

Hastings Planning Commission

**January 26, 2015
Regular Meeting**

Chair Estenson called the meeting to order at 7:00 p.m.

1. Roll Call

Commissioners Present: Estenson, Rohloff, Slaten, Wallace, Alpaugh, Deaver, and Johnson
Staff Present: Community Development Director John Hinzman and City Planner Justin Fortney

2. Planning Commissioner Oath of Office

Director Hinzman administered the Oath of Office to Commissioner Wallace

3. Approval of Minutes – January 12, 2015

Motion by Commissioner Rohloff to approve the minutes as presented. Seconded by Commissioner Alpaugh. Upon vote taken Ayes 7, Nays 0. Motion carried.

PUBLIC HEARING

4. Rezoning #2015-05 – R-3 Medium Density Residence to C-3 Community Regional Commerce – 107 21st Street West.

City Planner Fortney introduced the item requesting the Planning Commission to review the proposed rezoning of property from R-3 Medium-High Density Residence to C-3 Community Regional Commerce and make a recommendation to the City Council. The property is bank owned and the house was demolished last year when it was part of the proposal to build Kwik Trip Convenience store in 2011. The City would like this area to redevelop commercially opposed to residentially as guided in the 2030 Comprehensive Plan. This seems to be the appropriate time for rezoning, as the property recently became vacant.

Public Hearing opened at 7:05 p.m.

Robert Schiller, 1941 Eddy Street, whose property is adjacent to this property questioned if an “in and out” exit to County Road 47 would be allowed in the future. He does not want an intersection on the abutting property to his.

Fortney responded that Dakota County has certain standard requirements for intersections and would not allow an intersection to close to residential if it is busy.

Schiller asked if there are current development plans and if the property is for sale.

Fortney responded there are no development plans at the present time.

Hinzman stated that he heard the property is for sale, but has not seen any development plans thus far.

Schiller questioned if the present zoning of his property is residential or commercial.

Hinzman stated the property is currently zoned residential, but looking at the Comprehensive Plan for future land uses, the property is guided for future rezoning to commercial property development.

Schiller asked about the 21st Street intersection, and if there were any plans to improve it.

Hinzman responded that the need for 21st Street and its intersection with County Road 47 has diminished substantially. It would seem the development of the property there would eliminate the intersection, specifically for the neighborhood.

Public Hearing Closed at 7:10 p.m.

Commissioner Slaten asked if the request for rezoning came from the present property owners.

Fortney replied that the rezoning request came from City Staff who then notified the property owners by mail. Staff was looking ahead to future development.

Chair Estenson asked if there is any concern that the Bank who owns the property will come back and say they did not have ample time to respond to the zoning change.

Hinzman stated the Bank was given the traditional notification, and understands that if the property is rezoned commercial the value will likely increase the holdings of the asset. From a planning standpoint, leaving the property zoned residential would not be wise for future development.

Chair Estenson wanted clarification that the reasoning behind the rezoning was due to the absence of a structure.

Hinzman said this is the first time the City has initiated rezoning on someone's property in the 10 plus years that he has worked for the City of Hastings. The Planning Department felt because this property is vacant and not a good use for residential, it was a good time to go forward with rezoning the property in question.

Estenson questioned if there has been a discussion to vacate part of 21st Street.

Hinzman stated there has been nothing official, but appears to be likely upon a redevelopment scenario.

Estenson asked what the protocol for vacating the road would entail.

Hinzman stated that vacating the roadway would essentially be putting it back into private ownership, but with the drive still present. Work would need to be done to change that situation.

Commission Slaten questioned if the drive is a City road and does the City maintain it.

Hinzman stated yes.

Mr. Schiller questioned what kind of business would be allowed to move into the property in question, and would he be notified prior to approval.

Hinzman replied that anytime they receive a site plan for development, a meeting will be held for approval and traditionally a sign is placed on the development site.

Commissioner Deaver asked if the lot size is big enough to build commercially?

Hinzman stated that it would be pretty tight. The City does not have a minimum development requirement size, but that just would not be practical.

Commissioner Johnson stated that a developer would have to buy the current business and combined with the property in question to be large enough.

Hinzman concluded that it would make sense to buy the pieces and assemble them together.

Commissioner Wallace questioned access.

