

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, January 17, 2006
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 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 December 20, 2005

Ms. Otteson moved to approve the minutes of December 20, 2005 as submitted. Seconded by Mr. Lofdahl. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **REZONING** TWO LOTS FROM I/C TO R2 TO REMAIN RESIDENTIAL USE LOCATED AT 535 AND 545 4TH AVE. S.E.

Chairman Kirchoff opened the hearing at 5:33 p.m. with the reading of publication # 7415 as published in the Hutchinson Leader on January 5, 2006.

Ms. Wischnack commented on the request and explained the present use of the properties. She explained the non-conforming use ordinance regarding the continuation of the use and noted the one year time limit was exceeded. She stated the property was maintained but not lived in. Ms. Wischnack stated it is appropriate to rezone the property to residential. Staff did review the request and the neighboring industrial use. Staff recommended this rezoning would not be a negative affect on the area.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Currimbhoy. The hearing closed at 5:40 p.m. 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 January 24, 2006 in the Council Chambers at 5:30 p.m.

- b) CONSIDERATION OF A **CONDITIONAL USE PERMIT** TO AMEND THE PLANNED DEVELOPMENT DISTRICT IN FAIRWAY ESTATES SECOND ADDITION TO ALLOW CONSTRUCTION UP TO THE FRONT AND REAR PROPERTY LINES LOCATED AT 1187 OAKWOOD CRT NW

Chairman Kirchoff opened the hearing at 5:41 p.m. with the reading of publication # 7416 as published in the Hutchinson Leader on January 5, 2006.

Ms. Wischnack commented on the request and explained this was originally approved as a Planned Development District. She stated the entire development was planned as a PDD. She explained that presently the setbacks are very specific for the development in a Planned Development District. She explained the request by the potential property owner to construct a house up to the front and rear property lines. The PDD setbacks are 18' front yard and 5' on the sides and rear. She reported staff reviewed the request and discussed firewall protection when close to the property lines. She commented on the following staff recommendations:

1. Verify as-built elevations for drainage plans for new home, particularly the home to the east.
2. The building permit application would require an updated survey to further verify the home location.
3. Building code compliance for fire walls where required should be noted by the applicant.

Ms. Wischnack read correspondence from Scott Luman, 1199 Oakwood Ct., and Jeff Nohner, 1174 Oakwood Ct., in support of this request. She also read correspondence from George Stanley, 1183 Oakwood Ct, against the request.

Chairman Kirchoff questioned the fire wall requirement. He commented most of the homes are closer than building code requirements.

Diane Mattkins, 1185 Oakwood Court, asked if she will have to put a firewall on her home. Ms. Wischnack stated not if there is more than 3 feet from her property line.

Yvonne Johnson, 1191 Oakwood Ct, questioned how far forward is the house to be placed and where will the driveway come out. Ms. Wischnack stated the house would come out 18 feet. Ms. Johnson asked how you would enter the garage if it is farther forward. Mr. Exner stated the turning radius will remain the same as presently proposed. Discussion followed on the proposed pull-out stalls. Ms. Johnson asked if they do not want the pull-out stall can they come back to the planning commission to change the present plan. Ms. Wischnack stated everything must come back to the City to amend the present PDD.

Lee Thuntrom, potential property owner, would like a 3 car garage to keep his vehicles off the street and not outside. He stated he will try to conform to the present properties.

Kerry Kuester, President of the association, reported parking has been a problem in this area. He stated the board has been discussing changes to provide more parking.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Lofdahl the hearing closed at 6:05 p.m. Mr. Lofdahl asked which house is the one opposing the request. He does not see a negative impact. Mr. Lofdahl 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 January 24, 2006 in the Council Chambers at 5:30 p.m.

c) **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 6:08 p.m. with the reading of publication # 7417 as published in the Hutchinson Leader on January 5, 2006.

Ms. Wischnack commented on the options laid out by staff. She reported this process began one year ago and they reviewed options in November and December. She stated one of the issues was the older single family properties. She commented on the five properties which were calculated in the older area of the city. She also commented on the three options. She stated option one is the staff recommendation. Option 2 definition did not change from present. Option three would be a 50% coverage. Lot coverage is in the 45% to 55% coverage which makes the staff nervous.

Mark Schnobrich, City Forester, commented on tree coverage as a positive. Soils are not as impervious as they seem.

Discussion follow on the options and how they affect the twin home development and the single family homes. Development plans can be set on a localized basis which raises the cost of the development.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Flaata, the hearing closed at 6:35 p.m. Mr. Flaata made a motion to recommend approval of Option 3 with the survey requirement of Option 1. Seconded by Ms. Otteson. The motion carried unanimously. Ms. Wischnack stated this should take affect March 1st. Ms. Wischnack stated this item will be placed on the City Council consent agenda at their meeting held, January 24, 2006 in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

5. **OLD BUSINESS**

a) CONFIRM APPROVAL OF **FINAL PLAT** KNOWN AS LAKERIDGE

Ms. Wischnack explained the plat was not recorded within 270 days of final plat approval and now is ready to be sold. It must be filed before purchase of the units. She explained a Common Interest Community, (CIC) plat will be also filed.

Mr. Haugen made a motion to approve the reconfirmation. 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, January 24, 2006 in the Council Chambers at 5:30 p.m.

6. **COMMUNICATION FROM STAFF**

a) DISCUSSION OF DATE FOR JOINT MEETING AND TOUR WITH CITY COUNCIL MEMBERS

The joint meeting and tour will be held on March 28th at 3:30 p.m.

Next month possibilities:

b) Mr. Exner updated the Commissioners on the water plant Landscaping plan. He stated without the retaining walls slope stabilization would be required. He commented on the maintenance of the shrubbery. He explained there is a 3:1 slope which is quite steep. He stated retaining walls are safer. The consensus of the Planning Commission was to keep the retaining walls and add shrubbery around the tank to make it harder to place graffiti on the tank.

c) Next month possibilities – Conditional use permit and Variance for cell tower, Cedar Crest Estates Rezoning and CUP

7. **ADJOURNMENT**

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

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, February 21, 2006
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 (5:35) 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 January 17, 2006

Mr. Currimbhoy moved to approve the minutes of January 17, 2006 as submitted. Seconded by Mr. Lofdahl. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **CONDITIONAL USE PERMIT AND REZONING** OF TWO LOTS FROM C4 TO R2 FOR THE PURPOSE OF CONSTRUCTING A 48 UNIT ADDITION ONTO THE CEDAR CREST ESTATES ASSISTED LIVING FACILITY LOCATED AT 225 SHADY RIDGE ROAD AND MODIFYING THE ACCESS

Chairman Kirchoff opened the hearing at 5:34 p.m. with the reading of publication #7426 as published in the Hutchinson Leader on February 9, 2006.

Ms. Wischnack commented on the request, site plan and the present use and zoning. She explained the Conditional Use Permit requests and commented on the Hwy 7 access. She reported on the proposal by MNDOT to close the access. She explained the access need off Hwy 7 for delivery service and staff. Staff contacted the neighboring property to ask about consolidation of the two accesses, however, he was not in favor of the consolidation. She stated the plan exceeds the parking requirements with 44 spaces. She commented on the issues of parking on Shady Ridge Road and asked the property owner to consider long term parking needs. Ms. Wischnack commented on the calculation for trees on the development. She reported 74 new trees will be needed. She explained staff is requesting a trail easement dedication instead of parkland fees. She commented on the Stormwater management plan and stated there is adequate ponding to handle runoff. Ms. Wischnack commented on the following staff recommendations noting #2 has been

confirmed verbally, however, verification must be in writing. Shielding of lighting must be dealt with on the present building also.

1. Spruce trees must not be placed too close to the intersection.
2. Verification of stormwater treatment must be received prior to building permit (from MNDOT)
3. Eliminate parking along Shady Ridge Road.
4. Remove the blacktop presently located on the right of way (in the existing parking lot.)
5. Provide for potential placement for additional parking, if necessary in the future.
6. Garbage enclosure is required to be enclosed with an opaque material.
7. Shielding of light fixtures in the rear of the building would be required.
8. Provide trail easement in exchange for park fees.
9. Move the parking lot entrance to match the entrance to the west.

She commented on the modification of access and the reasons for staff denial of the conditional use permit for the modification. She stated permission is granted solely by MNDOT. Discussion followed on the condemnation of Hwy access by MNDOT. Ms. Wischnack reported parking changes on Shady Ridge Road will be determined by City Council. Discussion followed on the parking required and actual use.

Ed Doring, 1282 Rolling Oaks LN N.W., commented on his concerns with parking on the street. He stated with no sidewalk it is a hazard for pedestrians to walk along Shady Ridge Road. He commented there may be a time when extra parking will be needed. He stated as a property owner behind the present building he would like to see the lights in back of the entire building be shielded. He stated he does not object to the use only the lighting. Discussion followed of the possibility of a bike lane along Shady Ridge Road

Gabbra Lokken, 390 Shady Ridge Road, stated she does object to parking on Shady Ridge Road. She does not object to the development. Mr. Exner asked if no parking on either side of Shady Ridge Road up to Connecticut Street would be sufficient. Discussion followed on the number of cars presently on site.

Mr. Exner commented on the need for a trail to service the neighborhood and get people safely across the highway. He noted the parking lot and driveway could go around the building from Shady Ridge Road.

Rosalind Ewald, owner of Cedar Crest, explained that the proposed parking addresses the present and future parking situation. She stated there are only 16 spaces now. She reported there is a maximum of 40 employees over a 24 hour period. She will work with any ideas the Commission or staff may have. Discussion followed of parking availability for the future. There will be a service road to the east side of building.

Ms. Wischnack suggested for extra events pull-out parking would help even on the grass if needed. She stated there could be an option of no parking 6 am to 6 pm on Shady Ridge. Discussion followed to wait with the no parking on Shady Ridge Road to see if there is sufficient parking on-site and review the parking conditions in one year. Another option would be for staff to monitor the parking.

Mr. Hantge made a motion to close the hearing. Seconded by Ms. Otteson the hearing closed at 6:07 p.m. Mr. Lofdahl made a motion to deny the conditional use permit to modify the access onto Hwy 7. Seconded by Mr. Hantge the motion carried unanimously. Mr. Lofdahl made a motion to recommend approval of the Conditional Use Permit and Rezoning with staff recommendations removing #3 and correcting #8 to provide a trail easement. Seconded by Mr. Hantge. The motion carried unanimously. Ms. Wischnack stated this item will be placed on the City Council agenda at their meeting held February 28th or March 14th when new site plan is provided in the Council Chambers at 5:30 p.m.

b) **CONSIDERATION OF A REQUEST TO VACATE DRAINAGE AND UTILITY EASEMENTS ALONG THE PROPERTY LINE LOCATED BETWEEN 1408 AND 1412 HERITAGE AVE NW FOR THE PURPOSE OF COMBINING THE TWO LOTS INTO ONE LARGER LOT FOR THE CONSTRUCTION OF A SINGLE FAMILY HOME**

Chairman Kirchoff opened the hearing at 6:11 p.m. with the reading of publication #7427 as published in the Hutchinson Leader on February 9, 2006.

Ms. Wischnack commented on the request to construct a home across the property lines. She commented on the street light in the front right of way. She commented on staff approval and recommendations as follows:

1. Relocation of any utility lines will be at the property owner's expense.
2. Relocate the conductor to street light, at the owners expense.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:14 p.m. 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 February 28, 2005 in the Council Chambers at 5:30 p.m.

c) **CONSIDERATION OF A VARIANCE AND CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF A 190 FOOT MONOPOLE COMMUNICATIONS TOWER ON PROPERTY LOCATED AT 412 3RD AVE NW (NEW DIMENSION PLATING)**

Chairman Kirchoff opened the hearing at 6:15 p.m. with the reading of publication #7428 as published in the Hutchinson Leader on February 9, 2006.

Ms. Wischnack commented on the proposal for a cell tower. She reported the League of MN Cities Model ordinance was adopted by the City. She explained the placement of the buildings on the site. The area of enclosure is 80 x 90. Staff recommended denial of the variance for lack of hardship as stated in the ordinance. Ms. Wischnack stated if the applicant could find an appropriate location on site the Conditional Use Permit would be approved with the following recommendations:

1. There is to be buffering on the rear of the property. The proposal would be for a 60 foot row of lilacs. The Forester should have the final approval over specie type.
2. Liability Insurance coverage to cover damage to buildings/vehicles etc. on other properties.
3. The Airport Commission must provide their recommendation.
4. The applicant is agreeing to co-location opportunities (*Section 154.119 any proposed commercial tower shall be designed, structurally, electronically and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least two additional users if the tower is over 100 feet in height or for at least one additional user if the tower is over 75 feet in height. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.*)
5. The fence is to be constructed of either brick masonry walls or solid wood fencing of a height of no less than six feet (section 154.119)
6. The buildings, fencing and landscaping shall be maintained.
7. All abandoned or unused towers and associated facilities shall be removed within six months of cessation of operations at the site unless a time extension is approved by the Planning Commission. In the event that a tower is not removed within six months of cessation of operations at a site, the tower and associated facilities may be removed by the city and the costs of removal assessed against the property.
8. The site plan must provide verification that the location of the tower is above the 100 year flood elevation.

Ms. Wischnack commented on the review and comments by Owl Engineering. The applicant has provided the information requested.

Mark Hoppe, applicant, explained they can meet the setback and was planning on meeting the intent of the ordinance. They would like to go ahead with the Conditional Use Permit and will construct the tower from either setback. Discussion followed on the placement of the tower in the enclosed area. There were questions if the tower had to be located in the center of the enclosed area. Mr. Hoppe explained the need to center the

tower and the size of the foundation. He stated the best use of the property would be to keep it 55' from the property line. There was discussion regarding co-locating on the tower. He explained Blue Wing Inc. will provide the tower and ground space. A representative from Northern PCS explained they ran propagation studies. The mono pole does not have guy wires. Ms. Wischnack commented on the requirements if the tower was taller.

