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- 2
- 3
- 4
- 5 **1. CALL TO ORDER** – Vice Chair Scott Patten called the meeting to order at 7:00 PM
- 6
- 7 **2. PLEDGE OF ALLEGIANCE** – was recited.
- 8
- 9 **3. OATH OF OFFICE** – Lucia Wroblewski
- 10
- 11 **4. ROLL CALL** – Present: Vice Chair Scott Patten, Kris Kopitzke, Lucia Wroblewski, Mark Nelson, Jim
- 12 Langan (arrived late), Roger Bowman, Sally Doherty. A Quorum was present.
- 13 **ALSO IN ATTENDANCE** – City Council member Joe Richter, City Administrator Ron Moorse, City Clerk
- 14 Julie Yoho, City Engineers Nick Guilliams, Todd Hubmer, Sean Delmore; City Planner Bob Kirmis
- 15
- 16 **5. APPROVAL OF AGENDA** –
- 17 **Motion/Second: Doherty/Nelson To approve the Agenda of the March 5, 2018 Planning Commission**
- 18 **meeting. Passed 6-0-0.**
- 19
- 20 **6. APPROVAL OF MINUTES** –
- 21 A. February 5, 2018 Meeting Minutes –
- 22 **Motion/Second: Kopitzke/Wroblewski To approve the meeting minutes of the February 5, 2018**
- 23 **Planning Commission Regular Meeting as amended. Passed 5-1-0. (Doherty abstain due to absence)**
- 24
- 25 **7. ELECITON OF OFFICERS**
- 26 Nominations for chair: Wroblewski nominate Doherty. Doherty nominate Patten. Patten nominate Kopitzke.
- 27 Doherty would prefer support role, remove from consideration
- 28 Patten would like to withdraw himself from leadership position
- 29 Kris Kopitzke for Chair, Passed 5-0-1 (Kopitzke abstain)
- 30
- 31 Vice Chair: Nelson nominate Doherty
- 32 Sally Doherty for Vice Chair, Passed 5-0-1 (Doherty abstain)
- 33
- 34 Secretary position: Doherty nominate Patten for Secretary
- 35 Scott Patten for Secretary - Passed 5-0-1 (Patten abstain)
- 36
- 37 **8. REPORTS AND PRESENTATIONS** – none
- 38
- 39 **9. PUBLIC HEARINGS** –
- 40 **A. Matt Cooper Variance Application at 3988 River Road**
- 41 Chair Kopitzke opened the public hearing at 7:15pm
- 42 Administrator Moorse provided the following information:
- 43 Background
- 44 Matt Cooper, who has a purchase agreement on the property at 3988 River Road, has applied for variances
- 45 necessary to allow an addition to the existing house to provide a two-stall garage with living space above.
- 46 Existing Substandard Structure
- 47 The existing house is substandard in regard to both the front yard setback and the bluff setback. The house
- 48 has a front yard setback of 97 feet vs. the required 105 feet. Because the house is built into the bluff, it has
- 49 essentially a zero bluff setback vs. the required 100 foot setback. Also, the driveway serving the existing
- 50 garage has a slope of approximately 18% vs. the allowed slope of 12%. The house meets the 200 foot setback
- 51 to the Ordinary High Water mark (OHW) of the river.
- 52 Proposal
- 53 The existing house has a small one-stall tuck-under garage with a deck above. The proposed garage addition
- 54 would replace a portion of the existing garage and deck, would expand the footprint of the house to the north
- 55 by approximately 22 feet, and would expand the garage apron to the north by approximately 40 feet. The new

56 garage and living space above would mirror the two-story portion of the existing house, with the exception
57 that the roof peak of the addition is proposed to be 2'4" higher than the existing two-story portion of the
58 house, in order to allow a 9' ceiling height. The construction of the proposed addition and a retaining wall
59 would require grading and excavation in an area with a slope greater than 12%. These grading activities
60 would require erosion control measures. The additional impervious surface would require a drainage plan to
61 manage and treat the drainage prior to flowing down to the street and to the river.

