

**BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR MEETING
MAY 8, 2017**

PLEDGE OF ALLEGIANCE.

Chair Hvidsten led those present in the Pledge of Allegiance.

1. CALL TO ORDER. 1.1. Roll Call.

The Planning and Zoning Commission met in Regular Session on Monday, May 8, 2017 at City Hall, 218 North Meridian Street, Belle Plaine, MN. Chair Nate Hvidsten called the meeting to order at 6:30 p.m. with Commissioners Ashby Carter, Ashton Pankonin, Anthony Hetzel and Catherine Tarbell present. Also present were Community Development Director Cynthia Smith Strack and Council Liaison Paul Chard.

2. APPROVAL OF AGENDA.

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

3. APPROVAL OF MINUTES. 3.1. Regular Session Minutes of April 10, 2017.

MOTION by Commissioner Pankonin, second by Commissioner Tarbell, to approve the April 10, 2017 minutes as presented. ALL VOTED AYE. MOTION CARRIED.

4. RECOGNITION OF INVOLVED CITIZENS.

5. PUBLIC HEARINGS – None Scheduled.

6. BUSINESS.

6.1. Resolution PZ-17-011 Minor Subdivision: Townsend PID 209120010.

Community Development Director Smith Strack explained that Jeff Townsend has applied for a minor subdivision to split PID 209120010 an approximate 18+ acre parcel into Tracts 1 and 2. The split will enable sale of the property south of Commerce Drive West to one party and the property north of Commerce Drive West to another party. Under code, if this split is approved, no further minor subdivision, either lot split or combination is possible for five years after approval. This includes combining lots south of West Commerce Drive. Any further change requires platting.

MOTION by Commissioner Pankonin, second by Commissioner Carter, to approve Resolution PZ-17-011, Recommending Approval of a Minor Subdivision for Townsend PID 209120010. ALL VOTED AYE. MOTION CARRIED.

6.2. Resolution PZ-17-012 Minor Subdivision: Townsend PID 209120114.

Community Development Director Smith Strack explained that Jeff Townsend has applied for a minor subdivision to split PID 209120114 an approximate 27 acre parcel into Tracts 1 and 2. The split will enable sale of the property west of Elk Street. Under code, if this split is approved, no further minor subdivision, either lot split or combination is possible for five years after approval. This includes separating proposed Tract 2. Any further division requires platting.

MOTION by Commissioner Carter, second by Commissioner Pankonin, to approve Resolution PZ-17-012, Recommending Approval of a Minor Subdivision for Townsend PID 209120114. ALL VOTED AYE. MOTION CARRIED.

6.3. Resolution PZ-17-013 Minor Subdivision: Bill McCue PID 209170010.

Community Development Director Smith Strack explained that Bill McCue has applied for a minor subdivision to split PID 209170010 an approximate 78-acre parcel into Parcel A and Parcel B. The split will enable sale of the property southwest of Hickory Boulevard. Under code, if this split is approved, no further minor subdivision, either lot split or combination is possible for five years after approval. Any further division within that timeframe requires platting. The entire parcel was subject to previous concept plan and environmental assessment completion as part of the Farmers pre-plat.

Council Liaison Chard inquired about the future alignment of County Road 5. Community Development Director Smith Strack replied this issue was discussed with the property owner. According to the EAW, the roadway in this area will be removed due to its proposed realignment.

MOTION by Commissioner Tarbell, second by Commissioner Carter, to approve Resolution PZ-17-013 Recommending Approval of a Minor Subdivision for McCue, PID 209170010. ALL VOTED AYE. MOTION CARRIED.

6.4. Resolution PZ-17-014 Final Plat – Tatiana Fields.

Community Development Director Smith Strack explained that Saby Sengupta has submitted a final plat for Tatiana Fields. The plat is a simple one lot, one block subdivision of property. Locale is transitioning from agricultural to institutional, commercial, commercial recreation, and mixed density residential uses.

Commissioner Carter inquired about the status of annexation. Community Development Director Smith Strack replied the annexation request has been accepted by State Office of Administrative Hearings (OAH). In an effort to keep the process moving forward, it is appropriate for the Planning Commission to take action on the final plat. The City Council will consider the final plat upon formal acceptance by the OAH.