Gus Wurdell, property owner commented on the second option with the fence abutting the building. He stated his tenants must have access around the building. The tenant does not oppose the tower. Discussion followed on the location of the fencing. Mark Hoppe stated they could keep the tower at 95' and will work with the property owner and tenants.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy. The hearing closed at 6:42 p.m. Mr. Flaata made a motion to deny the variance for lack of hardship. Seconded by Mr. Lofdahl the motion carried unanimously. Mr. Hantge recommended approval of the conditional use permit request with staff recommendations. 1-8 and adding the submittal of an approved drawing prior to City Council action. 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 February 28 or March 14, 2006, when approved drawings are submitted. The meeting will be held in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

5. OLD BUSINESS

6. COMMUNICATION FROM STAFF

Ms. Baumetz handed out the Land Use Workshop brochure and reminded the Commissioners she would register them for the sessions they would like to attend.

The Tour and meeting with the City Council is set for 3:00 March 28th. Ms. Baumetz reminded the Commissioners to let her know of areas they would like to tour.

7. ADJOURNMENT

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, March 21, 2006
Hutchinson City Council Chambers

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

Vice Chairman Lynn Otteson called the meeting to order at 5:34 p.m. with the following members present: John Lofdahl, Jim Haugen, Vice Chairman Otteson and Mike Flaata. Absent: Farid Currimbhoy, Robert Hantge and Chairman Kirchoff. Also present: Kent Exner, City Engineer, Marc Sebor, City Attorney, Bonnie Baumetz, Planning Coordinator, and Jessica Evans, EDA Assistant.

2. ELECTION OF OFFICERS

Vice Chairman Lynn Otteson announced election of officers will take place at the April 19, 2006, meeting when more members are present.

3. APPROVAL OF MINUTES

a) Consideration of Minutes dated February 21, 2006

Mr. Flaata moved to approve the minutes of February 21, 2006 as submitted. Seconded by Mr. Lofdahl. The minutes were approved unanimously.

4. PUBLIC HEARINGS

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

Vice Chairman Otteson opened the hearing at 5:35 p.m. with the reading of publication #7433 as published in the Hutchinson Leader on March 9, 2006.

Ms. Baumetz commented on the request noting a conditional use permit was granted March 22, 2005, and has expired. The construction plan is essentially the same as it was last year.

Staff would recommend approval of the lot split and conditional use permit with the following recommendations:

1. Allow existing 1" water and 6" sanitary sewer services from the mains within Hilltop Drive to service this twinhome. Services shall be configured such that the shared pipes are

within the platted drainage and utility easement and curb stops/clean-outs are installed on all services at the property line. Any potential service pipe water flow/pressure or sewer back-up issues would be the shared property owners' responsibility.

2. Dedicate drainage and utility easements along the westerly property line.

Mr. Exner commented that staff is confident that the 1" water service and the 6" sanitary sewer services will be adequate in this case. Per city ordinance any problems with the service will be the responsibility of the homeowner.

Mr. Flaata made a motion to close the hearing. Seconded by Mr. Haugen. The hearing closed at 5:43 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen, the motion carried unanimously. Mr. Lofdahl abstained from voting. Ms. Baumetz stated this item will be placed on the City Council consent agenda at the meeting held March 28, 2006 in the Council Chambers at 5:30 p.m.

- b) CONSIDERATION OF A REQUEST FOR A **VARIANCE** TO REDUCE PARKING REQUIRED AT A NEW HARDWARE STORE TO BE LOCATED AT 108 –1ST AVE N.E.

Vice Chairman Otteson opened the hearing at 5:45 p.m. with the reading of publication #7434 as published in the Hutchinson Leader on March 9, 2006.

Ms. Baumetz commented that if this business were located on the other side of Hassan Street this would not be an issue. City Code requires 5.5 spaces per 1000 sq. feet. It is requested that this amount be reduced to 1.9 spaces per 1000 sq. feet (22 spaces in this case) as recommended in the Parking Generation manual.

The unique circumstance in this case is that the building is landlocked, and there is no land available for an additional parking lot.

Staff recommends approval of the request with the following recommendations:

1. Review landscaping requirements with the City Forester.
2. Eliminate existing driveway access on Hassan Street if not utilized. Repair to match existing curb.
3. Northerly edge of new access shall be no closer to the intersection than shown on site plan.
4. Collect and discharge on-site stormwater into public right-of-way infrastructure. No diverting stormwater onto adjacent private properties.
5. Per the "Parking Generation Manual", a minimum of 22 parking spaces must be provided.

Staff also recommends that a One-Stop Shop be called with City Staff. The building owner is agreeable to this.

There was discussion regarding the Parking Generation Manual and the City Ordinance. Staff was directed to research the two and place on the next agenda for discussion.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Flaata. The hearing closed at 5:58 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations based on the hardship of no available land to purchase for additional parking. Seconded by Mr. Lofdahl, the motion carried unanimously. Mr. Haugen abstained from voting. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held March 28, 2006 in the Council Chambers at 5:30 p.m.

c) **CONSIDERATION OF A REQUEST FOR A **CONDITIONAL USE PERMIT** TO ALLOW OPERATION OF A PLUMBING BUSINESS TO BE LOCATED AT 15 MONROE ST. SE IN THE I/C DISTRICT**

Vice Chairman Otteson opened the hearing at 6:00 p.m. with the reading of publication #7435 as published in the Hutchinson Leader on March 9, 2006.

Ms. Baumetz stated that in November 1988 a survey disclosed the building at 15 Monroe St. was constructed 1.65 feet over the property line into public right of way. A request to vacate the two foot strip 65-feet wide was granted with the stipulation, if the building would be replaced in the future, the street is to go to the original width. Documentation is on file regarding the City reserving the possibility of reverter dated November 3, 1988. The building is in the 100-year flood plain. The building meets the parking requirements for employees with the current amount of concrete.

Staff would recommend approval of the request noting the agreement of 1988 should the building be destroyed, the 2 foot vacated strip of Monroe Street would revert back to public right-of-way. Fill for the proposed pavement will not exceed 1000 cubic yards. Monroe Street may be reconstructed in the future following the potential round-about construction and railroad depot development. The following staff recommendation is:

1. A conditional use permit is required for outdoor storage in an industrial or commercial district and 100% opaque fence or wall not less than 5 feet in height will be required around the items being stored outside.

Mr. Flaata made a motion to close the hearing. Seconded by Mr. Lofdahl. The hearing closed at 6:06 p.m. Mr. Lofdahl 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 March 28, 2006 in the Council Chambers at 5:30 p.m.

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

Vice Chairman Otteson opened the hearing at 6:07 p.m. with the reading of publication #7436 as published in the Hutchinson Leader on March 9, 2006.

Ms. Baumetz reported that a conditional use permit was approved for the same company for the same time of the year, last year.

Staff would recommend approval noting the display must be kept secured. There do not appear to be any traffic flow issues, in that there are no entrances onto Highway 15 in this area. Access would be from the internal parking lot. It should be noted that any signage requires separate applications and permitting. The following recommendations are suggested:

1. Display must be kept secured.
2. Signage requires a separate permit.
3. Access must be from the internal parking lot.
4. The permit is good for a total of 15 days prior to expiration on midnight on July 5, 2006.

Mr. Flaata made a motion to close the hearing. Seconded by Mr. Lofdahl. The hearing closed at 6:10 p.m. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen, the motion carried unanimously. Mr. Flaata amended the motion with the addition that the company shows adequate liability insurance as required by City Code. Ms. Baumetz stated this item will be placed on the City Council agenda at their meeting held March 28, 2006 in the Council Chambers at 5:30 p.m.

5. **NEW BUSINESS**

6. **OLD BUSINESS**

7. **COMMUNICATION FROM STAFF**

- a) TOUR WITH CITY COUNCIL MARCH 28TH AT 3:00 P.M. Ms. Baumetz has requested the Planning Commission inform her if there are any special stops that should be made. Discussion followed as the group informed Ms. Baumetz of some of the areas of the city they would like to see.

- b) Ms. Baumetz reported that the Physical Appearance committee has been working on the existing sign ordinances pertaining to downtown. Off-premise signage will be one item of discussion in the following months.
- c) Mr. Exner commented on new Design Standards being considered by the Public Works and Planning/Zoning/Building Departments. Three items will be discussed:
 - 1. *Sump Discharge Connection to Curb Drain*
It is proposed to require that all new homes make a direct, gravity connection of the sump pump system from the house to the installed draintile behind the curb and gutter. It is proposed that the City of Hutchinson follow the lead of many other cities in requiring the connection for all new homes where draintile facilities are available, and establishing a standard for all existing homes.
 - 2. *Concrete Driveway Panel and Curb Opening*
As residential lots get smaller and driveways get larger, issues such as: more intensive stormwater runoff, less area for landscaping, increased difficulty in locating and installing underground utilities, and a lack of boulevard space for snow storage, are emerging. Many cities limit the width of driveways on right-of-way streets to deal with these issues. Mn/DOT has a maximum recommended width of 24' on State and State-Aid routes. It is proposed that the City of Hutchinson adopt the same 24'-wide standard, in which the driveways can widen after the standard 10' boulevard depth. Existing driveways would be grandfathered in. Staff will need to discuss what would happen if a homeowner wishes to re-do their driveway.
 - 3. *Public Utility Service Installations*
Due to recent State legislation, all public utility service pipes must be located, up to the private property line, by City staff. The utility owner must have physical means to locate the infrastructure. Thus, City staff has developed an approach utilizing consistent installation of water shut-offs and sewer clean-outs, standard installation methods, curb stamping, and tie-card preparation. If water shut-off or sewer clean-outs must be installed within a driveway, proper protective devices have been developed from contractors to use.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:32 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, April 18, 2006
Hutchinson City Council Chambers

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

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

2. ELECTION OF OFFICERS

Vice Chairman Otteson asked for nominations for the position of Chair. Mr. Haugen nominated Mr. Kirchoff for Chair. Mr. Currimbhoy seconded the motion. No other nominations were made. Motion carried unanimously.

Chairman Kirchoff asked for nominations for the position of vice chair. Mr. Hantge nominated Ms. Otteson. Mr. Currimbhoy seconded the motion. No other nominations were made. Motion carried unanimously.

3. APPROVAL OF MINUTES

a) Consideration of Minutes dated March 21, 2006

Ms. Otteson moved to approve the minutes of March 21, 2006 as submitted. Seconded by Mr. Haugen. The minutes were approved unanimously.

4. PUBLIC HEARINGS

a) CONSIDERATION OF A **CONDITIONAL USE PERMIT** REQUESTED BY CHRIST THE KING CHURCH, 1040 SOUTH GRADE ROAD S.W., TO EXPAND THE PARKING LOT AND ADD AN EXIT ONTO SOUTH GRADE RD

Chairman Kirchoff opened the hearing at 5:40 p.m. with the reading of publication #7445 as published in the Hutchinson Leader on April 6, 2006.

Ms. Baumetz explained the staff discussion regarding the property. Staff has discussed the number of accesses from the property and agreed the accesses should be limited to four. The existing access on the northwest corner was to be a right-out in 1999 and the staff would agree it should remain right-out only. The church must post signs at the exit to alert drivers of the right-out exit. There appears to be appropriate lighting

existing on the property. Staff would recommend approval of the request with the following recommendations:

1. The exit in the northwest corner of the lot onto South Grade Road shall be a right-only exit (but full entrance).
2. All parking area must be paved.
3. No more than four accesses will be allowed on the property.

Mr. Exner reported that the area is less than 1-acre therefore drainage issues are not being discussed at this time. As long as a property owner does not cause drainage issues for neighboring properties, the city has no requirements until the 1-acre threshold for any given project is exceeded.

Steve Eichten, 1100 Keith Street SW, commented on the drainage tile issues that are evident along his property line. Mr. Eichten commented that the culvert is continuously plugged with leaves, grass, and debris. Mr. Eichten clears the culvert with every rain. Mr. Exner said that the drainage tile in that area is city-owned and is of adequate size to handle the water issues. This culvert needs to be lowered and/or maintained.

Dean Bloemke commented that any drainage that comes off the parking lot must cross his property (Outlot B) to reach the drainage tile. A portion of the church parking lot is encroaching upon Outlot A. No written agreement has been made between the property owner and the church.

Dan Prochnow, representing Christ the King Church, commented that Outlot B has historically always been wetland and the church parking lot addition has not caused this issue.

Chairman Kirchoff asked the various property owners if they would be willing to work with city staff to develop options that would be agreeable to all concerning the drainage issues.

Mr. Hantge made a motion to close the hearing. Seconded by Ms. Otteson. The hearing closed at 6:25 p.m. Mr. Hantge made a motion to table the discussion. Seconded by Ms Otteson. The motion carried unanimously. Ms. Baumetz stated that a 60-day waiver will be prepared and sent to Christ the King Church.

b) **CONSIDERATION OF A CONDITIONAL USE PERMIT REQUESTED BY THE CHURCH OF THE LATTER DAY SAINTS, 770 SCHOOL ROAD N.W., FOR EXPANSION OF THE CHURCH AND PARKING LOT**

Chairman Kirchoff opened the hearing at 6:26 p.m. with the reading of publication #7446 as published in the Hutchinson Leader on April 6, 2006.

Ms. Baumetz commented on the staff discussion/recommendations. Staff has discussed drainage on the site and future need for stormwater

management on site. With the addition, there is a total of 35,451 sq. ft. of impervious surface. This equates to .82 acres of impervious surface. The new access must be no more than 24-feet wide. For traffic flow, the access must line up with the driving lanes. Lighting must be shielded from the residential properties. Emergency services can access the building from the proposed driveway. Staff would recommend approval of the request with the following recommendations:

1. Trash must be screened by opaque wall or fence.
2. Satellite dish must be screened by fence or plantings.
3. Lighting must be shielded from the residential properties.
4. Future stormwater treatment/detention pond location with appropriate infrastructure must be identified on site plan.
5. Construct additional School Road driveway/entrance to City standards.
6. The alarm panel, sprinkler hookup and knox box are to be placed by the front door.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Hantge. The hearing closed at 6:41 p.m. Mr. Hantge made a motion to recommend approval of the request with staff recommendations #1-6, with the elimination of #4, and to add signage at the access points. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held April 25, 2006 in the Council Chambers at 5:30 p.m.

c) **CONSIDERATION OF A ONE LOT PRELIMINARY AND FINAL PLAT TO BE KNOWN AS JENSEN ADDITION AND A VACATION OF EASEMENTS**

Chairman Kirchoff opened the hearing at 6:43 p.m. with the reading of publication #7447 as published in the Hutchinson Leader on April 6, 2006.