62 The variances necessary to allow the addition are as follows:

- 63 1. A variance to allow a front yard setback of 92.4 feet vs. the required 105 feet
- 64 2. A variance to allow a bluff setback of zero feet vs. the required 100 feet
- 65 3. A variance to allow grading in an area with a slope greater than 12%
- 66 4. A variance to allow a driveway with a slope of 15% vs. the required maximum slope of 12%.
- 67 5. A variance to allow the roof peak height on the addition to be 2'4" higher than highest roof peak
68 on the existing house.

69
70 Kathy Madore, representing the homeowner, handed out extra materials with photos of neighboring
71 properties. Existing home is not insulated for winter use. It was a summer home.

72
73 Motion/Second Bowman/Doherty To close public hearing. 6-0-0.

74 Hearing closed at 7:22pm

75
76 Discussion

77 Wroblewski stated she has concerns about drainage and driveway slope

78 Madore indicated the driveway would be changed to a switchback and grading will be done for drainage and
79 driveway

80 Bowman asked about the extent of excavation for drainage, and the height of the retaining wall as it appears
81 to range from 6-8' on the north side. Also the design appears to put part of the structure further into the bluff

82 Gary Borland, representing the homeowner answered that the drainage specifics are still being worked out

83 Doherty questioned the overall structure height

84 Madore explained they are looking to install insulation and ducting, would like to have a range to work
85 within.

86 Nelson stated that a variance should be granted only for minimum requirements. That would be an 8' ceiling
87 not 9'.

88 **Motion/Second: Patten/Doherty Move to table until next month to review the new information**
89 **presented tonight; also the applicant is not completely certain of details at this time. The Planning**
90 **Commission would like more information.**

91 Discussion

92 Doherty stated that it appears that the applicant is following feedback, we just need more information.

93 Madore stated this is the second buyer for this property, and would just like to get conceptual design
94 approved.

95 Bowman stated it is difficult to support due to extensive excavation for drainage off the hillside / bluff. There
96 are too many open questions.

97 Motion Vote

98 **All aye, passed 7-0-0. Table until April**

99
100 **B. Nicholas Squires Variance Application at 14641 Afton Blvd.**

101 Chair Kopitzke opened the public hearing at 7:37 pm

102 Administrator Moorse provided the following information:

103 Background

104 Nicholas Squires is proposing to construct a 1,920 square foot accessory building in the front yard of his
105 property at 14641 Afton Boulevard. A photo showing the type of building proposed is attached.

106 The property does not have any frontage on Afton Boulevard, but is located at the end of a private driveway
107 that serves several properties. The parcel is 11 acres, which allows an accessory building up to 2,500 square
108 feet. The side and rear setbacks for an accessory building up to 1500 square feet are 50 feet. The setbacks for
109 an accessory building greater than 1500 square feet are 100 feet.

110 While the required front yard setback is generally 105 feet from the centerline of a public road, the property
111 does not have frontage on a public road. A relatively recently adopted ordinance requires the setback from
112 the front property line for properties without frontage on a public road to equal the required rear yard setback.
113 Also, locating an accessory building closer to the front lot line than the house requires the building to be
114 screened from the public road and from neighboring properties. There is a substantial amount of screening
115 between the proposed building location and the adjacent properties.

116 Because the proposed accessory building is larger than 1500 sq. ft., the required front and side yard setbacks
117 are 100 feet. The accessory building is proposed to be located with sideyard setbacks of 300 feet and 250
118 feet, and a front yard setback of 54 feet. As shown on the attached site plan, only a relatively small portion of
119 the property is suitable for a building site, due to topography. The existing house, drainfield and well take up
120 a significant amount of the buildable area.

121 Variance Needed

122 To allow the proposed accessory building, a variance to allow a front yard setback of 54 feet vs. the required
123 100 feet is necessary.

