the architecture has changed. He stated they will change the location of the mechanical equipment and screen with a louvered fence. He commented on the landscaping.

Ms. Wischnack commented on the staff report and stated Mr. Tollefson covered the issues in the staff report. She explained to change the garage maneuvering would prompt moving the trash enclosure area.

Mr. Exner commented on the options to the garage maneuvering concerns. He explained moving the trash enclosure and switching the garage door to the proposed storage area would aid the maneuvering pattern. Mr. Tollefson stated they will work with City Staff on this item.

Mr. Tollefson stated the trash enclosure will be of brick.

Ms. Wischnack commented on the staff recommendations stating items 1-3 have been addressed. She explained the landscaping plan would not be required in its entirety until September of 2007 however some temporary turf control for erosion should be established. She stated the developers should work with the City Engineer regarding the maneuvering space in the garage area. She would also recommended monument signage not pole sign. Ms. Ristau stated they will be placing a monument sign at the corner of Hwys 7 and 15 and signage on the building. Mr. Tollefson stated the sign will have a brick base not a pole. Ms. Wischnack stated MNDOT should review placement of signage in the corner.

Mr. Currimbhoy inquired about the timeline for the project. Ms. Ristau stated the project would take 8 to 9 months to complete and they would like to begin in October.

Discussion followed on the change in design. Mr. Flaata stated the building fits into the area.

Mr. Hantge made a motion to close the hearing. Seconded by Ms. Otteson the hearing closed at 5:55 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations as follows: Work with the City Engineer to revise maneuvering space in garage area. The conditional use permit should state that the landscaping plan, in its entirety, will not be completed until September of 2007. Provide temporary turf establishment for erosion control in the interim until 2007 and; The monument sign must meet sight criteria at the corner of the intersection. A pole sign will not be permitted. Seconded by Mr. Hantge, discussion followed to coordinate the landscaping with MNDOT work. Paving will be required before a Certificate of Occupancy is granted. Mr. Tollefson commented on the plans for erosion control. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held September 13, 2005 in the Council Chambers at 5:30 p.m.

3. ADJOURNMENT

There being no further the meeting adjourned at 6:10 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, September 20, 2005
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Dean Kirchoff at 5:30 p.m. with the following members present: John Lofdahl, Jim Haugen, Lynn Otteson, Mike Flaata, Farid Currimbhoy, Robert Hantge and Chairman Kirchoff. Absent: none Also present: Julie Wischnack, AICP, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

- a) Consideration of Minutes dated August 16, 2005 and Special Meeting, September 8, 2005

Ms. Otteson moved to approve the minutes of August 16, 2005 and September 8, 2005 as submitted. Seconded by Mr.Currimbhoy. The minutes were approved unanimously.

3. PUBLIC HEARINGS

- a) CONSIDERATION OF A **CONDITIONAL USE PERMIT TO MOVE A 30' x 130' SHED ONTO PROPERTY LOCATED AT 1130 – 5TH AVE SE**

Chairman Kirchoff opened the hearing at 5:33 p.m. with the reading of publication #7378 as published in the Hutchinson Leader on September 8, 2005.

Ms. Wischnack commented on the request and explained the history of the property. She stated the building will be placed on the lot which was recently split off the Hutchinson Coop property and has not yet been transferred to Mr. Freedland. Mr. Freedland stated he is waiting for the approval of the Conditional Use Permit. She explained the building will be placed on the southerly property line going east to west. She reported the building is owned by the Rail Authority and the land by the City of Hutchinson. Ms. Wischnack commented on the previous Conditional Use Permit issued to the property which talks about burning and plantings. She commented on the staff recommendations as follows:

1. Verify property line prior to placement of the building. footings/foundation for the new building.
2. Provide footing details to obtain a foundation permit.

3. The parcel must be owned by Hutchinson Iron and Metal and the lot split recorded with the County before the building will be allowed to be placed on the property.
4. The route indicated as Route 1 on the applicant's submission is the route staff is recommending. This requires written permission from the property owner.
5. Tax combine the lots at McLeod County.
6. Screening must be provided and will be added to the assessment if the City builds the road to the west. If for some reason, the City does not complete the road improvement, a minimum of 10 trees, 2 inches in diameter for deciduous and 6 feet in height for coniferous shall be planted no later than September 30, 2007.
7. The entire building must be removed and the site cleaned after removal of the structure from the Adams Street area.
8. Any hazardous chemicals, batteries, etc. must be removed from the building and appropriately disposed of prior to the removal of the building.
9. The rails must remain up to 20 feet from the edge of the pavement.
10. The Building department must inspect the site after the removal of the building to ensure compliance.

Discussion followed on the removal of the rails and the reason for leaving 20 feet from the road to protect the roadway from being broken up.

Ms. Wischnack stated the landscaping requirement is 1 tree per 800 sq. ft. of landscaped area which is difficult to determine in this case.