Ms. Baumetz commented on the preliminary and final plat consideration. Staff has discussed the vacation of easements noting there are utilities on the property and an easement agreement must be given to utilities for access to their equipment. Any future relocation of services will be at the property owner's expense. Staff would recommend approval of the request with the following recommendations:

1. Future relocation of services will be at property owner's expense.
2. An agreement with Hutchinson Utilities must be provided for access to their services.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy. The hearing closed at 6:48p.m. Mr. Currimbhoy 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 25, 2006 in the Council Chambers at 5:30 p.m.

- d) CONSIDERATION OF A **CONDITIONAL USE PERMIT** TO ALLOW CONSTRUCTION OF A DETACHED GARAGE OVER 1000 SQ. FT. LOCATED AT 27 – 5TH AVE. N.W.

Chairman Kirchoff opened the hearing at 6:49 p.m. with the reading of publication #7448 as published in the Hutchinson Leader on April 6, 2006.

Ms. Baumetz commented on the staff recommendations/discussion concerning the conditional use permit. Staff recommends approval of the garage noting the existing shed and hoop type storage structure will be removed when the garage is completed. There are several large garages in this area and the proposed garage will fit into the area. The placement of the garage is the only flat area on the lot, which has a slope in the backyard. The lot drains to a catch basin in the southwest corner. The property to the north is Maplewood Academy. The lot to the east shares the driveway, which is part of the 27 – 5th Ave property. Staff would have the following recommendations:

1. A home occupation is not allowed exclusively in accessory building.
2. The garage must not exceed 16' in height.
3. The building may not be pole constructed.
4. The hoop type storage shed must be removed when garage is completed.
5. Drainage must not affect the neighboring properties.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Currimbhoy. The hearing closed at 6:57p.m. Mr. Hantge made a motion to recommend approval of the request with staff recommendations. 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 April 25, 2006 in the Council Chambers at 5:30 p.m.

- e) CONSIDERATION OF AN **AMENDMENT** TO SECTION 154.137 OF THE CITY CODE REGARDING OFF-PREMISE SIGNAGE

Chairman Kirchoff opened the hearing at 6:59 p.m. with the reading of publication #7450 as published in the Hutchinson Leader on April 6, 2006.

Ms. Baumetz discussed the reasoning behind the proposed amendments to the existing sign ordinance. Over the past several months, the Physical Appearance Committee (a committee formed from the Hutchinson Downtown Association) has been reviewing the sign ordinance for the Main Street area. One of the immediate changes to the ordinance would be the off-premise requirement that will be necessary in the Main Street area for future development. Staff would recommend approval of the following changes for this area only.

There was a general discussion about changing an ordinance to accommodate one particular business/building. There was also discussion about keeping the city clutter-free.

Mr. Currimbhoy made a motion to close the hearing. Seconded by Mr. Hantge. The hearing closed at 7:10 p.m. Ms. Otteson made a motion to not recommend approval of the proposed sign ordinance amendments. Seconded by Mr. Currimbhoy, the motion carried unanimously. This item will be placed on the City Council agenda at their meeting held April 25, 2006 in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

a) CONSIDERATION OF A **LOT SPLIT** LOCATED IN 1ST ADDITION TO MEADOW LINKS

Ms. Baumetz commented that Staff would recommend approval of the request for a lot split noting accessory buildings are not allowed without a principal building on the lot. There is a water line in the 33-foot easement along the south property line of the lot. Staff recommends approval with the following conditions:

1. If an accessory building were to be placed on Lot B for the golf course, the lot must be platted with The Meadows plat.
2. The pond area on Lot A must not be disturbed.
3. Access to Lot A must align with 12th Ave. N.W.
4. There will be no access to Lot B off North High Dr.

Ms. Otteson made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Hantge. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held April 25, 2006 in the Council Chambers at 5:30 p.m.

6. OLD BUSINESS

a) DISCUSSION REGARDING THE PARKING REQUIREMENTS AND REFERENCING THE PARKING GENERATION MANUAL

Ms. Baumetz asked that this be tabled until next month.

7. COMMUNICATION FROM STAFF

Ms. Baumetz said that there have been requests from property owners to add bridges over the pond in Fairway Estates.

8. ADJOURNMENT

There being no further business the meeting adjourned at 7:29 p.m.

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, May 16, 2006
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, Robert Hantge, Farid Currimbhoy and Chairman Kirchoff. Absent: Lynn Otteson. Also present: Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated April 18, 2006

Mr. Haugen moved to approve the minutes of April 18, 2006 as submitted. Seconded by Mr. Lofdahl. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY CROW RIVER BUILDERS TO CONSTRUCT A 11,640 SQ. FT. POLE TYPE STRUCTURE ON PROPERTY LOCATED AT 1135 HWY 7 W

Chairman Kirchoff opened the hearing at 5:34 p.m. with the reading of publication #7463 as published in the Hutchinson Leader on May 4, 2006.

Ms. Baumetz explained that due to denial of an access point by Mn/DOT the driveway will be relocated. A pole type constructed building is allowed only by conditional use. Parking requirements will be met by the applicant. Ms. Baumetz reviewed the building plans of the structure. It was clarified that the parking lot must be paved. She commented on the staff recommendations as follows:

1. Verify condition and capacity of existing storm sewer line.
2. Work with City Forester on landscaping plans.
3. Landscaping may be completed after the Hwy 7 construction is completed.

Mr. Hantge questioned why Mn/DOT would not allow a separate access as opposed to sharing with a neighboring property owner. Mr. Exner stated that Mn/DOT explained that it would take approximately one year

to build a separate access point and were not in favor of it. He stated maintenance of the sewer line is the responsibility of the property owner

Tim Johnson, Crow River Builders, stated that the storm sewer line was put in within the last two years. He stated he has spoken with Applied Kinetics and they have concurred that it is large enough to service both Crow River Builders and Applied Kinetics. Staff is asking that the applicant verify that the line is not plugged or collapsed before paving over it.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 5:45 p.m.

It was recommended that paving of the parking lot driveway go up to the property line until the Hwy 7 project is complete.

Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations, including that the lot be paved as condition #4. Seconded by Mr. Hantge, the motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held May 22, 2006 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION OF A **VARIANCE** REQUESTED BY CHRISTIAN CHRISTENSEN TO ALLOW CONSTRUCTION OF A DETACHED GARAGE IN THE FRONT YARD LOCATED AT 915 – 2ND AVE S.W.

Chairman Kirchoff opened the hearing at 5:46 p.m. with the reading of publication #7464 as published in the Hutchinson Leader on May 4, 2006.

Ms. Baumetz explained that the applicant would like to place a garage in the front yard, which requires a variance. The applicant states the hardship to the property are the narrow lot size and no vehicle access to the backyard. Ms. Baumetz explained that she had been contacted by two property owners, one of them having no objections and one property owner having a concern of the size of the garage and setbacks as well as roof water runoff. Staff recommendations are as follows:

1. Removal or moving of services would be at the owner's expense.
2. Tree removal or replacement will be at owner's expense.
3. The garage must not exceed 16' in height.
4. A home occupation is not allowed exclusively in the accessory building.

Mr. Lofdahl questioned the possibility of attaching the garage to the house.

Christian Christensen, applicant, presented before the Council. Mr. Christensen explained that two bedrooms are against the wall where a

garage could be attached and he would like the consistency granted to other applicants for this similar type of situation.

Matt McMillain, 929 2nd Avenue, presented before the Planning Commission. McMillain lives next door to Christensen and was in favor of the variance.

Mr. Christensen stated that his intention is not to put any additional drainage on his neighbor's property but drain it towards the street or onto the setback area. Mr. Christensen also stated that on-street parking will be reduced if the garage is able to be constructed.

Mr. Hantge asked if a survey was going to be required. Ms. Baumetz stated a survey will be required as part of the building permit, at which time drainage could be addressed as well.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy, the hearing closed at 6:00 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations including a survey requirement and drainage plan. 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 22, 2006 in the Council Chambers at 5:30 p.m.

c) CONSIDERATION OF A **VARIANCE** REQUESTED BY JIM AND KRISTEN KLEIN TO ALLOW CONSTRUCTION OF A SECOND DETACHED GARAGE AND TO REDUCE DRIVEWAY SETBACK TO 0' LOCATED AT 589 HASSAN ST. S.E.

Chairman Kirchoff opened the hearing at 6:02 p.m. with the reading of publication #7465 as published in the Hutchinson Leader on May 4, 2006.

Ms. Baumetz explained that the applicants intend to construct a detached garage and remove a current shed. A variance is required for this item due to the proximity of the property line of the driveway as well as being the second detached garage on the property. Staff's recommendations are as follows:

1. Remove existing shed.
2. Drainage must be directed to the southeast corner of the lot and be contained by the proposed berm.
3. Garage must not be taller than 16'.
4. Home occupations are not allowed exclusively in accessory structures.
5. Removal or moving of services shall be at the property owner's expense.

Kristen Klein, property owner, stated that she has trouble staying on the driveway due to the slope and narrowness. She explained that she has spoken with Kent Exner regarding a new driveway, which will address drainage issues. She stated that a new driveway is needed to go with the new garage. Elevation will be raised if a new driveway is approved.

Mr. Lofdahl noted that he felt a hardship may lie with the driveway and the location of the garage. His concerns were with allowing construction of a new garage without taking down the current garage, which is over 300 sq. ft.

Mr. Currimbhoy made a motion to close the hearing. Seconded by Mr. Lofdahl the hearing closed at 6:17 p.m.

Mr. Haugen offered that the one of the garages be reduced in size so that a variance would not be needed. There did not appear to be a hardship for the garage issue. Mr. Hantge suggested expanding the driveway towards the house.

Mr. Lofdahl stated he was favorable to expanding the driveway to the property line, but he felt the current garage or proposed garage should be reduced in size.

Mr. Flaata made a motion to repave driveway, however not change setbacks according to staff recommendations. Seconded by Mr. Hantge, the motion carried unanimously.

Mr. Lofdahl made a motion to deny the variance request for construction of a second detached garage for lack of a hardship. Mr. Hantge seconded. Motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council regular agenda at their meeting held May 22, 2006 in the Council Chambers at 5:30 p.m.

d) CONSIDERATION OF A **VARIANCE** TO REDUCE LOT DEPTH 8' AND A **LOT SPLIT** LOCATED AT 175 OAK LN S.E.

Chairman Kirchoff opened the hearing at 6:34 p.m. with the reading of publication #7466 as published in the Hutchinson Leader on May 4, 2006.

Ms. Baumetz explained that there is an existing watermain on the property and staff is requesting that the property owner locate it and grant an easement. Staff recommends approval with the following recommendations:

1. Drainage and utility easements must be provided entirely around the lot.
2. The water main must be located and an easement (minimum 20' width on center) provided over the water main.

3. No variance will be granted for lot area in the future.
4. No vacation of easements will be granted in the future.
5. Utility services must be separate to each lot.
6. Utility line locations must be verified and if necessary relocated at applicant's expense.

The potential buyers of the lot, presented before the Planning Commission. He asked for clarification of the easement requirements. It was clarified that if the watermain runs through the center of the lot, the lot will be deemed unbuildable.

Ron Jonas, property owner, presented before the Planning Commission. Mr. Jonas explained that in 1988 this property was granted a lot split and the Jonas' intended to build on this lot. Due to circumstances, the lot split was not recorded and the Jonas' bought the entire property, thinking that the lot split applied. Mr. Jonas stated that the water comes in from the southwest corner of the property. Discussion was held as to whose responsibility it is to locate the watermain. It was noted the only way to locate the watermain is to excavate and Mr. Jonas felt that the City should have had easements granted when the watermain went in. (Lofdahl departed at 6:56 p.m.)

Mr. Flaata made a motion to close the hearing. Seconded by Mr. Hantge the hearing closed at 7:00 p.m.

Mr. Flaata made a motion to recommend approval of the request with staff recommendations with the hardship being the lot size at the time of platting. Seconded by Mr. Haugen, the motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held May 22, 2006 in the Council Chambers at 5:30 p.m.

4. **NEW BUSINESS**

- a) CONSIDERATION OF AN 8 LOT **SKETCH PLAN** TO BE KNOWN AS FAIRWAY ESTATES THIRD ADDITION SUBMITTED BY M & P PARTNERS

Ms. Baumetz explained that staff would like Planning Commission's thoughts before platting would proceed. Ms. Baumetz reported staff present at the one stop shop reviewed the sketch plan. They suggested moving the building pads back on lots 3, 4, and 5. The access to those lots is narrow and moving the lots back gives more room for parking and maneuvering on the lot. Lot 8 access will be allowed off Heritage Ave. The cul-de-sac will be public and the island must be removed for snow removal purposes. The request will be a reconfirmation of the preliminary and final plat and PDD.

Fees will include escrowing \$200.00 per tree, two trees per lot or \$1600.00. Engineering fees to be escrowed are 7% minus the grading and a letter of credit for 100% of the grading is required. There is an \$800.00 electric territory fee per lot, \$215.00 parkland contribution fee and sewer and water access fee of \$2720 per lot. These fees are charged at the time of the building permit submittal. The property must be to 6 inches of grade from utilities to bring in lines.

The street name on the cul-de-sac must be Heritage Circle or Heritage Court. The maximum width of the driveway within the street right-of-way is 24 feet.

Chairman Kirchoff asked if the elevation would be raised in this area. Marty Campion, Otto Associates, presented on behalf of Sam Montgomery. Mr. Campion explained the grading and elevation of the lots.

Ms. Baumetz explained that this would be a reconfirmation of the preliminary plat. Discussion was held as to the configuration of the homes on the lots. Concerns were raised regarding Lot 8 and the Outlot A combination.

