

**MINUTES**  
**AUSTIN CITY PLANNING COMMISSION**  
**TUESDAY, JANUARY 10, 2017**  
**5:30 P.M.**  
**AUSTIN CITY COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Megan Burroughs, Steve Kime, Jay Lutz, Troy Nelson, Michael Postma, and Greg Siems

**MEMBERS ABSENT:** Rick Bremner, Jim Mino, and Aaron Stewart

**OTHERS PRESENT:** Holly Wallace, Craig Byram, and public

Commissioner Kime called the meeting to order at 5:30 pm. Commissioner Lutz made a motion to approve the November 15, 2016 Planning Commission Meeting minutes as written. Commissioner Siems seconded the motion and the motion was carried.

Ms. Wallace recognized and thanked Commissioners Spainhower and Helle for their service. Commissioner Spainhower has been on the Planning Commission for 12 years, is one of the longest serving members and will be missed. Due to Commissioner Helle becoming a City Council member, she will no longer be able to serve on the Planning Commission although will serve the city in another capacity.

New members Megan Burroughs and Michael Postma have joined the Planning Commission. They were welcomed and introduced to the Commissioners.

Commissioner Siems made a motion to nominate Commissioner Kime as Chairperson and Commissioner Postma seconded the nomination. All were in favor and Commissioner Kime accepted another year as Planning Commission Chairperson. Commissioner Burroughs made a motion to nominate Commissioner Siems as Vice Chairperson and Commissioner Nelson seconded the motion. All were in favor and Commissioner Siems accepted the nomination.

**OPEN PUBLIC HEARING:** To consider a request from Ulland Bros, Inc., 2400 Meyers Road, Albert Lea, MN for a five year Interim Use Permit for a mining operation. This action is pursuant to Austin City Code Section 11.57 and 11.56.

Ms. Wallace asked for a continuance of the Ulland Bros. Inc.'s request for an Interim Use Permit. They are working with the Watershed District to obtain the needed permits to move forward with the IUP. Commissioner Nelson made a motion to continue the request to the February 14, 2017 Planning Commission Meeting and Commissioner Lutz seconded the motion. The motion was carried.

**OPEN PUBLIC HEARING:** To consider a request from Hy-Vee, 1307 18<sup>th</sup> Avenue NW, Austin, MN for approval of preliminary and final replats. This action is pursuant to Austin City Code Section 13.10.

This property is located at the former Oak Park Mall site and would be known as Oak Park Mall 5<sup>th</sup> Subdivision. With the replat all lots will have access and stay under one parcel number.

Since the property was already platted, the storm water, drainage plans and screening have been taken care of within the building permits and CUP.

Mr. Byram indicated that when it was Oak Park Mall it was one entity and the parking lot, snow plowing and things like that were shared. This will defined lots for Younkers, Hy-Vee and mall stub to the east, redefining it from a single entity to three separate entities. It will be three lots inside one subdivision and Hy-Vee will own all of the lots. It will define where the lots, access points, utilities, and roads are including property descriptions.

Commissioner Lutz made a motion to recommend approval to the city council the preliminary and final replat of the Oak Park Mall 5<sup>th</sup> Subdivision with the following recommended conditions.

1. Petitioner shall maintain compliance with its agreement with the Austin Port Authority per: CONTRACT FOR PRIVATE DEVELOPMENT, CITY OF AUSTIN, MOWER COUNTY, MINNESOTA Between AUSTIN PORT AUTHORITY And HY-VEE, INC. for the OAK PARK MALL PROJECT, Dated as of November 9, 2015.
2. Approval be contingent upon executed and recorded agreements (1) restricting access to 18<sup>th</sup> Avenue NW; (2) allowing drainage from the old Hy-Vee site to the new Hy-Vee retention pond; (3) verifying an existing agreement or executing a new agreement granting access to Lot 10 and (4) building agreement (regarding property as a single lot for building code purposes). Item 4 is completed
3. All easements shall be entered into the plat per requests during the review process. (Completed)

Commissioner Nelson seconded the motion and the motion was carried.

**OPEN PUBLIC HEARING:** To consider a request from Lou Hanson, 708 14<sup>th</sup> Street NE, Austin, MN for an Interim Use Permit for a proposed specialty baking business in a private residence. This action is pursuant to Austin City Code Section 11.57 and 11.56.

Ms. Hanson is requesting an Interim Use Permit for a five year period. She would like to provide special order baked goods from her home before investing further in the business and relocation into a more commercial area. Ms. Wallace went over the applicable ordinance provisions. Notifications were mailed out to surrounding properties. Ms. Hanson has a 2016 and 2017 Food License from the City of Austin and is registered with the State of Minnesota under the Cottage Food Producers Registration for 2016 and is awaiting her 2017 registration in the mail.

Commissioner Nelson recommended approval of the Interim Use Permit Application to the city council following the staff recommendations and requiring active licensing during the Interim Use Permit period. Commissioner Lutz seconded the motion, all were in favor and the motion was passed.

**FLOOD MAP ADOPTION:** The Minnesota Department of Natural Resources (DNR) and Federal Emergency Management Agency (FEMA) have approved a Letter of Map Revision (LOMR) for adoption of an amendment to the City's Floodplain Zoning Ordinance.

This project involves the North Main Street flood mitigation levy or flood wall. The purpose of the project is to preserve life and property due to flooding. The project was completed in 2015 and a consultant was hired to do a hydrological study or flood insurance study. A Letter of Map Revision is completed after a levy or flood wall is in place and impacts flood insurance, saving people insurance money and allowing development to their property without floodplain restrictions.

To be a member of the National Flood Insurance Program, the City is required to have a Flood Plain Ordinance. In order to receive flood insurance, the Flood Plain Ordinance must be up-to-date, complied with, and enforced. The Letter of Map Revision and supporting data must be amended to the ordinance.

Commissioner Lutz made a motion to recommend the city council adopt the ordinance amendment for the Flood Plain Ordinance by adopting the Letter of Map Revision and the association documents. Commissioner Burroughs seconded the motion and the motion was carried.

**OTHER BUSINESS:**

Informational training/meeting for the Planning Commissioners will be held immediately following the meeting on February 14, 2017.

**ADJOURN**

Commissioner Nelson made a motion to adjourn the meeting and Commissioner Burroughs seconded the motion. The motion passed and the meeting was adjourn at 6:18 pm.