Mr. Jay Freedland, property owner, stated he will own the entire property in the lot split area. He explained the rails will be given to the Rail Authority. He stated the hazardous material is to be removed by the Rail Authority as agreed too. He questioned what is meant by the site being cleaned up. Ms. Wischnack stated not seeding or planting just picked up. Mr. Freedland stated he is ok with the explanation of the site clean up. He asked about the screening requirement. Ms. Wischnack explained it will depend on what he owns if the road goes through the Hutch Coop property. She explained if the road is not constructed in 2 years the trees must be planted on the present property. Mr. Freedland stated he has an issue with the possibility of having to double plant if the road is constructed after the 2 year period. Ms. Wischnack stated if the road does not happen the tree planting must occur on Mr. Freedland's property.

Discussion followed on granting an extension for the tree planting in September of 2007.

Mr. Freedland again commented on the hazardous materials in the building belonging to the Rail Authority. Ms. Wischnack explained the

City cannot condition the Rail Authority. Mr. Freedland stated he would take out the non-hazardous materials. Discussion followed on who should clean up the hazardous materials. Ms. Wischnack suggested not moving this item to the City Council until the Rail Authority agrees to removal of the hazardous materials in writing. The hazardous materials must be removed and an inspection by the inspector prior to removal of the building.

Discussion followed on removing any contaminated soil when the footings are removed. Atty. Sebora stated anything below the soil is the City's. The materials are that of the Rail Authority. Mr. Freedland stated he will not move the building until the materials are removed.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Hantge the hearing closed at 6:05 p.m. Ms. Otteson made a motion to recommend approval of the request with staff recommendations 1 – 10 noting the changes in 3- Change to Jay Freedland; 6 – add The City may consider an extension in the future and 8 - add prior to building removal. Seconded by Mr. Haugen, the motion carried unanimously. Atty. Sebora stated he will look at the agreement between the City and Rail Authority. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held September 27, 2005 in the Council Chambers at 5:30 p.m.

b) **CONSIDERATION OF A VARIANCE REQUESTED BY ROGER KABLE TO REDUCE SETBACK FROM THE LAKE APPROXIMATELY 9 FEET FOR THE CONSTRUCTION OF A DECK AND ADDTION TO THE HOUSE LOCATED AT 1212 LEWIS AVE SW**

Chairman Kirchoff opened the hearing at 6:08 p.m. with the reading of publication #7379 as published in the Hutchinson Leader on September 8, 2005.

Ms. Wischnack commented on the need for a variance and the hardship of the unusual shaped lot. She commented on the site plan detail and the proposal stating the new deck area does not meet the requirement. She explained the ordinance regarding the shoreland setback of 50 feet and commented on the staff recommendations as follows:

1. The site plan submitted on 8/4/05 must be followed. Major changes or expansions from what is presented in this drawing would require further review by the commission.
2. Any utility lines would be relocated at the property owner's expense.
3. The addition must be at least 8 feet from the side property line.

Discussion followed regarding review by the DNR. Ms. Wischnack stated they were notified and did not respond.

Mr. Hantge stated he would be stepping down as a neighboring property owner.

Mr. Lofdahl asked about the traverse line on the survey. Ms. Wischnack explained a traverse line is a reference point.

Mr. Flaata made a motion to close the hearing. Seconded by Mr. Currimbhoy, the hearing closed at 6:13 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations noting the hardship of the irregular shaped lakeshore lot. Seconded by Ms. Otteson, the motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held September 27, 2005 in the Council Chambers at 5:30 p.m.

- c) CONSIDERATION OF A REQUEST TO **REZONE** A LOT FROM I-1 TO R2 FOR THE PURPOSE OF AN ADDITION ONTO THE EXISTING STRUCTURE WHICH IS A NON-CONFORMING USE LOCATED AT 997 ROBERTS RD SW

Chairman Kirchoff opened the hearing at 6:14 p.m. with the reading of publication #7380 as published in the Hutchinson Leader on September 8, 2005.

Ms. Wischnack commented on the parcel location. She reported the applicant had initially turned in a building permit to enclose the deck. She stated there was a previous rezoning on the opposite corner for an addition. She explained the “care taker” stipulation in the 60’s and explained that in 1997 the section was removed from the zoning ordinance. A non-conforming use can only be maintained. She reported staff concerns with limiting the business in the future. Staff also commented on the possibility of new owners in the future not being able to understand the noise, traffic, etc. of the business. A precedent has been set with the previous rezoning. She stated consensus of staff was to approve the rezoning with no industrial expansion. She suggested a possible lot split of the property and rezoning only the portion of the property with the house.

Mr. Richard Goebel, property owner, stated there was an addition in 1986. Ms. Wischnack explained that was allowed under the “caretaker” ordinance.

Mr. Goebel commented on his long term concerns with movement of vehicles on the industrial lot. He stated he just needs a turn around for the trucks. He explained it is a large lot and he would like to keep his options open.

Discussion followed on the future business possibilities. Ms. Wischnack stated there is no allowance for a variance to a use.

There was discussion regarding rezoning back to I-1 in the future and the previous rezoning.

Ms. Wischnack gave some options for Mr. Goebel in pursuing the rezoning.

Mr. Goebel stated he would make the enclosed porch larger than the existing deck.

