

MINUTES OF THE PROCEEDINGS OF THE PLANNING COMMISSION OF THE CITY OF CHAMPLIN IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA PURSUANT TO DUE CALL AND NOTICE THEREOF

REGULAR SESSION
MAY 16, 2016
CITY COUNCIL CHAMBERS

CALL TO ORDER THE CHAMPLIN PLANNING COMMISSION MET IN REGULAR SESSION AND WAS CALLED TO ORDER BY ACTING CHAIRPERSON DAN COSTELLO AT 7:00 P.M.

ROLL CALL PRESENT WERE: ACTING CHAIRPERSON COSTELLO, COMMISSIONERS STEPHANIE BITTERMAN, MATT BOLTERMAN, DAVID BOUCHARD, TIM LACROIX, KATHY MANEMANN, MICHAEL PETERSON, AND NATE TRUESDELL. ABSENT: CHAIRPERSON R.J. THIEL. ALSO PRESENT WAS CITY PLANNER SCOTT SCHULTE.

ROLE OF THE COMMISSION ACTING CHAIRPERSON COSTELLO BRIEFLY REVIEWED THE ROLE OF THE COMMISSION.

APPROVAL OF AGENDA (MAY 16, 2016) MOTION BY COMMISSIONER PETERSON AND SECONDED BY COMMISSIONER BOUCHARD TO APPROVE THE AGENDA OF THE MAY 16, 2016 PLANNING COMMISSION MEETING AS PRESENTED. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

APPROVAL OF MINUTES (APRIL 18, 2016) MOTION BY COMMISSIONER TRUESDELL AND SECONDED BY COMMISSIONER BOUCHARD, TO APPROVE THE MINUTES OF THE APRIL 18, 2016, PLANNING COMMISSION MEETING AS PRESENTED. ALL VOTED IN FAVOR AND THE MOTION CARRIED. COMMISSIONERS PETERSON AND MANEMANN ABSTAINED.

OPEN FORUM NO ONE WAS PRESENT FOR OPEN FORUM.

PUBLIC HEARINGS

PROJECT 2016-09: ZONING ORDINANCE AMENDMENT; REQUEST FROM THE CITY OF CHAMPLIN TO AMEND SECTION 126.44 OF THE ZONING ORDINANCE REGARDING PERMITTED USES IN THE COMMERCIAL GENERAL BUSINESS DISTRICT (C-2) THE CITY PLANNER STATED THAT SECTION 126.44 OF THE ZONING CODE REGULATES PERMITTED USES IN THE COMMERCIAL ZONING DISTRICT, NOTING THAT COMMERCIAL PROPERTY IS PREDOMINANTLY FOUND IN THE HIGHWAY CORRIDOR. HE STATED THAT STAFF HAS IDENTIFIED A CONCERN REGARDING CERTAIN USES CURRENTLY ALLOWED IN THE COMMERCIAL ZONING DISTRICT, NOTING THAT THE INTENT OF THE CITY IS TO HAVE THE HIGHWAY CORRIDOR USED FOR COMMERCIAL AND RETAIL USES. HE STATED THAT THE USES THAT DO NOT APPEAR TO FIT WITHIN THAT AREA ARE RELIGIOUS AND PHILANTHROPIC USES, WHICH ARE CURRENTLY ALLOWED AS CONDITIONAL USES. HE STATED THAT STAFF IS RECOMMENDED TO STRIKE THOSE USES AS CONDITIONAL USES WITHIN THE THREE COMMERCIAL DISTRICTS. HE IDENTIFIED THREE RELIGIOUS USES THAT ARE CURRENTLY FOUND IN THE R-1 ZONING DISTRICT AND APPEAR TO BE A BETTER FIT FOR THOSE USES. HE RECOMMENDED THAT THE COMMISSION RECOMMEND APPROVAL OF THE AMENDMENT AS PROPOSED.

PUBLIC HEARING ACTING CHAIRPERSON COSTELLO OPENED THE PUBLIC HEARING AT 7:04 P.M.

