

**OFFICIAL MINUTES**

Vice-Chairperson Nick Schmeichel called the meeting of the Planning Commission to order on Tuesday, May 5, 2026, at 5:30 PM in the Council Chambers Room #310 on the third floor of the City & County Government Center. Members present were Tanner Aiken, Emily Braun, Kyle Jamison, Scot Leddy, Nick Schmeichel, Roger Solum and Debra Spear. Billie Jo Hinrichs & Jacob Limmer were absent. Also present were Community Development Director Michael Struck, City Planner Ryan Miller, Associate Planner Bailey Maca, Public Works Director John Thompson and City Engineer Charlie Richter. Also present were Lane Munson, Bonnie Gilbertson, Samuel Krueger and Russell Adkins from the public.

**Item #1** – Roll Call

**Item #2** – Approval of Agenda

(Solum/Aiken) Motion to approve the agenda. All present voted aye. **MOTION CARRIED.**

**Item #3** – Approval of Minutes

(Solum/Aiken) Motion to approve the April 7, 2026 Minutes. All present voted aye. **MOTION CARRIED.**

**Item #4** – Open Forum

**Item #5** – Disclosure of Conflicts of Interest

**Item #6** – Convene as the Board of Adjustment

**Item #6a** – Lane and Dawn Munson have requested a variance on Lots 18 & 19 of Block 1 of Hunters Ridge Addition, also known as 540 Deer Pass, for a six-foot-high fence in the front yard.

(Leddy/Braun) Motion to approve the fence height variance. All present voted aye. **MOTION CARRIED.**

**Item #6b** – Jay and Bonnie Gilbertson have requested a variance on Lot 1B of Block 1 of Camelot Square Addition, also known as 1119 Medary Avenue South, to build a garage addition within 22.9-feet of the rear lot line.

(Solum/Jamison) Motion to approve the rear yard setback variance. All present voted aye. **MOTION CARRIED.**

**Item #6c** – Samuel Krueger has requested two variances on the North 112' of the East 35' & the North 100' of West 15' of Lot 6 in Block 2 of Skinners Second Addition, also known as 806 6th Street. The first request is to allow front yard parking within a residential zoning district. The second request is to permit a driveway width greater than 24 feet. Staff recommends approval of the variance requests, contingent upon the driveway and parking areas being fully paved and the recording of a shared access

easement with the east neighboring driveway. The shared access easement must include shared use of the curb cut at 812 6<sup>th</sup> Street.

(Aiken/Braun) Motion to approve the driveway width and front yard parking variances including staff recommendations. Solum voted nay. All others present voted aye. **MOTION CARRIED.**

**Item #7** – Reconvene as the Planning Commission

**Item #7a** – TH Companies, LLC has submitted a revised preliminary plat for Lots 1-8 in Block 1 and Lots 1-3 in Block 3 of Prairie Sunset Addition. The property is currently described as the Northeast Quarter of the Northwest Quarter, Excluding Outlot A in Section 3-109-50 and is zoned Residential R-1A Single-family district. Staff recommends approval with the condition that a revised preliminary drainage plan must be submitted prior to City Council review of the revised preliminary plat.

(Spear/Jamison) Motion to approve the revised preliminary plat including staff recommendations. All present voted aye. **MOTION CARRIED.**

**Item #7b** – Discussion: Amendments to Sec. 51-64 – Subdivision Regulations.

**Item #8** – Adjourn

(Solum/Aiken) Motion to adjourn. All present voted aye. **MOTION CARRIED**

The meeting adjourned at 6:44 p.m.

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Ryan Miller, City Planner

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Nick Schmeichel, Vice-Chairperson

## **OFFICIAL SUMMARY**

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**Item #1** – Roll Call

**Item #2** – Approval of Agenda

**Item #3** – Approval of Minutes

**Item #4** – Open Forum

**Item #5** – Disclosure of Conflicts of Interest

**Item #6** – Convene as the Board of Adjustment

**Item #6a** – Lane and Dawn Munson have requested a variance on Lots 18 & 19 of Block 1 of Hunters Ridge Addition, also known as 540 Deer Pass. The property is a single-family residence located on a corner lot and has two front yards, Deer Pass and Cardinal Drive. The applicant is proposing to install a six-foot-high privacy fence 21-feet off the east property line along Cardinal Drive. The proposed fence does not encroach upon or obstruct any required site triangles.

Munson, property owner, explained that the requested fence is for safety and privacy around their pool. He added that there is a daycare across the street.

**Item #6b** – Jay and Bonnie Gilbertson have requested a variance on Lot 1B of Block 1 of Camelot Square Addition, also known as 1119 Medary Avenue South, to build a garage addition within 22.9-feet of the rear lot line. The applicant proposes to remove the existing detached garage and replace it with an attached garage of approximately the same size. While detached accessory garages are permitted within five feet of the rear lot line, an attached garage is considered part of the principal structure and is therefore subject to the full rear yard setback requirement. The home was constructed in 1889 and is situated on a large, irregularly shaped lot. The house entrance faces south, with the north side functioning as a rear yard and the east side functioning as a side yard, in practice. However, under zoning code definitions, the front lot line is defined as “the lot line separating a lot from a street right-of-way,” and the rear lot line is “the lot line opposite and most nearly parallel to the primary front lot line.” Based on these definitions, the front yard is located between the house and Medary Avenue South, and the rear yard is located on the east side of the property.

Gilbertson, property owner, explained that they are removing a detached garage to install an attached garage that will actually be farther away from the property line than the current structure. Aiken noted that due to the lot shape and fact that the garage is moving farther from the property line, it is a reasonable request.