5. OLD BUSINESS

- a) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY CHRIST THE KING CHURCH, 1040 SOUTH GRADE ROAD S.W., TO EXPAND THE PARKING LOT AND ADD AN EXIT ONTO SOUTH GRADE RD

Ms. Baumetz explained that a rain garden has been added to the plan to address drainage problems. Staff had the following recommendations:

1. The exit in the northwest corner of the lot onto South Grade Road shall be a right-only exit (but full entrance).
2. All parking area must be paved.
3. No more than four accesses will be allowed on the property.
4. Work with the City Forester in development of the "rain garden".

Mr. Exner stated that there are no adjustment rings on the catch basin, but a tile inlet may possibly be placed to alleviate drainage problems.

Atty. Dan Prochnow presented before the Planning Commission. Atty. Prochnow stated that he spoke with a neighbor regarding encroachment and he has been advised that an easement will be granted to Christ the King. Atty. Prochnow asked if a rain garden would be necessary if Christ the King would purchase the piece of property from Mr. Bloemke. The consensus of the Planning Commission was that a rain garden may not be necessary if Christ the King owned that property for drainage.

Mr. Hantge made a motion to approve with staff recommendations, adding #5 addressing encroachment in writing and #6 that the City will install a tile line. Second 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 May 22, 2006 in the Council Chambers at 5:30 p.m.

6. COMMUNICATION FROM STAFF

Kent Exner stated that an opportunity has become available to screen some of the storage area near the HATS facility. Exner stated that all of the fill material from the Hwy 7 project will be placed on the HATS property with a 4 – 6' berm being constructed, which will include plantings on top of the berm. It was clarified that this area is outside of the flood plain.

Bonnie Baumetz stated that Rebecca Bowers, new Planning Director, will be starting June 12, 2006.

Dean Kirchoff stated that when Wendy's CUP was approved, a condition placed was that a rain garden be installed. He feels it portrays more of a slew than a rain garden and asked that staff speak with Wendy's management regarding cleaning up of it.

Marc Seboria informed the Planning Commission that they should not be searching for a hardship for applicants, as an example for the Klein's consideration that was held tonight. Discussion was held regarding the variance application process and information that is provided to applicants.

7. ADJOURNMENT

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, June 20, 2006
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: Rebecca Bowers, 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 16, 2006

Mr. Haugen moved to approve the minutes of May 16, 2006 as submitted. Seconded by Mr. Hantge. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF A **VARIANCE** TO REDUCE DRIVEWAY SETBACK TO 0 FEET TO REPLACE EXISTING HARDSURFACED SHARED DRIVEWAY LOCATED AT 619 AND 631 – 2ND AVE S.W.

Chairman Kirchoff opened the hearing at 5:35 p.m. with the reading of publication #7474 as published in the Hutchinson Leader on June 8, 2006.

Ms. Baumetz commented on the request to hardsurface a shared driveway and explained the driveway limitations to meet setback. She reported the hardship given by the property owners was the driveway was shared since 1951 before the ordinance was in place. She stated staff would recommend approval of the request with the following findings and recommendations:

1. Undue hardship has found due to the existing shared driveway, which is unique to the property and was constructed prior to current zoning regulations.
2. The driveway could not be reconstructed within current requirements with a reasonable driveway width due to its unique conditions and placement on the property.
3. The applicants will reconstruct the driveway with a valley gutter in the center of the driveway to promote drainage to the street.

4. Water service curb stops must be re-installed (or replaced if necessary) per City standards.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 5:45 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. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held June 27, 2006 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION OF AN 8 LOT **PRELIMINARY AND FINAL** PLAT TO BE KNOWN AS FAIRWAY ESTATES THIRD ADDITION

Chairman Kirchoff opened the hearing at 5:46 p.m. with the reading of publication #7475 as published in the Hutchinson Leader on June 8, 2006.

Ms. Bowers commented on the submittal and noted this is the final phase of the development and will complete the development. She commented on the lot sizes and explained the need for a private cul-de-sac for snow storage and removal. She reported the staff would recommend approval of the request with the following recommendations:

1. A subdividers agreement must be executed prior to filing of the final plat.
2. Any relocation of utilities is the applicant's responsibility.
3. Heritage Court must be a private street with appropriate cul-de-sac sizing and without center islands.
4. All fees are required prior to commencement of construction.
5. No access allowed on County Rd. 12.
6. Trees on Lot 8 must remain in place or replaced if removed for construction.
7. Fees will include escrowing \$200.00 per tree, two trees per lot or \$1600.00. Engineering fees to be escrowed are 7% minus the grading and a letter of credit for 100% of the construction cost minus the grading is required. There is an \$800.00 electric territory fee per lot, \$215.00 parkland contribution fee and sewer and water access fee of \$2720 per lot. These fees are charged at the time of the building permit submittal.
8. The property must be within 6 inches of final grade for private utilities to be installed.

Mr. Exner commented on the maintenance concerns of cul-de-sacs with islands and the narrow width of the lots at the cul-de-sac. He stated it is in the City's best interest for the street to be private. He reported there are other areas of this development with private bump-outs and cul-de-sacs.

Discussion followed on the private and public street maintenance and the need to add a requirement to assure the private street maintenance is completed in a timely manner. Atty. Seborá stated it doesn't always get

followed through. Discussion followed on homeowner's associations and the fact this development does have other private cul-de-sacs.

Ms. Bowers commented on the request to change the plat which was approved several years ago. It may be difficult to change the plat at this stage.

Discussion followed on requiring the developer to plow the street. Atty. Sebora commented on the development agreement which could spell out the snow removal and maintenance on the development.

Cara Otto, Otto Assoc., commented on why they proposed the public street. She stated the developer recognizes there are other private streets in the development and the association would cover the snow removal. She explained Lot 8 has trees that will serve as a buffer zone. She reported the developer is agreeable making the cul-de-sac a private street. Discussion followed on the cost of snow removal in cul-de-sacs and the emergency service accessibility. Mr. Exner stated this cul-de-sac is large enough at a 60' right-of-way and 45' radius.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Lofdahl the hearing closed at 6:08 p.m. Mr. Otteson made a motion to recommend approval of the request with staff recommendations adding to item 3 "The developer will set up a homeowner's association to address snow removal and plowing in the cul-de-sac. If it is necessary for the City to remove snow from the cul-de-sac, the City will assess all charges of the snow removal to the property owners." Also, add to number 6, "Trees on Lot 8 must remain in place or be replaced after construction." Seconded by Mr. Currimbhoy. The motion carried unanimously. Ms. Bowers stated this item will be placed on the City Council consent agenda at their meeting held June 27, 2006 in the Council Chambers at 5:30 p.m.

c) **CONSIDERATION OF A TWO LOT PRELIMINARY AND FINAL PLAT AND SITE PLAN REVIEW TO BE KNOWN AS REGIONAL EYE SPECIALISTS ADDITION LOCATED IN THE MENARDS ADDITION PLAT**

Chairman Kirchoff opened the hearing at 6:10 p.m. with the reading of publication #7476 as published in the Hutchinson Leader on June 8, 2006.

Ms. Bowers explained the applicant and property owners have requested tabling this submittal. Ms. Bowers suggested tabling the item until there is resolution to the platting of the property.

Mr. Lofdahl made a motion to table and item. Seconded by Mr. Haugen. The motion carried unanimously.

d) **RECONFIRMATION OF A 3 LOT PRELIMINARY PLAT AND FINAL PLAT TO BE KNOWN AS CALAFORD PLACE (PRELIMINARY PLAT WAS UNDER HUTCHINSON SENIOR CAMPUS)**

Chairman Kirchoff opened the hearing at 6:12 p.m. with the reading of publication # 7477 as published in the Hutchinson Leader on June 8, 2006.

Ms. Bowers commented on the need to reconfirm the large preliminary plat because of the lapse of time between action on the 3 lot preliminary plat and the final plat. She explained action on the final plat of 3 outlots does not include the previous site plan. She stated the outlots must come back to the City for future development. She stated individual site plans will be required for each lot. Ms. Bowers reported staff would like to see the final plat move forward to obtain right-of-way for Denver Avenue.

Mr. Exner explained the City asked Farr Development to move forward with the plat to establish the Denver Avenue right-of-way. He stated Montreal Street will be completed when the property is developed.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Hantge the hearing closed at 6:16 p.m. Mr. Lofdahl made a motion to recommend approval of the request for final plat with staff recommendations. Seconded by Mr. Hantge. The motion carried unanimously. Mr. Lofdahl made a motion to reconfirm the preliminary plat. Seconded by Mr. Hantge. The motion carried unanimously. Ms. Bowers stated this item will be placed on the City Council consent agenda at their meeting held June 27, 2006 in the Council Chambers at 5:30 p.m.

Atty. Seborá excused himself to attend another meeting. Mr. Hantge asked Atty. Seborá about hardships for approving variances and the City Council recommending a historical significance hardship. Atty. Seborá agreed what would qualify as a historic building or architectural style. There has been a local historical placement on buildings in town. A definition of historical significance should be determined to amend the ordinance. Staff was directed to check with other cities. Mr. Haugen commented on the need for a hardship and the applicants request. It was determined Planning Commission and City Council can not determine the historic significance of a building.

e) CONSIDERATION OF **AMENDMENT** TO THE MAIN STREET SIGN ORDINANCE

Chairman Kirchoff opened the hearing at 6:30 p.m. with the reading of publication # 7478 as published in the Hutchinson Leader on June 8, 2006.

Ms. Baumetz explained the makeup of the Physical Appearance Committee. She reported this committee is a subgroup of the Hutchinson Downtown Association and includes downtown business owners and staff. She commented on the changes.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Hantge the hearing closed at 6:41 p.m. Ms. Otteson 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 regular agenda, on request of the City Administrator, at their meeting held June 27, 2006 in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

Mr. Flaata commented on the Rolling Meadows pond and the possibility of the City getting it back. Ms. Bowers stated we will update the Planning Commission on what happens with this development. Discussion followed on who pays if the City gets the outlot back. Mr. Haugen commented on the discussion by the City Council. Ms. Bowers stated this is not an uncommon problem with homeowner associations.

5. OLD BUSINESS

a) REVISION TO A LOT SPLIT AT 175 OAK LN

Ms. Baumetz commented on the request to revise the lot split approved by the Planning Commission and City Council in May.

Mr. Exner commented on the placement of the water main and the easement description. He stated it may be possible to excavate the water main with the easement provided. This is a public main.

Mr. Jonas commented adding the easement is the best solution to the problem. He stated Juul contracting identified the water main.

Mr. Haugen made a motion to approve the revision. Seconded by Ms. Otteson. The motion carried unanimously. This item will be placed on the City Council consent agenda for the June 27, 2006, meeting.

b) Discussion followed on the Klein garage variance at 589 Hassan Street S.E. and the clarity of the ordinance regarding habitable space. The consensus of the Planning Commission is to fairly enforce the ordinance. Ms. Bowers stated Historic Hutchinson feedback would be helpful and will take time. Discussion followed regarding preserving the look of the buildings. There was also discussion regarding garages in the front yard and the ordinance regulating lake lots, in which case, the front yard may be the lake side of the lot.

6. COMMUNICATION FROM STAFF

a) WATER TREATMENT FACILITY FAÇADE UPDATE

Mr. Exner commented on the water treatment exterior colors and the precast stone window treatments and the contrast. He stated neutral colors were less expensive. The reservoir has the same colors. Window frames are light bronze. He commented on the translucent panels. Completion will possibly be February or March 2007.

7. **ADJOURNMENT**

There being no further business the meeting adjourned at 7:12 p.m.

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, July 18, 2006
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, Farid Currimbhoy, Robert Hantge and Chairman Kirchoff. Absent: Mike Flaata. Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Mark Schnobrich, City Forester and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated June 20, 2006

Mr. Hantge moved to approve the minutes of June 20, 2006, as submitted. Seconded by Ms. Otteson. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **REZONING** PROPERTY LOCATED AT 255 AND 287 HWY 7 E. FROM I/C TO R2 SUBMITTED BY MARK FRATZKE, PROPERTY OWNER

Chairman Kirchoff opened the hearing at 5:34 p.m. with the reading of publication #7482 as published in the Hutchinson Leader on July 6, 2006.

Ms. Bowers commented on the request and the past history of rezoning this property. She explained the requested R2 (Medium density residential- 1 and 2 family) zoning is consistent with the comprehensive plan. She commented on the zoning of the surrounding properties and the uses. She stated the property owner would like the property to remain residential for marketing. Staff is supportive of the rezoning however, concerned with the lot coverage. She reminded the Planning Commission coverage must not exceed 50%. She reported the large house must not become an apartment. Ms. Bowers explained the recommendation to request the inspector look at the house to comply with housing regulations. She commented on the following staff recommendations:

1. The rezoning from I/C to R-2 would be consistent with the residential guiding in the Comprehensive Plan.
2. The properties are currently used as residential property and are adjacent to residential uses. Rezoning would allow the existing use to become conforming with the R-2 district regulations.
3. The use of the property shall comply with the standards of the R-2 district. Residential uses are limited to single family dwellings and two-family units or duplexes.
4. The properties may not be covered with more than 50% lot coverage. The owner shall replace pavement in excess of the 50% with sod or other landscaping.
5. The buildings shall be inspected by the City for compliance with the Zoning Ordinance and housing standards due to the change to residential use.

Discussion followed on the existing setbacks for residential. Mr. Fratzke stated there is less than 50% coverage. There was discussion on the need for the concrete plant to screen if this property is rezoned to residential. Ms. Bowers stated the industrial property is grandfathered in from screening. Discussion followed regarding the use changes of the property in the future. Ms. Bowers stated this corridor would benefit from an in-depth needs study for long term use.

