

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
APRIL 9, 2018

Pursuant to due call and notice thereof, the first meeting of the City Council of the City of La Crescent for the month of April was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, April 9, 2018, followed by the Pledge of Allegiance.

Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Bernie Buehler, Ryan Hutchinson, Brian Krenz, Dale Williams and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller, City Attorney Skip Wieser, City Building/Zoning Official Shawn Wetterlin and Tammy Omdal of Northland Securities.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. There were no changes requested.

ITEM 1 – CONSENT AGENDA

At this time, the Mayor read the following items to be considered as part of the Consent Agenda for this regular meeting:

- 1.1 MINUTES – MARCH 26, 2018
- 1.2 BILLS PAYABLE THROUGH APRIL 5, 2018

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Buehler made a motion, seconded by Member Krenz, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.1 – TAMMY OMDAL – 2018 BONDING REVIEW

Tammy Omdal of Northland Securities gave an overview to City Council of the City's plans to issue general obligation bonds to finance certain infrastructure improvements and acquisition of equipment that will be constructed (acquired) over the next year. The City has engaged Northland Securities to serve as underwriter for the sale of the Bonds. Ms. Omdal also reviewed the proposed process and key dates for the sale of the Bonds. This item was informational and no action taken.

ITEM 3.2 – PLANNING COMMISSION MINUTES – APRIL 3, 2018

City Council reviewed the minutes from the April 3, 2018 Planning Commission Meeting. The Planning Commission recommended to City Council to approve the following items:

Veterans Park Preliminary Plat

City Building/Zoning Official Shawn Wetterlin reviewed with City Council the Planning Commission minutes, conditions and findings regarding approval of Veterans Park Subdivision Preliminary Plat. Jeff Henthorne filed an Agenda Request and also addressed the City Council regarding this item. The Planning Commission referenced the following conditions and findings of fact for City Council to consider:

Conditions:

1. That the applicant/developer obtain consent to proceed with plat of all mortgagees and owners of record.
2. All overhead and underground utility easements be relocated to the dedicated utility easements contained in the plat of Veterans Subdivision.
3. The utility and drainage easements shall be identified and shown on the plat and dedicated to the public.
4. All easements of record for the benefit of the City of La Crescent are identified and dedicated on the plat.
5. The right turn lane on southbound Hwy 14/61 be approved by MNDOT and City Engineer.
6. Prior to issuance of the building permit, that property currently zoned residential are rezoned to commercial and that any mutual easements or agreements regarding shared parking lots and driveways be reviewed and approved by the City at least ten (10) days prior to issuance of the building permit.
7. Utility plan, stormwater plan, site grading plan/erosion control plan will be prepared by applicant/developer and reviewed and approved the by City Engineer prior to issuance of the building permit.
8. That the applicant/developer provide an updated southeasterly property line on the plat to be agreed upon between applicant/developer and the City of La Crescent. The property line to be approved by the City Attorney and City Council.
9. Area currently occupied by the City of La Crescent as Timm Lane shall be dedicated to the City.
10. That the terms and conditions of the Development Agreements with La Crescent Hotel Group LLC and La Crescent Area Event Center, Inc. are complied with.
11. The applicant/developer will abide by all representations made by the applicant/developer 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 spirit or explicit conditions of the conditional use permit.
12. That plans for adjoining municipal parking lot are approved by La Crescent City Council.
13. That the applicant/developer apply with all applicable federal, state, and local regulations.
14. That the applicant/developer obtain a conditional use permit for purposes of operating an event center.

Findings of Fact:

1. The proposed approval does not adversely impact the existing use of the adjacent park facilities. The City Council finds that the entire City will benefit from the proposed hotel and event center development. This increase in commercial base will lead to additional opportunities for the City

including improvements in the parks and other recreational activities. The proposed redevelopment will not impede the use or access to the existing park.

2. The proposed use of a hotel is permitted in a commercially zoned district. The Event Center is conditionally permitted in the commercial district.
3. The Planning Commission is recommending that the City Council waive any requirements for park dedication or contribution.

Following discussion, it was recommended to include the following additional Finding of Fact:

The proposed Hotel and Event Center Development will enhance and preserve Veteran's Memorial Park. As a result of development, the City will be able to complete a trail connection to Eagle Bluff Park. This will complete a long-term goal that has been identified by the City since approximately 1994. This trail connection will enhance the connectivity to external parks and will also enhance the use of Veteran's Park. New playground equipment will be installed and suitable for use by children of varying range ages and abilities. Additional trees will also be planted throughout the park which will improve the appearance of the park and will provide additional shade for users of the park. By providing additional municipal parking, the park will enhance the access to Veteran's Park. Because of the enhancements and improvements to the park being provided, the City specifically finds that the proposed development satisfies the purpose and intent of the City's park plan of maintaining a park and open space system.

