

**WALKER PLANNING COMMISSION
BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
October 30th, 2017
6:00 p.m. 701 Elm Avenue Walker Fire Hall Meeting Room**

- 1. Call to Order** 6:00 p.m. by Wilkening

Roll Call-

Members Present: Annie McMurrin (arriving before public hearing), Susan Ostlund (arriving during public hearing), Gary Wilkening, Rich Hansen and Randy Carlson

Members Absent: None

Public: Barb and Jeff Morrill

Staff: Terri Bjorklund and Pamela Smith

- 2. Additions or Deletions to the Agenda.**

None

- 3. Announcements by Chair.**

None

- 4. M/S Hansen/Carlson to recommend approval of Minutes for September 25th, 2017.**

Motion passed (3-0)

- 5. Planning/Zoning –Report for September 2017.**

Smith review the planning and zoning report with the board.

- 6. M/S Hansen/Carlson to recommend approval of Land Use Calendar meeting & deadline dates.**

Motion passed (3-0)

- 7. Public Hearing 6:05 pm to hear public comment on the proposed zoning reclassification.**

Public Hearing opened at 6:05 pm

Wilkening reviewed the proposed zoning reclassification with the public.

Wilkening invites public just joining for their input on the proposed zoning reclassification.

Jeff Morrill and Barb Morrill; owners of an adjacent parcel to the rezoning proposal, question what the definition of rural residential is. Wilkening explains that rural residential is similar to what the county zoning is for the parcels that are adjacent to but outside city limits. If they were ever to become annexed into the city their zoning regulations would similar to what they have now as well as allowing for on-site septic systems. Barb Morrill questioned if the new zoning of the rural residential areas would be able to have livestock. Bjorklund answered that it would depend on the size of the acreage and whether you would be able to be within the limits set in the animal ordinance. Barb Morrill questioned if one or two horses would be permitted within the zone. The board clarified that if there is more than 5 acres it is a possibility; however to be certain they would need to review the animal ordinance to see if it is permitted. Jeff

Morrill stated that when he first came to the industrial park he remembers that there was a lot of enthusiasm from the board to make that area zoned as an industrial park. He remembers that when he attended those meetings the Mayor at that time, Scott Bruns was motivated to do that. In addition to JOBZ we made the decision to locate our business there. We were led to believe that City Council was going to invest in the industrial park and build it up that is why we relocated here. Morrill states that there was also discussion on selling additional lots and paving it. Morrill states, 'we have had water problems we have to keep it running all the time in the winter or it will freeze up. We have to test our water monthly and the testing scares the employees.' Morrill stated that also have to do monthly water testing because of Hoss' landfill. He questioned Bjorklund for the name of the substance. He added that it is from the drywall in the landfill and that the negative aspect of it is reproductively. Morrill states that he is not sure how that will fit in with rural residential but assuming that people will be punching wells in that area, the City would have to fully disclose of that issue. Wilkening expressed that he was unaware of any contamination issues of the water, however he knows of issues when the septic system wasn't handled properly. Another concern from Mr. Morrill with the new rezoning is the possibility of having double-wides or whatever anyone wanted to build. Bjorklund reminds the public that they would have to meet the minimum building standards set by City ordinance. Morrill stresses to the board that they relocated there under the impression that there was going to be a commitment from the City to build up the industrial park. Morrill states that they came here to build jobs and build a business in this community. He stressed again that he doesn't want a bunch of trailer houses around, dogs barking, goats, etc. Bjorklund reminds the Morrill's that the area around where they are located will still remain industrial. Barb clarified that she understood that it was contingent upon a structure being built within two years. She questioned what kind of structure. Wilkening stated that it would have to be a suitable structure not just a travel trailer. Jeff adds that they have a lot invested in their business and where they are located is somewhat isolated. There is not a lot of traffic up there unless someone has malintent. Morrill adds the thought of having a lot of people drive up and down that road is frightening to him. He would feel more comfortable if there wasn't a road up to his place from the main road and would rather have an opportunity to have an entrance from town hall road instead. Jeff questioned how the City could afford to supply septic to the three businesses that are out there now. He added that there should be some incentive to develop the industrial park as was initially intended. Bjorklund responded that the main reason is because of the terrain. Wilkening notes that if they were to put a tremendous amount of business in the industrial park that was high water usage the City wouldn't be able to support it. Wilkening added that he is thankful for businesses like theirs because they are not high volume water business users. Wilkening adds that it would be nice to attract more users like CavCom. Wilkening stated that he doesn't see the back part of that area ever becoming industrial. Barb reminds that board that their issue is, they made an investment in the industrial park not rural residential. She added, who knows what that is going to be built there. We expect traffic of people going to and from work and trucks going in and out not a bunch of garages with living facilities. She questioned what the price of the lots, whom would be living there and what they would be living in. Carlson questioned if they had a chance to read the ordinance. There was some debate in regards to what qualified in the new ordinance as a garage with living quarters and what the