124
125 Nicholas Squires, applicant, stated he would like setback to build the structure

126
127 Peg Nolz, 15339 Afton Blvd., stated an unimproved public road comes into the corner of the property. Also
128 the house is in shoreland management area by Kelles creek. Asked if the DNR was notified?
129

130 **Motion/Second: Nelson/Doherty To close public hearing. Passed 7-0-0**

131 Hearing closed at 7:45 pm

132
133 Discussion

134 Doherty asked Nolz about the unimproved public road cul-de-sac.

135 Nolz said city could build road there. The existing driveway is over an easement on adjacent property. There
136 is confusion over front lot line location.

137 Administrator Moorse stated he would check the cul-de-sac ownership with the County.

138 Chair Kopitzke stated there are potentially two different variances needed. Would recommend the applicant
139 withdraw his application to reset the 60 day clock rather than send to the City Council with wrong variance.
140 Have to be 40' distance from bluffline; 200' from edge of stream.

141 Bowman asked why it couldn't be built closer to cul-de-sac – well and septic

142 **Squires agreed to withdraw the application and submit with Moorse's help regarding the shoreline
143 requirements.**

144 Doherty noted that the shape of the lot and cul-de-sac here remind her of the importance of following
145 ordinances.

146
147 **C. Afton Creek Preserve Application for Rezoning, Preliminary Plat and Conditional Use Permit for a
148 Preservation and Land Conservation Development (PLCD) Subdivision to create 18 lots on 219 acres of
149 land at 14220 60th Street and parcels with PID Numbers 33.028.20.32.0001, 32.028.20.41.0002,
150 32.028.20.42.0004, and 32.028.20.43.0001 and the parcel with PID Number to be assigned
151 (33.028.20.33.000X described in document No. 4142813).**

152
153 Chair Kopitzke opened the public hearing at 7:52pm

154
155 Administrator Moorse provided the following information:

156 Included in the packets is the Planning Consultant's report regarding the Afton Creek Preserve application for
157 Rezoning, Preliminary Plat and Conditional Use Permit for a Preservation and Land Conservation

158 Development (PLCD) Subdivision to create 18 lots on 219 acres of land. The report includes a number of
159 exhibits provided by the applicant and the City Engineer. Also included are letters from residents regarding
160 the application.

161
162 Bob Kirmis, City Planner, Provided a summary of the changes since the last application in October. Included
163 in the packet is his full written report. Several items to note: An amendment to the EAW is not needed. There
164 is justification to approve the rezoning. The 5 acre parcel right of way needs to be established prior to final
165 plat. The proposal does not require variances. PLCD language allows for a longer cul-de-sac. Lot 4
166 configuration has changed. Lot 2 side lot lines need to be adjusted. Open space exceeds required minimum.
167 Trees have been added. Open space allows for 5 acre lots in Ag area. Does not fulfill park dedication
168 requirements. 5 acre parcel connecting to Odell includes park dedication. Applicant had neighborhood
169 meeting with an alternative design; however the Planning Commission is to consider the application in
170 writing. Staff recommends approval with conditions noted in report.

171
172 Nick Guilliams, City Engineer, stated that from a traffic and stormwater management standpoint, he could
173 recommend approval of this prelim plat.

174
175 Sean Delmore, City Engineer, stated that based on information provided and analysis done the 30 mph
176 posting on Trading Post Trail is verified. Based on a 35mph speed for Odell the intersection is acceptable.
177 The report from Spack Consulting appears to meet requirements.

178
179 Todd Hubmer, City Engineer, stated that the drainage is adequate. Also the conversion of Ag land greatly
180 reduces the rate of runoff. Further review of final plat will take place.

181
182 Joe Bush, Developer, stated that with this design the land in the shoreland area has no development activity.
183 The conservation land is preserved in perpetuity. The Odell access splits traffic.

