

TO: Planning Commission Members
Honorable Mayor and City Council Members
FROM: Shawn Wetterlin, Building/ Zoning Official
DATE: September 6th, 2016
RE: Meeting Minutes,
Tuesday, September 7th, 2016

The Planning Commission met at 5:30 p.m., on Tuesday, September 6th, 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 August 2nd and 30th were approved as distributed by a consensus of all Planning Commission Members.
2. GreenStep program intern Alison Bettin gave an overview of the GreenStep program since the resolution was signed in October. The City of La Crescent is currently a step two City and are looking to improve by becoming a level three. Several questions were asked and answered. Alison distributed the best practice document and indicated that we were likely a step 2 City.
3. The Planning Commission held a public hearing to consider changes to amend the text of the Zoning Ordinance concerning Interim Use Permits, related to extraction of amounts of materials in excess of 500 cubic yards for the purpose of creating lands for residential or commercial development.

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

With no members of the public present to speak on the matter, the Public hearing was then closed.

Motion by Steffes, seconded by Hanifl to recommend to the City Council to adopt the language underlined below in amending 12.08 of the Zoning Ordinance.

Subd. 5. CONDITIONS OF APPROVAL. Interim Use Permit. In permitting a new interim use permit or amending an existing interim use permit, the Planning Commission may recommend and the City Council may impose, in addition to the standards and requirements expressly specified by this Code, additional conditions that the Planning Commission or City Council consider necessary to protect the best interest of the surrounding area or the community as a whole. These conditions may include but are not limited to the following:

- A. Increasing the required lot size or dimensions;

- B. Limiting the height, size or location of buildings;
- C. Controlling the location and number of vehicular access points;
- D. Increasing the street width;
- E. Increasing the number of required off-street parking spaces;
- F. Limiting the number, size, location and lighting of signs;
- G. Requiring fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
- H. Expiration upon change of ownership. I would think we want to include this condition on change in ownership.
- I. "Evidence that the use complies with City, State and Federal requirements".

Subd. 6. VIOLATIONS. Any of the following conditions will be considered a violation of the interim use permit and could result in the revoking of the interim use permit. The interim use may be ordered to immediately cease if there is a notice of violation of any City, State or Federal requirements until such violation is remedied or a hearing has been scheduled and held in front of the City Council, such meeting to be held as soon as practicable.

- A. Two (2) violations of conditions of approval;
- B. Two (2) Code violation complaints;
- C. One (1) violation of conditions of approval and one (1) Code violation complaint
- D. Refusing to grant property access to the Building Official, State official or their designee for the purpose of making an inspection

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

- 4. The Planning Commission held a public meeting to consider the application for a variance for 610 South 3rd Street, to allow for the construction of a garage addition 7 feet from the side property line when the zoning code calls for 11 feet from the property line and rear setback of 14 feet when the Zoning code calls for 35 feet rear setback.

Home owner, Michael Dick presented his proposed garage addition project. There were no neighbors present.

Motion by Steffes, seconded by Weiser to approve the variance with the following conditions:

- 1. Water drainage shall be directed to the street as best as possible
- 2. Water drainage shall not create problems for neighbors

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

- 1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
3. The variance will not alter the essential character of the locality.
4. The property is a shallow corner lot
5. The side yard setback is not inconsistent with the neighborhood.
6. The Comprehensive Plan calls for making single family homes more consistent with the needs of "today's" single families.

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

5. The Planning commission reviewed proposed Planning Commission by-law changes (see attached) The proposed by-laws will be voted on at the next Planning Commission meeting in October.
6. Informational only, the City Council will be considering for adoption the updated Comprehensive Plan at the September 12th City Council meeting.
7. The Planning Commission removed the previously tabled consideration of rules governing Interim Use Permit for Natural Resource extraction (see attached)

Motion by Hanifl, Seconded by Dockendorff to adopt and integrate the proposed language into the Interim Use Permit zoning 12.08 and recommend to the City Council to accept the proposed Interim Use Permit for Natural Recourse Extraction

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.

8. The Planning Commission discussed a future work plan which will be on the next agenda.
9. The Planning Commission reviewed a time line for the proposed Race Track development (see attached) which was reviewed with the developer. Benchmark dates for starting extraction in April 2017 and starting the installation of infrastructure July 2017 will be added and the timeline will be updated and used to plan City and Developer activities. It was noted that the developer has a lot of work to do to achieve this timeline.
10. The Planning Commission reviewed potential Operating and Capital budget (see attached) items from Chapter 4 Implementation and Action Plan. This review is outlined in the Comprehensive Plan. The items were discussed with the City Administrator and modified by agreement. All items in the Comprehensive Plan for 2017 identified by the Planning Commission are considered and will be incorporated into the City's fiscal proposal by the administrator. The process of review was productive and well implemented by the Planning Commission and City Administrator.

Motion by Larson, Seconded by Dockendorff to adopt and include in the minutes the items considered and report them to the City Council.

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

Meeting adjourned at 7:40 p.m.

Respectfully, Shawn Wetterlin.