

**MINUTES OF A PLANNING COMMISSION MEETING HELD,
MONDAY, NOVEMBER 10, 2008 – 6:30 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, Vern Ahles, Jerry Bechtold & Dale Borgmann. Absent Jerry Tippelt, Steve Dietman & Dan Hansen.

Staff members present were: Billing Clerk/Administrative Assistant Judy Neu & City Attorney Jim Mogen.

Others present: Mike Nislter and Doug Ruhland

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

APPROVAL OF MINUTES 09/15/08 – *Motion by Member Ahles, second by Member Bechtold, to approve the minutes of 09/15/08 as presented. Motion carried unanimously.*

NEW BUSINESS

EVENT CENTERS AGRICULTURAL ZONING DISTRICTS:

Ordinance No. 2008-53

AN ORDINANCE PROVIDING FOR EVENT CENTERS IN THE AGRICULTURAL ZONING DISTRICTS

WHEREAS, the City Council of the City of Rockville adopted official zoning controls (“Zoning Code”) pursuant to the authority granted in Minnesota Statutes, Chapter 462 in April 2003 which replaced all pre-existing official controls; and

WHEREAS, the City Council amended the Zoning Code by Ordinance Numbers 2003-06, 2004-18, 2004-19, 2004-20, 2004-25, 2004-26, 2006-30, 2007-40, 2007-41, 2007-42, 2007-43, 2007-44, 2008-45, 2008-46, 2008-47, 2008-49, 2008-50 and 2008-51; and

WHEREAS, the City Council has the authority pursuant to Minnesota Statutes, Chapter 462 to amend the official zoning controls; and

WHEREAS, the Planning Commission has recommended that the use of property within the agricultural zoning districts for event centers can, with appropriate performance standards and as a conditional use, be allowed without negatively impacting the adjoining property owners and other uses of the district, and has recommended the following amendment be adopted at its meeting on, 2008; and

WHEREAS, public hearing was held on _____, 2008 in front of the City Council, and members of the public were given an opportunity to comment on the proposed amendment. Notice of the public hearing was published in the Cold Spring Record on _____, 2008 and _____, 2008; and

WHEREAS, the City Council finds that the use of property within the agricultural zoning districts for event centers can, with appropriate performance standards and as a conditional use, be allowed without negatively impacting the adjoining property owners and other uses of the district.

**NOW, THEREFORE, the City Council does ordain:
SECTION I:**

Insert the following paragraph within Section 16, Subdivision 4, A-40 Conditional Uses, as appropriate, and renumber accordingly:

1. Event Centers, provided:
 - A. The capacity of all structures used in the operation of event center is less than 200 persons;
 - B. The facility has sufficient improved parking spaces for the facility which are located at least 150 feet from any neighboring property, no unimproved areas are utilized for parking, and facility is designed to prevent vehicle headlights from shining on neighboring property;
 - C. Access to the property is provided by a paved public road, or access is provided by a gravel road, and no residential building is located within 200 feet of the gravel road providing access from the nearest paved public road;
 - D. The driveway and parking surface are paved, or they are maintained to prevent dust;
 - E. The hours of operation is prohibited between the hours of 1:00am to 10:00am, and any other time which operation of a liquor licensed premises is prohibited;
 - F. No service or operation is allowed outside of the enclosed premises after sunset. At no time may the attendance at events located on the property exceed the capacity of the premises used in the operation;
 - G. No sound from the operation is discernible at the property boundary;
 - H. No light is directed off of the property, no flashing or blinking lights are visible from any property line, and no light is brighter than 0.1 footcandles at the property boundary;
 - I. The facility complies with all existing building, zoning and health code regulations.
 - J. All structures are setback at least 150 feet from any neighboring property, and at least 100 feet from the road right-of-way;
 - K. The facility maintains the essential rural character of the district; and
 - L. No event center is located within one mile of the proposed premises.

SECTION II:

Insert the following paragraph within Section 24, Subdivision 3, SP-1 Conditional Uses, as appropriate, and renumber accordingly:

1. Event Centers, as provided in Section 16, Subd. 4"

SECTION III:

Upon approval by six members of the City Council, the following shall be the summary of this Ordinance, and may be published in place of the full text of this Ordinance. Should a majority of fewer than six member approve this Ordinance, the same shall be effective upon publication of the entire text, as required by Minnesota Statutes, Section 412.191:

“The following is the summary of Ordinance 2008-__ approved by the Rockville City Council on _____, 2008:

AN ORDINANCE PROVIDING FOR EVENT CENTERS IN THE AGRICULTURAL ZONING DISTRICTS

Ordinance No. 2008-__ provides for event centers as a conditional use, with performance standards, within the A-40 and SP-1 zoning districts.

Mike Nistler voiced concerns on letter B. The facility has sufficient improved parking spaces for the facility which are located at least 150 feet from any neighboring property. Mr. Nistler questioned if that could be reduced.

Attorney Jim Mogen explained that the Zoning Ordinance has a similar requirement for industrial uses next to a residential uses. The idea here is not to impact the neighbor that is why the City has a setback requirement from a residential Use.

Mike Nisler explained that the parking will be in the back.

Doug Ruhland made comments on letter B and J in the proposed ordinance.

B. The facility has sufficient improved parking spaces for the facility which are located at least ~~150~~ 30 feet from any neighboring property;
and add in additional requirement that you are 150 feet from any existing residents.

J. All structures are setback at least ~~150~~ 30 feet from any neighboring property, and at least 100 feet from the road right-of-way;

Attorney Jim Mogen will make the necessary changes to the proposed ordinance.

- ◆ **B.** ~~150~~ 30 feet from any neighboring property and add an additional requirement of 150 feet from existing residential property.
- ◆ **J.** All structures are setback at least ~~150~~ 30 feet from any neighboring property.
- ◆ **L.** No 2 event centers located within one mile of the proposed premises.
- ◆ **H.** No light is directed off of the property, no flashing or blinking lights are visible from any property line, and no light is brighter than 0.1 footcandles at the property boundary; will change verbiage to make it easier to understand

Motion by Member Borgmann, second by Member Bechtold, to recommend approval with the above amendments. Motion carried unanimously.

WIND TOWERS (TURBINES):

Attorney Jim Mogen had concerns and will follow up with Kandiyohi County.

- Changing it to 1 miles vs. 2 miles
- Setbacks from residential structure
- Need to clarify on what Zoning Districts-Allowing wind towers in the I-1, 1-2, Highway Commercial, AG 40 & SP-1
- Decommissioning
- Safety Issue

Member Ahles stated to put a limited on the height of the wind tower (turbine).

Chair Honer stated that the height should be 250 feet or less.

DISCUSSION GREENHOUSE IN I-2 DISTRICT:

Notify Bruce Conrad to have him bring a written plan to the next Planning Commission Meeting.

DISCUSSION PARK LAND DEDICATION:

Chair Honer will get clarification at the next council meeting.

Motion by Member Ahles, second by Member Bechtold, to get clarification from Council to charge Park Land Dedication on 3 or more lots. Motion carried unanimously.

OLD BUSINESS-

DISCUSSION HOOP STRUCTURES IN R-1 DISTRICT:

Chair Honer will question City Council on enforcing the ordinance.

SHAMBA MUELLER RAINGARDEN:

Chair Honer suggest that we look at this next spring.

ADJOURNMENT – Motion by Member Ahles, second by Member Borgmann, to adjourn the meeting at 8:02 p.m. Motion carried unanimously.

**JUDY NEU
BILLING CLERK/ADMINISTRATIVE ASST**

**TONI HONER
CHAIR**