

TO: Planning Commission Members
Honorable Mayor and City Council Members
FROM: Jason Ludwigson, Sustainability Coordinator
DATE: October 5th, 2021
RE: Meeting Notice
September 29th, 2021
5:30 p.m., La Crescent City Hall, 315 Main Street

AGENDA

1. Approval of meeting minutes from the August 3rd, 2021 meeting of the Planning Commission.
2. 5:35 Public Meeting, 427 South 3rd Street Final Plat/Administrative Subdivision.
3. 5:45 Pubic Hearing, Final Plat Horse Track Meadows West, 856 Bridle Lane La Crescent.
4. 6:00 Public Meeting, Variance Application 444 Backstretch Court
5. Review and discussion of the Rules and Bylaws of the Planning Commission
6. Adjourn

NOTE: Please call City Hall, 895-4409, if you will not be able to attend.

	#1	#2	#3	#4	#5	#6	#7	#8
Dave Hanifl	___	___	___	___	___	___	___	___
Linda Larson	___	___	___	___	___	___	___	___
Gregory Husmann	___	___	___	___	___	___	___	___
Annie Stoecklein	___	___	___	___	___	___	___	___
Michael Welch	___	___	___	___	___	___	___	___
Dave Coleman	___	___	___	___	___	___	___	___
Jerry Steffes	___	___	___	___	___	___	___	___
Dale Williams	___							

cc: Honorable Mayor, City Council Members and City Attorney.

TO: Planning Commission Members
Honorable Mayor and City Council members
FROM: Angie Boettcher, Administrative Assistant
DATE: August 4, 2021
RE: Meeting Minutes from August 3, 2021

The Planning Commission met at 5:30 p.m., on Tuesday, August 3, 2021 in the City Council Chambers at City Hall. The following members were present: Dave Hanifl, Annie Stoecklein, Jerry Steffes, Mike Welch, Dave Coleman, and Greg Husmann. City Sustainability Coordinator, Jason Ludwigson, Building/Zoning Official Shawn Wetterlin, and City Administrative Assistant Angie Boettcher were also in attendance. Linda Larson was absent.

1. The meeting was called to order by Chair Hanifl who asked for a motion to approve the June 29, 2021 minutes.

Following discussion Member Steffes made a motion, seconded by Welch to approve the minutes. Minutes approved by consensus.

2. At 5:35 the Planning Commission held a Public Meeting to consider a Variance request for 750 Shore Acres Road to allow for a setback of 46 feet from the Ordinary High-Water Line when the Zoning Ordinance states a setback of 50 feet from the Ordinary High-Water Line.

Chair Hanifl opened the meeting.

The property owners, builder, and neighboring property owners were in attendance and spoke about the request.

Chair Hanifl closed the meeting.

Following discussion Member Husmann made a motion, seconded by Welch to approve the Variance Request with the following findings:

- a. The planning commission approved an eight feet variance for the neighboring (754 Shore Acres) home to the north in 2017.
- b. The lot is shallow compared to other Shore Acres lots.
- c. No concerns have been registered from neighbors.
- d. The Variance does not make the dwelling more visible from the watershed and is not a

- projection further into the flow of the river than the neighboring dwelling.
- e. The requested Variance does not alter the essential character of the neighborhood.
- f. Infill and housing redevelopment should be compatible with the character of the surrounding neighborhood through appropriate transitions in housing density, styles, setbacks, heights, etc.

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

Hanifl – Yes
Husmann – Yes
Stoecklein – Yes
Welch – Yes
Coleman – Yes
Steffes – Yes

3. Building Official, Shawn Wetterlin discussed and answered any questions from the Planning Commission members regarding the rezoning for the property at 427 South 3rd Street. The public Hearing will take place at the September 7, 2021 for the Platting.

This was informational only and no action was taken.

4. Sustainability Coordinator, Jason Ludwigson informed the Planning Commission of member Linda Larson's resignation.

This was informational only and no action was taken.

5. The Sustainability Coordinator informed the Planning Commission of Ryan Stotts appointment to the Planning Commission in September.

This was informational only and no action was taken.

6. The Sustainability Coordinator provided an update on the annexation boundaries for the remaining homes in the Crescent Valley addition that have not yet been annexed.

This was informational only and no action was taken.

5. Consensus to adjourn at 6:22 pm

It was the Consensus of the Planning Commission members to hold the next meeting on Tuesday, September 7, 2021 at 5:30 pm in the La Crescent City Hall Council Chamber.

TO: Planning Commission Members

FROM: Jason Ludwigson, Sustainability Coordinator

DATE: September 29th, 2021

RE: 427 S. 3rd Street

The property owner at 427 S. 3rd Street has submitted an application for final plat. The application is for combining all four parcels at 427 S. 3rd Street. The four parcel numbers to be combined are 25.0479.001, 25.0479.002, 25.0479.003, and 25.0479.000. The combined parcel will be 250.479.000. The applicant has include the final plat.

**CITY OF LA CRESCENT
NOTICE OF PUBLIC HEARING
FINAL PLAT APPLICATION-423, 425, 427 SOUTH 3RD STREET**

Notice is hereby given that the Planning Commission of the City Zoning Authority will hold a public hearing at the La Crescent City Hall, 315 Main Street, in said City on Tuesday, October 5th, 2021 at 5:35 o'clock P.M. to consider the application for a final plat.

The final plat request concerns premises situate in said City described as follows, to wit: Parcel number 25.0479.000, Houston County, better known 423, 425, and 427 South 3rd Street, La Crescent.

Complete legal description is on file in the Building and Zoning Department for review:

All persons having an interest in the matter will be given opportunity to be heard with reference thereto.

Dated: September 14th, 2021

By order of the City Zoning Office

Jason Ludwigson
Sustainability Coordinator
P. O. Box 142
La Crescent, MN 55947

CITY OF LA CRESCENT ZONING AUTHORITY
APPLICATION FOR FINAL PLAT

The undersigned being the owner(s) of record (optionee(s) with regard to enforceable exclusion options to purchase) of the hereinafter described premises hereby makes application for a:
FINAL PLAT

TO WIT:

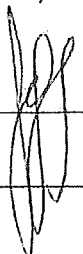
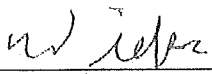
Combine all four parcels into one parcel
at address 427 S 3rd St, La Crescent, MN
55947. Parcel number: 250479000
The four parcel numbers to be combined
are 250479001, 250479002, 250479003, and
250479000.

the lands to which this application has reference are described as follows, to wit:

427 S 3rd Street, La Crescent, MN 55971
Parcel number 250479000

Attached is a sketch of the site plan showing North arrow and other relevant data with reference hereto. I (we) understand that additional data may be requested by the City of La Crescent Planning Commission with regard hereto.

Dated: 8/19/21

 
(Owners (s)) (Optionee(s))

ELM ON THIRD
TOWNHOUSE ADDITION

1
2
3
GRAF ADDITION
LOT 1
BLOCK 1

Block 106

PLAT OF LACRESCENT

0 20 40 60
SCALE IN FEET

ALLEY

TO: Planning Commission Members

FROM: Jason Ludwigson, Sustainability Coordinator

DATE: September 29th, 2021

RE: Horse Track Meadows West Final Plat

A copy of the final plat for Horse Track Meadows West development, Parcel number 25.2330.000, is attached. Also attached is a copy of the memo from city engineer Tim Hruska and final plat application. Conditions of approval from the City Council's July 12th meeting are included. The developer Mike Sexauer will be in attendance to discuss the final plat. Larger copies of the final plat will be available at the meeting.

**CITY OF LA CRESCENT
NOTICE OF PUBLIC HEARING
FINAL PLAT APPLICATION-HORSE TRACK MEADOWS WEST**

Notice is hereby given that the Planning Commission of the City Zoning Authority will hold a public hearing at the La Crescent City Hall, 315 Main Street, in said City on Tuesday, October 5th, 2021 at 5:45 o'clock P.M. to consider the application for a final plat.

The final plat request concerns premises situate in said City described as follows, to wit:
Parcel number 25.2330.000, Houston County, better known as 856 Bridle Lane, La Crescent.
Complete legal description is on file in the Building and Zoning Department for review:

All persons having an interest in the matter will be given opportunity to be heard with reference thereto.