184
185 Mary McConnell, 5680 Odell, stated that this site has challenges and poor access. The Odell access involves
186 tearing down a home on a lot in an established subdivision to allow for a public road. Sets a precedence for
187 the city. There is no need for public road except for the development. Road must be preexisting, so it has to be
188 approved prior to prelim plat. Overall density averages are too high, the lots are condensed into ½ the
189 available space. Surrounding lots are all larger than 5 acres. One finding has to be it benefits area. Farm
190 access road issues, would like it conveyed to adjacent landowners. Alternative concepts of a 9 lot proposal
191 were withdrawn because the Land Trust is not interested in smaller parcel. Other partners could take
192 conservation area.

193
194 Doug Forbes 5460 Odell Ave., would be directly affected by the Odell access road. Seems the ordinances are
195 being overlooked. Previous owner had looked at developing this land, found other options are too expensive.
196 I went through the correct process to develop land, expect others to do the same.

197
198 David Husbey, stated he has concerns about traffic safety with right-hand- only turn. Un-enforceable.

199
200 Kevin Herboldt, 14099 50th St, asked if anyone has looked at traffic impacts on 50th St?

201
202 Guilliams answered that WSB has not looked at 50th St impacts.

203
204 Patti Wallin 14099 50th St., concerned about Odell access safety – the road is hilly and curvy. 35 mph is too
205 fast. Study 50th and Odell. After paving, 50th speeds are too fast.

206
207 Nancy Turner 13926 60th St., Bought an Ag property in Ag zone for Ag use. This puts her horse farm in the
208 middle of a housing development. The buffer she had in mind was not trees, as the developer is offering. Will

209 be only Ag property in 200 acres of Ag land. The intersection of Trading Post and 60th is dangerous.
210 Currently 8 cars go past her property daily. This is huge increase. Offended by the trees, would like a
211 conservation easement. The development option presented at the meeting on Feb 25th is one she could live
212 with.

213
214 Patrick Leahy, Odell, stated that the non-profit horse sanctuary purposely located in Afton based on the
215 ordinances. Suggested conservation easements around south between the horse sanctuary. Is the developer
216 donating land to Land Trust? Selling land? This park on Odell is not wanted. Encourage you to deny approval
217

218 Christian Dawson 5888 Trading Post Trail, expressed frustration over 15 months of feedback not being
219 listened to. Now they are tearing down a house in platted subdivision. Ordinances are set up to discourage
220 land prospecting, but that is what they are trying to do.

221
222 David Husbye, stated the most recent traffic study was done on 6 cars on snow

223
224 Rebecca Stahl, 5554 Trading Post Trail, Asked why the other design isn't up for review? Would like to see.

225
226 Peg Nolz, stated the County gave approval for 10 septic systems.

227
228 Craig Cook 5133 Odell, has traffic concerns. His house is the first driveway at bottom of hill, always very
229 careful pulling out of his driveway as people cannot see. Regarding the park, there are maintenance concerns,
230 it is of no benefit to neighbors, no one wants it. The proposal doesn't meet ordinances or comp plan.

231
232 Jim Rickard 5650 Odell Ave. provided written comments as he was unable to attend. Has concerns over the
233 access road on Odell. The design sets precedence for future.

234
235 Pat ?, 50th St, asked how long can this go on?

236
237 Anonymous speaker, stated development is coming to Afton. It would be nice to have trails in new area.
238 Conservation area protects the land better than ag uses.

239
240 Craig Cook, stated the Ordinances and rules need to be followed. No one is saying land can't be developed.

241
242 Kevin Herboldt, 14099 50th asked if a study has been done on runoff and impervious surface for Odell?
243

244 **Motion/Second Doherty/Patten To close public hearing. Passed 7-0-0**

245 Hearing closed at 8:56 pm.

246
247 Discussion

248 Nelson stated that it is the opinion of the city attorney that zoning still applies and inclusion in the plat
249 requires a variance or rezoning.

250 Wroblewski read ordinance language for PLCDs regarding rezoning

251 Doherty stated we are to look at the 5 acre parcel without context of the PLCD

252 Nelson stated that the neighbors provided input on a court case where it was found there is a presumption that
253 the existing zoning is correct.

