

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, January 15, 2008
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, John Lofdahl, Jim Haugen, Mike Flaata, Farid Currimbhoy and Chairman Otteson. Absent: None Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney, Miles Seppelt, EDA Director and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated December 18, 2007

Ms. Rock moved to approve the consent agenda as submitted. Seconded by Mr. Currimbhoy. The consent agenda was approved unanimously.

4. PUBLIC HEARINGS

a) REZONE PROPERTY FROM R-1 TO I-1 REQUESTED BY ECONOMIC DEVELOPMENT LOCATED AT 765 RAILROAD STREET S.E.

Chairman Otteson opened the hearing at 5:37 p.m. with the reading of publication #7643 as published in the Hutchinson Leader on January 3, 2008.

Ms. Bowers commented on the request and explained the history of the property annexation and the 78 acre site owned by the Hutchinson EDA. All properties are annexed into the City as R-1 (single family residential). The plan for the property is industrial. She explained industrial zoning would be consistent with the comprehensive plan and fit the needs of the future industrial development. The EDA has been working on the development of the property. She noted the following staff recommendations:

1. The rezoning would be consistent with the intent of the Comprehensive Plan and Zoning Ordinance, including the industrial land use guiding, adjacent industrial zoning, and the industrial nature of the area.
2. The property is proposed to be developed as industrial use. Rezoning would allow the proposed use to be developed in conformance with the I-1 district.

Mr. Seppelt, EDA Director, reported the EDA has hired SEH to give ideas on development of the property. He gave background on the plans for the industrial park and described the proposed low impact design for stormwater run-off. He explained there will be no storm sewer lines in the development to help reduce development costs. The preliminary lot layout is a mixture of lot sizes. Mr. Seppelt stated they are being as innovative as possible to develop an environmentally friendly site.

Discussion followed on the proposed road to the north and acquiring property from Cenex and Hutch Iron and Metal. Mr. Seppelt explained the project and the proposed road right of way for an access road.

Discussion followed on the future plans for the development. Mr. Seppelt stated the water must be looped from 5th Avenue on the north and sanitary sewer from the south. There may be some phasing of the development. The first phase will be the street, water and sewer. Mr. Seppelt has discussed the development idea with 3M and Kadelbach's, abutting property owners.

Ms. Bowers explained this is only the first step. The platting process will follow.

There was discussion on the name of the street and the development. Energy Parkway vs. Energy Park Drive were discussed.

Marc Telecky, 1180 Arch St., property owner, commented on the proposed industrial park. Comments included concern for the infrastructure costs, impact to existing properties and future plans, and questions on the vacancy rate for industrial properties. Discussion was held on the city's future development plans and cost of the infrastructure to serve the property. Mr. Seppelt provided additional details on the proposed industrial park and provided information on the industrial development market and stated that there is limited industrial park land available.

Mr. Seppelt stated he has had discussions with the Hackbarth family on their property. The discussions were difficult and the property would be expensive to develop. There was no flexibility on the price.

Mr. Exner commented on service to the Warrior property. He stated service to the Hackbarth property would come from Industrial Blvd. to the west by gravity.

Ms. Bowers stated this is a typical rezoning request. There will be future discussion when the plat is reviewed. She explained the railroad property will be rezoned in the future.

Mr. Marc Telecky voiced his concern with the development of this property and commented on orderly growth of the city.

Mr. Dave Telecky discussed an existing access agreement to the property and problems that have occurred due to heavy truck traffic damaging their township road. Mr. Seppelt stated they want to be a good neighbor and would address this issue with the lessee of the EDA property.

Mr. Haugen made a motion to close the hearing. Seconded by Ms. Rock the hearing closed at 6:19 p.m. Ms. Rock made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Flaata, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held January 22, 2008, in the Council Chambers at 5:30 p.m.

b) PRELIMINARY AND FINAL PLAT OF GOEBEL'S SECOND ADDITION SUBMITTED BY HUTCHINSON ECONOMIC DEVELOPMENT

Chairman Otteson opened the hearing at 6:20 p.m. with the reading of publication #7643 as published in the Hutchinson Leader on January 3, 2008.

Ms. Bowers commented on the request and the vacation of the easements in 2007. She explained the EDA is proposing a spec building for the lot. She described the portion of the property to be platted and the property to be traded to Hutch Coop. She reported on the following Staff recommendations:

1. Any relocation of utilities will be the applicant's responsibility.
2. Future development of the site will require review and approval of a site plan by the Planning Commission and City Council.
3. The remaining 1.74 acre portion of lot 5, Goebel's Addition, outside of the subject plat, must be combined with the Cenex Co-op property to the east.
4. Fees for future development will be determined by the subdivision ordinance and the current City's fee schedule in effect prior to construction. Engineering fees and sewer and water access fees will be based upon the site work necessary for the site and the specifics of the proposed use of the building to be constructed on the site. All required fees shall be paid prior to issuance of a building permit and prior to any construction on the site.

The remaining portion to the east will be platted with the Hutch Co-op site.

Mr. Seppelt stated the easterly property will be a trade for the street right of way property. Discussion of the easements to be platted with the Cenex property.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:28 p.m. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Currimbhoy, the motion carried unanimously. This Item

will be placed on the City Council consent agenda at their meeting held January 22, 2008 in the Council Chambers at 5:30 p.m.

c) **STREET RIGHT OF WAY PLAT NO. 10 (ENERGY PARK DRIVE)
SUBMITTED BY HUTCHINSON ECONOMIC DEVELOPMENT**

Chairman Otteson opened the hearing at 6:29 p.m. with the reading of publication #7643 as published in the Hutchinson Leader on January 3, 2008.

Ms. Bowers explained the plat is a right of way plat. She suggested the Commissioners consider the name of the road in their recommendation. Staff reviewed the placement and width of the right of way which is 70'. Ms. Bowers reported staff agreed with the name proposed.

Discussion followed on crossing the railroad property in the future. Mr. Seppelt stated he will discuss this with the Rail Authority. Atty. Seboria commented on the possibility of establishing the access across the railroad property. Mr. Seppelt commented on the screening of the Hutch Iron and Metal property.

Further discussion followed on the name of the street. Mr. Seppelt commented on the street name.

Mr. Kovocic made a motion to close the hearing. Seconded by Ms. Rock the hearing closed at 6:36 p.m. Mr. Haugen made a motion to table the item to the February meeting. Seconded by Mr. Lofdahl, the motion carried unanimously.

5. NEW BUSINESS

a) **WORK PLAN FOR 2008**

Ms. Bowers commented on the 2008 work plan. She stated the Hwy 7 corridor study recommendations will be priority for 2008. She reported John Olson will be present to discuss updates to the Airport Zoning Ordinance. Other items will be to update the comprehensive plan, transportation plan, and park dedication. The work plan items will be in process as time permits.

b) **JOINT PLANNING COMMISSION AND CITY COUNCIL WORKSHOP**

Ms. Bowers asked the Planning Commissioners to think about dates they would be available for a joint meeting with the City Council. She suggested a meeting possibly in February before the next Planning Commission meeting. Ms. Bowers will talk to the Council on a date. Items to discuss will be the Hwy 7 impact on existing businesses.

c) **Mr. Haugen commented on the City Council discussion regarding truck parking in residential neighborhoods and stated this will possibly go to the planning commission for review.**

- d) Chairman Otteson commented on the January 25th Policy Governance all day meeting.
- e) Boards and Commissions can email one way information as a group.

6. OLD BUSINESS

7. COMMUNICATION FROM STAFF

8. ADJOURNMENT

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

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, February 19, 2008
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, John Lofdahl, Jim Haugen, Mike Flaata, Farid Currimbhoy and Chairman Otteson. Absent: None. Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney, Bonnie Baumetz, Planning Coordinator, John Paulson, Environmental Specialist and John Olson, Public Works Manager.

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated January 15, 2008.

Mr. Haugen moved to approve the consent agenda as submitted. Seconded by Mr. Flaata. The consent agenda was approved unanimously

4. PUBLIC HEARINGS

a) **CONDITIONAL USE PERMIT TO ALLOW FIVE 8-UNIT BUILDINGS WITH GARAGES UNDER 400 SQ. FT. IN THE RAVENWOOD CONDO PLAT REQUESTED BY ROGER DERRICK, COTTAGE HOMESTEADS**

Chairman Otteson opened the hearing at 5:38 p.m. with the reading of publication #7653 as published in the Hutchinson Leader on February 7, 2008.

Ms. Bowers commented on the location and explained the applicant is proposing to complete the remaining phase of the Ravenwood Condo plat. A conditional use permit was approved in 2002 to allow up to 6-unit buildings with a maximum of 64 units. This request is to construct five 8-unit buildings, which would provide two additional units within the existing building footprints, for a total of 66 units in the same footprint as approved earlier. A conditional use permit is required for 3 to 8 unit buildings in the R-3 zoning district. The applicant is also requesting a conditional use permit to construct garages that are less than the required 400 sq. ft. She stated the applicant is proposing to market the units to seniors. This development requires a condo plat, which will be recorded after the building is completed. She reported the garages will be 240 sq. ft., the ordinance requires 400 sq. ft. garages. The proposed garages would be 12 feet wide, which is 2 feet wider than the garages constructed on the

existing condo units to the north. The northern garages were also allowed by conditional use permit. The one level condo development has provided for 20 extra parking stalls.

Ms. Bowers explained staff found the density increase of 2 units would be considered only a slight density increase from the previous request and within the density guidelines of the Comprehensive Plan. She commented that the present development is less units than originally proposed in the Ravenwood plat which included apartment buildings. She commented on the letters received from neighboring property owners.

Ms. Bowers stated during the staff review meeting, a number of items were discussed. Because the units will be primarily senior units, staff recommends that a Knox Box should be placed on the building with a master key for emergencies. Sprinkling of the building is recommended and may be required upon building permit review. Easements for utility access between buildings was also discussed. Additional information is needed from the applicant regarding plans for utility services. Placement of the water meter in an accessible area was discussed. Regarding requirements for tree planting escrow, staff researched the subdivision agreement and subdivision regulations required at the time of platting the Ravenwood Condo development (1998) and found that no trees escrows were required at that time. She commented on the following staff recommendations:

1. Guest parking shall be constructed as identified on the site plan before a certificate of occupancy will be allowed for the first unit. A minimum of 20 spaces is required to be constructed in the southerly phase.
2. The applicant shall construct the parking spaces that were required for the northerly units before a certificate of occupancy will be issued for the first unit.
3. No parking is allowed on the private streets. Placement of no parking signs is required.
4. A certified survey identifying existing and proposed elevations is required with the building permit application to demonstrate positive drainage for each structure. Approval of the City Engineer is required prior to building permit issuance.
5. Easements for utility access between buildings must be addressed and provided as required.
6. Fire sprinkling is encouraged and may be required upon building permit review
7. The water meters shall be placed in an accessible area.
8. Parkland fees will be \$135.00 per unit and collected with the building plan fee.
9. Sewer and water access charges per unit will be collected with the building permit fee.
10. Electric Territory fees will be \$800 per unit.
11. Provide a Knox Box for emergency access to units.
12. Subdivider's agreement addendum shall be executed prior to commencing construction on the additional units that specifies the

above requirements and addresses changes required due to the additional units, such as assessments.

13. The City reserves the right, as with all development, to withhold permitting, if progress is not made on the identified development issues identified above and by residents.

Roger Derrick, applicant, Cottage Homesteads, reported the development is market driven. They have researched the market for seniors. This development with the smaller units will serve the senior population. He commented on the first one bedroom units in the present development. He commented on the number of seniors in McLeod County. He stated the exterior of the buildings will be identical to the present buildings.

Chairman Otteson asked him to address the meeting he had with the neighbors. Mr. Derrick stated he explained the age of residents will be 80% of the units have to be 55 years or older. The remaining 20% may be 48 years. When the units resell they must be sold to 55 years or older. The new development will have a separate home owners association. He explained he can put a deed restriction of 55 years and older. Mr. Derrick explained the existing development has 2 car garages the driveways are intended for visitor parking. The new development has additional parking coming off the private streets. No parking will be allowed on the private streets.

Discussion followed on the water shut off issues. Mr. Derrick stated he understands that is a city issue. Mr. Exner stated the property owner owns the shut offs and is responsible for lowering the shut offs.

Discussion followed on fire sprinkling of the buildings. Mr. Derrick stated this is a one story building with separate doors for each unit and to the garage. He reported sprinkler heads can leak and make a mess. Ms. Otteson stated the staff were concerned with higher density and the senior population being able to exit safely. Ms. Bowers explained Fire Code will determine requirements for sprinklers.

There was discussion on the distance between the buildings. Mr. Derrick stated the buildings are 20 feet apart. There was also discussion on the recommendation of a Knox Box for emergency access to each unit. Mr. Derrick will talk with the Fire Inspector regarding requirements.

Tom Kennedy, 1088 Blackbird Trail, stated the water shut offs should be taken care of before anything is built. He also had issues with the lawn sprinkling locations. He stated the management company will be changing for the first phase.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 6:07 p.m. Ms. Bowers commented on condition #13 which can be used to address the shut offs and the lawn sprinkling system. Mr. Flaata made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Lofdahl, the motion carried unanimously. Ms. Baumetz stated this item will be placed

on the City Council consent agenda at their meeting held February 26, 2008, in the Council Chambers at 5:30 p.m.

- b) AMENDMENT TO ZONING ORDINANCE SECTION 154.057 TO ALLOW BY RESERVATION SPECIAL EVENTS SPACE IN OWNER OCCUPIED HOMES IN THE R-2 DISTRICT BY CONDITIONAL USE PERMIT, REQUESTED BY AUDREY HOLLATZ

Chairman Otteson opened the hearing at 6:13 p.m. with the reading of publication #7653 as published in the Hutchinson Leader on February 7, 2008.

Ms. Bowers commented on the request to amend the ordinance. She explained the applicant is requesting an amendment to add a new conditional use to the R-2 (Medium Density Residential) to allow “by reservation special events space in owner occupied homes”. The reservations would be for special occasions such as monthly themed tea parties, historical society events, birthday parties, baby and bridal showers, family celebrations, etiquette and craft lessons, Red hat Society meetings, etc. The intended location if the ordinance is approved is at 325 Hassan Street S.E.

Ms. Bowers commented on the staff recommendations for the wording as follows:

(C) Conditional uses:

(11) By reservation special events space in owner occupied homes, subject to the following requirements:

- (a) The property must be located within 500 feet of a commercial zoning district.
- (b) The residential character of the structure must be preserved.
- (c) Food and beverages shall only be served or provided to event guests. The establishment shall comply with applicable health codes.
- (d) The specifics of the use shall be included in the conditional use permit, including the maximum number of attendees, hours of events, and parking accommodations.

Ms. Bowers explained the permitted and conditionally permitted uses in the R-2 District. She stated for the proposed use, staff recommends limiting the area to within 500 feet of a commercial zoning district to take advantage of the proximity to existing businesses and public parking and to limit encroachment into residential areas with no nearby commercial areas. Limiting the area will also allow an opportunity to evaluate this new concept within limited boundaries. She stated that the Commission

may consider further limiting the area to specify *only the C-3 (Central Commercial District)*, which is the downtown commercial district.

Parking was discussed and would be addressed with the conditional use permit application. Discussion followed on the possibilities of the Merrill House which is not owner occupied. Ms. Bowers explained the ordinance change is broader than a tea house concept. The conditional use permit process will trigger further discussion from staff.

Ms. Audrey Hollatz, applicant, commented on her request. She explained by-reservation of a group is for her to know the number of guests ahead of time. She does not intend to use any outside space. She has talked to Faith Lutheran staff regarding use of the church parking lot across the street. She anticipates from 5 to 20 cars at a maximum.

Ms. Bowers stated the request tonight is to amend the ordinance.

There was discussion on the use near the downtown.

Mr. Currimbhoy made a motion to close the hearing. Seconded by Ms. Rock the hearing closed at 6:32 p.m. Discussion followed regarding the commercial district being appropriate for the use. Mr. Haugen made a motion to recommend approval of the request with staff recommendations and revising the wording to restrict the area to within 500 feet from C-3 district and adding the details of the proposed use. Seconded by Ms. Rock, the motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held February 26, 2008, in the Council Chambers at 5:30 p.m.

