

TO: Planning Commission Members,
Honorable Mayor and City Council members
FROM: Angie Boettcher/Administrative Assistant
DATE: January 6, 2021
RE: Planning Commission Meeting Minutes,
from January 5, 2021

The Planning Commission met at 5:30 p.m., on Tuesday, January 5, 2021 in the City Council Chamber at City Hall. The meeting was called to order by Chair Ludwigson.

Pursuant to Minn. Stat. § 13D.021 and due to the COVID-19 pandemic, members of the Planning Commission and City Staff were given the option to attend the meeting by telephone or Zoom. The following members were present: Jason Ludwigson, Dave Hanifl (via Zoom), Jerry Steffes, Anna Stoecklein, Patty Dockendorff, Mike Welch. City Attorney Skip Wieser, City Council member Teresa O'Donnell-Ebner, Building/Zoning Official Shawn Wetterlin, and City Administrative Assistant Angie Boettcher were also in attendance. Linda Larson was absent.

1. Chair Ludwigson asked for a motion to approve the minutes from the December 15, 2020 meeting.

Following discussion Member Dockendorff made a motion, seconded by Stoecklein to approve the Minutes.

Upon a roll call vote, taken and tallied by the Building Official, all members present voted in favor.

Dockendorff – Yes
Stoecklein – Yes
Welch – Yes
Hanifl – Yes
Steffes - yes
Ludwigson – Yes

2. Chair Ludwigson opened the 5:30 Public Meeting regarding variance requests at 444 North Chestnut.

Project Manager Andy Towner with Wieser Brothers General Contractor, gave an overview of Schmitty's TimeOut Tavern's, 444 North Chestnut Street, request for North and West- side setbacks, Façade, and parking variances.

Members of the public, Don Hill (representing La Crescent Area Event Center), Dick Wieser (representing Best Western Hotel), and Bill Schmitz (owner of Schmitty's TimeOut Tavern) spoke.

Chair Ludwigson closed the Public Meeting.

A. Parking Variance:

Following discussion member Welch made a motion, seconded by Stoecklein to approve the variance request for parking with the following findings and conditions:

Findings to Approve Variance Request

1. There are currently approximately 183 spaces of public parking available within 600 feet of the applicant's property available for public use. This is in addition to the 5 parking spaces on-site.
2. The public parking was built after the adoption of the existing ordinance. The current ordinance did not contemplate a public parking facility this large.
3. The applicant does not have the ability to expand on-site parking and is dependent on off-site parking for purposes of operating his ongoing business.
4. Donald Hill as representative of the La Crescent Event Center, Inc. testified the Event Center did not have an objection to the expansion of the TimeOut Tavern.
5. The applicant proposes to expand a permitted use in the underlying zoning district.
6. The applicant proposes to enhance his existing business within the City of La Crescent.
7. The applicant's proposal is consistent with the spirit and theme of La Crescent Comprehensive Plan as the applicant proposes reinvestment and redevelopment with the City.
8. The applicant testified that many patrons access his property by means other than motor vehicle.
9. Conditions:
 - A. The Applicant will abide by all 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 to the extent they are not inconsistent with the spirit of letter explicit conditions of the variance.
 - B. The Applicant complies with all applicable federal, state, and local regulations.

Upon a roll call vote, taken and tallied by the Building Official, all members present voted in favor.

Welch – Yes
Stoecklein – Yes
Dockendorff – Yes
Hanifl – Yes
Steffes - yes
Ludwigson – Yes

Attorney Wieser proposed that the Planning Commission consider directing the City Building Official to extend the 60-day time period for all requested variances.

Following discussion member Steffes made a motion, seconded by Dockendorff to approve the extension.

Upon a roll call vote, taken and tallied by the Building Official, all members present voted in favor.

