

City of Rockville Planning Commission Minutes
May 10, 2005 Time: 7:00 pm
Place: John Clark Elem. School Media Ctr.

Present: Jerry Bechtold, Kathleen Stanger (6:45 pm), Linda Peck, Dale Borgmann, Don Merten, Toni Honer, Dan Hansen. **Absent:** Vern Ahles (liason from City Council).

Staff: Judy Neu (Administrative Assistant)

Approval of Agenda/Amendments: Moved by Don, Seconded by Toni, to approve the agenda and amendments. Passed.

Approval of Minutes 04-26-05: Toni moved, Dale seconded, approval of the minutes with the following correction: Under Additions to the Agenda – Public Hearing (Thomas Schlieman’s Shoreland Variance requests): the votes on the motion by Linda, seconded by Jerry, to accept the Findings of Fact and deny the variance request should read: Yes votes: Jerry, Linda, Dale **(not Toni)**, and Don. No votes: Toni **(not Dale)** and Kathleen. Unanimous vote to approve minutes as amended.

Reading of the Minutes: Jerry moved, Don seconded, that we suspend the reading of the minutes. Passed.

New Business:

- a) **Public Hearing: Request of Wally & Lori Mohs for a variance from R-1 District rear yard setback requirements.** The hearing began at 7:10 pm. Wally Mohs was present and went over the variance request. The Mohs would like to add a 12’ x 14’ deck to the back of their home on 517 Cypress Court (Lot 8, Block 1, Countryside Addition Plat 5). They need a variance from the 35 foot rear yard setback. They are requesting to be only 26 feet. As there was no one from the public wishing to testify, **Dan moved, Don seconded, that the public hearing be closed. Time: 7:20 pm. Passed.** Discussion followed which clarified that the proposal was outside of the MNDOT right-of-way for TH 23 (no building is allowed in this right of way). Commission members proceeded to go through the six points outlined in the Findings of Fact for supporting/denying a variance: Each of the six points received unanimous Yes votes. The following comments were noted: 1) the request is outside the TH-23 right-of-way; 2) it is in keeping with the community; 3) originally (when this house was built) the rear yard set back was 20 feet. Under our recently passed Comprehensive Plan and accompanying Zoning/Subdivision Ordinances the rear yard set back was increased to 35 feet; 4) the land abutting the back line is owned by the state and will have no dwellings on it. **Dale moved, Toni seconded, that the Planning Commission approve the Findings of Fact and recommend that the City Council approve this variance request. All Planning Commission members voted Yes.**

Old Business: Dan asked for some clarification on the grant request to the Initiative Foundation to hire the Municipal Development Group, Inc.. The reason for the request is

to make sure that there are no inconsistencies between our Comprehensive Plan and the Zoning/Subdivision Ordinances that are designed to implement the plan. Jeff Hagen from the City Council felt three things were important for the MDG to address: 1) look carefully at the permitted uses in the various zoning areas; 2) compare our permitted uses with permitted uses in similar districts in cities that border Rockville; 3) that MDG proceed District by District. He also felt that if a use was permitted it did not necessarily need to go before the City Council.

Discussion on Brentwood Development: At the last Planning Commission meeting a vote was taken approving the final plat for phase 1. However, concerns have been raised as regards what this means in light of the fact that the MNDNR (Mike North) and the U.S. Army Corps of Engineers (Yvonne Berner) have yet to make their final recommendations with respect to the wetland located within the woodland. (See letter dated April 29, 2005 from Mike North to Yvonne Berner). An upcoming TEP (Technical Evaluation Panel) meeting, tentatively scheduled for May 17th in St. Cloud, is when this issue will be discussed further by Stearns County, BWSR, Army Corps, SWCS, and the Developer. At present, the City Council has tabled approval of the final plat for phase 1. Although it is true that the City has its own process to follow when approving/denying plats, it is also true that various state and federal agencies have some input/power/say in the outcome as they are stewards of state and federal laws. The city's process and that of the agencies do not necessarily jive time-wise with each other. Most Commission members felt that the information from the agencies would be most helpful if completed before the City is required to make its decisions. However, this is not the case at present. With that in mind, **Linda moved, Jerry seconded, that Rena (City Administrator) make contact with Sue McGuire at Stearns County Environmental Services and request a report on the TEP's recommendations, as regards the Brentwood Development, when they are finalized. Passed unanimously.** Yvonne Berner would be willing to come and talk with the Planning Commission/City Council further about this, if she were invited to do so.

Adjournment: Dale moved, Dan seconded, to adjourn the meeting. Time: 7:50 pm. Passed.

Chairman _____

Rec. Sec. _____