Dated: September 14th, 2021

By order of the City Zoning Office

Jason Ludwigson
Sustainability Coordinator
P. O. Box 142
La Crescent, MN 55947

2905 South Broadway
Rochester, MN 55904-5515
Phone: 507.288.3923
Fax: 507.288.2675
Email: rochester@whks.com
Website: www.whks.com



September 29, 2021

Mr. Bill Waller
City Administrator
City of La Crescent
315 Main Street
La Crescent, MN 55947

RE: City of La Crescent
Horse Track Meadows West
Review of Final Plan and Plat

Dear Mr. Waller:

We have reviewed the Final Plan and Plat as requested and offer the following comments.

Review Comments

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.

Mr. Bill Waller
May 25, 2021
Page 2 of 2

We recommend approval of the final plan and plat conditional upon the above items being addressed.

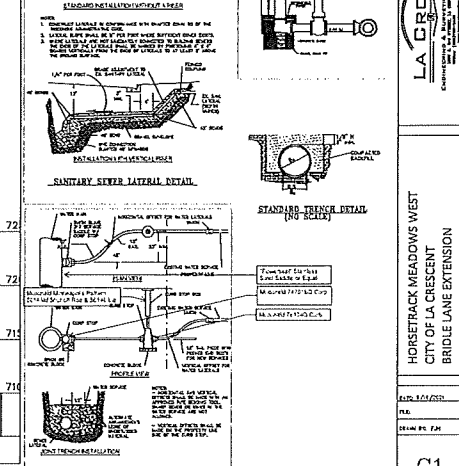
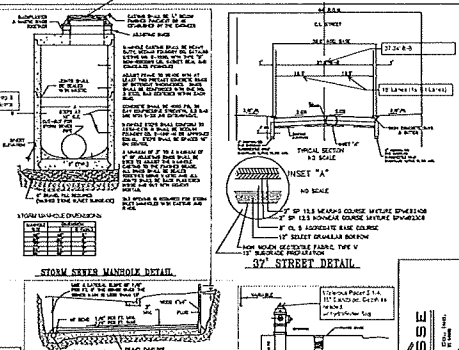
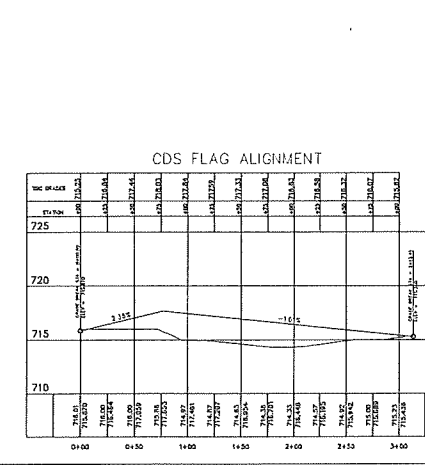
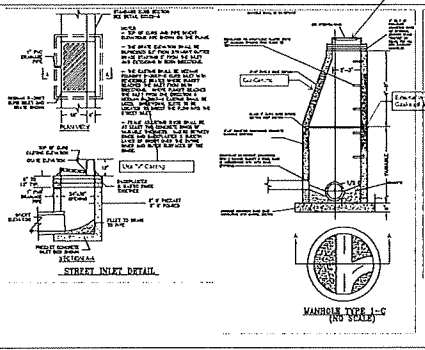
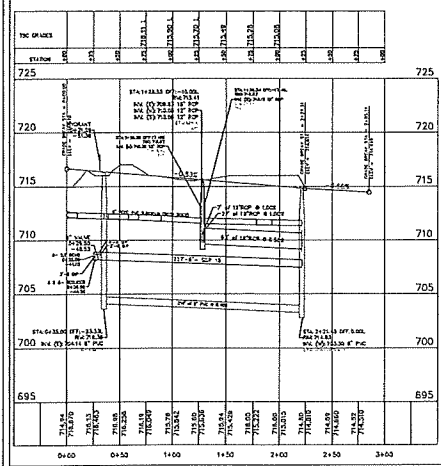
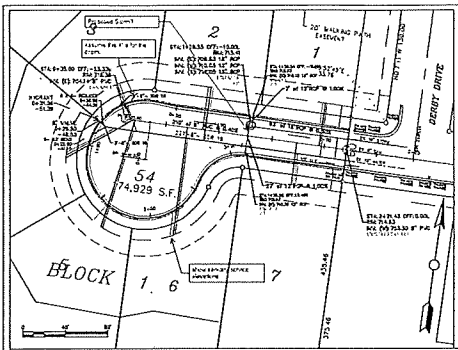
Please contact me if you have any questions.

Sincerely,

WHKS & co.

Timothy A. Hruska, P.E., L.S.
City Engineer

cc: MSM Development
cc: Fred Hilby, La Crosse Engineering & Surveying



LA CRDSE
CITY OF LA CRESCENT
BRIDLE LANE EXTENSION

HORSEBACK MEADOWS WEST
CITY OF LA CRESCENT
BRIDLE LANE EXTENSION

DATE: 12/15/2010
FILE: 12/15/2010
DRAWN BY: JH

C1

9/13/21

CITY OF LA CRESCENT ZONING AUTHORITY
APPLICATION FOR FINAL PLAT

The undersigned being the owner(s) of record (optionee(s) with regard to enforceable exclusion options to purchase) of the hereinafter described premises hereby makes application for a:
FINAL PLAT

TO WIT:

MSM DEVELOPMENT
MICHAEL SEPAUER & MELISSA MLSNA
5130cty 21 LA CRESCENT MN 55947

Request approval of Final Plat
for Horse Track Meadows West

the lands to which this application has reference are described as follows, to wit:

Tax Parcel # 25.2330000
856 BRIDLE PANE 4.02 ACRES
Subdivide into 7 lots
labeled Block 1 lots 1-7
with a Street Extension + Culd Sac

Attached is a sketch of the site plan showing North arrow and other relevant data with reference hereto. I (we) understand that additional data may be requested by the City of La Crescent Planning Commission with regard hereto.