5. **NEW BUSINESS**

a) DISCUSSION OF AIRPORT ZONE RELATIVE TO RUNWAY EXPANSIONS AT AIRPORT (PRESENTATION BY JOHN OLSON)

Mr. Olson commented on the Airport Commission request to add a 500 foot extension on each end of the airport runway. He explained the FAA will approve a double displacement because of the type of airplanes and increased use at the airport. He explained there would be a possible change in the airport zoning districts with the extension of the runway. He gave three options 1) leave the runway as is, 2) rezone properties in zone A, which would requiring the purchase of properties in the developed Ravenwood area, or 3) ask MNDot to approve the expansion with no change in the present Zone A and B. Ravenwood West homes would be affected if Zone A would be increased.

He also commented on the potential for a cross wind runway for lighter air craft. This would be a 2,800 foot grass runway. It would be laid out so as not to affect present homes and land uses.

Mr. Olson commented on the significance of the project. He stated he is here to inform the commissioners of the upcoming airport layout plans. The double displacement will be a need in the next 10 – 15 years or sooner. It will affect 3 churches and 3 schools in the Zone B.

Discussion followed on the length of the runway and the MNDOT and FAA interpretations. Mr. Olson stated the cross wind runway could begin plans in 2010 and take up to 3 years to complete. He stated he wants the Commissioners to recognize the challenges and be aware of the project.

b) PROPOSED AMENDMENTS TO THE STORMWATER MANAGEMENT PLAN – APPROVAL STANDARDS (PRESENTATION BY JOHN PAULSON)

Ms. Bowers explained the Stormwater Management Plan was adopted by the City Council in April 2007. She introduced John Paulson the City Environmental Specialist to explain the changes being requested. She stated the City Council will hold the public hearing and input from the Planning Commission is requested.

Mr. Paulson explained the amendments are to address buffers of the stormwater ponds in the City. The purpose is to establish buffers for natural filtration around stormwater ponds and to prohibit structures into the ponds. He commented on the changes and types of buffering and maintenance of the buffering. He stated there will be annual inspections and maintenance. The City will inspect the private ponds every 5 years. He explained the addition of language prohibiting structures. Discussion followed on why these items are prohibited. Mr. Paulson stated the City must be able to maintain and inspect the ponds without interference of structures. Funding was discussed.

Discussion followed on the grass height ordinance and how the buffering grasses are taller than allowed by ordinance.

Mr. Lofdahl made a motion to recommend approval of the amendment. Seconded by Mr. Haugen the motion carried unanimously.

c) REQUEST BY THE MAYOR TO FORM A RIVER OVERLAY COMMITTEE – Ms. Bowers explained that the Mayor would like a few Planning Commissioners on a River Overlay Committee and asked if anyone was willing to be on this committee. Ms. Rock, Mr. Haugen and Ms. Otteson agreed to be on the committee with Mr. Kovacic agreeing to be an alternate.

d) ELECTION OF OFFICERS

Vice Chairman Lofdahl called for nominations for Chairman. Mr. Haugen nominated Ms. Otteson for Chairman. Nominations ceased and a unanimous motion carried for Ms. Otteson as Chairman. Chairman Otteson called for nominations for Vice Chairman. Mr. Currimbhoy

nominated Mr. Lofdahl for Vice Chairman. Nominations ceased and a unanimous motion carried for Mr. Lofdahl as Vice Chairman.

6. **OLD BUSINESS**

7. **COMMUNICATION FROM STAFF**

Ms. Bowers commented on the joint workshop of the City Council and Planning Commission that was held to discuss the implementation steps of the Highway 7 Corridor Study prior to the Commission meeting. She stated that after the joint meeting, the Mayor recommended that a committee meet to review the draft River Overlay District standards. Staff noted the tight timeframe to get the standards adopted before the moratorium expires, however requested Commissioner's assistance in providing feedback on the standards. The Commission recommended providing feedback by 2 or 3 Commissioners and staff to avoid a quorum. Ms. Rock and Mr. Haugen offered to participate along with any advisory panel members that are available. Mr. Kovacic said he would be an alternate if needed. Staff will provide additional information as it is developed.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 7:14 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, March 18, 2008
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, John Lofdahl, Jim Haugen, Mike Flaata, Farid Currimbhoy and Chairman Otteson. Absent: Christie Rock
Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Miles Seppelt, EDA Director, John Olson, Public Works Manager and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated February 19, 2008

Mr. Lofdahl moved to approve the consent agenda as submitted. Seconded by Mr. Haugen. The consent agenda was approved unanimously

4. PUBLIC HEARINGS

a) PRELIMINARY AND FINAL ONE LOT PLAT OF PEACE LUTHERAN CHURCH ADDITION, CONDITIONAL USE PERMIT TO ALLOW EXPANSION OF THE CHURCH, AND SETBACK VARIANCE, REQUESTED BY PEACE LUTHERAN CHURCH, 400 FRANKLIN ST. S.W.

Chairman Otteson opened the hearing at 5:40 p.m. with the reading of publication #7662 as published in the Hutchinson Leader on March 6, 2008.

Ms. Bowers commented on the request for a one lot plat, conditional use permit and variance. The plat would combine the existing residential size lots on Block 52, South Half of Hutchinson, into one lot to remove lot lines and allow the expansion. Expansion of the church in the R-2 Residential District requires a conditional use permit. She stated the expansion includes an addition for the Little Lambs Daycare, classrooms, offices, fellowship lobby and storage areas. A variance is needed to allow a building setback of 14'10", where 25' is required along the east property line. There are significant renovations planned for the existing building. Parking improvements would be completed, including paving existing parking areas. An outdoor play area, landscaping, and stormwater improvements are also proposed.

Ms. Bowers explained In order to grant a variance, the request must meet the standards for granting a variance, including a finding of undue hardship. Staff found the hardship as the existing non-conforming setback and the present structure was obstructed prior to modern zoning standards and the limited area in which to construct the addition.

Ms. Bower commented on the parking requirements and traffic flow. She stated the planning staff recommends approval of the request with the following recommendations:

1. Final plans shall be revised according to the City Engineer memo dated March 10, 2008. Final plans must be approval by the City Engineer prior to construction.
2. Fire sprinkling of the entire building, including the existing building, is required
3. The standards for granting a variance have been met, including the finding of undue hardship and uniqueness due to the existing non-conforming setback as the structure was constructed prior to modern zoning standards and the limited area in which to construct the addition. The request would not alter the character of the locality as the addition would match the building line on the east. Add revised wording
4. The vacation of the alley between Prince of Peace and the new parking lot north of 4th Ave. SW will be required when title to last adjacent property is sold or granted to the church. As a condition of the vacation, an easement shall be granted to the City.
5. The new parking lot and adjacent alley north of 4th Ave. SW shall be paved by October 31, 2008, if the city continues to maintain the alley.
6. Two standard pedestrian warning signs shall be installed by the City on 4th Ave. SW in locations identified by the City for pedestrian safety. The church will be billed for the costs of the signage.
7. Construction staging plan and area shall be provided to the City. Use of the new parking lot north of 4th Ave. SW is discouraged due to concerns of construction traffic crossing 4th Ave. SW.
8. Exterior lighting must be shielded and shall not cause glare to adjacent properties.

Discussion followed on recommendation number 2 regarding the sprinkling of the building. The building must be sprinkled according to Fire Code. There was also discussion on the construction staging area and trucks parking in the R-2 District during construction. Ms. Bowers stated the zoning ordinance does not address construction vehicle parking or staging areas.

Ben Stenzel, 20763 230th Street, chairman of the building committee, representing Peace Lutheran Church, explained that the aging building needs upgrades to service the congregation and community. He commented on the Little Lambs preschool classrooms and lack of playground facility. He stated they need to bring the church up to ADA

code and renovate the existing facility. He stated there is a 9 to 12 month construction schedule. They are staging all construction on-site the southeast corner of the property. There will be a security fence around the preschool area. They will use the parking lot to the north for church parking while construction is in process.

Discussion followed on the possibility of development of the former Hantge Funeral Chapel lot. Mr. Stenzel commented on the present use of the Hantge building.

Jay Nelson, Architect, explained they designed the building to magnify the 1926 building. He commented on the type of construction of the old portions of the building. He explained they will bring the building together as people pass through the building. The additions will enhance the services the church can provide to the community. The office space will be remodeled, there will be a kitchen expansion and garden entryway.

Mr. Flaata made a motion to close the hearing. Seconded by Mr. Kovacic the hearing closed at 6:01 p.m. Ms. Bowers explained the addition to #3 in the resolution. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations 1-8 as noted in the resolution and the hardship as noted by staff “the existing non-conforming set-back and the present structure was obstructed prior to modern zoning standards and the limited area in which to construct the addition”. 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 March 25, 2008, in the Council Chambers at 5:30 p.m.

- b) PRELIMINARY AND FINAL PLAT OF HUNSTAD ADDITION REQUESTED BY DAVE HUNSTAD TO COMBINE TWO LOTS LOCATED ON 13TH AVE. N.W.

Chairman Otteson opened the hearing at 6:03 p.m. with the reading of publication #7662 as published in the Hutchinson Leader on March 6, 2008.

Ms. Bowers explained this request is to combine two lots into one lot in order to construct a detached garage on the easterly portion of the property. She stated the Zoning Ordinance does not allow an accessory building to be constructed on a lot without a principal building, such as a house. There are several easements on the property, including a 75 foot easement with a trail running parallel with Co. Rd. 12. No access will be allowed from CSAH 12 (North High Dr. N.W.)

Staff recommends approval of the preliminary and final plat with the following recommendations:

1. The applicant shall record the final plat prior to issuance of any building permits for the accessory building.
2. Application and approval of a building permit is required prior to any construction of the accessory building.

3. The garage shall not exceed 1,000 sq. ft. and shall be constructed to meet the requirements for accessory buildings in the Zoning Ordinance.
4. No vehicular access is allowed across the trail or onto CSAH 12.

Discussion followed on the possibility of this being a buildable lot. Staff stated there is not a true frontage for the second lot.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Lofdahl the hearing closed at 6:07 p.m. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations 1-4 as noted in the resolution. Seconded by Mr. Haugen, the motion carried unanimously. Ms. Otteson stated this item will be placed on the City Council consent agenda at their meeting held March 25, 2008, in the Council Chambers at 5:30 p.m.

- c) **CONDITIONAL USE PERMIT TO CONSTRUCT POLE TYPE AIRCRAFT HANGERS IN THE I/C (INDUSTRIAL COMMERCIAL DISTRICT) LOCATED AT THE HUTCHINSON AIRPORT. REQUESTED BY CITY OF HUTCHINSON AIRPORT**

Chairman Otteson opened the hearing at 6:08 p.m. with the reading of publication #7662 as published in the Hutchinson Leader on March 6, 2008.

Ms. Bowers stated the Hutchinson Airport is requesting the conditional use permit to allow construction of privately owned commercial hangars with pole type construction at the airport. She explained an 80' x 750' area has been designated for the private hangars to be constructed within the next couple of years. Space sizes to be leased by private parties would range from 50' x 50' to 80' x 80'. The first structure to be built has been requested by AJA Aviation and will be 66' x 72' pole type building.

Staff would recommend approval with the following conditions:

1. The proposal would meet the standards for granting a conditional use permit in the I/C district, subject to the stated conditions.
2. The Airport Commission has control over the appearance of hangars to be constructed and appearance of any signage. Separate permits are required for signage through the Building Dept.
3. Construction must comply with Airport Minimum Standards. The maximum number of hangars will be determined by the size of the structures that comply with airport standards within the area identified on the site plan dated February 26, 2008. The minimum size shall be 50' x 50' (2,500 sq. ft).
4. Hangars must meet all relevant building codes. Separate building permits are required for each structure.
5. The Airport does not have access to City water at this time and will continue to use the joint septic system.
6. Verification that the septic system is in compliance must be submitted by the County Environmentalist.

7. The hangars shall not be used for the repair of planes.
8. Paving is required to the doorway from the existing paved area.
9. There must be emergency service accessibility to the hangars.
10. Staff recommends that additional screening is added to the property.
The location and landscape plan shall be reviewed and approved by the City Forester.

Discussion followed on the areas that are cropped. Mr. Olson stated they raise crops on vacant portions of the property for revenue. This area is mowed grass. He stated the hangars will be different sizes which will maximize the use of the land. When asked the time frame, Mr. Olson reported AJA Aviation will construct this Spring and complete this Summer. He stated this area was identified by the airport for this use approximately 10 years ago. Mr. Olson stated the septic is adequate. There will be screening on the easterly property edge with evergreens and shrubs for wind break and color. The proposal will go to the Airport Commission this week. The City Forester will provide input.

Mr. Olson explained the distance from hangar #3 had to do with the precision instrument approach which is a 750 foot line parallel to the center of the runway.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 6:18 p.m. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations 1 -10 in the resolution. Seconded by Mr. Haugen, the motion carried unanimously. Ms. Otteson stated this item will be placed on the City Council consent agenda at their meeting held March 25, 2008, in the Council Chambers at 5:30 p.m.

Mr. Lofdahl abstained from discussion of next item.

- d) LOT SPLIT AND CONDITIONAL USE PERMIT TO AMEND THE PLANNED DEVELOPMENT DISTRICT FOR CONSTRUCTION OF TWIN HOME LOCATED AT 530/534 HILLTOP DRIVE N.E. SUBMITTED BY CROW RIVER HABITAT FOR HUMANITY

Chairman Otteson opened the hearing at 6:19 p.m. with the reading of publication #7662 as published in the Hutchinson Leader on March 6, 2008.

Ms. Bowers commented on the homes in the area and the same request as in the past. She explained the homes are similar to the twin homes in the past. She stated a Planned Development District allows flexibility for setbacks and lot widths. The lot area exceeds the size requirements for the twin home project. She commented on the easement along the westerly lot line and the drainage on the property.

Staff recommended approval with the following recommendations:

1. The proposal would meet the standards for granting a conditional use permit.
2. Each unit must have separate water and sewer service.
3. Parkland dedication and SAC/WAC to be collected at the time of building permit.
4. Garages must be 400 square feet or larger.
5. A 6' drainage and utility easement shall be provided along the westerly lot line of the westerly parcel of lot 4, block 1, before issuance of any building permits.
6. Specific consideration for proper drainage between the units is essential. The property owner will be required to complete appropriate drainage for the site prior to final landscaping and sodding.

Discussion followed on the requirement of trees. Ms. Bowers stated this development was platted before the boulevard trees were required. She stated Crow River Habitat has been very responsive in working through issues with last house with the neighbors.

Julie Craig, 540 Hilltop Dr. NE, stated she would like to see the setback remain at 10 feet for privacy and drainage issues. She asked why can't the builder stay at the original 10 feet. She stated she would like to help with Habitat's construction. Ms. Craig asked if the City could require a white vinyl privacy fence between her lot and the new house. She also requested they fix any grass that may be ruined in construction. Ms. Bowers commented on Habitat working with the neighbors in the past. Ms. Craig asked if there would be drain tiles between the homes.

Dave Horrmann, 780 Roberts St. N.W., Crow River Habitat representative, commented on the past work with the neighbor. He commented on the elevation and the plan to build a swale to bring drainage to the rear of the lot. He explained the roof will drain to the rear. He explained the westerly home will have a 6 foot bump out to provide for a larger family. He commented on the drainage by swale not drain tile for the one foot elevation change. Mr. Exner stated using a swale for drainage is standard and not an issue. He stated he will look at the elevations if needed. The new home will be lower than the adjacent home. Mr. Horrmann stated they will be careful not to damage the neighboring property. He stated if they damage the lawn they will repair the damage. The Crow River Habitat Board will have to look at the fence issue. He explained they would prefer not to put up a fence but he will bring it back to the Board. This house plan is identical to the last home. He stated the narrow width of the lot at 66' makes it difficult to meet the living requirements for the family. The Commission discussed how smaller setbacks are increasingly common in new developments.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Haugen the hearing closed at 6:38 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations 1-6 as in the resolution. Discussion followed on the fence request to bring it back to the Habitat Board. Seconded by Mr. Kovacic, the motion carried unanimously, (Mr. Lofdahl abstaining). Chairman Otteson stated this item

will be placed on the City Council consent agenda at their meeting held March 25, 2008, in the Council Chambers at 5:30 p.m.