Mr. Fratzke stated the small house is presently single family. Discussion followed on the number of unrelated persons that could legally live in a single family house.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Hantge the hearing closed at 5:47 p.m. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held July 25, 2005 in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

- a) CONSIDERATION OF **LOT SPLITS** ON OTTAWA AVENUE S.E. (240,265,275,285 OTTAWA AVE SE) SUBMITTED BY PAUL BETKER, PROPERTY OWNER

Ms. Bowers commented on the request and explained the history of the plat. She reported on the number of lots requested in the preliminary plat. She explained the applicant would like to split four of the lots. She commented on the past practice of allowing lots splits after the house is constructed. Ms. Bowers reported staff did discuss the problems that

could happen with this process. Staff would recommend there be a change to the process. She reported staff did recommend to approve the lot splits with the following recommendations:

1. The proposed lot splits would meet the standards of the R-2 zoning district, subject to the conditions stated.
2. Moving or removing of services will be at property owner's expense.
3. Separate services are required for each lot.
4. Lots at 50% coverage will not be allowed to add sheds, patios, decks or gazebos. The applicant shall provide written disclosure to the buyers that no additional coverage will be allowed beyond the 50%.
5. At the time of platting, money was escrowed for two trees per lot. However, as money was not provided for the additional twin home lots, the new lot division will require one additional tree per lot at \$180.00 per tree, for a total of \$ 720.

Discussion followed on the fees for parkland. Parkland fees are paid with the building permit. Discussion followed on the process of addressing before the lot has been split. Ms. Bowers stated the subdivision regulation does not allow the present process. She explained the property should be replatted.

Mr. Betker, property owner, commented on the past process. He stated he does agree with the change for the future but would like to apply for the lot split at the time he applies for the building permit on the present lots. He stated the next phase he would plat for twin homes. He explained he does not like to have the rules changed in midstream. Mr. Betker stated the tree escrow is an issue. He would suggest the City bill for the trees at the time of permit. He objects to the extra money for trees he won't be needing until after the development phases are platted. He has already put \$17,000 in escrow for trees. Ms. Bowers explained the trees stay in the development.

City Forester, Mark Schnobrich, explained the reasoning for the tree escrow and the placement of the trees in the subdivision. He explained in the past there was not enough money for the trees so some past developments still do not have trees. The new developments do have trees because of the escrow monies. Discussion followed on the ordinance of two trees per lot.

There was more discussion regarding the issue of changing the lots by the developer.

Mr. Schnobrich commented the tree escrow for this development was for the entire plat all phases. He stated developments will receive two trees per lot somewhere in the development. Staff is staying to the two trees per lot. Discussion followed on the need to keep the trees on City right of way. Mr. Schnobrich stated the City still has cost in maintenance and

replacement of the trees. There was discussion of issuing the trees at permit rather than the money sitting in escrow. Ms. Bowers suggested requiring the escrow at final plat not preliminary plat. She commented on tailoring the subdivision agreements to give flexibility. Discussion followed of revisiting the ordinance.

Ms. Bowers reported staff would like to have the lot split before the building permit is issued.

Discussion followed on using the lot size to determine the number of trees in the development.

Bruce Naustdal, property owner, commented on the document stating two trees per lot. He agrees with Mr. Betker. The developer followed the City requirements of platting in the past. He would like to see this development be grandfathered-in.

Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations deleting #5 requiring tree money for the extra lots. Seconded by Mr. Currimbhoy. The motion carried unanimously. Ms. Baumetz stated these items will be placed on the City Council consent agenda at their meeting held July 25, 2005 in the Council Chambers at 5:30 p.m.

b) **CONSIDERATION OF A LOT SPLIT LOCATED AT 1160 BLUEJAY DRIVE S.W. SUBMITTED BY BRUCE NAUSTDAL, PROPERTY OWNER**

Ms. Bowers commented on the request and explained the similarity to the previous request. She stated this property does not have a building permit.

Mr. Naustdal commented on the need for staff to plat the twin lots for the future. He explained he objects to the implementation of a new regulation this quickly without a notice. He stated this lot was anticipated for twin homes when platted. He does not plan on separating ownership for this twin home. Mr. Betker stated the time of the year can be an issue to wait for a permit. Ms. Bowers agreed this is a timing issue. Mr. Naustdal stated he presently has a rental twin home that is not split on Northwoods Avenue with two separate addresses.

Discussion followed on the technicality of the structure. Ms. Bower stated she believes in separate lots for separate owners. She explained the purpose for lot divisions or better yet platting. Discussion followed of issuing the permit at the same time of lot split. Ms. Bowers again commented on staff issues with splitting lots after the house is constructed. She commented on the following staff recommendations:

- 1, The proposed lot split would meet the standards of the R-2 zoning district, subject to the conditions stated.
- 2, Moving or removing of services will be at property owner's expense.

3. Separate services are required for each lot.
4. Lots at 50% coverage will not be allowed to add sheds, patios, decks or gazebos.
5. At the time of platting, money was escrowed for two trees per lot. The new lot division will require one additional tree per lot at \$200.00 per tree. This will be collected with the building permit fees.

Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations 1-4. 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 July 25, 2005 in the Council Chambers at 5:30 p.m.

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

- a) Discussion followed to revisit the lot split and trees per lot ordinances and survey other communities. Ms. Otteson stated there must be consistency with the developers that were present at this meeting. Mr. Lofdahl stated he has concerns with 50% coverage when a development sewer is designed for 50%. Ms. Bowers stated we will aim for platting the lots up front.
- b) Mr. Haugen reminded staff to research definitions of Historical significance.
- c) Ms. Bowers commented on the changes she would like to implement with a draft resolution which will include the findings of fact and be included in the Planning Commission packet.
- d) Ms. Bowers stated the Regional Eye Clinic development should be on the August agenda.
- e) Ms. Bowers reported a letter will be sent to contractors on the weeds and debris complaints in some of the developments along with the lot split requirements.

7. **ADJOURNMENT**

There being no further business the meeting adjourned at 7:18 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, August 15, 2006
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, Farid Currimbhoy, Robert Hantge and Chairman Kirchoff. Absent: Mike Flaata. Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Miles Seppelt, EDA Director and Dan Sexton, EDA Intern

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated July 18, 2006

Mr. Hantge moved to approve the minutes of July 18, 2006 as submitted. Seconded by Mr. Haugen, The minutes were approved unanimously.

3. NEW BUSINESS

a) CONSIDERATION OF A **LOT SPLIT** LOCATED AT 1115 HWY 7 EAST

Ms. Bowers commented on the proposed request, past history of the site, and its orientation to the original plat. The lot is proposed to be developed as a restaurant, which is allowed within the C-4 (Fringe Commercial) zoning, this is also consistent with the comprehensive plan. She mentioned that for the property owner to make this property marketable this was a necessary step in its development. Although at this time there are no preliminary, final or site plans submitted, prior to its development these would have to be submitted and approved by City staff. Staff are supportive of the lot split, however noted conditions regarding the pond and drainage of the site. Ms. Bowers commented on the following staff recommendations:

- 1) Any construction on this site will require site plan review and approval. Development of this site is subject to meeting City requirements and the standards in the C-4 zoning district.
- 2) Stormwater ponding requirements must be verified. The applicant shall provide as-built plans to identify that the pond is sized appropriately and the approved grading conditions were met.
- 3) Access to parcel B shall be provided in the identified easement area.
- 4) All conditions of the preliminary and final plat approvals shall remain in effect. Any remaining fees shall be paid prior to recording the lot split.

Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations 1-4. Seconded by Mr. Hantge, the motion carried unanimously. Ms. Bowers stated this item would be placed on the City Council consent agenda at their meeting held August 22, 2006 in the Council Chambers at 5:30 p.m.

4. **PUBLIC HEARINGS**

a) **CONSIDERATION OF VACATION OF EASEMENTS LOCATED BETWEEN 705 AND 715 PARK ISLAND DR S.W. IN STEARNS WOODS ADDITION**

Chairman Kirchoff opened the hearing at 5:37 p.m. with the reading of publication #7488 as published in the Hutchinson Leader on August 4, 2006.

Ms. Bowers commented on the request and the surrounding property. She explained that both the lots are currently zoned R-1 (Single Family Residential), which would not change as a result of the vacation of easements. She commented on the surrounding properties zoning and current uses. She mentioned that the intent of the vacation of easements was to combine the lot and allow for the construction of a larger house. Staff is supportive of this action. Ms. Bowers commented on the following staff recommendations:

- 1) The easement vacation shall be only for the easement between Lot 1, Block 2 and Lot 2, Block 2, Stearns Wood Addition. All remaining easements shall remain in place.
- 2) The two parcels shall be combined into one at the County and confirmation provided to the City prior to the issuance of building permits for the property.
- 3) Development of the lots meet requirements of the R-1 Zoning district and applicable regulations.
- 4) The Property owners are responsible for any utility relocation costs at their own expense. The additional water and sewer services shall be properly disconnected and removed at the owner's expense.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 5:40 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. Bowers stated this item would be placed on the City Council consent agenda at their meeting held August 22, 2006 in the Council Chambers at 5:30 p.m.

b) **CONSIDERATION OF A 3 LOT PRELIMINARY AND FINAL PLAT TO BE KNOWN AS MENARD SECOND ADDITION AND A SITE PLAN FOR THE CONSTRUCTION OF REGIONAL EYE CLINIC**

Chairman Kirchoff opened the hearing at 5:41 p.m. with the reading of publication #7476 as published in the Hutchinson Leader on August 4, 2006.

Ms. Bowers commented on the history of this report and the submission of the plat. She explained that the property is C-4 (Fringe Commercial) zoning; the proposed plat is consistent with the comprehensive plan for this area. Lot 1 is proposed for the construction of a 14,000-square foot facility for Regional Eye Specialists and associated parking and landscaping. Future building expansions were also included in the plans. The Outlot A contains the existing pond to support drainage and runoff from the site. Staff is supportive of this action however noted several changes required of the plans. Ms. Bowers commented on the following staff recommendations:

- 1) The preliminary and final plat meets the requirements of the subdivision regulations and the zoning ordinance, subject to the conditions stated.
- 2) A drainage and utility easement shall be provided and maintained over Outlot A, as indicated on the final received by the City on July 20, 2006. Maintenance of the pond shall be the responsibility of Menards.
- 3) As requested by Menards, the Final Plat may be revised to the correct name of the company to Menards, Inc., add the proper company signatory name, and to execute the plat in Eau Claire County, WI.
- 4) The site plan approval includes the proposed 14,000-square foot building and associated site improvements, as shown on the site plan date 5/12/06. As the construction of the 4,000-square foot addition may not be several years, it will require another application for site plan approval and will be reviewed for compliance with City requirements at the time.
- 5) The site plan shall be revised to include the following revisions:
 - i. The internal sidewalk must be extended to the trail along Edmonton Avenue.
 - ii. Concrete sidewalk (6' width) along Montreal Street frontage shall be constructed and connected to adjacent sidewalk.
- 6) An accurate, detailed landscape plan, containing size and species, shall be submitted to the City for review and approval prior to issuance of any building permits for the site.
- 7) Lighting shall be shielded and shall not be directed upon the public right-of-way or nearby properties. Illumination must be indirect or diffused.
- 8) Approval of a sign permit is required prior to installation of any signage on site.
- 9) For the 3-lot plat, payment of \$1,200 for boulevard trees shall be paid prior to recording the final plat.

- 10) Parkland contribution fee of \$2,150 is required for the Regional Eye Clinic property and \$2,580 for Lot 2. Fees shall be paid prior to issuance of a building permit on each lot.
- 11) Sewer and water access charges will be determined based on ultimate number of plumbing fixtures.
- 12) \$800.00 Electric Territory fee per unit due at the time of building permit.

Further discussion proceeded concerning the flow of storm water and the T-off of storm sewer on the north side of Lot 2. Mr. Exner explained that the water would flow from a drain placed in the parking lot, be directed to the pond. There currently is a natural swale that will also direct drainage flows.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Hantge the hearing closed at 5:50 p.m. Mr. Lofdahl made a motion to recommend approval of the preliminary and final plats, as well as requested staff recommendations 1-12. Seconded by Mr. Hantge, the motion carried unanimously. Mr. Lofdahl amended to include the site plan. Seconded by Mr. Hantge, the amendment carried unanimously. Ms. Bowers stated this item would be placed on the City Council consent agenda at their meeting held August 22, 2006 in the Council Chambers at 5:30 p.m.

c) **CONSIDERATION OF A SITE PLAN FOR CONSTRUCTION OF WARRIOR MANUFACTURING AND CONDITIONAL USE PERMIT TO ALLOW OUTDOOR STORAGE LOCATED AT 1145 – 5TH AVE. S.E.**

Chairman Kirchoff opened the hearing at 5:53 p.m. with the reading of publication #7489 as published in the Hutchinson Leader on August 4, 2006.

Ms. Bowers commented on the history and the description of the current site and its proposed building. The site is zoned I-1 (Light Industrial), this is consistent with the proposed comprehensive use of the site. She informed the commission that the company hopes to start construction this fall and through the planning process would like to preserve and include the natural features of the site in their plan. The proposed facility would be a 92,000-square foot building and associated site improvements such as: landscaping, outside storage, and existing tree retention. Staff is supportive of the proposed site however, concerns about landscaping, screening, drainage and accesses. Ms. Bowers commented on the following staff recommendations:

1.
 1. Access to the property shall be limited to the two main entrances off of Fifth Avenue until the future roadway to the west is constructed. Connection to the future roadway via the front parking lot as shown on the site plan dated August 8, 2006, can be constructed in the future.
 2. The landscaping plan provided by the applicant dated August 8, 2006, is approved in order to preserve the existing mature trees on site.

3. The outdoor storage area may be aggregate, however it must be a minimum of 8" of Class 5 aggregate and possibly thicker depending on the suitability of the underlying subgrade soils
4. Consideration should be given to providing screening along the north and east property lines with a fence, landscaping, or combination thereof.
5. Driveway widths shall not exceed a maximum width of 30' at 5th Ave right-of-way line.
6. Due to proposed stormwater outlet being conveyed to an existing drainage way through private property, must have detailed existing stormwater runoff analysis that verifies existing site run-off rates are not exceeded after ultimate development (include potential expansion to east). Verify that all stormwater runoff is treated on-site (Pond 4 appears to be in 5th Ave right-of-way and easterly runoff contained on-site). Ensure that all facilities are sized for any future expansions (future loss of easterly pooling area, thus larger ponding requirements).
7. Install storm sewer pipes a minimum of 40' from west property line to preserve potential roadway corridor as discussed below. Install new culvert beneath west entrance/road to convey stormwater to existing 21" RCP that crosses 5th Ave (verify existing invert elevation).
8. At this time, City staff foresees a trunk storm sewer main being extended north of 5th Ave approximately 400' east of the east property line. When this main is constructed this property may have associated benefits and be assessed accordingly.
9. Extend 8" PVC sanitary sewer main along north side of 5th Ave to 50' beyond west property line. City staff will discuss potential cost-sharing for this work.
10. The applicant shall dedicate drainage/utility easement for lift station facilities within southwest corner of parcel.
11. Details and placement of lighting shall be provided prior to installation. All lighting shall be shielded from adjacent properties.
12. Sign permits are required prior to installation and shall meet the requirements of the Zoning Ordinance.