Dated: 9/13/21

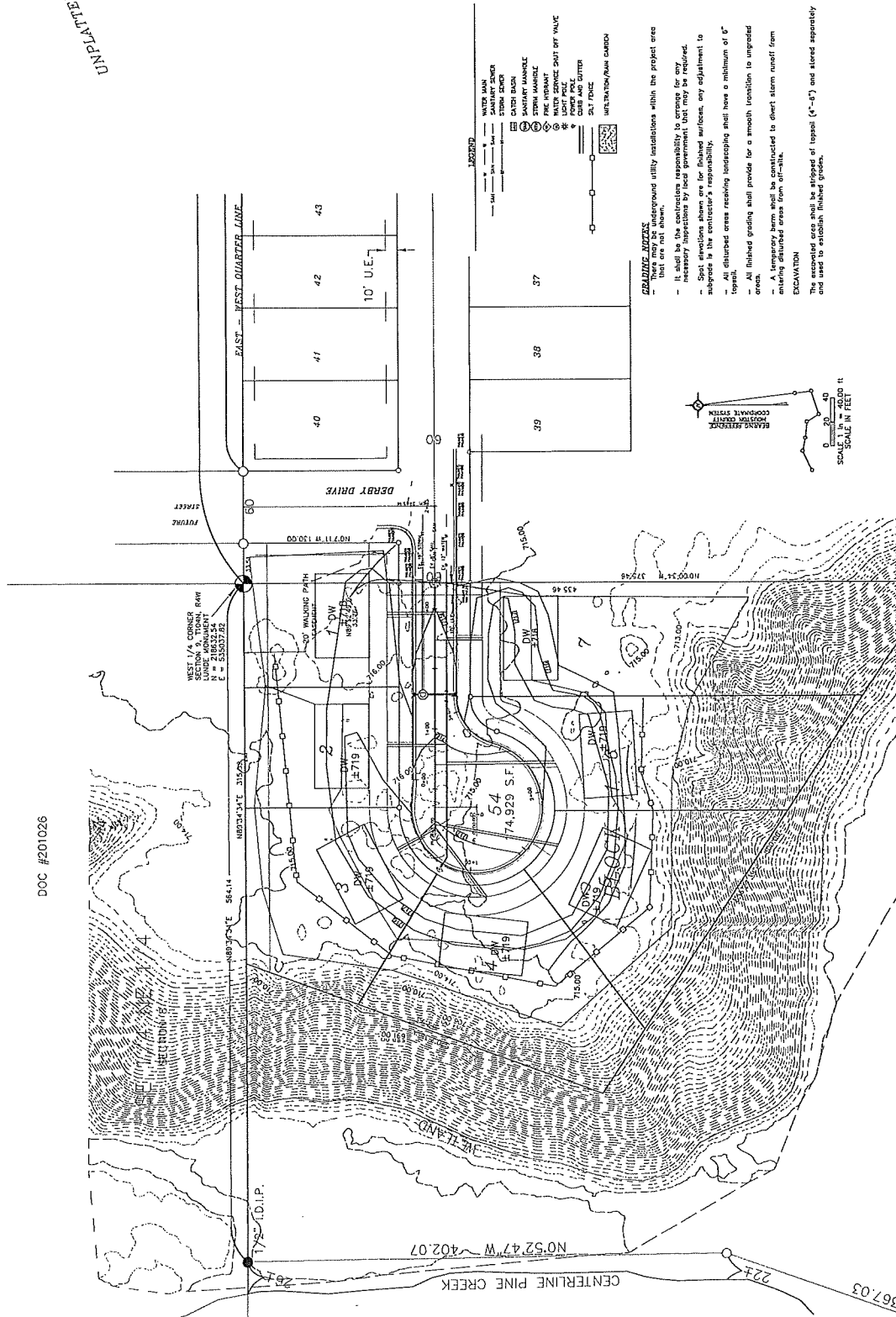
Michael Sepauer

RECEIVED

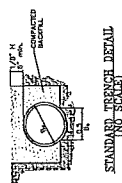
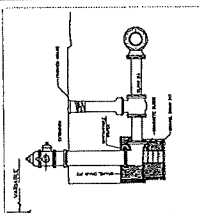
SEP 14 2021

Building / Zoning
City of La Crescent, MN

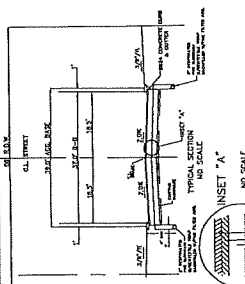
(Owners (s)) (Optionee(s))



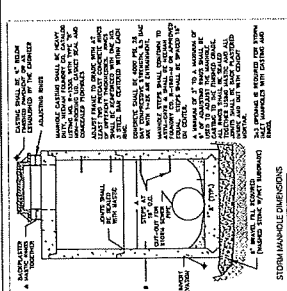
HORSETRACK MEADOWS WEST
CITY OF LA CRESCENT
BRIDLE LANE EXTENSION



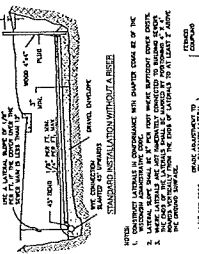
~~STANDARD TRENCH DETAIL
(NO SCALE)~~



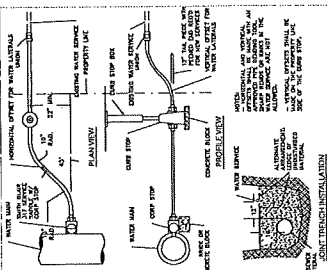
37' STREET DETAIL



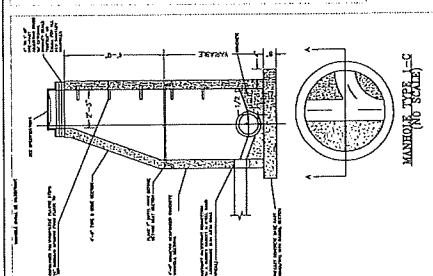
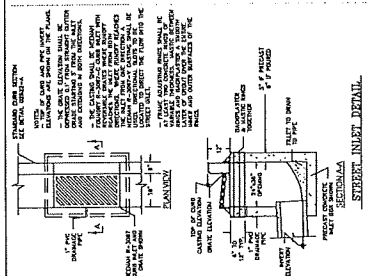
STORM SEWER MANHOLE DETAIL



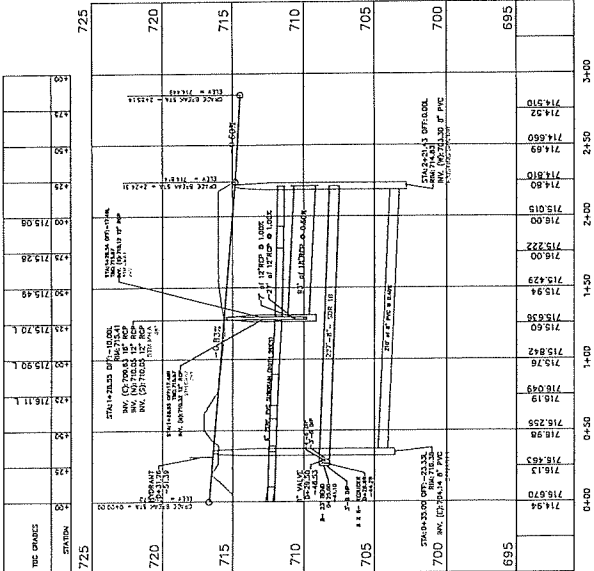
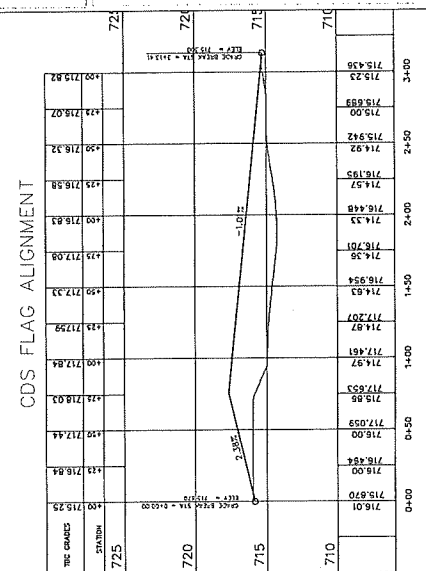
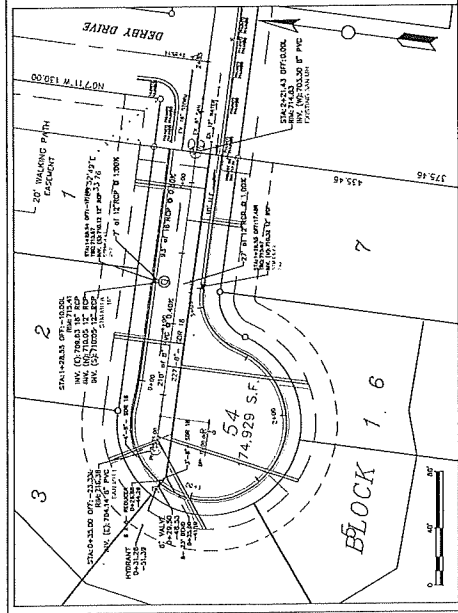
SANITARY SEWER LATERAL DETAIL



WATER SERVICE
INSTALLATION DETAIL

MANHOLE TYPE 1-C
(NO SCALE)

STREET INLET DETAIL



1. The request to rezone is a reasonable request and is permitted by the zoning ordinance.
2. The request to rezone is in harmony with the general provisions and intent of the zoning ordinance and consistent with the goals of the 2016 Comprehensive Plan and general policies of the City of La Crescent.
3. The property commonly referred to as the "Horse Track Meadows" or "Racetrack" and "Horse Track Meadows West" was annexed by the City in September 2016 in order to make sure future development was done in the City.
4. 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 Horse Track Meadows property.
5. The rezoning is in response to a general change in market. Multifamily development is being satisfied with other developments within the City.
6. The 2016 Comprehensive Plan identified few lots available for construction within the City. Granting the rezoning will meet an identified need for additional lots within the City for continued growth of the City.
7. The adjacent surrounding land uses are compatible with the rezoning request.

Following discussion, Member Williams made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE DISTRICT REZONING CHANGE FOR HORSE TRACK MEADOWS WEST FROM R-3 MULTI-FAMILY RESIDENTIAL TO R1-A LOW DENSITY RESIDENTIAL AND TO ADOPT THE FINDINGS STATED ABOVE AND AS STATED IN THE JUNE 29, 2021 PLANNING COMMISSION MINUTES.

Upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

City Attorney Wieser also reviewed with City Council the Planning Commission's second recommendation that the Preliminary Plat for Horse Track Meadows West with proposed conditions of approval and findings of fact be approved. City Council also reviewed a correspondence from WHKS recommending revisions to the conditions of approval and findings of fact. The following revised conditions of approval and findings of fact were presented to City Council:

Conditions of Approval:

1. The special assessments imposed on Lot 54, plus interest, will be paid in full prior to recording, and approval of the final plat.
2. 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 drainage easements.
 - C. Financial guarantee for the benefit of the City in the amount of 115% of the utility extension and road extension estimates. See 13.17B
 - 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 agreement. WHKS to provide estimate for construction observation with cost paid by Developer or specially assessed.
3. That plat be joined in by any mortgagee of record, or alternatively Lot 54 be released from any existing mortgage.
 4. Stormwater Pollution Prevention Plan approved by the City Engineer. Drainage calculations need to be submitted to meet city and state requirements.
 5. Applicant/developer comply with the recommendations contained in the Engineering Report of Braun Intertec dated February 13, 2018. Developer to provide report to Purchasers of the lot.
 6. No site work shall commence until after approval of the final plat.
 7. No lots in Horse Track Meadows West will be sold until final plat is recorded.
 8. Applicant obtaining all wetland mitigation permits from applicable federal, state, and local agencies, if needed.
 9. That the restrictive covenant prohibiting development of City owned land to the east of the entrance road be removed from the Horse Track Meadows Development Agreement.
 10. Reduce the 20' wide walking path easement to 10' wide.
 11. The final grading plan and utility plan showing the proposed water, storm sewer, and sanitary sewer should be submitted with the final plat and plan submittal. Grading plan provisions should ensure that drainage crosses no more than one adjacent lot. If drainage crosses more than one lot, a drainage easement should be required. The grading plan should show proposed building locations, styles, and floor elevations.
 12. An Engineer's Opinion of Construction Costs and a proposed construction schedule should be submitted for this project for inclusion in the Development Agreement as part of the Final Plat submission. Construction observation fees charged to the Developer will be calculated based on the anticipated construction schedule and incorporated into the 429 assessment process.

Findings of Fact:

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 "Horse Track Meadows" and "Horse Track Meadows West" was 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 Horse Track Meadows property.
6. The overall development (Horse Track Meadows and Horse Track Meadows West) provides a mix of single family and twin homes.
7. The proposed development is consistent with the general vision for the City.

8. 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 with other developments within the City.

Following discussion, Member Williams made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE PRELIMINARY PLAT FOR HORSE TRACK MEADOWS WEST AND TO ADOPT THE CONDITIONS OF APPROVAL AND FINDINGS OF FACT STATED ABOVE AND AS STATED IN THE JUNE 29, 2021 PLANNING COMMISSION MINUTES WITH REVISIONS AND RECOMMENDATIONS FROM WHKS.

Upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.4 – LIFT STATION IMPROVEMENTS

City Administrator Waller reviewed with City Council that the pumps and check valves at the Twi-Lite sanitary sewer lift station are in need of replacement. The City received the following proposals: Quality Flow - \$24,856.00; and DC Braun - \$25,225.00 (proposal does not include cost for freight or installation). It was recommended to City Council to proceed with the repair by accepting the proposal submitted by Quality Flow. There are funds in the sewer budget for this expenditure. Following discussion, Member O'Donnell-Ebner made a motion, seconded by Member Williams, as follows:

MOTION TO ACCEPT THE PROPOSAL SUBMITTED BY QUALITY FLOW IN THE AMOUNT OF \$24,856.00 TO PROCEED WITH THE REPAIRS OF THE PUMPS AND CHECK VALVES AT THE TWI-LITE SANITARY SEWER LIFT STATION USING FUNDS FROM THE SEWER BUDGET FOR THIS EXPENDITURE.

Upon a roll call vote taken and tallied by the City Administrator, the following Members voted in favor thereof, viz;

Ryan Hutchinson	Yes
Cherryl Jostad	Yes
Teresa O'Donnell-Ebner	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

TO: Planning Commission Members

FROM: Jason Ludwigson, Sustainability Coordinator

DATE: September 29th, 2021

RE: 444 Backstretch Court Variance Application

The applicant is asking for a variance to allow for a front setback of setback of 70 feet when the zoning ordinance states a maximum of 35-foot front setback. High Water Line. A variance for the garage being more that 55 percent street facing will also be considered as the Zoning Ordinance states a garage shall not comprise more than 55 percent of the ground floor street-facing linear building frontage.

**CITY OF LA CRESCENT
NOTICE OF PUBLIC MEETING
VARIANCE APPLICATION 444 BACKSTRECH COURT**

Notice is hereby given that the Planning Commission of the City Zoning Authority will hold a public meeting at the La Crescent City Hall, 315 Main Street, in said City on Tuesday, October 5th at 6:00 o'clock P.M. to consider the application for a variance at 444 Backstretch Court to allow for a front setback of 70 feet when the Zoning Ordinance states a maximum 35' front setback. A variance for the garage being more than 55 percent street facing will also be considered as the Zoning Ordinance states a garage shall not comprise more than 55 percent of the ground floor street-facing linear building frontage.

The variance request concerns certain premises situated in said City described as follows, to wit: more commonly identified as 444 Backstretch Court.

All persons having an interest in the matter will be given the opportunity to be heard with reference thereto.

Dated: September 14th, 2021.

By order of the City Zoning Office

Jason Ludwigson
Sustainability Coordinator
P. O. Box 142
La Crescent, MN 55947

Variance Application Requirements
City of La Crescent
LA CRESCENT, MINNESOTA

The following information must be submitted to the building/zoning department before a variance application can be processed and approved, more detailed information is listed below

Variance Application Form

After a preliminary review, additional information may be required.

Variance Application Form: Application forms are available at the building/zoning department. Complete the form and return it to the building/zoning official with the required fee.

General Information

1. **What is a Variance?** Each district in La Crescent's zoning ordinances include standards related to building setbacks, percent of lot covered, height of buildings, etc. On occasion, a property owner requests a variance or variation to the zoning standards. The variance application procedure is not intended to allow use of land in a manner that is different from what is normally permitted in the zoning district. Rather, the intent of a variance is to provide some flexibility where the strict interpretation of the zoning ordinance would result in an unnecessary practical difficulty. Financial hardship and inconvenience are not grounds for granting approval of an application for variance. Approval of a variance demands time, expense and justification. Please consider designing or redesigning the project to meet all zoning standards before submitting an application for variance.

2. **What is the typical subject matter for consideration in connection with deliberations upon the question as to whether or not a variance should be granted or denied?**

12.07 VARIANCES

Subd. 1. Pursuant to Minn. Stat. Sec. 462.357, subd. 6, as it may be amended from time to time, the Planning Commission, acting as a Board of Adjustment, may issue variances from the provisions of this zoning code. A variance is a modification or variation of the provisions 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.
- Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14 of the State Statutes, when in harmony with the ordinance. The Planning Commission, serving as the Board of Adjustment, may not permit as a variance any use that is not permitted under the ordinance for property in the zone where the affected person's land is located. The Board of Adjustment may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The Board of Adjustment may impose conditions in the granting of variances to insure compliance and to protect adjacent properties.

3. What actions help to ensure approval of the application?

- a. Review your project before completing the application to make sure it meets one or more of the criteria shown.
- b. Provide complete and accurate information.
- c. Plan your project so that it is compatible with the surroundings and does not disrupt the neighborhood with undue noise or traffic.
- d. Attend hearings so that you can speak for your project and respond to questions posed.

4. How do I apply for a variance?

- a. Fill out the attached variance application form, sign and date the same.
- b. Make a plot plan or map of the property which shows, at a minimum, all lot lines, existing and proposed structures, driveways and parking areas, significant topographical features and mature trees.
- c. Show evidence of ownership or an interest in the property.
- d. Include the address of the property and the legal description.
- e. List the addresses and owners name of all properties that abut the property.
- f. Include the required fee amount of **\$150.00**.
- g. Turn all information into the building/zoning official before three weeks prior to a scheduled meeting date, (Planning Commission meets the 1st Tuesday of each month.)
- h. Turn in any other information as required by the City of La Crescent.

