

**MINUTES**  
**AUSTIN CITY PLANNING COMMISSION**  
**TUESDAY, JULY 9, 2013**  
**5:30 P.M.**  
**AUSTIN CITY COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Jeff Bednar, Steve Kime, Jim Mino, Lonnie Skalicky, Lynn Spainhower, Troy Nelson, and Holly Wallace

**MEMBERS ABSENT:** Laura Helle and Dan Hirst

**OTHERS PRESENT:** Craig Byram, Craig Hoium, Steven Lang, and public

At 5:30 pm Commissioner Mino called the Planning Meeting to order. A motion was made by Commissioner Kime to approve the May 14, 2013 meeting minutes as written. Commissioner Spainhower seconded and the motion was carried.

**PUBLIC HEARING:** To consider a request from Hy-Vee Inc., 5820 Westown Parkway, West Des Moines, IA to allow the proposed 22,000 sq. ft. expansion to a large retail establishment to the existing store located at 1001 18<sup>th</sup> Ave NW, which is in a "B-2" Community Business District. Said action is pursuant to City Code Section 11.41, Subd. 3

Mr. Hoium discussed the Conditional Use Permit (CUP) as requested for the Austin Hy-Vee Food Store expansion. The store is presently 60,000 square feet and the expansion is proposed to be an additional 22,000 square feet. The Austin Hy-Vee Food Store expansion area is located in an undeveloped area with a B-2 Community Business District classification. Surrounding land uses include business districts that are located to the north, east and west of the property and multi-family resident land use is located to the south.

Mr. Hoium and Mr. Lang indicated in the enclosed memos that the following requests the City of Austin would like completed during the expansion:

1. Fire hydrant locations and fire apparatus roadways approved by the Austin Fire Department
2. Total site area shall have a minimum 20% green space
3. Civil plans shall include landscape plans
4. The pedestrian sidewalk/trail shall be constructed along the east property line from 18<sup>th</sup> Avenue to the south along 8<sup>th</sup> Street NW
5. Verify if any downspouts located on the east side of the building are directed into the new detention pond
6. Insert and cement a smaller pipe into the 15" pond outlet versus the orifice plate to restrict the flow

7. Provide necessary erosion control with the final plan

The layout provided for this expansion shows 35.49% of green space. The public right-of-way of 8<sup>th</sup> Street NW would have a public sidewalk addition and the parking stalls minimum provided would be 450 stalls with the City requirement being 393. A traffic study was conducted from other developments and included 4<sup>th</sup> Street NW, 14<sup>th</sup> Street NW and 18<sup>th</sup> Avenue NW with the result of three controlled intersections being added. All exterior finishes of the expansion will consist of the same material as the existing store with some enhancements.

Jeff Stein of Hy-Vee Food Stores, 5820 Westown Parkway in West Des Moines, Iowa indicated they would like to continue with general merchandising displays on the exterior of the store. The expansion would also include an entire interior remodel of the store including a full service restaurant serving beer and wine with the appropriate licenses and seating for approximately 164-184 individuals. The front of the store will consist of glass and brick. There will be a grocery pick up area and pharmacy drive-up. The expansion is projected to start in Fall 2013 and construction may last approximately 12 month as the store plans to remain open during the construction process. There is an anticipation of additional employment opportunities with the expansion. There will be some additional parking lot changes and the storm water retention will be expanded from the existing storm pond.

Commissioner Spainhower made a motion to approve the CUP striking the following from the Staff Report:

2. All general merchandise shall be displayed from within the interior of this retail center building excluding the designated garden center area

Commissioner Skalicky seconded the motion. The motion passed unanimously.

<b>PUBLIC HEARING:</b>	To consider a request from the City of Austin, 500 4 <sup>th</sup> Ave NE, Austin, MN and others for a conditional use permit for the placement of fill in excess of 1,000 cubic yards within a designated floodplain. This property is located in the 800 – 1400 blocks of North Main Street with said action pursuant to City Code Sections 12.14 and 12.22.
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Mr. Hoium reviewed the CUP for the flood mitigation project which includes three petitioners; City of Austin, Austin Port Authority and Richard C. Baudler, et al. The half-cent sales tax approved by the City Council is being used towards this project. Phases 2, 9, 10 and 12 as well as Phase 8 have all been completed. This project will include Phase 3-7 and Phase 1 will be completed at a later date. Mailings went out with notice of the public hearing. One letter was received from the Executive Director of the Cedars of Austin dated July 9, 2013 requesting the height of the Main Street berm be taken into consideration as 30 of their residents face the Mill Pond and enjoy the view they have of the area. An appeal to the Planning Commission's action was also received before the appeal process or any action was taken, which would need to be re-submitted after the Planning Commission has acted upon the request.

Mr. Lang, City of Austin Engineer explained this to be the third time the Flood Mitigation Project has been brought before the Planning Commission. The berm wall constructed during this project, Phases 3-7, will be three feet higher than the 2004 flood and the flood protection

elevation. Phases 3-7 will be conducted on the west side of the Cedar River from I-90 to the Municipal Pool. Main Street will have a two foot road elevation increase from the Farmers and Merchants Bank to the 8<sup>th</sup> Avenue signal lights with a solid two foot wall containing gates or temporary removable wall to extend the extra three feet above that.

Gary Hendrickson, 1412 2<sup>nd</sup> Street NW commented to the Commissioners that three properties south of I-90 will be left out of the protection from the berm wall. Mr. Lang explained the City will be trying to work with the individual home owners to assist them with protection. The square footage of the I-90 and Pizza Hut bridges were discussed and Mr. Lang will provide Mr. Hendrickson with the square volume of each of those bridges and also reviewed the projected flood water increase from this proposed structural flood project. Commissioners discussed the project as being a good thing for the overall public and not considering it on an individual basis.

Mr. Hendrickson expressed concerns regarding if this structural flood mitigation effort were to fail with Planning Commission members Mino and Spainhower stating that we have to rely on the consulting engineer's design. Mr. Lang indicated that there has been a number of other agency approvals for this project which include the DNR, Corp of Engineers, Minnesota Wetland Conservation Act, State Historical Preservation Office and the Cedar River Watershed.

Commissioner Kime made a motion to approve the Conditional Use Permit for the Flood Mitigation Project Phases 3-7 as presented and a benefit for the City. Commissioner Wallace seconded the motion and the motioned passed unanimously.

Commissioner Spainhower made a motion to adjourn the meeting and Commissioner Bednar seconded the motion. The motion was carried and the meeting was adjourned at 6:41 pm.