Mr. Lofdahl and Mr. Currimbhoy inquired about Item 7, the extension of storm sewer piping, its location and the construction of the road prior to development. Mr. Exner stated that construction of roadways and the instillation of water and storm water would always be preferred to be completed prior to development. But, due to ownership of property and cost of development certain projects must be phased in over time.

There was more discussion regarding the issue of screening requirements.

Ms. Bower commented that outdoor storage is required at a minimum of 5' high. This can be achieved through berming, fencing, and trees. The developer spoke on behalf of Warrior, stating that they were not receptive to screening due to the lay of the land and its elevation. He stated that Warrior would be more accepting of utilizing existing trees as buffers and the use of berms.

The issue of drainage was discussed. Mr. Exner commented that the designs of the plans proposed need to include possible drainage

capacities for future additions, as well as location of ponding to a line with present drainage routes.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:41 p.m. Mr. Hantge made a motion to recommend approval of the site plan and the conditional use permit, including the request with staff recommendations and as well as requiring screening on the northeast corner of the site, pending City Council approval. Seconded by Mr. Currimbhoy, the motion carried unanimously. Ms. Bowers stated this item would be placed on the City Council consent agenda at their meeting held August 22, 2006 in the Council Chambers at 5:30 p.m.

d) **CONSIDERATION OF A SITE PLAN AND CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF TWO POLE TYPE BUILDINGS LOCATED AT THE H.A.T.S. FACILITY, 1400 ADAMS STREET S.E.**

Chairman Kirchoff opened the hearing at 6:43 p.m. with the reading of publication #7490 as published in the Hutchinson Leader on August 4, 2006.

Ms. Bowers commented on the plans of the proposed buildings to be built, explained some of the limitations of the site and mentioned the history of the facility. This plan proposed includes buildings for both County and City, all which are allowed by the current zoning ordinances. Staff is supportive of this plan and recommended the following:

- 1) A conditional use permit to approve for the allowance of construction of two pole-type buildings for vehicle storage at the H.A.T.S facility.
- 2) Due to concerns with suitability of the sub-grade materials, paving of the parking areas may be delayed for at least two years. The City will re-evaluate the condition of the site at the time and propose a suitable time for paving the parking lot and drive aisles after any necessary soil corrections.
- 3) Gas Loads and meter placement shall be approved by Hutchinson Utilities.
- 4) Approvals of building permits are required prior to construction.

There was further discussion of the placement of these buildings at the facility. Mr. Olson commented that the locations were chosen based on suggestions from MnDot, relating to sand/salt piling in the winter. He mentioned that this plan attempted to minimize the affects of drainage and to allow for maximum usage of the buildings. Mr. Olson explained that the construction on Hwy. 7 & Hwy. 15 was allowing for the utilization of access material to construct a berm along Adams Street to screen the buildings from view.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 7:00 p.m. Ms. Otteson made a motion to recommend approval of the request with staff recommendations 1-4

Seconded by Mr. Currimbhoy, Motion carried 5:1 (Ayes: John Lofdahl, Jim Haugen, Lynn Otteson, Farid Currimbhoy, and Chairman Kirchoff Nay: Robert Hantge). Ms. Bowers stated this item would be placed on the City Council regular agenda for the August 22, 2006 in the Council Chambers at 5:30 p.m.

e) **CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW A CONSIGNMENT CLOTHING STORE LOCATED AT 16919 HWY 7 EAST IN THE GATEWAY DISTRICT**

Chairman Kirchoff opened the hearing at 7:01 p.m. with the reading of publication #7491 as published in the Hutchinson Leader on August 4, 2006.

Ms. Bowers commented on the history of this location and the proposed usage of the site. She noted that a similar establishment had previously occupied the site. This use is consistent with the comprehensive plan for the use of this area. Staff is supportive of this action, however concerned about current septic capacity. Ms. Bowers commented on the following staff recommendations:

- 1) A conditional use permit to allow consignment clothes and handicrafts within the building should be issued. Sales outside the building are not permitted.
- 2) Restroom facilities shall be made available to customers and employees.
- 3) The parking lot is not required to be paved until ownership changes or an addition is proposed.
- 4) Sign permits are required for the installation of any signage.

Ms. Otteson inquired about the requirement of inspecting the septic prior to approval. Ms. Bowers commented that a septic inspection would not be required unless there was a proposed addition or new bathroom facilities.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Hantge the hearing closed at 7:07 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations 1-4. Seconded by Mr. Hantge, the motion carried unanimously. Ms. Bowers stated this item would be placed on the City Council consent agenda at their meeting held August 22, 2006 in the Council Chambers at 5:30 p.m.

f) **CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW OPERATION OF THE MONTESSORI CHARTER SCHOOL AT THE MCLEOD COUNTY FAIRGROUNDS.**

Chairman Kirchoff opened the hearing at 7:08 p.m. with the reading of publication #7495 as published in the Hutchinson Leader on August 4, 2006.

Ms. Bower commented on the details of the proposed site and the urgent timeline that this proposal has been confronted with. She stated that all staff had not reviewed the site plan due to the late submittal, which was received on Friday, August 11th. Staff met on site with the Charter School on Thursday to address site and building issues. Staff presented a revised draft resolution to the Planning Commission. She mentioned that staff would continue to work with the school to resolve issues concerning utilities, water and site plan. Ms. Bowers commented on the following recommendations:

1. The applicant should address the conditional use permit standards to show that the proposed school would meet these standards and shall not negatively impact the adjacent residential neighbors. Considerations should be given to providing some buffering between the homes to the west and the school buildings and parking.
2. A minimum of 6" of gravel is required for parking and driving surface.
3. All drainage must be contained on the fairgrounds site.
4. A fire hydrant is required near the trailers. The location and specifications shall be approved by the Fire Chief.
5. A complete review has not been conducted on the plans submitted August 11th. Revisions may be required to meet City requirements.

There was further discussion concerning the loss of view, noise and the tenure of the site by surrounding neighbors. Mr. Conrad commented that noise would be contained to lunch recess and the arrival/departure of students. Mr. Conrad would work to develop a berm to screen the facility to better accommodate the concern of view to screen the facility.

Ms. Otteson 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 request with staff recommendations including requiring dialog between citizens and operators prior to the City Council meeting. Seconded by Mr. Currimbhoy, the motion carried unanimously. Ms. Bowers stated this item would be placed on the City Council consent agenda at their meeting held August 22, 2006 in the Council Chambers at 5:30 p.m.

5. OLD BUSINESS

- Ms. Bowers updated the commission that Historic Hutch is willing to provide a subcommittee to review issues of historic variances. She mentioned Historic Hutch only wanted to maintain an advisory roll.
- Ms. Bowers commented that the City Council would like to see the two (2) trees per lot ordinance enforced and be more consistent in the future with subdivision approvals.

6. COMMUNICATION FROM STAFF

Minutes

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- Ms. Bowers reminded commission members that if they were interested in attending the annual Minnesota APA conference that they should contact her.

7. ADJOURNMENT

There being no further business the meeting adjourned at 7:51 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, September 19, 2006
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: Rebecca Bowers, 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 15, 2006

Ms. Otteson moved to approve the minutes of August 15, 2006 as submitted. Seconded by Mr. Hantge. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **VACATION OF DRAINAGE AND UTILITY EASEMENTS** LOCATED BETWEEN LOTS 4 AND 5, BLOCK 1, FAIRWAY ESTATES SECOND ADDITION (1376 AND 1380 HERITAGE AVENUE)

Chairman Kirchoff opened the hearing at 5:35 p.m. with the reading of publication # 7499 as published in the Hutchinson Leader on September 7, 2006.

Ms. Bowers commented on the request and explained the location of the vacation of easements. She stated the property owners are not planning to expand their home over the line. They are combining the two lots into one lot. She commented on the following staff recommendations:

1. The easement vacation shall be only for the easement between Lot 4 Block 1 and Lot 5, Block 1, Fairway Estates Second Addition, as described on the attached legal description. All remaining easements shall remain in place.
2. The property owners are responsible for any utility relocation costs at their own expense. The additional water and sewer services shall be properly disconnected and removed at the owner's expense.

Ms. Bowers suggested revising the second recommendation by deleting the second sentence to read: “The property owners are responsible for any utility relocation costs at their own expense.”

Discussion followed regarding subdividing the property again in the future.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 5:39 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen, with the revision of recommendation #2. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting to be held September 26, 2006 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION OF A **VARIANCE** TO INCREASE AMOUNT OF IMPERVIOUS SURFACE IN THE SHORELAND AREA FROM 25% COVERAGE TO 31% COVERAGE LOCATED AT 915-2ND AVE S.W.

Chairman Kirchoff opened the hearing at 5:40 p.m. with the reading of publication # 7500 as published in the Hutchinson Leader on September 7, 2006.

Ms. Bowers commented on the request and explained the shoreland impervious surface requirement of 25%. She stated the proposal is 31% and explained the impervious surfaced used to calculate the percentage. She discussed the option of eliminating some of the impervious surface as the garage has not been constructed to date. Staff had concerns and would recommend denial. She reported on some of the staff suggestions to make the 25%. She commented on the variance conditions of finding hardship.

Discussion followed on the actual square footage of the lot. Ms. Bowers stated we must go with the survey.

Discussion followed on the previous variance request and if the property owner was aware of the coverage requirement. Staff stated he was not at the time of application. Ms. Bowers commented on the reasons for the 25% coverage. Mr. Exner commented on the water run off and impervious surface. He explained the water run off in the shoreland will not go into the stormwater system but into the river.

Ms. Bowers reported the DNR shoreland regulations are under the State DNR and the City does not have the right to amend these regulations. Discussion followed on the lot sizes allowed in the shoreland.

Mr. Christensen, property owner, submitted his document regarding percentage of coverage on other shoreland properties. The document contained letters from the County Environmentalist and Program Director

of the Soil and Water Conservation District. He submitted a drawing of the proposed garage. He stated he is willing to create a rain garden to collect drainage. He explained he has changed the garage size to approximately 28'X36'. He commented on the calculations of the lot area.

Discussion followed on past review of shoreland coverage. Mr. Christensen stated he is meeting the intent. Ms. Bowers stated using alternative measures such as rain gardens and filters to improve water quality does help the situation. She explained there are other options to the 25% requirement.

There was discussion on the use of a 3 car garage and other methods of removing or changing driveways. There was also discussion of no driveway to the 3rd stall. Mr. Christensen stated he would not want to have grass as a driveway. Discussion follow of staging construction until the ordinance is reviewed. Further discussion followed of what is a hardship and meeting the intent of the ordinance.

Matt McMillan, 925 – 2nd Ave. S.W., commented on the narrow lots and shared driveways. He stated separate driveways would have created more coverage. This plan will decrease the present congestion to the two lots. He reminded the Commission the area was platted many years ago.

Discussion followed on not enforcing the shoreland ordinance over the years. Atty. Sebora stated the Planning Commission may begin enforcement of the ordinance at any time.

Mr. Betker, commented on the drainage to the neighboring lot. He suggested moving the garage closer to the road.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Flaata. The hearing closed at 6:35 p.m. Mr. Hantge made a motion to recommend approval of the request to change garage size to 984 sq. ft. with the hardship of unique shaped lot and construct a rain garden to treat runoff. Seconded by Mr. Flaata. The motion carried 6 ayes to 1 nay by Ms. Otteson. Ms. Bowers stated this item will be placed on the City Council regular agenda at their meeting held September 26, 2006 in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

Mr. Currimbhoy was excused at 6:39 p.m.

a) CONSIDERATION OF LOT SPLIT REQUESTED BY PAUL BETKER LOCATED AT 250 OTTAWA AVE SE

Ms. Bowers commented on the request in the Southwind Addition. She stated the process has been discussed with previous similar lot splits. She reported staff reviewed the lot split submitted and would recommend approval with the following conditions:

1. The proposed lot splits would meet the standards of the R-2 zoning district, subject to the conditions stated.
2. Moving or removing of services will be at property owner's expense.
3. Separate services are required for each lot.
4. Lots at 50% coverage will not be allowed to add sheds, patios, decks or gazebos. The applicant shall provide written disclosure to the buyers that no additional coverage will be allowed beyond the 50%.
5. At the time of platting, money was escrowed for two trees per lot. However, as money was not provided for the additional twin home lots, the new lot division will require one additional tree per lot at \$180.00 per tree, for a total of \$360.

Mr. Betker, property owner, stated he still has a problem with the tree escrow monies required and he has issues with the process. He explained the second addition will meet the present tree escrow requirement. He stated he would like to see the lot split during the building permit application process. Ms. Bowers stated the requirement is the same as last time and must be approved before construction. Mr. Betker stated the plat was originally approved for twin homes.

Mr. Hantge made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Flaata, the motion carried, 6 ayes to 1 nay by Mr. Haugen. Ms. Bowers stated this item will be placed on the City Council regular agenda at their meeting held September 26, 2006 in the Council Chambers at 5:30 p.m.

5. OLD BUSINESS

None

6. COMMUNICATION FROM STAFF

- a) Update regarding the Charter School temporary site – Ms. Bowers commented on a temporary location for the Charter School at the Office Max building which would require a conditional use permit.
- b) Mr. Hantge would like minutes from the staff meetings indicating how staff voted on issues.
- c) Mr. Haugen suggested we review changing the shoreland ordinance.