5. A sketch drawn to scale must be attached showing:

- a. Lot lines and corner pins;
- b. Dimensions of existing buildings and proposed new construction;
- c. Distances from lot lines to buildings.
- d. All Easements (Utility and drainage)
- e. Utility lines entering the property.
- f. Corner pins must be established and marked by the owner.
- g. Two copies of construction plans must also be submitted

6. When will I have my hearing? You will receive a notice of variance request by mail stating the date, time and place of your variance hearing. (Planning Commission meets the 1st Tuesday of each month.)

7. **Why do I need to list my neighbors?** All adjoining property owners shall be advised of the variance request 10 days before the scheduled meeting to have a chance to appear at the hearing with comments or objections.

8. **Why do I need to pay a fee?** The fee is for the cost of the mailings, the recording fee from Houston County and the meeting itself.

9. **Why do I need to turn all information into the building/zoning official before three weeks prior to a scheduled meeting date?** We need time to check the information, schedule the hearing and prepare all mailings to adjoining properties.

10. **Please include a response to each of the following items. Please type or print legibly. If your response does not fit within the available space, please attach additional sheets. If the question does not apply to your situation, respond with "Not Applicable."**

a. Please provide a brief description of the project. I'm requesting to back my house plans further onto my lot. The lot is very narrow near curb. Allowing the build to be pushed back will allow for off street parking. Plus, additional feet for garage.

b. What variance to the Zoning Code are you requesting? What is the reason for your request?
variance for 12.14 subd. 5 for the front setback and subd. 6 for the garage

c. Describe specific, unique problems with the property, such as location, surroundings, mature trees, natural obstacles or formations and explain why the improvements you are requesting cannot be made in conformity with Zoning Code stipulations. (Issues of personal hardship such as family size, finances, medical condition should not be considered.) The dimensions of the lot allows for more space ~~as~~ if variance is granted. The shape of the lot is odd shaped. The lot is narrow at curb. Garage is 2 feet larger for oversized vehicles and equipment for clearing snow from driveway.

d. Explain why, without the variance, you cannot use your property in the same manner as others in the same zone. Also, explain how the variance will not give you an advantage over others in the same zone. When I have family gatherings there will be 10-13 cars. I'm proposing to have parking for my family on my property. Thereby, being beneficial to my neighbors. My lot will remain a single family home. Variances will not alter the character of the family neighborhood. The garage extension remains consistent with other 3 car garages in my neighborhood.

How will completing your project without a variance cause a practical difficulty in planning, design, or construction? (For the purpose of the application, 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.

The above three all apply to my lot. By approving variances my lot remains a single family home. My property is very odd shaped. Lot is narrow near curb and is wider further back. The variances will not alter the neighborhood.

- e. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.)

At this time I'm considering solar panels for future.

- f. What provisions have you made to ensure that the design elements of your project are aesthetically pleasing and harmonious with existing buildings in the area? These design elements include, but are not limited to height, bulk, area openings, breaks in the façade, line and pitch of the roof, materials, arrangements of structures on the property, concealment of mechanic and electrical equipment, etc.

My plans for the build is single family home. I have hired: Eco Green Architects LLC (Dave Holstrom) to ensure design elements are aesthetically pleasing for family neighborhood. Will provide all necessary building diagram

- g. What provisions have you made to ensure that will not adversely affect property owners in the zoning district particularly those who own adjacent properties, properties on the same block or properties in the immediate neighborhood?

Consider the effect on neighboring properties' existing views, privacy, access to direct and indirect light, etc.

Granting variances will be beneficial to neighbors; potential for more privacy; family parking; emergency vehicles and trade services (electrician, plumber, painter, tree service etc.) will be contained within my property. Freeing the street for visitors of my neighbors and for any necessary city work.

How has your own safety and that of others been considered in your plan?

Consider fire codes, points of ingress and egress, flow of pedestrian and vehicular traffic, etc.

Emergency vehicles will have greater access to entire house. The variance allows for better flow of pedestrians and vehicle traffic.

- i. Are there exceptional or extraordinary circumstances that apply property which does not generally apply to other properties located within the zoning district? (i.e. atypical lot size or shape, atypical topography or other conditions over which the property owner is unable to control).

atypical lot size

- j. Please indicate what steps you have taken to discuss this project with your neighbors prior to submission. NONE. Since no neighbors have built as of today.

- k. Please indicate what steps you have taken to discuss this project with the City staff prior to submission. I have hired Dave Holstrom of EcoGreen Architects LLC and we have been in contact with Building/zoning official: Shawn Wetterlin.

If there are any questions as to property lines, please call the Houston County Recorder at 507-725-5813.

Questions: If you have any questions, please contact the **Building/Zoning Department**, Monday through Thursday, 7:30 a.m. to 6:00 p.m. at 507-895-4409, or write to, **Shawn Wetterlin-Building Official**, 315 Main Street, City of La Crescent, Minnesota, 55947.

My signature below signifies that:

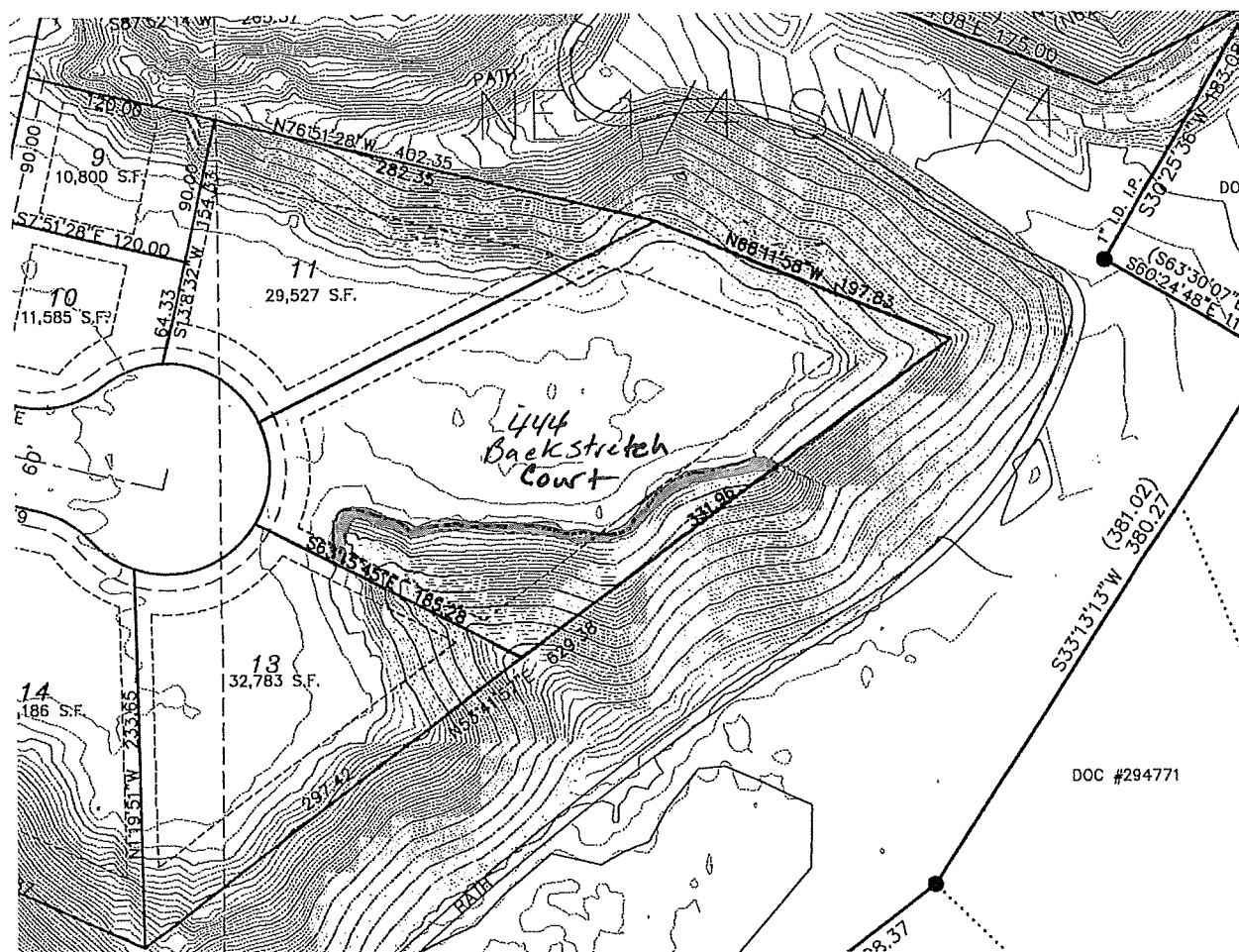
I hereby declare that I am the owner, or authorized agent of the owner, of the above described property and I agree to construct the building or use herein described in accordance with the regulations and ordinances that govern said improvement within the City of La Crescent and that the foregoing information contained on this application is a true and correct statement of my intentions. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a variance does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. I understand that any utility that must be moved as a result of additions or alterations to the property will be at my expense and I will be responsible for the cost of the plan check of this application even though I do not continue the project. I have also read and understand the instructions and information listed on the reverse side of this form.