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

MOTION TO APPROVE THE PRELIMINARY PLAT FOR VETERANS PARK SUBDIVISION WITH THE ABOVE STATED CONDITIONS AND TO ADOPT THE FINDINGS STATED ABOVE AND AS STATED IN THE APRIL 3, 2018 PLANNING COMMISSION MINUTES WITH MODIFICATIONS AND ADDITIONAL FINDING AS PRESENTED AT APRIL 9, 2018 CITY COUNCIL MEETING.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

Event Center Conditional Use Permit

City Building/Zoning Official Wetterlin reviewed with City Council the Planning Commission minutes, conditions and findings regarding a recommendation from the Planning Commission to consider the application for a conditional use permit to allow an assembly hall (Event Center) in a commercial zoned district. The Planning Commission referenced the following conditions and findings of fact for City Council to consider:

Conditions:

1. The applicant/developer will abide by all representations made by the applicant/developer or their agents 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 spirit or explicit conditions of the conditional use permit. That the applicant/developer apply with all applicable federal, state, and local regulations.
2. That the applicant/developer comply with all terms and conditions of the Development Agreement between the City of La Crescent and La Crescent Area Event Center approved December 18, 2017.
3. That the applicant/developer apply with all applicable federal, state, and local regulations.
4. Building structure, style, and materials shall comply with City ordinances.

Findings of Fact:

1. The Comprehensive Plan of La Crescent encourages redevelopment along Hwy 14/16. The proposed use (Assembly Hall/Event Center) is adjacent to proposed hotel. The Event Center will serve not only the residents of La Crescent, but the surrounding area by providing a use complementary to the adjacent hotel. It is contemplated that the Event Center will be used for weddings, community celebrations, and other gatherings.
2. The area to the north of the Event Center is already developed as residential, while the areas westerly and southerly are predominantly park/open areas. The establishment of this conditional use permit will not impede the normal and orderly development of the surrounding area.
3. There will be constructed a 130-stall municipal parking lot to the southwest of the proposed Event Center permitting adequate parking for the use.
4. The proposed use will not create any excess odor, fumes, or other nuisances. The proposed use is consistent with the purposes of La Crescent’s zoning ordinances along with the purposes and intent of commercially zoned district located adjoining to a state highway. The proposed use will not conflict with the policies of the City of La Crescent and will not create any traffic hazards or conditions.
5. The redevelopment of the former American Legion will serve to enhance Veterans Memorial Park. The redevelopment will also provide a trail connection to adjoining bluff land. The Comprehensive Plan calls for improved commercial development along major highways going through the City.

Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

MOTION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW AN ASSEMBLY HALL (EVENT CENTER) IN A COMMERCIAL ZONED DISTRICT BETTER KNOWN AS 505, 509 CHESTNUT AND 120 HILLVIEW BOULEVARD, LA CRESCENT, GITTENS-LEIDEL AMERICAN LEGION POST 595 LA CRESCENT WITH THE ABOVE STATED CONDITIONS AND TO ADOPT THE FINDINGS STATED ABOVE AND AS STATED IN THE APRIL 3, 2018 PLANNING COMMISSION MINUTES.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

Veterans Park Final Plat

City Attorney Wieser reviewed with City Council the Planning Commission minutes, conditions and findings regarding approval of Veterans Park Subdivision Final Plat. The Planning Commission referenced the following conditions and findings of fact for City Council to consider:

Conditions:

1. That the applicant/developer obtain consent to proceed with plat of all mortgagees and owners of record.
2. All overhead and underground utility easements be relocated to the dedicated utility easements contained in the plat of Veterans Subdivision.
3. The utility and drainage easements shall be identified and shown on the plat and dedicated to the public.
4. All easements of record for the benefit of the City of La Crescent are identified and dedicated on the plat.
5. The right turn lane on southbound Hwy 14/61 be approved by MNDOT and City Engineer.
6. Prior to issuance of the building permit, that property currently zoned residential are rezoned to commercial and that any mutual easements or agreements regarding shared parking lots and driveways be reviewed and approved by the City at least ten (10) days prior to issuance of the building permit.
7. Utility plan, stormwater plan, site grading plan/erosion control plan will be prepared by applicant/developer and reviewed and approved the by City Engineer prior to issuance of the building permit.
8. That the applicant/developer provide an updated southeasterly property line on the plat to be agreed upon between applicant/developer and the City of La Crescent. The property line to be approved by the City Attorney and City Council.
9. Area currently occupied by the City of La Crescent as Timm Lane shall be dedicated to the City.
10. That the terms and conditions of the Development Agreements with La Crescent Hotel Group LLC and La Crescent Area Event Center, Inc. are complied with.
11. The applicant/developer will abide by all representations made by the applicant/developer 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 spirit or explicit conditions of the conditional use permit.
12. That plans for adjoining municipal parking lot are approved by La Crescent City Council.
13. That the applicant/developer apply with all applicable federal, state, and local regulations.
14. That the applicant/developer obtain a conditional use permit for purposes of operating an event center.
15. Parking and buildings are generally located to the layout of attached site plans dated April 2, 2018.
16. Keep as many mature trees as possible and plant additional trees in park.