Chair Estenson said that what is currently 21st Street would probably become the driveway, which would be part of the site plan.

Commissioner Slaten said that this property has similar access problems that Kwik Trip faces on 17th Street and Hwy 61.

Commissioner Deaver asked if a residential home could be built on the smaller portion of the property?

Hinzman replied it would be very tight fit, if even allowable due to the significant mandatory setbacks from Cty Rd.47.

Chair Estenson asked is we can assume that Kwik Trip may buy the property if it is zoned commercial.

Hinzman said that it is a possibility, as Kwik Trip is aware that it is for sale. They have a significant investment in this area, and believes that scenario could come to attrition.

Chair Estenson questioned the possibility of changes to the intersection of County Rd 47 and Highway 61 in the future.

Hinzman stated he is not aware of anything.

The Commissioners had additional discussion on what is the intended purpose of rezoning this property Commercial.

Director Hinzman reiterated that allowing a residential zoning and possible construction on this property is not in alignment with the 2030 Comprehensive Plan.

Commissioner Deaver made a motion to recommend denial of the item for the following reasons:

- i. The land owner did not petition for rezoning.
- ii. The lot is most likely non-buildable for a residential dwelling.
- iii. Believes the free market should dictate the zoning of the property.

Motion was seconded by Commissioner Johnson.

Chair Estenson requested a roll call vote be taken.

Upon roll call vote: Johnson, Aye; Alpaugh, Nay; Slaten, Nay; Estenson, Nay; Rohloff, Nay; Wallace, Aye; Deaver, Aye.

Upon vote taken Ayes 3, Nays 4. Motion failed.

Commissioner Slaten made a motion to table the Hearing until the next Planning Commission Meeting. Seconded by Commissioner Wallace. 6, Ayes; 1 Nay – Commissioner Alpaugh.

Hinzman stated that staff will work and get more information on this matter, and it will be on the February 9th Planning Commission Agenda.

Hudson Redevelopment Update

Hinzman gave an overview of the plans for the Hudson property. Confluence Development will purchase the property and have signed a preliminary development agreement with HEDRA. The property will be developed as an historic site. 2.2 million dollars of grant monies have been secured for the development of this property. The site will be a mix of commercial and residential with apartments. A wedding, convention and meeting space will be a welcome addition to the downtown area. HEDRA will be looking more at the details of the plan in the next couple of meetings. Development should begin this Summer.

Commissioner Slaten asked if a profit will be realized on the Hudson Building.

Hinzman responded by stating the City did not purchase the Hudson Property to realize a monetary gain, rather other profits from redevelopment.

Presentation of 2014 Annual Report

Hinzman gave a summary of the projects that have been completed and included future projects which include Millner Chiropractic Health Solutions Center, Regina Hospital – Emergency Room, Kwik Trip, AutoZone, Nichols Inn, and residential development at Wallin 16th Addition, South Pointe Addition, and South Pines 8th Addition which include approximately 60 dwellings total. Increased number of permits for buildings, fences, and zoning have been realized in 2014. The City of Hastings has reserve property for future growth, which is very desirable. The Open

for Business Program that is offered at City Hall has been beneficial. The market has increased and is looking promising for the future.

Other Business

No other business.

Comments from the Audience

No comments from the audience.

Adjourn

Director Hinzman stated that Ardent Mills, formerly known as ConAgra has submitted a site plan a feed loader bin project expansion.

Motion by Commissioner Slate to adjourn the January 26, 2015 Planning Commission Meeting. Seconded by Commissioner Deaver

Upon vote taken, Ayes 7, Nays 0. Motion carried.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Adeline Schroeder
Deputy City Clerk

Motion by Commissioner Wallace to approve the minutes as presented. Seconded by Commissioner Slaten. Upon vote taken, Ayes 4, Nays 0. Motion carried.

OTHER ACTIONS

5. **Al Sieben** – House Move Request #2014-14 – 55th Street West.

