

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, February 16, 2010
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman John Lofdahl at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, Jim Fahey, Chad Czmowski, Dean Kirchoff , Dave Johnston and Chairman Lofdahl. Absent: None Also present: Gary Plotz, City Administrator, Kent Exner, City Engineer, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. ELECTION OF OFFICERS

Chairman Lofdahl called for nominations for Chairman. Mr. Kovacic nominated Mr. Lofdahl for Chairman. Seconded by Mr. Kirchoff, Mr. Fahey moved that nominations cease and a unanimous motion carried for Mr. Lofdahl as Chairman. Chairman Lofdahl called for nominations for Vice Chairman. Mr. Czmowski moved to nominate Mr. Kovacic for Vice Chairman. Seconded by Mr. Johnston, Mr. Kirchoff moved that nominations cease and a unanimous motion carried for Mr. Kovacic as Vice Chairman.

4. CONSENT AGENDA

a) Consideration of Minutes dated December 15, 2009.

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

5. PUBLIC HEARINGS

None

6. NEW BUSINESS

a) FINAL PLAT OF "HAHC ADDITION" LOCATED AT 355 AIRPORT ROAD S.E.

Mr. Plotz commented on the final plat and location. He explained the preliminary plat was approved in December, 2009. The preliminary plat included Southwind Second Addition, Outlot B. McLeod County Recorder's Office indicated the two properties are torrens and abstract and cannot be recorded as one plat. The final plat of HAHc Addition will include only the abstract property south of Southwind Second Addition. He reported there will be a preliminary and final replat of Southwind Second Addition for the Planning Commissioner's review at the March meeting.

Atty. Sebor commented on the County not approving a plat in both torrens and abstract. He explained the difference between torrens and abstract and the possible ways to record the plat. Mr. Plotz stated activity will not be delayed for Hutchinson Area Health Care.

Mr. Plotz commented on the following staff recommendations and asked if anyone had questions on the findings and conditions. He explained there will be a subdivision agreement reviewed and acted on by the City Council.

1. Plat Outlot A as Lot 2, Block 1, HAHC Addition, for future development such as a maintenance shed. Add a 6 foot easement on the north property line of Lot 2.
2. A future accessory building would be allowed on Lot 2, Block 1, HAHC Addition and would be limited to a garage no larger than 576 square feet for lawn equipment and the maintenance of the lawn equipment.
3. The Subdivision Agreement will address the future construction of the northern trail.
4. A Subdivision Agreement must be executed prior to filing of the final plat.
5. The bituminous trail along Airport Road (CSAH 115) shall be constructed at the same time as the rest of the first phase of the development, with the trail connecting back to the main facility at its east termini.
6. All trails and sidewalks shall be ADA compliant and shall provide connections between public and private trails/sidewalks and parking areas.
7. The northeast staff parking lot must show required handicapped parking stalls and the sidewalk must be handicapped accessible.
8. The northeast turnaround will be constructed by the developer. The southeast parking lot may serve as the turnaround with modifications on the east end with further staff review.
9. No parking will be allowed on any streets.
10. A parkland contribution fee will be collected with the building permit. Fee amount will be determined by staff and listed in the Subdivision Agreement.
11. Final utility, grading, and stormwater management plans are subject to approval of the City Engineer. Provide a letter addressing the attached City Engineer's memo dated 12/7/09.
12. Developers are to work with the City Forester, Environmentalist and City Engineer on a site soil plan that will provide suitable conditions for growth of trees and plants (helps mitigate added density as required as part of the Planned Development District).
13. Provide a snow storage plan to ensure parking is not lost and that landscaping and plants/trees are not damaged from snow storage.
14. Provide a photometric plan in addition to the lighting plan with cut off fixtures.
15. Verify parking stall sizes.

Discussion followed on omitting condition number two. Mark Anderson, MFRA, questioned requiring number one. He stated an Outlot is not a buildable area. He reported the hospital will plat it as a lot in the future if needed for a building. Mr. Anderson also asked for clarification of number four to state "recording" of the final plat instead of "filing". Mr. Plotz commented on the requirement to assure the City that the subdivision agreement will be signed and recorded. Cary Linder, HAHC, commented on the timing of signing the subdivision agreement. Atty. Sebor explained timing of recording the final plat. Mr. Fahey commented on the platting of Outlot A as a common sense approach by staff. Discussion followed regarding the taxing of bare lots. Discussion also followed on the wording of number four and eliminating items one and two. Mr. Exner stated the City generally does not use platted outlots for ponding. Mr. Linder stated the property to the north could be replatted. Mr. Exner stated the city has not been platting ponds as outlots separately. There was discussion on the definition of an outlot.

Mr. Kovacic made a motion to recommend approval of the final plat with staff recommendations 3-15. Seconded by Mr. Johnston, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held February 22, 2010, in the Council Chambers at 5:30 p.m.

b) PRESENTATION BY JOHN PAULSON ON SHORELAND MITIGATION PROCESS

John Paulson explained the DNR proposed mitigation processes in the shoreland area and the right way to allow mitigation in the shoreland. He explained the DNR has a new shoreland

ordinance drafted but not adopted. He explained the Legislature directed the DNR to update the ordinance. He commented on some mitigation practices to add with variances. Mr. Paulson reported the new ordinance could regulate to 15% impervious coverage. He explained that existing nonconformities must mitigate back to 25% coverage. He stated the soil types here are a problem for using rain gardens to function properly. He commented on the use of underdrains and connectivity to the city system. There can be problems with running private pipes into easements with utilities. Rain gardens take water from impervious area and infiltrate it into the ground. The MN Stormwater Manual standards must be followed for rain gardens. Minimal Impact Design standards are in the process of being proposed. Percolation rates are specified in the stormwater manual. Mr. Paulson stated a property owner must reduce impervious surface if they cannot meet the standards. He indicated the City should have a process in place. Mr. Paulson asked if there are concerns or issues. Discussion followed on the standards for rain gardens and where drainage is directed. Mr. Paulson stated the review process of the new ordinance may take 1-2 years. There was discussion on the need to require a mitigation process to allow additional impervious surface. Discussion followed on the requirements for mitigating the runoff. The downside is the cost and maintenance of rain gardens. Discussion followed on the need for variances and mitigation. There was also discussion on the problems with rain gardens years from now.

7. **OLD BUSINESS**

8. **COMMUNICATION FROM STAFF**

- a) CONFIRM VARIANCE WORKSHOP DATE FOR MARCH 16, 2010
Staff will check with the League of Cities for the workshop at the April 20th Planning Commission meeting.
- b) Mr. Plotz stated the City is marketing for a Planner. He gave an update on the proposed LGA cuts and what it means to Hutchinson.

9. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:52 p.m.

MINUTES HUTCHINSON PLANNING COMMISSION
Tuesday, March 16, 2010
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman John Lofdahl at 5:34 p.m. with the following members present: Chris Kovacic, Chad Czmowski, Dave Johnston and Chairman Lofdahl. Absent: Christie Rock, Jim Fahey and Dean Kirchoff Also present: Gary Plotz, City Administrator, 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 February 16, 2010.

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

4. PUBLIC HEARINGS

a) CONSIDERATION OF A PRELIMINARY AND FINAL PLAT OF SOUTHWIND THIRD ADDITION SUBMITTED BY HUTCHINSON AREA HEALTH CARE, PROPERTY OWNER

Chairman Lofdahl opened the hearing at 5:36 p.m. with the reading of publication #7791 as published in the Hutchinson Leader on March 4, 2010.

Mr. Plotz explained that the property is owned by Hutchinson Area Health Care and was originally included in the HAHC Addition plat. He explained Outlot B, Southwind Second Addition is Torrens property and the property to the south is abstract. McLeod County has indicated they cannot record Torrens and abstract property in one plat. The property owner decided to plat the abstract property separately as HAHC Addition to continue with the nursing home project. They are now platting the Torrens property to the north as Southwind Third Addition to plat street right of way (Calgary Lane SE and a small portion of Sherwood Street SE). to accommodate for sewer and water in Calgary. Also, the Sherwood Street right of way will provide a swale.

Mr. Plotz explained the Outlots must be replatted before they are developed. Mr. Linder, HAHC, reported the current plan is to leave the property vacant.

Staff recommends approval of the request with the following recommendations and findings:

1. Correct/verify westerly property boundary.
2. Dedicate easement for wetland outlet pipe to Sherwood Street.
3. The final plat shall be recorded at the McLeod County Recorder's Office within 270 days of approval.

There was discussion on the intended use of the property which has not changed.

Mr. Czmowski made a motion to close the hearing. Seconded by Mr. Kovacic, the hearing closed at 5:43 p.m. Mr. Kovacic made a motion to recommend approval of the request with staff recommendations 1-3. Seconded by Mr. Czmowski, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held March 23, 2010 in the Council Chambers at 5:30 p.m.

- b) CONSIDERATION OF A PRELIMINARY AND FINAL 3 LOT PLAT OF MONTREAL PLACE (A REPLAT OF OUTLOT C, CALAFORD PLACE) AND TO REZONE THE MONTREAL PLACE PLAT FROM C-4 TO C-2 AND OUTLOT B, CALAFORD PLACE FROM R-4 TO MIXED USE DISTRICT (MXD) SUBMITTED BY JACOB WERT, PROPERTY OWNER

Chairman Lofdahl opened the hearing at 5:45 p.m. with the reading of publication #7791 as published in the Hutchinson Leader on March 4, 2010.

Mr. Plotz commented on the 3 lot replat of Outlot C, Calaford Place. The three lot plat will be known as Montreal Place. Lot 1, Block 1, is proposed to be developed by Kwik Trip a gas/convenience store and car wash. The property owner is also requesting to rezone the new plat from C-4 (Fringe Commercial) to C-2 (Automotive Service Commercial) and Outlot B, Calaford Place from R-4 (High Density Residential) to MXD (Mixed Use District). He noted the request would be consistent with the proposed use of the C-2 district. He also explained the purpose of the MXD district is to: “provide areas that allow a mix of compatible uses, such as commercial, retail, office, and entertainment, with residential uses in locations with nearby amenities for pedestrians. Mixed use area shall be in conformance with the City’s Comprehensive Plan and reserved for properties that have safe access for pedestrians to sidewalks, trails, parks and natural resources and are free from objectionable uses or hazards to pedestrians. This district does not allow uses with heavy truck traffic or outdoor storage”.