- I have read the background information and have provided the required information.
- I have reviewed the legal description on my property deed and indicated all recorded easements and deed restrictions on the submitted site plan. *(Please provide a description here of the easements and restrictions shown on your property deed.* _____)
- I believe the information provided in this application is accurate to the best of my knowledge.
- I am aware that City staff and/or Planning Commission members may view my property and proposed construction. *(Please note any special instructions regarding access to your property such as dogs, gates, alarms, etc* _____)
- I understand that if this application is approved, a building permit is required for construction and that no construction may commence prior to issuance of the permit. No changes may be made without City approval, and changes may require a new application.

Signature(s) of
Property Owner(s)

Date

9-13-2021



SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF SECTION 8, AND PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, ALL IN TOWNSHIP 104 NORTH, RANGE WEST, LA CROSSE COUNTY, WISCONSIN.



Shawn Wetterlin

From: Shawn Wetterlin
Sent: Wednesday, September 8, 2021 12:26 PM
To: dholstrom.aia@gmail.com; Jason Ludwigson
Cc: 'Peggy Trueblood'
Subject: RE: Peggy Trueblood Residence Preliminary Drawings
Attachments: Variance application requirements packet 12-23-20.pdf

Please see the attached variance application packet.

A variance would be needed for 12.14 Subd. 5 for the front setback and Subd. 6 A.3 for the garage being more than 55 percent street facing.

There would be one fee \$150.00 for both variances. Jason Ludwigson (attached to this email) will be processing your variance requests and letting you know when the meeting will be held.

Thank you,

Shawn Wetterlin
Building/Zoning Official
315 Main Street
La Crescent, MN 55947
Office (507) 895-4409



Growing from River to Ridge

From: dholstrom.aia@gmail.com <dholstrom.aia@gmail.com>
Sent: Wednesday, September 8, 2021 12:01 PM
To: Shawn Wetterlin <SWetterlin@cityoflacscent-mn.gov>
Cc: 'Peggy Trueblood' <sagaxpstrue@centurylink.net>
Subject: RE: Peggy Trueblood Residence Preliminary Drawings

Shawn, could you please send me the form that is required to be submitted for a variance?

Thank you,

David Holstrom, AIA, PE, LEED AP, CPHC
Architect & Structural Engineer
Certified Passive House Consultant

EcoGreen Architects LLC | CONSTRUCTION EXPRESS INC
21316 Quarry Road
Caledonia, MN 55921
P: 507-495-4425
C: 608-317-1953

From: Shawn Wetterlin <SWetterlin@cityoflacrescent-mn.gov>
Sent: Wednesday, September 8, 2021 11:32 AM
To: dholstrom.aia@gmail.com
Cc: Peggy Trueblood <sagaxpstrue@centurylink.net>
Subject: RE: Peggy Trueblood Residence Preliminary Drawings

Dave, a variance would be needed for scheme B.

Thank you,

Shawn Wetterlin
Building/Zoning Official
315 Main Street
La Crescent, MN 55947
Office (507) 895-4409



From: dholstrom.aia@gmail.com <dholstrom.aia@gmail.com>
Sent: Tuesday, September 7, 2021 7:15 PM
To: Shawn Wetterlin <SWetterlin@cityoflacrescent-mn.gov>
Cc: Peggy Trueblood <sagaxpstrue@centurylink.net>
Subject: Peggy Trueblood Residence Preliminary Drawings

Shawn Wetterlin
La Crescent Building/Zoning Official,

Thank you for the site|zoning|setback discussion earlier today.

Attached please find preliminary floor plan, elevations, site plan-scheme A and site plan-scheme B in pdf format for your review purposes.

Site plan – scheme A shows house with setback at 35 ft from street.

Site plan – scheme B shows house with setback at 70 ft from street. This proposed solution allows for family guest parking of nine cars, which will occur frequently at all holidays and family get-togethers, while Peggy's Matriarch Mom Caroline is living at this address with Peggy. The present cul-de-sac court/street does not have adequate parking for visiting family members. The building lot is the largest in the subdivision, and has one of the smallest street frontages. Placing the house further back from the street eliminates a frequent future parking problem, and does not crowd the neighbors side yard setbacks. On a circle, houses do not line up with one another anyway.

Thank you for your consideration.

David Holstrom, AIA, PE, LEED AP, CPHC
Architect & Structural Engineer
Certified Passive House Consultant

EcoGreen Architects LLC | CONSTRUCTION EXPRESS INC

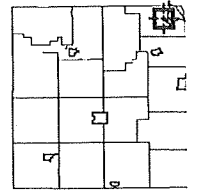
21316 Quarry Road
Caledonia, MN 55921
P: 507-495-4425
C: 608-317-1953



Beacon™ Houston County, MN



Overview



Legend

- Parcels
- Corporate Limits
- Roads
 - <Null>
 - COUNTY
 - STATE
 - US
- Political Township

Date created: 9/8/2021
Last Data Uploaded: 9/8/2021 4:03:21 AM

Developed by Schneider
GEOSPATIAL

Shawn Wetterlin

From: dholstrom.aia@gmail.com
Sent: Tuesday, September 7, 2021 7:15 PM
To: Shawn Wetterlin
Cc: Peggy Trueblood
Subject: Peggy Trueblood Residence Preliminary Drawings
Attachments: 202112-PST-A001-schA-sept5-2021-Model.pdf; 202112-PST-A001-schB-sept5-2021-Model.pdf; 202112-PST-A100-sept5-2021-Model.pdf; 202112-PST-A200-sept5-2021-Model.pdf

Shawn Wetterlin
La Crescent Building/Zoning Official,

Thank you for the site|zoning|setback discussion earlier today.

Attached please find preliminary floor plan, elevations, site plan-scheme A and site plan-scheme B in pdf format for your review purposes.

Site plan – scheme A shows house with setback at 35 ft from street.