- e) **CONDITIONAL USE PERMIT REQUESTED BY AUDREY HOLLATZ TO ALLOW SPECIAL EVENTS BY RESERVATION IN THE R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT LOCATED AT 325 HASSAN STREET S.E.**

Ms. Bowers explained the request. The applicant is requesting a conditional use permit to allow special events by reservation in an owner occupied home at 325 Hassan St. S.E. Her request to amend the zoning ordinance was approved by the City Council on March 11th. The applicant proposes to hold special events by reservation in the lower level of the home. This house, also known as the L.A. Ritter house, was allowed as a bed and breakfast in 1989, however the present owners used it as a residence. The applicant states the hours of operation would be compatible with a residential neighborhood. Typical events would be held on Friday and Saturday afternoons. Private events scheduled in the evening would conclude before 10:00 p.m. Educational events would be held weekday afternoons or evenings, concluding by 9:00 p.m.

Staff reviewed and recommends approval with the following conditions:

1. The proposed use meets the standards for granting a conditional use permit.
2. The property shall comply with the requirements of ordinance Section 154.057, R-2, district and standards in subpart c.11.
3. The proposed use is for special events by reservation only in an owner occupied home.
4. The maximum number of attendees allowed is 40 persons.
5. Hours of operation for special events shall be from 7:00 a.m. to 10:00 p.m.
6. Parking accommodations would be on-site parking spaces adjacent to the garage, on street parking, and off-street parking as permitted by Faith Lutheran Church.
7. Food and beverages shall only be served or provided to event guests. The establishment shall comply with applicable health codes.
8. No alcohol shall be served or provided.

There was discussion regarding the use when the property is sold if it will remain the same use. Ms. Bowers stated the conditional use permit runs with the property unless the use ceases for more than a year. No neighbors have expressed concerns to staff. This conditional use permit will allow up to 40 guests. The conditional use permit must be amended if there would be more than 40 guests.

Ms. Hollatz, applicant, stated she plans to close on the house on March 28th if approved. She stated she will be happy to be in Hutchinson. She explained the kitchen still needs commercial equipment and she has contacted the MN Dept. of Health. She is hoping to have an open house

the weekend of the Arts and Crafts Festival, Sept. 12 – 13. She agrees to keep events to 40 or less guests.

Discussion followed regarding staff requirement number 8 regarding no serving of alcohol. However, if they had invited guests to their home they could serve. The Commissioners agreed number 8 could be taken out of the conditions because they must have a liquor license if needed in the future. Staff stated we would confer with the City Attorney on this condition and revise accordingly.

Mr. Flaata made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 6:57 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations 1-7 and omitting number 8. Seconded by Mr. Flaata, the motion carried unanimously. Chairman Otteson stated this item will be placed on the City Council consent agenda at their meeting held March 25, 2008, in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

a) DISCUSSION OF RIVER OVERLAY DISTRICT DESIGN STANDARDS

Ms. Bowers presented the draft standards and asked for input. She stated the draft is similar to the recommendations in the study. One of the main recommendations in the Hwy 7 Corridor Study is the establishment of a river overlay district with design standards. Design standards are one of the tools that can be used to achieve the goals of the plan with future development. The design standards incorporate and realize desired community objectives, such as “expressing a riverfront town character by establishing river view corridors”, by translating goals into development standards and requirements by ordinance.

Ms. Bowers explained this item was for the Planning Commission to provide feedback to staff on the draft River Overlay District Design Standards and the proposed district area. Feedback will be incorporated into the documents for a public hearing at the April 15th Planning Commission meeting.

The Maps indicated the study area which focused on the north of the 7/15 intersection. Discussion followed on adding north of 7 from School Rd to Shady Ridge Road. Staff will prepare a public notice for the expanded area for a public hearing at the April meeting.

6. OLD BUSINESS

a) STREET RIGHT OF WAY PLAT NO. 10 (ENERGY PARK DRIVE) SUBMITTED BY HUTCHINSON ECONOMIC DEVELOPMENT

Mr. Seppelt gave background on the EDA board meeting to look at the name of the street. He stated the EDA board would like to keep the name as Energy Park Drive as it is important to the marketing of the industrial

park which aims to market the property to energy and environment related businesses.

Mr. Haugen moved to recommend approval of the request. Seconded by Mr. Flaata, the motion carried unanimously.

7. COMMUNICATION FROM STAFF

Ms. Bowers reminded the Commissioners of the upcoming Government training sessions.

Ms. Bowers commented on changes in releasing public information for volunteer commissioners.

8. ADJOURNMENT

There being no further business the meeting adjourned at 7:45 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, April 15, 2008
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lynn Otteson at 5:34 p.m. with the following members present: Chris Kovacic, Christie Rock, John Lofdahl, Jim Haugen, Mike Flaata and Chairman Otteson. Absent: Farid Currimbhoy Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated March 18, 2008.

Mr. Flaata moved to approve the consent agenda as submitted. Seconded by Mr. Haugen. The consent agenda was approved unanimously

4. PUBLIC HEARINGS

a) **CONDITIONAL USE PERMIT TO ALLOW TENT SALES OF FIREWORKS LOCATED AT WALMART, 1300 HWY 15 SOUTH, REQUESTED BY TNT FIREWORKS**

Chairman Otteson opened the hearing at 5:36 p.m. with the reading of publication #7670 as published in the Hutchinson Leader on April 3, 2008.

Ms. Bowers commented on the annual request to allow fireworks to be sold in a tent located in the WalMart parking lot. The request is to set up the tent June 18th with take down July 5 – 9. She explained Section 130.08 C(6) of the Hutchinson Municipal Code requires a conditional use permit for outside sale of fireworks. She stated conditional use permits have been granted annually since 2005 for the same request. She explained approval of a conditional use permit shall be based on the standards for granting conditional use permits.

Ms. Bowers reported the staff would recommend approval of this request with certain conditions for safety. There do not appear to be any traffic flow issues and there are no entrances onto Highway 15 in this area. Access would be from the internal parking lot. The display must be kept secured at all times. Signage requires separate applications and permitting. The following recommendations were suggested by staff:

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 allowed from June 18, 2008 to midnight July 9, 2008

Mn/DOT reviewed the request and offered the following comment: "No signs are permitted within Mn/DOT right of way at any time."

Discussion followed on the traffic flow. Ms. Bowers stated there does not appear to be any traffic flow problems over the years the tent has been located at WalMart.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Lofdahl the hearing closed at 5:39 p.m. Mr. Haugen made a motion to recommend approval of the request with staff recommendations. Seconded by Ms. Rock, the motion carried unanimously. Ms. Otteson stated this item will be placed on the City Council consent agenda at their meeting held April 22, 2008, in the Council Chambers at 5:30 p.m.

b) PRELIMINARY PLAT FOR ENERGY PARK, HUTCHINSON EDA, FOR DEVELOPMENT OF A NEW INDUSTRIAL PARK

Mr. Haugen made a motion to table this item to the May meeting. Seconded by Mr. Lofdahl, the motion carried unanimously.

c) RIVER OVERLAY DISTRICT DESIGN STANDARDS ORDINANCE AND DISTRICT BOUNDARIES

Chairman Otteson opened the hearing at 5:40 p.m. with the reading of publication #7670 as published in the Hutchinson Leader on April 3, 2008.

Ms. Bowers commented on the staff review of the overlay ordinance. She gave background on the proposed ordinance that was recommended from the Hwy 7 Study. She commented on proposed overlay area and noted the area was expanded based upon the recommendations at the last Planning Commission meeting. She explained the ordinance and stated this will be a new section in the City Code. The River Overlay District would be a new layer of review to meet the Study objectives. The vision and goals are from the Hwy 7 Study. She commented on the application of the ordinance to land use in the district. She summarized the details of the design standards. Landscaping and stormwater management standards were discussed. Ms. Bowers touched on the Architectural Design section and explained the signage and lighting section and the “way finding” signage.

The Commission discussed how the standards would apply to existing buildings and properties. Staff reviewed the draft language that would apply the standards to redevelopment and new buildings constructed within the district. An option for exemptions for existing legal uses was discussed. The ordinance would allow existing uses to be exempted from the standards to allow construction of additions and new buildings on their properties without complying with the standards. The Commission supported the exemption for existing uses. The Commission discussed how the standards would apply to changes in uses or if a building was destroyed. If a building is destroyed, statutes allow it to be rebuilt if a building permit is applied for within 120 days. For changes in use, the regulations in place at that time would apply, as the exemption would be tied to the existing use. Discussion followed on clarifying the term uses or buildings.

Greg Witt, Edina Realty, encouraged the Commission to get the language right before sending this through. He has concerns for the existing businesses and the change to their properties.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 6:14 p.m. Mr. Kovacic made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen, the motion carried unanimously.

This item will be placed on the City Council consent agenda at their meeting held April 22, 2008, in the Council Chambers at 5:30 p.m.

5. **NEW BUSINESS**

6. **OLD BUSINESS**

- a) LOT SPLIT REQUESTED BY KENNETH COTE LOCATED AT 1316 DELAWARE STREET N.W. TO CREATE A NEW LOT WITHIN THE SHORELAND DISTRICT AND FLOOD PLAIN (TABLED FROM AUGUST, 2007)

Ms. Bowers stated the Planning Commission reviewed this request twice in 2007. She explained the DNR has recommended to deny the request. She commented on the existing home and garage and stated the requested items were provided. Mr. Cote is able to meet the coverage requirements in the shoreland district. She presented information provided from the prior meetings. Discussion followed regarding the detached garage on the remaining lot which would be non-conforming. Ms. Bowers commented on the prior Planning Commission conditions. She stated the applicant is present to discuss the condition to remove the garage.

Mr. Cote, asked to keep the detached garage. He commented on the possibility of acquiring additional property to allow the garage to remain on the lot with the house. He is asking if the lot division is permissible as requested if not, he would explore the possibility of purchasing the vacant lot. He stated he will withdraw the request if the garage had to go. Discussion followed on the previous request to remove the garage. Staff stated that the Commission needs to act on the current application and that Mr. Cote could withdraw his application until he decides on his options. He could apply later is he is able to obtain additional property and wishes to pursue building. Mr. Cote stated he will withdraw his request tonight and signed a withdrawal letter.

7. **COMMUNICATION FROM STAFF**

Ms. Bowers stated the next step in the Hwy 7 Study Area will be to create a Mixed Use zoning district.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:27 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, May 20, 2008
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, John Lofdahl, Jim Haugen, Farid Currimbhoy and Chairman Otteson. Absent: Christie Rock and Mike Flaata Also present: Rebecca Bowers, Planning Director, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) CONSIDERATION OF MINUTES DATED APRIL 15, 2008

Mr. Lofdahl made a motion to approve the minutes. Seconded by Mr. Haugen the motion carried unanimously.

b) LOT SPLIT LOCATED AT 545/555 NORTHWOODS AVE N.E. (LOT 3 BLK 1), TO ALLOW SEPARATE OWNERSHIP OF TWO EXISTING WALNUT RIDGE TOWNHOUSES, REQUESTED BY BRUCE NAUSTDAL

Ms. Bowers presented a revised resolution as condition number 3 is no longer needed. The utility service for the easterly parcel runs in the easement and the condition may be deleted. Staff recommends approval with recommendations as follows:

1. The proposed lot split would meet the standards of the R-2 zoning district.
2. Separate utility services, shutoffs, and meters must be provided for each unit and shall be paid for by the property owner.
3. Maximum surface lot coverage allowed is 50%.
4. The lot split must be recorded at McLeod County Recorder's Office within one year of approval by the City.

Mr. Haugen moved to approve the lot split with staff recommendations 1-4. Seconded by Mr. Currimbhoy, the motion was approved unanimously.

4. PUBLIC HEARINGS

a) PRELIMINARY PLAT OF ENERGY PARK FOR DEVELOPMENT OF A NEW INDUSTRIAL PARK, LOCATED AT 765 RAILROAD ST. S.E. (STRITESKY PROPERTY) REQUESTED BY HUTCHINSON EDA

Chairman Otteson opened the hearing at 5:37 p.m. with the reading of publication #7681 as published in the Hutchinson Leader on May 8, 2008.

Ms. Bowers commented on the request by the EDA proposing a 14 lot preliminary plat for the new Industrial Park on the 78-acre former Stritesky property. The proposed lot arrangement identifies a variety of lot sizes ranging from 2.1 to 10 acres. Right of way for a future roundabout is proposed for the intersection of Energy Park Drive and the future east/west 10th Avenue at the southern end of the site. Final platting of the site would likely be staged, depending upon the timing of the infrastructure improvements and prospective buyers.

John Rodeberg, SEH Consulting, presented revised plans addressing changes recommended by staff including: 1) addressing the shared driveways, 2) the location of the pond adjacent to the proposed roundabout, and 3) revising Outlot A to be additional right of way adjacent to the roundabout. Ms. Bowers noted that the condition regarding Outlot A in the draft resolution can be removed as it has been addressed. Mr. Rodeberg outlined the stormwater, grading and utility plans, and discussed various options for construction of the trail along Energy Park Drive. Also discussed was the staging of the development into phases and construction of the infrastructure.

Mr. Rodeberg commented on the phasing beginning on the North half of the property. Discussion followed on the construction of the road. Mr. Rodeberg commented on the shared drives and the looped water main through the Cenex site.

Staff recommends approval with the following conditions:

1. The stormwater pond proposed for Block 1, Lot 6 shall be moved south of the identified location to allow a shared driveway at the northerly boundary of this lot. The location shall be approved by the City Engineer.
2. Shared driveways along side lot lines are required for all lots, unless a specific exception is approved by the City Engineer. Particular attention for placement of the shared driveway must be taken for lots 5 and 6 on Block 1, due to the roundabout. The driveway shall be located on the shared lot line between lots 5 and 6 on Block 1.
3. Final approval of the grading and utility plans is subject to review and approval by the City Engineer.
4. Future development of each lot will require final plat and site plan approval, as required by the Zoning Ordinance.
5. Fees for future development will be determined by the subdivision ordinance and the current City's fee schedule in effect at the time of building permit application. Engineering fees and sewer and water access fees will be based upon the site work necessary for the site and the specifics of the proposed use of the building to be constructed on the site. All required fees shall be paid prior to issuance of a building permit and prior to any construction on site.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Currimbhoy the hearing closed at 5:57 p.m. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations, with the deletion of condition #3. Seconded by Mr. Haugen, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held May 27, 2008 in the Council Chambers at 5:30 p.m.

- b) CONDITIONAL USE PERMIT REQUESTED BY OAK HEIGHTS COVENANT CHURCH TO ALLOW CONSTRUCTION OF A 1,200 SQ. FT. ACCESSORY BUILDING IN THE R-1 DISTRICT (SINGLE FAMILY RESIDENTIAL) AT 1398 SOUTH GRADE RD. S.W.

Chairman Otteson opened the hearing at 5:58 p.m. with the reading of publication #7681 as published in the Hutchinson Leader on May 8, 2008.

Ms. Bowers explained the request and the location of the building on the site. Staff reviewed the plans and stated the request would meet CUP requirements. Staff recommends approval with the following conditions:

1. The building must remain as storage or workshop. Any other use is subject to additional Building Code requirements, such as the construction of a firewall.
2. The accessory building must not exceed 16' in height and may not be pole-type construction.
3. Approval of a building permit is required prior to any construction.

Discussion followed on the location of the building.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Kovacic, the hearing closed at 6:00 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations 1-3. Seconded by Mr. Haugen, the motion carried unanimously. Ms. Otteson stated this item will be placed on the City Council consent agenda at their meeting held May 27, 2008, in the Council Chambers at 5:30 p.m.

- c) CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF A HEADSTART PRESCHOOL IN THE C-4 DISTRICT (FRINGE COMMERCIAL) AT 904 HWY 15 S., REQUESTED BY JIM FAHEY, FAHEY SALES AGENCY, INC

Chairman Otteson opened the hearing at 6:01 p.m. with the reading of publication #7681 as published in the Hutchinson Leader on May 8, 2008.

