

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,
TUESDAY, APRIL 08, 2008 – 6:35 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Chair Toni Honer. Roll call was taken and the following members were found to be present: Chair Toni Honer, Jerry Bechtold, Jerry Tippelt, Dan Hansen, Vern Ahles & Dale Borgmann. Absent Steve Dietman

Staff members present were: Billing Clerk/Administrative Assistant Judy Neu.
Others present: Keith Knutson.

APPROVAL OF AGENDA/AMENDMENTS – Motion by Member Bechtold, second by Member Ahles, to approve the agenda and addition as amended. Motion carried unanimously.

APPROVAL OF MINUTES 03/11/08 – Motion by Member Bechtold, second by Member Tippelt, to approve the minutes of 03/11/08 as presented. Motion carried unanimously.

NEW BUSINESS

KEITH KNUTSON-7815 Ahles Road supports the AG-10- Mr. Knutson explained that he purchased 40 acres in 1972 (Section 13). He has a Natural Resource Plan in place and that 12 acres are tillable. The reason for coming here is that one of his children would like to move back to the area. Mr. Knutson explained that in 1978 he platted his property into four (4) 10 acres parcels but never had it recorded. Mr. Knutson states that he supports the AG-10.

Member Bechtold explained that Mr. Knutson went through the proper procedure at the time but just didn't record it.

Mr. Knutson explained that he sold a 10 acre parcel on a contract for deed but that person never followed through with it and it was never recorded.

Chair Honer explained that Mr. Knutson has a warranty deed and a legal description for that 10 acre parcel. Chair Honer questioned if this is the property that his daughter wants to purchase. Mr. Knutson stated "no".

Mr. Knutson spoke to Greg Bechtold at Stearns County and Greg would like for the building to be put on another lot because of the "marsh" that is on that property.

Chair Honer would like for Mr. Knutson to bring the information back to City Hall and that she would bring it to the next joint meeting.

Mr. Knutson explained that the road is 66 feet wide.

DAN HANSEN-MINOR QUALIFIED SUBDIVISION: Dan Hansen stepped down from the dais and presented his case requesting a minor qualified subdivision. Each parcel will be more than 40 acres.

Parcel A-46.52 acres
Parcel B-45.03 acres
Parcel C-40.22 acres

Chair Honer read the written report from staff. **STAFF REPORT-04/04/08**

Dan Hansen – Minor Qualified Subdivision - Staff has met with Dan Hansen and he has made the corrections necessary. This parcel of land is 132.17 acres in size and may be done without platting as it is rural and contains no lot that is less than 20 acres. City Attorney, Engineer and Administration reviewed the application and had concerns:

Drainage & utility easements along the outer perimeters of the subdivision.
Access locations.
Dedication of 40' Right of Way along Ahles road.

STAFF RECOMMENDS APPROVAL

Member Tippelt explained that in the Minor Qualified Subdivision the “criteria” states that any subdivision containing not more than two (2) lots and which does not involve any new street or road, and is not likely to precipitate the extension of municipal facilities or public improvements shall be considered a Minor Subdivision.

Member Bechtold explained that Minor Subdivision is 2 lots or less.

Dan Hansen stated that when Jed Burkett (Attorney from League of Minnesota Cities) came to the City to explain land use. He stated that it is a state law that you can do a Minor Subdivision just as long as you allow 40 acres or more for each parcel.

Motion by Member Bechtold, second by Member Borgmann, to approve the Qualified Minor Subdivision plat as presented.

AYES: Honer, Bechtold, Tippelt, Ahles & Borgmann

ABSTAINING: Hansen

Motion passed on a 5 to 0 vote.

BRIGITTE WARE- 2 to 3 HORSES ON A 5 ACRE PARCEL (AG-40): No show.

Chair Honer read the written report from staff. **STAFF REPORT-04/04/08**

Feedlot Question – This issue keeps coming up and staff would like direction from the PC on how this should be handled. If you recall an issue came up on Lake Road where an individual is housing a horse within 1000’ feet of the lake. The City contracts with Stearns County for feedlot compliance on anything over 10 animal units. This needs to be reviewed, but I want your input first as Stearns County regulates from animal #1 and no matter what the size of lot.

The request tonight is to house 2 to 3 horses on 5 acres. When I talked to Stearns County I was told they would not allow this, but we don’t have anything in writing to prohibit it. Think about the request and what the impact will be to the home owner who buys a 10 acre plot thinking they can have a horse and do you want to restrict that?

Member Bechtold stated that Stearns County revised their feedlot ordinance and that he will follow up with Don Adams.

Member Tippelt explained that when he pulled his feedlot permit he was told that what constitute a feedlot is when an animal(s) destroy the vegetation. A pasture is when an animal(s) are brought onto the property for a few hours and then removed.

PLANNING COMMISSION MEMBER/STAFF REPORT:

UPDATE ON MIKE NISLTER- Chair Honer explained that we are going to wait for Mr. Nislter to bring something forward.

STAFF REPORT-04/04/08

Dennis Backes Plat – Mayor Herberg, Jim Mogen and I met with Dennis Backes and Dave Hagen yesterday to discuss his plat (former Clarence Bloch property). Past history for Steve & Jerry: Mr. Backes purchased the land from Clarence back in 2004 for development purposes. At that time the sewer was being put in and the city oversized the sewer pipe to accommodate the acreage and no set number of units. That assessment is over \$300,000 and Mr. Backes has been paying some off each year, however, he is delinquent on taxes this year.

Mr. Backes is close to taking a hit and giving the land back to Clarence. He is not experienced with the conservation design concept, but we tried to assure him that using this concept will provide some cost savings benefits for him and also preserve the open space for the city.

The normal procedure is that the developer is to provide a concept plan and we go from there. We have been there, done that. Mr. Backes proposed a development with 305 houses and the city counter offered a design (similar to the conservation design concept) at

approximately 180 houses. This did not fly with Mr. Backes and then the city put a moratorium on transfer of development rights.

There is a significant infrastructure cost out there and rather than see that not captured, Mayor Herberg would like to see a task force formed to meet with Mr. Backes and Dave Hagen to see if we can meet somewhere in the middle and make it a win/win situation. This would occur over the next two months. Also, we keep talking about conservation design, but we have not decided on standards that we can put in an ordinance so it is hoped that with a project such as this, we can accomplish just that.

Task Force members are: Dan Hansen, Jerry Bechtold & Toni Honer.

Schneider Terrace – Just an FYI – Ray and Irene Schneider could not use the name Schneider Addition for their minor subdivision and are using Schneider Terrace instead. No action needs to be taken. I can assure that Lot 1 is 10 acres and the declaration of restriction is in the hands of Mike Schneider to have his parents sign.

OLD BUSINESS-There was none.

ADJOURNMENT – *Motion by Chair Honer, second by Member Borgmann, to adjourn the meeting at 7: 45 p.m. Motion carried unanimously.*

JUDY NEU
BILLING CLERK/ADMINISTRATIVE ASST

TONI HONER
CHAIR