7. ADJOURNMENT

There being no further business the meeting adjourned at 7:08 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, October 17, 2006
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, Robert Hantge and Chairman Kirchoff. Absent: Farid Currimbhoy Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated September 19, 2006

Ms. Otteson moved to approve the minutes of September 19, 2006 as submitted. Seconded by Mr. Flaata. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF **VACATION** OF A PORTION OF THE EASEMENT LOCATED ON THE SOUTH LINE OF LOT 14, RICE ADDITION, 630 DALE ST S.W.

Chairman Kirchoff opened the hearing at 5:35 p.m. with the reading of publication #7512 as published in the Hutchinson Leader on October 5, 2006.

Ms. Bowers commented on the request to vacate 4 feet of the south 10 foot easement for the construction of a two story addition to the attached garage. She explained the property owner asked to allow a 1.8 foot cantilever over the easement area. She reported that staff is not in favor of decreasing the easement and then allowing encroachment over the easement. They would want to protect the easement area. Ms. Bowers stated the Ordinance is not clear regarding allowing cantilevers or overhangs. She commented on the following staff recommendations with staff approval:

1. Overhangs may not encroach into the existing 6 foot easement.

Discussion followed on revising the ordinance for clarification. Ms. Bowers stated there are other areas to revise in the ordinance as well.

Mr. Patrick, property owner, stated he could answer questions. There were no further questions from the Planning Commissioners.

Mr. Lofdal will abstain from voting.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Hantge the hearing closed at 5:41 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting to be held October 24, 2006 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION OF **AMENDMENT** TO SECTION 154.062 OF THE CITY CODE ADDING LANGUAGE TO ALLOW TOWING COMPANY OFFICE WITH IMPOUND LOT

Chairman Kirchoff opened the hearing at 5:43 p.m. with the reading of publication #7513 as published in the Hutchinson Leader on October 5, 2006.

Ms. Bowers commented on the request and the proposed language to be added. She explained the purpose of the C2 district is for automotive uses. She commented on the staff discussion to add screened fencing. She clarified the items in the C2 district are in the C4 district as Conditional uses. She explained the site the applicant will be moving the towing company to is C4. She showed a map with C2 and C4 districts. Ms. Bowers explained staff discussion was to add the towing company to the C4 district as a conditional use permit. She explained that C2 was more appropriate to the automotive district. The applicant must come in for a conditional use permit in the C4 district.

Discussion followed on the verbage of wood fencing changing the language to 100% opacity. The language should read completely fenced to 100% opacity or screened enclosure to 100% opacity.

There was discussion on the proposed site and the opportunity for cleaning it up.

Discussion followed with consensus that towing companies fit the C2 automotive district. Ms. Bowers stated there are few areas of C2 where a towing business would be permitted. Ms. Bowers commented on the changing business of towing. She explained the C2 stretch along Hwy 7 West will possibly be changing in zoning in the future.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Lofdahl the hearing closed at 5:59 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Lofdahl to include the language change in the 100% opacity fencing requirement. The motion carried unanimously. Ms.

Baumetz stated this item will be placed on the City Council consent agenda at their meeting held October 24, 2006 in the Council Chambers at 5:30 p.m.

- c) CONSIDERATION OF **CONDITIONAL USE PERMIT** REQUESTED BY NEW DISCOVERIES MONTESSORI ACADEMY TO TEMPORARILY OPERATE A SCHOOL IN THE C4 (FRINGE COMMERCIAL) DISTRICT LOCATED AT 1354 HWY 15 SOUTH (OFFICE MAX BUILDING)

Ms. Bowers stated this item was withdrawn by the applicant.

- d) CONSIDERATION OF **SITE PLAN AND CONDITIONAL USE PERMIT** REQUESTED BY JANET VALEN, REMAX, TO REMODEL RESIDENTIAL BUILDING FOR REAL ESTATE OFFICE LOCATED IN THE I/C (INDUSTRIAL/COMMERCIAL) DISTRICT AT 255 HWY 7 EAST

Chairman Kirchoff opened the hearing at 6:00 p.m. with the reading of publication #7516 as published in the Hutchinson Leader on October 5, 2006.

Ms. Otteson and Mr. Haugen abstained from the discussion and vote.

Ms. Bowers explained the request and the history of the property. The property is zoned I/C and any use requires a conditional use permit. She explained the proposal to construct an addition to the present residential building for a real estate office of 7300 sq. ft. The southerly secondary entrance will be moved to the east. The revised site plan does show the removal of the garage and the drainage from the parking lot. Ms. Bowers stated the removal of the garage would create room for more parking. The main entrance will be to the east side of the building. She commented on the site plan and parking requirements. She reported the parking requirements provided would be adequate for the use. There is a danger of over parking a site. She stated the City would require additional details on grading and drainage. She explained the recommended setbacks in the IC district. Staff reviewed the plan with the owners and a one stop shop was held on Oct. 10th. She commented on the following staff recommendations:

1. The proposed use would meet the standards for granting a CUP.
2. The proposed addition and site improvements would comply with the standards of the I/C district.
3. The applicant shall provide detailed plans on the proposed grading and drainage for the site to be reviewed and approved by the City Engineer prior to construction on the site.
4. The applicant will work with utilities regarding proper disconnection and/or relocation of services.

Ms. Bowers reported staff would recommend approval.

Discussion followed regarding fire and emergency service access. It was noted the Fire Inspector commented in the one stop shop minutes there was not an issue for fire service. The fire hydrant is to the west of the Marshall Concrete entrance.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 6:09 p.m. Mr. Flaata made a motion to recommend approval of the resolution as recommended by staff adding language to number 4 that the property owner would pay for any relocation of utility services. Seconded by Mr. Lofdahl. The motion carried with Ms. Otteson and Mr. Haugen abstaining. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held October 24, 2006 in the Council Chambers at 5:30 p.m.

4. **NEW BUSINESS**

a) DISCUSSION OF **SKETCH PLAN** SUBMITTED BY STEVE KNISLEY, FOR REPLAT IN GOEBEL'S ADDITION

Ms. Bowers explained the need for feedback from the Planning Commission on this item. She commented on the request and the unique idea. She reported the request does not fit into the zoning ordinance allowance for the I-1 district. She stated it would be a stretch to do a Planned Development District. She commented on the following concerns by staff: lot coverage, the development meeting the ordinance requirements, using a PDD, fire service access, highly traveled 5th Ave. and look of the industrial park in the future.

Mr. Knisely, commented on the concept and the information regarding the Litchfield development. He stated this idea has gone over well in Litchfield. He commented on the lots in Litchfield. He explained there is crushed rock landscaping with a 5 foot side set back and the front setback is 10 feet. All of the buildings are at the same front setback. He explained the run off will be to the street or to the west. He stated the radius on the turn is designed for the fire equipment. He commented on the cost effectiveness of developing this property and explained the demographics of the property. Discussion followed on locating in the industrial park. Mr. Knisley stated the road will be maintained by an association. He explained 20% of the property will be green space in the Hutchinson development. There will be covenants and restrictions similar to the development in Litchfield. He noted the development will need city sewer, water, electric, gas, telephone and internet.

Mr. Exner commented on the run off and the determination of lot coverage ratio for the size of the present pond. A stormwater analysis may be required to determine ponding size. He stated they may need to provide ponding on site. He explained the rear of the site is the obvious area. Ponding would be in combination with storm sewer. Mr. Knisley stated possible coverage will be approximately 50%.

Discussion followed on maintenance of the property mowing and snow removal. Mr. Knisley stated each lot will be owned by individuals to maintain. He stated there will be covenants to address things like maintenance. Ms. Bowers commented on her concerns in using a PDD to circumvent the ordinance. She explained there are questions to be worked out if this moves forward. There was discussion on the ability to assess individual owners.

Ms. Bowers explained PDD's have been used in residential developments. Discussion followed on concerns with associations.

Mr. Knisley stated the development in Litchfield is a PUD. Each unit has sewer and water and drains in each building. Mr. Exner commented on his concerns with what people be using these lots for. Ms. Bowers stated there will need to be conditions in the PDD. She explained pole type buildings presently require conditional use permits. Mr. Knisley stated the covenants would state what uses would be allowed in the development. There was discussion on the need for this type of concept. Mr. Knisley stated no outside storage is allowed and the lots are to be kept clean.

Ms. Bowers stated density and ponding is a concern. Mr. Knisley explained the people that want these do not want large lots. He noted this development would be 26 taxable properties for the City. Discussion followed on the intent of the Industrial districts to create jobs. This type of development does not fit into the zoning ordinance requirements. Ms. Bowers commented on her concern regarding the long term issues with this type of development. Discussion followed on how to make this work in changing times.

Atty. Sebora explained the process and that the developer would move forward with the application. He stated the staff and Planning Commission would make recommendations to the City Council. He suggested the developer move forward with his idea and see what will be allowed. He stated he has reservations in allowing the use for storage of vehicles.

Ms. Bowers stated clear direction should be given to Mr. Knisley. Discussion followed on the possibility of having a multi tenant building or a PDD.

Orville Mackenthun, realtor, explained the history of the Goebel lots. He stated this development would put the property to good use. Ms. Bowers stated the development would take a Plat, PDD plan and drainage and utility plans. The Planning Commission would like to see the project work and directed the sketch go to the City Council for their feedback knowing it will take engineered drainage for stormwater management.

- b) DISCUSSION OF PROPOSAL FOR **SKETCH PLAN** SUBMITTED BY EXCELSIOR HOMES

Ms. Bowers commented on the sketch plan and feedback on the lot depth difference. She explained the history of the property and the request for 5 new lots. She stated the lot depth requirement is 120' and two lot depths would be 90 feet requiring variances. She explained the house would be modular homes with attached garages and full basements. The cul-de-sac would be public and meets the city standards.

Jeff Munsell, owner, commented on the costs. He stated this development will be affordable housing.

Discussion followed on the need for affordable housing and this was a good fit. Ms. Bowers stated the next step is to apply for a preliminary plat and variance. Mr. Exner stated the platting alternatives are limited. He reported these lots have more frontage than in Fairway Estates and the sketch looks good. It is the consensus of the Planning Commission to go ahead with the preliminary plat and variance applications.

5. OLD BUSINESS

6. COMMUNICATION FROM STAFF

- Ms. Bowers suggested some new business items such as lot splits be placed on the consent agenda to save time. She stated the Planning Commission could pull items off the consent agenda to be placed at the end for discussion if needed. The consensus of the Planning Commission is to use the consent agenda for the items that would not need extra discussion.
- Mr. Hantge suggested staff develop a cause and effect list to help the Commissioners understand legal issues to be resolved on requests.
- Ms. Otteson commented on the APA conference and the seminars on environmental impacts.

7. ADJOURNMENT

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, November 21, 2006
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: Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. CONSENT AGENDA

- a) CONSIDERATION OF MINUTES DATED OCTOBER 17, 2006
- b) CONSIDERATION OF **LOT SPLIT** SUBMITTED BY BRUCE NAUSTDAL LOCATED AT 1150 BLUEJAY DRIVE S.W.

Mr. Haugen moved to approve agenda items 2 (a) and 2 (b) with the following staff recommendations for 2(B):

- 1. The proposed lot split would meet the standards of the R-2 zoning district, subject to the conditions stated and airport zone building square footage requirements.
- 2. Moving or removing of services will be at property owner's expense.
- 3. Separate services are required for each lot.
- 4. Lots at 50% coverage will not be allowed to add sheds, patios, decks or gazebos.
- 5. At the time of platting, money was escrowed for two trees per lot. The new lot division will require one additional tree per lot at \$200.00 per tree. This will be collected with the building permit fees.

Seconded by Mr. Hantge the consent agenda items were approved unanimously. Item 2 (c) was moved to New Business on the agenda for further discussion.

3. PUBLIC HEARINGS

- a) CONSIDERATION OF REQUEST TO **REZONE** LOTS 2-6, BOYLES ADDITION FROM R4 (HIGH DENSITY RESIDENTIAL) TO I/C (INDUSTRIAL COMMERCIAL) FOR A 9 LOT COMMERCIAL SUBDIVISION

Chairman Kirchoff opened the hearing at 5:45 p.m. with the reading of publication #7526 as published in the Hutchinson Leader on November 21, 2006.

Ms. Bowers commented on the request and current zoning. She stated a business park is proposed. She explained the location and surrounding property uses. She presented background on the considerations of rezoning. She explained the Comprehensive Plan is the guide for future land use. She stated rezoning should be consistent with the City's long range plans. Ms. Bowers stated the latest sketch plan and the revised access is more preferable to the staff. She commented on the process after the property is rezoned. She reported staff recommended denial because the property is guided for residential and because of the impacts to the surrounding residential properties. She commented on the staff report which lists conditionally permitted uses. She explained in the I/C District each use must go through the conditional use permit process. There is no minimum lot area requirement in the I/C District and only recommended setbacks. She commented on the following staff concerns:

1. The proposed I/C zoning is not consistent with Comprehensive Plan and the future land use guide plan, which identifies this property as Mixed Use Residential.
2. There are no adjacent or nearby I/C zoned properties that would provide for a logical zoning transition. There is an existing commercial area across Highway 15 that it is zoned C-4.
3. The number of lots proposed to be developed (9 lots) is too dense for the site.
4. Rezoning to I/C would negatively impact the adjacent residential areas due to increased industrial and/or commercial traffic.
5. Review and approval of the County Engineer is required regarding access off County Road 12/North High Drive.
6. There are wetland areas to the north of the existing apartment building that could determine potential for development of these areas.
7. Increasing commercial and/or industrial traffic could negatively impact the township gravel roadway and residences to the north.

Ms. Bowers commented on the potential for a round-about on Hwy 15 and North High Drive and possible changes to the plat. Discussion followed on spot zoning. There is C4 across Hwy 15 but the uses would not fit the development. She stated I/C made more sense for the proposed uses in this development.

Gus Wurdell, applicant, stated he does understand the comprehensive plan guides for residential. He explained nothing has happened with this property for 29 years and he would like to see it developed. He stated the I/C district would give the City control with the conditional use process.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Currimbhoy. The hearing closed at 5:56 p.m. Mr. Flaata made a motion to recommend denial of the request because of staff concerns 1-7.