Ms. Bowers commented on the conditional use permit requirement for a school in the C-4 District and explained the proposed location. The existing Headstart space will be converted to office space. She commented on the need for a certified survey and placement of parking. She stated 42 spaces are required. The proposal appears to meet parking requirements. She stated staff discussed some issues with the

accesses on the site and recommends directional arrows for safe traffic flow. Staff recommends approval with the following recommendations:

1. A certified property survey is required before a building permit will be reviewed. The survey shall clearly identify dimensions and setbacks for the building, parking, and drive aisles, and identify the proposed traffic circulation on site. Review and approval of the site plan is required by the City Engineer and Planning Director before construction.
2. Parking spaces shall be striped and meet the requirements of Section 154.116.
3. Due to the adjacent residential properties and visibility of site from Hwy 15 S., the building shall be constructed with a façade treatment on four sides, such as a partial brick façade, to break up the flat metal exterior, provide more visual interest, and prolong the exterior appearance of the building. The proposed materials shall be identified on the building permit prior to construction.
4. Downspouts from the building shall be directed into drain tile to the catch basin at the northwest corner of the site.
5. Plantings of additional trees or shrubbery along the west property line and northeast corner of the site may be provided as screening rather than fencing. The landscaping plan shall be approved by the City Forester before planting. Screening shall meet the requirements of section 154.115.

The Commission discussed the requirement for screening by fencing for commercial uses adjacent to residential property. The ordinance allows fences of lesser heights or planting screens if approved by the Council if it would adequately protect the use and enjoyment of properties within the adjacent residential district. Existing boulevard trees along the north and east property lines provide some screening. Staff noted that screening with landscaping may be more attractive than fencing in this case. The Commission discussed the chain link fencing on the west side of the property, the outdoor storage, and playground area, and if vines would work for screening on the chain link fence. Feedback will be requested from the City Forester on the feasibility of additional landscaping between the boulevard trees.

Mr. Fahey, 446 Main Street South, explained the Headstart program is a preschool program there are no school buses dropping off children. Parents drop off and pick up. He stated sometimes the Trailblazer bus transports children.

Ms. Bowers requested feedback from the Commission on the building design, which is steel building with a sloped flat roof. The applicant provided a drawing showing a metal roof overhang that would be similar to the existing building. The Commission encouraged the applicant to use exterior treatments that would improve the appearance. Various exterior treatments were discussed, such as stucco, partial brick façade, striping, and architectural panels. The applicant stated the building would also have some shrubs around it and a sidewalk that improve the

appearance. He stated his concern with the costs of the conditions and the requirement to direct the downspouts into the catch basin. Ms. Bowers stated this was a recommendation from the City Engineer due to drainage issues to the west.

Mr. Fahey asked if the fence could remain as the screening and is concerned with the requirement for the landscaping. Ms. Bowers stated vines may be used to soften the chain link and provide the opaque requirement.

Discussion followed regarding the fence predating the zoning ordinance. Mr. Fahey would prefer vines over strips.

Mr. Currimbhoy made a motion to close the hearing. Seconded by Mr. Kovacic the hearing closed at 6:24 p.m. Discussion followed on revisions to the recommendations regarding the building façade. Plants and sidewalks will soften the building and the overhang will help. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations changing Item 3 adding striping and architectural panels. Seconded by Mr. Kovacic, discussion followed on item 4. Ms. Bowers stated the City Engineer made the recommendations. The motion carried unanimously. Ms. Otteson stated this item will be placed on the City Council Consent agenda at their meeting held May 27, 2008 in the Council Chambers at 5:30 p.m.

d) **CONDITIONAL USE PERMIT TO ALLOW PLACEMENT OF RETAINING WALLS IN EASEMENTS LOCATED AT 1443 SOUTHFORK DR. S.E. REQUESTED BY LANDSCAPE CONCEPTS INC. AND JEROME AND BONITA SCHANIL**

Chairman Otteson opened the hearing at 6:35 p.m. with the reading of publication #7681 as published in the Hutchinson Leader on May 8, 2008.

Ms. Bowers commented on the applicants request for a CUP (conditional use permit) to allow retaining walls and a patio to be placed in the drainage and utility easements in the side yards of an existing home at 1443 Southfork Dr. S.E. The Zoning Ordinance allows retaining walls to be constructed within drainage and utility easements with approval of a CUP, however does not allow the patio portion of the request. The applicant requested the following:

1. On the north side, construct a 2 foot high boulder retaining wall to be placed 4 feet into the 5 foot wide easement to construct a landing from the side door into the garage. The applicant states the wall is necessary to access the garage walk-thru door.
2. On the south side, construct a maximum of 4.3 foot high retaining wall 3 feet into the 20 foot easement. The encroachment is requested due to the elevation change and to allow steps from the deck down to a proposed patio.

Staff recommended approval for the request with the following conditions:

1. A maximum 4 foot encroachment into the right of way on the north side of the home is permitted to allow a maximum of two foot high retaining wall to construct a landing from the garage side door.
2. A maximum of 3 foot encroachment into the easement on the south side of the home is permitted for boulder retaining walls only, as shown on the attached plans. The paver patio is not allowed to be within the easement.
3. The applicant is advised that covering the utility lines on the north side of the property is at their own risk. Relocation of the services would be at the property owner's expense.
4. There must be proper drainage maintained between 1443 Southfork and 1437 Southfork (the property to the north).

Julie Neubarth, Landscape Concepts, Inc., stated that they will try to minimize the amount of encroachment into the south easement and the height noted is the maximum height that would taper down. She stated the homeowners understand the risks involved with placing the north landing over utility services. The homeowners would like to have a small patio on the south side to let their dog out from the upper deck. Staff stated the ordinance does not allow the construction of patios on easements and that the City should be careful of allowing encroachments into easements. The south side easement is larger as it is the area identified for stormwater pond maintenance access. The ordinance requirements and potential development to the south was also discussed. Options such as circular stairs were also discussed instead of constructing the patio in the easement.

Discussion followed on future development to the south and the ordinance requirements of what is allowed in the easements. City needs to protect the easement for long term use.

Atty. Sebor commented on the option of vacating a portion of the easement. Ms. Bowers stated that probably would not be allowed.

Mr. Currimbhoy made a motion to close the hearing. Seconded by Mr. Kovacic, the hearing closed at 6:56 p.m. Mr. Kovacic made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Lofdahl, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held May 27, 2008 in the Council Chambers at 5:30 p.m.

e) ZONING ORDINANCE AMENDMENT TO CREATE MIXED USE DISTRICT

Chairman Otteson opened the hearing at 7:17 p.m. with the reading of publication #7681 as published in the Hutchinson Leader on May 8, 2008.

Ms. Bowers commented on the mixed use district as a result of the Hwy 7 Study. She stated this district would allow opportunity for property owners to develop their property. There was discussion on the front setback of

30 feet and whether it should be a lesser setback to allow buildings to be placed closer to the street. The Commission discussed that due to two Commissioners being absent and that another Commissioner would need to leave soon, that this item be tabled until the June meeting.

Mr. Haugen made a motion to table to next month. Seconded by Mr. Lofdahl, the motion carried unanimously.

5. NEW BUSINESS

a) FINAL PLAT OF SOUTHWIND SECOND ADDITION SUBMITTED BY HUTCHINSON LAND HOLDINGS, LLC

Ms. Bowers commented on the final plat. She stated the final plat would create 6 single family lots along Calgary Lane S.E., one single family lot along Toronto Blvd. S.E. at the southeast corner of the property, and two outlots. The two outlots are proposed to facilitate the sale of property to the Hutchinson Area Health Care. The applicant is proposing to keep Outlot A to allow access and future development of the property to the west along Sherwood St. Outlot B is proposed for sale to Hutchinson Area Healthcare.

Staff recommended approval with the following conditions:

1. Outlot A shall be dedicated as right of way, rather than platted as an outlot, for future construction of Sherwood Str. SE. to allow extension south to Airport Road.
2. The final plat shall be revised to provide a total of 20' wide drainage and utility easement between Lots 1 & 2 on Block 1 and Lots 2 & 3, Block 2, to allow for stormwater lines and drainage ways that runs between these lots. The following drainage and utility easements shall be provided: 10' wide easements along the southerly side lot line of Lot 2, Block 1, the northerly side lot line of Lot 3, Block 1, the southerly side lot line of Lot 2, Block 2, and the northerly side lot line of Lot 3, Block 2.
3. The applicant shall construct turnarounds at the south end of Calgary Lane and the west end of Toronto Blvd. for emergency services and maintenance prior to issuance of a certificate of occupancy for the homes on these streets. The design and location of the turnarounds shall be reviewed and approved by the City Engineer.
4. The applicant shall coordinate and provide for stormwater management between the subject site, the HAHC property, and/or other future property owners, including ensuring positive drainage, stormwater collection, conveyance and treatment. The applicant shall also ensure and maintain positive drainage across the westerly lots and right of way. Plans must be approved by City Engineer prior to any grading or construction.
5. The applicant shall record the final plat prior to issuance of any building permits.

6. All required fees shall be paid prior to issuance of a building permit and prior to any construction on the lots.
7. Pending assessments (SA-5064, SA-5065, SA-5070) in current amount of \$45,902.10 must either be paid in full before plat is recorded or split among the subject properties accordingly. The applicant shall advise the Engineering Dept. of the proportional split of the assessments before recording the final plat.

Marty Campion, Otto Associates, stated that the final plat is being driven by the ability to sell Outlot B to the hospital. He commented on the recommendation to revise Outlot A into right of way. He stated that as the right of way for Sherwood Street would not likely be the same as the current Outlot A configuration, the applicant would need to replat the remainder. Ms. Bowers stated that the recommendation was to address the possibility that the outlot may hold up development of the HAHC property to the south. Mr. Campion stated that it is not their intention and suggested revising the condition to require the applicant to plat Outlot A for the Sherwood Street right of way as soon as an alignment is agreed upon with the City. Discussion on revising the condition followed and the Commission found the revised language would address staff's concerns.

Atty. Sebora commented on the purchase agreement regarding the service availability to the hospital property. Mr. Campion stated the main service will be thru Calgary Lane. Discussion followed on the wording of condition #1.

Mr. Haugen made a motion to recommend approval of the final plat with staff recommendations changing the wording of number 1 to read: "The applicant shall plat Outlot A for the Sherwood Street right of way as soon as an alignment is agreed upon with the City." Seconded by Mr. Lofdahl the motion carried unanimously.

6. **OLD BUSINESS**
7. **COMMUNICATION FROM STAFF**
8. **ADJOURNMENT**

There being no further business the meeting adjourned at 7:28 p.m.

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, June 17, 2008
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, John Lofdahl, Jim Haugen, Mike Flaata, Farid Currimbhoy and Chairman Otteson. Absent: None Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, and Deb Crooks, Permit Technician.

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- a) Consideration of Minutes dated May 20, 2008.

Mr. Currimbhoy moved to approve the consent agenda as submitted. Seconded by Mr.Lofdahl. The consent agenda was approved unanimously.

4. PUBLIC HEARINGS

- a) **CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF A BUILDING TO HOUSE A CAR DETAILING BUSINESS LOCATED IN THE I/C (INDUSTRIAL COMMERCIAL) DISTRICT AT 205 MONROE STREET S.E., REQUESTED BY SCOTT HAAG**

Chairman Otteson opened the hearing at 5:48 p.m. with the reading of publication #7689 as published in the Hutchinson Leader on June 5, 2008.

Ms. Bowers commented on the request and the following staff recommendations:

1. A certified property survey is required before a building permit will be reviewed. The survey shall clearly identify dimensions and setbacks for the building, parking, and driveway, and identify elevations and drainage direction on site. Review and approval of the site plan is required by the City Engineer and Planning Director before construction.
2. Screening with fencing or plantings of trees or shrubbery along the west property line is required on the subject property to screen from residential property. Screening shall be provided on private property and not on the public right of way. Screening shall meet the requirements of section 154.115. The landscaping plan shall be approved by the City Forester prior to approval of a building permit.
3. The driveway and parking area must be paved with bituminous or concrete.
4. The applicant shall provide a minimum of four off street parking spaces to accommodate additional vehicles on site. All parking and car detailing must

be conducted on the subject property and no servicing of vehicles or on-street parking is allowed due to the impact to adjacent residential properties.

5. Water and sewer service lines must be from Monroe Street and not Second Avenue. The owner will be responsible for the restoration of the street.
6. One access onto Second Avenue is permitted, with a maximum driveway width of 24 feet. The existing driveway must be removed and restored if the driveway is relocated. The location and design of the driveway must be approved by the City Engineer prior to construction.
7. An MPDS permit and erosion control will be required prior to any construction.

Dave Rupp, 215 Monroe St., questioned the line of trees which he planted approximately 20 years ago and the chain link fence to the north. He asked if the bushes will need to be replaced or will the fence or landscaping shield his property? Ms. Bowers explained the landscaping will be on the left side or the commissioners may ask for additional screening while noting the aerial photos displayed were not exact. Mr. Rupp did state he would be willing to work something out with the owner. Chairman Otteson explained a survey will be required and then property lines would be defined as to moving existing bushes. Mr. Rupp offered to work with the landowner on this item. Mr. Lofdahl commented it was good to see the neighbors working together on these types of issues.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Kovacic. The hearing closed at 5:52 p.m. Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations. Seconded by Ms. Rock, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held June 24, 2008, in the Council Chambers at 5:30 p.m.

b) VACATION OF EASEMENTS AND PRELIMINARY AND FINAL PLAT OF RIVERPOINTE VILLAS (FORMERLY KOTTKE COURT) SUBMITTED BY HAGEN BUILDERS

Chairman Otteson opened the hearing at 6:06 p.m. with the reading of publication #7689 as published in the Hutchinson Leader on June 5, 2008.

Mike Hagen, Hagen Builders, explained how driveways were kept smaller and the re-platting eliminated hardcover over all. There was discussion on the street, snow removal, and fire hydrant access. Staff stated that this is an existing private street and snow removal would be the responsibility of the homeowners association. The applicant provided information on past experience with snow removal in the development and snow storage areas. The Commission recommended that it be noted in the recorded documents that these are private responsibilities so future residents are aware. Staff stated that a statement can be added to the Subdivision Agreement. The Commission discussed the importance of keeping the 20' easement clear in the center of the development in order to prevent future problems with getting pond maintenance equipment down to the stormwater pond. The applicant stated he has worked with the City Engineer to reduce the hardcover of the development by reducing the private drive width and combining the driveways.

Chairman Otteson asked whether that has impacted the neighbor to the south. Mr. Hagen answered there is a high berm with trees to which they will be cutting in a retaining wall and adding trees to screen. Mr. Exner commented that the City is happy with how the snow removal went and by widening driveways it works better. Mr. Flaata had questions regarding the private streets and Ms. Bowers suggested adding an additional insurance. Mr. Hagen explained the main reason for the vacation was to have a secondary access. Chairman Otteson expressed to Mr. Hagen he would not be able to build anything in that area and Mr. Hagen confirmed he would not be.

Ms. Bowers commented the conditions recommended by staff for the current request have been added to the previously approved conditions that are still applicable, as stated below:

1. The plat must be recorded at McLeod County before any building permits will be issued. The plat name will be revised to "RiverPointe Villas" per the applicant.
2. The setbacks for the development shall be 10' from the front lot line, 8' from the rear lot line, and 6' from the side lot line. Setbacks shall be measured from the unit lot line. A minimum 50' structure setback is required from the ordinary high water level.
3. The applicant shall verify the face of wall location and elevations of the retaining wall on the north side of the development, including the elevation of the top and bottom of the wall.
4. The applicant shall verify the proposed drainage along the north property line. If an appropriate drainage swale is not feasible between the wall and the northerly lots then necessary drainage facilities such as draintile inlets and piping shall be constructed.
5. No decks, porches, or patios will be allowed outside the unit lots on lots 1-4, Block 1, to allow property drainage along the wall. Decks, porches, or patios may be allowed within the unit lots of lots 1 – 4, Block 1, subject to meeting the 8' setback to the unit lot line.
6. Grills will not be allowed where there is a roof above the open deck area.
7. It must be disclosed to prospective buyers that City owned areas across the river are heavy industrial properties, including HATS facility, compost site, and a training and shooting range.
8. Fees shall be paid prior to issuance of building permits and as required by the subdivision agreement in effect.
9. All conditions of the Preliminary and Final Plat and subdivision agreement shall remain in effect, unless specifically revised by the City.
10. No building improvements, egress window wells, patios, trees, shrubs or other additions are allowed in the drainage and utility easements, unless specifically exempted by resolution.
11. The final design and location of the retaining wall along the south property line is subject to approval of the City Engineer.
12. Construction of mailboxes and a maintenance shed on commonly-owned lot 15, block 1, may be allowed, subject to approval of a building permit.
13. An updated subdivision agreement shall be entered into between the City and the property owner. The applicant shall record the agreement with the final plat and provide documentation of recording to the City prior to issuance of any additional building permits.