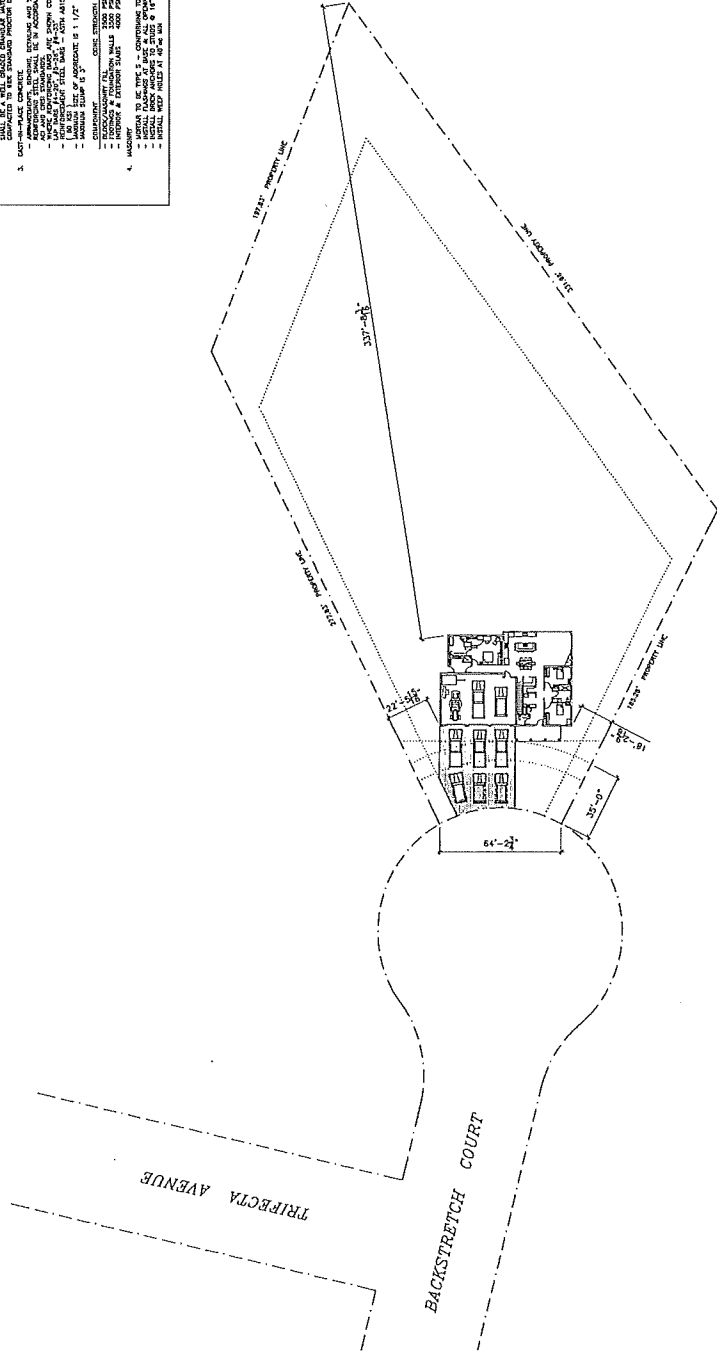
Site plan – scheme B shows house with setback at 70 ft from street. This proposed solution allows for family guest parking of nine cars, which will occur frequently at all holidays and family get-togethers, while Peggy's Matriarch Mom Caroline is living at this address with Peggy. The present cul-de-sac court/street does not have adequate parking for visiting family members. The building lot is the largest in the subdivision, and has one of the smallest street frontages. Placing the house further back from the street eliminates a frequent future parking problem, and does not crowd the neighbors side yard setbacks. On a circle, houses do not line up with one another anyway.

Thank you for your consideration.

David Holstrom, AIA, PE, LEED AP, CPHC
Architect & Structural Engineer
Certified Passive House Consultant

EcoGreen Architects LLC | CONSTRUCTION EXPRESS INC
21316 Quarry Road
Caledonia, MN 55921
P: 507-495-4425
C: 608-317-1953

PEGGY TRUEBLOOD
NEW RESIDENCE
444 BACKSTRETCH COURT
LA CRESCENT, MN 55947



SITE LOCATION PLAN-SCHEME A
1" = 32'-0"

2

GENERAL STRUCTURAL NOTES:

[illegible]

CODE INFORMATION

[illegible]

4

DRAWING INDEX

NO	DESCRIPTION
A001	SITE/LOCATION PLAN, CODE & STRUCT INFO
A100	FLOOR PLANS & SCHEDULES
A101	FOUNDATION PLAN & DETAILS
A102	FRAMING & ROOF PLANS W/ SNOW LOADS
A200	BUILDING ELEVATIONS
A300	BUILDING WALL SECTION & SCHEDULES

SITE PLAN

PLOT 1"=30'

JUL 1 2021 12:00 PM

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THE UNIVERSITY OF CHICAGO

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1518 QUARRY RD
CALISTOGA, CALIF 94004

Architects Ltd

1

[illegible]

1 SITE LOCATION PLAN-SCHEME B
1" = 30'-0"

2

GENERAL STRUCTURAL NOTES:

[illegible]

3

CODE INFORMATION

[illegible]

4

DRAWING INDEX

NO	DESCRIPTION
A001	SITE/LOCATION PLAN, CODE & STRUCT INFO
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A102	FRAMING & ROOF PLANS W/ SNOW LOADS
A200	BUILDING ELEVATIONS
A300	BUILDING WALL SECTION & SCHEDULES

Abstract

**EcoGreen
Architects LLC**
21318 QUARRY ROAD
CALIFORNIA, MS 38921
(601) 317-1823

PEGGY TRUEBLOOD
NEW RESIDENCE
444 BACKSTREET RESIDENCE
LA CRESCENT, MN 55947

[illegible]

STANDARD 1000 is a Special
 K-12 Standard Aligned with the
 National Science Education
 Standards. It is a standard for
 the 1000th year of the
 21st century.

JOB # 202112

SEPT 16, 2021

Figure 1

01 07 10-10

1991-1992

SITE PLAN
STRUCTURAL INFO
CODE INFO

A001

Rules and Bylaws of the Planning Commission City of La Crescent

November, 2016

I. AUTHORITY

The Planning Commission is established as a Standing Commission by the City Council.

The Bylaws of the City of La Crescent Planning Commission are established in accordance with City ordinances. The Bylaws and Rules are adopted by the Planning Commission to facilitate the performance of its duties and functions. Where there is a conflict between the provisions of the Bylaws and the City Ordinances, the provision of the City Ordinances will govern.

II. REPORTING TO COUNCIL

The Planning Commission shall report to the City Council routinely after each meeting. The Commission shall make written specific findings of fact together with its recommendations on any subject matter referred to it for study, consideration and recommendation, and shall transmit such written fact findings and recommendations to the City Administrator for consideration by the City Council at a subsequent meeting thereof.

III. PLANNING COMMISSION

A. Qualifications of members; terms of office; vote

1. The Planning Commission, hereinafter referred to as the "Commission", shall consist of seven (7) members appointed by the City Council from among the adult residents of the city. Members of the City desiring to serve on the Commission shall complete an application prior to November 30 of each year to be considered for appointment. Existing Commissioners whose terms are expiring shall also complete an application to indicate their desire to continue for another term. Appointments to the Commission shall be made during the annual meeting of the City Council for a three-year period. Terms shall be staggered such that, absent unanticipated resignations or removals, no more than 3 members come up for reappointment in any given calendar year.

2. In addition, one ex-officio member shall be appointed from the membership of the City Council. The Ex-officio member shall be appointed for an annual term. The Council ex-officio member is not entitled to vote on matters that come before the Commission.

3. The Building Official, City Attorney, Chief of Police and the City Administrator/Public Works Director are ex-officio members of all commissions, and the duration of their terms in such ex-officio capacities shall correspond with their respective tenures in their general capacities. Ex-officio members of the Commission are encouraged to provide input, ask questions and offer opinions, at their discretion, but are not entitled to vote on matters that appropriately come before the Commission. The Building Official shall staff the Commission and shall serve without a vote as its secretary.

4. Members, other than ex-officio, shall be appointed from among persons in a position to represent the best interest of the City, and no person shall be appointed with personal or financial interests likely to conflict with the City's best interest. If any person appointed shall find that his or her personal or financial interests are involved in any matter coming before the Commission, he or she shall disqualify himself or herself from taking part in action on the matter, or in cases where a personal or financial interest is involved he or she shall abstain.

B. Removal from office; vacancies.

1. Appointments to the Commission are subject to cancellation or revocation at any time, with or without cause in the sole discretion of the City Council. In the event of vacancies, appointments to fill any vacancy shall be by the City Council for the unexpired period of the vacant Commission position(s).

2. It shall be the duty of the chairperson of the Commission to notify the City Council promptly of any vacancies occurring in membership, and the City Council shall fill such vacancies within a reasonable amount of time.

C. Officers, rules, employees, salaries and expenses.

1. At its first meeting following the City Council's annual meeting, the Commission shall elect a chairperson and vice-chairperson from among those of its members who are not appointed ex-officio, and may create, with ratification of the City Council, such other offices as it may determine. The Chairperson shall preside over meetings and shall have the authority to add or cancel regular meetings and to call special meetings as provided in III.G.2. The Chairperson shall work with appropriate city staff in organizing agendas of all Commission meetings. The Chairperson is responsible for the orderly conduct of Commission meetings and hearings. The Chairperson may interpret and apply rules of procedure, decide whether motions are properly made, decide when to recognize speakers, call for motions or recommend motions and enforce speaking procedures. The Chairperson may invoke reasonable time limits on speakers, appoint spokespersons for a group with common interests, take action to maintain order, or close and schedule follow up hearings if a hearing cannot be concluded in a reasonable time. The Chairperson shall also sign documents of the Commission and see that all actions of the Commission are properly taken.