MOTION by Commissioner Carter, second by Commissioner Tarbell, to approve Resolution PZ-17-014 Final Plat – Tatiana Fields. ALL VOTED AYE. MOTION CARRIED.

6.5. Discussion: Chapter 1107.05 Swimming Pools.

Community Development Director Smith Strack explained the Planning Commission has discussed an update of code language relating to swimming pools as requested by staff. In addition to drafting sample language, staff was directed to reach out to insurance agents regarding industry standards for coverage of pools and to manufacturers for information on typical pool sizes and capacities. Community Development Director Smith Strack's memo provided research with two largest pool manufacturers as it relates to diameter and capacity. The results of research with insurance agents regarding liability with pools was also included with Community Development Director Smith Strack's memo.

The Commissioners reviewed the final draft language pertaining to swimming pools. Commissioner Carter expressed concern for the 48" depth of pool. Commissioner Hetzel commented that regulations should pertain to diameter and depth rather than capacity. Commissioner Tarbell concurred, stating that 48" depth is more disconcerting than capacity. Commissioners Carter and Hetzel suggested regulating pools exceeding 36" in depth. Commissioner Pankonin wants to ensure that regulations are such as to avoid the need to regulate kiddie pools. It was the consensus of the Commission to regulate pools that exceed 37" in depth.

MOTION by Commissioner Pankonin, second by Commissioner Carter, to call for a public hearing for a proposed ordinance amendment pertaining to Chapter 1107.05 Swimming Pools on June 12, 2017 for the Planning Commission and June 19, 2017 for the City Council. ALL VOTED AYE. MOTION CARRIED.

6.6. Discussion: Chapter 1107.20 Sign Code.

Community Development Director Smith Strack explained the Planning Commission discussed an update of code language relating to signs as requested by staff. Purpose of the update is primarily to pursue content-neutral language. Simplification of regulations applicable to dynamic signs and illumination standards are proposed. Additional flexibility for review of commercial and/or industrial multiple tenant and PUD are proposed.

The Commissioners reviewed the final draft language. Commissioner Carter supports the language pertaining to temporary banners. The short time frame will ensure banners remain fresh-looking. Commissioner Hetzel inquired about the determination as to whether the message is indecent or immoral and suggested the determination be made by a simple majority of the City Council. Community Development Director Smith Strack explained the language was written as such based on the outcome of a legal case in the City of Mayer. The City Attorney will be reviewing the draft language.

MOTION by Commissioner Carter, second by Commissioner Tarbell, to call for a public hearing for a proposed ordinance amendment pertaining Chapter 1107.20 Sign Code on June 12, 2017 for the Planning Commission and June 19, 2017 for the City Council. ALL VOTED AYE. MOTION CARRIED.

6.7. Development Review Process Debrief – Belle Plaine Health Campus.

Community Development Director Smith Strack explained that a contingent consisting of EDA Members Lisa Fahey and Dick Coleman, Planning Commissioner Tony Hetzel and Staff met with Ridgeview Medical Center Representatives. The purpose of the meeting was to gather honest, critical feedback from RMC regarding the development review process.

Commissioner Hetzel reported the review process went well. The Ridgeview representatives were pleased with Community Development Director Smith Strack's performance and quick response in keeping the development process of the Ridgeview Health Campus moving forward in a timely manner. There were no major challenges and RMC expressed gratitude to former Mayor Mike Pingalore for his efforts in bringing the health campus to fruition.

7. ADMINISTRATIVE REPORTS.

7.1. Commissioner Comments.

Chair Hvidsten announced his intent to step down as a Regular Member of the Planning Commission to become an Alternate. Time conflicts necessitate the request. Council Liaison Chard stated that Chair Hvidsten has done a great job while serving on the Planning Commission.

7.2. Director's Report.

Community Development Director Smith Strack summarized the highlights of her Director's Report.

7.3. Upcoming Meetings.

- 1. Joint Meeting, Destination 2040- Future Lane Use, 6:00 pm, Wednesday, June 7.**
- 2. Regular Meeting, 6:30 p.m., Monday, June 12.**

The Commissioners were reminded of the upcoming meeting as listed.

8. ADJOURNMENT.

MOTION by Commissioner Carter, second by Commissioner Tarbell, to adjourn at 7:57 p.m. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Patricia Krings
Recording Secretary