RYAN ELIE 1015 ORLEANS LANE, STATED THAT HE IS THE PASTOR OF RIVERWAY CHURCH WHICH CURRENTLY METES AT CHAMPLIN HIGH SCHOOL. HE STATED THAT THE CHURCH HAS BEEN IN THE CITY FOR 4.5 YEARS BETWEEN TWO SCHOOLS. HE STATED THAT THE GOAL IS TO EVENTUALLY EXPAND AND BUILD THEIR OWN SITE. HE STATED THAT FOR THEIR ORGANIZATION THEY DO NOT BELIEVE THAT IT MAKES SENSE TO BUILD A MULTI-MILLION DOLLAR BUILDING THAT IS ONLY USED A FEW DAYS PER WEEK. HE STATED THAT THIS ZONING CHANGE WOULD BE A CONCERN FOR THEM AS IT COULD BOX THEM OUT OF POTENTIAL USES FOR A FUTURE COMMUNITY SPACE THAT THEY WOULD CREATE AND COULD BE USED FOR GYM AND GATHERING SPACE FOR THE COMMUNITY.

COMMISSIONER BITTERMAN EXPRESSED SOME CONCERNS WITH CUTTING THOSE USES OUT OF THE COMMERCIAL ZONING DISTRICT AS THAT WOULD LIMIT SOME OF THOSE ORGANIZATIONS FROM FINDING SPACES TO MEET WITHIN THE CITY. SHE BELIEVED THAT WOULD CREATE A SEVERE LIMITATION FOR THE LARGER

CONGREGATIONS TO FIND SUFFICIENT SPACE TO MEET, NOTING THAT THERE WOULD BE CONCERNS WITH PARKING AND TRAFFIC WITHIN RESIDENTIAL AREAS.

COMMISSIONER BOLTERMAN ASKED HOW THE PUD OVERLAY AFFECTS THE ZONING.

THE CITY PLANNER STATED THAT THERE ARE A NUMBER OF PUD OVERLAY ZONINGS WITHIN THE HIGHWAY CORRIDOR AND THROUGHOUT THE CITY, EXPLAINING THAT THEY DO NOT DICTATE USES AND INSTEAD PROVIDE FLEXIBILITY IN OTHER ELEMENTS SUCH AS DESIGN. HE EXPLAINED THAT PROPERTIES HAVE A BASE ZONE AND THE PUD OVERLAY WOULD PROVIDE THE ADDITIONAL FLEXIBILITY BUT WOULD NOT CHANGE THE USES ALLOWED IN THE ZONING DISTRICT.

COMMISSIONER BOLTERMAN ASKED IF CHURCHES ARE ALLOWED IN THE INDUSTRIAL ZONE.

THE CITY PLANNER STATED THAT CHURCHES ARE NOT ALLOWED IN INDUSTRIAL ZONING DISTRICTS.

COMMISSIONER BOLTERMAN ASKED WHICH ZONE PUBLIC SCHOOLS ARE ALLOWED INTO.

THE CITY PLANNER REPLIED THAT SCHOOLS ARE FOUND WITHIN THE RESIDENTIAL ZONING DISTRICT AND ARE NOT ALLOWED IN THE COMMERCIAL DISTRICTS.

ACTING CHAIRPERSON COSTELLO ASKED IF THERE ARE ANY EXISTING FACILITIES IN THE COMMERCIAL DISTRICT THAT WOULD BE CONSIDERED ASSEMBLY RATHER THAN COMMERCIAL.

THE CITY PLANNER REPLIED THAT THERE ARE NOT.

COMMISSIONER LACROIX RECEIVED CONFIRMATION THAT IF THIS WERE PASSED CHURCHES WOULD ONLY BE ALLOWED WITHIN THE RESIDENTIAL ZONING DISTRICT AND ASKED IF THAT WOULD PROHIBIT THE CHURCH FOR BEING A MULTI-USE FACILITY.

THE CITY PLANNER STATED THAT THE PRIMARY USE WOULD DICTATE WHICH ZONING DISTRICT THE FACILITY WOULD FIT INTO AND NOTED THAT STAFF DID NOT BELIEVE THAT THIS USE WOULD FIT WITH THE INTENT OF THE COMMERCIAL ZONING DISTRICT. HE STATED THAT IF THERE WAS A SITE THAT WOULD FIT WITH THE USE, THE APPLICANT COULD ASK FOR A REZONING OF THE PROPERTY. HE STATED THAT THE VISION FOR THE HIGHWAY CORRIDOR IS FOR BUSINESS AND TRANSACTIONS TO OCCUR, SUCH AS BUSINESSES AND RESTAURANTS. HE PROVIDED ADDITIONAL DETAILS ON WHY CERTAIN BUSINESSES ARE ALLOWED AS CONDITIONAL USES, NOTING THAT RESTAURANTS TYPICALLY HAVE ADDITIONAL ITEMS THAT NEED CONSIDERATION SUCH AS PARKING, TRASH, AND ODOR.

