

TO: Planning Commission Members  
Honorable Mayor and City Council Members  
FROM: Shawn Wetterlin, Building/ Zoning Official  
DATE: June 15<sup>th</sup>, 2016  
RE: Meeting Minutes,  
Tuesday, June 14<sup>th</sup>, 2016

The Planning Commission met at 5:15 p.m., on Tuesday, June 14<sup>th</sup>, 2016 in the City Council Chambers at City Hall. The following members were present: Donald Smith, Dave Hanifl, Linda Larson, Patty Dockendorff, Mani Edpuganti, Richard Wieser and Jerry Steffes. City Council member, Brian Krenz and Building Official, Shawn Wetterlin were also in attendance.

1. The meeting was called to order by Chairman, Smith. The meeting minutes of May 3<sup>rd</sup> and 31<sup>st</sup> were approved as distributed by a consensus of all Planning Commission Members.
2. The Planning Commission of the City Zoning Authority held a public hearing at the La Crescent City Hall, 315 Main Street, in said City on Tuesday, June 14<sup>th</sup>, 2016 at 5:20 o'clock P.M. to consider the application for a proposed administrative subdivision to wit:  
Parcel number 250721000, better known as 703 Oak Terrace.

Public Hearing opened, with Russ Bringe representing Steve Walters who was in attendance, presented the proposed administrative subdivision/lot split. The following persons spoke with concerns of sightlines, blocking of views and also didn't want any further development in the area.

- Mike and Deb Geib, 401 South 8<sup>th</sup> St.
- Dawn Heimer, 811 Oak Terrace
- Jane Mrozek, 410 South 8<sup>th</sup> St.

Public Hearing was then closed as no additional member of the public wished to be heard on the matter.

Motion by Hanifl, seconded by Edpuganti to recommend to the City Council to approve the administrative subdivision with following conditions.

- a. The applicant is responsible for utility hook ups and relocating any utility easements.
- b. The driveway entrance shall enter from south 7th street on the North West corner of the newly created lot.
- c. The applicant shall coordinate with city engineer to reshape the grade, remove shrubs and trees so it does not block the view of oncoming vehicles, at the north east corner at the applicant's cost.

- d. The applicant shall work with the power company for a well-defined electrical easement and that the property description is recorded.

In recommending that the motion be approved, the Planning Commission referenced the following findings of fact:

- a. The Administrative Subdivision conforms to all requirements for lots within a R-1B Traditional Low Density District and the applicant has demonstrated by survey that they comply with the requirements to be granted the subdivision, to wit: "Divisions of land where the division is to permit the adding of a parcel of land to an abutting lot or the combination or recorded lots to form no more than two lots. Newly created lots shall conform to the design and performance standards of the La Crescent Subdivision and Zoning Ordinance."
- b. The request is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan.
- c. The property owner proposes to use the property in a reasonable manner permitted by the zoning ordinance.
- d. The lot Split will not alter the essential character of the locality
- e. Comments from the neighbors were considered.

Upon a roll call vote, all members present voted in the following order with the majority of the Planning Commissioner's voting for the motion as proposed.

Hanifl – Yes  
Edpuganti – Yes  
Dockendorff – No  
Wieser – Yes  
Larson – Yes  
Steffes – Yes  
Chairman Smith – Yes

3. The Planning Commission of the City Zoning Authority held a public meeting to consider the application for a variance to allow a home to be built with the garage in front of the principal dwelling when the Zoning Ordinance states, “attached garages shall have the same or greater set back from the street as the principal structure.” The variance request concerns certain premises situate in said City described as follows; parcel number 25.0651.000, better known as 530 Shore Acres Road.

Public hearing was opened by motion with the applicant not present and no member of the public wishing to speak. The public hearing was closed by motion.

Motion by Larson, seconded by Wieser to approve the nine foot Variance with the only condition being that the home was built as presented to the committee.

Upon roll call vote, all members present voted in favor of the motion proposed.

In recommending the motion approved, the Planning Commission referenced the following findings of fact:

- a. The request is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan.
  - b. The property owner proposes to use the property in a reasonable manner permitted by the zoning ordinance.
  - c. The request will not alter the essential character of the locality noting that there was no side view of the home from the street given a wide (150 feet) and deep (over 300 feet) .
  - d. There were no objections from neighbors.
  - e. There is sufficient architectural detail to make the home pleasant looking and the variance was not excessive given the home design.
  - f. The building official had discussions with neighbors, they expressed no concerns.
4. The Planning Commission with City Zoning Authority held a public hearing to consider the application for a preliminary plat. The preliminary plat request concerned certain premises situate in said City described as follows, to wit: Parcel number 330000950, Winona County, better known as Apple Blossom Acres 3, Red Apple Drive extension.

Public hearing opened by motion and Fed Hilby presented the proposed preliminary plat. With no members of the public wishing to speak the public hearing was closed by motion.

Motion by Hanifl, seconded Wieser to recommend to the City Council the approval of the preliminary plat with the following conditions recommended by WHKS, letter dated 6/1/2016 and Wieser law, letter dated 6/14/16 as amended by the Planning Commission. Namely number 4 “Building pad and building setbacks should be provided on the plat”, was amended to read,

“Building area, also referred to as building envelop, and building setbacks must be noted on the Final Plat”.

