

**BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR SESSION
JUNE 6, 2007**

1. CALL TO ORDER. 1.1. Roll Call.

The Planning and Zoning Commission met in Regular Session on Wednesday, June 6, 2007 in the Government Center at 218 North Meridian Street, Belle Plaine, MN. Vice Chairperson Kevin Fors called the meeting to order at 6:00 p.m. with Commissioners Henry Pressley, Joe Bowman, Gary Trost and Bob Chaussee present. Also present was Community Development Director Trisha Rosenfeld. Vice Chairperson Fors welcomed Commissioner Bob Chaussee as an appointed member of the Planning Commission.

2. APPROVAL OF AGENDA.

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

3. ELECTION OF OFFICERS.

Community Development Director Rosenfeld explained that it is appropriate to conduct an election of officers due to the vacancy caused by the resignation of Chairperson John Levar.

MOTION by Commissioner Chaussee, second by Commissioner Pressley, to nominate Kevin Fors as Chair, to close the nominations and cast a unanimous vote. Commissioner Fors ABSTAINED. ALL OTHERS VOTED AYE. MOTION CARRIED.

MOTION by Commissioner Chaussee, second by Commissioner Bowman, to nominate Henry Pressley as Vice Chair, to close the nominations and cast a unanimous vote. Commissioner Pressley ABSTAINED. ALL OTHERS VOTED AYE. MOTION CARRIED.

MOTION by Commissioner Trost, second by Commissioner Fors, to nominate Bob Chaussee as Secretary, to close the nominations and cast a unanimous vote. Commissioner Chaussee ABSTAINED. ALL OTHERS VOTED AYE. MOTION CARRIED.

4. APPROVAL OF MINUTES. 4.1. Regular Session Minutes of May 9, 2007. 4.2. Workshop Session Minutes of May 9, 2007.

MOTION by Commissioner Trost, second by Commissioner Chaussee, to approve the Regular Session Minutes of May 9, 2007 and the Workshop Session Minutes of May 9, 2007. ALL VOTED AYE. MOTION CARRIED.

Chair Fors voiced his opinion on the recent local newspaper article on planning related issues. Chair Fors explained that the Planning Commission does not succumb to political pressure as indicated in the article. The decisions of the Planning Commission are based on sound, investigative information, Chair Fors stated.

5. PUBLIC HEARINGS.

5.1. Continued - Variance from the Bluff Ordinance and Conditional Use/ Moving Permit. 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. Also considered will be a Conditional Use Permit to Allow a House to be Moved to 620 West State Street. (It is appropriate for the Planning Commission to continue the public hearing(s) and table action until further information is received from the applicant.)

Chair Fors referenced a memo dated June 6, 2007 from Community Development Director Rosenfeld regarding a variance and conditional use permit request for 620 West State Street.

Community Development Director Rosenfeld explained that Bluff Enterprises, LLC, has not submitted the required materials for consideration of the variance and conditional use permit. The applicant has requested that the Planning Commission continue the public hearing and table action until the necessary documentation is submitted to the City. The applicant was advised of the 120 day allowable extension.

Chair Fors opened the public hearing at 6:09 p.m. and asked for public comment.

James McConnell, 623 West Court Street, inquired about the vacated alley and the road right-of-way. He also inquired as to whether Buffalo Street has been vacated.

Community Development Director Rosenfeld responded that these issues will be addressed when the applicant submits the necessary materials.

MOTION by Commissioner Trost, second by Commissioner Chaussee, to continue the public hearing and table action until the required materials are received from the applicant, Bluff Enterprises, LLC. ALL VOTED AYE. MOTION CARRIED.

5.2. Conditional Use Permit. The Planning Commission will accept public comment on a request by Glen S. Morgan, Sr., Lakeville, MN, for a conditional use permit in the B-3, Central Business District, to allow the operation of a martial arts studio at 227 North Meridian Street.

Chair Fors referenced a memo dated June 6, 2007 from Community Development Director Rosenfeld regarding a request for a conditional use permit.

Community Development Director Rosenfeld explained that Glen S. Morgan, Sr., Lakeville, MN, has requested a conditional use permit to allow the operation of a martial arts studio at 227 North Meridian Street. Community Development Director Rosenfeld indicated that a building permit is necessary due to the change in occupancy type. Staff recommends approval.

Chair Fors opened the public hearing at 6:14 p.m. and asked for public comment. There was no response.

MOTION by Commissioner Trost, second by Commissioner Chaussee, to close the public hearing at 6:15 p.m. ALL VOTED AYE. MOTION CARRIED.

The Commissioners discussed the conditional use permit request. Commissioner Pressley inquired about the hours of operation. Commissioner Chaussee suggested that the Planning Commission recommend the hours of operation. Commissioner Trost suggested that the applicant submit the hours of operation to the City Council for review and approval.

5.2.1. Resolution PZ-07-022 Recommending Approval of a Conditional Use Permit to Allow the Operation of a Martial Arts Studio at 227 North Meridian Street.

MOTION by Commissioner Trost, second by Commissioner Chaussee, to approve Resolution PZ-07-022 Recommending Approval of a Conditional Use Permit to Allow the Operation of a Martial Arts Studio at

227 North Meridian Street. Be it further recommended that the applicant submit the hours of operation to the City Council for their review and approval. ALL VOTED AYE. MOTION CARRIED.

