

CITY OF ROCKVILLE PLANNING COMMISSION MINUTES**MAY 23, 2006 Time: 7:00 p.m.****Place: John Clark Elem. School Media Center**

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

Roll Call: Present: Chair Bechtold, Toni Honer, Roger Schmidt, Dale Borgmann, Sue Palmer, Jerry Tippelt, Vern Ahles (liaison with city council).

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

Issue Oath of Office: Sue Palmer took oath of office.

Approval of Agenda: Moved, seconded and passed that the agenda be approved as presented.

Approval of Minutes of May 9th 2006: Moved, seconded and passed these minutes as recorded.

New Business:

b) Public Hearing: Prairie Business Park-request preliminary and Final Plat: William Molitor addressed the commission that his request for smaller lots is due to supply and demand, there are many people requesting smaller commercially zoned lots. Scott commented that if this be considered that his office has close supervision and amended or new development agreement. Jim Mogen commented that this should not even be considered for a final plat until the city engineer's office get further information from the petitioner. The attorney and engineer addressed several concerns about the development agreement issue. Scott commented that upon the sale of one lot it should trigger all the services being put in, Mr. Molitor requested this be more of an as needed issue, in case he sells two lots to the same buyer that only 1 stub may be necessary. Motion made at 7:20 p.m. to close the public hearing, motion passed. Motion made and seconded to approve preliminary and final plat contingent upon a developers agreement being worked out. **Motion passed unanimously.**

c) Rockville Bus Service-Concept Plan: Mr. Walz and Mr. Voigt approached the commission requesting that Voigt would like to purchase 5 acres of what is currently zoned A 40 to put up bus storage. Mr. Mogen cautioned the commission about allowing a rezone on one particular parcel (so it doesn't fall under spot zoning). Scott also addressed storm water run off. Extensive discussion on the concept plan was carried on, and several suggestions were made about the position of the buildings and possible parking and holding pond. Township road requires 63 feet from the center line and 17 feet from the right of way, so a minimum of 80 feet from the center of the road to the front of the building, but more preferably 100 feet. In Ag 40 commercial is allowed buy special restrictions may be placed. Mr. Mogen suggested that Mr. Voigt look at our ordinance in this matter. Rena is going to look into the commissions concerns about the road frontage and side line requirements. Mr. Voigt will keep in touch with city staff as he moves forward with this possible purchase.

Jerry asked council about the difference between changing a zoning code and transitional zoning. Mr. Mogen addressed the fine line between re-zoning, yet keeping in mind the over all effect that rezoning one particular parcel may have on other parcels in that particular area. He stressed looking at the big picture before re-zoning is allowed.

d) Administrative Sub Minor- Duane Willenbring:

Mr. Willenbring addressed to commission about a letter that he had received after he had previously addressed us in February that stated the city attorney has misspoke at that meeting. The attorney clarified that although he was wrong at that meeting what Mr. Willenbring is requesting is still not acceptable. No matter how the lot lines are adjusted there is no way that he can put a home on those lots without requesting a variance and meet the hardship requirements to have that variance issued. Council urged Mr. Willenbring that he would have to stress that the only reasonable use of those lots are to build a residential structure and that he would have a hardship enforced upon him by the city if he was not able to build the homes he wants to build.

e) Transitional Zoning: A graduated step between zoning districts. Keeping options open so that there may be some in between options.

f) Discuss/review SP1 Ordinance: Jerry said he did some research at the county and he came up with 204 parcels that were under 40 acres in this city. There are several of these pieces that are land locked. Jerry also said that under the township they would rather see more build-able lots so they would allow people to divide their lots, and help generate a tax basis for the city. Jim encouraged us to be cautious about allowing this to continue so “loosely”. Rena and Jerry assured him that this would mainly be allowed on land that was not acceptable for farming. Discussion was also made that if lot splits are allowed at this time it does help protect those spots so that in the future it will be harder for a large developer to come in and buy out large acreage and turn them into sub divisions.

g) Chairman’s Report: Jerry talked to the guy at Bauerly’s pit, it looks like they may be moving some time in the near future, so he really did not get anywhere. He also talked to Stone crafters about cleaning the foliage around his building, he said he would put forth more of an effort to keep his lot looking cleaner.

General discussion was carried on upon how we can better use our time and work together with the city council.

Toni thanked the commission members that came to the tree planting ceremony for Don.

Adjournment: Motion made and seconded to adjourn the meeting. Time 9:27 p.m. motion **passed.**

Chairman _____ Rec. Sec. _____