COMMISSIONER BOUCHARD STATED THAT THIS WOULD SET THE STANDARD FOR THE CORRIDOR AND THE APPLICANT COULD STILL COME FORWARD TO ASK FOR REZONING OF A SITE WHICH WOULD IN TURN ALLOW THAT USE AS AN EXCEPTION SHOULD THE CITY FEEL THAT IS A GOOD FIT.

COMMISSIONER BITTERMAN ASKED IF THERE IS A PLACE IN THE CITY THAT WOULD ALLOW FOR A MULTI-USE FACILITY SUCH AS A PRESCHOOL, COFFEE SHOP AND CLINIC.

THE CITY PLANNER STATED THAT IT WOULD DEPEND UPON THE PRINCIPLE USE OF THE FACILITY, NOTING THAT ALL THE USES WITHIN THE FACILITY WOULD NEED TO BE ALLOWED WITHIN THE ZONING DISTRICT.

COMMISSIONER BITTERMAN USED THE EXAMPLE THAT CUB FOODS WANTED TO RENT OUT THEIR FACILITY TO A RELIGIOUS INSTITUTION ONCE A WEEK AND RECEIVED CONFORMATION THAT WOULD NOT BE ALLOWED UNDER THE CODE AS PROPOSED TO BE AMENDED.

MR. ELIE STATED THAT IF THE ZONING AMENDMENT WERE TO BE MADE WOULD IT THEN BE ALLOWED FOR THE ORGANIZATION TO OPERATE SIX DAYS PER WEEK AND ONCE PER WEEK AS A RELIGIOUS INSTITUTION.

THE CITY PLANNER STATED THAT WOULD NOT BE ALLOWED AS ALL THE USES WOULD NEED TO BE ALLOWED IN THE ZONING DISTRICT.

COMMISSIONER MANEMANN ASKED IF A COMMUNITY CENTER IS ALLOWED WITHIN THE COMMERCIAL ZONING DISTRICT.

THE CITY PLANNER WAS NOT AWARE IF THAT USE WOULD BE PERMITTED.

COMMISSIONER MANEMANN ASKED THE PERCENTAGE OF LAND AVAILABLE FOR DEVELOPMENT IN THE HIGHWAY CORRIDOR CURRENTLY.

THE CITY PLANNER ESTIMATED FIVE PERCENT.

COMMISSIONER MANEMANN STATED THAT THERE ARE FEW OPPORTUNITIES AND WOULD NOT NECESSARILY WANT TO FILL THAT SPACE WITH CERTAIN USES.

ACTING CHAIRPERSON COSTELLO ASKED THE AMOUNT OF VACANT SPACE WITHIN THE RESIDENTIAL ZONING DISTRICT.

THE CITY PLANNER REPLIED THAT THERE WOULD BE A SIMILAR PERCENT, ABOUT FIVE PERCENT, AS THE CITY IS REACHING A RATE OF 90 PERCENT DEVELOPED.

COMMISSIONER TRUESDELL STATED THAT IT APPEARS THAT THIS WOULD LIMIT GROUPS OF PEOPLE THAT ONLY DO GOOD THINGS AND THEREFORE HE WOULD NOT HEAVILY SUPPORT THIS LIMITATION.

MR. ELIE STATED THAT THEY ARE AWARE THAT CHAMPLIN IS HEAVILY DEVELOPED AND THEREFORE IN ORDER TO BUILD THEY WOULD HAVE TO REDEVELOP IN A COMMERCIAL AREA IF IT BECOMES VACANT.

ACTING CHAIRPERSON COSTELLO STATED THAT HE UNDERSTANDS THE POSITION OF MR. ELIE BUT HE ALSO UNDERSTANDS THE CITY'S DESIRE TO KEEP THE INTENT OF THE ZONING DISTRICT.

COMMISSIONER BOLTERMAN STATED THAT THE SENIOR LIVING FACILITY WAS GUIDED COMMERCIAL AND WAS REZONED TO RESIDENTIAL. HE ASKED THE RATIONAL THAT WAS USED TO REZONE AND NOTED THAT THE CHURCH WOULD HAVE THE SAME OPPORTUNITY TO REZONE.

