

Pursuant to due call and notice thereof, a Planning Commission meeting was held on Tuesday, February 20, 2007 at 6:30 p.m.

PRESENT: Katie Reiling, Doug Millaway, Bob Pogatschnik, Kurt Marthaler

ABSENT: Rick Fischbach

The meeting was called to order at 6:32 p.m.

Kurt Marthaler was sworn in and filed out the necessary paperwork.

MINUTES OF JANUARY 17, 2006

Motion was made by Bob Pogatschnik to approve the minutes, second by Katie Reiling, all in favor and carried. Bob Pogatschnik made the note that at the meeting on Thursday, February 8 a few of the issues in the minutes were clarified (parkland dedication, etc.)

The public hearing was opened at 6:35 p.m. for the Blattner Variance.

VARIANCE-Blattner (400 County Road 50)

Attach memo from meeting on Tuesday with Dan Lais to these minutes.

John and Chris Blattner were present to give an overview of the Blattner project. John Blattner is figuring the coverage of the site at present is around 95%. There would be one new entrance coming off of CR 50. He explained the placement of the detention ponds. He said right now there is no flow control on the site. If you look at the new site with the "imaginary line" this area has total erosion control. The temporary buildings will be removed along with the sealed septic tank. They will also be hooking up to city sewer and water. John Blattner does not know if the percentage of impervious surface coverage includes the temporary buildings or not. John Blattner may be leasing/renting/selling the current buildings so they may want to keep some of the parking for the new owner/renter. John Blattner stated they are going from 95% impervious to 75% impervious area by putting in this new office building and making this new area pervious surface. They are actually decreasing the impervious surface area on the lot by putting this new building in and renovating the site. They want to build the new office building on the west end of the lot so they can expand to the East in the future. Bob Pogatschnik showed different ways that might work to move the building around using his "cookie cutter" layout of the building.

Bob explained that by losing some parking but moving the building North it will be a little easier to sell the decision that the planning commission makes to the DNR. The planning commission would like to see the setback at 100' from the lakeshore instead of the requested 84'. Bob Pogatschnik said the DNR did comment that nothing on the slope or within 75' of water could even be touched.

Blattner's questioned the ability for Nova and other properties in the area to build or cover 75% to 100% of their lot. The planning commission explained that we do not know when the Nova Building was built and we cannot use these other properties to base our decision. Blattners went down the line of the lakeshore explaining how every business is not only over the 150 ft setback but most lots are almost 100% covered. Bob Pogatschnik explained when the shoreland ordinance was adopted and how we are trying to comply with this ordinance. The question of how did Columbia Gear get to build over the 25% impervious coverage did come up.

Blattner's are not going to be putting a green roof on the building. This was just a suggestion that Dan Lais with the DNR had. They are making the building compliant with LEED certification. Blattner's handed out a form explaining what is associated with the LEED certification. There are only 22 LEED certified businesses in the State of MN. They are going above and beyond making this site environmentally friendly. The planning commission commented that Blattner's are putting so much time and effort in the LEED certification but they also need to put just as much time and effort into moving the new office building or finding a way to make it more compliant with DNR regulations.

The planning commission went over the Findings of Facts with Blattner's. The first question was whether or not the building could be moved to the north at all. John said he would talk to the architect about moving the building. The Planning Commission asked what the hardship was for this variance—John Blattner said parking is a hardship for the employee's if they have to walk across the lot to get to the office building. Also, by expanding the building it will limit expansion in the future. Another hardship that was discussed was the fact that Blattner's is trying to improve the lot and with the restrictions that are placed on this property they are having trouble making everything work. Without the variance they are deprived of reasonable use of the property. Bob Pogatschnik also brought up the fact that Blattner's lost a lot of land when I-94 was installed.

Remodeling is not an option for them because there would be no place to run the company while construction takes place. They cannot afford to shut the business down. The planning commission questioned whether they need as much Class 5 in the area as they have. Right now they need most of the Class 5 for semis coming in and out near the loading dock. The area of land and the building that is the closest to the lake are the two areas that are used the most. The planning commission wants to make it clear that they realize this is a major improvement to the lot, but they want Blattner's to give the City some ideas of how they can give a little to make this project work for everyone. They will move the pervious surface area over to the east along the shore impact zone. They will also look into moving the building but they don't want to promise anything. Bob Pogatschnik went over the old and new zoning ordinance to see if this would change anything as far as how they are zoned. The main problem is the setback.

Motion by Bob Pogatschnik to close the public hearing at 7:55 p.m., second by Katie Reiling, all in favor and carried.

Motion by Doug Millaway, second by Bob Pogatschnik to approve the application for the variance with the following conditions:

- 1. Extending the green (pervious) area to the East along the 75' shore impact zone.*
- 2. Moving the structure North to create a minimum of 100 ft. setback.*

The planning commission would also extend the conditional use permit for the self-contained sewer tank to be good for 6 months after completion of the new structure. .

Future Land Use Map

March—The planning commission would like the final meeting on the zoning ordinance—they would like the public hearing for the Zoning Ordinance to happen in May. Amy needs to Email Shannon and Dan Lais and get an update.

The Planning Commission will go over the Future Land Use Map and address the white areas. We will bring this up to Shannon at the next meeting in March and get this map fixed.

Misc. Issues

Bob Pogatschnik explained the form that he handed out regarding Street Reconstruction.

Doug Millaway adjourned the meeting at 8:30 p.m.

Respectfully submitted,
Amy Pogatchnik