

TO: Planning Commission Members
Honorable Mayor and City Council Members
FROM: Shawn Wetterlin, Building/ Zoning Official
DATE: October 4, 2017
RE: Meeting Minutes,
Tuesday, October 3rd, 2017

The Planning Commission met at 5:30 p.m., on Tuesday, October 3rd, 2017 in the City Council Chambers at City Hall. The Following members were present: Donald Smith, Linda Larson, Jerry Steffes, Dave Hanifl, Patti Dockendorff, and Jason Ludwigson. City Council member Brian Krenz and Building/ Zoning Official, Shawn Wetterlin was also in attendance. Richard Wieser was not in attendance.

1. The meeting was called to order by Chairman, Smith. The meeting minutes of September 5th and 12th, 2017 were approved as distributed by a consensus of the Planning Commission Members.
2. The Planning Commission held a public hearing at the La Crescent City Hall, 315 Main Street, in said City on Tuesday, October 3rd at 5:35 o'clock P.M. to consider the application for a conditional use permit to allow for an "Alternate elevation method other than the use of fill to elevate a structure's lowest floor above the Regulatory Flood Protection Elevation" in a flood fringe area in an R-1A zoned district. The conditional use request concerns certain premises situate in said City described as follows, to wit: parcel number 25.1834.000 more commonly identified as 710 Shore Acres Road, La Crescent, MN

The Public Hearing was opened. The applicant Martha Ping and her Architect Gary Kastner presented their proposal to install the flood openings.

The public Hearing closed as no member of the public wished to be heard on the matter.

The Building Official gave an overview of why the flood openings were required to be installed, which had to do with a substantial improvement project that was completed in 2002. A Certificate of Occupancy was never issued for the project. The flood openings were a condition before a Certificate of Occupancy could be issued.

Motion by Hanifl, seconded by Dockendorff to approve the Conditional Use Permit with the following conditions:

1. The lower level shall only be used for storage.
2. The property owner shall sign the non-conversion form, allowing City staff to inspect the flood openings to ensure they are operational.

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

Findings of fact:

1. The enclosed area is above grade on at least one side of the building.
 2. The enclosed area is designed to internally flood.
 3. The enclosed area is constructed with flood resistant materials.
 4. The enclosed area is used solely for storage
 5. The request complies with the DNR
 6. This is a permitted use for residential use
 7. We have approved similar C.U.P in the past
3. The Planning Commission held a Public Hearing at the La Crescent City Hall, 315 Main Street, in said City on Tuesday, October 3rd, 2017 at 5:45 o'clock P.M. to consider an application for the following Variance. Allow for a setback of 32 feet 6 inches from the Ordinary High Water Line when the Zoning Ordinance, section 12.45, Subd. 3, (page 142) states a setback of 50 feet from the Ordinary High Water Line. The Variance request concerns certain premises situate in said City described as follows; parcel # 25.1847.000 better known as 850 Shore Acres Road.

Planning commission Members reviewed a letter dated 10-2-17 from the MNDNR recommending denial of the Variance and CUP request.

The applicant Tim Dwyer requested to table the Variance request and the Condition Use Permit request until the next regular Planning Commission meeting.

The Public Hearing opened. There were no neighbors present to speak on the matter.

The Public Hearing was adjourned and consideration continued until the next regular meeting of the planning commission.

The Planning Commission held a public hearing at the La Crescent City Hall, 315 Main Street, in said City on Tuesday, October 3rd at 5:55 o'clock P.M. to consider the application for a conditional use permit to allow for an "Alternate elevation method other than the use of fill to elevate a structure's lowest floor above the Regulatory Flood Protection Elevation" in a flood fringe area in an R-1A zoned district. The conditional use request concerns certain premises situate in said City described as follows, to wit: parcel number 25.1847.000 more commonly identified as 850 Shore Acres Road, La Crescent, MN.

The applicant Tim Dwyer requested to table the Variance request and the Condition use permit request until the next regular Planning Commission meeting.

The Public Hearing opened. There were no neighbors present to speak on the matter.

The Public Hearing was adjourned and consideration continued until the next regular meeting of the planning commission.

Motion by Ludwigson, seconded by Larson to table the Variance and Conditional Use Permit request until the next regularly scheduled Planning Commission meeting.

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

4. The Planning Commission held a public meeting at the La Crescent City Hall, 315 Main Street, in said City on Tuesday, October 3rd, 2017 at 6:10 o'clock P.M. to consider an application for the following Variance. Allow for a home to be built with the attached garage 8 feet in front of the principal dwelling when the Zoning Ordinance, section 12.14, Subd. 6.4 of the Zoning Ordinance (page 52) 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 # 33.0050.060 better known as 558 Red Apple Drive.

General Contractor John Towner gave an overview of the proposed project.

The Public Hearing opened. There were no neighbors present to speak on the matter.

The Public Hearing closed.

Motion by Hanifl, seconded by Dockendorff to approve the Variance request with no conditions.

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

Findings:

- a. The request will not alter the essential character of the locality because of finishes and detail on the garage, and the edge view of the garage is muted as the home is located in a cul-de-sac.
- b. The property owner proposes to use the property in a reasonable manner permitted by the zoning ordinance as a single family residence in a R1-A Zoned residential district.
- c. No concerns have been registered from neighbors.
- d. The City has allowed this Variance in the past in similar circumstances when the home does not appear as 'garage with home attached'.
- e. The request is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan.

5. The Planning Commission called for Bike and Pedestrian Plan, Downtown, Bluffland, Floodplain and Shoreland Public Hearings. Also called for public hearings for Veterans Park and TIF financing.

Consensus by all present members to call for the public hearings to conform to previously considered timelines.

6. The Chair requested that the MNDOT response to the Council's letter requesting a specific date for completion of work to remedy improperly installed rumble strips on 14/61/16 be distributed to the Planning Commission members. The email dated September 25th indicates that MNDOT expects to schedule a date soon and notify interested citizens. The Planning Commission's previously stated concern was that the MNDOT first committed to rectify the inexplicable location of rumble strips promptly in July. The work requires asphalt repair and there is often a considerable scramble to complete work prior to the closure of asphalt plants. DS

Future Planning Commission meeting dates:

November 7th

November 15th

December 5th

Meeting Adjourned at 6:40 p.m.

Respectfully, Shawn Wetterlin