Discussion followed on other areas slated for mix-use. Mr. Plotz read the permitted and conditionally permitted uses in the MXD district as follows:

Permitted principal uses. The following uses are permitted uses as regulated herein.

- (1) *Art galleries and studios*
- (2) *Clinics for human care including medical, dental, and wellness services, including chiropractic and therapeutic massage.*
- (3) *Financial institutions, including banks, without drive through facilities;*
- (4) *General offices, including administrative, executive, and professional offices such as insurance agencies, interior decorating services, real estate offices, travel agency, and other similar offices compatible with residential uses.*
- (5) *Multiple use buildings, with a mixture of retail, commercial, and office uses, including multi-tenant buildings.*
- (6) *Multi-family residential, including apartments, condo buildings, townhouses, cooperatives, and senior housing.*
- (7) *Personal services, including but not limited to salons, hairstylists, drycleaners/laundry (excluding processing), tailor/alterations, and athletic/fitness facilities of less than 5,000 sq. ft.*
- (8) *Restaurants, cafes, delis, and bakeries without drive through facilities.*
- (9) *Retail stores and shops (less than 5,000 sq. ft), including but not limited to antique stores, drugstores, florists, hardware stores, gift shops, grocery, convenience store without gas sales, clothing stores*
- (10) *Public facilities, and services, including post offices, public buildings, and parks and playgrounds.*

Conditional uses, as regulated by Section 154.170 and subject to the applicable requirements;

- (1) *Educational facilities, including art schools, daycare, K-12 schools, trade schools, college, universities, and business training facilities.*

- (2) *Entertainment facilities, including commercial recreation (bowling, community centers, cultural facilities, clubs and lodges, theaters, and performing arts facilities;*
- (3) *Financial institutions, with drive through facilities*

Mr. Plotz commented on the proposed lots being over the one acre requirement. He explained the plat allows flexibility for future use.

Mr. Marty Campion, Campion Engineering, explained the engineers comments limiting the access for the Kwik Trip lot to a total of 3 accesses. He stated there will be a total of five accesses from Montreal Street when the other lots develop. He reported there can be no access from Hwy 15.

Staff would recommend approval to the request with the following conditions and findings:

1. The rezoning would be consistent with the intent of the C-2 and MXD zoning districts 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 and mixed use development. Rezoning would allow the proposed use to be developed in conformance with the C-2 and MXD districts
3. Future development of the site will require review and approval of a site plan by the Planning Commission and City Council.
4. The final plat shall be recorded at the McLeod County Recorder's Office within 270 days of approval.
5. Provide written response to the attached City Engineer's Montreal Place Preliminary Plan Review dated March 4, 2010, with final construction plan submittal.
6. Pond on Outlot B must be sized for platted area. (See Montreal Place Preliminary Plan review dated March 4, 2010)
7. A Subdivision Agreement must be executed prior to filing of the final plat.

Mr. Czmowski made a motion to close the hearing. Seconded by Mr. Johnston the hearing closed at 5:58 p.m. Mr. Czmowski made a motion to recommend approval of the request with staff recommendations 1-7. Seconded by Mr. Kovacic, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held March 23, 2010, in the Council Chambers at 5:30 p.m.

5. **NEW BUSINESS**

6. **OLD BUSINESS**

7. **COMMUNICATION FROM STAFF**

a) SET MAY 18, 2010, VARIANCE WORKSHOP

Ms. Baumetz stated Mr. Jed Burkett, LMC, will be available to provide a workshop on May 18th. We could invite others such as the City Council members also.

b) Ms. Baumetz commented on two annexations - 5.6 acres owned by the Hutchinson EDA and 36 acres owned by Hazel Sitz.

c) Mr. Plotz commented on the planning position and process for interviewing planners.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:15 p.m. Motion by Mr. Johnston, second by Mr. Kovacic.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, April 20, 2010
Hutchinson City Council Chambers

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

The meeting was called to order by Vice Chairman Chris Kovacic at 5:30 p.m. with the following members present: Christie Rock, Jim Fahey, Chad Czmowski, Dean Kirchoff, Dave Johnston and Vice Chairman Kovacic. Absent: Chairman Lofdahl Also present: Gary Plotz, City Administrator, 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 16, 2010.

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

4. PUBLIC HEARINGS

a) PRELIMINARY AND FINAL PLAT OF "HUTCHINSON MALL PLAT 3" SUBMITTED BY GUS WURDELL, CHIEF MANAGER, SOUTHERN PRAIRIE DEVELOPMENT LLC, PROPERTY OWNER

Vice Chairman Kovacic opened the hearing at 5:32 p.m. with the reading of publication #7799 as published in the Hutchinson Leader on Thursday, April 8, 2010.

Mr. Plotz commented on the request to for a 1 lot preliminary and final plat of Hutchinson Mall Plat 3 located in the Hutchinson Mall plat. The lot will be 1.45 acres and is located in the north east corner of the Mall plat. He explained staff had met with Mr. Wurdell and discussed the parking requirement for the Hutchinson Mall and proposed restaurant. The property owner must be able to meet all parking requirements for both plats. Mr. Plotz noted there are 141 additional parking spaces shown on the preliminary plat. The surveyor's parking note states there were 666 total parking spaces available prior to the proposed plat. There will be 135 spaces lost with the proposed plat which leaves a total of 672 parking spaces. He reported there was a parking variance approved in 1980 which required 5.5 spaces per 1000 sq. ft. of gross leasable area. Staff was informed by Mr. Wurdell that there is 121,000 sq. ft. of gross leasable area in the Hutchinson Mall. Staff calculates the number of spaces required as 665.5 spaces. The parking requirement for the proposed lot will be determined by the use. Mr. Plotz commented on the following staff recommendations:

1. Preliminary and final plat meets the requirements of the C-4 district.
2. Old pavement on the west side of the lot may not be extended to accommodate the new parking arrangement.
3. Must maintain minimum fire lanes and access.
4. Maintain 24 foot drive lane on the west side of the property and 30 foot drive lane near the building.
5. Provide dimension drawing of parking.
6. Gas meters on the west side of building nee sufficient protection.

Mr. Exner commented on the 30 foot lane dimension requirement for site line when the drive lane goes around the building. He explained the recommendation not to allow extension of the paved area to the west due to drainage. He stated 6 feet will not add to drainage problems. Discussion followed regarding the need to add curb and gutter on the west side of the parking lot. There was also discussion of snow removal since past winters there has been a large snow pile in the area of the new lot.

Mr. Wurdell, co-owner of the mall, stated snow piles will be hauled to the west side of the building and removed. Mr. Exner noted there is no nuisance drainage in that area.

Discussion followed on the size of the new lot to accommodate the proposed restaurant. Mr. Wurdell stated that the lot will accommodate the proposed use. He has addressed the parking hardsurface requirement. There was discussion on the placement of parking and the possibility of amending the parking variance. Mr. Plotz explained the possibility of a variance and the definition of a hardship. Ms. Rock explained she is concerned with the safety issues with the proposed tight parking. Discussion followed on the added parking stalls. Mr. Wurdell stated the parking near the building could be limited to drop off and pick up and short term parking.

Joe Frederick, Buffalo Wild Wings, commented on his site plan to be presented next month. He stated the building will be 5300 sq. ft. He explained this site will give him double the requirement for parking. He commented on the arrangement of the lot. Mr. Wurdell commented on the traffic flow.

Mr. Kirchoff made a motion to close the hearing. Seconded by Mr. Czmowski, the hearing closed at 5:55 p.m. Mr. Czmowski made a motion to recommend approval of the request with staff recommendations amending #4 from 30' to 24'. Discussion followed regarding the requirement to add short term parking for the spaces in the front. Seconded by Mr. Kirchoff, the motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held April 27, 2010, in the Council Chambers at 5:30 p.m.

- b) VARIANCE TO ALLOW REPLACEMENT OF PRESENT PARKING LOT UP TO PROPERTY LINES AT ANIMAL MEDICAL CENTER INC., 405 CALIFORNIA STREET N.W., REQUESTED BY DR. JOHN FRONING, PROPERTY OWNER

Vice Chairman Kovacic opened the hearing at 5:58 .m. with the reading of publication # 7799 as published in the Hutchinson Leader on Thursday, April 8, 2010.

Mr. Plotz explained the property owner is requesting a variance to allow a zero foot setback to the property line for replacement of an existing parking lot at the Animal Medical Center building. The property owner has stated the parking lot is in need of repair and he would like to replace it up to the property lines on the north and west. Mr. Plotz explained the parking lot setback requirement in the C-4 district is 6 feet from the interior lot line and 10 feet from the street right of way. Mr. Plotz commented on the property owner's statement of unique circumstance as: "The lot is narrow and adequate parking cannot be achieved if we reduce the size of the parking lot to comply with the zoning ordinance setbacks" and hardship as: "We are not able to meet the minimum number of required parking spaces and we will have inadequate parking spaces for staff and clients. Without the variance and following the minimum requirements for off-street parking, we will have only 11 spaces. The variance would allow 19 spaces. (10 staff and 9 clients)." The parking calculations are based on the ordinance requirement of 5.5 spaces per 1,000 sq. ft. for commercial use and 1 space per 2,000 sq. ft. of storage use would be 20 spaces required for this building. Approximately 3,400 sq. ft. is the commercial use or veterinary clinic = 19 spaces and approximately 1700 sq. ft. of the building is storage = 1 space.

Staff recommendations as follows:

1. The standards for granting a variance have been met, including the finding of undue hardship and uniqueness. The characteristics of the property were not created by the applicant and the proposed parking lot would not alter the character of the locality.
2. Provide a curb along the west side of the parking lot to prevent cars from parking into the boulevard.
3. Overlay parking spaces on plan prior to issuing a permit.

John Olson, Public Works Manager, explained the need for curbing along the boulevard to delineate the driveways and parking lot from the boulevard.

Dr. Froning stated he would like to redo the entire lot even the cement driveways. There is no existing delineation between the parking lot and boulevard. He had no plan for curbing on the west side. He commented on the number of existing spaces along the building and proposed spaces. Mr. Exner commented on the need to curb to protect the right of way line. He also stated the boulevard must be restored to grass. He explained poured curb and gutter would be ideal however, temporary curbing would be tolerated. Discussion followed on changing recommendation #2 to read “provide portable concrete barriers” and #4 “restore boulevard to grass coverage”. The revised curbing recommendation is different from the previous item.

