

## **PLANNING COMMISSION MEETING FOR THE CITY OF WAITE PARK**

The Waite Park Planning Commission met in regular session on Tuesday, August 8<sup>th</sup>, 2023, at 6:30PM at Waite Park City Hall. The meeting was called to order by Chair Jansky beginning with the Pledge of Allegiance.

### **Planning Commission Members Present**

Chair Tim Jansky, Commissioners Bob Zabinski, Vic Schulz, Chris Shorba and Rick Staudinger

### **Planning Commission Members Absent**

None

### **Others Present**

Jon Noerenberg, Planning & Community Development Director

Mr. Tom Basil (Representing James W. Miller Marital Trust)

Others on sign-in sheet.

### **Approval of the Agenda**

Commissioner Zabinski moved to approve the agenda as presented, seconded by Commissioner Shorba. Passed with all present.

### **Review and Approve Minutes, February 14, 2023, Planning Commission Meeting**

Commissioner Schulz moved to approve the minutes, seconded by Commissioner Shorba.

Passed with all present.

### **Review and Approve Minutes, March 14, 2023, Planning Commission Meeting**

Commissioner Zabinski moved to approve the minutes, seconded by Commissioner Staudinger.

Passed with all present.

### **Preliminary and Final Plat - Industries West Plat 5**

Chair Jansky read aloud the public hearing notice. Public hearing opened at 6:32PM.

This request has been submitted by property owner Marital Trust Created Under the James W. Miller Revocable Trust, for preliminary and final plat review of Industries West Plat 5.

The property is currently vacant and is being configured as a single-lot, single-block 6.11-acre parcel in preparation for future industrial-nature development, although the City has not yet seen nor discussed any firm development plans for the property. The property was previously platted as part of the larger remnant outlot when parcel to the northwest was sold and platted for development of Xcel hub. Platting and configuration to a lot/block designation is required prior to any development; no development may occur on an established outlot.

The property is currently zoned I-1, Light Industrial District. Although the exact nature of development is not known at this time, it's anticipated that it will be of a light-industrial nature in line with other uses and properties in the area.

Utilities to the property are available via Julep Road to the south. The property has an established ditch running east/west through it; the owners have presented options to potentially fill the ditch. City staff will coordinate with owners and adjacent property owner(s) regarding any drainage that may occur to the subject property with regards to filling the ditch if that option is pursued, although it is possible that any cross-property drainage may need to be privately agreed to/resolved between property owner(s). As the property has not been previously platted, payment-

in-lieu of parkland dedication is required. Staff will be preparing a memo and recommendation to the Park Board for their review and recommendation to the City Council. For industrial property the amount is based on 5% of the unimproved (i.e. vacant) value of the property. Staff is supportive of the preliminary and final plats as-submitted and they meet standards for the associated I-1, Light Industrial District. As this request includes a public hearing component, the Planning Commission will need to hold the public hearing prior to any action on the request.

Staff recommends approval of the preliminary plat with the following conditions: 1. Property is subject to requirement for payment-in-lieu of Parkland Dedication, as recommended by Park Board and established by City Council. Any required parkland dedication fees must be paid prior to affixing of City signatures upon the plat. Provided that conditions of the preliminary plat are satisfied, staff recommends approval of the final plat.

Commissioner Zabinski posed the question if the ditch was part of the Co Rd 17?

Planning and Community Development Director Noerenberg indicated he believed this was part of Co Rd 17 ditch. There has already been discussion from the City Engineer (SEH) and Public Works Director, and it is believed the applicant has previously worked with Sauk River Watershed District. There is a letter that could potentially fill in the ditch for this section.

Commissioner Zabinski would like that clearly stated as the Mick property just went through that as far as draining their properties into that Co Rd 17 ditch which goes all the way back to Buzz Lake. It's critical for drainage for quite a few properties and if it is indeed part of it, would have to have pretty clear certification from the Sauk River Watershed District that it is not a problem, and would want that prior to approval of the plat. If someone is here we can address it but if its part of ditch 17, we've been going around with that because it goes through our own property.