254 Wroblewski stated that we are being asked to not consider the PLCD for the road on Odell, but we clearly
255 have to consider the PLCD. Setting a precedent here.

256 Chair Kopitzke stated that they are tied together

257 Doherty agreed that Odell is tied; the zoning is separate from the PLCD

258 Attorney Knaak stated that Odell typically wouldn't be considered part of the development. Normally would
259 have a preexisting road and development.

260 Wroblewski stated that the comprehensive plan is the City's bible. It states that rural areas are worth
261 preserving. After all this time, it doesn't feel that the developer has taken the ordinances or comp plan
262 seriously. Or that there has been a true listening session. Feels like they don't care about the neighbors or the
263 community. Must meet provisions of ordinances: must benefit. Proposed uses cannot have adverse impact on
264 enjoyment of neighboring property and use. Must work with neighbors. Conservation portion is awesome;
265 but we can't have that override all the other "musts" in the PLCD language.
266 Chair Kopitzke stated that it must harmonize with existing development. Road proposal goes against. The
267 covenants in the development are not what Afton is about. Creating something that is not Afton is not
268 harmony.
269 Patten asked if the Parks commission had recommended approval of park acceptance?
270 Wroblewski stated she was liaison to Parks meeting. Yes it was approved, they addressed it only as a public
271 connection to larger park easement.
272 Doherty agreed that it could provide connection.
273 Kopitzke asked about development rights. Have all the rights been transferred for quarter section from horse
274 property to this? Who has rights on quarter quarter section? Would like legal issues answered regarding
275 correct number of lot sizes for density
276 Nelson stated that 6 quarter-quarter sections gives 18 total. 1 is there already. Average density cannot exceed
277 underlying, so that is 17 lots max
278 Administrator Moorse stated that when there is a PLCD it increases density to 24, less the 1 lot Turner farm
279 Nelson stated it refers to underlying zoning district.
280 Administrator Moorse stated the comp plan refers to 4 per quarter-quarter in a PLCD
281 Chair Kopitzke stated that in the ordinance it "cannot exceed".
282 Nelson stated that the ordinance isn't written right.
283 Doherty recommends that we look at both sides of this. We told them to ask for no variances; that has been
284 achieved. We asked for a better traffic solution; and to preserve the most pristine part of land; that has been
285 done. It seems there may need to be some give to develop 200 acres into a PLCD.
286 Patten agreed that the no variance requirement, he has delivered. Would like to ask Mr. Bush about the other
287 version. Is this the best version?
288 Bush answered yes.
289 Patten stated that with the park no one wants and preexisting roadway condition, he can't make that leap.
290 Then the PLCD is not feasible.
291 Kirmis recommend you include that as finding in recommendation for denial
292 Wroblewski stated that 35 mph on Odell is too fast.
293 Nelson noted that the cul-de-sac is essentially straight which could justify a slight increase in maximum
294 length.
295 Doherty recommend that for discussion we break into 3 topics: Rezoning, Consideration of prelim plat
296 approval with Odell; and CUP.
297 Administrator Moorse explained that the CUP allows for specific conditions to mitigate issues. Plat is more
298 engineering and traffic.
299
300 **Motion/Second: Doherty/Nelson To recommend approval of the rezoning request from Rural**
301 **Residential to Ag zoning to the City Council with the finding that Ag is a down zoning and no change in**
302 **use.**
303 Discussion
304 Nelson stated there is no real change in use to justify it being zoned ag.
305 Chair Kopitzke stated the only reason to do it is to allow development on rest of 40 acres.
306 Doherty stated that this 5 acre parcel is a peninsula on its own surrounded by ag land.
307 Wroblewski stated that if an applicant came in with a zoning request, we would ask why it is being done. She
308 cannot ignore the fact that it is being done for the PLCD.
309 Administrator Moorse noted the considerations in staff memo pages 6-7
310 Nelson stated that the citizens group referenced there should be some mistake in the original zoning to require
311 this change