Mr. Fahey made a motion to close the hearing. Seconded by Mr. Johnston, the hearing closed at 6:10 p.m. Mr. Fahey made a motion to recommend approval of the request with staff recommendations amending #2 to provide curb or temp curb stop and add #4 restore boulevard to grass coverage. Seconded by Mr. Johnston, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held April 27, 2010, in the Council Chambers at 5:30 p.m.

- c) **CONDITIONAL USE PERMIT REQUESTED BY CITY OF HUTCHINSON TO RELOCATE EXISTING LIFE LINK TRAILER AT THE HUTCHINSON MUNICIPAL AIRPORT, 1700 BUTLER FIELD DR. S.W.**

Vice Chairman Kovacic opened the hearing at 6:12 p.m. with the reading of publication #7799 as published in the Hutchinson Leader on Thursday, April 8, 2010.

Mr. Plotz explained the existing property layout. He explained the proposal for moving the trailer 41' from the hangar and commented on the safety issues and the snow loads. He commented on the State code setbacks. He reported publicly owned buildings must also follow the process. The proposed location is consistent with State codes division.

John Olson, explained the initial design for the placement of the trailer. He commented on the process for the 6 foot placement which included a fire wall and the snow load issue. He reported using an imaginary 30' property line from the trailer to the hangar will address both issues by moving the trailer. Utilities are available to the trailer. The foundation issues are also solved.

Mr. Kirchoff made a motion to close the hearing. Seconded by Mr. Fahey, the hearing closed at 6:19 p.m. Mr. Kirchoff made a motion to recommend approval of the request with staff findings of meeting the standards for granting a conditional use permit. Seconded by Mr. Fahey, the

motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held April 27, 2010, in the Council Chambers at 5:30 p.m.

- d) REZONE RECENTLY ANNEXED 5.6 ACRES OWNED BY HUTCHINSON EDA FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO I-1 (LIGHT INDUSTRIAL PARK) LOCATED EAST OF CUSTOMER ELATIONS, 1150 5TH AVE. S.E.

Vice Chairman Kovacic opened the hearing at 6:20 p.m. with the reading of publication #7799 as published in the Hutchinson Leader on Thursday, April 8, 2010.

Mr. Plotz explained the location of the property in the industrial park on the east side of the City. He reported the parcel was annexed into the city as R-1 (Single Family Residential). I-1 (Light Industrial) makes the property marketable in the industrial district.

Mr. Johnston made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 6:22 p.m. Ms. Rock made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Czmowski, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held April 27, 2010, in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

None

6. OLD BUSINESS

None

7. COMMUNICATION FROM STAFF

- a) Mr. Plotz reminded the Commissioners of the variance workshop to be held at the May 18th meeting. He also commented on the items for the next meeting. The City Council will be invited to the workshop on variances.
- b) Update on the Planning Director position by Mr. Plotz.
- c) Discussion on the shoreland ordinance and timing of new ordinance. Mr. Plotz stated the City Attorney will be drafting an amendment to the ordinance. Atty. Sebora commented on the number of variances that may be coming forward and the Mayor would like the ordinance revised and updated.

8. ADJOURNMENT

There being no further business motion by Czmowski, second by Kirchoff, the meeting adjourned at 6:30 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, May 18, 2010
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman John Lofdahl at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, Jim Fahey, Chad Czmowski, Dean Kirchoff , Dave Johnston and Chairman Lofdahl. Absent: None Also present: Gary Plotz, City Administrator, 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 April 20, 2010

Mr. Kovacic moved to approve the consent agenda as submitted. Seconded by Mr. Johnston. The consent agenda was approved unanimously with the change in the minutes noting Vice Chairman Kovacic opened the public hearings in Chairman Lofdahl's absence.

4. PUBLIC HEARINGS

a) VARIANCE TO ALLOW REDUCTION IN PARKING STALL LENGTH AND SITE PLAN REVIEW REQUESTED BY JOE FREDRICK, BUFFALO WILD WINGS, TO DEVELOP A BUFFALO WILD WINGS GRILL AND BAR TO BE LOCATED IN LOT 1, BLOCK 1, HUTCHINSON MALL PLAT 3.

Chairman Lofdahl opened the hearing at 5:31 p.m. with the reading of publication #7811 as published in the Hutchinson Leader on May 6, 2010.

Mr. Plotz commented on the site plan review. He noted that a one stop shop for Buffalo Wild Wings was held on April 29th. The projected start construction date is the middle of June this year with an opening date of October, 2010. It was determined at the one stop shop that the parking stall length requirement will not be met and the applicant requested a variance to reduce parking stall length from 20 feet to 18 feet. He reported the applicant notes the unique circumstance of the lot as "With the existing roads on the north and east sides of lot and the easement on the southwest corner, they are unable to move the building to accommodate 20 foot parking stall length." The undue hardship stated as "The diagonal shape of the easement restricts use of the property. This area is unique because of existing street and easement."

Mr. Plotz explained that the proposed improvements appear to meet zoning ordinance requirements. Staff recommends approval of the site plan subject to the following findings and recommended conditions:

1. The standards for granting a variance have been met, including the finding of undue hardship and uniqueness. The characteristics of the property were not created by the applicant and the proposed parking configuration would not alter the character of the locality and undue hardship of the shape of the easement restricts use of the property.
2. The proposed building and site improvements would comply with the standards of the C-4 district and the zoning ordinance, subject to the conditions stated.
3. Site must be to 6" of grade for electrical and natural gas installation.

4. Address City Engineer's comments on the May 10, 2010, memo. Protection of the fire hydrant.
5. All signage shall meet ordinance requirements. Sign permits are required prior to installation of the signage.
6. A SAC/WAC fee which will be determined by the number of fixture units and based on use and size per sq. ft. and a parkland contribution fee of \$1,247.00 will be due at the time of building permit.
7. Exterior lighting must be indirect and shall not cause glare to adjacent properties.
8. Exterior refuse collection area must be fully screened.

Discussion followed on item number 4 of the Engineer's memo regarding traffic control. The consensus of the Commissioners is the item should also state "subject to approval of the City Engineer".

Mr. Fahey made a motion to close the hearing. Seconded by Mr. Kovacic, the hearing closed at 5:42 p.m. Mr. Kovacic made a motion to recommend approval of the request with staff recommendations and modification to #4 of the Engineer's memo. Seconded by Mr. Fahey, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held May 25, 2010 in the Council Chambers at 5:30 p.m.

- b) PRELIMINARY AND FINAL PLAT OF "SITZ SUBDIVISION" TO PLAT THE SHERWOOD STREET S.E. RIGHT OF WAY ALONG THE EASTERLY EDGE OF THE PROPERTY LOCATED EAST OF MENARDS.

Chairman Lofdahl opened the hearing at 5:43 p.m. with the reading of publication #7811 as published in the Hutchinson Leader on May 6, 2010.

Mr. Plotz explained the location of the property and the configuration of the street. He commented on the request to plat a 36.8 acre property owned by Hazel Sitz. He explained the annexation was approved by City Council on April 27, 2010. The Ordinance of annexation was mailed to the Minnesota Office of Administrative Hearings for their approval May 19, 2010. The plat will allow platting of the Sherwood Street S.E. right of way. At this time, there are no plans for development of Outlot A. He reported the request to plat is for the purpose of extending Sherwood Street S.E. to the north through the Sitz property. Staff recommends approval of the plat with the following recommendations and findings:

1. The final plat shall be recorded at the McLeod County Recorder's Office within 270 days of approval

Discussion followed on the existing street right of way and the intent to vacate. Mr. Exner explained the procedure to vacate the existing county right of way. He stated the driveway for Lot 6, of the Breezy Meadows plat will be off the new Sherwood street.

Mr. Kirchoff made a motion to close the hearing. Seconded by Ms. Rock the hearing closed at 5:47 p.m. Mr. Kirchoff made a motion to recommend approval of the request with staff recommendations. Seconded by Ms. Rock, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held May 25, 2010 in the Council Chambers at 5:30 p.m.

- c) PRELIMINARY AND FINAL PLAT OF "SOUTHWIND FOURTH ADDITION" TO CONTINUE THE SHERWOOD STREET S.E. RIGHT OF WAY CONNECTION.

Chairman Lofdahl opened the hearing at 5:48 p.m. with the reading of publication #7811 as published in the Hutchinson Leader on May 6, 2010.

Mr. Plotz stated the property to be platted is a portion of Outlot A, Southwind Second Addition. The new plat would provide street right of way to connect Sherwood Street S.E. between the Sitz Subdivision plat and the Southwind plat. The request to plat is for the purpose of providing street right of way to connect Sherwood Street S.E. between the Sitz Subdivision plat and the Southwind plat. Staff recommends approval of the plat with the following recommendation and finding:

1. The final plat shall be recorded at the McLeod County Recorder's Office within 270 days of approval

Mr. Fahey made a motion to close the hearing. Seconded by Ms. Rock the hearing closed at 5:49 p.m. Mr. Johnston made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Fahey, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held May 25, 2010 in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

- a) SITE PLAN REVIEW REQUESTED BY LEAH BERLIN, KWIK TRIP INC., TO DEVELOP A CONVENIENCE STORE WITH CAR WASH ON PROPERTY LOCATED ON LOT 1, BLOCK 1, MONTREAL PLACE.

Mr. Plotz explained the location of the property and commented on the one stop shop that was held with representatives of Kwik Trip Inc. on April 28, 2010. They indicated a start construction date of Spring, 2011. The development is a convenience store/carwash with 3 grades of gasoline. There was discussion on the on-site traffic flow and the construction of Montreal Street. The City has completed their part of the Montreal Street construction. The property owner is responsible for completion of the street.

