

**CITY OF OKOBOJI PLANNING AND ZONING MINUTES
FOR THE MEETING HELD ON MONDAY, APRIL 2nd, 2018 AT 6:00 P.M.
PEARSON LAKES ART CENTER, POMERANTZ HALL**

The Planning and Zoning Board for the City of Okoboji met on the above date at 6:01 P.M. at the Pomerantz Hall located in the Pearson Lakes Art Center. Board members present were Les Marousek, Barbara Mendenhall, Perry Pearson, Jane Shuttleworth, and Hank Grant appeared by telephone. Others present were: Brad Beck, Mary VanderWoude, Dan Sanders, John Hight, Russ Eckard, Shar Eckard, Denise Norland, Kelly Norland, Mary Skopec, Kate Duhamel, Joe Fitzgibbons, Jeff Rose, Patrick Boggess, Jim Accord, Kira Jensen, Terry Wilts, Matt Lanfear, Walter Mendenhall, Jerry Robinson, Dennis Colton, Anne Banestroo, Vera Verdoorn, Steven Moore, Angela McCaulley, Jeff Thee, Paul Johnson, Kay Hoppe, Michael Jensen, David Stein and Michael Meyers.

Perry Pearson chaired the meeting and called the meeting to order. The Pledge of Allegiance was recited by all in attendance.

Pearson and the Board invited Mr. Michael Jensen, representing Whitecap LLC, to discuss with the board the Preliminary Plat of the Whitecap Addition commonly known as The Inn Redevelopment. The subdivision features 7 residential lots, requests the vacation of Eden Street and parts of Fairfield Avenue, proposes a cul-de-sac at the end of Fairfield, and includes an approximately 70.00 acre park on the north side of Lakeshore Drive more commonly known as "The Inn Golf Course". The subdivision is expected to have 2 lots zoned as R-1 Zoning and 5 lots zoned as R-3 Zoning.

Jensen presented to the Board conceptual aerial drawings of the proposed subdivision as well as conceptual drawings of the proposed park land. Jensen gave detailed explanations of the subdivision as well as the park. Jensen explained that the proposed improvements, including the park, would be handled privately at no cost to the tax payers. Jensen is requested fixing the double zoning on the lots, the vacation of Eden Street, and approval of the preliminary plat.

Barbara Mendenhall asked specifics relating to the Developer's Storm Water Prevention Plan as well as who the contractor would be relating to the project. Jensen advised that Beck Excavating was the selected contractor would be for the project. Jensen advised of the silt fencing as well as the silt logs planned and already existing. Jensen advised that they have been in contact with the Iowa Department of Natural Resources.

Mendenhall asked specifics relating to the pervious pavement shown on the Preliminary Plat within the cul-de-sac. Jensen advised that this was put in place opposed to rain gardens to help mitigate storm water due to space.

Mendenhall questioned the fact that there was no silt fencing on the east side of the property. Jensen advised that the wall and storm sewer at the end of the property would handle any drainage.

Mendenhall confirmed that the Developer intended to install two wetlands in the park area and questioned that those designing the parkland would be placing these wetlands in useful area. Jensen confirmed that the wetlands were placed based upon topographic maps.

Mendenhall commented on pedestrian access from Lakeshore Drive to the cul-de-sac. Jensen commented that individuals could park in the proposed park's parking area or at the City's existing park. Mendenhall commented on the need for good signage and reflected that she has heard concerns relating to this.

Jane Shuttleworth commented that the City's existing park seemed like it was too far to be considered as a parking option. Jensen commented that this parking lot was 600 foot away. The Board questioned that fact as accurate.

An audience member asked about providing a pedestrian path down Indian Mound Drive. Jensen commented that this is not something that the Developer is interested in doing. Jensen was asked about the size of the parking lot. Jensen commented that the park would be compact and would defer to the architect's recommendation.

