

**MINUTES
PLANNING COMMISSION**

MAY 6, 2013

Chairman Dan Roberts called the meeting to order at 6:30 p.m. Members present were Darlene Loven, Donovan Mayer, Ron Mehr, and Bob McDaniel. Also present were Renee Eckerly, City Administrator; Ashley Alsum, Cable Coordinator; Stan Yarmon, and Brian Savage.

Motion was made by Loven to approve the minutes of the April 8, 2013 Planning Commission Meeting. Seconded by Mayer and unanimously carried.

LAND USE WORKSHOP

Members can contact Eckerly if they would like to attend any of the workshops.

VALLEY INDUSTRIES SCREENING/FENCING BETWEEN INDUSTRIAL & RESIDENTIAL ZONES

Savage was in attendance to discuss the fencing/screening options. The building will be 30 feet from the property line so Mr. Savage would not need fencing with a 20 foot grass, tree, and shrub area. He will visit with the Millers regarding fencing near their home.

VARIANCE REQUEST – CITY OF PAYNESVILLE

This item was pulled from the agenda.

OPPORTUNITY PARK SECOND ADDITION – PRELIMINARY PLAT

Roberts recessed the regular Planning Commission meeting at 6:35 p.m. and opened the Opportunity Park 2nd Addition – Preliminary Plat Public Hearing.

A Preliminary Plat Application was submitted by the City of Paynesville to plat Outlot A of Opportunity Park into 5 lots zoned C-2 Hwy Commercial. The Plat has been submitted to Stearns County for their approval. Eckerly noted that a regional storm water pond has been constructed and all lots will be using this for water retention.

Stan Yarmon was in attendance to express his confusion and frustration. For a number of years Mr. Yarmon has wanted to purchase land from the City and has been told he couldn't until the bypass was complete. Mr. Yarmon has recently asked to purchase land and was turned down again; however, McDonalds came in and offered the City money and the City sold them the land. Now Yarmon has lost 100 feet. Mr. Yarmon is interested in buying the easement that runs between his property and McDonalds. Mr. Yarmon wants the Commission/Council to consider his intent to purchase land prior to approving the plat.

Eckerly stated that she does not have the right to accept/deny or negotiate land purchases. Mr. Yarmon needs to bring in a purchase agreement and the Council would consider it in a closed session.

Mr. Yarmon questioned buying a part or all of Lot 5. Mr. Yarmon further explained that he is changing his existing building per Ford. Mr. Yarmon's plan is to change the front of his building from the East to the South. Mr. Yarmon asked what can be done before this property is platted.

Loven questioned the amount of feet Mr. Yarmon has lost and that the land is actually City easement. Mr. Yarmon stated that he has been using the easement to park cars on and push snow onto. Eckerly expressed that the easement is not Mr. Yarmon's land, but is City land. Yarmon expressed his desire to purchase all or a portion of the easement.

There was some discussion on lot lines and the misunderstanding between Mr. Yarmon and the City. Eckerly showed the Commission and Mr. Yarmon the Diekmann Business Park Plat, Opportunity Park Plat and the proposed plat regarding the lot lines, existing easement, as well as the easements that were vacated. There was further discussion on the easement and the 99 year lease with the Paynesville Area Center.

Eckerly reported on McDonalds' use of the easement for a storage shed and garbage enclosure. McDonalds' has signed an agreement that if any of the utilities need to be reached and damage is caused to either the shed or enclosure all costs are incurred by McDonalds to replace the enclosure.

Eckerly suggested that Mr. Yarmon prepare a purchase agreement and submit it to the City Council for consideration. There was further discussion on the easements and locations of the utilities.

Mr. Yarmon requested the need for 100 feet. There was some discussion on if the additional land would be used for a structure or just parking. Mr. Yarmon indicated parking, snow removal, and storage shed. Mr. Yarmon expressed his concern with McDonalds' garbage location.

The Commission discussed their options including approving, denying, or tabling a decision on the plat. There was additional discussion on a possible lot spilt and maintaining buildable lots and/or combining of lots.

There being no further comments and/or questions Roberts closed the public hearing and opened the regular Planning Commission meeting at 7:10 p.m.

The Commission discussed their options and the need to meet the 60 day rule. The Commission consented to table any decision on Opportunity Park Second Addition Preliminary Plat.

Motion was made by McDaniel to cancel the May 20, 2013 Planning Commission Meeting. Seconded by Loven and unanimously carried.

Eckerly commented that Jennifer Welling will be in attendance at the next meeting which is June 3, 2013 in Eckerly's place.

INFORMATIONAL

The Commission reviewed the invoices, building permits, and discussed the cleanup of the Minnie Street properties.

There being no further business the meeting was adjourned at 7:20 p.m.