**Item #6c** – Samuel Krueger has requested two variances on the North 112' of the East 35' & the North 100' of West 15' of Lot 6 in Block 2 of Skinners Second Addition, also known as 806 6th Street. The first request is to allow front yard parking within a residential zoning district. The second request is to permit a driveway width greater than 24 feet. Staff recommends approval of the variance requests, contingent upon the driveway and parking areas being fully paved and the recording of a shared access easement with the east neighboring driveway including shared use of the curb cut at 812 6<sup>th</sup> Street.

Krueger, property owner, was available for questions and emphasized that his intent is not for front yard parking but for the through access. He also noted that the neighbor has submitted a letter of support. Aiken asked how much of the total lot area can be hard surface. Miller stated that there are limits in the rear yard but not in the front yard. Jamison requested the reasoning for the staff recommendation that the driveway be paved. Miller explained that due to the size of the parking area it is being requested similar to when a multi-family property is requesting parking exceeding 5 spaces. Aiken clarified that side yard parking is allowed by right. Miller confirmed. Schmeichel asked if there were any drainage concerns. Miller said that staff has not expressed concerns. Krueger has accounted for drainage to run towards the property line then slope to the street. Jamison asked if the applicant's intention was to fully pave the driveway. Krueger said it was not yet decided. He was considering having gravel on the sides of the dwelling with pavement in the front.

**Item #7** – Reconvene as the Planning Commission

**Item #7a** – TH Companies, LLC has submitted a revised preliminary plat for Lots 1-8 in Block 1 and Lots 1-3 in Block 3 of Prairie Sunset Addition. The property is currently described as the Northeast Quarter of the Northwest Quarter, Excluding Outlot A in Section 3, Township 109 North, Range 50 West and is zoned Residential R-1A Single-family district. The revised preliminary plat will reduce the development to 11 single-family lots. A proposed extension of Brighton Road will provide access to all but two lots which will have access from a proposed cul-de-sac. Bright Road will extend to the parcel's southern boundary to allow for future connectivity to the south. As proposed, the development meets secondary access requirements. Development will be limited to slab-on-grade homes due to the high-water table present in the area. Onsite stormwater detention is provided along the western edge of Block 1. An updated drainage plan will be required prior to final approval by the City Council.

Adkins, Christensen Development Partners, explained that they have amended the plan to have large estate lots with a lake on the west side and are planning to install a turn-around at the end of Brighton Road designated as a right-of-way instead of a temporary easement to ensure proper maintenance. Aiken thanked the applicant for hearing community concerns on density. Schmeichel asked if there is any issue with obtaining a revised drainage plan. Adkins advised that they have one underway.

**Item #7b** – Discussion: Amendments to Sec. 51-64 – Subdivision Regulations.

Thompson was available for inquiries. Richter explained that the city is reviewing subdivision regulations due to settlement and other issues causing roads to need to be replaced in advance of typical timelines. He also detailed the costs associated with the requested bonding requirements. Leddy asked if city staff considered amending their construction standards. Richter stated that staff is

currently reviewing those standards as well and explained some of the desired changes. Aiken asked if staff had spoken with contractors for feedback. Richter said that the contractors he had worked with were primarily concerned with how the punch lists would be handled in years 2-3 to ensure that they were not held responsible for plow damage and normal wear and tear. Aiken asked if the contractors expressed concern regarding the 1-year waiting period. Richter said it was not brought up as much of a concern. Solum requested wording in subsection 2b to be clarified. Richter explained the intent and noted that they would revise the draft. Schmeichel asked how warranty bonds work. Richter explained that bonding is similar to insurance company and rates vary based on the number of claims submitted. The rates provided were for a contractor in good standing. Aiken asked if any contractors expressed concern keeping the bonds open for 3 years and reaching their bond limits. The only concern he heard was from developers that typically do not require bonds and the city has left options open for other forms of surety. Aiken asked if the city would actually require a 4-year surety due to the 1-year waiting period. Richter explained the timeline and that bonding is not required until the street is accepted by the city. Struck clarified that the bond is insurance that the contractor comes back to make necessary corrections so the city is not held liable for any associated costs associated. Richter added that the city gives the contractor the opportunity to rectify anything prior to contacting the bonding agency. Schmeichel asked what the life expectancy is. Richter stated that streets, curb & gutter typically have a 20-year life expectancy. Schmeichel commented that he leans towards the alternative amendment. John stated that staff plans to bring the alternative amendment to City Council in June. Solum asked what the construction standards were for work in existing streets. Richter noted that the city recently updated their Excavation Permit to a Right-of-Way Work Permit that holds contractors accountable for utility work in existing streets. Schmeichel asked who is responsible for hiring the compaction testing. Richter explained that the city requires the contractor to hire an engineer of record to confirm that the construction standards are met. Aiken asked for a description of the warranty process for street projects outside of subdivisions. Richter stated that contractors in those situations will be held to the same standards, however, there would not be a 1-year waiting period on established streets. Struck added that this policy only applies to newly accepted streets. The regulations on existing streets will be modeled after this policy, but not the same. Struck added that there were other changes proposed in the amendment that was heard in April and asked if there were concerns about the other changes. Schmeichel asked if the board members had concerns with the block length for emergency services. Leddy stated that if emergency services were comfortable with the block length his only other concern is for people in wheelchairs having more connectivity.

**Item #8** – Adjourn

The meeting adjourned at 6:44 p.m.

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Ryan Miller, City Planner

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Nick Schmeichel, Vice-Chairperson