

PLANNING & ZONING COMMISSION

The Planning & Zoning meeting was called to order at 5:30 p.m., by Chairman Fitzgerald.

Present: Bruns, Penfold, Duea, Fitzgerald

Absent: Wicker, Prohaska, Dohrmann

Motion by Duea to approve the agenda, second by Penfold. All ayes.

Motion by Duea, second by Penfold, to approve the minutes of the 9/30/08 meeting. Ayes – Duea, Penfold, Fitzgerald. Abstain – Bruns, who was not a member of the Commission at that time.

Fitzgerald stated this was the time and place for the citizen's forum. No citizen comment.

Communications: John Marino, Zoning Official, presented Commission members with copies of 2 letters regarding the Lincoln Park Project.

Unfinished Business: None

Commission member Prohaska joined the meeting.

New Business:

**A. Eagle Avenue Properties – Preliminary & Final Plat approval for a minor subdivision.**

Marino reviewed the history of ownership and land use for the property under consideration. The present owners wish to subdivide the property to allow them to sell off two lots. He noted one correction, a 10' utility easement on the east side of Lot 1, which had been omitted from the Preliminary Plat drawing and which will be added prior to recording the final document. Otherwise, the City is satisfied with all other aspects of the subdivision.

John Duffy, Attorney for Eagle Avenue Properties, stated the only unusual feature of this development is the storm water detention pond on Lot 2. It has been engineered for the current property usage; however, per the Development Agreement, if the detention pond needs to be enlarged to facilitate future development of the site, it will be at the expense of Eagle Avenue Properties.

Bruno noted water runoff from this area currently tends to accumulate in the ditch on the south side of Hwy. 18 along the railroad tracks, and questioned if development of this property would increase the amount of water ponding there. John Fallis, WHKS, stated that post-development water flow cannot exceed pre-development levels, and the property development would be engineered to meet the standards. Prohaska asked if there was any field tile from the farm ground to the north of the proposed subdivision that drains into the detention pond. He was told there are no know field tiles, only the detention pond tile which is tied into the storm sewer.

Motion by Prohaska, second by Penfold, to recommend that the City Council accept the Eagle Avenue Properties First Subdivision Preliminary and Final Plat, with the 10' utility easement correction on the east side of Lot 1. All ayes.

**B. Request from Lincoln Park Development to rezone the former Lincoln School property, located at 306 S 8<sup>th</sup> St., from Public (P) to Planned Development Housing (OPD-H).**

Marino stated that developers of the former Lincoln School site are requesting the rezoning to allow flexibility for developing the property to its highest and best use.

Project developers/architects Ken Wilhelm, Leon Lauver, and Lon Atwood presented plans and drawings depicting the proposed Lincoln Park Project. Application forms have been submitted in an attempt to secure designation of the former school building as a national historically significant property, and to integrate its historic features into the development plan for the remainder of the property. Preliminary plans are for the school building site, Tract #1, to be remodeled into 16 condominium units, as well as several rooms for public use by members of the development's homeowners association. However, placement of the building on the National Historic Register may affect how soon it will be developed and its final development plan. The balance of the property, Tract #2, consisting of approximately 18 townhomes, twin-homes, and single-family dwelling units, would be developed first. Work on the area along 3<sup>rd</sup> Avenue S will begin as soon as rezoning and subsequent site plans are approved.

Prohaska asked how much of the area would be dedicated to green space, and was told that it would be 30% of the total proposed development, more than the minimum required by Code. Bruns asked if any of the current playground area would be retained for use by the general public, and was told that, due to liability concerns, the playground area and equipment would be removed and green space use within the development would be limited to homeowners.

Citizens attending the meeting were given an opportunity to ask questions or address concerns: Michael B. Porter, 205 S 9<sup>th</sup> St., stated he feels that the best use of the site is for housing rather than commercial development and would like assurances from developers that there will be no non-residential use of the property. He also expressed concerns regarding the development density and what he feels is a lack of adequate parking for residents and their guests. In his opinion, if necessary, he would rather see the school building demolished to make room for more parking spaces.

Jim Hilgendorf, Clear Lake, said he has recently constructed a number of twin-homes and had found the real estate market for them in Clear Lake to be very favorable.

Renee Denny, 209 S 8<sup>th</sup> St., had received a letter from developers regarding a meeting for neighboring property owners to discuss site development plans. She questioned if this was the meeting referred to and was told by developers it was.

Prohaska indicated he would like to see the school building tract developed first, and asked if developers had considered using it for some type of senior housing. Mr. Wilhelm responded that developers had received no support from within the community for a senior housing project, and that their intent had always been to remodel the structure for condo units. However, they must wait until they receive word on their National Historic Preservation application to determine what guidelines or restrictions may be placed on the renovation.

Penfold expressed his concern over the lack of parking associated with Tract A, and asked that developers give their assurance that the strip parking located in Tract B of the preliminary plan, but intended for use by Tract A, be dedicated and noted as such in the site plan.

Fitzgerald shared Penfold's concern regarding parking in Tract A, but felt that the development was a good fit with the neighborhood. He then asked developers for, and was given a list of property owners within 600' of the site to whom letters had been sent regarding this meeting, as required by Code.

Marino reminded Commissioners that the purpose of this meeting was to review the preliminary site plan and address Lincoln Park Development's request for a zone change. Final site plans would have to be reviewed by this Commission in the future.

Motion by Prohaska, second by Duea, to recommend that the Clear Lake City Council rezone the property at 306 S 8<sup>th</sup> Street to OPD-H, with the assurance from Lincoln Park Development that the strip parking located in Tract B of the preliminary plan will be dedicated to parking for Tract A of the preliminary plan. All ayes.

Reports/Recommendations of Zoning Official: Marino reported that the City is entering the second phase of the Comprehensive Plan update process. The Planning & Zoning Commission, Board of Adjustment, and City Council will be reviewing ordinances and zoning districts for possible changes.

Reports/Recommendations of Engineering Department: None

Fitzgerald declared the meeting adjourned at 7:53 p.m.

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Dennis Fitzgerald, Chairman

ATTEST:

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Sharon Springer, Secretary