

**MINUTES
AUSTIN CITY PLANNING COMMISSION
TUESDAY, FEBRUARY 15, 2005
5:30 P.M.
AUSTIN CITY COUNCIL CHAMBERS**

MEMBERS PRESENT: Brian D. Johnson, Janet Anderson, Glen Mair, Suzanne McCarthy, Lynn Spainhower, Elizabeth Bankes, Gordon Kuehne and Rich Bergstrom

MEMBERS ABSENT: Sue Grove

OTHERS PRESENT: Craig Hoium, Craig Byram, Council member Dick Pacholl, Jon Erichson, Jim Hurm, media and public

The meeting was called to order by Commission Member Brian D. Johnson at 5:30 P.M.

Commission member Kuehne pointed out that page four was missing from the January minutes.

Commission Member Johnson tabled the approval of the minutes until the next meeting.

OPEN PUBLIC HEARING: To consider a request from the City of Austin, 500 4th Ave NE for a conditional use permit pursuant to City Code Section 12.14, Subd. 2(C) which provides limitations relating to maximum quantities of fill which is conditionally permitted within designated Flood Fringe Districts. This request involves the property located at the Austin Municipal Wastewater Treatment Plant located at 1205 South Main Street.

Craig Hoium reviewed the request and suggested to the Planning Commission that getting the approval from the Department of Natural Resources be a condition for this request.

Commission Member Kuehne asked if there is a possibility to remove 1,000 cubic yards of material from elsewhere to accommodate for the flooding.

Mr. Hoium said for example, if you put up a structure, the amount of fill used to raise it above the flood plain is unrestricted. But for the placement of fill or a burn with no building requires a conditional use permit. I don't know how many yards were taken out of the Ulland Brothers quarry on the Plehal property. Jon will be able to answer that question in more detail.

Jon Erichson, City Engineer for City of Austin. The Wastewater Treatment Plant was the most critical structure for us to protect during the flood. We started making plans at 9:00 A.M. with contractors because of the record setting flood we were expecting. It was touch and go from 6:00 P.M that night until 6:00 A.M. the next morning. The amount of material we are talking about exceeding the 1,000 cubic yards in comparison to the flood is a very, very small number. The flows going through the Cedar River at peak conditions was about 17,000 cubic feet per second. That transforms into about seven million

gallons per minute. For a comparison, think of seven million one gallon milk jugs in that area. The number 1,000 cubic yards is a very small number. The area that we are now protecting was actually flooded. We created one burm, which failed and we built another burm and you can see the water trapped between them. We probably had more than 2,000 cubic yards of material in there because there were two burms. We also have an ongoing project with removing material from the flood plain behind the Eagles club. In 2004 we removed approximately 5,000 tons of material from that area which is more than was used for the burm.

Mr. Hoium read a letter from Mr. Fred Schmidt stating his opposition with the burm and the effect it would have on his property. Please consider the impact this project will have on local property owners.

Commission Member Anderson asked Mr. Erichson his response to Mr. Schmidt's letter.

Mr. Erichson said the burm was in place during the last flood. The impact of not having the burm would be substantially worse if we would have had 4,000 parcels of property with sewer backups. If you can imagine putting businesses out of business for a week to ten days due to the treatment plant not working. The impact on the community would be far more substantial than displacing water with 1,000 cubic yards. The treatment plant is an infrastructure item that provides service to everyone in Austin and it needs to be protected at all costs.

Bill Hardwick, 1914 4th St SE, stated his concern that the water was higher on his property this year. Are they looking at anything more permanent than a dirt burm? Could they make a study on how this will effect local properties?

Mr. Erichson said there are many things going on right now for the flood effort of 2004. One of the things is a regional study that we are working on with the Federal Congressional members and the Corps of Engineers. In the past we have had studies that only addressed Austin within the city limits. We are looking at a regional study that would address the entire watershed, which is water from Freeborn, Dodge, Mower and Steele Counties and encompasses about 250,000 acres. The federal government has indicated that they will support this study with the provision that we come up with a local match. Senator Sparks and Representative Poppy have introduced legislation to come up with that local match. As part of the study they will be looking at managing the water and watershed. That could be structural solutions in the counties or environmental issues and also forming a regional group to run this program. A lot of things are happening as we try to manage the water prior to it arriving in Austin.

Commission Member Johnson asked for any other questions.

Commission Member Mair said that as a member of the public he was unaware about this effort and thinks it is very critical. I would like to make a motion to approve this request for a conditional use permit with the condition of contacting the DNR, seconded by Commission Member Anderson. Motion passed unanimously.

Mr. Hoium stated that there would be a 15 day appeal period for this action.

OPEN PUBLIC HEARING: To consider a request from the City of Austin, 500 4th Ave NE for a conditional use permit to operate a portable ready-mix batch plant for the concrete resurfacing of the Austin Municipal Airport located at 710 21st St NE. Said Action is pursuant to City Code Section 11.55, Subd.3.

Craig Hoium reviewed the request. Mailings went out to area residents and he received a couple of calls with questions, which he referred to Jon Erichson.

Jon Erichson said the questions he received were all about the location of the temporary plant. We propose to locate the plant on the east side of the property where 28th street has been relocated. The length of time the paving will take is about ten days, add the hauling time and it will be approximately forty-five days for the entire project.

Commission Member Kuehne asked if 28th street is able to handle the heavy truck traffic.

Mr. Erichson said yes it is, and we do not anticipate using 16th Ave SE for truck traffic.

Commission Member Kuehne made a motion to approve the request for the conditional use permit, seconded by Commission Member Bankes. Motion passed unanimously.

Commission Member Johnson stated that there would be a 15 day appeal period for this action.

OPEN PUBLIC HEARING: To consider a request from Turtle Creek Estates, 4206 12th Ave NW, Austin, MN and David Hillier, 16 13 31st St SW, Austin, MN to construct 28 twinhomes on the proposed subdivision to be known as The Meadows. Said action is pursuant to City Code Section 11.30, Subd.3(F)

Craig Hoium reviewed the request. There were a lot of concerns about the storm water retention pond on this project. The developers have been working on an improved drainage plan. Outlot A will drain into Outlot B and then extend further east to correct an existing problem, the water will then drain down the west ditch on 31st street SW. An outstanding concern involves a letter from our City Engineer about the possible future development of 16th Ave SW and 31st St SW. Currently a portion of 16th Ave SW and all of 31st St SW are of the rural design. Our concern is that when it is necessary to change to an urban design that the City of Austin not be responsible for the improvements. If there is a recommendation on this request I suggest the Planning Commission include that the design of 31st Street and 16th Avenue be resolved and also a storm water management plan.

Commission Member Kuehne asked about the Hog facility to the west of this development.

Mr. Hoium said that matter has been reviewed and that at the time when the development reaches the 1,000 foot minimum the hog operation will cease. The final plat approval is part of this motion.

Commission Member Kuehne asked if the storm water is an extra issue.

Mr. Hoium said that will be one of the conditions in the final plat approval.

Lance Pogones, 4206 12th Ave NW, when we looked at this development we wanted to keep the twinhomes in the same area as the others.

Commission Member Anderson made a motion to approve the conditional use permit with the four conditions, seconded by Commission Member Mair. Motion passed unanimously.

Commission Member Johnson stated that there would be a 15 day appeal period for this action.

OTHER BUSINESS:

Nothing reported at this time.

Commission Member Anderson made a motion to adjourn the Planning Commission Meeting, seconded by Commission Member Spainhower. Motion passed unanimously. Meeting adjourned at 6:15 P.M.