Seconded by Ms. Otteson, the motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council regular agenda at their meeting held November 28, 2006 in the Council Chambers at 5:30 p.m. unless the applicant withdraws the request.

b) **CONSIDERATION OF CONDITIONAL USE PERMIT TO ALLOW TOWING COMPANY OFFICE WITH IMPOUND LOT LOCATED IN THE C4 (FRINGE COMMERCIAL) DISTRICT AT 700 AIRPORT ROAD**

Chairman Kirchoff opened the hearing at 5:57 p.m. with the reading of publication #7523 as published in the Hutchinson Leader on November 9, 2006.

Ms Bowers commented on the request and the previous amendment to the ordinance to allow towing companies with impound lots by conditional use permit in the C4 District. She explained the site plan shows part of the fence over a portion of the parking lot. She would recommend changing the staff conditions on placement of the fence. She reported there are more parking spaces than required by the ordinance. She stated the request meets the conditions for the conditional use permit.

Lowell Baumetz, applicant, commented on the southern portion of building he would be renting for the business. He stated there are existing studs for the office area and an existing area for bathroom facilities is available. He explained the septic tank placement and the need to clear the septic area. He stated the proposed fence placement will give the area the best screening of the back portion of the area. Discussion followed on the placement of the fenced area. Mr. Baumetz explained the need for enough maneuvering area with the truck. He stated the law allows impounded vehicles for 45 days before they are junked. He stated he tries to move them as soon as possible. He commented on the good job the police department does at cleaning up abandoned cars. He explained he is working with the Car Shop to get the dead beat cars moved.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:11 p.m. Mr. Lofdahl made a motion to recommend approval with the following staff recommendations 1,2 and 6:

1. City Council has considered the recommendation of the Planning Commission and the effect of the proposed use on the health, safety, and welfare of the occupants of the surrounding lands, existing and anticipated traffic conditions, and the effect on values of properties in the surrounding area and the effect of the use on the Comprehensive Plan.
2. The Council has determined that the proposed use is in harmony with the general purpose and intent of the Zoning Ordinance and the Comprehensive Plan.
6. The property owner shall combine the two lots at the County.

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 November 28, 20076 in the Council Chambers at 5:30 p.m.

c) CONSIDERATION OF **VACATION** OF 10' OF A 20' DRAINAGE AND UTILITY EASEMENT LOCATED ON THE SOUTH LINE OF LOT 4, BLOCK 1, HANSONS SUBDIVISION OF PETERSON ESTATES, 320 JEFFERSON COURT

Chairman Kirchoff opened the hearing at 6:13 p.m. with the reading of publication #7524 as published in the Hutchinson Leader on November 9, 2006.

Ms. Bower explained the location of the property. She explained the property was developed prior to being annexed into the City. The County easement requirement when platted was 20'. The property owner is requesting to vacate 10 feet of the easement. She stated there are trees to work around. Engineering and utilities met with the applicant on site. Mr. Exner stated the City must be able to get to the pond to the rear of the property until property to the south develops. Ms. Bowers commented on the following staff recommendations:

1. Subject to a written agreement between the property owner and the City to allow and make accommodations for the City crews to access the stormwater pond adjacent to their property if maintenance of the pond is necessary by the City. This arrangement would end when the parcel to the south is developed and appropriate infrastructure with corresponding easements is constructed.
2. The detached garage may not be placed in the remaining easement area and all regulations must be followed regarding detached garages.

Mr. Exner commented on the meeting with the applicant on-site. He commented on the land locked pond. He stated, in the future, there will be an outlet pipe when the property to the south develops. We have no easement along the city limits line. He explained there is an old tile line which is presently a limited outlet. Discussion followed on who built the pond. Mr. Padrnos stated the pond to the south was built as a result of the pond to the west. He explained the developer went to the property owner to construct the pond. Mr. Exner stated there is an agreement with the property owner. He explained the placement of the large shed which is the only area to place the shed on the property without moving trees.

Mr. Hantge made a motion to close the hearing. Seconded by Mr. Lofdahl the hearing closed at 6:22 p.m. Mr. Currimbohy made a motion to recommend approval of the request with staff recommendations 1-2. Seconded by Mr. Haugen. The motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held November 28, 2006 in the Council Chambers at 5:30 p.m.

- d) CONSIDERATION OF **VARIANCE** TO REDUCE SIDE YARD SETBACK FROM 20 FEET TO 5.6 FEET FOR CONSTRUCTION OF A SMOKING ROOM AT THE HUTCH BOWL, 1150 HWY 7 WEST

Chairman Kirchoff opened the hearing at 5:39 p.m. with the reading of publication #7525 as published in the Hutchinson Leader on November 9, 2006.

Ms. Bowers explained the applicant is requesting to table the item.

Atty. Sebora commented on his meeting with Mr. Plaisance regarding the proposed nonsmoking ordinance.

Discussion followed on establishing a portion of the building a smoking area. Hutch Bowl is presently exempt under the County Ordinance. The proposed city ordinance is more comprehensive than what is required presently.

Mr. Plaisance commented on his reasons to table the request. He explained he is constructing an inside version of the outside smoking room.

Mr. Hantge made a motion to close the hearing. Seconded by Ms. Otteson. The hearing closed at 5:44 p.m. Mr. Haugen made a motion to table this request. Seconded by Mr. Hantge. The motion carried unanimously.

- e) CONSIDERATION OF **CONDITIONAL USE PERMIT** TO ALLOW OVER 1000 CUBIC YARDS OF FILL IN FLOOD PLAIN FOR CONSTRUCTION OF WASTE WATER TREATMENT FACILITY EXPANSION

Chairman Kirchoff opened the hearing at 6:25 p.m. with the reading of publication #7527 as published in the Hutchinson Leader on November 9, 2006.

Ms. Bowers explained the location of the request and the need for 3,600 cubic yards of fill.

Mr. Mehr, Sr. Waste Water Operator, commented on the request and the expansion to handle additional flows. He explained the pond was a borrow pit used to construct the present facility. He commented on the need for additional space. They looked at other areas on the site to locate the facility. The high voltage lines and costs made other areas difficult.

Mr. Exner explained the joint notification process to the DNR, County Environmentalist and Army Corps of Engineers. He stated he had a verbal approval from the DNR and County and written email approval from the Corps. He explained this is not a wetland but the City did go through the application process. He stated the facility must be above the

100 year flood plain. Discussion followed on the changes to the new dam and changes to the 100 year flood elevations.

Mr. Exner showed the building footprint. He explained 8400 sq. ft. of wet area will be impacted. Discussion followed regarding placing documentation from the Corps of Engineers in the Planning Commission packet. He stated construction will begin in early spring. He explained the construction process will take over a year. It was suggested the Corps of Engineers documentation be given to the City Council.

Ms. Otteson made a motion to close the hearing. Seconded by Mr. Lofdahl. The hearing closed at 6:37 p.m. Mr. Hantge made a motion to recommend approval of the request with staff recommendations and adding documentation from the DNR, County and Corps to the City Council. 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 November 28, 2006 in the Council Chambers at 5:30 p.m.

4. NEW BUSINESS

a) CONSIDERATION OF LOT SPLIT REQUESTED BY PAUL BETKER LOCATED AT 235 OTTAWA SE

Ms. Bowers explained the application was submitted past the deadline but, because of the time of year, we put it on the agenda. She commented on the request for a twin home reporting it does meet the requirement. This building is at 50% coverage and no additions would be allowed. She commented on the following staff recommendations:

1. The proposed lot split would meet the standards of the R-2 zoning district, subject to the conditions stated and airport zone building square footage requirements.
2. Moving or removing of services will be at property owner's expense.
3. Separate services are required for each lot.
4. Lots at 50% coverage will not be allowed to add sheds, patios, decks or gazebos.
5. At the time of platting, money was escrowed for two trees per lot. The new lot division will require one additional tree per lot at \$200.00 per tree. This will be collected with the building permit fees.

Discussion followed on verifying the property does not go over the 50%. The question was asked the if the second phase will the stormwater system have to be revisited and pipes and ponds sized accordingly? Mr. Lofdahl would propose tabling to the next meeting.

Chairman Kirchoff stated this is not an automatic these lot splits will not be the same as before.

Mr. Betker stated he is trying to keep on schedule. He explained the plat was approved for twin homes and he understands he has to have lot splits. He does not agree with the process. He stated lot split surveys are expensive to pay twice. He stated he will stay under the 50% coverage. Discussion followed on the past and present process. Mr. Betker commented on his perception of the process from the City Council meeting. He stated cost factors are an issue and he has 8 lots left to split.

Mayor Cook stated Mr. Betker could have asked for a special meeting.

Ms. Bowers explained the past procedure was contrary to the ordinance according to the City Attorney. She stated this is legal procedure and staff is comfortable with the Planning Commission's decision. Consensus of the Planning Commission was the applications must be submitted in a timely manner. They suggested the remaining lots could be split ahead of time so Mr. Betker does not have future problems with building his twin homes. They would not require a full blown survey however legal descriptions are necessary.

Mr. Betker asked about the tree issue. He stated tree escrow was provided per ordinance of 2 per lot. Discussion followed of where the trees were to be planted. Mr. Betker stated he is upset with the changes.

Ms. Bowers stated she intends to revise the ordinance to make things easier for the developer. Mr. Betker asked staff and planning commissioners to talk to the developers before the decisions are made when revising the ordinances.

Mr. Lofdahl made a motion to recommend approval of the lot split. Seconded by Mr. Currimbhoy. The motion carried unanimously. Ms. Baumetz stated this will go to the City Council consent agenda November 28, 2006.

5. **OLD BUSINESS**

There was discussion of where storage units would fit in the City. Ms. Bowers stated I/C was intended for existing sites. She stated Mr. Knisely will be back for an amendment of the ordinance and series of applications.

6. **COMMUNICATION FROM STAFF**

Mr. Exner commented on requests for timed parking in the Main Street area. He stated that would be difficult to enforce and difficult to monitor. It was suggested the Downtown Association discuss the request and decide how it should be handled.

7. **ADJOURNMENT**

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, December 19, 2006
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, and Chairman Kirchoff. Absent: Robert Hantge and John Lofdahl Also present: Rebecca Bowers, Planning Director and Bonnie Baumetz, Planning Coordinator

2. APPROVAL OF MINUTES

a) Consideration of Minutes dated November 21, 2006

Mr. Currimbhoy moved to approve the minutes of November 21, 2006, as submitted. Seconded by Ms. Otteson. The minutes were approved unanimously.

3. PUBLIC HEARINGS

a) CONSIDERATION OF ORDINANCE AMENDMENT ADDING LANGUAGE TO CONDITIONALLY PERMIT STORAGE UNITS IN I-1 DISTRICT

Chairman Kirchoff opened the hearing at 5:37 p.m. with the reading of publication #7533 as published in the Hutchinson Leader on December 7, 2006.

Ms. Bowers commented on the request by Mr. Knisley relating to the proposed storage units in the I-1 district. She explained the amendment would include storage units as conditionally permitted in the I-1 districts. Any request would require a conditional use permit. She presented a map showing the I-1 properties which are mostly on the east edge of the City. She commented on the criteria for granting conditional use permits. She commented on I-1 lots which are adjacent to residential lots.

There was discussion on the definition of storage units. Ms. Bowers explained the use of the individual storage unit request. Warehousing is permitted in I-1. Mr. Knisley's proposal is not warehousing. The individual units are for storage. Ms. Bowers explained the PDD being a blanket Conditional Use permit for the entire property. There was consensus that the storage use is not a large issue. Discussion followed regarding the addition of the definition for storage unit.

Mr. Flaata made a motion to close the hearing. Seconded by Mr. Haugen. The hearing closed at 5:50 p.m. Mr. Haugen made a motion to

recommend approval of the request adding definition of “storage unit”. Seconded by Ms. Otteson, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held December 26, 2006 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION OF ORDINANCE AMENDMENT SPECIFYING ACCESSORY BUILDING REQUIREMENTS TO PROHIBIT DETACHED GARAGES AND SECONDARY ACCESS DRIVES ON DOUBLE FRONTAGE LOTS

Chairman Kirchoff opened the hearing at 5:52 p.m. with the reading of publication #7534 as published in the Hutchinson Leader on December 7, 2006.

Ms. Bowers commented on the request brought forward by Councilmember Arndt. She explained the request can be tabled until there is a full Commission.

There was consensus to table the item unanimously.

c) CONSIDERATION OF ORDINANCE AMENDMENT TO CLARIFY ALLOWED ENCROACHMENTS AND PROJECTIONS INCLUDING OVERHANGS, AND EGRESS WINDOWS, INTO SETBACKS AND DRAINAGE AND UTILITY EASEMENTS

Chairman Kirchoff opened the hearing at 5:54 p.m. with the reading of publication #7535 as published in the Hutchinson Leader on December 7, 2006.

Ms. Bowers explained the need to add language to the zoning ordinance after the request in October to allow a cantilever over the easement. She commented on the changes to the yard space encroachments. She stated the present ordinance does not address the issues of encroachment into easements. She explained this is getting to be a problem with the smaller setbacks allowed by planned development districts. She reported the Engineering and Utility staff are driving this request to amend the ordinance. The impact to existing development would have issues that must be addressed. She suggested recommending an exception for previous planned developments before 2007. There were some clarifications such as window well placement. Discussion followed on the effect on the older parts of the City. Ms. Bowers reported this is mostly an issue in the new developments. She stated the Engineering staff support this amendment.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Flaata, the hearing closed at 6:03 p.m. Ms. Otteson made a motion to recommend approval of the request with staff recommendations and corrections. Seconded by Mr. Currimbhoy, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held December 26, 2006, in the Council Chambers at 5:30 p.m.

4. **NEW BUSINESS**

Mr. Haugen commented on policy governance. He explained the Council would set policy. He commented on a nuisance property ordinance to improve the safety of our citizens. Ms Bowers stated a rental housing ordinance does help. Staff will work with the Police Department to come up with an ordinance. She explained this would be outside of the Zoning Ordinance.

5. **OLD BUSINESS**

6. **COMMUNICATION FROM STAFF**

7. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:14 p.m.