Ms. Wischnack stated the planning commission must put closure to the rezoning.

Discussion followed on the possibility of rezoning and then providing an easement for the turn around. Ms. Wischnack stated that could not be done between industrial use and residential property. There was also discussion on the idea of a lot split. Ms. Otteson voiced her concern with a lot split.

Mr. Goebel commented on the limitation for truck traffic in the area with the new 2nd Ave. project. This limitation creates a problem for the business. Discussion followed on the maneuvering of trucks on the property.

Chairman Kirchoff commented on the consensus of the Planning Commission to go forward with a lot split. Ms. Wischnack stated Mr. Goebel can come back with a lot split application and allow the rezoning of a portion of the property not less than 70' in width. The lots must meet the minimum zoning requirements of the district.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Currimbhoy, the hearing closed at 6:40 p.m. Mr. Flaata made a motion to recommend approval of a partial rezoning. This request can not go to the City Council until the lot split application is received by the City. The lots must meet the minimum zoning requirements of the district. Seconded by Mr. Hantge, the motion carried unanimously. Ms. Wischnack stated this item will be not be placed on the City Council agenda until a lot split application has been received. She reminded Mr. Goebel the survey and lot split application must be in the office at least one week prior to the City Council meeting.

4. NEW BUSINESS

5. OLD BUSINESS

a) **DISCUSSION OF LANGUAGE TO REGULATE TUBE TRUSS TYPE GARAGES/SHEDS IN THE CITY OF HUTCHINSON**

Ms. Wischnack explained the revisions and the “what ifs”. She stated decisions regarding foundations would be on a case by case basis. We will publish the ordinance in October.

6. **COMMUNICATION FROM STAFF**

Ms. Wischnack commented on the cities researched regarding payment to the Planning Commissioners. Discussion followed on the possibility of charging a fee for special meetings and the Planning Commissioners being paid for special meetings.

Ms. Otteson asked if MnDOT could be contacted to put up signs indicating the future road construction on Hwy 7. She stated some of the properties through that corridor look bad and signs would inform persons passing through the community why the properties look that way.

7. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:55 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, October 18, 2005
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Dean Kirchoff at 5:30 p.m. with the following members present: John Lofdahl, Jim Haugen, Lynn Otteson (5:55 p.m.), Robert Hantge and Chairman Kirchoff. Absent: Farid Currimbhoy and Mike Flaata Also present: Julie Wischnack, AICP, Planning Director, Kent Exner, City Engineer and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated September 20, 2005

Mr. Haugen moved to approve the minutes of September 20, 2005 as submitted. Seconded by Mr. Hantge. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A VARIANCE TO REDUCE DRIVEWAY SETBACK FROM 5 FEET TO 0 FEET TO ADDRESS DRAINAGE PROBLEMS LOCATED AT 145 – 10TH AVE. N.E.

Chairman Kirchoff opened the hearing at 5:33 p.m. with the reading of publication # 7387 as published in the Hutchinson Leader on October 6, 2005.

Ms. Wischnack explained the request and commented on the drainage problems in the area. She stated the gravel from the driveway erodes onto the street. She explained she and Kent Exner met with the neighbor to the South to discuss the drainage running across the street. She explained the area was developed in two stages and the street was constructed in two stages.

Mr. Exner stated there is a pavement management plan proposed in 3 to 5 years for that street.

Ms. Wischnack explained there are tight elevations to meet the drainage requirements. She commented on the rear yard coverage being at 16%. She commented on the staff recommendations as follows:

1. The boulevard tree must not be disturbed. Work with the City Forester to determine location.

2. Keep driveway 1 foot from the fence at all places.
3. Provide five spot elevations along the driveway prior to pour, to make sure the northern section of the driveway will accept water rather than retain water.
4. The City Engineer must complete an inspection , before the driveway is poured.
5. Moving or removal of utilities is at the property owner expense.
6. The driveway must be jointed in the front to allow for ease of replacement if there is street reconstruction.

Mr. Exner stated the driveway construction will be inverted to provide drainage. Discussion followed on the depth of the invert on the driveway. There was also discussion on the elevations of the properties and the placement of catch basins and potential water flow. Mr. Exner stated it is critical the elevations are met on the site. Discussion followed on the neighbor's concerns including both the gravel washing onto the street and the water draining across the street. Mr. Exner stated the water problem will not be addressed until the street is reconstructed.

Bev Zumach, 146 – 10th Ave. N.E., explained the water sits in the street and does not run to the catch basin. She stated she has lived there over 38 years and this was not always a problem. She stated it needs to be fixed. She stated the drain needs to be on the north side of the street. She also questioned the garage permit issued to Mr. Goranson.

Angie Zumach, Ms. Zumach's daughter, asked if the drains could be placed on the north side of 10th Ave.

Discussion followed on the hook up of drainage. Mr. Exner explained the street must be reconstructed.

Mr. Exner stated he spoke with the neighbor on the east side of Mr. Goranson. He understood the neighbor is in favor of the driveway and feels it will be an improvement. The neighbor is concerned with the depth of the "v" and the width of the driveway not being wide enough.

