

**PLANNING & ZONING COMMISSION**  
**Meeting Minutes (amended)**  
**April 12, 2023**

**Item #1**

**Call to Order:** Truman Jordan, Commission Chair, was present via Zoom and suggested that a commission member present in the room assume chair for this meeting. Trude Elliot agreed to step into the role temporarily.

**Item #2**

**Role Call:** Six members present. Truman Jordan via Zoom; Trude Elliott, Jake Buster, Matthew Nelson, Joan Burge, and Jay Willems. Jenna Wischmeyer, absent.

**Item #3**

**Approval of the Agenda:** Motion to approve, Willems; seconded by Nelson. All in favor.

**Item #4**

**Approval of November 9, 2022 Minutes:** Motion to approve, Willems; seconded by Buster. All in favor.

**Item #5**

**Public discussion - items not on the agenda: None**

**Item #6**

**Discussion and possible action approving the Vacation of Lot B in Stonebrook Fifth Addition.**

**Background Information:**

Lot B was reserved as a street right-of-way, as was common practice at the time of this development. This was done due to uncertainty of Cornell and school district plans for the adjacent land, and to allow for the possibility of a street towards the north. With construction of the MVCSD's athletic complex, Nobsisch recommends the City now vacate this right-of-way, sell

it to the school and preserve the City's easement for utility work and development of a trail for pedestrian access.

Vacation Requirement:

Lot B is dedicated specifically as right-of-way, which requires vacating the lot prior to selling it to the school.

Intended Future Use of Lot B – Emergency Access:

Per Nosbisch, this will be the school's emergency access point. City-ownership would require a 30' street stub and installation of curb and gutter to the driveable portion for insurance purposes. The district does not have that obligation. There will be a gate placed close to the street-side of this lot to prevent non-emergency vehicle traffic from entering Lot B. A vehicle-width access drive will proceed from there into the complex to provide ambulance access to the field.

The route for emergency vehicles accessing Lot B has not yet been determined.

Future Maintenance of Lot B:

Questions from Elliot and Willems regarding MVCSD's legal responsibility to maintain the street stub and sidewalk. Per Nosbisch, there is language within the Resolution Directing Sale and the deed stating that they will assume that responsibility. *(Nosbisch provides clarification on process: the vacating of property is reviewed by P&Z, sale of property goes through Council. P&Z can make a formal recommendation that the issue be addressed as a deed restriction.)*

Per Nosbisch, in anticipation of transferring the property for one dollar, it's a reasonable expectation that the school will provide maintenance.

Trail pathway & public access:

Question from Elliot regarding public pedestrian access to the trail and area around the track. Nosbisch confirmed that a trail currently exists along the north lot line of Lot B. The pedestrian trail will travel from this access point, along a road-width section, before separating onto a grade-separated trail. The City is also allocating \$50,000 towards lighting of a pedestrian trail as approved on the site plan for MVCSD's Athletic Complex.

The road-width section provides vehicle access into the complex and extends 150-200' south, along the west side of the property. This would provide access for emergency vehicles and deliveries. There should not be any vehicle traffic other than that generated by the school.

For these reasons, the City expects to see 24/7 pedestrian access safely available to the public.

Other public access concerns:

Fencing will be around the outside of the track. The MVCSD has not yet indicated what access the public will have to the complex (track and field) after hours.

Future development:

Nelson inquired as to whether the district could pursue other options for development on this property in the distant future, which might result in a change to public access. Per Nosbisch, while such an attempt could be made, the City will maintain their easement for access of public utilities and the trail. If a redevelopment effort was made which was beneficial to all parties, then a change could occur, through the proper process.

**Motion to approve Vacation of Lot B by Burge, seconded by Willems, all in favor.**

**Item #7**

**Discussion and possible action on the Preliminary Plat for Stonebrook 7<sup>th</sup> – Phase II, 10<sup>th</sup> and 11<sup>th</sup> Additions.**

Background Information: Developer Bryce Ricklefs of Boomerang Corporation was present to explain this amended preliminary plat, as it pertains to the March 20, 2018 Development Agreement for Stonebrook Phases 6 thru 10.

7<sup>th</sup> and 10<sup>th</sup> Additions: Revision of 7<sup>th</sup> and 10<sup>th</sup> Additions include the following changes:

- 1) The cul-de-sac on Park View Court has been reconfigured (dashed outline on this preliminary plat shows the prior proposal).
- 2) Lot size adjustments in the 7<sup>th</sup> Addition along the northern section of 17<sup>th</sup> Avenue will accommodate a wider housing market.
- 3) Other changes facilitate utility installation for this addition, as Alliant and ITC have a goal of undergrounding all electrical utilities and being “off poles” by 2024.

