

**BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 11, 2019**

PLEDGE OF ALLEGIANCE

Chair Carter 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, March 11, 2019 at City Hall 218 North Meridian Street, Belle Plaine, MN Chair Carter called the meeting to order at 6:30 PM with Commissioners Ryan Herrmann, Ashley Cauley, Ashton Pankonin and Omni Kiecker present.

Also present were Community Development Director Smith Strack and Council Liaison Chard.

2. APPROVAL OF AGENDA.

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

3. APPROVAL OF MINUTES. 3.1. Regular Session Minutes of February 11, 2019.

MOTION by Commissioner Pankonin, second by Commissioner Kiecker, to approve the Regular Session Minutes of February 11, 2019. ALL VOTED AYE. MOTION CARRIED.

4. RECOGNITION OF INVOLVED CITIZENS.

*Persons may make statements to the Planning Commission pertaining to items **not** on the agenda. Maximum of three (3) minutes per speaker. No official action will be taken.*

No one stepped forward.

5. PUBLIC HEARINGS.

5.1. Shudy Variance.

Community Development Director Smith Strack explained John Shudy purchased the property at 326 Ash Street South in 2017 noting the property is the site for North American Safety. Smith Strack explained after taking occupancy of the building Shudy reconfigured an existing non-compliant parking lot. Smith Strack explained after a written code complaint City staff found work was completed without prior zoning review/ approval and resulting work had exacerbated existing non-conforming aspects of the parking lot. Smith Strack noted Shudy has remedied part of the violation including removing parking areas from the boulevard. Smith Strack referenced Shudy's proposed parking configuration included in the packet. Smith Strack explained if the variance is denied Shudy must bring up to code. Smith Strack explained as of the meeting she has received no public comment for or against the variance.

Commissioner Carter clarified the request is for three variances. Community Development Director Smith Strack confirmed. Commissioner Cauley inquired if the green area on the projection is the area where expansion was done. Smith Strack confirmed noting the blue line is the property line. Commissioner Kiecker inquired if a time restriction would be imposed. Smith Strack confirmed if approved conditions would apply. Commissioner Pankonin inquired on the parking requirement for a building of its size. Smith Strack explained code stated parking must be bituminous and 12 spots are required however, 13 are proposed.

Chair Carter opened the public hearing at 6:42 PM.

John Shudy of 115 S. Chestnut Street and owner/applicant of North American Safety expressed his hope of resolving improvements with in his budget and explained his improvements. Commissioner Pankonin

requested confirmation no parking is allowed in the right of way. Smith Strack confirmed. Shudy noted the trees and addition of green space, which will conform to in the 70% maximum impervious surface coverage explaining he is trying to improve but keep functional. Commissioner Cauley acknowledged the attempt to conform to green space noting problems arose when Shudy made changes. Cauley inquired how many employees work at the facility. Shudy explained he currently employees seven full time. Cauley voiced concern about the feasibility of the proposed parking lot, semi and delivery truck traffic.

MOTION by Commissioner Cauley, second by Commissioner Pankonin to CLOSE the public hearing at 7:00 PM. ALL VOTED AYE. MOTION CARRIED.

Discussion regarding project details commenced, commissioners noted changes needed to be addressed. Commissioner Pankonin inquired how long the variance will be in effect. Community Development Director Smith Strack explained if approved the variance would be in effect until the parking lot conformed to code requirements. Commissioner Cauley inquired if any funding is available. Smith Strack confirmed EDA revolving loan fund could be available for this project. Council Liaison Chard inquired if a project could be phased in being more economical to the business. Commissioner Carter explained the Commission is only allowed to vote on what is before the commission now.

MOTION by Commissioner Carter, second by Commissioner Pankonin to approve Resolution 19-005A: Approve After-The-Fact Variance Requests – Parking Lot 326 Ash St. S. subject to additional conditions. Roll call vote was taken, Commissioners Herrmann and Pankonin VOTED AYE. Commissioners Kiecker, Cauley and Carter VOTED NAY. MOTION FAILED.