Discussion followed on the many drainage problems in the neighborhood.

Mr. Goranson, property owner, stated he understands the drainage problem on the street and explained the water placement on the property prior to the garage being built and after. He stated he would also like to see the road reconstructed sooner than 5 years.

Discussion followed on the low spot in the road and if anything could be temporarily done to fix the problem. Mr. Exner stated he will discuss the problem with John Olson, Public Works Superintendent. He explained this is not an easy fix.

Ms. Angie Zumach asked who pays to reconstruct the road.

Mr. Exner stated this is termed street maintenance and the City pays 50% and the property owners 50%. Ms. Wischnack stated the storm sewer and utility funds pay the City portion. Discussion followed on cost to property owners.

Ms. Bev Zumach asked where a new catch basin would be placed. Mr. Exner stated possibly on the North side of the street.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:08 p.m. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations noting the hardship of the drainage in the area. Seconded by Mr. Haugen. The motion carried 3 ayes to 1 nay (Mr. Hantge) and Ms. Otteson abstaining. Ms. Wischnack stated this item will be placed on the City Council regular agenda at their meeting held October 25, 2005 in the Council Chambers at 5:30 p.m.

- b) CONSIDERATION OF A VARIANCE REQUESTED BY PAUL BETKER TO INCREASE TWIN HOME LOT COVERAGE TO 40% ON LOT LOCATED AT 265 OTTAWA AVE. S.E.

Chairman Kirchoff opened the hearing at 6:10 p.m. with the reading of publication # 7388 and #7389 as published in the Hutchinson Leader on October 6, 2005.

Ms. Baumetz commented on both items b and c explaining the lot coverage issue for twin homes and the Planning Commission's decision in the past not to amend the Ordinance to increase lot coverage. She commented on staff recommendations as follows:

1. The original grading plan and drainage between structures must be followed.
2. There would be no further consideration of coverage variances to this property.

Mr. Lofdahl stated the lot sizes should be increased if the homes are to be constructed larger.

Mr. Betker explained the need for increased size of houses. He stated the lot sizes were increased in this development.

Discussion followed on amending the ordinance to 40%.

Mr. Lofdahl asked if there needed to be footings on the front porch areas. Mr. Betker stated frost could be a problem.

Discussion followed on developer's pushing the limits if the ordinance were to be changed. There was also discussion regarding the hardship definitions.

Mr. Hantge made a motion to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:40 p.m. Mr. Lofdahl made a motion to recommend to deny due to lack of hardship. Seconded by Mr. Hantge. There was discussion regarding the precedent set in approving previous variances. Discussion followed on the need to amend the ordinance or require replatting. Chairman Kirchoff called for the motion. The motion to deny failed with 1 aye and 4 nays. Chairman Kirchoff called for a new motion. Mr. Hantge made a motion to recommend approval of the request with staff recommendations and based on the hardship of the discrepancies when the land was platted and the footprint of the building. Seconded by Ms. Otteson. The motion carried 4 ayes to 1 nay (Mr. Lofdahl). Ms. Wischnack stated this item will be placed on the City Council regular agenda at their meeting held October 25, 2005 in the Council Chambers at 5:30 p.m.

- c) CONSIDERATION OF A VARIANCE REQUESTED BY PAUL BETKER TO INCREASE TWIN HOME LOT COVERAGE TO 39% ON LOT LOCATED AT 240 OTTAWA AVE. S.E.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Lofdahl the hearing closed at 6:45 p.m. Mr. Hantge made a motion to recommend approval of the request with staff recommendations based on the hardship of the discrepancies when the land was platted and the footprint of the building. Seconded by Ms. Otteson. Discussion followed on revisiting the ordinance. The motion carried 4 ayes to 1 nay (Mr. Lofdahl). Ms. Wischnack stated this item will be placed on the City Council regular agenda at their meeting held October 25, 2005 in the Council Chambers at 5:30 p.m.

- d) CONSIDERATION OF A REQUEST TO ANNEX 5.9 ACRES OF ROAD RIGHT OF WAY (5TH AVE. S.E. FROM THE CITY LIMITS TO HWY 22) OWNED BY MCLEOD COUNTY AND THE STATE OF MINNESOTA

Chairman Kirchoff opened the hearing at 6:50 p.m. with the reading of publication #7390 as published in the Hutchinson Leader on October 6, 2005.

Ms. Wischnack explained the annexation by ordinance proposed by the City to annex approximately 5.5 acres of road right of way. She explained the County constructed the road and the City maintains the road. She stated the annexation would make State Aid Funding available to the City.

Charles Fry, husband of Eunice Decker an abutting property owner, asked who made the request to annex. Ms. Wischnack stated the County and State signed the petition at the City's request.

Mr. Fry stated Ms. Decker owns abutting property and he has concerns with the annexation and the County officials.

Chairman Kirchoff stated it is good to hear the opinion of the property owner but it is hard to follow Mr. Fry's reasoning for his concerns.