A resident at 1379 Jefferson had questions regarding the split rail fence and the access coming into the driveway and garage. After Mr. Hagen's explanation he no longer had concerns. Mr. Lofdahl stated the retaining wall on the north was discussed earlier. Ms. Bowers explained she had spoken with some of the neighbors earlier and addressed their concerns also and at this time there were not objections.

Mr. Currimbhoy made a motion to close the hearing. Seconded by Ms. Rock. The hearing closed at 6:09 p.m. Mr. Haugen made a motion to recommend approval of the request with revised staff recommendations 1-11. Seconded by Mr. Kovacic, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held June 24, 2008 in the Council Chambers at 5:30 p.m.

- c) VARIANCE TO ALLOW A REAR YARD SETBACK OF 10 FEET WHERE 15 FEET IS REQUIRED FOR A GARAGE ADDITION AT 506 GLEN STREET S.W. REQUESTED BY GREG AND CARLA WEGNER

Chairman Otteson opened the hearing at 6:15 p.m. with the reading of publication #7689 as published in the Hutchinson Leader on June 5, 2008.

Ms. Bowers displayed the drawing of the garage and how it would look. She stated the staff reviewed the request and made the following recommendations:

1. The standards for granting a variance have been met, including the finding of undue hardship and uniqueness due to the orientation and placement of the home on the lot that created a small rear yard area that would not allow construction of the addition within setback requirements. The characteristics of the property were not created by the applicant and the proposed garage addition would not alter the character of the locality.
2. Maximum driveway width allowed at the right of way is 24 feet.
3. Maximum lot coverage shall not exceed 50%.

Chairman Otteson asked about the small shed remaining in the same place. Mr. Lofdahl questioned the 6' setback for accessory buildings and why is it less than an attached garage? Ms. Bowers explained.

Greg Wegner, 506 Glen St., would like to move the proposed garage addition so that the door would face the backdoor. Chairman Otteson asked when the addition will be started, due to the fact Mr. Wegner's job has changed he may wait to begin the project with a tentative start in 2009. Ms. Bowers explained within a year he will have to apply for a permit.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Flaata. The hearing closed at 6:17 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held June 24, 2008 in the Council Chambers at 5:30 p.m.

- d. CONDITIONAL USE PERMIT TO ALLOW A TOWING BUSINESS IN C-4 (FRINGE COMMERCIAL) DISTRICT LOCATED AT 1203 MAIN STREET N. REQUESTED BY GORDON EVENSON, 1ST CLASS TOWING, APPLICANT AND CALVIN HANSEN

Chairman Otteson opened the hearing at 6:26 p.m. with the reading of publication #7689 as published in the Hutchinson Leader on June 5, 2008.

Ms. Bowers reviewed the site location and the future roundabout project along with the fact that there are not services to the site as it is. Sewer and Water services will not be available until Labor Day or later. She reminded the commissioners in reviewing the CUP, the Commission shall consider if the request meets the following standards:

- (a) The proposed building or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public convenience and will contribute to the general welfare of the neighborhood or community;
- (b) The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare; and
- (c) The proposed building or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

Ms. Bowers reviewed photos of the site and commented on the following staff recommendations:

1. The property owner shall hook up to City water and sewer services within 30 days after service is available
2. No occupancy of the building is permitted until water and sewer services are into the building.
3. *The parking lot must be paved by November 1st. (Planning Commission feedback requested)*
4. The applicants shall provide proof of the driveway access agreement from North High Drive across the Outpost property.
5. Screening from residential districts is required to meet the requirements of Section 154.115. A fence permit must be applied for and approved before the fence is constructed.

Gordon Evenson of 1st Class Towing stated that Barb DeMars from Rental Locators has been representing the owners in their negotiations. According to Ms. DeMars, the owners will be painting both the interior and exterior of the building when weather permits. A bathroom will be installed when sewer and water become available, again it depends on timing of sewer access. Mr. Evenson plans to move fence in from another location it is a 6' wooden fence. The tree line along the property is mature and Mr. Evenson feels that it is tall enough since the only homes are on the east side which has a dense tree line. Chairman Otteson asked if the fence is painted or stained. Mr. Evenson said right now there is a water proof coating, the fence was originally built as a

temporary fixture. Mr. Lofdahl asked if the previous impound lot by the airport was required to be paved. Mr. Exner answered yes. Mr Lofdahl recommended staying with 8 ft fence. Chairman Otteson wanted to be fair across the board. To be fair to all an 8 ft fence should be used. The Commission found that an 8' high fence is warranted for this site and recommended that he add a 2' panel above the 6' fence. He also proposed a 100 x 75 foot fence with the possibility of increasing the size in the future depending on business. Currently, the fence is 50 x 100 feet which makes it difficult to move vehicles around. Chairman Otteson stated to have an impound lot security is necessary. Mr Evenson will have security cameras installed.

Chairman Otteson brought up paving. Mr. Evenson said he was not sure of regulations but the only places he plans to park vehicles will be in the fence. He does not plan to pave the impound lot, however paving the other areas would be up to the property owner. After discussing the paving issue at length, the Commission concluded that some paving of the site should be required, especially for the entrance, drive aisles, and to provide a paved area for some parking spaces. As a paving plan was not available, a condition was added to require staff approval of the plan.

Mr. Lofdahl mentioned the staff paving recommendation. Mr. Evenson stated the owner has contacted the city, however at this time he does not know what has been discussed. Ms. Bowers reported Ms. DeMars did call the owner who is willing to pave part but the expense is high. Mr. Evenson asked whether the office parking or impound has to be paved. The existing ordinance does lend itself to interpretation per Mr. Exner.

The Commission discussed access to the site and the driveway easements. Staff stated that the applicant will need to verify that the private easement is in place and provide a copy to the City. After the roundabout is constructed, a median will restrict traffic on Hwy 15 to a "right in, right out" access. Mr. Haugen asked Ms. Bowers about the extent of existing bituminous for both the subject property and the Outpost and whether the driveway is shared. Mr. Evenson said the owner of the Outpost told him part of the paved drive is shared. Mr. Lofdahl commented when the roundabout is constructed that would be the time to address pavement. Mr. Exner suggested that would be the time for the owner to work with the contractor.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Currimbhoy. The hearing closed at 6:45 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations 1-5 changing number 3 to read "The following areas are required to be paved by November 1st: the west driveway and entrance to connect to the existing paving on the Outpost property, a customer parking area in front of the office building, and a drive-aisle into the impound lot. A paving plan and flatwork permit shall be approved by the City Engineer and Planning Director before paving begins." Seconded by Mr. Kovacic, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held June 24, 2008 in the Council Chambers at 5:30 p.m.

Chairman Otteson asked if they could recommend painting due to unsightly appearance in a very high visibility area which she would like to have noted. She feels there are a lot of requirements that the owner needs to address

- e. ZONING ORDINANCE AMENDMENT TO CREATE MIXED USE DISTRICT (Tabled from May meeting)

Chairman Otteson opened the hearing at 6:57 p.m. with the reading of publication #7689 as published in the Hutchinson Leader on June 5, 2008.

Ms. Bowers reviewed some of the items discussed last meeting, including changing the front lot building setback to 10 feet with a variance required for anything less than that. Mr. Exner asked the Commission to please keep in mind the sight lines.

Ms. Bowers explained this is the next implementation step for the Highway 7 Corridor Study to create a Mixed Use Zoning District. The purpose of the mixed use district is to provide areas that allow a mix of compatible uses, such as commercial, retail, office, and entertainment uses, with residential uses in locations with nearby amenities for pedestrians. She stated the Mixed Use Ordinance includes permitted uses, conditional uses, and accessory uses along with lot and setback requirements. The district provides a number of permitted uses that would be compatible with residential uses, concentrating on smaller scale retail, personal services, offices, multi-family residential and multiple use buildings. A few conditionally permitted uses are included, where additional review is recommended.

The mixed use district would provide new options for property owners and developers that are not currently allowed by current zoning districts. The benefit of a mixed use district is that it allows multifamily residential to be located close to commercial businesses, services, and workplaces, which provides opportunities for residents to walk or bike to nearby amenities.

Chairman Otteson said she would like to address that on a case by case basis. Mr. Lofdahl gave the example of the Hutch Utilities building and the close set back. Chairman Otteson suggested looking at some other sites and amend comprehensive plan to include other areas. Mr. Kovacic suggested some outside finishes do not cost more but are architectural finishes – and he would like more information or examples. Chairman Otteson stated she would like a display or information on materials available to make a better decision. Mr. Flaata voiced his concern about making the restrictions too strict which could drive business to build outside the city limits. Mr. Haugen sited examples of metro communities who all have design standards but communities to the west of the metro area do not. Design standards have to be done before the applicant comes in the door. Ms. Bowers recommended design standards in the mixed use area. Chairman Otteson would like Ms. Bowers to present information on other design standards. Ms. Bowers suggested putting it on the work plan for 2009. She explained how a community typically initiates design standards. Chairman Otteson would like to update the comprehensive plan and design

standards. Mr. Exner explained there are plans to review requests for proposals to update the comprehensive plan, transportation and park plans in 2009.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 7:23 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Kovacic the motion carried unanimously. Chairman Otteson stated this item will be placed on the City Council consent agenda at their meeting held June 24, 2008, in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

- a. SITE PLAN SUBMITTED BY ROBERT WENDORFF FOR DEVELOPMENT OF PROPERTY LOCATED AT 6 FRANKLIN STREET N.W. FOR CONSTRUCTION OF A INSURANCE BUILDING AND DENTAL CLINIC

Jim Haugen removed himself and is abstaining from discussion on this item.

Ms. Bowers explained a “One-Stop Shop” was held on May 15, 2008, to review the site plan and provide feedback to the applicant. The applicants have addressed the issues identified by staff. She stated planning staff recommends approval, subject to the following findings and recommended conditions:

1. The proposed building and site improvements shall comply with the standards of the C3 district and the Zoning Ordinance.
2. A certified property survey is required before a building permit will be reviewed. The survey shall clearly identify dimensions and setbacks for the building, parking, and drive aisles, and identify the proposed drainage direction and grading. Review and approval of the final site plan is required by the City Engineer and Planning Director before construction
3. The location of nitrous gas storage shall be identified on the building permit and meet applicable setback requirements. If located outside, the tank shall be fully screened and secured.
4. Driveway access is limited to one access off Washington Ave. and the alley access.
5. Final landscape plans shall identify the size and species of the plantings and shall be approved by the City Forester.
6. SAC and WAC fees will be calculated per fixture unit and due at the time of building permit.
7. All signage shall meet the requirements of the C-3 district. Sign permits are required prior to installation of the signage.
8. Exterior refuse collection area must be fully screened.
9. Exterior lighting must be shielded and shall not cause glare to adjacent properties.
10. Approval of a MPDS permit and erosion control are required prior to construction on site.
11. The property owner will be responsible for replacement of the sidewalk, street, and alley and for any damage to public infrastructure resulting from construction.
12. Fire sprinkling of the basement is required. Fire Dept. staff recommends sprinkling the entire building and installing a Knox Box.

The Commission asked if the existing house would be moved. The applicant stated they expect the house to be moved and have had several inquiries from interested parties. There was discussion on paving the alley. The City Engineer stated that the property owner could petition with adjacent property owners for the alley to be paved. The Commission discussed the City's plans to pave existing gravel alleys and stormwater impacts. Staff stated that it would be desirable to pave the alleys, however the City's priority is to repair streets first. The applicants plan is to break ground this Fall.

Mr. Lofdahl made a motion to recommend approval of the request with staff recommendations. Seconded by Ms. Rock, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held June 24, 2008 in the Council Chambers at 5:30 p.m.

6. OLD BUSINESS

7. COMMUNICATION FROM STAFF

Notice of two city council positions open this year. If anyone was interested they need to file by July 15. To do so just contact Gary Ploz or Melissa Starke.

8. ADJOURNMENT

Mr. Lofdahl commented on how beautiful the Downtown Hutchinson and the new bridge were.

There being no further business the meeting adjourned at 7:28 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, July 15, 2008
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Christie Rock, Chris Kovacic, Jim Haugen, Mike Flaata, Farid Currimbhoy and Chairman Otteson. Absent: John Lofdahl
Also present: Rebecca Bowers, Planning Director, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated June 17, 2008.

Mr. Flaata moved to approve the consent agenda as submitted.
Seconded by Ms. Rock, the consent agenda was approved unanimously

4. PUBLIC HEARINGS

a) VARIANCE TO ALLOW A FRONT YARD SETBACK OF 25 FEET WHERE 30 FEET IS REQUIRED FOR A GARAGE ADDITION AT 515 LINCOLN AVE. S.W. REQUESTED BY MARLYN BACON

Chairman Otteson opened the hearing at 5:38 p.m. with the reading of publication #7700 as published in the Hutchinson Leader on July 3, 2008.

Ms. Bowers commented on the request for a variance to construct an addition to an existing one-stall garage 25 feet from the front property line. She explained the ordinance requires a 30 foot front yard setback. This is a corner lot and the zoning ordinance defines the lot front for a lot that abuts two streets as the narrower of the two lot edges. Lynn Road is the lot front. She explained the location of the unique site and placement of the house on the lot. The property is also located in the Shoreland District and the maximum impervious coverage allowed for property in that district is 25%. The coverage on this lot is currently at 41% coverage. No variance is needed for the lot coverage as they will the garage addition would be constructed over existing hardcover, which would not increase the amount of impervious surface. Staff noted that no additional coverage could be constructed without a shoreland variance.

Ms. Bowers reminded the Commissioners, in order to grant a variance, the request must meet the standards for granting a variance, including a finding of undue hardship. In this case, the narrow lot depth, small yard, and location of the garage create a situation where there is no location

where a suitable garage addition or a detached garage could be built on the property that would meet the requirements. Staff noted that this request is similar to the variance recently approved by the City for another garage addition on Glen Street. Staff would recommend approval with the following recommendations:

1. The standards for granting a variance have been met, including a finding of undue hardship and uniqueness due to the narrow depth of the lot and placement of the garage on the lot that would not allow construction of the addition or a detached garage within setback requirements. The characteristics of the property were not created by the applicant and the proposed garage addition would not alter the character of the locality.
2. Maximum driveway width allowed at the right of way is 24 feet.
3. No additional hardcover above the existing 41% is permitted without a variance.
4. Any removal or relocation (if necessary) of natural gas and electric will be at property owner's expense.
5. No construction is allowed over any utilities, including natural gas or electric lines.

Mr. Flaata asked how far from the river is designated shoreland district. Ms. Bowers stated the shoreland district is 1000 feet from a lake and 300 feet from a river or stream. This property is regulated under the shoreland rules. She explained the existing coverage is already over the 25% requirement. Mr. Kovacic asked about screening requirements. Ms. Bowers stated there are no screening required for residential uses such as this. There is an existing fence on the property along the curb.

Mr. Bacon, property owner, explained he is considering putting in a rain garden to help with water quality and he was unaware of the 25% requirement. Staff noted that the shoreland district ordinance came into effect after the home was built. Chairman Otteson noted there are many properties that do not comply in this area and she appreciates the willingness of the property owner to put in a rain garden.

Mr. Currimbhoy made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 5:47 p.m. Mr. Kovacic made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen, the motion carried unanimously. Ms. Bowers stated this item will be placed on the City Council consent agenda at their meeting held July 22, 2008, in the Council Chambers at 5:30 p.m.

5. OLD BUSINESS

- a) REVISIONS TO SITE PLAN AT 904 HWY 15 SOUTH FOR HEADSTART PRESCHOOL BUILDING

Mr. Haugen stepped down and is abstaining from the vote as he is the architect on this project.

