

Commissioner Schiller agreed stating the existing building was becoming an eyesore and was in need of redevelopment.

Development Services Manager Gladhill commented the EDA was aware this retail area was in need of revitalization.

Mr. Erhart reiterated that the two proposals before the Commission this evening were mutually exclusive. He added that a great deal of retail had been moved to The COR and the City may have to reevaluate the needs at this site.

Chair Levine thanked the Commission, applicants and public for their input this evening.

5.03: Public Hearing: Consider Ordinance Amendments to Chapter 117 Related to Stormwater Controls and Illicit Discharges

Public Hearing

Chairperson Levine called the public hearing to order at 9:06 p.m.

Presentation

Associate Planner/Environmental Coordinator Anderson presented the staff report. He explained the City is required by the Minnesota Pollution Control Agency (MPCA) to maintain a Municipal Separate Storm Sewer System (MS4) permit, which outlines stormwater pollution control standards for new development. A requirement of the MS4 permit is incorporating into City Code illicit discharge standards, which means having regulations in place prohibiting the discharge of any substance other than stormwater into the storm sewer system.

Associate Planner/Environmental Coordinator Anderson stated The City is also a member of the Lower Rum River Watershed Management Organization (LRRWMO) which in 2012 adopted their 3rd Generation Watershed Management Plan, which includes certain new standards related to water quality and volume control that are presently not in City Code. Staff discussed the plan in further detail, the proposed ordinance amendments to Chapter 117 and recommended the Commission approve the proposed ordinance amendments related to stormwater management.

Chair Levine requested comment from the Civil Engineer Linton.

Civil Engineer II Linton recommended the Commission proceed with the proposed ordinance amendments to assure the City was in compliance with all stormwater management requirements both at the state and local levels. He discussed the amount of runoff from rainstorm events along with the current management of infiltration basins throughout the City.

Citizen Input

Commissioner Field requested further information on the definition of illicit discharge. He read the current definition for the Commission along with the numerical reference.

Associate Planner/Environmental Coordinator Anderson noted there was a type-o in this section and he would correct the referenced numerical mistake.

Motion by Commissioner VanScoy, seconded by Commissioner Schiller, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners VanScoy, Schiller, Bauer, and Field. Voting No: None. Absent: Commissioners Brauer and Perez.

Chairperson Levine closed the public hearing closed at 9:25 p.m.

Commission Business

Commissioner Field expressed concern that the “type” and volume of illicit discharge was not clearly defined within the ordinance. He questioned if the document could be delayed to allow for further clarification.

Associate Planner/Environmental Coordinator Anderson explained this could impact development requests before the City at this time.

Civil Engineer II Linton discussed how the new stormwater regulations required that the runoff from a property could be no more after redevelopment than it was prior to the redevelopment.

Development Services Manager Gladhill described that the proposed revisions were funneled down to the City through new state regulations. He indicated that until the City was in compliance no new building permits could be approved.

Commissioner Field requested that the violation portion within this Ordinance be revisited by the Commission at a future date to allow for further discussion on this matter.

Civil Engineer II Linton discussed how illicit discharge concerns were addressed by staff with homeowners. He commented education was a large portion of the MS4 permits charge. He stated penalties were not the first step.

Associate Planner/Environmental Coordinator Anderson commented that repeat offenders could potentially be dealing with fines or penalties.

Development Services Manager Gladhill indicated there was always a right to appeal any charges of illicit discharge on behalf of the residents. This would then be reviewed by the City Engineer.

Commissioner Field thanked staff for clarification on this issue.

Motion by Commissioner Bauer, seconded by Commissioner VanScoy, to recommend that City Council adopt the Ordinance amending Subdivision II and adding Subdivision II to Chapter 117, Article II, Division of City Code, as amended.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, VanScoy, Field, and Schiller. Voting No: None. Absent: Commissioners Brauer and Perez.

5.04: Zoning Bulletins

Zoning Bulletins were noted.

6. COMMISSION / STAFF INPUT

6.01: New Development

Senior Planner Gladhill discussed several new developments that were before the City at this time. He commented a work session meeting was proposed for February 11th or February 21st. He requested the Commission review their schedules and respond back to staff.

7. ADJOURNMENT

Motion by Commissioner VanScoy, seconded by Commissioner Schiller, to adjourn the meeting.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners VanScoy, Schiller, Bauer, and Field. Voting No: None. Absent: Commissioners Brauer and Perez.

The special meeting of the Planning Commission adjourned at 9:41 p.m.

Respectfully submitted,

Tim Gladhill
Development Services Manager

ATTEST:

JoAnn Shaw
Planning Division Secretary