THE CITY PLANNER AGREED. HE STATED THAT THE SITE HAD BEEN SHOVEL READY FOR DEVELOPMENT FOR 16 YEARS. HE STATED THAT STAFF FELT THAT WOULD BE A GOOD USE FOR THE SITE AND THEREFORE IF THERE WAS AN INSTITUTION NEAR THE HIGHWAY CORRIDOR THAT SEEMED TO BE A GOOD FIT FOR A RELIGIOUS INSTITUTION THAT PROPERTY COULD BE REZONED TO ALLOW THE DEVELOPMENT.

COMMISSIONER BOLTERMAN STATED THAT THERE REALLY IS NOT A TRUE DEFINITION OF WHERE A COMMUNITY CENTER COULD GO WITHIN THE CITY. HE STATED THAT UNTIL A DEFINITION OF COMMUNITY CENTER IS CREATED HE WOULD HAVE A HARD TIME MOVING FORWARD AS A COMMUNITY CENTER COULD BE A GOOD OPTION FOR THE COMMUNITY.

THE CITY PLANNER STATED THAT IF IT WERE A PUBLIC COMMUNITY CENTER IT WOULD BE ALLOWED IN CERTAIN COMMERCIAL ZONING DISTRICTS BUT NOTED THAT PRIVATE COMMUNITY CENTERS ARE NOT MENTIONED AND THEREFORE ARE NOT SPECIFICALLY ALLOWED.

COMMISSIONER BOLTERMAN STATED THAT PERHAPS SOME ADDITIONAL RESEARCH BE DONE TO DETERMINE WHERE THAT USE COULD FIT.

COMMISSIONER PETERSON STATED THAT THIS WOULD REALLY COME DOWN TO THE INTENT OF THE ZONING DISTRICT AND IT IS CLEAR THAT THE TWO PROPOSED USES WOULD NOT BE CONSISTENT WITH THE CODE AND THEREFORE THIS IS NOT A CHANGE BUT A CLARIFICATION.

ACTING CHAIRPERSON COSTELLO ASKED IF THE ORGANIZATION WOULD BE OPEN TO A FACILITY THAT WOULD HAVE A RETAIL USE ALONG WITH THE COMMUNITY CENTER AND RELIGIOUS GATHERING SPACE.

MR. ELIE STATED THAT THE ORGANIZATION WOULD BE OPEN TO THAT.

ACTING CHAIRPERSON COSTELLO ASKED IF THE CITY WOULD BE OPEN TO THAT AND WHETHER THAT WOULD BE ALLOWED.

THE CITY PLANNER STATED THAT COULD BE A POSSIBILITY AND NOTED THAT THE COUNCIL WAS VERY RECEPTIVE OF ALTERNATIVE USES AND ACCEPTED THE REZONING REQUEST FOR THE SENIOR LIVING CENTER.

COMMISSIONER BITTERMAN STATED THAT THIS APPEARS TO BE PLACING HURDLES FOR RELIGIOUS INSTITUTIONS BY CREATING ANOTHER STEP, RATHER THAN LETTING DEVELOPMENT TAKE ITS COURSE. SHE DID NOT BELIEVE THAT THIS WOULD BE ADVANCING THE BALL AND SUGGESTED TABLING THE ITEM.

THE CITY PLANNER STATED THAT ZONING ALLOWS THE CITY TO HAVE THE ABILITY TO PLACE USES WHETHER THEY ARE MOST APPROPRIATE. HE USED THE EXAMPLE OF AUTO RELATED USES THAT ARE STRICTLY LIMITED TO A SPECIFIC AREA. HE STATED THAT THE CITY ESTABLISHES DISTRICTS AND THEN SPECIFIES USES THAT ARE MOST APPROPRIATE.

COMMISSIONER BITTERMAN STATED THAT THE CURRENT ZONING CODE ALLOWS FOR THE USE AND THIS AMENDMENT APPEARS TO TAKE THAT AWAY AND SHE DID NOT SEE A GOOD REASON TO DO THAT.

COMMISSIONER BOLTERMAN STATED THAT THE CHURCH HAS MENTIONED A PARTNERSHIP WITH A COMMUNITY CENTER AND ASKED HOW THAT WOULD FIT INTO THE ZONING CODE WHETHER IT WOULD BE THE PRIMARY USE OR ACCESSORY USE. HE STATED THAT PERHAPS RELIGIOUS INSTITUTIONS BE ALLOWED AS AN ACCESSORY USE.