Ms. Bowers stated the operations and size of the proposed use would remain the same as previously approved. Staff noted that the changes to the site plan, including rotating the building and revising the parking arrangement, resulted in several improvements, however there are two areas of concern. The 3 new spaces proposed to be constructed in the right of way for Lynn Road are not permitted and do not meet the 10' parking setback required. The existing parking is non-conforming and was built in the public right of way. Staff noted that the paved area north of the building and the 3 new spaces shown in the northwest corner of the site need additional consideration due to the lack of traffic control in this area. The spaces should either be eliminated in favor of adding spaces to the existing line of parking or the area north of the building should be fenced or delineated with bollards to stop traffic from driving into this area. The applicant was not in attendance at the meeting, however Jim Haugen noted that the final plans for the north side of the building have not been finalized, however the applicant was considering using the area north of the building to provide an area for kids to ride bikes on the pavement. If the area is used for a play area, it would likely be fenced. The parking requirements must be met. The new plan improves traffic flow and safety of the children.

The property owner must meet the findings and conditions of the conditional use permit granted by the City Council on May 27, 2008, in Resolution #13405 as follows:

- 1. A certified property survey is required before a building permit will be reviewed. The survey shall clearly identify dimensions and setbacks for the building, parking, and drive aisles, and identify the proposed traffic circulation on site. Review and approval of the site plan is required by the City Engineer and Planning Director before construction.*
- 2. Parking spaces shall be striped and meet the requirements of Section 154.116.*
- 3. Due to the adjacent residential properties and visibility of site from Hwy 15 S., the building shall be constructed with a façade treatment on four sides, such as a partial brick façade, striping or architectural panels, to break up the flat metal exterior, provide more visual interest, and prolong the exterior appearance of the building. The proposed materials shall be identified on the building permit prior to construction.*
- 4. Downspouts from the building shall be directed into drain tile to the catch basin at the northeast corner of the site.*
- 5. Plantings of additional trees or shrubbery along the west property line and northeast corner of the site may be provided as screening rather than fencing. The landscaping plan shall be approved by the City Forester before planting. Screening shall meet the requirements of section 154.115.*

Ms. Bowers stated staff is also recommending an additional two conditions to the amended resolution as follows: 1) approving the amended site plan subject to meeting Zoning Ordinance requirements,

and that 2) the proposed 3 new parking spaces in the public right of way are not approved and shall be not be constructed without specific City approval.

Mr. Flaata questioned the need for façade treatment on all 4 sides. Ms. Bowers explained that the Commission expressed concern about the impact of the appearance on the surrounding area. She stated that the applicant recently brought in an architectural panel he would like to use on the building. Chairman Otteson stated we don't have design standards right now and it might be something we want to think about adding. Mr. Flaata questioned if there are too many requirements and if everyone treated the same.

The Commission discussed screening requirements. Atty. Seborá noted the fence on the west side and trees on the north. Ms. Bowers stated the screening is a requirement even with the improved building façade as the ordinance requires screening of all commercial uses from residential uses. Ms. Rock suggested, for the future we should talk about design standards and guidelines to make things more fairly. Ms. Bowers stated design standards make it easier to regulate fairly.

Discussion followed on the need for design standards. Ms. Bowers stated that the Planning Commission could discuss design standards with the City Council in the future or could send a recommendation on to the City Council from the Commission. Ms. Rock noted that this should be placed on the 2009 Work Plan.

Mr. Haugen stated he became involved as the architect after the last Planning Commission meeting. He explained that he suggested facing the building toward Lynn Road which would give the opportunity to introduce landscaping to soften the area. He stated fencing the north side of the building may be an issue for snow removal. He agreed a fence would be needed if it will be a hardsurfaced play area. Mr. Haugen stated the existing non-conforming parking along Lynn Road has been there for many years as well as the 60 foot wide non-conforming curb cut. Ms. Bowers explained the additional 3 parking spaces in the right of way would not be permitted. When asked about the timeline, Mr. Haugen stated the building must be ready by September 1st.

Ms. Bowers comment on placing the staff parking in the existing line of parking in front of building not in the back. Discussion followed on the recommendations and the consensus is to add "a minimum of 42 spaces shall be provided" to recommendation number 4.

Mr. Flaata made a motion to recommend approval of the request with staff recommendations 1-7 adding to number 4 "A minimum of 42 spaces shall be provided". Seconded by Mr. Currimbhoy, the motion carried with Mr. Haugen abstaining. This item will be placed on the City Council consent agenda at their meeting held July 22, 2008, in the Council Chambers at 5:30 p.m.

- b) ORDINANCE NO. 08-0506 – AN ORDINANCE ADDING SECTION 154.072 TO THE HUTCHINSON CITY CODE TO ESTABLISH REGULATIONS FOR A MIXED USE ZONING DISTRICT (**Referred from City Council 7/8/08**)

Ms. Bowers reported, at the July 8th City Council meeting, the Council moved to refer Ordinance 08-0507 back to the Planning Commission's July 15th meeting to discuss the addition of a Mixed Use zoning district to the City Code. At the meeting, the Mayor commented on his concerns regarding the 10 foot front lot line setback in the mixed use district. The issue of aesthetics along the Hwy 7 Corridor was also a concern brought up by Mayor Cook. The Council discussed the ability to develop the properties if the setbacks were too large. Some of the Council members expressed favor of the development drawings in the Hwy 7 Study which brings the buildings closer to the front line setbacks.

Ms. Bowers reminded the Commission of the earlier discussions and recommendations by the Planning Commission. She stated the first reading was approved by the City Council. There was additional discussion on the front yard setback of the building at 10 feet allowing buildings to be placed toward the front with parking in the back.

Mayor Cook explained he has no problem with creating a mixed use ordinance. He understands the Hwy 7 plan to allow the buildings closer. He has concerns if that creates a corridor that is too narrow especially at Highways 7 and 15 intersection. He explained the City may want it opened up more. Mayor Cook commented on his visits to other communities to view their developments. He stated they provide more green space and more opportunity for landscaping. He suggested maybe a 20' setback as a compromise. He reminded the Planning Commission to consider the Hwy 7 and 15 corner and landscaping. A 20 foot setback would still allow for the buildings being placed up front.

Ms. Bowers commented that the smaller setback allows for parking behind buildings. Ms. Rock noted we may have many variances with a larger setback requirement and that this is a new concept for Hutchinson. Discussion followed on the setback of the Southwest Initiative building and the large easement. Ms. Bowers commented on flexibility in site design with the smaller setback. Developers may not choose to go closer. Ms. Rock explained buildings closer to the highway allow better plantings to screen from the abutting residential buildings. Ms. Rock stated we have made progress so far. Chairman Otteson commented on the expensive real estate on the Hwy 7 and 15 corner. She stated we should provide the opportunity for develop with minimum setback to maximize the development possibilities. Ms. Bowers explained using the PDD district is overused instead of using appropriate zoning districts and requirements. Mayor Cook stated a PDD could provide an option for developers. Chairman Otteson stated a lot of time, money and energy has been spent on this concept and she would like to see the ordinance remain as the Planning Commission originally approved.

Ms. Rock made a motion to recommend keeping the ordinance as originally approved. Seconded by Mr. Flaata. Discussion followed on the need to remain as originally approved because of the effort made. The motion carried unanimously. This item will be placed on the City Council agenda at their meeting held July 22, 2008, in the Council Chambers at 5:30 p.m.

6. NEW BUSINESS

a) DISCUSSION OF FUTURE MINOR COMPREHENSIVE PLAN AMENDMENTS TO ADD A "MIXED USE" LAND USE CATEGORY AND TO CORRECT EXISTING LAND USE DESIGNATIONS ALONG HWY 7

Ms. Bowers commented on the need for Planning Commission feedback on areas to be identified for Mixed Use and on the scope of land use changes desired in the near future. She explained additional actions and public hearings will be required as the recommendations move forward. She described the connection between comprehensive plan, land use and zoning and commented on potential land use amendments and future mixed use areas identified in the Highway 7 Corridor Study. She explained the difference between zoning and the land use guiding and noted that the land use guide plan is the basis for all the zoning districts. She stated the Planning Commission must make zoning decisions based on the Comprehensive Plan. The most discretion for City's is at the Comp Plan stage, rather than at a rezoning stage.

Ms. Bowers commented on several areas that required updates to the land use categories, such as the new stormwater ponds and several areas that should be shown as public land or parkland. She explained that the Commissioners can think about the areas for mixed use for future discussion before taking any action. Discussion was held on the need to focus the mixed use land use category to the intersection of Hwy 7 and 15 to encourage development in this area.

Ms. Bowers stated any comp plan amendments require a public hearing and notice to property owners. Chairman Otteson suggested they move forward on the two pieces of property on the Northwest and Northeast corner of the Hwy 7 and 15 corridor. Discussion followed on the Cenex property future development. The Commission concurred that the focus should be on the Hwy 7 and 15 intersection.

Ms. Bowers commented on the need, in the future, to correct the former Farr development on Hwy 15 South from Public to either commercial or potentially to mixed use residential.

7. COMMUNICATION FROM STAFF

The State Planning Conference will be held Sept. 22, 23, and 24 in Duluth. Budget funds will only allow one commissioner to attend this year. Staff noted that as Commissioner Kovacic is a new Commissioner

and has not attended a conference, it would be worthwhile for him to consider attending.

8. ADJOURNMENT

There being no further business the meeting adjourned at 6:59 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, August 19, 2008
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, John Lofdahl, Jim Haugen, Mike Flaata and Chairman Otteson. Absent: Farid Currimbhoy
Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated July 15, 2008

Ms. Rock moved to approve the consent agenda as submitted.
Seconded by Mr. Flaata. The consent agenda was approved unanimously.

4. PUBLIC HEARINGS

a) **CONDITIONAL USE PERMIT REQUESTED BY RUNNINGS FARM AND FLEET TO ALLOW OUTDOOR DISPLAY AT 1090 HWY 15 SOUTH IN THE C-4 (FRINGE COMMERCIAL DISTRICT)**

Chairman Otteson opened the hearing at 5:38 p.m. with the reading of publication #7707 as published in the Hutchinson Leader on August 7, 2008.

Ms. Bowers explained the request noting Runnings Farm and Fleet proposes to relocate to the existing Hennen's building, which would allow their business to expand and construct an improved outdoor sales display yard behind the building (to the west). She stated the applicant has changed location of the display area after discussions with staff, to place it against the building. The area will be 224' X 100'. She explained that buffering to the west was a concern with the previous request. Earlier concerns by staff have been resolved with the new location.

The display area will use approximately 36 parking spaces. Staff has reviewed the total number of parking spaces and the breakdown of the building uses and determined there will be adequate parking to meet requirements.

Ms. Bowers commented on the following staff recommendations noting items 3 and 4 are no longer necessary due to the change in location:

1. The proposal would meet the standards for granting a conditional use permit, subject to the conditions stated.
2. Screening of plantings or fencing with 100% opacity from residential districts is required to meet the requirements of Section 154.115. Approval of a fence permit is required before the fence is constructed.
3. No structures shall be located over the storm line.
4. A pedestrian crossing area shall be marked to identify a safe route to cross the parking lot to the display area.
5. Security lighting shall have full cutoff fixtures and directed to not affect the neighboring residential properties.

Ms. Bowers reported the northerly end of the lot to the west is not as well buffered as the area adjacent to the apartments. Discussion followed on screening by fence or plantings. The consensus would be to provide plantings rather than a fence.

Mr. Jack Grausam, district manager, for Runnings stated the west loading dock will be inside the fence and is not planned to be used at this time. He explained there will be a gate provided if, in the future, the loading docks would be used. They will be using the southerly loading dock. He stated the yellow bollards on the southwest corner will provide a good traffic buffer. Mr. Grausam stated they will be good neighbors and would like the opportunity to buffer with plantings. The request is more of a sales display area not a storage area as on the existing store. He provided pictures of the New Ulm store to show the concept for Hutchinson.

Ms. Rock asked about the access to the sales yard by customers. Mr. Grausam stated the access will be from the building. Loading of merchandise will be done from the outside. Ms. Rock commented on the current location and the sprawl of merchandise. Mr. Grausam stated they intend to keep the area in order and the new site will have a cleaner standard. He stated Runnings will own the building and the entire lot. Chairman Otteson asked about having the garden center in the spring. Mr. Grausam stated there will be a garden center in the front for approximately 60 days. Discussion followed on the requirement for a temporary permit for a garden center.

Mr. Lofdahl stated he likes plantings for screening and the possibility of a joint project with the apartments. Mr. Haugen asked about fire lane concerns. Ms. Bowers stated the location was discussed with Fire Dept. staff, who approved of the location and noted the water connections are in the front. Ms. Rock asked how much of the property will be owned by Runnings. Staff responded the entire lot includes the building and parking lot would be owned by Runnings.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Kovacic the hearing closed at 5:55 p.m. Mr. Flaata made a motion to recommend approval of the request with staff recommendations 1, 2 and 5. Seconded by Mr. Haugen, the motion carried unanimously. Ms. Bowers

stated this item will be placed on the City Council consent agenda at their meeting held August 26, 2008 in the Council Chambers at 5:30 p.m.

- b) CONDITIONAL USE PERMIT REQUESTED BY RANDY THODE, APPLICANT, TO ALLOW OUTDOOR DISPLAY OF FISH HOUSES IN THE FRONT YARD LOCATED AT 327 HWY 7 EAST IN THE I-1 (LIGHT INDUSTRIAL DISTRICT)

Chairman Otteson opened the hearing at 5:56 p.m. with the reading of publication #7707 as published in the Hutchinson Leader on August 7, 2008.

Ms. Bowers commented on the request and explained the zoning and the use of the surrounding properties. She stated staff discussed the request for 8 fish houses in the front yard and recommended the Planning Commission consider specifying a lesser number for display in the front yard. Staff did not conclude a specific number, however noted that there is limited space in the front yard. The applicant states the hours of operation would be Monday – Saturday from 2 pm to 8 pm and by special appointment. Staff discussed the parking of the icehouses on the grass and noted that the property may become muddy and rutted if it is not maintained. There are some existing trees that provide some buffering between the subject property and the adjacent residential properties.

Ms Bowers reviewed the conditions for granting a CUP, including:

- (a) *The proposed building or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public convenience and will contribute to the general welfare of the neighborhood or community;*
- (b) *The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare; and*
- (c) *The proposed building or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.*

Staff recommends the following conditions with input from the Commissioners on the number of fish houses:

1. A maximum of _____ fish houses may be displayed in the front yard.
2. No items or signage may be placed in the public right of way.
3. A sign permit is required for all signage. The existing signs from former businesses must be removed.
4. Hours of operation are Monday – Saturday from 2 pm to 8 pm and by special appointment.

She explained a conditional use permit was issued for outdoor storage in the rear yard. Staff noted that there are adjacent residential properties in I-1 zoning. This is a transitional area of industrial and commercial with other outdoor sales in the area. Ms. Bowers explained the existing signs on the property must be removed.

Randy Thode, 21053 – 230th Street, explained there will be year round sales. He explained there may be a parking concern in the spring and fall. He stated he will see how much traffic he has before paving. The backyard is gravel. Chairman Otteson asked if 8 fish houses would be too many for the front yard area. Mr. Thode stated the back yard has more room. Mr. Thode explained the double car garage will be the office. He is planning to remove trees in the front to make enough room for 8 units. The units are 6.5' X 20'. Mr. Kovacic asked where customers would park. Mr. Thode stated in the back and side yard, which would provide room for 4 cars in the front plus additional parking in the back. Ms. Bowers stated nothing may be parked in the right-of-way. Discussion followed on location of the front property line and the size of the right of way.

Mr. Kovacic asked about lighting. Mr. Thode stated there will be lighting. Ms. Bowers explained there should be a condition added regarding lighting. Mr. Exner stated the right-of-way may have changed since the last survey. Discussion followed on locating the property line.

Ms. Bernie Telecky, 321 Hwy 7 East, explained the Hwy 7 sign is on her property. She stated 8 fish houses will not fit. She commented on the back yard problem in the spring, with a sink hole on the south side. Mr. Exner commented on the unknown property line and would suggest an updated survey of the property. Ms. Telecky stated she has no objection to the business, however she would object to parking on her grass or placing snow on her yard.