5.3. Conditional Use Permit. The Planning Commission will accept public comment on a request by Belle Plaine School District for a conditional use permit to allow the construction of 10 foot and 8 foot high fences and an accessory structure at the Belle Plaine High School Athletic Complex, 1100 West Commerce Drive.

Chair Fors referenced a memo dated June 6, 2007 from Community Development Director Rosenfeld regarding a request by the Belle Plaine School District for a conditional use permit.

Community Development Director Rosenfeld explained that the School District has requested a conditional use permit to allow the construction of 10-foot and 8-foot high fences and an accessory structure, 30' x 38', at the Belle Plaine High School Athletic Complex, 1100 West Commerce Drive. The accessory structure is a pole building.

Dr. Kelly Smith, Superintendent of Schools, was present.

Chair Fors opened the public hearing at 6:22 p.m. and asked for public comment. There was no response.

MOTION by Commissioner Trost, second by Commissioner Pressley, to close the public hearing at 6:23 p.m. ALL VOTED AYE. MOTION CARRIED.

The Commissioners discussed the request. Commissioner Trost inquired about the aesthetics of the building. Dr. Kelly Smith explained that he does not have the building specifications at this time. Commissioner Trost suggested that the details of materials and color of the building and roof be provided to the City Council for review and approval. Dr. Smith stated that he would forward the information as soon as he receives it from the contractor.

5.2.1. Resolution PZ-07-020 Recommending Approval of a Conditional Use Permit to Allow the Construction of 10 foot and 8 foot high fences and an accessory structure at the Belle Plaine High School Athletic Complex, 1100 West Commerce Drive.

MOTION by Commissioner Trost, second by Commissioner Chaussee, to approve Resolution PZ-07-020 Recommending Approval of a Conditional Use Permit to Allow the Construction of 10 foot and 8 foot high fences and an accessory structure at the Belle Plaine High School Athletic Complex, 1100 West Commerce Drive. ALL VOTED AYE. MOTION CARRIED.

6. BUSINESS.

6.1. Resolution PZ-07-021 Recommending Approval of a Site Plan for ISD #716 for 330 South Market Street to allow expansion to the existing parking.

Chair Fors referenced a memo dated June 6, 2007 from Community Development Director Rosenfeld regarding a site plan for the Belle Plaine School District.

Community Development Director Rosenfeld explained that the applicant is requesting the review of a site plan at the existing Chatfield Elementary School located on Market Street. There are two parts to the request; 1) Parking in the front of the building and 2) parking in the rear of the building.

Front of Elementary: The applicant would like to move the sidewalk in front of the building four (4) feet closer to the building and expand the drive in access seven (7) feet to the east, in order to create seventeen (17) angular parking spaces in front of the building. The existing light posts will be removed and placed elsewhere onsite. (refer to the site plan for the new locations). The existing drive in access is currently 30' feet wide. The applicant will increase this to 41' feet wide by moving the sidewalk and expanding the impervious surface to the east. There is an existing drainage and utility easement that resides in the boulevard.

Rear of Elementary: Upon the removal of the existing temporary modular classrooms located in the rear of the building, the applicant is requesting to expand the parking lot area by 15,410 square feet. This expanded parking area will be in the location where the existing modular classrooms are. The applicants are also requesting to construct a new sidewalk from the expanded parking area to the elementary building.

The existing parking lot area is 38,910 square feet. The total proposed parking lot area would be 54,320 square feet, which is greater than one (1) acre of impervious surface. This does not include the proposed sidewalk. According to state regulations, a storm water pond is required when you have more than an acre of impervious surface.

With the existing modular classrooms and the existing parking area, the total impervious surface is also greater than one (1) acre. Due to the temporary placement of the classrooms, the storm water ponding at that time was not addressed as a requirement. Due to the permanent placement of the proposed impervious surface for the expansion to the parking lot, the storm water pond will be necessary.

Staff recommends approval of the site plan with the following conditions: 1) There will be no parking at both ends of the drive in access in the front of the building in order to allow fire access; 2) Expansion to the drive in access in the front of the building does not encroach into the drainage and utility easement' 3) A storm water pond will be necessary in the rear of the building, as required by state regulations. Details of the pond will be reviewed by the City Engineer prior to construction.

Dr. Kelly Smith explained that if a large storm water pond is required, the School District may revise their plans for the parking lot to avoid the ponding requirement. Commissioner Bowman suggested that a storm water be allowed to run off and permeate the land, rather than building a storm water retention pond. He noted that the area could also be used as an outdoor classroom. Dr. Smith stated he was amenable to suggestions and noted that the ideas are subject to approval by the City Engineer. The Commissioners also discussed parking along Market Street and near the entrance to Chatfield Elementary.

MOTION by Commissioner Pressley, second by Commissioner Trost, to approve Resolution PZ-07-021 Recommending Approval of a Site Plan for ISD #716 for 330 South Market Street to allow expansion to the existing parking. ALL VOTED AYE. MOTION CARRIED.

7. ADMINISTRATIVE REPORTS.

7.1. Upcoming Meetings.

1. Planning Commission, 6:00 p.m., Wed., July 11, 2007.

The Commissioners were reminded of the upcoming meetings as listed.

8. ADJOURNMENT.

MOTION by Commissioner Chaussee, second by Commissioner Pressley, to adjourn at 6:51 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,
Patricia Krings
Recording Secretary

