

**BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR SESSION
MAY 9, 2007**

1. CALL TO ORDER. 1.1. Roll Call.

The Planning and Zoning Commission met in Regular Session on Wednesday, May 9, 2007 in the Government Center at 218 North Meridian Street, Belle Plaine, MN. Chairperson John Levar called the meeting to order at 7:12 p.m. with Commissioners Henry Pressley, Joe Bowman, Kevin Fors, Gary Trost and Alternate Bob Chaussee present. Also present were Community Development Director Trisha Rosenfeld, Council liaison Peter Anderly, Consultant Joanne Foust and Councilmember Tim Lies.

2. APPROVAL OF AGENDA.

MOTION by Commissioner Trost, second by Commissioner Fors, to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

3. APPROVAL OF MINUTES. 3.1. Regular Session Minutes of April 4, 2007. 3.2. Joint Workshop Minutes of April 4, 2007.

MOTION by Commissioner Pressley, second by Commissioner Trost, to approve the Regular Session Minutes of April 4, 2007 and the Joint Workshop Minutes of April 4, 2007. ALL VOTED AYE. MOTION CARRIED.

4. PUBLIC HEARINGS.

4.1. Conditional Use Permit. The Planning Commission will accept public comment on a request by Laser Guide, Inc., Belle Plaine, MN, for a conditional use permit as required for the I-C, Industrial-Commercial District, to allow the expansion of a manufacturing facility at 850 East Commerce Drive.

Community Development Director Rosenfeld explained that it has been determined that no conditional use permit is necessary as Laser Guide manufacturing is already a permitted use. A site plan review will be necessary and will be brought before the Planning Commission at a future date. She recommended that this issue be removed from the agenda.

MOTION by Commissioner Bowman, second by Commissioner Fors, to remove this issue from the agenda as a conditional use permit is not necessary. ALL VOTED AYE. MOTION CARRIED.

4.2. Variance from the Bluff Ordinance. The Planning Commission will accept public comment on a request by Bluff Enterprises, LLC, 310 West Main Street, Arlington, MN, for a variance from Section 1109 Land and Water Preservation to allow the construction of a multi-family dwelling to encroach the bluff line at 620 West State Street, Belle Plaine, MN, in the R-7, Mixed Housing District.

4.2.1. Resolution PZ-07-016 Recommending Approval of a Variance to Allow the Construction of a Multi-Family Dwelling to Encroach the Bluff Line.

Chair Levar referenced a memo dated May 9, 2007 from Community Development Director Rosenfeld regarding a variance request from Bluff Enterprises, LLC, Arlington, MN.

Community Development Director Rosenfeld explained that the applicant, Mike Neisen, Bluff Enterprises, LLC, has not submitted the required documents. It is the intent of the applicant to apply for a moving permit to move a house onto the subject property. A public hearing will need to be scheduled. She

recommended continuing the public hearing and tabling action until the June 6, 2007 Planning Commission meeting.

Chair Levar opened the public hearing at 7:22 p.m. and asked for public comment.

Dan Flynn, 617 West Court Street, inquired about the steep slope of the lot and infringement on the adjacent alley way. Mr. Flynn commented that he thought the alley was vacated and asked if the alley will be re-opened if homes are built on the bluff lots.

Jim Baumann, owner of property to west of the subject lots, commented on the City's bluff ordinance and recommended that the applicant receive a copy of the bluff ordinance.

MOTION by Commissioner Pressley, second by Commissioner Bowman, to continue the public hearing and table action on Resolution PZ-07-016 Recommending Approval of a Variance to Allow the Construction of a Multi-Family Dwelling to Encroach the Bluff Line, until June 6, 2007 to allow time for the applicant to submit the necessary documents. ALL VOTED AYE. MOTION CARRIED.

4.3. Sign Variance. The Planning Commission will accept public comment on a request by Otto Enterprises, Inc., Belle Plaine, MN, for a variance from Section 1107, Signs, to allow the addition of an illuminated motion sign to be constructed at 235 South Ash Street, in the Industrial/Commercial District.

Chair Levar referenced a memo dated May 9, 2007 from Community Development Director Rosenfeld regarding a sign variance.

Community Development Director Rosenfeld explained that Otto Enterprises has requested a variance to allow an illuminated sign at 235 South Ash Street. The illuminated sign would be added to the existing sign.

Chair Levar opened the public hearing 7:28 p.m. and asked for public comment. There was no response.

MOTION by Commissioner Trost, second by Commissioner Fors, to close the public hearing at 7:29 p.m. ALL VOTED AYE. MOTION CARRIED.

The Commissioners discussed the illuminated sign. Commissioner Fors noted that it is not a public service sign because it does not show the time and temperature. Commissioner Bowman inquired about the height. Chair Levar suggested that a picture of the actual sign be available for viewing. The Commissioners believed there should be some type of control for the size, colors and intensity allotted for the illumination and recommended staff review the Ordinance for a potential amendment to the sign ordinance.

