

PLANNING AND ZONING COMMISSION MONTHLY MEETING

Council Chambers

11/26/13 6:30 P.M.

Present: Nick Colbert, Ron Welder, Lyle Brown, Larry Wright (via telecommunication),
Joel Amandus, Ed Delaney
Absent: Brenda Parker (called in-excused), Council liaison Kevin Rink
Staff: Doug Krogmeier, Emily Britton
Visitors: Donna Amandus, Zach Pieper

Chairman Nick Colbert called the meeting to order at 6:30 P.M. with six members present.

ACTION ON MINUTES

The minutes from November 12, 2013 were **approved on a motion by Amandus, seconded by Welder.**

Motion passed unanimously.

NON AGENDA ITEMS

None

13-16: Commission review/consideration of a Special Use Permit request to allow pet grooming shop at 1119 Ave D for Donna Amandus.

Staff reviewed case report.

Colbert opened the public hearing at 6:33pm.

Donna Amandus explained that she went through a process 9 years ago where letters were sent to neighbors but she did not need to attend any meetings. She said she dealt with the previous Planning and Zoning Director who told her she was compliant. She also said she had asked for some sort of certificate and was told there was nothing given for that. She further stated that she is happy to go through the process and do whatever needs to be done to bring her business into compliance.

Colbert closed the public hearing at 6:35.

Commission reviewed finding of fact.

Delaney made a motion, seconded by Welder, to recommend approval of the Special Use Permit to allow pet grooming shop at 1119 Ave D for Donna Amandus.

Motion passed: 5-yes, 0-no (Amandus abstained from the vote)

13-17: Review/consideration of a Special Use Permit Request to allow hunting grounds at “Rabbit Island” for Land Partners LLC (Zach Pieper).

Staff reviewed case report. Krogmeier explained that this topic has been previously reviewed by the commission to recommend the code change to council. Council has held the first reading in reference to the code change, Pieper has requested waiving the second reading, and a third reading still needs to be heard before council passes. At this time staff believes that this property is an appropriate example for the code change, as it has good examples of the map and

permission form required, and shows no extenuating hazards. Included in the paperwork is a letter from the police chief, and staff is comfortable with it. Future requests for other properties will also go through the Special Use Permit process before approval.

Colbert opened the public hearing at 6:42 P.M.

Welder asked if any other property owners have shown interest in doing the same thing and Krogmeier reported that there have not been any others at this time. Colbert questioned if others who show interest in the future would also go through the police department. Krogmeier affirmed that any future applications would be reviewed by the police chief before their application would be accepted. Welder then pointed out that there seem to be quite a few hurdles built in to the process. Colbert agreed and commented that he is in favor of the process providing a high level of consideration prior to approval. Zach Pieper indicated that he had no new information since previous discussions with this commission. He reiterated that he has not received any complaints or issues from neighboring properties, particularly the cabin owners. Brown requested clarification on the section of code that pertains to family members of the land owner and whether this included cousins etc. Krogmeier reminded the commission that there is a list included on the permission form explaining what relations the code refers to. However, it will be the permit-holder's responsibility to regulate the permission forms as well as mandate which family members apply.

Colbert closed the public hearing at 6:44pm.

Amandus questioned if any other towns have something similar. Krogmeier described this as a unique situation since most other cities do not have unoccupied property along the river. He went on to explain that his research on the topic has not revealed any other cities allowing hunting other than for population control. Colbert considered other properties currently outside city limits that may be reluctant to annex into the city for fear of losing hunting privileges on their property. Furthermore, he remarked that this would potentially help in the future as the city grows by providing a way of addressing the issue before it comes up. Wright reported that he felt a lot of questions are answered by the plan and is in favor of it requiring police chief approval. Krogmeier disclosed that there was one neighboring property owner who expressed concerns after a preliminary letter was sent, however has not indicated any objections since then. He went on to inform commission of two people who revealed concerns to council in reference to the code change. At the request of Welder, Krogmeier clarified that those two people do not have connections to this specific property. Colbert inquired the reasons for concern, and Krogmeier answered that both people were concerned with the allowance of firearms and sounds of gunshots within city limits as both are Vietnam veterans. Colbert addressed that the code previously allowed the discharge of firearms for the Fort, yet now it does not specify for that. Brown quoted the code where it says "public observances," and believes that would apply to the Fort. Krogmeier assured the commission that he would review the wording to confirm it will cover the Fort.

Commission reviewed finding of fact.

Welder made a motion, seconded by Delaney to recommend approval of the Special Use Permit to allow hunting grounds at "Rabbit Island" for Land Partners LLC (Zach Pieper). Motion Passed: 6-yes, 0- no

OLD BUSINESS

Colbert addressed Krogmeier's previous request for the commission to review the current code to suggest changes and updates. He requested Krogmeier give direction as to which chapters

and/or sections they should focus on. Krogmeier summarized his idea as giving the commission a particular section to review prior to meetings so it can be discussed. Furthermore, it will be a section or two at a time so it will not be an overwhelming project. He also plans to provide a recently updated code from another city to use as an example for wording, but emphasized the difference between changing wording and changing the code. One section in particular that needs updated is the definitions. Welder suggested starting after Christmas, and Krogmeier replied that there is a December meeting on the 10th, but this project will not be started until after the holidays.

OTHER/NEW BUSINESS

None

With no further business brought before the Commission

Motion was made by Welder, seconded by Brown, to adjourn.

Motion was passed unanimously. The meeting was adjourned at 6:55 P.M.

Nick Colbert, Chairman of Planning and Zoning Commission