Steffes – yes
Dockendorff – Yes
Welch – Yes
Stoecklein – Yes
Hanifl – Yes
Ludwigson – Yes

Building and Zoning official, Shawn Wetterlin read the Appeal notice as follows:

Pursuant to 12.07 Subd. 11 of the La Crescent Zoning Ordinance, 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 ten (10) days of the decision, otherwise the decision by the Board of Adjustment becomes final.

B. North-side set back variance

Following discussion member Steffes made a motion, seconded by Welch to approve the North-side setback variance with the following findings and conditions:

Findings of fact:

1. The request is in harmony with the general purposes and intent of the ordinance.
2. The request is consistent with the comprehensive plan.
3. The property owner proposes to use the property in a reasonable manner permitted by the zoning ordinance.
4. The existing building and parking lot is abutted by roadways on 2 sides (East and North), Vets Park to the West, and drainage retention pond to the South, making it unique to the property, not created by the landowner.
5. The granting of the variance will not alter the essential character of the locality.
6. This is reasonable request for a commercial zoned property.

Conditions:

1. The Applicant will abide by all 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 to the extent they are not inconsistent with the spirit of letter explicit conditions of the variance.
2. The Applicant complies with all applicable federal, state, and local regulations.

Upon a roll call vote, taken and tallied by the Building Official, all members present voted in favor.

Steffes – Yes
Welch – Yes
Hanifl – Yes

Stoecklein – Yes
Dockendorff – Yes
Ludwigson - Yes

Building and Zoning official, Shawn Wetterlin read the Appeal notice as follows:

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

C. West-side set back variance

Following discussion member Welch made a motion, seconded by Dockendorff to approve the West-side setback variance with the following findings and conditions:

Findings of fact:

1. The request is in harmony with the general purposes and intent of the ordinance.
2. The request is consistent with the comprehensive plan.
3. The property owner proposes to use the property in a reasonable manner permitted by the zoning ordinance.
4. The existing building and parking lot is abutted by roadways on 2 sides (East and North), Vets Park to the West, and drainage retention pond to the South, making it unique to the property, not created by the landowner.
5. The granting of the variance will not alter the essential character of the locality.
6. This is reasonable request for a commercial zoned property.

Conditions:

1. The Applicant will abide by all 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 to the extent they are not inconsistent with the spirit of letter explicit conditions of the variance.
2. The Applicant complies with all applicable federal, state, and local regulations.

Upon a roll call vote, taken and tallied by the Building Official, all members present voted in favor.

Welch – Yes
Dockendorff – Yes
Hanifl – Yes
Stoecklein – Yes
Steffes – Yes
Ludwigson – Yes

Building and Zoning official, Shawn Wetterlin read the Appeal notice as follows:

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

D. Façade variance

Following discussion member Ludwigson made a motion, seconded by Welch to approve the façade variance with the following findings and conditions:

Findings of fact:

1. The variance request is in harmony with the general purposes and intent of the ordinance.
2. The request is consistent with the comprehensive plan.
3. The request will not alter the essential character of the locality.
4. The owner proposes to use various materials and textures to assist in the building blending with its adjoining surrounding buildings.
5. The property owner proposes to use the property in a reasonable manner permitted by the zoning ordinance.
6. The prefinished architectural metal would be an improvement over the existing painted block, which is currently not in compliance with the zoning ordinance.
7. The existing foundation is not designed to carry the weight of any type brick or a stone finish.

Conditions:

1. The Applicant will abide by all 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 to the extent they are not inconsistent with the spirit of letter explicit conditions of the variance.
2. The Applicant complies with all applicable federal, state, and local regulations.

Upon a roll call vote, taken and tallied by the Building Official, all members present voted in favor.

Ludwigson – Yes

Welch – yes

Hanifl – Yes

Stoecklein – Yes

Dockendorff – Yes

Steffes - Yes

Building and Zoning official, Shawn Wetterlin read the Appeal notice as follows:

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

3. Review of downtown, bike/ped, blufflands and comprehensive plans. Discussion only no action required.

4. Consensus to adjourn at 6:45 p.m.