ACTING CHAIRPERSON COSTELLO ASKED MR. ELIE WHETHER THE COMMUNITY CENTER WOULD BE OPEN TO THE PUBLIC OR SPECIFICALLY TO THE PEOPLE THAT BELONG TO THE CHURCH.

MR. ELIE REFERENCED THE MAPLE GROVE COMMUNITY CENTER WHICH HAS AN INDOOR PLAYGROUND AND OTHER AMENITIES THAT ARE USED BY THE PUBLIC. HE STATED THAT THE COMMUNITY CENTER WOULD BE MULTI-PURPOSE AND WOULD BE OPEN TO THE COMMUNITY WITHOUT RESTRICTION OF WHETHER THEY BELONG TO THE CHURCH OR NOT.

ACTING CHAIRPERSON COSTELLO STATED THAT IN HIS OPINION THE CHURCH WOULD THEN BE AN ACCESSORY USE AND WOULD NOT BE PROHIBITED.

COMMISSIONER BOLTERMAN ASKED IF HE COULD MAKE A MOTION TO ALLOW RELIGIOUS ORGANIZATIONS AS AN ACCESSORY USE OR WHETHER THAT WOULD NEED TO BE TABLED.

COMMISSIONER BOUCHARD STATED THAT HE WOULD RECOMMEND TO TABLE THE ITEM SO THAT ADDITIONAL INFORMATION CAN BE GAINED.

THE CITY PLANNER AGREED THAT THE OPINION OF LEGAL COUNSEL WOULD ALSO BE NEEDED.

MOTION

MOTION BY COMMISSIONER BOLTERMAN AND SECONDED BY COMMISSIONER BOUCHARD TO TABLE PROJECT 2016-09 TO GATHER ADDITIONAL INFORMATION ON ALLOWING RELIGIOUS INSTITUTIONS AS AN ACCESSORY USE WITHIN THE COMMERCIAL ZONING DISTRICT AND TO DETERMINE HOW A COMMUNITY CENTER AND CHURCH COULD WORK TOGETHER. UPON A VOTE OF 7-1 (PETERSON OPPOSED) THE MOTION CARRIED.

PROJECT 2016-10: LOT SPLIT; REQUEST FROM TIM TURNER FOR A LOT SPLIT OF 1010 DAYTON ROAD (LOT 1, BLOCK 1, BRAY'S ADDITION)

THE CITY PLANNER STATED THAT THERE IS AN AGREEMENT BETWEEN THE APPLICANT AND PROPERTY OWNER OF 1010 DAYTON ROAD TO PURCHASE THE PROPERTY. HE STATED THAT THE APPLICANT HAS SUBMIT A REQUEST TO SPLIT THE LOT INTO TWO RESIDENTIAL LOTS. HE STATED THAT THE HOME WAS BUILT IN 1963, BEFORE THE LAND WAS PLATTED AND NOTED THAT THE HOME IS DILAPIDATED AND BOARDED UP. HE PRESENTED THE LOT SURVEY WHICH IDENTIFIES THE PARCELS AS A AND B AND PROVIDED THE PROPOSED DIMENSIONS NOTING THAT BOTH LOTS EXCEED THE MINIMUM LOT DIMENSIONS. HE NOTED THAT THE EXISTING HOME AND GARAGE WOULD BE REMOVED AND APPROPRIATE BUILDING PADS WOULD BE PROVIDED ON BOTH LOTS. HE STATED THAT THE UTILITY SERVICES WOULD NEED TO BE EXTENDED FROM VALLEY FORGE LANE AND THE LOT SPLIT WOULD REQUIRE PARK DEDICATION TO BE PAID FOR EACH LOT. HE RECOMMENDED THAT THE COMMISSION RECOMMEND APPROVAL OF THE LOT SPLIT SUBJECT TO THE CONDITIONS NOTED IN THE STAFF REPORT.

PUBLIC HEARING

ACTING CHAIRPERSON COSTELLO OPENED THE PUBLIC HEARING AT 7:43 P.M.

COMMISSIONER BOUCHARD ASKED WHERE ROAD ACCESS WOULD BE INTENDED FOR EACH PARCEL.