Ms. Bowers suggested tabling the request to allow the applicant to provide additional information to staff and the Commission. Atty. Seborá suggested they close the hearing first before tabling the request. Mr. Thode asked for clarification on what information is needed. Chair Otteson stated there is not enough information to make the decision. He must provide a new survey to determine property lines and show the display and parking. Discussion was held on the items needed and the survey. Ms. Bowers commented that the removal of trees was new information to staff and that trees should remain or a buffering planned. Additionally, the tree may be in the right-of-way. There was discussion on the need for a new survey and the consensus is to provide a survey to be able to evaluate the number of units allowed and the property line location.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Flaata the hearing closed at 6:25 p.m. Mr. Kovacic made a motion to table the request to the old business agenda item for the next meeting. Seconded by Mr. Haugen, the motion carried unanimously.

5. **NEW BUSINESS**

6. **OLD BUSINESS**

7. **COMMUNICATION FROM STAFF**

Ms. Bowers stated a plan to construct a new building for Best Buy will be on next month's agenda. The building would be built between the former Cub Foods and office supply store.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:30 p.m.

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, September 16, 2008
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, John Lofdahl, Jim Haugen, Mike Flaata, Farid Currimbhoy and Chairman Otteson. Absent: Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated August 19, 2008

Ms. Rock moved to approve the consent agenda as submitted. Seconded by Mr. Kovacic. The consent agenda was approved unanimously.

4. PUBLIC HEARINGS

a) PRELIMINARY AND FINAL PLAT OF COUNTY FAIR MARKETPLACE 5TH ADDITION AND SITE PLAN TO CONSTRUCT A BEST BUY STORE AT 1350 HWY 15 SOUTH

Chairman Otteson opened the hearing at 5:38 p.m. with the reading of publication #7715 as published in the Hutchinson Leader on September 4, 2008.

Ms. Bowers stated, for the record, that she needs to disclose that her husband is an employee of the Best Buy corporate office; however he is not involved in real estate or new store development, and would not have any financial gain from the store.

Ms. Bowers commented on the request for a preliminary and final plat to create a one lot plat for County Fair Marketplace 5th Addition. She explained the plat would combine the County Fair Marketplace 3rd and 4th Additions. There is also a site plan review for the development of a 25,343 sq. ft. Best Buy store on the new plat. The store will be constructed between the former Office Max and Cub Foods buildings. She stated the parking and utilities for this lot were sized and constructed for development on this site and were installed per the plans approved in 1998. She explained the unusual lot arrangement because of the shared parking with other stores. This is a permitted use in C4 district. The lot is

a two acre site. She explained that one lot is abstract and one lot torrens. Ryan Company is working with the attorneys to de-torrens the one lot.

Staff noted that two minor corrections to the plat have been made in response to MNDOT comments.

Ms. Bowers informed the commission of the one stop shop held on Sept. 2, 2008. She commented on the site plan drawing and explained the additional parking in the back of the building for a car audio shop in the rear of the store. They will continue the sidewalk to match the existing sidewalk. The building will match the standard Best Buy standards and the existing stores. They have met staff requirements and details. She commented on the staff recommendations as follows:

1. The proposed building and site improvements would comply with the standards of the C-4 district and the Zoning Ordinance.
2. A certified property survey showing the building elevations is required at the time of building permit.
3. The final plat shall be recorded after the property designation change process is completed to meet McLeod County requirements.
4. SAC and WAC fees will be calculated upon building plan submittal and due at the time of building permit issuance.
5. All signage shall meet the requirements of the C-4 district. Sign permits are required prior to installation of the signage.
6. Exterior lighting must be shielded and shall not cause glare to adjacent properties.
7. As-built utility plans shall be submitted to the City after construction.

Ryan Companies desire to submit the building plans for October 1st construction.

Mark Kampmeyer and Dan Bowar, were present from the Ryan Company.

The Commission asked if Best Buy would own the building. The applicant responded that Ryan Companies would be the owner with a long term lease to Best Buy. The Commission also discussed the adjacent vacant buildings. Ryan Co. does not own these properties, however they stated that Best Buy looked into the existing buildings. It was determined that it was not as cost effective to retrofit the existing buildings to meet their building standards and they wanted a more energy efficient building. The applicant noted they will be incorporating environmental design features and identifying parking spaces for high fuel efficiency vehicles. Also discussed was the building design and signage.

Mr. Currimbhoy made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 5:55 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations. Seconded by Mr.Lofdahl, the motion carried unanimously. Chairman

Otteson stated this item will be placed on the City Council consent agenda at their meeting held September 23, 2008, in the Council Chambers at 5:30 p.m.

5. **NEW BUSINESS**

6. **OLD BUSINESS**

- a) **CONDITIONAL USE PERMIT REQUESTED BY RANDY THODE, APPLICANT, TO ALLOW OUTDOOR DISPLAY OF FISH HOUSES IN THE FRONT YARD LOCATED AT 327 HWY 7 EAST IN THE I-1 (LIGHT INDUSTRIAL DISTRICT) (TABLED FROM THE AUGUST 19TH MEETING)**

Ms. Bowers commented on the request by Randy Thode for a conditional use permit to allow outdoor sales display of fish houses in the front yard at 327 Hwy 7 E. The property is zoned Light Industrial and outdoor display requires a conditional use permit. There is adjacent residentially zoned property to the east, commercial to the south and industrial to the north and west. The adjacent property to the west is a residential home, however is zoned I-1 (Light Industrial).

Ms. Bowers explained the Planning Commission held a public hearing and considered the request at their August 19, 2008, meeting. There was an adjacent property owner who spoke at the August meeting and indicated she has no objection to the request for fish house sales. She does have concerns with any parking on her grass or placing snow on her yard. The request was tabled to the September 16, 2008, Planning Commission meeting to allow the applicant time to obtain a current survey and address some of the concerns raised at the August meeting. At the September meeting, the applicant presented additional information and noted the maximum number of ice houses would be 7, as shown on the survey. He will reduce the hours of operation to noon to 5 pm, would not remove any trees, and would not add any exterior lights. Ms. Bowers reminded the Commissioners that the ordinance addresses lighting regulations. Mr. Thode also indicated the 5 parking spaces for customers on the survey. The Commission also discussed the existing signage. Mr. Thode stated he would remove the existing sign and install a small sign. Mr. Thode, explained the survey represents the larger houses. He stated there may be smaller houses placed in the front yard.

Mr. Flaata made a motion to recommend approval of the request with staff recommendations adding 7 fish houses to recommendation number 1. Seconded by Ms. Rock, the motion carried unanimously. Chairman Otteson stated this item will be placed on the City Council consent agenda at their meeting held September 23, 2008, in the Council Chambers at 5:30 p.m.

7. **COMMUNICATION FROM STAFF**

Mr. Flaata commented on the Charter School students crossing 5th Avenue S.E. where there is no crosswalk to go to the park. Discussion followed on the safety of the children and the possible areas to cross 5th Avenue S.E. Ms. Bowers commented on her conversation with the Police Chief regarding this matter. She stated the Police Chief explained the police department can not require them to use the cross walk. Discussion followed on the Planning Commission's concerns at the time of the request for a conditional use permit. Ms Bowers reported the Police Chief would like to work with the school regarding using the crosswalk at the 3M entrance. She will contact the Police Chief to move forward with contacting the school.

Chris Kovacic will be attending the MN APA conference in Duluth. Christie Rock and Rebecca Bowers will also be attending.

8. ADJOURNMENT

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, October 21, 2008
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, John Lofdahl, Farid Currimbhoy and Chairman Otteson. Absent: Jim Haugen and Mike Flaata Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated September 16, 2008

Ms. Rock moved to approve the consent agenda as submitted.
Seconded by Mr. Kovacic, the consent agenda was approved
unanimously

4. PUBLIC HEARINGS

a) REZONING OF 1285 HWY 7 WEST FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO C-4 (FRINGE COMMERCIAL) REQUESTED BY CITIZENS BANK

Chairman Otteson opened the hearing at 5:35 p.m. with the reading of publication #7719 as published in the Hutchinson Leader on October 9, 2008.

Ms. Bowers explained the zoning history of the property and noted this is a vacant lot. The property was previously zoned C-4, however was rezoned to R-2, for Cedar Crest Assisted Living in February, 2006. As the expansion did not happen, the bank is requesting a rezoning back to C-4 to allow sale of the property for commercial development. The proposed rezoning to C-4 would conform with the commercial land use designation in the Comprehensive Plan and recommendations of the Highway 7 Corridor Study. Staff recommends approval with the following findings:

1. The rezoning would be consistent with the Comprehensive Plan and the intent of the C-4 zoning district in the Zoning Ordinance, including the existing commercial land use guiding, the adjacent C-4 zoning

districts, and the commercial nature of the area located along a major highway.

2. The property is proposed to be developed as a commercial use. Rezoning would allow the proposed use to be developed in conformance with the C-4 district.

There was discussion regarding the property also being in the River Overlay District which has additional requirements. A site plan will be reviewed by the Planning Commission and the City Council before any building is constructed on the site.

Ed Doring, 1282 Rolling Oaks Lane N.W., stated he has no problem with the property being zoned back to commercial, however he had some concerns with what will happen to the property in the meantime. Staff noted that there have been complaints about outdoor storage on the lot and the dust and mud from trucks parking on the lot. Staff worked with the Bank to post "no trespassing" signs posted to prevent unauthorized parking. Chairman Otteson reminded him there are guidelines in the ordinance that the developer must follow. Ms. Bowers commented on the uses permitted in the C-4 district and the process of site plan review. She stated the parking lot must be paved and the stormwater management goals in the river overlay district must be followed.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Lofdahl, the hearing closed at 5:42 p.m. Ms. Rock made a motion to recommend approval of the request with staff findings. Seconded by Mr. Lofdahl, the motion carried unanimously. Ms. Bowers stated this item will be placed on the City Council consent agenda at their meeting held October 28, 2008 in the Council Chambers at 5:30 p.m.

- b) AMENDMENT TO CITY CODE CHAPTER 153; SUBDIVISION CONTROL, TO AMEND SECTIONS 153.39 AND 153.50; TO UPDATE THE FINAL PLAT FILING REQUIREMENTS AND ADD AN APPLICATION FEE FOR FINAL PLATS

Chairman Otteson opened the hearing at 5:43 p.m. with the reading of publication #7719 as published in the Hutchinson Leader on October 9, 2008.

Ms. Bowers explained the request by staff to charge a fee for final plat review and update language in the ordinance. The City's subdivision ordinance specifies that no fee shall be charged for final plats. Currently an application fee is charged only for preliminary plats. In order to cover the administrative costs of processing final plats, the City should start charging a final plat application fee. Final plat application fees are common and staff is in the process of researching the appropriate application fee. The final plat application fee would be set by the City Council when the City's fee schedule is adopted in December to take effect for 2009. A couple of other minor changes are proposed to the filing requirements to update the number of mylars needed, remove references to cloth copies, and requiring a digital copy of the final plat.

The Commission discussed the idea of charging fees for services rather than increasing taxes. Staff noted that application fees allow the City to recover expenses for processing applications from the property owner requesting the action, rather than spreading the costs to all residents.

Mr. Lofdahl made a motion to close the hearing. Seconded by Ms. Rock the hearing closed at 5:48 p.m. Mr. Lofdahl made a motion to recommend approval of the ordinance amendment. Seconded by Ms. Rock, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held October 28, 2008 in the Council Chambers at 5:30 p.m.

c) ZONING ORDINANCE AMENDMENT TO SPECIFY FENCE HEIGHT REQUIREMENTS AND CLARIFY EXISTING SECTION 154.118 LANGUAGE

Chairman Otteson opened the hearing at 5:51 p.m. with the reading of publication #7719 as published in the Hutchinson Leader on October 9, 2008.

Ms. Bowers explained when the City Code was codified in 2004, part of Zoning Ordinance Section 154.118, Fences and Walls, was omitted in error. The current ordinance does not identify any fence height; however the previous ordinance contained a 6' height maximum for residential fences. The requirement for constructing the fence with the finished side to the outside was also omitted. Planning staff recommends adding the height requirement back in the ordinance, along with several other changes to clarify fence regulations. Requirements for non-residential fences are also proposed to allow higher fences for screening purposes, as currently referenced in "Section 154.115, Screening; landscaping; outdoor storage and display".

The Commission discussed the sight visibility triangle and the how landscaping can also impact visibility. Staff noted that although we don't issue permits for landscaping, we do advise residents to consider mature plant size when planting shrubs and trees. Also discussed was the need for certification by a structural engineer for fences and walls exceeding 6 feet in height.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Currimbhoy, the hearing closed at 6:00 p.m. Mr. Currimbhoy made a motion to recommend approval of the ordinance amendment. Seconded by Mr. Lofdahl, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held October 28, 2008 in the Council Chambers at 5:30 p.m.

- d) AMENDMENT TO ZONING ORDINANCE SECTION 154.064, ADDING "OFFICES, BUSINESS AND PROFESSIONAL" AS A PERMITTED USE IN THE C-4 ZONING DISTRICT

Chairman Otteson opened the hearing at 6:01 p.m. with the reading of publication #7719 as published in the Hutchinson Leader on October 9, 2008.

Ms. Bowers commented on the request to add "offices, business and professional" to the permitted uses in the C-4 District. She reviewed the purpose of the C-4 district in the Zoning Ordinance as providing areas for the grouping of general retail sales establishments, offices and services that offer convenient shopping facilities for city residents and surrounding area. However, offices are not listed among the permitted uses. Landform staff also noted the lack of an office use during the Highway 7 Corridor Study and recommended the addition. Recent discussions with a commercial developer also expressed concern that "offices" were not specifically listed as permitted uses in the C-4 district.

The Commissioners briefly discussed the addition with no concerns.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Kovacic the hearing closed at 6:03 p.m. Ms. Rock made a motion to recommend approval of the ordinance amendment. Seconded by Mr. Lofdahl, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held October 28, 2008 in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

There was discussion on code enforcement and on-going building projects with material stored outside for extended periods. Ms. Bowers explained that the building and planning department will investigate and document the site after complaints are received or if we are aware of problems. Staff works with the Police Dept. and City Attorney to obtain compliance if the problem is not addressed. There was further discussion on City regulations and the difficulty in getting projects completed with the increase in foreclosures and financing problems. City Attorney Seborra commented on the code enforcement process.

6. OLD BUSINESS

None

7. COMMUNICATION FROM STAFF

A. PRESENTATION OF INFORMATION FROM MNAPA CONFERENCE

Ms. Bowers reported that Mr. Kovacic and Ms. Rock attended the conference this year. She commented on one of the sessions, "Making Defensible Land

Use Decisions". She noted that it is important for the Commissioners to discuss their reasons for approving or denying a request for inclusion in the public record. This discussion and findings in the resolutions are particularly important for applications that may be denied to help prevent legal issues for the City. She also commented on a session about working with corporate retailers to design buildings to fit into communities.

Mr. Kovacic commented on the sessions he attended, including "The Role of the Planning Commissioner", a MN Mainstreet session, Shoreland management and impervious surface coverage and the information he received on legislation and education.

Ms. Bowers stated we will have two public hearings on plats in November.

8 ADJOURNMENT

There being no further business the meeting was adjourned at 6:30 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, November 18, 2008
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, John Lofdahl, Jim Haugen, Mike Flaata, Farid Currimbhoy and Chairman Otteson. Absent: None Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated October 21, 2008.

Mr. Haugen moved to approve the consent agenda as submitted. Seconded by Mr. Flaata. The consent agenda was approved unanimously.

4. PUBLIC HEARINGS

a) PRELIMINARY AND FINAL PLAT OF FAITH LUTHERAN ADDITION AND VACATION OF ALLEY LOCATED AT 335 MAIN STREET SOUTH

Chairman Otteson opened the hearing at 5:34 p.m. with the reading of publication #7721 as published in the Hutchinson Leader on November 6, 2008.

Ms. Bowers explained that Faith Lutheran Church is requesting approval of a plat and vacation of the alley to allow a future building expansion and site improvements. She stated the plat would combine the existing 10 lots into one lot to remove lot lines and allow for the proposed expansion of the church. The alley must be vacated for future construction over the easement. The church has removed the utilities that were in the alley. Additional approvals will be needed before the construction project moves forward, including a conditional use permit and site plan for the expansion. A one-stop-shop will be scheduled with the representatives from the church when they are closer to beginning the expansion.

