

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD  
TUESDAY, JANUARY 9, 2007 – 7:00 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Chair Jerry Bechtold. Roll call was taken and the following members were found to be present: Chair Bechtold, Commission members: Dan Hansen, Toni Honer, Roger Schmidt, Dale Borgmann, Jerry Tippelt & Vern Ahles liaison. Absent: None

Staff members present were: Zoning Administrator Rena Weber, Administrative Assistant Judy Neu & Attorney James Mogen.

Others present: Jode Boldt, Dan Kron, Jeff Hagen, and Mayor Herberg.

**ADDITIONS TO THE AGENDA - *Motion by Member Schmidt, second by Member Honer, to approve the agenda as presented. Motion carried unanimously.***

**MINUTES OF 12/10/06 - *Motion by Member Hansen, second by Member Borgmann, to approve the minutes of 01/09/07 as presented. Motion carried unanimously.***

**JODE BOLT – QUALIFIED MINOR SUBDIVISION -**

Rena Weber read the criteria for a qualified minor subdivision.

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

Dan Kron explained the difference between the certificate of survey and a recorded plat. A recorded plat will have easements dedicated.

Jim Mogen was present to further explain the difference between a plat and certificate of survey. Jim Mogen explained that the applicant is open to providing the easements. This request will still need a conditional use permit to build under the SP-1. The Planning Commission recommended approval last year with stipulations:

- a) *Final approval by Scott Hedlund – City Engineer (who is on vacation)*
- b) *Executing an agreement Dedicating right-of-way for 227<sup>th</sup> St and 73rd Ave Installation of improvements to provide for emergency vehicle access including a 20' driveway.*
- c) *Obtain all necessary permits for building.*
- d) *Building must be constructed within one year and meet all zoning/building/safety codes.*

Jerry Bechtold reported that the city engineer still had concerns as listed in his memo dated 11/6/06:

- 4) Show the proposed driveway culvert as minimum 15” diameter.
- 5) 20 mph advisory limit signs should be installed in both directions of the start of the curve connecting 73<sup>rd</sup> Avenue and 227<sup>th</sup> Street.

Jim Mogen indicated that these would be addressed on the conditional use permit.

Jim Mogen explained that this is a more relaxed way of subdividing property. Jim explained the history of what happened in the past.

Jerry Tippelt asked if there is a size requirement. Jim Mogen reported that no there is not and that Jode Bolt has restricted 40 acres someplace else and will transfer that development rights to this property.

Jerry Tippelt asked if the restricted 40 aces are contiguous to this. Jim Mogen stated that it is not contiguous, but this restriction has not been adopted by the city council.

Vern Ahles asked to clarify the city is not likely to precipitate the extension of municipal facilities or public improvements as they viewed this area during a recent bus tour. Jim explained that this request is not requiring that an improvement be made. Vern asked if adding more traffic would add more to the use of the road and also is it wide enough. Jim explained that any construction would increase the traffic at least by one car, but a single car on this road would not

require the road to be widened or improved. The Council and Planning Commission may find that this could disqualify the subdivision request.

Jerry Tippelt indicated that voting it down the last time was due to the dedication of land.

Toni Honer indicated that we should be so lucky to have somebody who is so adamant about for living in Rockville and applauds her for her effort.

***Jerry Bechtold motioned to approve the qualified minor subdivision as presented, second by Member Honer.***

***AYES: Bechtold, Hansen, Honer, Borgmann***

***NAYS: Schmidt, Tippelt***

***Motion passed on a 4 to 2 vote.***

Jerry Bechtold asked that the attorney assist in interpreting the ordinance. The language is definitely there and the only restriction we have is that the transfer must be in the city. Jim Mogen indicated that he would assist where he can in interpreting the ordinance.

Mayor Herberg reported that something has been brought to his attention in that people pay a lot of money to make application and he wonders at what point the Planning Commission says that we have enough information so that we don't make people spend more than they have to.

Another issue was the Wade Skaja plat where the Planning Commission did not make a recommendation and sent it to the council. The Council acted on the request and approved it. Mayor Herberg is trying to make things easier for people and does not want the city to get a bad wrap.

Toni Honer expressed concern that there should be a check list showing which areas of the ordinances are being reviewed. This check list should be attached to each application. Rena Weber reported that there is a check list available.

Mayor Herberg cited an example where he reviewed the checklist and the estimate came to \$10,000 for the information that is required by the city. The Mayor would like to discuss this at a working session by the Council and Planning Commission.

Jerry Bechtold reported that he would like to hire a planner talk to the commission about where we should have more density. He believes that at the time of consolidation there was discussion about having more density in certain areas where there is a lot of density already.

Discussion was held regarding property taxes and how the outer area is different than the core city. The amount of land and value was discussed.

Discussion was held regarding having two meetings per month – one at which regular business would occur and one where the Planning Commission will discuss ordinance changes.

Jerry Bechtold asked the Planning Commission to consider candidates for the Chair position and also the replacement for Susan Palmer's seat.

Discussion was held regarding the open Planning Commission position. Rena Weber reported that the City Council discussed this at the last meeting and suggested that the liaison become a voting member of the Planning Commission and further that this become a rotating position each year.

Mayor Herberg reported that this was tabled to allow the Planning Commission discuss this and to allow Vern Ahles to consider his opinion.

Jerry Bechtold reported that he has received complaints from applicants who said that the Planning Commission held the public hearing and when they got to the City Council the Council also held a public hearing. The applicants were not prepared to have their supporters at the council meeting. Jerry Bechtold indicated that he would give a more detailed report on these issues.

Mayor Herberg cited a “minority report” be given such as was suggested by Duane Willenbring in the past.

Vern Ahles indicated that he would stay on the Planning Commission and become a voting member.

***Motion by Member Schmidt, second by Member Honer, to recommend to the city council that Vern Ahles become a voting member of the Planning Commission. Motion carried unanimously.***

***ADJOURNMENT – Motion by Member Schmidt, second by Chair Bechtold, to adjourn the meeting at 8:16 p.m. Motion carried unanimously.***

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VERENA M. WEBER-CMC  
SECRETARY

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JERRY BECHTOLD  
CHAIR