The proposed improvements appear to meet zoning ordinance requirements. Staff recommends approval of the site plan subject to the following findings and recommendations::

1. The proposed building and site improvements would comply with the standards of the C-2 district and the zoning ordinance sections for automotive service station standards and car wash standards, subject to the conditions stated.
2. Site must be to 6" of grade for electrical and natural gas installation.
3. Address City Engineer's comments on the May 10, 2010, memo along with the SWPPP review checklist with comments from the City Environmentalist. (Attached)
4. All signage shall meet ordinance requirements. Sign ordinance language is being amended to include moving message type signs. Sign permits are required prior to installation of the signage.
5. A SAC/WAC fee which will be determined by the number of fixture units and based on use and size per sq. ft. and a parkland contribution fee of \$2236.00 will be due at the time of building permit.
6. Exterior lighting must be indirect and shall not cause glare to adjacent properties.
7. Exterior refuse collection area must be fully screened.

Mr. Czmowski made a motion to recommend approval of the site plan with staff recommendations and findings. Seconded by Ms. Rock the motion carried unanimously and will be placed on the City Council consent agenda at their meeting to be held May 25, 2010 at 5:30 p.m. in the Council Chambers.

6. **OLD BUSINESS**

NONE

7. **COMMUNICATION FROM STAFF**

Mr. Plotz prefaced the need to change the shoreland ordinance. Atty. Sebor explained the informational piece on changes to the ordinance. He commented on the procedure to amend the ordinance with a 10 day waiting period to go the DNR for comment. The City Council will decide on the revisions to the ordinance. Some of the changes would include: defining impervious surface, defining what is to be use in determining the coverage of lots, variance requirements and building height allowed in the shoreland district

Mr. Plotz introduced the new planner Dan Jochum. Mr. Jochum commented on his experience in planning.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:15 p.m. with a motion by Mr. Czmowski, second by Mr. Kirchoff.

9. **WORKSHOP ON VARIANCES BY JED BURKETT, LMC**

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, June 15, 2010
Hutchinson City Council Chambers

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

The meeting was called to order by Vice Chairman Kovacic at 5:30 p.m. with the following members present: Christie Rock, Chad Czmowski, Dean Kirchoff, Dave Johnston and Vice Chairman Kovacic Absent: Jim Fahey and Chairman Lofdahl Also present: Dan Jochum, Planning Director, Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- a) Consideration of Minutes dated May 18, 2010

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

4. PUBLIC HEARINGS

- a) CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW OUTDOOR SALES DISPLAY LOCATED IN THE C-4 DISTRICT AT ANTIQUES TO GO, 934 HWY 15 S

Vice Chairman Kovacic opened the hearing at 5:33 p.m. with the reading of publication # 7816 as published in the Hutchinson Leader on June 3, 2010.

Mr. Jochum commented on the request by the property owner for a conditional use permit to allow an outdoor sales display in a fenced area, consisting of chain link or wrought iron fence on the north side of his business, Antiques to Go, at 934 Hwy 15 South, between Pizza Hut and Edina Realty. The property owner proposes to construct an approximately 30' x 140' fenced outdoor sales area to provide a secured area for larger items to be sold. The site plan on record indicates he will lose 7 parking spaces with the addition of a fenced sales display area; however, the applicant still meets the parking requirement of 14 spaces. The site plan indicates the 14 parking spaces will be located in front of the building (east side). Parking requirements are: Furniture/Warehouse - 1 space per 1000 sq. ft. The building is approximately 14,000 sq. ft. A conditional use permit is required for any outdoor storage or display, including items for sale in the display area according to the Zoning Ordinance, Section 154.115. Mr. Jochum explained the west side of the fence must be opaque to screen from the residential zone. He also stated no public is allowed to drive around the building.

Mr. Jochum noted staff reviewed the application and discussed the parking requirement of 14 spaces. The property owner indicated in his letter of May 19, 2010, that he has no plans to blacktop the rear area of the property and will leave it as green space, since this area won't be used for parking or circulation. The applicant has indicated on his site plan that there will be 14 parking spaces in the front of his building (east side). The 14 spaces shown on the site plan satisfy the parking requirement for this use. Staff recommends that the applicant stripe the 14 parking spaces prior to the fence being constructed. There are utilities along the north property

line. The property owner must locate these utilities prior to installing the fence and also ensure the fence doesn't interfere with the meters located on the building.

Mr. Jochum mentioned an agreement between the property owner and the property owner to the north. He reported access to the Fahey building is limited. He stated Mr. Fahey contacted him and is ok with the proposal.

Staff recommends approval with the following recommendations:

1. The proposal would meet the standards for granting a conditional use permit, subject to the conditions stated.
2. Screening or fencing with 100% opacity from residential districts is required to meet the requirements of Section 154.115. The screening is only needed on the western portion of the fence, as that is the only area that abuts a residential district.
3. The grass area or green space located to the south and west of the building is not to be used for circulation or parking purposes.
4. Approval of a fence permit is required before the fence is constructed.
5. Property owner must locate utilities prior to installing the fence.
6. The fence should not interfere with the meters located on the building.
7. Parking spaces shall be striped and meet the requirements of Section 154.116 of the Zoning Ordinance prior to the fence being constructed.

Discussion followed on the fence placement regarding maintenance of the fence on the north side. There was also discussion on the equipment stored on the west side of the building. Mr. Corcoran explained the equipment belongs to the person helping with lawn mowing and parks the equipment in the rear of the building when not in use. Mr. Jochum explained that staff would recommend no outdoor storage in the rear and side of the property where there is no fence. Mr. Corcoran asked if he can park a trailer on the parking area. He explained that he will be putting up a fence on the west property line to prevent traffic from driving through the property. Mr. Corcoran then explained what he will be placing in the fenced area. He asked about a vehicle that is to be for sale. Mr. Jochum stated it must be in the fence.

Mr. Johnston made a motion to close the hearing. Seconded by Mr. Czmowski the hearing closed at 5:48 p.m. Mr. Johnston made a motion to recommend approval of the request with staff recommendations and add a recommendation number 8 to add a 2 foot buffer from the fence to the north property line. Seconded by Mr. Kirchoff, the motion carried unanimously. Vice Chairman Kovacic stated this item will be placed on the City Council consent agenda at their meeting held June 22, 2010, in the Council Chambers at 5:30 p.m.

b) **CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW TENT SALES OF FIREWORKS LOCATED IN THE C-4 DISTRICT AT HUTCHINSON MALL, 1060 HWY 15 SOUTH, REQUESTED BY GERALD BRYER, APPLICANT**

Vice Chairman Kovacic opened the hearing at 5:52 p.m. with the reading of publication # 7816 as published in the Hutchinson Leader on June 3, 2010.

Mr. Jochum explained the applicant is requesting a conditional use permit to allow fireworks to be sold in a tent located in the Hutchinson Mall parking lot. Approval of a similar request was granted in the WalMart parking lot in April 2009. The request is to set up the tent June 25, 2010 and take it down by July 5, 2010. Section 130.08 C (6) of the Hutchinson Municipal Code requires a conditional use permit for outside sale of fireworks. He reported in addition to the CUP, the City requires approval of a fireworks permit from the Fire Department and a transient merchant license through the City Council. A new conditional use permit will be required if the

fireworks permit request is for a new location or if there are other changes to the request. State Statutes allow a conditional use permit issued for a specific property to remain in effect as long as the use does not cease operation for one year on the same property, provided that conditions remain the same.

Mr. Jochum explained he and Kent Exner discussed the placement of the tent and suggest it be moved to the north, west of the curb and buffer area. In that location, the tent would not impact the drive isles and would allow for better circulation. This should be added as an additional recommendation.

Staff would recommend approval of the request with the following findings and recommendations:

1. The request meets the standards for granting a conditional use permit.
2. A conditional use permit is approved to allow sales of fireworks in a tent at 1060 Hwy 15 S., according to the application details and site plan received by the City on May 18, 2010. Fireworks sales may be allowed for the dates and conditions specified on the fireworks sales permit and transient merchant license issued annually.
3. Annual application and approval of a fireworks permit and transient merchant license are required for future renewals. Any changes to the operations or conditions would require approval of a new or amended conditional use permit.
4. All display and sales areas must be kept secured.
5. Signage requires a separate sign permit prior to installation of signage.

Mr. Kirchoff made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 5:56 p.m. Mr. Kirchoff made a motion to recommend approval of the request with staff recommendations and add number 6 to move the tent to the north to align with the parking berm. Seconded by Mr. Johnston, the motion carried unanimously. Vice Chairman Kovacic stated this item will be placed on the City Council consent agenda at their meeting held June 22, 2010, in the Council Chambers at 5:30 p.m.

c) **CONSIDERATION OF “STREET RIGHT OF WAY PLAT NO. 12” REQUESTED BY THE CITY OF HUTCHINSON TO MODIFY THE MONTANA STREET NORTHWEST RIGHT OF WAY**

Vice Chairman Kovacic opened the hearing at 5:57 p.m. with the reading of publication # 7816 as published in the Hutchinson Leader on June 3, 2010.

Mr. Jochum explained the purpose of the plat. He stated the City is negotiating with the adjacent property owner on the outlot. The City will maintain the right of way. No additional accesses will be allowed to the street.

Mr. Kirchoff made a motion to close the hearing. Seconded by Mr. Johnston, the hearing closed at 5:59 p.m. Mr. Johnston 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 22, 2010, in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

a) **DISCUSSION OF AMENDING CHAPTERS 54 AND 152 OF THE HUTCHINSON CITY CODE PERTAINING TO SHORELAND MANAGEMENT**

Mr. Jochum commented on past discussions on this item over the last several months. He explained he is aware of the affects of the ordinance on planning. Atty. Sebora commented on the ordinance changes including lot coverage, impervious surface, Storm water management, variances and building height. He explained feedback from public is helpful in regard to measuring the height of buildings. Mr. Jochum explained he would like to explore possibilities of height regulations. He commented how the City would move forward. Ms. Rock would recommend the planner do more research and not take action tonight. This is an overview thus far and not in-depth at this stage of the review. The ordinance regulates the coverage at 25% impervious surface coverage. Mr. Jochum explained the City is trying to describe what constitutes impervious surface. Mr. Jochum has been researching other communities regarding decks. Several communities do not count decks without roofs or with ¼ inch deck spacing and no impervious surface underneath. We would not include decks under this ruling. Discussion followed on the possibility of paving under the deck later. Mr. Jochum stated that would be an enforcement issue if they do pave. There was discussion on treating the first inch of runoff to meet the requirements. Properties over the 25% the impervious surface could be increased if treating the run off on-site. Impervious surface worksheets could be used and there is an example from the City of Burnsville. Property owners would choose the best treatment for their property. Discussion followed on providing a list of what is accepted. Some cities use a larger percentage but have proof of runoff treatment such as stormwater ponds, etc. Discussion followed to amend the ordinance to not need a variance in all cases. There was consensus of the planning commissioners to pursue the deck definition and also to give property owners options for runoff storage. Discussion followed on meeting the intent of the regulation. Mr. Jochum reported that the DNR does not define what is impervious.

