

MINUTES, REGULAR MEETING
PLANNING COMMISSION, CITY OF LA CRESCENT, MINNESOTA
JUNE 6th, 2023

The Planning Commission met at 5:30 p.m., on June 6th, 2023 in the City Council Chambers at City Hall. Upon a roll call taken and tallied by the Sustainability Coordinator, the following members were present: Greg Husmann, Dave Coleman, Dave Hanifil, Chris Langen, and Mike Welch. Jerry Steffes arrived at 5:35. City Sustainability Coordinator, Jason Ludwigson and Community Development Director Larry Kirch were also present. Ryan Stotts was absent. City attorney Skip Wieser and City Council representative Cherryl Jostad was present.

Members recited the Pledge of Allegiance.

Item 4. Approval of April 4th 2023 Meeting Minutes

Mike Welch made a motion to accept the minutes from the April 4th meeting. Dave Coleman seconded the motion.

Upon a roll call vote taken and tallied by the Sustainability Coordinator, the following Members voted in favor thereof, viz;

Greg Husmann	Yes
Chris Langen	Yes
Jerry Steffes	Yes
Dave Coleman	Yes
Dave Hanifil	Yes
Mike Welch	Yes

and none voted against the same. The motion was declared duly carried.

Item 5. Hearing Conditional Use Permit Wagon Wheel Electric Substation

Chair Husmann opened the public meeting at 5:35. Attorney Wieser address the option for the applicant to address the Conditional Use Permit, Preliminary Plat, and Variance at one time. Brian Sullivan representing Xcel Energy addressed the Planning Commission about the applications for the Conditional Use Permit, Preliminary Plat, and Variance. Brian gave an overview of the site history and projected future electrical needs for the community. Ross Lexvold, Adam Literski, and Dustin Wilson representing Xcel Energy

addressed the Planning Commission about the applications for the Conditional Use Permit, Preliminary Plat, and Variance. Public comment was received by Dick Wieser and John Radecki related to the Conditional Use Permit application for the Wagon Wheel Substation. Planning commission members presented questions about the Conditional Use Permit to the applicant. Larry Kirch presented an overview of the staff report prepared by the city for the Conditional Use Permit application. Tim Hruska with WHKS, attending via Zoom, commented that raising the road at the current Xcel substation site would be estimated at 2-3 years.

Jerry Steffes made a motion to continue the meeting the Conditional Use Permit for the Wagon Wheel Electrical Substation. Dave Hanifil seconded the motion. Upon further discussion Jerry Steffes withdrew the motion and Dave Hanifil withdrew his second. (1hr 13min)

Jerry Steffes made a motion to deny the Conditional Use Permit for the Wagon Wheel Electrical Substation. Dave Hanifil seconded the motion. The followings conditions and findings were included in the motion.

Conditions of approval and findings:

1. It is in a residential area.
2. The substation would be higher than the 10-foot fence.
3. The screenings may be hazardous to emergency personnel.
4. Other options may be available.

Upon a roll call vote taken and tallied by the Sustainability Coordinator, the following Members voted in favor thereof, viz;

Greg Husmann	No
Chris Langen	No
Jerry Steffes	Yes
Dave Coleman	No
Dave Hanifil	Yes
Mike Welch	No

The motion failed by a vote of 4-2.

Mike Welch made a motion to approve the Conditional Use Permit for the Wagon Wheel Electrical Substation. Dave Coleman seconded the motion. The followings conditions and findings were included in the motion.

Findings:

1. The CUP is consistent with section 2.23 of the stated goals of the Comprehensive Use Plan.
2. The Conditional use is consistent with the Industrial Zoning district.

Conditions of approval:

1. The applicant/developer will abide by all representations made by the applicant/developer, or their agents, made during the permitting process, to the extent those representations were not negated by the Planning Commission or City Council and to the extent they are not inconsistent with the spirit or explicit conditions of the conditional use permit.
2. That the applicant/developer complies with all applicable federal, state, and local regulations.
3. Applicant complies with submitted screening, restoration, and fence plan submitted to the City in accordance with submitted plans.
4. This CUP is conditionally approved pursuant to Chapter 12, ZONING ORDINANCE of the City of La Crescent, Minnesota, Section 12-06, Conditional Use Permits and the use shall be as set forth in accordance with the application and plans attached and associated to this case and all the provisions of the zoning ordinance and city codes applicable to this case.
5. The applicant shall comply with the city's adopted building codes for all interior and exterior building improvements and shall submit for approval interior remodeling plans prepared by a design professional or draftsman qualified to prepare such plans.
6. In accordance with Subd. 4 of Section 12.06, the Planning Commission can require berms, screening, landscaping or other facilities to protect adjacent or nearby property and require landscaping, fencing, screening, or other improvements to protect adjacent or nearby property, therefor tree plantings, landscaping and vegetative screening improvements shall be planted in accordance with Section 12.22 C-1 HIGHWAY COMMERCIAL DISTRICT Subd. 6 E.
7. Any additional site lighting shall be "Dark Sky" compliant, wherein all light sources shall be down-lit, full cutoff fixtures and shielded, and the correlated color temperature ("CCT") shall not exceed 2,700 Kelvins.
10. Any signage to be installed on the property must comply with Chapter 152 of the City Code of Ordinances.
11. Applicant will abide by the representations made by the applicant, or their agents, made during the

permitting process, to the extent those representations were not negated by the Planning Commission or City Council and to the extent they are not inconsistent with spirit or letter explicit conditions of the Conditional Use Permit.