312 **Motion vote:**
313 **2 Aye, 5 Nay, Failed 2-5-0.**

314
315 Procedural discussion:
316 Patten stated that the right angles on lot lines discussed on page 10 should be a condition of plat
317 Attorney Knaak stated that the Odell property would have to be dedicated and accepted by the City Council
318 before approval of the final plat
319 Bowman stated we should discuss Odell first, separate from the plat

320
321 **Motion/Second: Bowman/Wroblewski to recommend that the City Council not accept the parkland or**
322 **the dedication of the road based on following findings:**

- 323 1. **Has no benefit the City and its citizens.**
324 2. **Additional maintenance with no perceived benefit.**
325 3. **Seen by residents to detract from value and enjoyment of land.**
326 4. **Access fails to harmonize with surrounding development.**
327 5. **There will be an adverse effect on traffic along Odell.**
328 6. **Land for the park is not currently in the 2012 Parks Plan.**
329 7. **The Parks Plan requires land to be suitable for park, this is not since a resident still lives on it.**
330 8. **Parks Plan requires a clear use for land; other than road there is no use. A road through a park**
331 **is inconsistent with city ordinances.**
332 9. **According to Parks Plan it does not provide recreational or scenic value, protect natural**
333 **resources, wildlife habitat, unique landforms, nor does it link current recreational areas.**
334 ~~10. Citizens would like non-motorized trails according to the Parks survey. This does not provide.~~
335 11. **Motion coincides with predominant public opinion we've received.**

336 Discussion
337 Doherty stated the potential virtues are that it could bring two communities together. It also allows access to
338 the conservation easement land.

339 Nelson stated the road ROW would allow space for a bike path. Strike the motorized trail comment.

340 Patten suggested to amend the findings (all agreed) to:

341 **12. This is a fully platted, existing neighborhood for over 30 years.**

342 Motion Vote
343 **Passed 7-0-0.**

344
345
346 **Motion/Second: Kopitzke/Patten Move to recommend approval of the Preliminary Plat for the Afton**
347 **Creek Preserve Preservation and Land Conservation Development (PLCD) to the City Council with**
348 **the following findings and conditions:**

349 **Findings:**

- 350 1. **Commitment that 60th Street will be paved**
351 2. **The PLCD design results in a land use density which is below the applicable AG, Agricultural**
352 **zoning district density requirement.**
353 3. **The proposed land use is consistent with the City's overall land use plan for the area.**
354 4. **The proposed land use is consistent with the proposed land use in the City's 2040**
355 **Comprehensive Plan.**
356 5. **The PLCD design results in the ability to protect the sensitive environmental features on the**
357 **site by preserving all lands near the trout stream.**
358 6. **Proposed lot sizes in the PLCD design are consistent with, or greater than, the lot size in**
359 **surrounding neighborhoods.**
360 7. **The preservation and conversion of the conservation area to native habitat would be beneficial**
361 **for stormwater, groundwater, and wildlife habitat and would be a positive amenity for the**
362 **community.**

- 363 8. **Zoning Ordinance requirements imposed upon PLCD developments have been satisfied.**
364 9. **Traffic generated by the project is within the capabilities of streets which serve or will serve the**
365 **subdivision.**
366 10. **The proposed plat incorporates an intersection with 60th Street near a curve on Trading Post**
367 **Trail that is substandard in terms of width and geometry.**
368 11. **The City has not identified a need for park land in the area of the Odell access street. In this**
369 **regard, the plat is inconsistent with the City's 2012 Park Plan.**
370