Mr. Jochum commented on the variance from impervious surface requirements not to increase the percentage of existing coverage. There was discussion on the “no net gain” of impervious coverage. Discussion followed on the rain barrel concept. There will be more research on rain barrels. The property owner would design and the city would approve or not.

The consensus was to wait to take action on the amendment. The new policy is to be consistent.

Building height in the Shoreland area is defined by the DNR. Mr. Jochum explained the property owner cannot add fill to circumvent the ordinance. He suggested the more sophisticated definitions possibly would require a survey with the building permit and at the certificate of occupancy. There will be more research on this item. Draft text will be presented next month.

6. OLD BUSINESS

7. COMMUNICATION FROM STAFF

Mr. Jochum commented on the letter from Mr. Plotz regarding 1209 Lewis Ave. He explained the realtor has forwarded the letter to the management company. The height violation must be addressed before a building permit may be issued to complete the project.

8. ADJOURNMENT

There being no further business the meeting adjourned at 6:31 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, July 20, 2010
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman John Lofdahl at 5:30 p.m. with the following members present: Chris Kovacic, Chad Czmowski, Dean Kirchoff, Dave Johnston and Chairman Lofdahl. Absent: Christie Rock and Jim Fahey Also present: Dan Jochum, 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 June 15, 2010.

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

4. PUBLIC HEARINGS

a) CONSIDERATION OF A VARIANCE TO REPLACE AN EXISTING DETACHED GARAGE IN THE FRONT YARD AT 25 GRIFFIN AVENUE N.E.

Chairman Lofdahl opened the hearing at 5:31 p.m. with the reading of publication #7822 as published in the Hutchinson Leader on July 8, 2010.

Mr. Jochum commented on the request and explained the property owners are requesting a variance to allow an accessory structure in the front yard setback. The existing nonconforming single stall garage is 14' x 22' and placed approximately 3 feet from the interior property line. The proposed 28' x 34' garage will meet all setback requirements. He explained the ordinance definition of lot front. He explained this is a reasonable request and hardship because of the lot size. Mr. Jochum commented on the garage appearance to keep the residential character of the neighborhood. He reminded the commissioners of the standards for granting a variance. He explained the garage will not alter the character of the neighborhood.

Discussion followed on the placement of the garage in relationship to the property to the north.

Mr. Kirchoff made a motion to close the hearing. Seconded by Mr. Czmowski, the hearing closed at 5:39 p.m. Mr. Kirchoff made a motion to recommend approval of the request with staff recommendations 1 and 2. Seconded by Mr. Kovacic, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held July 27, 2010 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION TO REZONE PROPERTY IN A RESIDENTIAL AREA FROM C-1 (NEIGHBORHOOD CONVENIENCE COMMERCIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL) AT 502 HARRINGTON STREET S.W.

Chairman Lofdahl opened the hearing at 5:40 p.m. with the reading of publication #7822 as published in the Hutchinson Leader on July 8, 2010.

Mr. Jochum commented on the request and explained the previous use as a neighborhood grocery store. He commented on the surrounding zoning of R-2. He stated staff discussed the address to be off of 5th Avenue as 702 to be consistent with the addresses in the area for public safety. The upper unit should be addressed as Unit 1 and lower unit as Unit 2. He commented on the easterly concrete parking area as not appropriate for the residential use proposed. Staff suggested the property owner mitigate the concrete to reduce the impervious coverage. He commented on the staff recommendation of landscaping treatments being added to the Harrington Street side of the residence, which would help the property fit into the surrounding neighborhood. The proposed use meets the intent of the R-2 zoning. The lot is an existing nonconforming lot and this is an appropriate use for the lot. Mr. Jochum commented on the following staff recommendations:

1. The address of the property will be changed to **702 5th Ave. SW**, in order to be consistent with neighboring properties, as well as be easier to find for public safety reasons.
2. Landscaping treatments should be added to the Harrington St. side of the property which will create more green space so the property will fit the residential character of the neighborhood better.
3. The rezoning is consistent with the Comprehensive Plan, as well as the intent of the R-2 zoning district in the Zoning Ordinance.
4. The property needs to meet the requirements of the R-2 zoning district.

Discussion followed on the lot coverage and drainage. There was a suggestion to reduce the curb cut to 32'. The applicant is requesting the use change and the applicant is responsible to remove the concrete. Mr. Exner suggested a 24' curb cut because there is a second access off 5th Ave. Discussion followed on the removal of some concrete at the Planning Commissioners discretion

Mr. Exner would suggest to get the impervious coverage to 50% and keep with character of the neighborhood. He would recommend removing the concrete in the boulevard. He stated a surmountable curb is alright but decrease curb cut to a 24' width.

Discussion followed on work presently being done now. It was explained only some outside work is being done on the northeast corner of the property. Mr. Exner stated that a B-6 curb must be replaced at the excavation work.

Lonnie Brand, Edina Realty, stated the wall being removed was silo staves and needed to be fixed. He explained he and the property owner did not realize this was a commercial zone. He commented on the recommendation of removing 200 sq. ft. of concrete to get to 50% impervious coverage. He explained the plan for planters to be placed on the east side of the house to make a residential appearance. He commented on the proposed landscaping.

Discussion followed on the location of the 200 sq. ft. to be removed. Mr. Brand explained the snow removal issues. There was discussion on the areas that could be removed. Mr. Brand again commented on the residential look of the house and asked if they could add green space on top of the concrete with planters. Mr. Scott stated he will be planting gardens on the property. Mr. Jochum commented on other options to the impervious surface issue. In discussions on the need to remove 200 sq. ft. on the property, there was a suggestion to take out one section of concrete on the city right of way and plant a tree with grass in the area. The 200 sq. ft. can be anywhere on the lot. The consensus was to add a recommendation to have only 50% of impervious surface on the lot.

Mr. Jochum stated city staff will verify the actual lot coverage. Mr. Exner again stated the N.E. corner should be a B-6 curb and will be the responsibility of the property owner to install.

Mr. Scott commented on the look of the building and impervious surface.

Mr. Kirchoff made a motion to close the hearing. Seconded by Mr. Czmowski, the hearing closed at 6:25 p.m. Mr. Kovacic made a motion to recommend approval of the request with staff recommendations.1-4 and add language to item 2 “continue with B-6 curb around the northeast corner of the lot to the end of the radius.” Also change item 4 to read: “The property needs to meet the intent of the requirements of the R-2 zoning district and reduce the impervious lot coverage by approximately 200 sq. ft. to 50% lot coverage.” Seconded by Mr. Kirchoff, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held July 27, 2010 in the Council Chambers at 5:30 p.m.

5. **NEW BUSINESS**

a) DISCUSSION OF PROPOSED AMENDMENT TO THE SIGN ORDINANCE REGARDING MOVING MESSAGE TYPE SIGNS

Mr. Jochum commented on the revisions proposed and showed pictures of some of the existing electronic signs in the city. He explained the new language would help address safety issues and he commented on the need to address electronic message center sign size, brightness, distractions, etc. There was discussion on not permitting animation on the signs. There are some existing signs that do have animation. This would not be permitted.

b) DISCUSSION OF PROPOSED AMENDMENT TO THE SHORELAND MANAGEMENT SECTION OF THE ZONING ORDINANCE

Mr. Jochum commented on the general definitions to define height of buildings and impervious surface.

There was discussion on measuring the height of a building and how to measure the height on a hill. Mr. Jochum explained there would be a proposed average grade for each situation. We would require the average ground elevation as proposed by the surveyor.

Mr. Jochum explained impervious surface will include deck language. Discussion followed on using roof overhangs in the calculation. We presently do not use roof overhangs in the calculation.

Variances would be reviewed case by case on allowing use of rain gardens to mitigate the run-off. The public hearing for the ordinance will be next month. Consensus of the commissioners is to add mitigation language. Staff will forward the language to the Planning Commissioners before the public hearing. There was discussion on the use of rain barrels to mitigate the first one inch of run-off.

6. **OLD BUSINESS**

7. **COMMUNICATION FROM STAFF**

Mr. Jochum commented on a fence on South Grade Road by the trail. He explained it was installed 6” to 8” from the trail. He reported the fence is on the property owners lot and according to the ordinance can legally be installed up to the trail. He would propose future language for

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setback of fences off of trails to be 2' from the trail easement. There was discussion on a moratorium to allow time to change the language.

8. ADJOURNMENT

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

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, August 17, 2010
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman John Lofdahl at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, Jim Fahey, Chad Czmowski, Dean Kirchoff, Dave Johnston and Chairman Lofdahl. Absent: None also present: Dan Jochum, Planning Director and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated July 20, 2010.

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

4. PUBLIC HEARINGS

a) CONSIDERATION OF A 3 LOT PRELIMINARY PLAT OF CROWN ADDITION, COMPREHENSIVE PLAN AMENDMENT AND REZONING PROPERTY FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-2 (MEDIUM DENSITY RESIDENTIAL) AND MXD (MIXED USE DISTRICT) LOCATED NORTH OF GOLF COURSE ROAD REQUESTED BY RANDY ANDERSON, KIDS INC.

Chairman Lofdahl opened the hearing at 5:32 p.m. with the reading of publication #7826 as published in the Hutchinson Leader on August 5, 2010.