11<sup>th</sup> Addition: Boomerang has purchased an additional ten acres in order to achieve the necessary stormwater calculations in this development.

Staff-recommended changes to this preliminary plat, as presented in the packet:

- 1) Conversion of Lots 42 and 74 to provide temporary turnaround:

Temporary turnarounds are required by code at the dead-ending of streets where future development is anticipated but not yet proposed. The ground south of Lot 42 on 17<sup>th</sup> Avenue and west of 8<sup>th</sup> Avenue has not been acquired for development. Lots 42 and 74 will provide a temporary turn-around until this parcel becomes available and can provide the necessary street connectivity.

2) Trail-width (8') sidewalks – The following sidewalks are recommended at the off-street trail width of 8':

- Sidewalk along 6<sup>th</sup> Place West, west of 16<sup>th</sup> Avenue South
- Outlot E between 18<sup>th</sup> and 17<sup>th</sup> Avenue South,
- Sidewalk connecting 17<sup>th</sup> Avenue South to Outlot C
- Sidewalk along Lot 117 on 16<sup>th</sup> Place South

#### Block face exceeding 600':

Willem expressed concerns regarding the length of block face on 17<sup>th</sup> and 18<sup>th</sup> Avenue. Design standards include a provision that any blockface exceeding 600' include a pedestrian easement of 12'. This requirement has been met with a 20' easement and the developer agreed to increase width on the sidewalk to 8' in width. The block face on the north side of 3<sup>rd</sup> Street West, between Stonebrook 7<sup>th</sup> I & II additions includes Outlot A and this consideration will be made as development occurs north of this plat.

#### Outlots D & C:

Stonebrook 6<sup>th</sup>-11<sup>th</sup> Addition is a 40-acre development, with 11 acres dedicated to stormwater management, which is a significant requirement. The 11<sup>th</sup> Addition was purchased to provide 1.3 acres of this, as seen in the designation of Outlot D.

Outlot C is a federally-protected waterway. Stormwater to the north, almost from Bryant Road, and everything from the west eventually finds its way to this waterway, flowing under Palisades Road. The objective has been to create as much green space / stormwater collection area as possible before water gets to Palisades.

#### Other Discussion:

Ricklef noted that he will be using three builders with these additions, which is anticipated to bring some variety to the housing styles.

Nelson expressed concerns regarding snout houses (garage face not to exceed 10' in front of a corresponding dwelling unit) and street connectivity. Per Nosbisch, Mount Vernon's code addresses snout houses. In regards to connectivity, condemnation is a possibility when there is a problem, but it is not preferable.

Burge inquired about tree planting in the ROW. Nosbisch explained that in the 70's to early 90's, cities moved away from ROW plantings, due to roots in the utilities, and encouraged developers to put 1-2 shadetrees on the lot. People were planting more ornamentals than actual shadetrees. Mount Vernon is a Tree City, so it encourages tree-planting. The City does not enforce the covenants of individual subdivisions, and since newer developments do not have alleyways with utilities, it's more challenging to plant within the right-of-way (ROW) because it has water, sewer, storm, electric, gas and cable utilities. New streets are also designed with perforated tile to facilitate drainage of the subgrade, which tree roots grow into, destroying the drainage path over time. The City has, however, offered a ROW tree-planting program each year since the Derecho.

Nosbisch stated that Parks & Recreation does have a recommended layout for the five (5) acres of parkland dedicated from Stonebrook I. There is not a timeline established to date.

**Motion to approve the Preliminary Plat for Stonebrook 7<sup>th</sup> – Phase II, 10<sup>th</sup> and 11<sup>th</sup> Additions – moved by Willems. Seconded by Burge. All in favor.**

**Further Discussion - Future Development (Nosbisch):**

Discussion on Accessory Dwelling Units (ADUs) will be forthcoming in the coming months – Laura began this process and there is quite a bit of discussion to be had as there are proponents for and against, but it will be on the agenda in the near future. There is a possibility of development at Kernoustie Golf Course and other developers / land owners have called with inquiries regarding development, annexation, etc.

**Motion to adjourn by Willems, seconded by Buster, All in favor.**

**Staff present: City Administrator Chris Nosbisch, City Planner Leigh Bradbury.**

**Members of the public: Bryce Ricklefs, developer from Boomerang; Ron Amelon, MMS Consultants for Boomerang; and one member of Boomerang's staff.**