An audience member inquired about the sidewalk running along the lakeshore. Jensen advised that a good portion of this sidewalk is on private property and there was no easement. Jensen advised that the plan is to keep the sidewalk. Jensen advised that there would be covenant protections against a property owner from removing the sidewalk.

An audience member commented on the demolition process and the proposed schedule citing concerns about Memorial Day. Jensen affirmed that the process would be complete by this time frame. Jensen approximated a 30 to 40 day demolition process.

An audience member asked about the tax impact of this development. Jensen explained that this development will result in an increased tax base.

A board member of the Central Water Systems Board inquired about a potential land acquisition from the Developer. Jensen said this could be considered.

Les Marousek and an audience member discussed the possibility of keeping the part of the pavement parking located on Indian Mound Drive which is City property.

An audience member expressed her excitement over the development, however, she was concerned of the added traffic at Metz Beach. Jensen advised that he suspected the beach would still remain rather unknown and that individuals are still more likely to frequent better known public beaches.

An audience member inquired about the demolition and where the materials would go. Jensen advised that recycling would be an important part of this process and that certain items were required to go to the Dickinson County Landfill.

Kate Duhamel, the owner of the property, was introduced and briefly spoke. Duhamel spoke to her and her family's long interest and history in Okoboji. Duhamel commented that she is a current property owner in the City of Okoboji. Duhamel thanked the audience for their participating and comments. Duhamel spoke to her experience in Okoboji having taken swim lessons as a child and participated in sailing through the Okoboji Yacht Club. Duhamel expressed sadness in the demolition of the Inn and the history associated with it. Duhamel spoke to the parking concern. Duhamel advised that they are trying to provide parking that easily accessible for access to the park and to the lake. Duhamel once again thanked the audience and the Board.

Marousek asked about the maintenance of Lot 7. Jensen advised that this would be maintained by the private property owner and that the City is not responsible.

An audience member asked if there have been conversations between the Developer and the Dickinson County Nature Center. Jensen advised that there have been communications between the Nature Center and the Developer. Jensen also advised that they are in discussion with the Dickinson County Trail Board.

Shuttleworth thanked the Duhamels for allowing the City of Okoboji to have a much more environmentally sensitive area both on and off the lakeshore.

Michael Meyers, City Administrator, commented on the access points to the pump station to be approved by City Staff as a condition. Jensen commented that this could be accommodated.

Pearson commented that he had an opportunity to speak with the City Engineer as well as City Staff. Pearson commented on his excitement for the property and noted how dramatically different this will be for the community. Pearson commented that there is some engineering changes that need to be made. Pearson wondered if there was enough filtration along the lakeshore to protect the water. Jensen commented that the topography of the land helps protect against problems. Jensen commented that the removal of pavement is a step in the right direction. Jensen commented on the intentions to have two inch curbs. Jensen commented on potential raingardens. Jensen commented on the pervious pavers. Jensen said this will be done appropriately with the environment in mind.

Brad Beck, City Engineer, commented on the development. Beck brought up access into the pump house for City Staff and utilities. Beck commented on the City's need to study the capacity of the storm sewer on the east side of the property. Beck asked for documentation on the Lot 7 green space as well as the sidewalks. Beck asked for 10 foot setbacks to be included. Beck advised on the need to waive zoning requirements. Beck did not have any issues with those waivers and noted that the Arnolds Park Okoboji Fire Department has been contacted. Beck advised on the water permits necessary for this project. The developer needed two permits issued by the DNR to proceed with complete demolition. Beck advised that covenants need to be resolved prior to City Council.

David Stein, City Attorney, spoke to the need for contingency for the appropriate legal documentation to ensure that the sidewalk is to remain public property.

Pearson commented on additional filtration methods such as pea gravel and trenching. Beck advised that could be a part of conditions set forth by the Planning and Zoning Commission.

