

City of Rockville Planning Commission Minutes
January 10, 2006 Time: 7:00 p.m.
Place: John Clark Elem. School Media Ctr.

The meeting was called to order at 7:00 p.m. by Chairman Jerry Bechtold.

Roll Call: Present: Bechtold, Honer, Peck, Borgmann, Hansen, Schmidt. Also present: Vern Ahles (liason with the City Council).

Staff: Rena Weber (City Administrator), Scott Hedlund (City Engineer), Jim Mogen (City Attorney).

Approval of Agenda/Amendments: Moved and seconded that the agenda/amendments be approved with the following addition: Report on the Grand Lake Meadows Development by the Subcommittee. **Passed.** A request to reschedule site visits and discuss undertaking a natural resource inventory within the City was postponed until the Planning Commission's January 24th meeting.

Subcommittee Report on the Grand Lake Meadows Development: Toni Honer read the report into the record (see attached). To clarify the report, Scott Palmer from the Grand Lake Association put up a map depicting visually the Subcommittee's recommendations. Due to time restraints, Chair Bechtold requested that comments by Commission members be postponed. At a future scheduled date, all Commission members will be able to share their thoughts. Mayor Herberg agreed to get further input from the many citizens who were in attendance by moving to the school gym. This allowed the Planning Commission to go on with the rest of the agenda.

Approval of Regular Planning Commission Minutes for 12/13/05: Moved and seconded that these minutes be approved as recorded. **Passed.**

Approval of Special Planning Commission Minutes for 12/20/05: Moved and seconded that these minutes be approved as recorded with several clarifications being forwarded to Cynthia Smith-Strack (MDG, Inc.). **Passed.**

New Business:

- a) **Public Hearing: Kim and Duane Koepp – request for variance from side yard requirements:** Jerry opened the public hearing at 7:28 p.m. Rena read the public hearing notice. The request is to administratively move the lot line between Lots 7 & 8, Grand Lake Park, by attaching an additional 20 feet to Lot 6 thereby creating two (2) conforming lots in excess of 10,200 square feet. By doing so, the westerly property line of Lot 7 moves to within two feet of an accessory structure (shed) currently in place. Rena made the following correction in the public hearing notice: within the shoreland zone, a conforming lot would have to be 15,000 square feet vs. 10,200 square feet. Thus the two lots created in

this proposal would not meet the shoreland requirements. Duane Koepp (11011 Hubert Lane) addressed the Commission. He lives on Lot 6 and owns Lot 7 (both of these lots compose Tract B). He recently bought Lots 8 and 9 (Tract A to the west). He plans on selling all the property in the near future and would like this variance approved so this is taken care of prior to sale. Jim Mogen (City Attorney) reminded the Commission that the Boundary Commission had done considerable work on lot lines all along Hubert Lane. Their report was before the District Court. Because the District Court has the power to change lot lines recommended by the Boundary Commission, he would advise the Planning Commission to consider two options at this time: 1) ask if the Koepps would be willing to waive their rights under MN statute 1599 which requires action be taken by the City Council within a certain amount of time, **OR** if the Koepps are unwilling to do this, then 2) deny the request until the District Court decision process is completed. How long this process will take is uncertain, but it could be as long as one year. Chair Bechtold asked if there were any citizens wishing to testify at this point. Kim Klein (a neighbor - 11323 Hubert Lane) expressed that granting the Koepps' request at this time would not be a problem. John Weismann (neighbor - 11001 Hubert Lane) also was supportive of granting the Koepps' request. **Moved and seconded that the Public Hearing be closed. Time: 7:42 p.m.** Rena read through the Finding of Fact (Supporting/Denying a variance). Questions 1 and 4 received all Yes votes; questions 2, 3 and 6 received 5 Yes votes and 1 No vote; question 5 received all No votes. **Moved and seconded that the Planning Commission recommends the City Council grant the lot line adjustment requested and also approve the variance from side yard requirements. Passed: 5 Yes votes, 1 No vote.**

b) City Attorney – Moratorium on Development – Ordinance:

City Attorney Jim Mogen recommended that the City adopt an interim ordinance establishing a moratorium on the development, subdivision and use of certain land within the City of Rockville for the following reasons: 1) at present the City is working under three differing ordinance directives that were in process under three levels of government: City of Pleasant Lake, City of Rockville and Rockville Township prior to consolidation; 2) the new City of Rockville needs to adopt a City-wide ordinance and needs time to finish this process. He recommended that we adopt this moratorium by resolution and ordinance. Questions by the Commission identified several developments at various stages of completion that may need special consideration leading to possible exceptions being incorporated into the moratorium language. The attorney agreed that any such revisions were best completed prior to action by the Planning Commission. **Chair Bechtold moved to table this item, without prejudice, until the Commission's January 24th meeting so that revisions can be made. A Public Hearing will be scheduled for February 1st, 2006.**

City Attorney – Moratorium on Signs – Ordinance:

Attorney Mogen recommended that the Commission support an interim ordinance establishing a moratorium on the Construction of Signage Structures within the

City of Rockville. This moratorium is motivated by a situation that is occurring in the state of Minnesota and elsewhere. Various large billboard companies are actively seeking out levels of government with weak sign ordinances, working out a way to challenge such ordinances, and while this challenge is in process actually gaining the power to erect billboards essentially where they demand they be placed. A moratorium by the City of Rockville will allow MDG, Inc. and the City to complete the review of our sign ordinances (presently underway) and get the ordinances adopted. **Moved and seconded that the Planning Commission strongly recommends that the City Council approve an interim ordinance establishing a moratorium on the construction of signage structures within the City of Rockville as soon as possible. Passed unanimously.**

- c) **DeLayne Ruegemer – Administrative Plat Approval:** Rena read through the Certificate of Compliance. The owner (Ruegemer) wishes to divide Lot 2 (Shady Oak Terrace) in half and attach one-half to Lot 1 and one-half to Lot 3. DeLayne explained further why he was asking for this split. He also asked about the 20 foot trail easement along the southern edge of Lot 1 where he presently resides. He intends on selling his home and wanted to know if the easement remained or if he was to pay a park land dedication fee. The Park and Rec Board and the Trail subcommittee all want the 10 year trail easement to remain with Lot 1. **Moved and seconded to approve this Administrative Plat. Passed unanimously.**

Bill Molitor, Prairie Industrial Park, presented the Commission with some information as regards a replat on the east side of the cul-de-sac that runs north of Prairie Drive. He is looking at smaller lots (1 acre) because that is the size that is presently being sought by small businesses. All this acreage has City sewer and water. He was advised by the Chair to come back with his preliminary plat design for consideration at a future meeting of the Commission.

Jerry announced that a joint meeting was being planned between the Planning Commission, City Council, and Don Adams (Stearns County Environmental Services) to discuss the contract between the City and Stearns County providing specified land use and zoning services for the City by the County. Commission should review the Contract that was provided in our packets prior to this joint meeting.

Rena informed the Commission that only one person had applied to be considered as a member of the Planning Commission by the Friday, January 6th deadline.

Adjournment: Moved and seconded to adjourn the meeting. Time: 8:30 pm. **Passed.**

Chairman _____ Rec. Sec. _____