Mr. Exner explained the County funded the road and the City funds the maintenance of the road. The City is asking to add the road to the State Aid system. He explained State Aid funding to cities and stated the City of Hutchinson is short of the allocated amount of State Aid roads to collect the State Aid dollars. Discussion followed on the funding from the State gas tax.

Ms. Wischnack explained the notification process for the annexation which is only the street right of way.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 7:05 p.m. Mr. Hantge made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Lofdahl. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held October 25, 2005 in the Council Chambers at 5:30 p.m.

e) CONDERATION OF AMENDMENT TO THE CITY CODE SECTION 154 TO ADD LANGUAGE REGARDING TUBE TRUSS BUILDINGS

Chairman Kirchoff opened the hearing at 7:06 p.m. with the reading of publication # 7391 as published in the Hutchinson Leader on October 6, 2005.

Ms. Wischnack commented on the proposed language to add to the City Code.

Mr. Hantge made a motion to close the hearing. Seconded by Ms. Otteson the hearing closed at 7:08 p.m. Ms. Otteson made a motion to recommend approval of the request as written. Seconded by Mr. Lofdahl, the motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held October 25, 2005 in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

None

5. OLD BUSINESS

None

6. COMMUNICATION FROM STAFF

Ms. Wischnack commented on the Orderly Annexation agreement progress.

Mr. Exner stated MNDOT is working on getting Hwy 7 signage for the buildings.

Mr. Hantge asked if the 10th Avenue reconstruction could be moved up on the schedule.

There was discussion on the timeline for moving the pawn shop.

Ms. Wischnack commented on the public parking lot signage. She also commented on the new street lights stating the short poles should be here next week and the taller poles in November.

Ms. Wischnack explained Mr. Freeland states he is working with the County Rail Authority in regard to moving the building however this has not been confirmed and no moving permit has been issued.

7. ADJOURNMENT

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

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, November 15, 2005
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman Dean Kirchoff at 5:30 p.m. with the following members present: John Lofdahl, Jim Haugen, Lynn Otteson, Mike Flaata (5:36 p.m.), Farid Currimbhoy and Chairman Kirchoff. Absent: Robert Hantge Also present: Julie Wischnack, AICP, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated October 18, 2005

Ms. Otteson moved to approve the minutes of October 18, 2005 as submitted. Seconded by Mr. Currimbhoy. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A REQUEST FOR A **VARIANCE AND LOT SPLIT** LOCATED AT 955 HWY 7 W

Chairman Kirchoff opened the hearing at 5:35 p.m. with the reading of publication #7402 as published in the Hutchinson Leader on November 3, 2005.

Ms. Wischnack explained the request and the size of the lots. She commented on the past practice of using the width of a lot at the setback. She commented on the staff recommendations as follows:

1. A 12 foot utility and drainage easement is required on the new property line (6 feet on each side; 10 feet on the front).
2. Moving of any utility services will be at the property owner's expense.
3. Separate services, sewer/water access fees would be required for the new lot.
4. The easement agreement for the access drive must be amended to reflect the new lot description (this must be completed prior to sale of the property).

Discussion followed on platting and past lot splits. Ms. Wischnack stated this property has not been a part of a plat. She explained further splits would require a plat. She commented on the letter from MnDOT regarding controlled access to this property.

Mr. Haugen made a motion to close the hearing. Seconded by Ms. Otteson the hearing closed at 5:43 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations noting the hardship of the angled lot line on the western portion of the property. Seconded by Mr. Flaata. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held November 22, 2005 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION OF A REQUEST TO **REZONE** PROPERTY FROM R1 (SINGLE FAMILY RESIDENTIAL) TO R2 (MEDIUM DENSITY RESIDENTIAL) LOCATED AT 1325 JEFFERSON STREET SE

Chairman Kirchoff opened the hearing at 5:45 p.m. with the reading of publication #7403 as published in the Hutchinson Leader on November 3, 2005.

Ms. Baumetz commented on the request noting the lot split in April, 2005 with the possibility of rezoning at that time. She stated the rezoning would allow for the construction of a twin home on the lot and further lot splits would require platting. She explained there is R2 nearby but not directly abutting this property. Access to the twin home is proposed from Jefferson Street. Ms. Baumetz commented on the following staff recommendations:

1. Relocation of services would be at the present owner's expense.
2. Trees removed in the right of way must be replaced.
3. The water shut off must not be placed in the driveway.
4. Any disruption or impacts to the trail area shall be repaired to the City's standard prior to occupancy being issued.
5. No Variance will be allowed for lot coverage.
6. Platting will be required for a second lot split.
7. Two units require two water services.
8. Maximum driveway opening off Jefferson St. is 24 feet for both units.
9. Lot coverage can be no more than 35% under the current ordinance.

Ms. Baumetz stated the driveway must not be wider than 24 feet at Jefferson Street. Mr. Exner explained Jefferson Street is a state-aid road and driveway accesses must be no greater than 24 feet on state-aid roads. Discussion followed on the width and the possibility for turnarounds on the property for forward access onto Jefferson Street.

Addressing of the twin home must be addressed by staff. Ms. Wischnack stated the Fire chief and Police chief will discuss the addressing.