371 **Conditions:**

- 372 1. **The City approve the rezoning of the property formerly described as 14220 60th Street from**
373 **RR, Rural Residential to AG Agriculture.**
374 2. **Access and traffic related issues shall be subject to further comment and recommendation by**
375 **the City Engineer.**
376 3. **The Odell Avenue right-of-way be dedicated to the City prior to City approval of the Afton**
377 **Creek Preserve final plat.**
378 4. **The City Council confirm that the proposed cul-de-sac length (1,700 feet), within the context of**
379 **a PLCD, is considered acceptable.**
380 5. **Street-related issues, including but not limited to right-of-way width, shall be subject to further**
381 **comment and recommendation by the City Engineer.**
382 6. **The acceptability of the drainage and utility easement within Lot 4, Block 3 and related**
383 **maintenance responsibilities shall be subject to further comment and recommendation by the**
384 **City Engineer.**
385 7. **The plat drawing shall be modified such that the side lot lines of Lot 2, Block 3 shall be drawn**
386 **substantially at right angles to straight street lines and radial to curved street lines.**
387 8. **The two open space parcels shall be designated as outlots.**
388 9. **The applicant identify the proposed ownership and management of the conservation areas.**
389 **This issue should be subject to further comment and recommendation by the City Attorney.**
390 10. **The applicant provide explanation (acceptable to the City) regarding the lack of proposed front**
391 **yard tree plantings for Lot 8, Block 2.**
392 11. **In accordance with the submitted seeding plan, pre-development seeding with a prairie**
393 **grass/wildflower mix shall be provided on all lots and on the open space parcels. Maintenance**
394 **responsibilities associated with the seeded areas shall also be addressed by the applicant (to the**
395 **satisfaction of the City).**
396 12. **Wetland-related issues shall be subject to further comment and recommendation by the City**
397 **Engineer.**
398 13. **The proposed 20-foot wide access easement width between Lots 5 and 6, Block 2 shall be**
399 **determined acceptable to the City Engineer and/or Fire Chief.**
400 14. **Easements for drainage and utilities shall be provided over individual lots as recommended by**
401 **the City Engineer.**
402 15. **The City Engineer and/or Washington County Department of Public Health provide comment**
403 **and recommendation regarding the need to update the previously provided soils report to**
404 **correspond to the updated plat drawing.**
405 16. **Review of proposed septic designs and final septic permits shall be received from Washington**
406 **County prior to building permit approval.**
407 17. **City Officials determine desired park land dedication and/or equivalent cash contribution**
408 **requirements.**
409 18. **The applicant shall pave 60th Street from Trading Post Trail to Neal Avenue.**
410 19. **The farm access shall be prohibited as a construction thoroughfare or road during development**
411 **of the PLCD and redeployed to the benefit of the neighborhood.**
412

413 **Motion Vote**

414 **2 Aye, 5 Nay, Failed 2-5-0.**

415
416 **These would be findings of denial in accordance with Attorney Knack's recommendation to articulate**
417 **specific points:**

- 418 Predominance of public opinion.
- 419 Does not harmonize with area surrounding project site
- 420 Does not benefit surrounding area to a greater degree

421
422 **In support of the project:**

423 Preliminary plat did not require variances and did achieve an optimum conservation easement as desired
424 by the commission.

425
426 Bob Kirmis stated that if the preliminary plat has been denied, the CUP is also denied.

427
428 **Chair Kopitzke also noted:**

- 429 -Ordinance 12-2377 mentioned by Wroblewski regarding the fact that the land was previously developed
- 430 to maximum density. Also 12-2373 a3 has to harmonize with existing development.
- 431 -A PLCD cannot have an adverse impact on enjoyment of neighboring property.

432
433 10. NEW BUSINESS – none

434
435 11. OLD BUSINESS –

436
437 B. Update on City Council Actions

- 438 1. Council highlights from the February 20, 2018
- 439 Council member Richter provided a summary of the Council meeting.

440
441 12. ADJOURN

442 **Motion/Second: Wroblewski/Bowman To adjourn. Passed 7-0-0**

443
444 Meeting adjourned at 10:37 pm

445
446
447
448 Respectfully submitted by:

449
450 JY
451 Julie Yoho, City Clerk

452
453
454 **To be approved on April 2, 2018 as (check one): Presented: _____ or Amended: x**