primary structure standards are. Bjorklund stressed that the ordinance is very much defined in what the minimum building standards for a primary structure is. The rural residential regulations states that you must have a home first before you can build a garage; these lots are not going to be storage area. It was the intent of the planning commission to have nice family homes built out there; to grow the population. She reminds them that the sewer and water are not built to supply much more than we have out there. The cost of bringing the supply to the industrial park is not cost effective. The board feels that increasing the tax base within the City so that the City could lower each individual's taxes because we are bringing in more overall. She adds that changing the back-half of the industrial park would not have a negative effect on the front half. Barb questioned if they could have a different entrance that that would isolate the industrial area from the rural residential area. Jeff questioned the board if there was an initiative to bring industries to the community. Wilkening responded, 'Is there a need? Would people even want another industrial park?' Wilkening further stresses that they don't have the housing to support those that would come to work in those industries. Jeff Morrill asked the board to consider an alternate access from their cul-de-sac to the other road and make it more difficult for the meth labs to find their place. Hansen questioned their concern about the traffic adding that they would have more traffic from any industry than you would have from fourteen houses. Barb stated the difference is business traffic verses residential traffic. She reminds that board that they have a significant investment for themselves as well as their employees would like to protect that. Jeff requests the board to consider a different access to the industrial zoned areas and to consider paving it and encourages City Council to look at this and if housing is a problem to get people here then solve it.

Public Hearing closed at 6:37 pm

8. M/S Hansen/Carlson to recommend approval for REZ-2017-01, the zoning reclassification.

The board reviews the larger zoning map noting where the locations of the current businesses are located along with adjacent roads. Bjorklund stated that what she believes the Morrill's concerns are, is that the rural residential is going to be low income, shabby, poverty-type people and stressed that that is not at all what the intent of rural residential is. Hansen added that having the two years to build a principal structure would take away a lot of people that wouldn't be able to afford to live there. Bjorklund adds that there are regulations in our ordinance that require a double-wides to be set on a foundation among other set standards covered in our ordinance and reminds the board that they can cost as much as a regular home. The board questioned the Morrill's traffic concerns; agreeing that there will be far less traffic with rural residential than if FOG moved in with 250 employees. Ostlund questioned if their only concern was that it was going to become on giant mobile home park. McMurrin stated that they just didn't understand the ordinance. Ostlund asked the board if after they explained the ordinance to the Morrills do you think they feel better about it now? Hansen replied that it was difficult because the board was guessing at the ordinance that regulates rural residential building standards. It could not be easily reviewed since the paper supplement hasn't been released for the code book that was available. McMurrin stated that it seemed like in the end they were okay with it as long as we considered a different entrance into their business and the other industrial

areas. Hansen brings up that it may be a matter of time before the residents of the rural residential area may complain about trucks coming in and out and backing up, etc. Terri questioned how many semi's are coming in out of the current business that are located there now; CavCom, Kaffe Havn, Stille Havn Hus? Wilkening stated that it could be potentially damaging to their property value from an industrial standpoint. McMurrin added that they can't make it industrial if people don't want to move here and open a business. We can't force people to move their businesses to that area. Wilkening states that he may never live to see that entire area filled with industries. Ostlund sates that she understand the Morrill's point of view and she can see how it was implied that it was an industrial park and it was zoned differently when they bought it even though it wasn't specifically stated, they probably had the reasonable assumption that the industrial park was going to stay industrial. Hansen questioned if there was an option to get a Right of Way from Next Innovations, noting the driveway and an additional access to the industrial park. The board discusses the possibility of a different access, the costs of installing and maintaining a new road and how it may not be cost effective. Hansen added that from a due diligence standpoint, the Morrills raised concerns and they should look at different options. Carlson and McMurrin agree that it is worth looking into, yes it may not be cost effective but they should at least look into it. Bjorklund reminds the board that you never know what it is going to cost until you have someone design it and that could cost you \$20,000 to \$30,000 to start with. The board agrees to look at different options and take the Morrill's request into consideration.

Motion passed (5-0)

9. M/S Hansen/Carlson to recommend of revised zoning fee schedule and for City Council to call for a Public Hearing on the revisions.

Motion passed (5-0)

10. M/S Ostlund/Hansen to recommend selling City owned property in the Industrial Park.

Ostlund recommends selling adding why sit on something that is not getting used. Hansen agrees noting that if we are to this point then it makes sense to try and sell it.

Wilkening stated they can bring it up to council to explore the option of an addition of a road. Hansen stated that he hoped that they would be able to get an inexpensive engineering opinion about what can be done and a ballpark figure of cost per hundred yards. Wilkening adds that we might be able to have someone interested in installing a road for the cost of a lot.

Motion passed (5-0)

11. Discussion on implementing a driveway ordinance.

Wilkening stated that one thing he saw is that the driveway material should equal the same material of the road that it abuts. The Board discusses how this would affect residents that would be expected to install a paved driveway and the costs that would be involved. Wilkening clarified that he was thinking of runoff and erosion. Bjorklund stated that there is an ordinance that states parking lots must be paved in the city. She notes the County had a gravel parking area for years and the Community Center still has not paved

theirs. Hansen questioned how many unpaved driveways abut paved streets inside City limits? Carlson agrees with the run-off issues that unpaved driveways cause but does not agree with telling someone that they now have to pave their driveway. Hansen reminds the board that any previous driveway that is unpaved would be legally non-conforming and that it would apply to the installation of new driveways. Bjorklund reads the following from the ordinance section 109-159 No. 6;

All parking shall be paved or provided with all-weather surface and be adequately drained to a pervious surface designed to allow entrapment of silts and nutrients prior to discharge to a public water.

Carlson questioned if the Community Center meets requirements now. Hansen believed that it does now because of the crushed asphalt.

12. Wilkening adjourned the meeting at 7:10 p.m.