Pearson talked about the NPDES storm water permit and asked what the projected timeline for that looked like. Jensen noted 30 days on the permit but advised that there were things that could be started prior to the receipt of this permit.

An audience member asked if the width of Eden Street would become an easement. Jensen noted that all of Eden Street would tied up with utility easements on private property. Jensen estimated the width to be 54 feet.

An audience member commented on the storm sewer intakes and requested that a sump pump be put into the sewers to help keep gravel and other fine particulars out of the lake. Pearson advised that there is a sump in Brooks North. Beck commented that these would be easy to accommodate and install. Beck commented that this would be a minimal cost.

An audience member asked on the timeline of the park. Jensen commented a transfer of ownership in June or July and noted that construction could start in the fall of 2018.

Mendenhall commented that public hearings relating to the Park might be beneficial.

Pearson asked Meyers if there was anything else to be considered. Meyers commented that the Planning and Zoning Board well covered the topics of concerned. Meyers advised the audience on future meetings and how the platting process works in accordance with the City of Okoboji's Zoning Ordinance. Meyers advised audience members to contact the City with any questions and continue to watch the City's website for updates.

Hank Grant thanked the Duhamels for their participation in this plan.

Shuttleworth commented on the importance of the sensitivity of the lakes and the land surrounding it. This is an opportunity for more people to enjoy the lake without an overabundance of development.

Marousek commented on how this park will increase pedestrian activity in the neighborhoods.

Mendenhall commented on several neighbors concerns of a higher density development happening. Mendenhall noted that they no longer have to worry.

Meyers commented that the City has received three letters in support of the project and advised that additional notifications will be sent to affected property owners.

Commissioner Mendenhall made a motion and a second by Commissioner Shuttleworth to approve the preliminary plat and to waive the requirements for the length of blocks, the width of blocks, and the length of terminal streets with the conditions that there is pump house access approval by City Staff and City Engineer, appropriate legal documentation relating to Lot 7, pedestrian path, side yard setbacks, and other covenants pertaining to the building lots, and that additional filtration methods were used during construction and demolition. The following Commissioners voted "YEA": Grant, Shuttleworth, Marousek, Pearson, and Mendenhall. The following Commissioners voted "NAY": None.

Stein commented that the Commission should have considered the recommendation on the vacation of Eden Street prior to voting on the recommendation of the approval of the preliminary plat.

Chairman Pearson called a vote to back out of what was just voted on. The following Commissioners voted "YEA": Grant, Shuttleworth, Marousek, Pearson and Mendenhall. The following Commissioners voted "NAY": None.

Commissioner Marousek made a motion and a second by Commissioner Mendenhall to recommend approval to the City of Okoboji City Council on the requested vacation of Eden Street as per Resolution 2018-01. The following Commissioners voted "YEA": Grant, Shuttleworth, Marousek, Pearson and Mendenhall. The following Commissioners voted "NAY": None.

Commissioner Mendenhall made a motion and a second by Commissioner Shuttleworth to approve the preliminary plat and to waive the requirements for the length of blocks, the width of blocks, and the length of terminal streets with the conditions that there is pump house access approval by City Staff and City Engineer, appropriate legal documentation relating to Lot 7, pedestrian path, side yard setbacks, and other covenants pertaining to the building lots, and that additional filtration methods were used during construction and demolition. The following Commissioners voted "YEA": Grant, Shuttleworth, Marousek, Pearson, and Mendenhall. The following Commissioners voted "NAY": None.

Meyers spoke with the Commission on setting up a recurring monthly date for future Planning and Zoning Commission meetings. The Commission discussed and agreed. Meyers would reach out.

Motion made by Commissioner Mendenhall and a second by Commissioner Marousek to adjourn the meeting at 7:19 P.M. The following Commissioners voted "YEA": Grant, Shuttleworth, Marousek, Pearson, and Mendenhall. The following Commissioners voted "NAY": None.

Michael Meyers
City Administrator / Clerk

Zoning Administrator