Staff recommends approval of the request with the following conditions:

1. The final plat shall be recorded after the revisions required by the McLeod County Recorder are completed to meet McLeod County requirements.
2. Additional applications and review will be required before a building permit may be reviewed and issued for the expansion, including a conditional use permit and site plan review and approval.

Randy Redman, 550 Lakewood Dr., representative from Faith Lutheran Church, explained the phases of construction and the timeline. He stated there will be a Church vote in February and they are hoping to start part of the expansion next year.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Kovacic, the hearing closed at 5:39 p.m. Ms. Rock made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Haugen, the motion carried unanimously. Ms. Bowers stated this item will be placed on the City Council consent agenda at their meeting held November 25, 2008, in the Council Chambers at 5:30 p.m.

b) PRELIMINARY AND FINAL PLAT OF HUTCHINSON MANUFACTURING AND REZONING TO I-1 (LIGHT INDUSTRIAL) FROM I/C AND C-4

Chairman Otteson opened the hearing at 5:40 p.m. with the reading of publication #7721 as published in the Hutchinson Leader on November 6, 2008.

Ms. Bowers explained Hutchinson Manufacturing is requesting a preliminary and final plat to combine several lots into one lot at 720 Hwy 7 West. A rezoning to I-1 (Light Industrial) is also requested for the 10.79-acre site. The buildings and parking lot currently straddle several lot lines. The plat would simplify the property by eliminating the multiple lots and lot lines running through buildings and parking lot. The parcels are presently zoned I/C (Industrial Commercial), except for the westerly portion which is C-4 (Fringe Commercial). When staff became aware of the proposed platting, they recommended that the applicant apply to rezone the site, as recommended by the Highway 7 Corridor Study. The rezoning to I-1 (Light Industrial) would allow the use to become a permitted use and avoid the on-going requirement for approval of a conditional use permit for any expansions to the property.

Ms. Bowers explained staff researched the previous conditional use permit conditions and all but one have been met. She commented on the landscaping and screening that has been completed and noted the southerly landscaping was to be completed after the City plans were final for the Les Kouba Parkway plan. She reported staff discussed adding a date for completion of the south side in the conditions. Staff recommends approval of the request with following recommendations:

1. The rezoning to I-1 would be consistent with the industrial land use guiding the Comprehensive Plan and the intent of the I-1 zoning district in the Zoning Ordinance.
2. The final plat shall be revised before recording to show the permanent trail easement on the northeast corner of the site.
3. Landscape and screening along the southerly line of plat shall be completed by Spring of 2009. The plan shall be approved by the City Forester and Planning Director prior to planting.
4. The final plat shall be recorded at the McLeod County Recorder's Office within 270 days of approval.

Discussion followed on the timing to landscape on the Southerly property line.

Tom Daggett, 16057 673rd Ave., Hutchinson Manufacturing, explained screening along the south has not been defined. He tried to do some of the landscaping and was told to wait until the Les Kouba plan was done. The Commission discussed the landscaping and screening that has been completed on the site. Also discussed were the plans for landscaping the southerly lot line along Les Kouba Parkway. Staff initially recommended setting a deadline on the landscaping, however feedback from the Commission was that landscaping should wait until a plan is developed for the Parkway.

Mr. Exner commented on the plans and options. He stated the City has looked at this since 2005. He stated there is no money to complete Les Kouba Parkway. He explained road grade corrections must be completed and they will look at this again this winter and bring it back to the City Council. Mr. Exner suggested Hutchinson Mfg. should not do anything until the City knows what they are going to do.

After discussion, the Commission unanimously recommended changing the condition for the landscaping to read "Landscape and screening along the southerly line of the plat shall be completed after the plan for the parkway is completed."

Mr. Kovacic made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 5:54 p.m. Mr. Currimbhoy made a motion to recommend approval of the request with staff recommendations changing the wording of #3 to, "Landscape and screening along the southerly line of the plat shall be completed after the plan for the parkway is completed." Seconded by Mr. Kovacic, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held November 25, 2008, in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

a) PRESENTATION OF SKETCH PLAN FOR HUTCHINSON AREA HEALTH CARE SENIOR HOUSING CAMPUS, FOR THE NORTHWEST CORNER OF CO. RD. 8 AND JEFFERSON STR. SE.

Ms. Bowers explained Hutchinson Area Health Care is requesting review and feedback of a sketch plan for a senior housing development on a portion of their proposed development site. The proposal shows 288 units on the westerly 15 acres of the approximately 43-acre site. The proposal includes a variety of unit types, including long term care, memory care, assisted living, independent living, etc., to be constructed in three phases She commented on the sketch plan and stated annexation of the property was completed in 2007. The property is presently zoned R-1 (Single Family Residential). She stated there will be many more steps in the process such as rezoning possibly to R-4 PDD. The westerly side is planned to be more densely developed. The City Comprehensive Plan

designates this project is ready for development. This plan is more dense than the Comp plan recommends. There will need to be an amendment to the Comp Plan to mixed use residential from traditional residential neighborhood. Staff would recommend rezoning only the westerly portion of the site. She explained staff reviews roads through the site. Ms. Bowers also commented on the County Engineer's concerns of allowing Calgary Lane access to Airport Rd. The utilities are sized for this type of development. A Planned Development District will require open space. Additional information will be needed to determine the amount of open space. Staff would recommend a parkland contribution instead of parkland.

Discussion followed on the possibility of a trail system through the development to tie in to the existing trails. There was also discussion on the need for access for emergency vehicles around the buildings. Calgary may need to be a private road into the development without access to the Airport Rd. Mr. Exner commented on the County recommendations. He explained Sherwood Street would be the collector street to Edmonton. The County wants to limit the access onto Airport Rd. He reported traffic counts may increase on Airport Rd. with the ring road construction being completed next Fall. Access management is difficult with the increase in traffic.

Cary Linder, HAHC, Linda Krentz, Nursing home, Dan Neudecker, architect, were present to answer questions.

The applicants provided additional detail on anticipated private bank bonding for the project, the overall development plans, unit types and levels of care, the State moratorium process, and the aging in place concept. They are very optimistic about their State ranking and hope to break ground in September 2009. The Commission discussed the proposed density and noted a desire for additional green space and trail connections. Also discussed was access and traffic onto Airport Road. The applicants stated that the review recommendations of the County Engineer are not issues for them and the items can be accommodated in the plan.

Commissioners discussed the need for green space. Mr. Linder explained residents will not need the parking spaces. The remaining parcel will be less dense. He stated they are negotiating the southern 17 acres of the Southwind development. Discussion followed on creating parks and walking paths. Mr. Linder explained the setting will include green space and they would like connectivity with City trails to invite public to use the trail for more activity for seniors. Ms. Bowers explained we expect the Southwind property will be included in the property calculations.

Overall, the Commission was very supportive of the project and encouraged it to move forward through the development planning process.

b) DISCUSSION OF SOIL AMENDMENT PROPOSAL, PRESENTED BY MARK SCHNOBRICH, CITY FORESTER

Ms. Bowers commented on the soil amendment proposal presentation by the City Forester Mark Schnobrich.

Mr. Schnobrich explained the need for soil amendment when there is development on property. The Tree Board recommended Mr. Schnobrich bring this to the Planning Commission for input.

Staff discussed the need for amending soils on lots with new construction. Generally staff agreed that soil amendment is important for a variety of environmental reasons, however also discussed was the concern about adding another cost to constructing new homes in a difficult housing market. Also discussed were possible options to require soil amendment for trees planted through the Energy Trees program. Staff also discussed other opportunities to encourage soil amendment, without making it a requirement.

Mr. Schnobrich gave a presentation on “Protecting Soils, is Hutchinson ready”. He commented on a memo from John Paulson, Environmental Regulatory Specialist, on the problems here and what has been done in other communities. This is not a new concept. Ripping the soils will reduce the compaction. Some communities have tree preservation ordinances. Mr. Schnobrich explained the process of developing the fields and explained cost benefits. Discussion followed on the possibility of writing an ordinance to regulate the developments. There was discussion on the need to provide the developers, contractors and public, proof that soil amending works.

Ms. Bowers stated goals should be set. Staff is looking for direction to pursue a soil amendment.

The Commissioners agreed staff should move forward with the plan.

6. **OLD BUSINESS**

7. **COMMUNICATION FROM STAFF**

8. **ADJOURNMENT**

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, December 16, 2008
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman Lynn Otteson at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, John Lofdahl, Jim Haugen, Mike Flaata, Farid Currimbhoy and Chairman Otteson. Absent: None. Also present: Rebecca Bowers, Planning Director, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated November 18, 2008.

Mr. Currimbhoy moved to approve the consent agenda as submitted. Seconded by Ms. Rock, the consent agenda was approved unanimously.

4. PUBLIC HEARINGS

a) AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE LAND USE DESIGNATION FOR DEVELOPMENT OF A SENIOR HOUSING CAMPUS ON THE NORTHWEST CORNER OF AIRPORT ROAD AND JEFFERSON STREET S.E. REQUESTED BY HAHC

Chairman Otteson opened the hearing at 5:33 p.m. with the reading of publication #7728 as published in the Hutchinson Leader on December 4, 2008.

Ms. Bowers explained that Hutchinson Area Health Care (HAHC) is requesting a Comprehensive Plan amendment to allow a higher residential density than is identified in the City's Comprehensive Plan for a future senior housing campus development on a 43 acre site at the northwest corner of Airport Rd. and Jefferson Street S.E. The Comprehensive Plan identifies the land use designation as Neighborhood Residential, which allows 3-5 residential units per acre. The requested change is for a Mixed Use Residential designation, which would allow 5-18+ units per acre. She reminded the commissioners of the sketch plan reviewed at the November 2008, meeting for development of the westerly 15 acres. The amendment is requested for the entire 43 acre parcel. HAHC has indicated that the easterly portion of the site would be lower density with various lower density residential housing types.

Ms. Bowers stated the City has a high level of discretion in approving amendments to the Comprehensive Plan. The Staging Plan identifies the timing for development based upon utility availability along with the allowed density and type of development (such as residential or commercial). The HAHC property is identified on the Staging Plan as "Traditional Residential Neighborhood" with the potential for utility extension and development between 2005 – 2010.

Ms. Bowers commented on the inconsistency between the future landuse plan and the staging plan for the southeast area of the City and stated both maps should be amended. She explained the broader impact on community needs and systems, such as the transportation system, the sewer and water system, water quality, housing needs, parks, land supply and demand, and the fiscal impact on the City.

Staff recommends approval of the Comprehensive Plan amendment with the following recommendations:

- 1) The staging plan map shall be revised from “Traditional Residential Neighborhood” to “Mixed Use Residential”,
- 2) The future land use map shall be revised from “Limited Development District” to “Mixed Use Residential”.
- 3) The City has examined the impact on community needs and systems, such as the transportation system, the sewer and water system, water quality, housing needs, parks, land supply and demand, and the fiscal impact on the City and finds that the increased density would be compatible with community infrastructure and systems.
- 4) Utilities are adjacent to the site and would be adequate for the proposed density.
- 5) The transportation system would be adequate for the proposed density, due to its location on a County Arterial road, subject to making the improvements required by the County Engineer.
- 6) The City has a limited amount of land designated for Mixed Use Residential that would allow the higher density needed to facilitate the development of senior housing.
- 7) The plan amendment would allow for the creation of additional senior housing, which is a growing community need due to a demographic shift toward an increasing older adult population.

The Commission discussed the ownership of the property and whether the property to the north is owned by HAHC. Staff stated that the adjacent property is not owned by the applicant and the amendment is for the 43-acre property only. Also discussed was the timing of the rezoning, which would be requested by the applicant when they are ready to move forward. Ms. Krentz, Burns Manor Director, discussed the timing of the project and the process to transfer funding for the 120 beds from Burns Manor.

Mr. Lofdahl made a motion to close the hearing. Seconded by Mr. Haugen, the hearing closed at 5:42 p.m. Ms. Bowers explained the need for a resolution to give direction to the property owner. Mr. Flaata made a motion to recommend approval of the request with staff recommendations and resolution. Seconded by Mr. Lofdahl, the motion carried unanimously. Ms. Bowers stated this item will be placed on the City Council consent agenda at their meeting held December 23, 2008 in the Council Chambers at 5:30 p.m.

- b) VARIANCE TO ALLOW FRONT SETBACK LESS THAN 30 FEET FOR CONSTRUCTION OF AN OBSERVATION BUILDING AT THE WILDLIFE SANCTUARY, 700 LES KOUBA PARKWAY N.W. BY GOPHER CAMPFIRE CLUB

Chairman Otteson opened the hearing at 5:44 p.m. with the reading of publication #7728 as published in the Hutchinson Leader on December 4, 2008.

Ms. Bowers explained that the variance is required as the proposed location along the property line would not meet the 30 foot setback required by the R-1 zoning district. The variance request is to locate the building along the fence line, which is just inside the property line. The applicant stated that the hardship is the 100 year flood plain and their desire to

locate the building as part of the fence line. Staff recommended that the building be setback farther to reduce the amount of variance and to allow an area for safety and open space along the road. Staff reviewed the conditions for the variance contained in the staff report, including:

1. The standards for granting a variance have been met, including a finding of undue hardship and uniqueness due to the proposed placement of the building on the fence line, the location of the 100 year flood plain, and the use of the building for observation of animals at the sanctuary. The characteristics of the property were not created by the applicant and the proposed observation building would not alter the character of the locality.
2. *The building shall be setback _____ feet from the lot line and roadway by adding a small section of fence at a 90 angle to the existing fence to allow additional space for safety and pedestrians to stand off the roadway. (Additional information needed)*
3. Construction of the building shall meet all other standards in the Zoning Ordinance, with the exception of the variance granted.
4. Building must be placed on Gopher Campfire property no portion of the building will be allowed in public right of way (such as overhangs, steps, ramps, etc.)
5. There must be two entrance doors in the building. A door with windows shall be installed on the north side of the building to allow sight line out of the building.
6. There must be access to the building for emergency services.
7. Building must meet Building Code and handicapped accessibility regulations.
8. Approval of a building permit is required before any construction.

The applicant presented new building plans that showed the handicapped ramp relocated to the north side of the building along Les Kouba Parkway. The revised proposal shows the handicapped ramp relocated to the front/north side of the building, with the ramp within the 5-foot setback, which would be along the property line. The Commission discussed the hardship related to the flood plain. It was discussed that the 16' x 24' building could be constructed to meet the setback and the building could be elevated to comply with flood plain requirements. Staff stated there is approximately 50' to the flood plain from the lot line. The applicant stated they want to keep the building close to the road to avoid taking up area for the animals and feeding area. Building Code requirements for exiting and accessibility were also discussed. Staff stated that Code items would be reviewed at the time of building permit and after complete plans are submitted. The Commission discussed the revised plans and how much space should be recommended between the building and the roadway. After additional discussion, the Commission recommended the draft resolution be revised to require a minimum 5' setback, with all building improvements including the ramp meeting the 5' setback and to remove the condition requiring two doors.

Mr. Haugen made a motion to close the hearing. Seconded by Mr. Kovacic, the hearing closed at 6:14 p.m. Discussion followed on the hardship of the flood plain. There was additional discussion on the distance to the flood plain. Mr. Haugen made a motion to recommend approval of the request with staff recommendations changing #2 to add a minimum of 5 feet from any building improvement including the ramp and omit the first sentence in #5. Seconded by Mr. Kovacic, the motion carried unanimously. Ms. Bowers stated this item will be placed on the City Council consent agenda at their meeting held December 23, 2008 in the Council Chambers at 5:30 p.m.

5. **NEW BUSINESS**

a) REVIEW OF 2008 PLANNING COMMISSION WORK PLAN

Ms. Bowers commented on progress made on the 2008 Work Plan and explained the Commissioners will review and develop the 2009 Work Plan in January.

6. **OLD BUSINESS**

7. **COMMUNICATION FROM STAFF**

Staff noted that Zoning Ordinance amendments were passed out and should be added to the Commissioners ordinance books. Election of new officers will be handled in February.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:37 p.m.