MOTION by Commissioner Carter, second by Commissioner Cauley to approve Resolution 19-005B: Deny After-The-Fact Variance Requests – Parking Lot 326 Ash St. S. Roll call vote was taken. Commissioners Kiecker, Cauley and Carter VOTED AYE. Commissioners Herrmann and Pankonin VOTED NAY. MOTION CARRIED.

Community Development Director Smith Strack explained the recommendation for denial will go to City Council for review.

5.2. Scott Schmidt Rezone

Community Development Director Smith Strack explained a rezoning request: Central Business District to Mixed Housing – Scott Schmidt SE Quadrant Mid-Block Meridian and Court Street. Smith Strack presented a brief slideshow noting Schmidt's proposal for two family rentals. Smith Strack explained south of the proposed property is Valor a metal stamping company which produces noise and vibration. Smith Strack explained the City Attorney confirms an addendum to any lease agreement could include verbiage notifying lessees of the potential noise, vibration and traffic during normal business hours. Smith Strack explained she had received comment from the adjacent property owner whom is in the audience.

Commissioner Carter inquired if proposed housing would be for sale. Community Development Director Smith Strack explained the properties would be rental properties.

Chair Carter opened the public hearing at 7:24 PM and asked for public comment.

Brian Pawela, Owner of Valor Company expressed concern regarding ongoing potential noise complaints from the proposed housing. Pawela noted he is not opposed to the project however waned the committee to understand his business is a metal stamping company, which does produce noise and vibration.

MOTION by Commissioner Cauley, second by Commissioner Pankonin to CLOSE the public hearing at 7:32 PM. ALL VOTED AYE. MOTION CARRIED.

Commissioner Carter inquired if Mr. Schmidt wanted to address the concerns brought forward. Property owner Scott Schmidt stepped forward and acknowledged the potential noise and vibration for the rental

properties. Schmidt expressed his belief that rentals are the best option for this property. Commissioner Herrmann inquired if the housing will be built in phases or all at once. Mr. Schmidt explained his plans to build two homes in 2019 and the third home in spring of 2020. Commissioner Pankonin inquired if a requirement could be stipulated to maintain as rental properties. Smith Strack explained if Mr. Schmidt wanted to sell he would need to separate the lots. Gary Anderly Jr. property owner across the street from the property expressed concern of rental townhomes by the historic part of town. Carter clarified the smaller lots are the only portion proposed for a zoning change as the larger lot is zoned correctly for housing. Smith Strack confirmed.

MOTION by Commissioner Carter, second by Commissioner Kiecker to approve the Rezoning Request: Central Business District to Mixed Housing – Scott Schmidt SE Quadrant Mid-Block Meridian and Court Street. ALL VOTED AYE. MOTION CARRIED.

Community Development Director Smith Strack explained the recommendation for approval will go to City Council for review.

6. BUSINESS.

6.1. Discussion Residential Density

Community Development Director Smith Strack explained the EDA established the following 2019 goal: joint meeting of City Council, Planning Commission, and EDA in the first quarter of 2019 with purpose of plotting efforts to increase rooftops. Smith Strack explained City Administrator Meyer recommends the discussion be held Monday, March 18 during a planned work session of the City Council.

Discussion regarding the current zoning height of three stories being addressed. Commissioner Herrmann noted if zoning allows for taller buildings money will also need to be budgeted for a larger ladder truck. It was the consensus of the commission for as many Planning Commission members attend are as available.

7. ADMINISTRATIVE REPORTS.

7.1. Commissioner Comments.

Commissioner Carter made note of the passing of Tony Hetzel a previous Planning and Zoning Committee member and chair, noting his service to the community.

7.2. Director's Report.

Community Development Director Smith Strack highlighted items on the Directors report.

7.3. Upcoming Meetings.

1. Next Regular Meeting, 6:30 p.m., Monday April 8, 2019.

The Commissioners were reminded of the upcoming meetings as listed.

7. ADJOURNMENT.

MOTION by Commissioner Pankonin, second by Commissioner Cauley, to adjourn the meeting at 7:54 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary