

TO: Planning Commission Members  
Honorable Mayor and City Council members  
FROM: Jason Ludwigson, Sustainability Coordinator  
DATE: April 6th, 2022  
RE: Meeting Minutes from April 5th, 2022

The Planning Commission met at 5:30 p.m., on Tuesday, April 5th, 2022 in the City Council Chambers at City Hall. The following members were present: Ryan Stotts, Mike Welch, Annie Stoecklein, Greg Husmann, Dave Hanifl, Dave Coleman, and Jerry Steffes. City Sustainability Coordinator, Jason Ludwigson, Economic Development Director, Larry Kirch, and City Council member Cherryl Jostad. City Attorney Skip Wieser was also in attendance.

1. The meeting was called to order by Chair Stoecklein. Members recited the Pledge of Allegiance.

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2. Mike Welch made a motion to accept the minutes from the March 1st, 2022 meeting. Motion was seconded by Greg Husmann.

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

Stoecklein – Yes

Stotts – Yes

Steffes – Yes

Coleman – Yes

Hanifl – Yes

Welch – Yes

Husmann - Yes

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3. At 5:35 the Planning Commission chair continued the Public Hearing to review the Text Amendment and Conditional Use Permit application for 215 South Chestnut Street.

Chair Stoecklein opened the meeting.

Jason Rouleau, representing City Door, spoke in regards to the Conditional Use Permit and Text Amendment. Mr. Rouleau thanked the members for visiting the site. Commission members asked the applicant if he had applied for permits to complete interior work at 215 South Chestnut. The applicant noted that a permit had not been completed for this work. Mr. Husmann asked about conditions and a timeline being added to the conditional use permit. Discussion about the text amendment being approved or denied prior to the conditional use permit. Parking of vehicles on the right of way was discussed. Staff noted that commercial vehicles include buses, trucks, construction vehicles, etc. History of the zoning designation around the area of 215 South Chestnut Street was discussed. The applicant noted he does not have plans to add any additional semis to the site. Members also expressed concern about moving the buses and drivers not wanting to drive farther distances to pick up the school bus for its route.

Larry Kirch reviewed the staff report prepared by himself and Jason Ludwigson for the Conditional Use Permit and Text Amendment. Larry reviewed the background of the property, noting the updates that have been made to the building. It was noted that the applicant is currently parking buses on the property in violation of the zoning code. The staff report contained staff findings related to the comments the applicant had submitted for the conditional use permit and text amendment. Conditions for approval and denial were presented. Staff concluded that the proposed use does not meet the CUP criteria in Section 12.06 Subd. 4 of the Zoning Code.

Members discussed the Conditional Use Permit and Text Amendment. Questions about the road-right-of-way, screening, precedent for allowing a text amendment, and applicants' responses to the permit applications were discussed at length.

Chair Stoecklein closed the public meeting.

A motion was made by Greg Husmann to allow a Zoning Ordinance Text Amendment to allow for the outdoor parking and storage of commercial vehicles, including busses in the C-1 commercial district. The motion was seconded by Dave Hanifl.

Findings in the motion included:

- Allowing the parking of buses on the property will allow the school district to continue providing services for the City of La Crescent and students in the community .
- The property is surrounded by railroad right of way and highway right of way. Storage of buses will not impede any orderly development of the adjacent properties.

- Previous uses of the property include asphalt equipment and miscellaneous storage. Truck semi parking is further south of the site along with a city-owned equipment area.

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

Stoecklein – Yes

Stotts – Yes

Steffes – Yes

Coleman – Yes

Hanifl – Yes

Welch – Yes

Husmann - Yes

A motion was made by Greg Husmann to grant a Conditional Use Permit to the applicant for the property at 215 South Chestnut Street with the conditions below. Dave Hanifl seconded this motion.

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 or City Council and to the extent they are not inconsistent with the explicit conditions of the conditional use permit.
2. The Applicant complies with all applicable federal, state, and local regulations.
3. No vehicles will be parked or stored within the City right of way.
4. Applicant will comply with the City's building code for all interior and exterior building improvements and shall submit for approval interior remodeling plans prepared by a design professional or a draft person qualified to prepare such plans.
5. No more than one (1) semi will be allowed to be stored on the property described on Exhibit A at one time.
6. With the agreement of the Applicant, this Conditional Use Permit will terminate upon the sale or conveyance of the property described on Exhibit A to any third party.

7. Any additional lighting shall be “Dark Sky” compliant, wherein all light sources shall be down-lit, full cutoff fixtures and shielded, and the correlated temperature (“CCT”) shall not exceed 2,700 Kelvins.

8. Any signage to be installed on the property must comply with Chapter 152 of the City Code of Ordinances.

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

Stoecklein – Yes

Stotts – Yes

Steffes – Yes

Coleman – Yes

Hanifl – Yes

Welch – Yes

Husmann - Yes

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4. At 6:10 Chairperson Annie Stoecklien called for a public hearing for the variance application at 504 Sycamore Street.

Larry Kirch reviewed the staff report for the two variances in the application at 504 Sycamore Street. The criteria for granting a variance were included in the staff report. Larry noted the background Information provided by the applicant states that there was a 12’ X 42’ off-premise sign located on the property that was erected on December 1, 1974. This sign was replaced by an off-premise advertising sign that was permitted on February 10, 1977 and erected on February 15, 1977. The 1977 permit stated that the sign was located south of and within 175’ of another off-premise sign (also on the same tax parcel). The 1977 off-premise advertising sign permit application states that the sign was a 12’ X 48’ or 570 square feet in size and double sided. On July 29, 2021, the original sign (two sided with four sign faces) came down during a severe thunderstorm and took down some power lines and caused a power outage. The off-premise advertising sign is a non-conforming sign per the city’s sign code. The subject site is designated by the City’s General Plan as “Shoreland Mixed Use.”