12. Applicant complies with all federal, state, and local regulations.

Upon a roll call vote taken and tallied by the Sustainability Coordinator, the following Members voted in favor thereof, viz;

Greg Husmann	Yes
Chris Langen	Yes
Jerry Steffes	No
Dave Coleman	Yes
Dave Hanifil	No
Mike Welch	Yes

The motion carried by a vote of 4-2.

Item 6. Public Hearing Preliminary Plat Wagon Wheel Electric Substation

Public comment was received by Dick Wieser and John Radecki related to the Preliminary Plat application for the Wagon Wheel Substation. Planning commission members presented questions about the Preliminary Plat application to the applicant.

Mike Welch made a motion to approve the Preliminary Plat for the Wagon Wheel Electrical Substation. Dave Coleman seconded the motion. The followings conditions and findings were included in the motion.

Conditions of Approval:

1. The applicant/developer will abide by all representations made by the applicant/developer, or their agents, made during the permitting process, to the extent those representations were not negated by the Planning Commission or City Council and to the extent they are not inconsistent with the spirit or explicit conditions of the conditional use permit.
2. That the applicant/developer complies with all applicable federal, state, and local regulations.
3. No sitework shall commence until after approval of the final plat.
4. That the alley shown on the preliminary plat is vacated prior to the approval of the final plat.

5. Developer provides additional information requested by WHKS dated May 30, 2023 to satisfaction of City Engineer.

Findings:

1. The property owner proposes to use the property in a reasonable manner permitted by the Zoning Ordinance
2. The request is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan.
3. Developer has demonstrated an increased need for the substation.
4. Developer/applicant has provided sufficient screening for the project by way of their variance application.

Upon a roll call vote taken and tallied by the Sustainability Coordinator, the following Members voted in favor thereof, viz;

Greg Husmann	Yes
Chris Langen	Yes
Jerry Steffes	No
Dave Coleman	Yes
Dave Hanifil	No
Mike Welch	Yes

The motion carried by a vote of 4-2.

Item 7. Meeting Variance for Wagon Wheel Electric Substation

Jason Ludwigson presented an overview of the staff report prepared by the city for the Variance application. Public comment was received by Dick Wieser and John Radecki related to the Variance application for the Wagon Wheel Substation. Planning commission members presented questions about the Variance application to the applicant.

Chris Langen made a motion to approve the Variance for the Wagon Wheel Electrical Substation. Mike Welch seconded the motion. The following conditions and findings were included in the motion.

Conditions of Approval:

1. The applicant/developer will abide by all representations made by the applicant/developer, or their agents, made during the permitting process, to the extent those representations were not negated by the Planning Commission or City Council and to the extent they are not inconsistent with the spirit or explicit conditions of the conditional use permit.
2. That the applicant/developer complies with all applicable federal, state, and local regulations.
3. Applicant complies with screening, restoration, and fence plan prepared by Barr Engineering contained on pages 99-100 of the packet.
4. Applicant receives approval to vacate the alley before La Crescent City Council.
5. Employee parking be provided onsite.
6. Applicant complies with submitted screening, restoration, and fence plan submitted to the City in accordance with submitted plans.
7. The fence complies with applicable setback distances for the Shoreland Mixed-Use/I - Industrial District.
8. The applicant plants trees and shrubs as screening that are native to Minnesota. The area outside the fence shall be planted with low growing fescue grass or a short native prairie mix.
9. The fence be an industrial fence that has a decorative component. The fence uses materials that are durable and is made from recyclable materials or materials that are easily recycled at their end of life.

Upon a roll call vote taken and tallied by the Sustainability Coordinator, the following Members voted in favor thereof, viz;

Greg Husmann	Yes
Chris Langen	Yes
Jerry Steffes	No
Dave Coleman	Yes
Dave Hanifil	No
Mike Welch	Yes

The motion carried by a vote of 4-2.

Jason Ludwigson read the following statement: Upon approval or denial of a variance request by the Board of Adjustment, an applicant or other aggrieved party may file an appeal in writing to the City Council within (10) days of the decision, otherwise the decision by the Board of Adjustment becomes final.

Item 8. Review Planning and Zoning Deadlines and Notice Requirements

Jason Ludwigson and Larry Kirch reviewed the Planning and Zoning Deadlines and Notice Requirements document with the members.

Item 9: Beekeeping Ordinance

Jason Ludwigson reviewed the draft beekeeping ordinances noting that the draft included changes to the language about swarming and number of hives permitted. Discussion followed. No action was taken by the planning commission.

Item 10: Walnut Street Planning Project

Larry Kirch reviewed the Walnut Street Planning project in connection with the Downtown Plan. The city approached the LAPC for a corridor plan. LAPC approved funds for the corridor plan study. Upcoming public input sessions will be held June 13th at the Farmers Market and a public open house meeting at the Community Building Wednesday June 14th from 6-8 p.m. Upcoming input session will also include property owners and business owners.

Item 11. Updates from the city council by Cherryl Jostad

Cherryl provided an update on city council actions that would be relevant to the planning commission.

Members agreed to the next Planning Commission meeting date of August 8th, 2023 at 5:30 p.m. The meeting duly adjourned at 7:31 PM.