City Planner Fortney introduced the item concerning the determination if the house move requested is functionally and aesthetically compatible with the site. The house is being moved from 117 15th Street East and also a detached garage from 118 14th Street East to 535 35th Street West. Both structures were proposed for demolition as part of the CVS Pharmacy construction project. Last year the applicant, Al Sieben, created a lot at 535 35th Street West by platting it from an out lot. The applicant intends to use the structure as a duplex. Some information on the area where the house is intended to be moved; the average homes to the North of the lot on Lester Avenue are valued at \$155,000. The value of the proposed house being moved is \$101,000 with about 1000 SF. The six homes to the north were constructed between 1969 and 1975 and are a bit larger with an average 1,400 SF. The proposed house was built in 1936. The applicant intends to raise the house up a half store to create a two unit dwelling, with one unit over the other. The house would sit on the lot sideways to accommodate a longer, but narrower lot. The single-wide garage door would be removed and two doors would be installed with internal stairways to each unit. The detached garage would be placed in the back of the lot. A paved surface driveway will be required. The use of the property as a duplex is in line with the Comprehensive Plan and the Zoning District. Notices were sent to land owners within 350' of the property; no comments have been received to date. Staff recommends approval of the request. The structure is a little older than other properties in the area; however, this area has a lot of variety from duplexes to single family to townhomes and commercial buildings to apartment buildings, which were built between 1940 to 2003. The home being relocated is in good condition and would receive additional improvements during the relocation process. The house will be set on the lot sideways to allow for proper setbacks and driveway access to the rear. The applicant may put a window on the side to make it more welcoming from the street.

Commissioner Slaten mentioned that the house does not fit aesthetically into the area, and questioned if water mitigation run off is an issue.

City Planner Fortney responded that there are no issues with water runoff.

Commissioner Slaten asked if access to the proposed building will come from Lester Avenue.

City Planner Fortney stated it would technically be from West 35th Street, at the point where 35th Street West and Lester Avenue meet at the rounded corner.

Commissioner Slaten asked if the driveway would run down the fence line.

City Planner Fortney responded the driveway would go between the new structure and the apartment building.

Commissioner Slaten asked if there were any plans for planting trees or bushes to beautify the area.

City Planner Fortney responded that it is required to have a tree planted in the front of the house and a tree planted in the boulevard area with the installation or building of a single family home.

Commissioner Rohloff questioned building permit review, and if this should be done prior to the site plan review.

City Planner Fortney stated that the building official is aware of this house moving issue. Mr. Sieben will have to draw up plans to show where all the beams would go, etc; if the site plan is approved.

Commissioner Alpaugh questioned if the driveway that is currently there would continue to be used by the apartment building.

City Planner Forney said that would cease and no longer be allowed. One of the conditions for platting this property included the applicant filing an easement that gives the apartment building in the center access to the East apartment's driveway in order to access parking in the rear. This agreement is being worked on currently.

Commissioner Slaten asked if the current driveway would be covered with dirt for planting.

City Planner Fortney said yes and for their driveway usage.

Commissioner Alpaugh questioned which direction the house will face.

Al Sieben stated it would be facing the apartment building to the East.

Chair Estenson stated the doors will be at the opposed side of the garage. Will there be space for additional parking.

City Planner Fortney stated that 2 parking spaces per unit are required, plus they have the garage, and the long driveway getting to the home.

Chair Estenson asked if the structure dimensions for the house were 28 feet wide and 46 feet long, and what is the preferred route to use for the move.

Al Sieben responded that he took the mover along the road. They took Vermillion Street, turned at Applebee's, and came up Cannon Street, then onto 33rd Street West to Lester Avenue onto the property. The move will be done at night with a Police escort.

Motion by Commissioner Alpaugh to approve Al Sieben – House Move Request #2014-14 – 535 35th Street West. Seconded by Commissioner Rohloff.

Upon vote taken, Ayes 3, Nays 1 Slaten. Motion carried.

The item will go before City Council on May 5, 2014.

Other Business

City Planner Fortney stated that we have 2 openings for the Planning Commission. One possible interview coming up, but will still have 1 more opening.

Commissioner Slaten asked about the CVS Pharmacy timeline.

City Planner Fortney said that the only timeline that he knows about is that CVS will likely do some demolition next week. They have their building permit, so they are all set to proceed.

Adjourn

Motion by Commissioner Alpaugh to adjourn the April 28, 2014, Planning Commission Meeting. Second by Commissioner Slaten.

Upon vote taken, Ayes 4, Nays 0. Motion carried.

The meeting adjourned at 7:25 p.m.

Respectfully submitted,

Adeline Schroeder, Deputy City Clerk
Recording Secretary