

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

The Planning Commission met at 5:30 p.m., on Tuesday, October 5, 2021 in the City Council Chambers at City Hall. The following members were present: Dave Hanifl, Annie Stoecklein, Jerry Steffes, Ryan Stotts, Dave Coleman, and Greg Husmann. City Attorney, Skip Wieser, Council Member, Dale Williams, City Sustainability Coordinator, Jason Ludwigson, Building/Zoning Official Shawn Wetterlin, and City Administrative Assistant Angie Boettcher were also in attendance. Mike Welch was absent.

1. The meeting was called to order by Chair Hanifl who asked for a motion to approve the August 3, 2021 minutes.

Following discussion Member Husmann made a motion, seconded by Stoecklein to approve the minutes.

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

Husmann – Yes
Stoecklein – Yes
Stotts – Yes
Steffes – Yes
Coleman – Yes
Hanifl – Yes

2. At 5:35 the Planning Commission held a Public Hearing to approve the Final Plat/Administrative Subdivision for 427 South 3rd Street.

Chair Hanifl opened the meeting.

Max Wieser, representing Wieser Construction spoke in regards to the final plat. Member of the public, Bill Goff also spoke.

Chair Hanifl closed the meeting.

Following discussion Member Husmann made a motion, seconded by Stoecklein to approve the Final Plat with the following Findings.

Findings:

1. The request will not alter the essential character of the locality.
2. The property owner proposes to use the property in a reasonable manner permitted by the zoning ordinance in residential areas to wit, residential housing.
3. The request is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan by improving the housing stock.

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

Husmann – Yes

Stoecklein – Yes

Stotts – Yes

Coleman – Yes

Steffes – Yes

Hanifl – Yes

3. At 5:45 the Planning Commission held a Public Hearing for the Final Plat at Horsetrack Meadows West, 856 Bridle Lane.

Chair Hanifl opened the meeting.

Developer, Mike Sexauer spoke in regards to the Final Plat.

Chair Hanifl closed the meeting.

Following discussion Member Husmann made a motion, seconded by Coleman to approve the Final Plat with the following possible Conditions and Findings.

Conditions for 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. The final grading plan and utility plan showing the proposed water, storm sewer, and sanitary sewer has been submitted. Comments on the plans are included in the attachments. Also, grading plan should include drainage arrows.

3. An Engineer's Opinion of Construction Costs needs to be updated to reflect recent bidding costs. The opinion submitted does not reflect costs that we've seen recently.
4. A construction schedule should be submitted for this project for inclusion in the Development Agreement.
5. Sanitary sewer and watermain connection fees and cost participation will need follow the draft development agreement between the city and the Owner.
6. A 10' utility easement should be added to the north line of the plat.
7. Development Agreement be in place to the satisfaction of the City Attorney, City Administrator, City Engineer, and City Council requiring the developer to install the improvements. Development agreement should address the following:
 - a. Developer's engineering estimate for the utility and road extension ("Utility Plan").
 - b. Drainage easements to be identified on plat-it appears utility easements are identified.
 - c. Financial guarantee for the benefit of the City in the amount of 115% of the utility extension and road extension estimates.
 - d. Two (2) year Developer Warranty on improvements from date of City acceptance.
 - e. Improvements to be dedicated to the city
 - f. Construction observation to be included in Developer agreements. WHKS to provide estimate for construction observation with cost paid by Developer or specially assessed.
8. That plat be joined in by any mortgagee of record, or alternatively Lot 54 be released from any existing mortgage.
9. No site work shall commence until after approval of the final plat.
10. No lots in Horsetrack Meadows West will be sold until final plat is recorded.
11. That the restrictive covenant prohibiting development of City owned land to the east of the entrance road be removed from the HTM Development Agreement.

Findings:

1. The property owner proposes to use the property in a reasonable manner permitted by the Zoning Ordinance.
2. The request is in harmony with the general purposes and intent of the ordinance and consistent with the comprehensive plan.
3. The basic layout of streets and lots are acceptable.
4. The property commonly referred to as the "Horsetrack Meadows" and "Horsetrack Meadows West" were annexed by the City in September 2016 in order to make sure future development was done in the city.

5. In July 2019, the City of La Crescent approved an amendment to its Sewer Conveyance Agreement with the City of La Crosse to provide municipal sewer to the Horsetrack Meadows property.

6. Developer has demonstrated an increased need in single family housing inventory within the city of La Crescent. Further the need for multi-family/apartment building is being satisfied before other developments within the city.

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

Husmann – Yes

Stoecklein – Yes

Stotts – Yes

Coleman – Yes

Steffes – Yes

Hanifl – Yes

4. At 6:00 the Planning Commission held a Public Meeting for a Variance application at 444 Backstretch Court.

Chair Hanifl opened the meeting.

Property owner, Peggy Trueblood and Architect, Dave Holstrom spoke in regard to the Variance Request.

Chair Hanifl closed the meeting.

Following discussion Member Stoecklein made a motion, seconded by Stotts to approve the Variance application with the following criteria.

CRITERIA FOR GRANTING VARIANCE

444 Backstretch Court

Zoning Ordinance states the following:

A variance is a modification or variation of the provision of this zoning code as applied to a specific piece of property.

Subd. 2.

A. Variances shall only be permitted

1. when they are in harmony with the general purposes and intent of the ordinance, and
2. when the variances are consistent with the comprehensive plan.

- B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

Subd. 3. "Practical difficulties," as used in connection with the granting of a variance, means that

- 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; and
- 3. The variance, if granted, will not alter the essential character of the locality.

- 1. Is the request in harmony with the general purposes and intent of the ordinance?

The variance is in harmony with the purpose and intent of the zoning ordinance based on the following findings of the Planning Commission because: the intended use will continue as single family.

- 2. Would granting the variance be consistent with the Comprehensive Plan?

Granting the variance is consistent with the Comprehensive Plan because: as the variance permits single family dwellings with single housing with the City of La Crescent.

Practical Difficulties Analysis

- 3. Does the property owner propose to use the property in a reasonable manner not permitted by the ordinance?

The property owner **does** propose to use the property in a reasonable manner not permitted by the ordinance, given the purpose of the protections because: the property owner does propose to use the property in a reasonable manner. The present cul-de-sac does not have adequate street parking when the property owner has visiting family members. This is a uniquely shaped lot that is approximately seventy-five percent (75%) of an acre. The lot has a relatively small street frontage compared to some other lots in the development. Allowing the house to be placed further back eliminates the need to crowd the street in front of the other adjoining houses. On a cul-de-sac, houses will not line up with each other in any case.

- 4. Is the plight of the land owner due to circumstances unique to the property owner not created by the landowner?

There **are** circumstances unique to the property that would prevent compliance with the ordinance because: the property owner did not create this situation. See response to No. 3 above.

5. Would granting the variance allow the essential character of the locality to stay the same?

Granting the variance **will not** alter the essential character of the locality because: currently there are no houses immediately adjoining this property. The house on a cul-de-sac will not line up perfectly anyway. The use of the property will remain the same, single-family residence. See response to No. 3 above.

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

Husmann – Yes
Stoecklein – Yes
Stotts – Yes
Coleman – Yes
Steffes – Yes
Hanifl – Yes

5. Sustainability Coordinator, Jason Ludwigson reviewed the Rules and Bylaws of the Planning commission.

This was informational only and no action was taken.

6. Consensus to adjourn at 6:46 pm.