Mr. Jochum reported the property owner is requesting a comprehensive plan amendment, preliminary plat and rezoning of 38.8 acres located at 525 Golf Course Road for development of Kids Inc. This facility will be a children's day care facility with therapy and other related services available on site for persons not attending day care at Kids Inc. He explained that the property owner is requesting to rezone the property from R-1 (Single Family Residential) to R-2 (Medium Density Residential) and MXD (Mixed Use District) to accommodate the uses proposed. He stated the property is guided in the Comprehensive Plan for residential use. The Comprehensive Plan amendment is the first part of the process. The preliminary plat will consist of two (2) lots and an outlot. The day care facility will require a conditional use permit in the MXD district and the MXD district will accommodate the other professional services available. He commented on the high level of City discretion in amending the Comprehensive Plan. He commented on the lot arrangement of the preliminary plat and the streets in the plat. He stated the proposed streets in Outlot A will be 9th Avenue N.W. Massachusetts Court N.W. on the cul-de-sac and Massachusetts Street. N.W. The proposed development will have access off of Montana Street N.W. and Minnesota Street N.W. Neither of these streets are currently constructed and will have to be built to provide access. He commented on the previous concerns with traffic flow and reported the City Engineer has reviewed the traffic potential and approves of this plan. Mr. Jochum commented on the rezoning request and consideration given to the purpose of the Zoning Ordinance and Comprehensive Plan.

Staff recommends approval with the following recommendations:

1. Revise the Comprehensive Plan designation on the staging plan from “Traditional Residential Neighborhood” to “Mixed Use Residential” for Block 2 Lot 1 of the Plat.
2. Future development of the site will require review and approval of a site plan by the Planning Commission and City Council.
3. Provide written response to the attached City Engineer’s Memorandum dated August 10, 2010.
4. Name the streets in accordance with attached map and names listed above in the Preliminary Plat section.
5. The rezoning is consistent with the intent of the Comprehensive Plan and Zoning Ordinance. (note: subject to Comprehensive Plan Amendment also being approved.)

There was discussion on the previous concerns of availability of services to the area. John Olson, Public Works Manager, stated there are available utilities in Golf Course Road and Montana Street. There were questions where the services will be stubbed into the development. Mr. Jochum stated that will be spelled out in the subdivision agreement.

Mr. Fahey made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 5:43 p.m. Mr. Kovacic made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Johnston, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held August 24, 2010 in the Council Chambers at 5:30 p.m.

b) CONSIDERATION OF A PRELIMINARY AND FINAL PLAT OF ENERGY PARK NORTH SECOND ADDITION (A REPLAT OF ENERGY PARK NORTH) SUBMITTED BY HUTCHINSON ECONOMIC DEVELOPMENT

Chairman Lofdahl opened the hearing at 5:46 p.m. with the reading of publication #7826 as published in the Hutchinson Leader on August 5, 2010.

Mr. Jochum explained the request to re-plat Energy Park North. He noted they have submitted a 7 lot plat with 4 outlots to be known as Energy Park North Second Addition. The purpose of the re-plat is to split one large lot into two smaller ones, with one of those being proposed for the CHIPS Holdings project. In addition, when the property was originally platted several lots encompassed portions of stormwater ponds. The re-plat includes the stormwater ponds as outlots rather than a portion of regular lots. He referred to the previous staff reports for the original plat in March 2009 and May 2009.

There were questions regarding the maintenance of the outlots. Mr. Jochum explained the ponds are for regional ponding, rather than individual properties and the City would maintain them. Discussion followed on the pond designs to service the capacity of the users. Mr. Seppelt, EDA director, stated the ponds were designed to take all drainage of the future developments in the plat. Ms. Rock commented on the previous large lots now being replatted. She asked if there will be more replats in the future. Mr. Seppelt explained that lots can be split if necessary in the future to accommodate all users. Mr. Jochum explained the plat will now be more flexible having larger lots with the possibility of splits later.

Mr. Jochum explained staff recommends approval with the following recommendations deleting number 1 and adding numbers 1,4,5, and 7 from the May 19, 2009, Energy Park North final plat as follows:

1. The findings and conditions from the original Energy Park North Preliminary and Final Plat carry forward and are attached the Energy Park North Second Addition Preliminary and Final Plat.
2. The final plat shall be recorded at the McLeod County Recorder's Office within 270 days of approval.

Previous plat recommendations to be added:

1. A turnaround for emergency access shall be constructed at the end of the east-west road, Benjamin Avenue. The turnaround shall be maintained until the road is connected to 5th Avenue SE
4. No access will be allowed from the residential properties to the northwest to the subject property.
5. No road crossing shall be constructed over the Luce Line trail on the north side of the property.
- 7 Significant buffering is required on the Northwest corner of the development abutting residential properties.

Mr. Czmowski made a motion to close the hearing. Seconded by Mr. Fahey, the hearing closed at 5:53 p.m. Mr. Kirchoff made a motion to recommend approval of the request with staff recommendations number 2 and numbers 1, 4, 5 and 7 from the previous final plat. Seconded by Ms. Rock, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held August 24, 2010 in the Council Chambers at 5:30 p.m.

c) CONSIDERATION OF AMENDMENT TO EXISTING CONDITIONAL USE PERMIT TO SHOW PAVED DRIVEWAY FROM ACCESS ROAD TO RAMP BETWEEN THE RELOCATED LIFE LINK III BUILDING AND THE NEW HANGER AT 1732 BUTLER FIELD DR. S.W., HUTCHINSON AIRPORT PROPERTY

Chairman Lofdahl opened the hearing at 5:58 p.m. with the reading of publication #7826 as published in the Hutchinson Leader on August 5, 2010.

Mr. Jochum reported Public Works Manager, John Olson, submitted an amended conditional use permit application with a revised drawing indicating the location of a paved driveway from the access road to the ramp between the relocated Life Link III building and the new hangar. The pavement will be 24 feet wide. There will be 8.5 feet on each side of the pavement to the buildings. A conditional use permit was approved April 27th to relocate the Life Link Trailer. He explained the reason the driveway is being moved is to accommodate the re-location of the Life Link Trailer which will be on top of the where the existing driveway is located. He commented on staff concerns regarding location of parking for the occupants of the life Link Trailer. He stated staff recommends no parking on either side of the driveway due to its width. The purpose of the I/C zoning and standards for granting a conditional use permit were explained. Staff would recommend approval with the following recommendations:

1. The standards for granting a conditional use permit are met.
2. The conditions of the original conditional use permit are met.
3. No parking is allowed on or next to the driveway in question.
4. Parking for the Life Link Trailer shall be located behind the hangars.

Mr. Jochum explained the driveway is new. The building location will not change from the previously approved conditional use permit.

John Olson, Public Works Manager, commented on the original conditional use permit. He explained this driveway will replace the previous driveway location. There will be a cross walk for the Life Link staff. He commented on parking needed by the Life Link staff and the location for the parking. He reminded the commissioners the structure is a modified manufactured home. The pavement has been removed in preparation for moving the trailer. Discussion followed on the access for emergency services.

Mr. Kirchoff made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 6:04 p.m. Mr. Kirchoff made a motion to recommend approval of the request with staff recommendations. Seconded by Mr. Fahey, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held August 24, 2010 in the Council Chambers at 5:30 p.m.

d) CONSIDERATION OF AMENDMENT TO CITY CODE CHAPTER 54 – STORMWATER MANAGEMENT; SECTION 54.02, DEFINITIONS

Chairman Lofdahl opened the hearing at 6:05 p.m. with the reading of publication #7826 as published in the Hutchinson Leader on August 5, 2010.

Mr. Jochum explained the Definition of Impervious Surface is being amended in the Stormwater Ordinance to be consistent with the definition in the Shoreland Ordinance, as well as the Zoning Ordinance. He reported staff reviewed the proposed ordinance at the July 29, 2010 planning staff meeting. Staff is very supportive of the proposed ordinance and recommends approval. The Planning Commission should provide feedback on the ordinance and consider public hearing comments in their recommendation to the City Council.

Mr. Jochum commented on Area Hydrologist Rob Collett's response to the amendment dated August 16, 2010. He noted Mr. Collett's comments on decks and the impervious surface coverage. He stated the new ordinance strengthens our ordinance in defining impervious areas. DNR will have to review the approved ordinance and will provide detailed comments and any needed changes to the City.

Discussion followed on the consideration of swimming pools when calculating impervious surface. Mr. Jochum explained pools have been considered impervious. He reported the DNR would also include eaves and overhangs when calculating impervious surface however, this is not listed in the DNR regulations. He reminded the commissioner, the City has discretion amending the ordinance. Discussion followed regarding the DNR regulations and the City amendment.

Mr. Fahey made a motion to close the hearing. Seconded by Mr. Johnston, the hearing closed at 6:11 p.m. Mr. Jochum commented on the language recommended by the DNR. Mr. Fahey made a motion to recommend approval of the amendment as written by staff. Seconded by Mr. Johnston, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held August 24, 2010 in the Council Chambers at 5:30 p.m.

e) CONSIDERATION OF AMENDMENT TO CITY CODE CHAPTER 152 – SHORELAND MANAGEMENT; SECTION 152.007, DEFINITIONS; SECTION 152.041, STORMWATER MANAGEMENT; SECTION 152.108, VARIANCES.

Chairman Lofdahl opened the hearing at 6:14 p.m. with the reading of publication #7826 as published in the Hutchinson Leader on August 5, 2010.

Mr. Jochum reported staff was directed by the Planning Commission to look at several amendments to the Shoreland ordinance related to impervious surface coverage standards that would allow applicants flexibility while mitigating the impacts of additional impervious surface coverage. In addition, the height of building definition was reviewed and amended to be more clear and easy to understand, as well as made consistent with the definition in the Zoning Ordinance. Lastly, the definition of impervious surface was amended and is now consistent throughout City ordinances. Previously, there were three definitions for impervious surface and each is slightly different. He commented on the DNR definition of height which would create a lower building height. He reported buildings on lots that are hilly would have a problem with the DNR definition.

Discussion followed on measurement from different types of roofs.

Mr. Jochum explained the section on variances regarding the possibility of leaving coverage as is and not expanding over the previous coverage. Mr. Collett, DNR Hydrologist questioned expanding the nonconformity.

John Paulson, City Regulatory Specialist, reminded the commissioners to keep in mind in the existing ordinance there currently is nothing in place for treatment of lots covering over 25%. Discussion followed on the need for property surveys to accurately measure the impervious surface.

Mr. Paulson explained the MPCA also has requirements for impervious surface which includes language that each existing 1 acre of coverage you must treat 1 inch of runoff.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Czmowski, the hearing closed at 6:38 p.m. Mr. Kovacic made a motion to recommend approval as written. Seconded by Mr. Fahey, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting held August 24, 2010 in the Council Chambers at 5:30 p.m.