THE CITY PLANNER IDENTIFIED POTENTIAL LOCATIONS FOR ACCESS FOR EACH PARCEL, NOTING THAT PARCEL B COULD CHOOSE TO UTILIZE THE EXISTING CURB CUT FOR THE PROPERTY.

MOTION

MOTION BY COMMISSIONER BOUCHARD AND SECONDED BY COMMISSIONER BITTERMAN TO RECOMMEND THAT THE CITY COUNCIL APPROVE PROJECT 2016-10 TO APPROVE A LOT SPLIT, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE APPLICANT SHALL PROVIDE A MONETARY PARK DEDICATION OF \$8,740 FOR THE LOT SPLIT.
2. THE APPLICANT SHALL RECORD A 10 FOOT WIDE DRAINAGE AND UTILITY EASEMENT LOCATED ALONG THE BORDER OF PARCELS A AND B.
3. SANITARY SEWER AND WATERMAIN SERVICES SHALL BE EXTENDED FROM VALLEY FORGE LANE TO SERVICE PARCELS A AND B. THE APPLICANT SHALL PROVIDE THE CITY \$2,000 TO BE HELD IN ESCROW TO COVER INSPECTION COSTS ASSOCIATED WITH THE UTILITY WORK.
4. THE APPLICANT SHALL RECORD THE LOT SPLIT WITH THE HENNEPIN COUNTY RECORDER'S OFFICER WITHIN SIX MONTHS OF THE CITY'S APPROVAL. FAILURE TO RECORD THE LOT SPLIT WITHIN SIX MONTHS SHALL NULLIFY THE CITY'S APPROVAL.

ALL VOTED IN FAVOR AND THE MOTION CARRIED.

PROJECT 2016-08: PRELIMINARY PLAT; REQUEST FROM THOMPSON TOWNHOMES LLC FOR A PRELIMINARY PLAT CREATING FIVE TOWNHOME LOTS ON LOT 1, BLOCK 1, EMERY VILLAGE 4TH ADDITION

THE CITY PLANNER STATED THAT IN 2010 THE EMERY VILLAGE 4TH ADDITION WAS APPROVED, WHICH WAS THE FINAL PHASE OF THE TOWNHOME DEVELOPMENT. HE PROVIDED ADDITIONAL DETAILS ON THE SALES WHICH TOOK PLACE BETWEEN DEVELOPERS AND NOTED THAT THOMPSON TOWNHOMES IS REQUESTING TO REPLAT THE DEVELOPMENT INTO TOWNHOME LOTS RATHER THAN THE CONDOMINIUM LOT IT HAD BEEN DECLARED. HE NOTED THAT THE CONSTRUCTION IS ALMOST COMPLETE BUT THE REPLATTING WILL ALLOW BUYERS TO SECURE ADDITIONAL TYPES OF FINANCING NOTING THAT THIS IS A CHANGE ON PAPER RATHER THAN A PHYSICAL CHANGE. HE PROVIDED ADDITIONAL DETAILS ON THE RECIPROCAL AGREEMENT THAT WOULD BE NEEDED BETWEEN THE EMERY VILLAGE CONDOMINIUM ASSOCIATION AND THOMPSON TOWNHOMES AND NOTED THAT WOULD BECOME A CONDITION OF

APPROVAL.

PUBLIC HEARING

ACTING CHAIRPERSON COSTELLO OPENED THE PUBLIC HEARING AT 7:53 P.M.

MARK HOPPS, 11732 EMERY VILLAGE DRIVE, STATED THAT HE IS THE CURRENT PRESIDENT OF THE EMERY VILLAGE TOWNHOME ASSOCIATION AND NOTED THAT THERE HAVE BEEN MEETINGS IN ORDER TO BRING THIS FORWARD AND HAVE THOMPSON TOWNHOMES BECOME A PART OF THIS ASSOCIATION. HE ASKED THE AMOUNT OF MONEY THAT IS INVOLVED IN THE REPLATTING OF THE PROPERTY.

THE CITY PLANNER STATED THAT THE APPLICATION FEES FOR PRELIMINARY AND FINAL PLAY WOULD BE REQUIRED ALONG WITH RECORDING FEES FOR THE PLAT.

MR. HOPPS STATED THAT HE WAS A BIT CONFUSED ON THE INFORMATION IN STAFF REPORT REGARDING THE FEDERAL FINANCING SPECIFICATIONS.