City staff has reviewed the submitted application, the applicant's response (a thru k) of the application, reviewed the adopted comprehensive plan, and the city's sign code for nonconforming off-premise advertising signs. The variance request has three components, a height variance, a spacing variance from another off-premise advertising sign and a spacing variance from an existing street intersection. The city staff finds that the variance request is not consistent with several stated goals, objectives, and strategies of the comprehensive plan found in the following elements:

- Natural Systems, Open Space and Recreation Element, Goals, Objectives, Strategies

2.9. Scenic views of the bluffs and wetlands will be enhanced through the removal of billboards.

- Transportation and Mobility

8. Transportation corridors and gateways will be aesthetically attractive and enhance the image of the community

23. Work with State and County agencies to maintain aesthetically pleasing transportation corridors and gateway entrances with reflect the community's charm and vision. This may include enhanced landscaping, artistic enhancements, clean-up off trash and debris, decorative lighting, improved community signage and removal of billboards

- Land Use and Community Design

3.3 Billboards will be removed.

Variations shall not be permitted when they are not in harmony with the general purposes and intent of the ordinance and when the variations are not consistent with the comprehensive plan. Legal non-conforming signs may be reconstructed if they meet the requirements of the sign code however the applicant is requesting two variations (and actually needs a third variation) and therefore the request is not in harmony with the general purposes and intent of the sign ordinance. If the variance request does not meet these two criteria (harmony and purpose of the ordinance and consistency with the comprehensive plan), then there is no need to evaluate the request to determine if there are "Practical difficulties."

Two representatives of the applicant spoke in favor of the request and the history of the billboard, who has used the billboard. They noted the billboard had been in place since the 1970's. They noted the billboard is smaller in square footage than the sign that was previously in place. Applicants noted the sign would be four feet shorter than the billboard that was in place prior to the storm. They also discussed loss of four signs and revenue along the pike. Applicants noted that the loss of billboard space

is detrimental to local business advertising. Members of the board of adjustment asked questions about the local advertisers who use the board.

Greg Husmann made a motion to deny the variance application on the grounds that it is inconsistent with the comprehensive plan sections including Natural Systems, Open Space and Recreation Element, Goals, Objectives, Strategies, Transportation and Mobility, Land Use and Community Design and the zoning ordinance language in the city's sign ordinance which states that legal non-conforming signs may be reconstructed if they meet the requirements of the sign code however the applicant is requesting two variances and therefore the request is not in harmony with the general purposes and intent of the sign ordinance. The motion was seconded by Ryan Stotts.

Upon a roll call vote, taken and tallied by the Sustainability Coordinator, all members present voted as follows to deny the variance application.

Stoecklein – Yes

Stotts – Yes

Steffes – No

Coleman – No

Hanifl – Yes

Welch – Yes

Husmann - Yes

By a vote of 5-2 the members of the board of adjustment denied the variance request for 504 Sycamore Street. Jason Ludwigson read the 10 day variance notice which states, "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."

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5. At 6:40 Chairperson Annie Stoecklien called for a public hearing for the variance application at 1116 South Oak Street.

Larry Kirch reviewed the staff report for the variance application at 1116 South Oak Street. It was noted that a variance for metal siding as a secondary material has come before the board of adjustment

frequently in the last year. Staff concluded that this request can be considered consistent with the comprehensive plan and the general intent of the zoning code because the owner has added stone veneer; is keeping the stucco on the first floor; is using architectural metal; and has added a metal projection over the upper floor windows and above the lower floor. The variance request does meet these two criteria (harmony and purpose of the ordinance and consistency with the comprehensive plan), therefore the request was also evaluated to determine if there are “Practical difficulties.” The property owner is proposing to use the property in a reasonable manner, the property owner is attempting to have a more permanent repair for the problems associated with previous attempts to restore the stucco finish and the building repairs will not alter the essential character of the immediate locality.

A representative of the applicant spoke in favor of the request. He noted that the building front was having water issues with the stucco finish and the metal siding would get the water out away from the building walls. The construction work has moved drain downspouts and piping to get the water flowing away from the building rather than pooling by the front entrance. The architectural metal materials proposed for the installation have a long warranty and excellent durability.

Members of the board of adjustment noted that the materials proposed are aesthetically pleasing and not similar to metal installed on pole building steel.

Jerry Steffes made a motion to approve the variance application at 1116 South Oak Street. The motion was seconded by Dave Coleman.

Findings in the motion included:

- Proposed request is consistent with the city comprehensive plan
- Variance is similar in nature to others granted in the last year
- Staff are investigating this issue in terms of text amendments to the city zoning code to keep up with changes in building materials

Upon a roll call vote, taken and tallied by the Sustainability Coordinator, all members present voted in favor of granting the variance application for 1116 South Oak Street.

Stoecklein – Yes

Stotts – Yes

Steffes – Yes

Coleman – Yes

Hanifl – Yes

Welch – Yes

Hussman - Yes

Jason Ludwigson read the 10 day variance notice which states, “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.”

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6. Motion to adjourn was made by Greg Husmann and seconded by Michael Welch. Members voted in unanimous consent to adjourn. Meeting adjourned at 6:51 p.m.