The Vice Chairperson shall assume the duties of the Chairperson in the absence of the Chairperson. In the event of the absence both the Chair and Vice-Chairperson, those members present shall elect a temporary chairperson to preside over the meeting.

2. The Commission shall adopt rules for its governance and for the transaction of its business.

3. Commission members are encouraged to participate in at least one educational offering each year in order to enhance their knowledge and expertise relative to City government, planning, zoning ordinances and other relevant state and local regulations. A first time member will be required to review existing relevant regulations, ordinances, laws, plans, etc. with the Chair or Vice Chair of the committee within the first three months of their appointment to the Commission. In addition, new members are encouraged to complete online instruction for new Plan Commission members offered by the League of Minnesota Cities.

4. Subject to prior approval of the City Council and within limits set by appropriations or other funds made available, the Commission may employ such staff, technicians and experts as may be deemed proper, and may incur such other expenses as may be necessary and proper for the conduct of its affairs.

5. Members of the Commission shall receive a stipend for each regular and special meeting of the Planning Commission where they were in attendance, at rates approved by the Council and provided for in the operating budget.

6. With prior approval of City Council, Commission members shall receive reimbursement for expenses incurred as a result of commission duties, including:

- (a) Fees incidental to attendance at out-of-town meetings and seminars
- (b) Ordinary and necessary expenses incurred while attending and in connection with out-of-town meetings and seminars
- (c) Necessary special equipment and supplies

D. Appropriations, fees, and other income. The City Council shall make available to the Commission such appropriations as it may see fit for fees and expenses necessary in the conduct of its work.

E. Functions, powers and duties.

1. The functions, powers and duties of the Commission shall generally be to act as fact finder concerning matters appropriately before it and in further regards thereto make recommendation to and advise the City Council concerning but not necessarily limited to:

(a) The gathering and maintenance in current form such basic information and background data as is necessary to an understanding of past trends, present conditions, and forces at work to cause changes in their conditions as relate to the comprehensive plan.

(b) To prepare and keep current for City Council approval, adoption and implementation a comprehensive plan for meeting present requirements and such future needs as may be foreseen; and to conduct public meetings required to amend the comprehensive plan.

(c) To review the Comprehensive Plan early in the City's budget cycle for the purpose of identifying items which require financial resources in the upcoming year, recommending to the City Administrator and Council the operating or capital budget allocations necessary to achieve goals and objectives of the Comprehensive Plan.

(d) Prepare and revise a plan of work for the Commission.

(e) To recommend to the City Council principles and policies for guiding action affecting development in the city and its environs.

(f) To recommend to the City Council ordinances, regulations and other proposals promoting orderly development along lines indicated as desirable by the comprehensive plan.

(g) To develop data for the City Council along with fact-findings and recommendation concerning proposed developments to facilitate conformance to the principles and requirements of the comprehensive plan and the ordinances.

(h) To keep the City Council and the general public informed and advised as to all planning and development matters.

(i) To conduct such public hearings as applicable law and ordinance (code) provisions require, to gather information enabling the City Council to knowledgeably draft, establish and maintain the comprehensive plan and ordinances and regulations related to it and to collect and compile information necessary for the plan, or for the purpose of promoting the accomplishment of the plan in whole or in part.

(j) To perform other duties which may be lawfully assigned to it, or which may have bearing on the preparation or accomplishment of the plan.

2. In connection with its duties, and within the limit of its funds and with the prior approval of the City Council, the Commission may make, cause to be made, or obtain maps, aerial photographs and surveys, and special studies on the location, condition and adequacy, including but not limited to: studies on housing; commercial and industrial facilities; economic development; parks; playgrounds and other recreational facilities; schools; public and private utilities; and traffic, transportation, and parking.

3. Consistent with organizational structure and specific duty assignments, all city employees shall, upon request and within a reasonable time, furnish to the Commission or its employees or agents such available records or information as are required in its work.

4. The Commission may establish such other ad hoc or subcommittees as may be necessary to accomplish its goals. The establishment of subcommittees are subject to the approval of the City Council. Any Ad Hoc or subcommittee will be advisory only and shall have no ability to bind either the Commission or City Council. Membership of any ad hoc or subcommittee shall consist of at least 2 Commission members and up to 5 members of the general public. Committees will meet as needed, with approval of City Council and the Commission shall be updated regularly on actions and/or recommendations of its committees.

F. Plat review by Commission. It shall be the responsibility of the Commission to pass upon all proposed new or amended plats coming directly or indirectly under the jurisdiction of the city. No new plat, and no amendment or vacation of an existing plat or portion thereof, shall thereafter be caused to be recorded by the city without the prior review of the Commission. Once reviewed by the Commission and subsequently approved by the City Council, to the extent required by law, the plat shall be deemed approved by the Planning Commission.

G. Meetings. Quorum. Attendance

1. In accordance with the Minnesota Open Meeting Law (Minnesota Statute Chapter 13D), all official meetings of the Planning Commission shall be open to the public.

2. The Commission shall hold regular meetings. Meetings will generally be held the First Tuesday of each month commencing at 5:30 PM.

3. Special Meetings may be called by the chairperson upon sufficient notice to all the Commission members. In no event shall notice be less than twenty-four (24) hours.

4. Robert's Rules of Order Newly Revised shall be the governing authority for meetings of the Commission.

5. The business transacted at all commission meetings shall follow a standard agenda form as prescribed by the City Council and available at the City Administrator's office. The agenda serves two important functions. It focuses Planning Commission deliberations by determining which matters will be considered at the meeting, when each matter will be considered and the context in which it will be considered. It also serves as the public's guide to what will be considered at the meeting, the matters will be dealt with, who will participate in the discussion, and when public comment may be made. The agenda should be prepared so as to best achieve these functions. The agenda should be prepared by City Staff and the Chairperson of the Plan Commission. Agenda items may be added during a Commission meeting subject to a majority vote of members present. Discussion of such additions may occur but no formal action may be taken at that meeting.

6. The Commission shall keep a record of attendance at its meetings and of resolutions, transactions, findings and determinations, showing the vote of each member on each question requiring a vote, or if absent or abstaining from voting, indicating such fact. The records of the Commission shall be a public record.

7. City Staff shall assure that minutes of all proceedings which are public information are posted on the City's website and available, in written form, at all reasonable times and frequencies as public information.

8. Regular or special meetings may be canceled by the chairperson in the event that there are no items of business requiring the attention of the Commission, or for lack of quorum, inclement weather or other good and sufficient reason.

9. A quorum shall consist of a majority of the non ex-officio members of the Commission.

10. Members are expected to make reasonable efforts to ensure regular attendance. Attendance records will be kept on a calendar year basis and reported to the Council in November of

each year. Commission members shall advise the Building Official of an anticipated absence from any scheduled Planning Commission meeting.

H. Public Hearings. The purpose of a hearing is to collect information and facts in order for the Commission to develop a planning recommendation for the City Council. At a public hearing the following procedure shall be followed for each case for which a public hearing is held.

1. Chair shall call the public hearing to order and state the case to be heard.
 2. Chair shall call upon the Building Official or designee to provide a staff report.
 3. Chair shall ask the applicant to present his/her case.
 4. Members of the Planning Commission shall be allowed to question the applicant about their proposal.
 5. Interested persons may address the Commission giving relevant information regarding the proposal before the commission with questions being directed through the chair. Reasonable rules limiting individual time to speak may be established to ensure that time is equitably available to all interested parties.
 6. The hearing shall be closed by the Chair unless a majority of the Commission objects. Interested persons shall not be heard again except by agreement of the chair.
 7. The Commission shall discuss and clarify the issue before it and take action.
- I. These Bylaws and Rules shall be adopted or amended by an affirmative vote of two-thirds (2/3) of the Commission members present at a regular or special meeting, notwithstanding that no rule or amendment can be in conflict with City Ordinance(s). A copy of the Bylaws and Rules shall be forwarded to the City Council for its information.