- f). CONSIDERATION OF AMENDMENT TO CITY CODE CHAPTER 154 – ZONING; SECTION 154.004, DEFINITIONS; SECTION 154.136, GENERAL REQUIREMENTS FOR SIGNS; SECTION 154.138, PROHIBITED SIGNS.

Chairman Lofdahl opened the hearing at 6:39 p.m. with the reading of publication #7826 as published in the Hutchinson Leader on August 5, 2010.

Mr. Jochum commented on the purpose of these amendments to amend the definition of impervious surface to be consistent with the Stormwater Management Ordinance and the Shoreland Management Ordinance. Also, the height of building definition was amended to be consistent with the height of building definition in the Shoreland Management Ordinance. In addition, the sign section of the zoning ordinance is being amended to allow provisions for Electronic Message Center (EMC) signs.

Lengthy discussion followed on the amount of sign to be electronic and the sign size. There was also discussion of existing electronic signs. Billboard signs are not allowed within the City. The commissioners discussed type of text and the length of messages changing on the signs. There was discussion on the DOT standards.

Mr. Johnston made a motion to close the hearing. Seconded by Mr. Fahey, the hearing closed at 6:58 p.m. Mr. Kovacic made a motion to table the item to the next meeting. Seconded by Mr. Czmowski, the motion carried unanimously.

5. NEW BUSINESS

a. SITE PLAN REVIEW OF A PROPOSAL BY CHIPS HOLDINGS, LLC FOR A 4920 SQ. FT. DISTRIBUTION FACILITY ON A LOT IN ENERGY PARK NORTH SECOND ADDITION

Mr. Jochum explained the applicant is proposing to build a warehouse in the re-platted Energy Park North Second Addition. The building is proposed to be a 4920 square foot warehouse for distribution of potato chips and other similar snacks. He commented on his review of the building, setbacks, landscaping to buffer the building on south end of the lot and parking. He noted there was a one stop shop held with the developer on July 27, 2010, to review the site plan and provide feedback. Staff recommends approval of the site plan subject to the following recommendations:

1. The proposed building and site improvements shall comply with the standards of the I-1 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 parking lot needs to drain to the east to the catch basin that drains into the stormwater pond.
4. Silt fencing must be installed per City requirements, including along the front side of the lot to the street.
5. The clean out must be at the easement or property line to ensure easy access.
6. Final landscape plans shall identify the size and species of the plantings and shall be approved by the City Forester.
7. SAC and WAC fees will be calculated per fixture unit and due at the time of building permit.
8. Exterior doors should be labeled clearly with large letters or numbers for emergency purposes.
9. Approval of a NPDES permit and erosion control are required prior to construction on site.

Mr. Fahey made a motion to recommend approval of the request with staff recommendations. Seconded by Ms. Rock, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting held August 24, 2010 in the Council Chambers at 5:30 p.m.

6. OLD BUSINESS

7. COMMUNICATION FROM STAFF

- a. Zoning Variance issue. Mr. Jochum reported that the courts ruled on the reasonable use definition for a variance. The Supreme Court ruled on the interpretation of “reasonable use” to allow a variance, meaning that a variance shouldn’t be allowed unless there wouldn’t be a reasonable use of the property without the variance. The Legislature may make changes to the law during the next legislative session that will provide clarity on this issue.

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Mr. Jochum also noted that the new Shoreland rules have not been approved by Governor Pawlenty. The Governor sent them back to the DNR for more work. They likely won't be approved until after a new Governor is in office.

8. ADJOURNMENT

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

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, September 21, 2010
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman John Lofdahl at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, Jim Fahey, Chad Czmowski, Dave Johnston and Chairman Lofdahl. Absent: Dean Kirchoff Also present: Dan Jochum, Planning Director, Marc Sebora, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated August 17, 2010

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

4. PUBLIC HEARINGS

a) CONSIDERATION OF CONDITIONAL USE PERMIT AND SITE PLAN REVIEW TO ALLOW CONSTRUCTION OF SECOND ORDER POINT FOR DRIVE-THRU AT MCDONALD'S RESTAURANT, 1098 HWY 15 S.

Chairman Lofdahl opened the hearing at 5:31 p.m. with the reading of publication #7831 as published in the Hutchinson Leader on Thursday, September 9, 2010.

Mr. Jochum explained the property owner is requesting a conditional use permit and site plan review to allow for a second order point at the McDonald's restaurant drive-thru. He reported that, by ordinance, a conditional use permit is required for drive-thru uses. He commented on the site configuration. He commented on the staff concerns regarding traffic congestion and traffic flow on the site and the need to stripe the drive-thru lanes in yellow and the parking and parking lot circulation in white. The consensus of staff was the proposal would alleviate some of the congestion with less stacking. He explained recommendation #3 is addressed in the plans submitted however, there should be a recommendation added stating the City may install a "Do Not Block Roadway" sign at the Century Avenue entrance. Staff recommends approval with the following recommendations:

1. The standards for granting a conditional use permit would be met, subject to the conditions stated.
2. Provide striping to define limits of the drive-thru lane, as well as parking lot and parking lot circulation areas.
3. The City may install a "Do Not Block Roadway" sign at the Century Avenue entrance.

Mr. Kovacic made a motion to close the hearing. Seconded by Mr. Johnston, the hearing closed at 5:37 p.m. Mr. Fahey made a motion to recommend approval of the request with staff recommendations as amended. Seconded by Mr. Johnston, the motion carried unanimously. Chairman Lofdahl stated this item will be placed on the City Council consent agenda at their meeting to be held September 28, 2010, in the Council Chambers at 5:30 p.m.

- b) CONSIDERATION OF AMENDMENT TO CITY CODE CHAPTER 154 – ZONING; SECTION 154.004, DEFINITIONS; SECTION 154.136, GENERAL REQUIREMENTS FOR SIGNS; SECTION 154.138, PROHIBITED SIGNS.

Chairman Lofdahl opened the hearing at 5:56 p.m. with the reading of publication #7831 as published in the Hutchinson Leader on Thursday, September 9, 2010.

Mr. Jochum reminded the commissioners that this item was tabled from the last meeting. He commented on the changes and the language change from electronic message signs to dynamic signs to alleviate confusion and clarifies the use of graphics. He commented on the areas to be permitted, conditionally permitted and prohibited. He explained the sign area coverage has been simplified in this revised version of the ordinance. He also commented on a variety of other changes to the previously proposed ordinance. He stated that he tried to address comments from the last meeting. This ordinance would be more flexible and yet add safety. Discussion followed on the movement in signs. There was also discussion on the percentage of the dynamic sign coverage. It was the consensus of the commissioners that 2/3rds coverage seems reasonable. There was lengthy discussion on the sign setback from residential areas. There were concerns not to hinder the investment business owners have in the present existing signs.

Kevin Heikes, 710 Roberts St., owner of Factory Direct, commented on his research regarding MNDOT regulations of electronic signs. He reported MNDOT regulates display or loop time to 6 seconds. He commented on limiting the graphic movement and explained there could be some limitations but there should be a balance of the graphic movement. He explained signage gives the most advertising for the dollars. He suggested simplifying the ordinance to allow more movement on signs.

Discussion followed on flashing or strobe signs versus traveling text and movement in the background. The Commissioners discussed the wording in the ordinance to allow movement not flashing. Mr. Jochum explained the need for regulation as more signs are installed and the impact on the aesthetics of the community and yet protecting the businesses.

After discussion, the consensus was to include 66% coverage and 6 seconds of display or loop time. It was discussed that communication with technology will always be changing. The commissioners discussed the existing non-conforming signs and agreed those signs could be allowed as they are now in place.

Chairman Lofdahl reviewed the changes to the proposed ordinance Section (O):

1. Change (3) from 40% to 66%
2. Change (5) from 125 feet to 100 feet
3. Delete (6)
4. In (9) delete "due to excessive brightness".
5. Change (10) to add "or loop time of 6 seconds".
6. Delete (12).
7. Delete (13)

Mr. Fahey made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 7:09 p.m. Mr. Kovacic made a motion to recommend approval of the request with the edits discussed. Seconded by Mr. Czmowski, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting to be held September 28, 2010, in the Council Chambers at 5:30 p.m.

- c) CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW A 21,000 SQ. FT. DAY CARE FACILITY IN THE MIXED USE DISTRICT (MXD) LOCATED NORTH OF GOLF COURSE ROAD REQUESTED BY RANDY ANDERSON, CROWN PROPERTIES, INC., PROPERTY OWNER

Chairman Lofdahl opened the hearing at 5:38 p.m. with the reading of publication #7831 as published in the Hutchinson Leader on Thursday, September 9, 2010.

Mr. Jochum explained there are three parts to this request. The conditional use permit requires a public hearing and the following final plat and site plan review are also required to have approval before the project may move forward. He reported the property owner received approval of the preliminary plat and rezoning of 38.8 acres located at 525 Golf Course Road for development of a children's day care facility for 120 children with therapy and other related services available on site. The day care facility will be approximately 13000 sq. ft. and the therapy 8000 sq. ft. of the proposed building. There was a one-stop-shop regarding the request on May 28, 2010. He explained the day care requires a conditional use permit in the MXD district and must meet the standards for granting a conditional use permit.

Staff would recommend approval with the following recommendations:

1. The proposed building and site improvements shall comply with the standards of the MXD district and the Zoning Ordinance.
2. A certified property survey is required before a building permit will be reviewed. Review and approval of the final site plan is required by the City Engineer and Planning Director before construction.
3. Access will be from Montana Street with secondary access off Minnesota Street. Property owner must stub in Minnesota Street and extend utilities.
4. Satisfy wetland mitigation requirements with McLeod County and City of Hutchinson.
5. Provide a turnaround on both ends of the street stubs.
6. Add one parking stall to parking lot.
7. Communicate construction timeline to the city for construction of streets.
8. After November 1st there will be a cost increase for digging electric and gas lines.
9. The final plat shall be recorded at the McLeod County Recorder's Office within 270 days of approval.
10. A Subdivision Agreement must be executed prior to filing of the final plat.
11. Address Engineer comments in report his report of September 14, 2010.
12. Address John Paulson's comments related to stormwater and erosion control dated September 14, 2010.
13. The proposal would meet the standards for granting a conditional use permit, including providing a service to the community and would not have an undue adverse affect upon adjacent property, neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare; and, would not interfere with use of neighboring property.