4.3.1. Resolution PZ-07-017 Recommending Approval of a Variance to Allow an Illuminated Motion Sign at Borough Bowl, 235 South Ash Street.

MOTION by Commissioner Trost, second by Commissioner Fors, to approve Resolution PZ-07-017 Recommending Approval of a Variance to Allow an Illuminated Motion Sign at Borough Bowl, 235 South Ash Street. ALL VOTED AYE. MOTION CARRIED.

5. BUSINESS.

5.1. Resolution PZ-07-018 Recommending Approval of a Site Plan for Mike Yancey at 835 E. Commerce Drive.

Chair Levar referenced a memo dated May 9, 2007 from Community Development Director Rosenfeld

regarding a site plan for Mike Yancey at 836 East Commerce Drive.

Community Development Director Rosenfeld explained that Mike Yancey has requested review of a site plan for the expansion of the facility at 835 East Commerce Drive. The site plan meets the maximum site coverage. Variances for setbacks were approved in 2005 to allow the structure to be 15 feet from the north side yard property line and ten feet from the rear yard.

The Commissioners reviewed the site plan and discussed the parking lot and traffic flow.

MOTION by Commissioner Fors, second by Commissioner Trost, to approve Resolution PZ-07-018 Recommending Approval of a Site Plan for Mike Yancey at 835 E. Commerce Drive. ALL VOTED AYE. MOTION CARRIED.

5.2. 2007 Comp Plan Update from Workshop Session of April 4, 2007.

Chair Levar referenced the workshop session that was held earlier this evening and noted that the Planning Commission will need to take action as a result of the recommendation from the workshop.

The Commissioners requested that the discussions related to the 2007 Comp Plan be available for future boards and commissions. Chair Levar would like the discussion documented as to the reasons for the recommendations for the future land use. The Commissioners did acknowledge a potential change in traffic count estimates. Ms. Foust noted that Comp Plan amendments may be in order at some point.

MOTION by Commissioner Trost, second by Commissioner Bowman, to accept the recommendation from the workshop of May 9, 2007 to recommend to the City Council that the areas of the Highway 25 corridor and the 200 to 500 blocks of East Main Street remain with its current zoning status and to remove plans for a Resident Business Transition District for these areas. Furthermore, staff shall archive documentation regarding discussion and reasons for the recommendations on the 2007 Comp Plan future land use map. ALL VOTED AYE. MOTION CARRIED.

The Commissioners then discussed the South Street area. Community Development Director Rosenfeld Explained that property owner Ed Townsend had requested the rezoning of medium residential to commercial. The workshop on April 4, 2007 resulted in a consensus to have a 150 foot residential buffer zone along South Street prior to the commercial district. The Commissioners further reviewed the area. Council liaison Anderly commented that the large lot in Oak Village is zoned high density, to allow for an apartment complex. Commissioners Chaussee and Trost would like to see medium residential for the parcel adjacent to South Street, and commercial for the area south of West Commerce Drive. In further discussion, Chris Stier, 424 East Court Street, noted the close proximity to schools and inquired about sex offender notification laws. Commissioner Fors, as a State enforcement official, provided information.

MOTION by Commissioner Pressley, second by Commissioner Bowman, to recommend that the City Council that the parcel owned by Ed Townsend north of West Commerce, adjacent to South Street and east of Oak Village, remain medium density residential. Commissioner Trost VOTED NAY. ALL OTHERS VOTED AYE. MOTION CARRIED.

MOTION by Commissioner Trost, second by Commissioner Pressley, to recommend that the City Council proceed with submittal of the 2007 Comp Plan, as amended, to the Met Council for review and approval. ALL VOTED AYE. MOTION CARRIED.

5.3. Commercial Design Standards Update.

Community Development Director Rosenfeld requested a representative from the Planning Commission to serve on the Commercial Design Standards Committee as Chair Levar will be resigning from the Planning Commission.

Commissioner Bowman volunteered to be a member of the Commercial Design Standards Committee and Commissioner Pressley will serve as an alternate.

5.4. Rescheduling of July Meeting.

It was the consensus of the Commission to schedule the July Planning Commission meeting for July 11, 2007.

5.5. Resignation of Commissioner John Levar.

Chair John Levar thanked the Commissioners and staff for their support for the three and one-half years while he served on the Planning Commission. He commented on the success of the preparation of the 2007 Comp Plan.

The Commissioners thanked Levar for his leadership, contributions and enthusiasm while serving on the Commission.

6. ADMINISTRATIVE REPORTS.

6.1. Upcoming Meetings.

1. Planning Commission, 6:00 p.m., Wed., June 6, 2007. Note new time schedule.

The Commissioners were reminded of the upcoming meeting as listed.

7. ADJOURNMENT.

MOTION by Commissioner Fors, second by Commissioner Bowman, to adjourn at 8:20 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Administrative Assistant