

TO: Planning Commission Members  
Honorable Mayor and City Council Members  
FROM: Shawn Wetterlin, Building/ Zoning Official  
DATE: August 3<sup>rd</sup>, 2016  
RE: Meeting Minutes,  
Tuesday, August 2nd, 2016

The Planning Commission met at 5:15 p.m., on Tuesday, August 2nd, 2016 in the City Council Chambers at City Hall. The following members were present: Donald Smith, Dave Hanifl, Patti Dockendorff, Richard Wieser, Linda Larson, Mani Edpuganti and Jerry Steffes. City Council Member Brian Krenz, City Administrator, Bill Waller and Building Official, Shawn Wetterlin were also in attendance.

1. The meeting was called to order by Chairman, Smith. The meeting minutes of July 12<sup>th</sup> and 27<sup>th</sup> were approved as distributed by a consensus of all Planning Commission Members.
2. Planning Commission Chairman, Don Smith gave an update to an audience of approximately 30 residents regarding the Springbrook Village, Conditional Use Permit Application. Springbrook submitted a Conditional Use Permit application eliminating the Independent Living Units. The City determined that the application was incomplete and the public meeting to review the application was canceled. City officials met with Springbrook Village representatives and they have decided to construct the project that was previously approved, with 11 Independent Living Units, 25 Assisted Living and 44 Memory Care units. Dale Olson with Springbrook Village indicated that financing that had been previously denied was now approved. Once a Development Agreement is signed Springbrook will begin construction with occupancy scheduled in late summer 2017. Several questions were asked and answered.
3. Hank Koch Manager of the La Crosse County Solid Waste Department gave an overview of their landfill facility in La Crosse County, which has been around since 1978. The current landfill is a well-managed, state of the art facility designed for another 23-30 years. They will need clay in about 5 years but are looking to satisfy future needs by acquiring 80,000 to 100,000 cu yards of clay when it is available. La Crescent is a customer/partner and while there would have to be a request for proposals issued by the county they are not obligated to take the lowest bidder.

The information is important as the Race Track property has over 100,000 cu feet of "fat" clay to remove as part of getting the site ready for development.

4. The Planning Commission held a Public Hearing to consider opting out of the State of Minnesota Temporary Health Care Dwellings Act of 2016.

Motion by Hanifl, seconded by Dockendorff to open the public hearing. A public hearing was held pursuant to publication so as to complete the opt out process in a fashion as is prescribed for text amendments to the Zoning Ordinance.

With no members of the public present to speak on the matter, the Public hearing was then closed, with a motion by Larson, seconded by Wieser.

Motion by Wieser, seconded by Dockendorff to recommend to the City Council to opt out of the Minnesota Temporary Health Care Dwellings Act of 2016 by adopting the recommendation and findings of the Planning Commission and completing the "Opt out form".

Findings: That allowing the Legislation take effect locally as passed in St Paul would create:

1. Potential and real conflicts with current zoning ordinances;
2. A situation where La Crescent was not ready by September 1, 2016 to accept, review and grant permits. Of particular concern is collecting potentially private and thus protected medical information and immediate or subsequent violation of Federal HIPPA protections for health care information;
3. State rules for local zoning where, if there is an evidenced need, local rule making is more adaptable to local needs and community standards than the proposed universal ordinance adopted by the State Legislature and signed into law by the Governor.

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

5. The Planning Commission held a public hearing to consider rules related to extraction of amounts of materials in excess of 500 cubic yards for the purpose of creating lands for residential or commercial development. The immediate applicability would be to have rules in place if we were to get a request for Natural Resource extraction [removal of clay materials] from lands within the proposed annexation. Those lands often referred to as the Race Track.

Motion by Hanifl, seconded by Dockendorff to open the public hearing.

Motion by Dockendorff, seconded by Edpuganti to close the public hearing as no public was present to speak.

Motion by Hanifl, seconded by Edpuganti to table the draft rules subject to final review at the next meeting and to call for a public hearing at the next regular planning commission meeting to amend the text of the Zoning Ordinance concerning Interim Use Permits. Such changes would create a process whereby the City could conduct a review and issue a permit contingent on compliance with City Rules and State of Minnesota regulation.

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

6. The Planning Commission discussed Planning Commission By-Laws. The new rules would create a process for residents to indicate interest to the City of membership on the Planning Commission. It would also indicate an understanding of the role of commissioners and acceptance of orientation and educational opportunities. There was a request that the amount and method of compensation for Planning Commission members be considered. For some members there are many meetings outside of regular scheduled meetings, and often work

product is prepared by commissioners. Future Planning Commission meetings will start at 5:30 p.m. These items will be discussed at the September meeting.

7. The Planning Commission reviewed a proposal from Stantec Professional Planning Services to update the City Shoreland review process as contained in the Zoning Ordinance. The current Zoning Manual has separate rules and process for granting and appealing variances and conditional use permits than is used in the remainder of the City Zoning Manual. The process that is used in the Shoreland needs to be consistent with the rules. This difference between language and practice creates a vulnerability that should be remedied.

Motion by Larson, Seconded by Edpuganti to accept and recommend to the City Council to accept the Stantec proposal for \$ 5,600.00 to update the Shoreland Regulations.

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

A future public meeting could be considered to update the residents of Shore Acres on the wagon wheel trail; Shoreland regulation; road plans and on any implications of the recently adopted FIRM (flood elevation) map. The goal being to keep residents informed of items of interest.

8. The planning commission reviewed information from an architect who evaluated City Hall and will be making suggestions regarding potential future locations. This was for informational purposes only.
9. The Planning Commission called for a Special Planning Commission meeting on **August 30<sup>th</sup> at 5:30** to look at the City Budget in advance of the Truth in Taxation meeting of the City Council. The draft comprehensive plan describes a process where the Planning Commission reviews and comments on the proposed budget. It consideration is to ensure that items in the Comprehensive Plan which will require capital or operating dollar consideration are included in the budget. Oversight or suggested differences in Priority are in the form of a formal suggestion for city staff and Council consideration.
10. The Planning Commission reviewed possible site plans for senior housing without services on Walnut Place, on currently City owned property. The Planning Commission noted that a project as proposed was inconsistent with the current zoning map; but was generally supportive of the use of the land and supports the City's getting an appraisal of the land.

11. The Planning Commission held a public Hearing on August 2<sup>nd</sup> to review the Final Draft of the Comprehensive Plan.

Motion by Larson, seconded by Dockendorff to open the public hearing

Jim Nissen: was present wondering if all comments have been added to the document. "They have".

With other members of the public wishing to speak on the matter the public hearing was then closed with a motion by Dockendorff, seconded by Larson, all members voted in favor of the motion as proposed.

There was a detailed and careful review of the document with a variety of edits accepted by agreement. A change to the format of chapter 4 was discussed and adopted which will make the action steps for all chapters similar in format. The MSA staff person being on vacation changes will not be made until August 8 so that booklets will not be available as planned but will be available and distributed on August 11.

Motion by Hanifl, seconded by Edpuganti to recommend City Council adoption of the Comprehensive Plan with the text amendments as agreed at the meeting being added as final edits. It is recommended the Council schedule a vote for adoption on August 22 -- or September 13 if they prefer. The certain date for adoption will allow interested parties to plan to attend the meeting. The planning commission chair would be available to answer question on the evening of the Council vote on the Comprehensive Plan.

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

The next regular scheduled meeting will be September 6<sup>th</sup> at 5:30 p.m. with a special meeting on August 30<sup>th</sup> at 5:30 p.m.

Meeting adjourned at 8:15 p.m.

Respectfully, Shawn Wetterlin.