Paul Betker, developer, stated it is possible to have one driveway access.

Mr. Exner commented on the driveway being 24 feet past the bituminous trail. Discussion followed on the safety of not backing onto Jefferson Street.

Terry Davis, 1380 Jefferson St., stated his concern with parking across the trail. He stated the home would be close to the trail and it is a possibility cars would be parked over the trail which would be inconvenient for the public who use the trail. Ms. Wischnack noted vehicles are not allowed to park on the trail or any public right-of-way.

Mr. Davis stated there are no houses on that side of the street that close to the road.

The question was raised if this was spot zoning. Ms. Wischnack explained this is a residential area and the request is residential. Spot zoning would be if there was a diverse zoning request such as industrial in a residential area. She stated this is in conformance with the Comprehensive Plan and we must be flexible in this area. Atty. Seboria stated this is not contiguous to R2.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:03 p.m. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations adding setbacks to #5 along with lot coverage. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held November 22, 2005 in the Council Chambers at 5:30 p.m.

c) **CONSIDERATION OF A REQUEST TO VACATE A PORTION OF UTILITY EASEMENT LOCATED AT 1025 JEFFERSON STREET SE**

Chairman Kirchoff opened the hearing at 6:05 p.m. with the reading of publication #7404 as published in the Hutchinson Leader on November 3, 2005.

Ms. Wischnack explained the history of the property and the building permit. She stated there is a 20 foot rear yard easement for a 24 inch storm sewer 8 feet deep in the center. She commented on the need for a stop work order on the garage after staff was informed of the easement by a neighboring property owner.

Mr. Exner commented on his cross section drawing indicating the storm sewer location and the excavation process if the trunk main would require repair in the future. He stated OSHA would require 1:1 slope.

Mr. Wischnack explained neighboring encroachments and stated the staff would recommend not to allow further encroachments. She commented on other possibilities for garage placement on the property by reorienting the building. She stated there is a tree in the rear yard that would be damaged, according to the City Forester, if the building were to be moved to the west.

Discussion followed on the encroachment of a garage on the lot to the south if the storm sewer would need to be repaired.

There was also discussion regarding the 20 year franchise granted to the property owners of Lot 6.

Bob Link, 1025 Jefferson St. S.E., property owner, presented information from a concrete manufacturer on the life of this type of storm sewer and information from OSHA regarding a simple slope being sufficient for repair of the line. He stated he is asking only 10% of the 1500 sq. ft. easement be vacated. He explained the excavation process would vary with clay or sandy soil. Mr. Exner stated sandy soil would be worse to excavate.

Mr. Lofdahl commented on changing the size of the garage. Mr. Link stated there would be a restocking fee to return some materials.

Shirley Viesselman, 1015 Jefferson St. S.E., commented on her concern with the possibility of replacing the storm sewer in the future. She stated Mr. Link did know there was an easement in the rear yard. She suggested he construct a smaller garage.

Jeanette Larson, 1045 Jefferson St. S.E., asked the Commissioners to consider what an easement is for.

Atty. Seboria stated an easement is an interest in land, in this case, so the City can access the storm sewer pipe for maintenance. Ms. Larson stated the easement is for a purpose and encroachment should not be allowed.

Chairman Kirchoff asked Mr. Exner to explain if a 1:1 slope is required.

Mr. Exner explained slope is based on the type of soil. He stated any contractor would dig for safety and could use a trench box.

Mr. Link stated he did discuss with contractors the use of boxes. He stated they had no problem with the box. He explained a lot of dirt would need to be removed.

Discussion followed on the closeness the trench would be to the garage slab and the costs involved.

Paul Betker, contractor, stated there could be a compromise with the property owner that the City would not be responsible for damage to the garage.

Dennis Larson, 1045 Jefferson St. S.E., stated the soil is sandy 2 feet deep. He explained all water from the north and northwest comes through this tile and the surface water will affect the neighboring landowners. He stated he is not in favor of the encroachment.

Dave Vandenberg, 1035 Jefferson St. S.E., asked what it takes to get an easement. Atty. Sebora stated the City must purchase or condemn the land. Mr. Vandenberg explained there is commercial property to the east with a 50 foot setback. He questioned if the City could purchase property to the east in the event the line would need to be repaired.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 6:40 p.m. Mr. Flaata made a motion to recommend to deny the request for a vacation of easements. Seconded by Mr. Lofdahl. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held November 22, 2005 in the Council Chambers at 5:30 p.m.

d) CONSIDERATION OF AN **AMENDMENT** TO THE CITY CODE SECTIONS 154.057 AND 154.058 TO INCREASE LOT COVERAGE ON TWIN HOMES FROM 35% TO 40%

Chairman Kirchoff opened the hearing at 6:43 p.m. with the reading of publication #7405 as published in the Hutchinson Leader on November 3, 2005.

Ms. Wischnack commented on the need to again discuss lot coverage.

Mr. Exner explained the runoff and the 100 year event drainage plan.

Ms. Wischnack explained the staff report and research from other cities in the U.S. dealing with lot coverage. She stated the City must stick to the ordinance and not allow variances.