**WHKS, comments from letter dated June 1<sup>st</sup> 2016**

1. An Engineer’s Opinion of Construction Costs and a proposed construction schedule should be submitted for this project for inclusion in the Development Agreement. Construction observation fees charged to the Developer will be calculated based on the anticipated construction schedule.

Conditions of Approval

1. The applicant must secure all necessary permits before construction begins including a sanitary sewer extension permit (MPCA), water main extension permit (MDH) and NPDES storm water permit if required. The Owner, or their representation, will be responsible for permit compliance.
2. Submit a Certificate of Survey for the parcel.
3. Show existing building structures within 350 feet of the boundary.
4. Provide gross and buildable lot acreages.
5. Show width of lots at setbacks for those lots on a curve
6. Drainage calculations need to be submitted.
7. Storm water needs to be contained within the established drainage easements. Provide open channel flow calculations verifying.
8. The final grading plan should be submitted with the final plat and plan submittal. Grading plan provisions should insure that drainage crosses no more than one adjacent lot. If drainage crosses more than one lot, a drainage easement should be required. The grading plan should show proposed building locations, styles, and floor elevations.
9. Storm water run-off from the hill side needs to be directed into the storm sewer system.
10. Additional easements required by private utility companies, if any, should be platted. All proposed utility conduit crossings must be shown on the final plans. All related private utility fees shall be paid by the Developer.

11. Sanitary sewer shall be SDR 26.

**Wieser Law, Comments from letter dated June 14, 2016**

Conditions of Approval

1. That the lots be renumbered starting with Lot No. 1, Apple Blossom Acres 3;
2. That all existing easements, covenants, and restrictions of record, if any, be provided to the City. After review by the City Engineer and City Attorney, said easements, restrictions, and covenants may need to be relocated to coincide with the easements dedicated in plat.
3. That owner agrees to comply with City Ordinance 12.185 Storm Water Pollution and Erosion Control and Chapter 13 regarding subdivision regulations.
4. "Building area, also referred to as building envelop, and building setbacks must be noted on the Final Plat".
5. That a Development Agreement be executed prior to approval of the final plat. Said Development Agreement shall address:
  - a. Reimbursement to City for engineering fees incurred by City for review of the plat application and providing construction observation services and all work ancillary thereto.
  - b. Reimbursement to City for all legal costs incurred for review of plat, preparation of Development Agreement and all work ancillary thereto.
  - c. Said Development Agreement shall provide for sufficient financial guarantees to be determined by the La Crescent City Council.
6. That all public infrastructure improvements are completed no later than November 30, 2016.
6. Total area of each lot measured in gross square feet.
7. That grading, utility plans are prepared by a licensed engineer.
8. The applicant will abide by all representations made by applicant or his agents or representatives made during the plat review and approval process, to the extent those representations were not negated by the Planning Commission or City Council.
9. The applicant complies with all applicable federal, state and local regulations.
10. That all Conditions No. 1 through 11, as contained in WHKS correspondence dated 6/1/16, are incorporated herein.

Upon roll call vote, all members present voted in favor of the motion as proposed.

5. The Planning Commission review and discussed for informational only the south 3<sup>rd</sup> street bike lane connection between Elm Street and parking lane on the north side and the intersection of highway 14/61. It was noted that there are no bump outs to aid pedestrians attempting to cross 3<sup>rd</sup> street at Oak. This plan is mostly 'paint on the road' and might be reconsidered if there were to be a connection at 7<sup>th</sup> street or bike pedestrian overpass at the end of 1<sup>st</sup> Street North.

It was further noted that there is a painted crossing at North 2<sup>nd</sup> across 14/61. There is an informal and unsafe crossing from Hill's Mobile Home Park and Truss Specialists to the vicinity of the Kwik Trip. This perhaps should be a controlled intersection when an event center is built.

6. The Planning Commission reviewed the current WHKS engineering projects currently underway.
  - The Planning Commission is prepared to have a public informational meeting when the Wagon wheel trail plans are finalized in order for the residents of Shore Acres are not surprised.
  - Shores Acres road north of Railroad Bridge should be added to the five year road maintenance CIP plan.
7. Reviewed letter dated May 12<sup>th</sup>, 2016 from the Federal Emergency Management Agency regarding the preliminary copies of the Flood Insurance Rate Map. The Planning Commission may consider holding an informational meeting once the plans are finalized to answer any questions or learn concerns from affected residents.
8. Discussion on the updated Comprehensive plan and future Planning Commission agenda's thru the end of the year. The Calendar is attached to these minutes.
9. Discussion and future action regarding building permit time limits to complete work on a home. Also look at what work must be completed in advance of achieving a building permit. There are homes where the exterior has not been completed for several years and one for more than 10 years. The Building Official will come back with some information from other communities at the July 12<sup>th</sup> Planning Commission meeting.
- 10 . The Next Meeting is scheduled for July 12<sup>th</sup> at 5:15.

Meeting adjourned at 7:10 p.m.

Respectfully, Shawn Wetterlin.