Planning and Community Development Director Noerenberg stated the discussions have already been taking place for some time and those get a little past him as they are specialties involved with it, however, the applicants were forthright in bringing that to our attention that it was something they have been working with the Watershed District on as far as looking at options, nothing is set in stone. We will abide by whatever determinations are made as it is something a little bit higher grade than we necessarily have power over if it's a county aspect or regional aspect.

Chair Jansky commented that it must be approved by the Watershed District.

Commissioner Zabinski commented if that has to be made as part of a condition.

Commissioner Staudinger indicated he didn't think so and thought it would be in the development phase. Planning is basically just a property description; it has nothing to do with what lays on the land or underneath it.

Commissioner Zabinski responded; we are talking about filling this ditch in.

Commissioner Staudinger responded, that would be in the development phase, which would be the permits, then they would have to go through the Watershed District, DNR, etc... before their building permit would be issued.

Planning and Community Development Director Noerenberg indicated that typically comes as part of the development plan, which isn't for certain there is any proposed impact to that ditch or not at this time. For lack of better way to describe it, we are drawing a box around the property, giving it a name and preparing it for that eventuality and if it will come sooner or later. Perhaps Mr. Basil can fill us in.

Mr. Tom Basil (representing James W. Miller Marital Trust), stated the entire ditch out to ditch 17, probably 10 years ago, was abandoned by Stearns County and the Sauk River Watershed District. They have given us approval to fill that so that shouldn't be a condition here. The new ditch 17 that was put in 10-15 years ago, takes care of all of this. We also have a meeting scheduled next Wednesday night with the Watershed District to put the remaining parcel and the rest of the 80 acres, plus or minus, into the Watershed District's control. At this time, it is not part of the Watershed District's oversight.

Commissioner Zabinski confirmed he was aware of this meeting as he got a letter with this information.

Mr. Basil reiterated that he does have approval from the authorities to fill that ditch.

Commissioner Zabinski commented he wasn't sure if this was a part of it or it sounds like this is an old part of ditch that is not needed anymore.

Mr. Basil confirmed the ditch he is looking to fill was the old ditch and the new ditch 17 is west of that going north/south on the west side of this property.

Commissioner Zabinski indicated that was good.

Chair Jansky asked if there were any additional questions from the public or commissioners.

Commissioner Schulz asked if there are any restrictions of what you can't build out there?

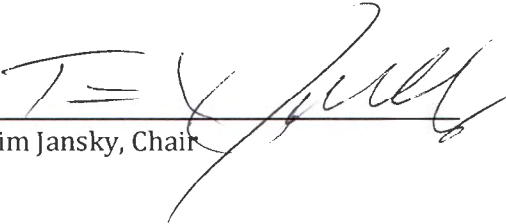
Planning and Community Development Director Noerenberg stated it really just has to follow the zoning ordinance and anticipates it will be in line with others in the area. The Iowa Industrial District is flexible for things of an industrial nature, warehousing or construction type activity you see, referenced Lamar's new building on Hwy 23, sign manufacturing, not heavy manufacturing like a smelting plant or rendering plant. Anticipates something very similar to what is in the area, some sort of storage, some level of gravel surface for trucks, semi-trucks, trailers.

Commissioner Zabinski stated if it were to be something controversial, he presumes it would have to come back to the Planning Commission for approval.

Planning and Community Development Director Noerenberg clarified if it would be anything considered conditional use it really comes down to what the proposal would exactly be and doesn't have any insight at this time. There are some scenarios where if it is a conditional use you could see it in the future, otherwise if it's something that's considered a permitted use it just goes by right unless they're pursuing some sort of variance or something they want to reduce the setback or build it taller than standard, make it larger for any reason. We don't see a lot of conditional use in the I-1 district because it's broad by nature.

**Adjourn**

Commissioner Schulz moved to adjourn the meeting, seconded by Commissioner Staudinger. Motion carried unanimously. Meeting adjourned at 6:45PM.



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Tim Jansky, Chair



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Jon Noerenberg, Planning & Community  
Development Director