

TO: Planning Commission Members  
Honorable Mayor and City Council Members  
FROM: Paul Kenaga, Zoning Administrator  
DATE: November 6th, 2014  
RE: Meeting Minutes  
Wednesday, November 5th, 2014

The Planning Commission met at 5:15 p.m., on Wednesday, November 5th, 2014, in the City Council Chambers at City Hall. The following members were present: Donald Smith, Jerry Steffes, Richard Wieser, Patty Dockendorff, Mani Edpuganti, Linda Larson and Ex-officio members Bill Waller and Shawn Wetterlin were in attendance. Dave Hanifl and Skip Wieser were not present. Paul Kenaga was also in attendance

1. The minutes of the September 30<sup>th</sup>, 2014 Planning Commission were approved as written by consensus of the members present.
2. The Planning Commission listened to a presentation concerning a development on Oak Street. Jon Sopher and Chili Sabani explained what they intended to accomplish this coming spring at this site.

The City proposes to sell two parcels of land that were obtained from the MNDOT for redevelopment and the intended use as a fast food restaurant and two office suites. A sketch of the proposed project was shared. The sale of the property for the intended use was determined to be consistent with the Comprehensive plan.

Motion by Edpuganti, seconded by Larson that “the sale of City owned property for the proposed development on Oak Street is consistent with the City of La Crescent Comprehensive Plan”.

Upon a roll call vote, all members present voted in favor of the motion as proposed with the exception of Steffes who voted ‘No’.

In making the finding the Commission cited the Comprehensive Plan’s purpose to guide decisions related to land use and the rate, timing and location of future growth. It was noted, that

the comprehensive plan calls for Highway Commercial Development that provides ‘goods and services’ to serve the local public. And in particular the Commission finds that:

- The land use is consistent with the Highway Zoning of C-1.
- The motor vehicle access to and from this area is adequate but of concern. The City is encouraged to pursue the 7<sup>th</sup> Street extension (on the list for engineering projects) and the reconfiguration of 3<sup>rd</sup> street to improve what could be substantial congestion at the corner of Oak and 3<sup>rd</sup> Streets.
- \* There is adequate utility service for water and storm water will have considered in design.
- There is some concern concerning ease of delivery trucks and parking movements.
- \* There was a reminder that the final design will have to conform with landscaping buffers, building design standards, pedestrian access and signage standards.

Motion by Dockendorff, seconded by Steffes to recommend to the City Council that they reserve the right to review the final site plan, after the Planning Commission is given an opportunity to comment, prior to a building permit being issued.

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.

Wieser – Yes

Steffes – No

Larson – Yes

Dockendorff – Yes

Edpuganti – Yes

Chairman Smith -- Yes

3. The Planning Commission of the City Zoning Authority held a public meeting at the La Crescent City Hall, 315 Main Street, in said City on Tuesday November 5th, 2014 at 5:40 o’clock P.M. to consider the application for a variance to allow for a house to be built with a 4’ variance of the front yard setback, a 3’ variance of the South side lot line setback, a 1’ variance of the North side lot line setback, and a 10’ variance of the rear yard setback as is required by section 12.20 of the Zoning Ordinance (p. 64) and to allow a home to be built with the garage in front of the principal dwelling when the Zoning Ordinance 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; Lot 15, Block 2, Red Apple Drive Subdivision, better known as 517 Red Apple Drive.

After much discussion with the applicants, Tyler and Shelly Reining, the variances requested were broken down to five areas;

1. Requested 10' variance to the rear setback to 25'.
2. North side of the property variance of 1 foot providing for an 8' side yard to property line.
3. South of the property variance of 2 feet providing for a 7' side property line to proposed building.
4. Garage built in front of the roofed porch by 10 feet and the house frontage by 16' instead of even with house.
5. Lot coverage of up to 50 sq. ft. over the allowed 30% lot coverage.

Motion be Steffes to table these variance requests until the December 2 meeting of the Planning Commission. Since there was no second to this motion, the motion failed.

After much more discussion and examining different layouts; the Planning Commission decided to vote on the requests one at a time.

1. Motion by Dockendorff, seconded by Edpuganti to approve the variance request for the rear yard setback to 25' instead of the 35' as required in the Zoning Ordinance.

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

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

- a. The variance will not alter the essential character of the locality.
- b. With the shallow length of the lot, the additional 10' gets the owner the same buildable area as others on the same block.
- c. This is a reasonable request for a lot that is 10 feet shorter in depth than the new ordinance requires and the property would be in harmony with the purposes and intent of the ordinance if the variance is granted.
- d. Similar variances have been granted other properties in the neighborhood.

2&3. Motion by Wieser, seconded by Larsen to allow both setbacks on the sides to be 7 ½'.

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

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

- a. The variance will not alter the essential character of the locality.

- b. With the narrow width of the lot, the centering the home will fit better with other homes on the same block.
  - c. This is a reasonable request for a lot that is narrower than the new ordinance requires and the property would be in harmony with the purposes and intent of the ordinance if the variance is granted.
4. Motion by Dockendorff, seconded by Wieser to approve the variance request to have the garage in front of the principal building by a maximum of 16 and in front of the roofed porch by 10 feet'. Such approval to be conditioned upon; extending the stone treatment around the side of the structure from the front; the addition of windows on the garage end; and the addition of a 'dormer façade', all intended to create the image of the garage being an integral part of the home.

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.

Wieser – Yes  
 Hanifl – Yes  
 Steffes – Yes  
 Larson – Yes  
 Dockendorff – Yes  
 Edpuganti – Yes  
 Chairman Smith – No

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

- a. The variance will not alter the essential character of the locality.
- b. Because the lot is both shorter and narrower than required by the Zoning Ordinance,, the garage blends in with the rest of the structure being in front of the principal structure as requested.

5. Motion by Wieser, seconded by Dockendorff to allow the lot coverage to exceed the maximum 30% by no more than 50 Square feet.

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

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

- a. The variance will not alter the essential character of the locality.
- b. This is a reasonable request for a lot that is smaller than required by the Zoning Ordinance and the property would be in harmony with the purposes and intent of the ordinance if the variance is granted.

4. The Planning Commission looked at Changeable copy signs and the Sign Ordinance.

There is a business that has requested a sign permit for an EMC sign of 45 sq. ft. Since this is not listed as a permitted sign in the Sign Ordinance, it was brought to the Planning Commission to determine if the sign permit can be issued.

After much discussion, it was decided by the consensus of the Planning Members to confirm the decision of the Building Official that this would not be a permitted sign and to table consideration of revised regulation until the December 2 regular meeting.

5. Dockendorff has completed a review of considerations related to the creation of a rental registration/inspection program.

It was decided by the consensus of the Planning Members to table this item until the December 2 regular meeting.

6. Motion by Steffes, seconded by Larson to invite developers of Senior Housing Projects to come to the December 2, 2014 meeting for discussion.

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

7. Motion made by Wieser, seconded by Edpuganti is adjourn the meeting at approximately 8:22 P.M. Approved.

8. Chairman Smith announced that this will be the final meeting for the current Building/Zoning Official, Paul Kenaga because of retirement. By consensus all members thanked Paul for his service to the City and to the Planning Commission. Much has been accomplished and in particular the HUD housing renovation program and the revised zoning manual were noted. With that Chairman Smith announced that all are invited to the Sports Hub to congratulate Mr. Kenaga on his retirement. With that, all sang "For He's a Jolly Old Fellow" and departed.