

City of Oronoco
PLANNING & ZONING COMMISSION AGENDA
Thursday, July 11, 2024 - 6:30 PM CST
Join Zoom Meeting
<https://us02web.zoom.us/j/83393205260>
Meeting ID: 833 9320 5260

I. **CALL TO ORDER** *Time: 6:32pm*

II. **ROLL CALL**

Commissioners:

- | | |
|-----------------------------------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> Commissioner Kathy Brandt-Rucker, Chair | <input checked="" type="checkbox"/> Commissioner Scott Sorenson |
| <input checked="" type="checkbox"/> Commissioner Wendy Phillips, Vice-Chair | <input checked="" type="checkbox"/> Commissioner Colleen Fried |
| <input checked="" type="checkbox"/> Commissioner Jim Richards | <input checked="" type="checkbox"/> Commissioner John Evans |
| <input checked="" type="checkbox"/> Commissioner Jim Phillips | |

Staff:

- | | |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Staff, Phil Carlson,
Stantec Consulting City Planner | <input checked="" type="checkbox"/> Staff, Jason Baker,
Oronoco City Administrator |
| <input type="checkbox"/> Staff, Joe Palen,
Stantec Consulting City Engineer | |

III. **APPROVAL OF AGENDA**

Motion: Jim Phillips made a motion to approve the agenda.
Second: Jim Richards
No discussion.
Vote: 5-0 approved

IV. **APPROVAL OF MINUTES – June 13, 2024**

Motion: Motion was made by Jim Phillips to approve the June 13 minutes.
Second: John Evans
No discussion or corrections.
Vote: 4-0 approved

V. **PUBLIC HEARINGS**

A. **Hearing (posted for 6:35 pm or shortly thereafter) –
Variance at 115 2nd Ave NW – ~~withdrawn by resident~~**

- (a) Open Public Hearing *Time: _____*
- (b) Public Comments (speakers should sign form and turn into the Chair; speakers will be heard in turn)
- (c) Close Public Hearing *Time: _____*
- (d) Staff Report
- (e) **Motion:** As recommendation to City Council
First:

Second:

- (f) Discussion
- (g) Vote**

B. Hearing (posted for 6:40 pm or shortly thereafter) – Hamilton continuance – Rezone, Variance and Preliminary Plat

- (a) Open Public Hearing *Time: 6:40pm*
- (b) Public Comments (speakers should sign form and turn into the Chair; speakers will be heard in turn)

It was noted that this is a continuation from the June 13th hearing. Phil Carlson provided a detailed presentation, summarizing the four decisions the Planning and Zoning Commission needed to make: the future land use plan amendment, rezoning, variances (both dimensional standards and private streets), and the preliminary plat. Names of the various speakers that will be listed below have expressed concerns and arguments related to public health, safety, changes in community infrastructure, and adherence to existing laws and statutes. Concerns included increased traffic without adequate traffic studies, lack of specific building plans, and ensuring any granted changes fell within compliance with the city's comprehensive future land use plan.

The following community members provided public comments concerning the application, emphasizing the need for thoughtful, measured growth aligned with community values.

Steve McNamara – 1115 Riverwood Drive SW
Paul Jannetto – 1090 SE Cedar Dr.
Jeffrey Geske – 855 SE Cedar Point Lane
Morgan Kocer – 1240 SE Cedar Dr.
Brian Button – 940 SE Woodlands LN
Marie Reisdorfer – 390 Sunny View Lane SW
Beth McNeil – 725 SE Timberline Dr.
Travis Drucker – 960 SE Woodlands LN
Mark Johnson – 240 Shady Ridge LN SW
Marcus Allen – 620 Center view LN

After extensive public comments, both in-person and via Zoom, the public hearing was closed.

- (c) Close Public Hearing *Time:8:01pm*
- (d) Staff Report

Phil Carlson spoke on the implications on the community, the appropriateness of making large amendments to existing plans, and the prejudicial speed of decision-making.

Finding of Facts read by Wendy Phillips.