Mr. Czmowski made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 5:40 p.m. Mr. Kovacic made a motion to recommend approval of the request with staff recommendation 1-13. Seconded by Mr. Czmowski, the motion carried unanimously. This item will be placed on the City Council consent agenda at their meeting to be held September 28, 2010, in the Council Chambers at 5:30 p.m.

5. **NEW BUSINESS**

- a) CONSIDERATION OF FINAL PLAT OF CROWN ADDITION LOCATED NORTH OF GOLF COURSE ROAD REQUESTED BY RANDY ANDERSON, KIDS INC.

Mr. Jochum commented on the lot arrangement, streets and access and review by the City Engineer of the preliminary grading and stormwater management plan. He commented on the streets being stubbed to the property.

Discussion followed on the comprehensive plan amendment at the last meeting to allow the day care and therapy use. Mr. Jochum explained the day care use is permitted in R-1 district. The MXD will allow the therapy offices.

- b) CONSIDERATION OF SITE PLAN REVIEW FOR 21,000 SQ. FT. DAY CARE AND THERAPY FACILITY LOCATED IN THE CROWN ADDITION PLAT REQUESTED BY RANDY AND MARY ANDERSON, CROWN PROPERTIES, LLC.

Mr. Jochum reported the proposed building would be an approximately 20,822 square foot one-story structure. The building plans show the exterior as hardboard siding with windows on all sides of the building. He explained the building will fit in with residential uses in the area. The main entrance is facing south/southeast. He commented on the proposed setbacks. He reported the landscaping is adequate and spacing of the shade trees near the NW roadway entrance into Minnesota Street should take into consideration the visibility at the intersection before planting. Mr. Jochum explained staff recommends one additional parking space be added in order to meet the parking requirements. He stated the Engineer comments and SWPPP comments must be addressed and the following items be added to the recommendations approved with the conditional use permit:

14. Water quality for the entire site must be addressed.
15. Provide verification of wetland delineation approval (per County Environmentalist) and the acceptance of a wetland mitigation plan.
16. Identify proposed wetland mitigation areas.

There was discussion on the traffic pattern to the development. The City will design the road based on the Engineer review. The wetland delineation was discussed and the final approval will be by the County.

A representative from Miller Architects and Builders explained that Minnesota Street will be a secondary access to the facility. Mr. Jochum stated he will clarify with the City Engineer if there was a misprint in the recommendation that Minnesota Street must be stubbed-in with utilities extended. Mr. Exner will advise the City Council next week.

Mr. Fahey made a motion to recommend approval of both items a and b with staff recommendations adding 14, 15, and 16, to the recommendations previously approved. Seconded by Mr. Johnston, the motion carried unanimously. Mr. Lofdahl stated this item will be placed on the City Council consent agenda at their meeting to be held September 28, 2010 in the Council Chambers at 5:30 p.m.

c) **COMPREHENSIVE PLAN UPDATE DISCUSSION**

Mr. Jochum stated he has completed a preliminary work plan. He asked the commissioners if they would like to discuss the work plan with a short presentation for input at the October meeting since there are no public hearing applications for next month. The commissioners suggested they would like to meet to begin the review process of the comprehensive plan.

6. **OLD BUSINESS**

7. **COMMUNICATION FROM STAFF**

- a) Mr. Jochum commended the Planning Commissioners on their work on an ordinance regarding the shoreland issues. He reported the City Council had some additions and changes to the proposed shoreland ordinance and he updated the Planning Commissioner on the changes.

8. **ADJOURNMENT**

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

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, October 19, 2010
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman John Lofdahl at 5:30 p.m. with the following members present: Chris Kovacic, Chad Czmowski, Dean Kirchoff, Dave Johnston and Chairman Lofdahl. Absent: Christie Rock and Jim Fahey Also present: Dan Jochum, 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 21, 2010

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

4. PUBLIC HEARINGS

None

5. NEW BUSINESS

a) REVIEW AND DISCUSSION OF COMPREHENSIVE PLAN WORK PLAN

Mr. Jochum began the presentation by explaining why cities must plan. He explained the Comprehensive Plan is a document to rely on and a legal basis for land use controls. The plan is a guide for the council, property owners and developers. The City must work with all jurisdictions in the process of updating the plan. There is a need for re-evaluating the 2002 plan and include relevant facts. Citizen input is important. He stated ideally we should complete a yearly review of the plan to make updating much easier. He commented on the implementation and updating to keep the plan current. Citizen buy-in is important and citizens must be kept informed and given a choice. The plan is a decision making tool for the City. Mr. Jochum commented on the difference between planning and zoning.

Mr. Jochum presented the work plan for updating the Comprehensive Plan. He commented on the project kick-off meeting and the process including the review of the current 2002 plan, background and past planning efforts, mapping and meetings including open houses. He commented on the topics to be included in the Comprehensive Plan and the need to include all City departments and outside sources for some areas of the plan such as transportation, housing, park and recreation, environment and economic development.

6. OLD BUSINESS

None

7. **COMMUNICATION FROM STAFF**

- a) Mr. Jochum explained the sign ordinance was tabled by the City Council. The Council would like to include language to allow this type of sign in residential areas. He will draft language to allow these signs in residential areas without graphics only using letters and numbers.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:15 p.m.

**MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, November 16, 2010
Hutchinson City Council Chambers**

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

The meeting was called to order by Chairman John Lofdahl at 5:40 p.m. with the following members present: Christie Rock, Chad Czmowski, Dave Johnston and Chairman Lofdahl. Absent: Chris Kovacic, Jim Fahey and Dean Kirchoff Also present: Dan Jochum, 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 19, 2010.

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

4. PUBLIC HEARINGS

a) CONSIDERATION OF AMENDING ZONING ORDINANCE SECTION 154.118 ADDING LANGUAGE TO THE FENCE REQUIREMENTS REGARDING FENCE SETBACKS FROM TRAILS

Chairman Lofdahl opened the hearing at 5:43 p.m. with the reading of publication #7846 as published in the Hutchinson Leader on November 4, 2010.

Mr. Jochum explained the purpose of this amendment is to add language to the fence ordinance that would basically create a two foot setback from the trail to fences, walls, and other similar structures that are not located in a right of way The reason for amending the ordinance is to minimize any potential safety issues that may be caused by having a fence too close to a trail.

Mr. Exner explained the width of trails and trail easements. Discussion followed regarding existing fences near trails in the City.

Ms. Rock made a motion to close the hearing. Seconded by Mr. Johnston, the hearing closed at 5:50 p.m. Mr. Czmowski made a motion to recommend approval of the request with staff recommendations. Seconded by Ms. Rock, the motion carried 3 ayes to 1 nay. Mr. Johnston stated he is opposed to allowing trails in the drainage and utility easement areas. Mr. Exner explained the developer constructed the trail as per the subdivision agreement. He stated the City did not build the trail. Mr. Jochum explained the issue is not about allowing trails in drainage and utility easements but rather what the setback to the trail should be. Chairman Lofdahl stated this item will be placed on the City Council regular agenda at their meeting held November 23, 2010 in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

None

6. OLD BUSINESS

7. **COMMUNICATION FROM STAFF**

- a) Mr. Jochum commented on a letter from the League of MN Cities regarding a land use incentive for communities that have a quorum of City Council members, the Planning Commission Chairman and one Planning Commission member and the Planning Director participate in an on-line training. Chairman Lofdahl and Planning Commissioner Dave Johnston stated they would participate.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 6:05 p.m.

MINUTES
HUTCHINSON PLANNING COMMISSION
Tuesday, December 21, 2010
Hutchinson City Council Chambers

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

The meeting was called to order by Chairman John Lofdahl at 5:30 p.m. with the following members present: Chris Kovacic, Christie Rock, Jim Fahey, Chad Czmowski, Dean Kirchoff and Chairman Lofdahl. Absent: Dave Johnston Also present: Marc Sebor, City Attorney and Bonnie Baumetz, Planning Coordinator

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

a) Consideration of Minutes dated November 16, 2010

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

4. PUBLIC HEARINGS

a) CONSIDERATION OF REZONING PROPERTY AT 1105 5TH AVENUE S.W. FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO I-1 (LIGHT INDUSTRIAL DISTRICT) FOR RECYCLABLE MATERIAL COLLECTION CENTER REQUESTED BY MCLEOD COUNTY, PROPERTY OWNER

Chairman Lofdahl opened the hearing at 5:33 p.m. with the reading of publication #7850 as published in the Hutchinson Leader on December 9, 2010.

Ms. Baumetz commented on the request by McLeod County to rezone property from R-1 to I-1. She stated the property is surrounded by Industrial zoning and I-1 zoning is consistent with the Comprehensive Plan which guides the parcel as Industrial and the intent of the I-1 zoning district in the Zoning Ordinance. The parcel is adjacent to the Household Hazardous Waste facility and is proposed to be developed as an industrial use. Rezoning would allow the proposed use to be developed as an industrial use. The property owner will return for a conditional use permit to allow a recyclable material collection center on the property. There are staff items that may be discussed further at the time of the conditional use permit request and site plan review. Staff recommends approval of the rezoning.

Ed Homan, Household Hazardous Waste Facility, reported he is not sure of the timing for the recyclable material collection center. He explained the County Board is determining if the collection center should be outdoor storage or in a building.

Mr. Fahey made a motion to close the hearing. Seconded by Ms. Rock, the hearing closed at 5:40 p.m. Mr. Kirchoff made a motion to recommend approval of the request with staff findings. Seconded by Mr. Fahey, the motion carried unanimously. Ms. Baumetz stated this item will be placed on the City Council consent agenda at their meeting held December 28, 2010 in the Council Chambers at 5:30 p.m.

5. NEW BUSINESS

6. **OLD BUSINESS**

7. **COMMUNICATION FROM STAFF**

- a) Chairman Lofdahl commented on the class he took on-line through the League of Minnesota Cities. He explained it took approximately 45 minutes and was a good refresher course for planning commission members.

8. **ADJOURNMENT**

There being no further business the meeting adjourned at 5:45 p.m.