THE CITY PLANNER PROVIDED ADDITIONAL DETAILS ON THAT ASPECT, NOTING THAT THERE IS A PERCENTAGE LIMIT ON CERTAIN TYPES OF FINANCING.

CHRISTY THOMPSON PROVIDED ADDITIONAL DETAILS ON THE FINANCING SPECIFICATIONS, NOTING THAT SHE IS COMPLETING THE HOME LOANS FOR THE PROJECT. SHE NOTED THAT THEY HAVE AN OPTION TO BUY THE REMAINING VACANT LOTS OF THE DEVELOPMENT.

THE CITY PLANNER PROVIDED ADDITIONAL INFORMATION ON THE REMAINING LOTS NOTING THAT THOSE WOULD BE SEPARATE ASSOCIATIONS AS WELL BECAUSE THE ORIGINAL AGREEMENT HAS SUNSET AND NOTED THAT THEY WOULD BE LINKED IN A SIMILAR MANNER.

COMMISSIONER BOUCHARD STATED THAT HE SERVED IN THE ROLE OF PRESIDENT OF A TOWNHOME ASSOCIATION IN THE PAST AND ASKED MR. HOPPS IF HE HAS LOOKED AT THE POSSIBILITY OF HOW THOSE ARRANGEMENTS WILL BE CONSTRUCTED. HE CAUTIONED MR. HOPPS TO INVESTIGATE THE ROAD IMPROVEMENTS AND SHARING OF FEES.

MR. HOPPS STATED THAT THE AGREEMENT IS STILL UNDER REVIEW BY THEIR LEGAL COUNSEL.

THE CITY PLANNER PROVIDED ADDITIONAL INFORMATION ON THE UTILITIES AND WHETHER WHICH PORTIONS WOULD BE CONSIDERED PUBLIC UTILITIES.

COMMISSIONER BOUCHARD STATED THAT HE WAS SIMPLY CONCERNED THAT THE ISSUE WOULD BE MORE COMPLEX FOR THE CONDOMINIUM ASSOCIATION AS ADDITIONAL RECIPROCAL AGREEMENTS ARE CREATED.

COMMISSIONER MANEMANN ASKED IF THIS WAS PREVIOUSLY PLATTED AS A CONDOMINIUM AND WHETHER THERE IS MUCH DIFFERENCE BETWEEN THE PLATS.

THE CITY PLANNER STATED THAT IT WAS ORIGINALLY INTENDED TO BE PLATTED AS A CONDOMINIUM PLAT BUT NOTED THAT THE PLAT IS NOT ACTUALLY PLATTED FOR CONDOMINIUMS UNTIL THE CONSTRUCTION IS COMPLETE AND THE FINAL SURVEY COULD BE DONE.

MOTION

MOTION BY COMMISSIONER MANEMANN AND SECONDED BY COMMISSIONER LACROIX TO CLOSE THE PUBLIC HEARING AT 8:12 P.M. ALL VOTED IN FAVOR AND THE MOTION CARRIED.

MOTION

MOTION BY COMMISSIONER MANEMANN AND SECONDED BY COMMISSIONER TRUESDELL TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE PRELIMINARY PLAT FOR PROJECT 2016-08, SUBJECT TO THE FOLLOWING CONDITION:

1. THE APPLICANT AND THE EMERY VILLAGE CONDOMINIUM ASSOCIATION SHALL ENTER INTO A RECIPROCAL AGREEMENT REGARDING THE USE OF PRIVATE DRIVEWAYS, PEDESTRIAN WALKWAYS, UTILITY INSTALLATIONS, USE OF AMENITIES AND OBLIGATIONS FOR SHARED COSTS IN THE MAINTENANCE OF THESE FACILITIES.

ALL VOTED IN FAVOR AND THE MOTION CARRIED.

OTHER BUSINESS
THERE WAS NONE.

ADJOURN
MOTION

MOTION BY COMMISSIONER LACROIX AND SECONDED BY COMMISSIONER BOUCHARD, TO ADJOURN THE MEETING. ALL VOTED IN FAVOR AND THE MOTION CARRIED. THE CHAMPLIN PLANNING COMMISSION MEETING ADJOURNED AT 8:14 P.M.

DAN COSTELLO, ACTING CHAIRPERSON

ATTEST:

SCOTT SCHULTE, CITY PLANNER