Findings of Fact Future Land Use

Plan Amendment Finding 1: The proposed amendment could adversely affect the public health, safety, and general welfare of the Community. a. There's been no traffic study completed, or even proposed, to determine the potential for increased traffic and consequent negative impact on the Community. b. There is inadequate safety infrastructure, such as sidewalks and turning lanes. **Finding 2:** The proposed amendment is premature, as the Planning & Zoning Commission is currently in the process of updating the City Code. a. There is concern that changes of this magnitude could be misaligned with the newly updated Code when completed. b. There is concern that changes of this magnitude could set precedence that would not be beneficial to the City's future development. c. The prudent timing for consideration of further changes to the Future Land Use Plan would be after the City Code has been revised and adopted. **Finding 3:** The Future Land Use Map — to guide future growth and development of the City — was updated and approved by Oronoco residents on July 21, 2020. **Finding 4:** The proposed amendment is inconsistent with the general intent and purpose of the zoning ordinance. **Rezoning Finding 1:** The proposed amendment could adversely affect the public health, safety, and general welfare of the Community. a. There's been no traffic study completed, or even proposed, to determine the potential for increased traffic and consequent negative impact on the Community. b. There is inadequate safety infrastructure, such as sidewalks and turning lanes. **Finding 2:** The proposed rezoning is premature, as the Planning & Zoning Commission is currently in the process of updating the City Code. a. There is concern that changes of this magnitude could set precedence that would not be beneficial for the City's future development. b. The prudent timing for any review of the existing zoning

districts would be after the City Code has been revised and adopted. **Finding 3:** The Future Land Use Map was updated and approved by the residents of Oronoco on July 21, 2020 and the land in question was designated as R-1 (low-density, single-family homes). **Finding 4:** The proposed rezoning is inconsistent with the general intent and purpose of the zoning ordinance.

Variations / Dimensional Standards & Private Streets Finding 1:

MN Statute 462.357, Subd 6 states, "Variations shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variations are consistent with the comprehensive plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means": a. That the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance. b. The plight of the landowner is due to circumstances unique to the property not created by the landowner. c. And the variance, if granted, will not alter the essential character of the locality. d. Economic considerations alone do not constitute practical difficulties.**Finding 2:**

The proposed variance for private roads could adversely affect the public health, safety, and general welfare of the Community. a. The narrowness of private roads could impede emergency vehicle accessibility. b. Residents living on private roads will have no entitlement to City snow removal and other weather related amenities. **Finding 3:**

The proposed variance is inconsistent with the general intent and purpose of the zoning ordinance. **Preliminary Plat Finding 1:** There has been nothing submitted — to Planning & Zoning Commission, City Council, or Oronoco residents — in the way of an artist rendering or floor plan of the 4-plexes, duplexes, and single family homes. The City has no idea what this project will look like once completed. **Finding 2:** There has been no assurance from the developer that the plan submitted to the Planning & Zoning Commission and City Council, if approved, will remain unchanged through the completion of the project. **Finding 3:**

The proposed Preliminary Plat is inconsistent with the general intent and purpose of the zoning ordinance. **The Oronoco Planning and Zoning Commission recommends denial of the Hamilton Group requests for Future Land Use Plan Amendment, Rezoning, Variances, and Preliminary Plat.**

(e) **Motion:** As recommendation to City Council

Motion: Motion was made to deny the Hamilton Group application for the future land use plan amendment made by Wendy Phillips
Second Jim Richards

Discussion:

Colleen Fried asked Jim Phillips about the WSB. Jim Phillips stated it is mainly zoning codes and lot sizes which will be discussed more. Jim Richards made a comment about how there was a lot of thought and public input as well and would like the community to be heard as well. Wendy would like to slow down a little and not be rushed into making decisions.

Vote: 5-0 approved to deny

Motion made by Wendy Phillips to deny the request for rezoning
Second: Jim Phillips

Discussion:

Colleen added one findings of fact that it does not meet the future land use plan.

Vote: 5-0 approved to deny

Motion made by Wendy Phillips to deny the variances for dimensional standards and private streets.

Second: John Evans

Discussion:

No discussion.

Vote: 5-0 approved to deny

Motion made by Wendy Phillips to deny the preliminary plat.

Second: John Evans

Discussion:

No discussion

Vote: 5-0 approved to deny

(f) Overall Discussion

Wendy Phillips reminded the Hamilton Group that the Planning and Zoning Commission is advisory, and the council would make a final decision.

VI. NEW BUSINESS

A. FYI: June 2024 Building Permits

The commissioners reviewed a printout of the building permits issued in June. They discussed the use of daily updates available through the iWork system. No further actions or discussions were required.

VII. OLD BUSINESS

B. UPDATE: WSB Project Update

A clipboard was sent around for anyone that wants to be part of the conversion to rewrite of the city code and Kathy will reach out.

C. UPDATE: Monthly incoming zoning applications and questions

Already discussed

D. UPDATE: 115 3rd St NW Status

Wendy and the City Administrator, Jason Baker, reported on the status of inspections performed at the property on June 27, 2024. They noted the property was declared unsafe due to factors like structural instability, fire hazards and unsanitary conditions, in line with findings by CMS and city ordinances. It will be brought before the council.

VIII. ADJOURN Time: 8:44pm

Motion: Jim Phillips made a motion to adjourn the meeting.

Second: Colleen Fried

Vote: 5-0 approved