Mr. Lofdahl commented on a workshop he had attended which directed if too many variances are requested there is a need to look at the ordinance.

Mr. Exner explained the 35 – 45% range has not set the parameter for contractors and the issue is more of a green space issue than runoff issue.

Brandon Fraser, 510 Jackson St., stated he does not agree with the green space scenario. He stated lot sizes are larger and are being developed larger than the minimum size of 10,000 sq. ft. He stated there is green space with larger buildings.

Mr. Exner stated it is all relative to lot size.

Discussion followed on lot shapes and drainage issues.

Ms. Wischnack commented on coverage when driveways were included. She explained there is an impact on stormwater control over 45% coverage in total. She stated development undermines the control.

Discussion followed on applying the percentage of coverage to single family homes as well as twin homes. There was further discussion regarding the calculation in the older areas of the City and will a survey be necessary for all building proposals on a lot. Paul Betker, contractor, stated requiring surveys is a good idea. The consensus was to limit coverage to 40% for twin and single family and not include driveways, patios, decks, sidewalks, etc.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 7:18 p.m. Mr. Lofdahl made a motion to change the ordinance to 40% for twin homes in the R2 and R3 districts and 40% for single family in the R1, R2 and R3 districts. This would include the footprints of all buildings on the lot and not to include driveways. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be advertised again for a public hearing next month with the language proposed.

4. **NEW BUSINESS**

- a) CONSIDERATION OF A **LOT SPLIT** REQUESTED BY THE PROPERTY OWNER LOCATED IN RIVERVIEW HILL ADDITION AT 375 – 1ST AVE NW

Ms. Wischnack explained this is a minor lot split and will need to be platted into one lot by Mr. Jensen, the prospective property owner. She stated Mr. Jensen has agreed to plat. She commented on the following staff recommendations:

1. Mr. Jensen (buyer of the parcel) must plat this parcel with his property within 3 months of this approval.
2. The property owners are responsible for recording of all documents regarding the transfer.

Mr. Flaata made a motion to recommend approval of the lot split with staff recommendations. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council consent agenda for November 22, 2005, 5:30 p.m.

5. **OLD BUSINESS**

None

6. **COMMUNICATION FROM STAFF**

Ms. Wischnack informed the Commissioners of the need for Conditional Use Permits when houses are moved from one lot to another within City limits. She explained there will be the possibility of a number of homes along Hwy 7 to be moved during the reconstruction of Hwy 7. She asked if staff may proceed with the process of exempting the Hwy 7 area from the Conditional Use Permit process and grant administrative approval with updates to the Planning Commission of the progress. Atty. Sebora will prepare an exemption for next month. It is the consensus of the Planning Commission to approve an exemption for Conditional Use Permits when moving homes from the Hwy 7 construction area.

Ms. Wischnack also reported on the moving of the railroad building by Mr. Freedland. She stated he cannot combine the lots as required. Atty. Sebora will contact Mr. Freedland.

7. ADJOURNMENT

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

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, December 20, 2005
Hutchinson City Council Chambers**

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

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

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated November 15, 2005

Ms. Otteson moved to approve the minutes of November 15, 2005 as submitted. Seconded by Mr. Flaata. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **AMENDMENT** TO THE ORDINANCE REGARDING LOT COVERAGE IN THE R1, R2 AND R3 DISTRICT SINGLE AND TWO FAMILY

Chairman Kirchoff opened the hearing at 5:35 p.m. with the reading of publication #7412 as published in the Hutchinson Leader on December 8, 2005.

Ms. Wischnack commented on discussions from last month not to change the definition. She explained the present ordinance allows to count the structures only when calculating the coverage. She stated Barr Engineering wrote the Stormwater Management Plan and are here to explain the plan. Mr. Exner commented on the staff discussion and that they are uncomfortable with increasing the lot coverage because of drainage. The plan was written in 1996, since then, three regional ponds have been constructed. Mr. Exner stated Mr. Bob Obermeyer, Barr Engineering, will explain the plan. Discussion followed on how often the plan is updated. Mr. Exner stated the construction of the ponds are sometimes assessed by the City and sometimes the development pays for the ponds and are credited for the pond. There was discussion regarding the danger of large regional ponds as opposed to the several smaller ponds. Mr. Exner explained the types of ponding. He stated the City has an easement to the pond but the ponds are located on the platted lot. Atty. Sebor, stated the ponds are owned by the property owner.

Mr. Bob Obermeyer, Barr Engineering, commented on the reason for ponding to cut down the size of the infrastructure. He explained the

benefits of the stormwater management plan based on ultimate management conditions and the amount of hard surface. The plan is based on the amount of hard surface. He commented on levels of service and levels of protection. He stated the plan provides uniform design standards across the City. The plan includes all hardsurfaced areas in the City.

Discussion followed on the recommended coverage and the change proposed. Mr. Obermeyer commented on the doubling of coverage in the higher density zoning districts. He again reminded a uniform level of protection must be provided within the entire City.

There was further discussion of the reasons to address coverage and enforcement for single family and multi-family. Ms. Wischnack commented on the recent single family lot coverage issue creating a drainage problem.

There was discussion on how to determine the percentage of coverage and shedding of water and what the percentage should be. Development generates more water volume to the river. Ms. Wischnack stated the Corps of Engineers study was done in the 90's to determine elevations. She explained the process of approving the elevations when there is an application for a building permit. She stated the City must follow what the engineers have designed for elevations and drainage. Staff does review the elevation of the grading plan. Discussion followed on the need for requiring an as-built after the survey.

Mr. Exner stated the MPDS permit requires updates unless the land use plan changes there is no need to change the Stormwater plan. Discussion followed on the possibility of overloading the ponds. Mr. Exner stated the city monitors the ponds during storm events. Ponds are recertified every 20 to 25 years or if there is greater runoff.

Mr. Lofdahl stated he would recommend a 40% coverage and not grant variances. There was discussion of changing the definition. Mr. Lofdahl stated the definition could remain as the structures. Definition must be solid.

Mr. Obermeyer explained 40% may not impact if there are a few units. There could be a problem if there would significant increases.

Mr. Brandon Fraser, 510 Jackson St., commented on the potential issues of R1 coverage with larger garages. The trend may be overloading the runoff.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Currimbhoy. The hearing closed at 6:30 p.m. Mr. Lofdahl commented on the definition of the coverage calculations. Ms. Wischnack explained the method of calculating the coverage today. Mr. Haugen asked about a disclaimer to have engineering sign-off. There was discussion of what happens in the older part of town. Atty. Seborra commented on true hardship which must be demonstrated by the property owner. Ms. Wischnack will take 5 permits in the older part of town and present at the

next meeting. Mr. Haugen made a motion to table the item to January. Seconded by Mr. Hantge. The motion carried unanimously. Ms. Wischnack stated this will be readvertised next month.

b) CONSIDERATION OF **ORDINANCE** EXEMPTING THE CONDITIONAL USE PERMIT REQUIREMENTS FOR MOVING HOUSES IN THE CITY LIMITS FOR THE HOUSES ALONG THE HWY 7 CONSTRUCTION AREA

Chairman Kirchoff opened the hearing at 6:40 p.m. with the reading of publication #7413 as published in the Hutchinson Leader on December 8, 2005.

Ms. Wischnack explained the concern of moving houses along the Hwy construction area and the length of the conditional use permit process. She stated they will still need a moving permit. She explained the ordinance would end in 2008.

Mr. Exner explained the bidding process for the houses. The MNDOT bid approval process will be complete in April.

Ms. Wischnack commented on the demolition process and permitting and abandonment of services. There is a potential of 15 houses being moved. Some of the accessory buildings also could be moved. Discussion followed regarding the process and giving a handout to MNDOT in the bidding process to outline the conditional use permit requirements.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:50 p.m. Ms. Otteson made a motion to recommend not to exempt the Hwy construction process for conditional use permits to move structures. Seconded by Mr. Hantge. The motion carried unanimously.

4. NEW BUSINESS

a) CONSIDERATION OF A ONE LOT **SKETCH** KNOWN AS JENSEN ADDITION SUBMITTED BY NEIL JENSEN

Ms. Wischnack commented on the proposed sketch. Discussion followed on the proposal and the staff recommendation to plat the entire property into one lot.

b) CONSIDERATION OF EXTENSION OF FRASER'S SUBDIVISION PRELIMINARY PLAT

Ms. Wischnack explained the requirement to extend the preliminary plat one year from the 27th of Dec. Mr. Lofdahl abstained. Mr. Haugen made a motion to approve the request. Seconded by Mr. Flaata discussion followed. Ms. Wischnack stated the vacation of Honey Tree Rd must be petitioned by both property owners. The abutting property owner must

also sign for the vacation of the “as-traveled” road. The motion carried unanimously.

c) **DISCUSSION OF ZONING CHANGES ALONG THE HWY 7 CORRIDOR**

Ms. Wischnack explained this is an informational discussion of the potential use of property along the Hwy 7. She stated there must be an intense landuse plan. There is a possibility of houses turning into offices. The Planning Commission is to express your concerns and ideas.

Ms. Wischnack stated this could be a 6 month process.

d) **UPDATE ON WATER TREATMENT PLANT PROGRESS**

Ms. Wischnack revisit of the landscaping plan of the water treatment plan.

Mr. Exner explained the landscape plan design. Earthtec provided renderings of the landscape plan.

Mr. Exner commented on the elevation of the tank and the building. Discussion followed on the need for extensive landscaping. The landscaping design is included in the bid. The location dictates the discussion of buffering. There will be 50 feet from the Hwy road edge to the tank.

There was further discussion of screening on the front of the tank.

The consensus of the Planning Commission is for EarthTec to return with a new rendering after we see the bid results. There should be a bid with different options.

5. OLD BUSINESS

There was discussion of Applebee’s parking requirement. Ms. Wischnack stated she would review the original permit.

There was also discussion of 3M screening for new development on the property.

6. COMMUNICATION FROM STAFF

7. ADJOURNMENT

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