Findings of Fact:

1. The proposed approval does not adversely impact the existing use of the adjacent park facilities. The City Council finds that the entire City will benefit from the proposed hotel and event center development. This increase in commercial base will lead to additional opportunities for the City including improvements in the parks and other recreational activities. The proposed redevelopment will not impede the use or access to the existing park.
2. The proposed use of a hotel is permitted in a commercially zoned district. The Event Center is conditionally permitted in the commercial district.

3. The Planning Commission is recommending that the City Council waive any requirements for park dedication or contribution.

Following discussion, it was recommended to include the following additional Finding of Fact:

- The proposed Hotel and Event Center Development will enhance and preserve Veteran's Memorial Park. As a result of development, the City will be able to complete a trail connection to Eagle Bluff Park. This will complete a long-term goal that has been identified by the City since approximately 1994. This trail connection will enhance the connectivity to external parks and will also enhance the use of Veteran's Park. New playground equipment will be installed and suitable for use by children of varying range ages and abilities. Additional trees will also be planted throughout the park which will improve the appearance of the park and will provide additional shade for users of the park. By providing additional municipal parking, the park will enhance the access to Veteran's Park. Because of the enhancements and improvements to the park being provided, the City specifically finds that the proposed development satisfies the purpose and intent of the City's park plan of maintaining a park and open space system.

Following discussion, Member Krenz introduced the following resolution and moved its passage and adoption, which includes the proposed additional finding, and also a motion authorizing the City Administrator and Mayor to execute a Quit Claim Deed to establish property lines as approved by City Attorney:

RESOLUTION NO. 04-18-11

A RESOLUTION APPROVING THE FINAL PLAT FOR VETERANS PARK SUBDIVISION IN THE CITY OF LA CRESCENT

WHEREAS, the City of La Crescent, La Crescent Area Event Center and Gittens-Leidel American Legion Post No. 595, owners and developers of certain lands lying and being in the City of La Crescent, Houston County, Minnesota, more particularly described in the official plat to which this resolution is referenced, has duly petitioned the City of La Crescent City Council for approval of the final plat of Veterans Park Subdivision, City of La Crescent, pursuant to Section 13.16, Chapter 13, City Code, City of La Crescent, and have in connection therewith satisfied the requirement of said City Code;

WHEREAS, the recommendations of the City Planning Commission and City Engineer will be satisfied and duly noted;

WHEREAS, the approval of the final plat of Veterans Park Subdivision contingent upon the following:

1. That the applicant/developer obtain consent to proceed with plat of all mortgagees and owners of record.
2. All overhead and underground utility easements be relocated to the dedicated utility easements contained in the plat of Veterans Subdivision.
3. The utility and drainage easements shall be identified and shown on the plat and dedicated to the public.
4. All easements of record for the benefit of the City of La Crescent are identified and dedicated on the plat.
5. The right turn lane on southbound Hwy 14/61 be approved by MNDOT and City Engineer.

6. Prior to issuance of the building permit, that property currently zoned residential are rezoned to commercial and that any mutual easements or agreements regarding shared parking lots and driveways be reviewed and approved by the City at least ten (10) days prior to issuance of the building permit.
7. Utility plan, stormwater plan, site grading plan/erosion control plan will be prepared by applicant/developer and reviewed and approved the by City Engineer prior to issuance of the building permit.
8. That the applicant/developer provide an updated southeasterly property line on the plat to be agreed upon between applicant/developer and the City of La Crescent. The property line to be approved by the City Attorney and City Council.
9. Area currently occupied by the City of La Crescent as Timm Lane shall be dedicated to the City.
10. That the terms and conditions of the Development Agreements with La Crescent Hotel Group LLC and La Crescent Area Event Center, Inc. are complied with.
11. The applicant/developer will abide by all representations made by the applicant/developer 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 spirit or explicit conditions of the conditional use permit.
12. That plans for adjoining municipal parking lot are approved by La Crescent City Council.
13. That the applicant/developer apply with all applicable federal, state, and local regulations.
14. That the applicant/developer obtain a conditional use permit for purposes of operating an event center.
15. Parking and buildings are generally located to the layout of attached site plans dated April 2, 2018.
16. Keep as many mature trees as possible and plant additional trees in park.

WHEREAS, the City Council took under consideration the following findings of fact:

1. The proposed approval does not adversely impact the existing use of the adjacent park facilities. The City Council finds that the entire City will benefit from the proposed hotel and event center development. This increase commercial base will lead to additional opportunities for the City including improvements in the parks and other recreational activities. The proposed redevelopment will not impede the use or access to the existing park.
2. The proposed use of a hotel is permitted in a commercially zoned district. The Event Center is conditionally permitted in the commercial district.
3. The Planning Commission is recommending that the City Council waive any requirements for park dedication or contribution.
4. The proposed Hotel and Event Center Development will enhance and preserve Veteran's Memorial Park. As a result of development, the City will be able to complete a trail connection to Eagle Bluff Park. This will complete a long-term goal that has been identified by the City since approximately 1994. This trail connection will enhance the connectivity to external parks and will also enhance the use of Veteran's Park. New playground equipment will be installed and suitable for use by children of varying range ages and abilities. Additional trees will also be planted throughout the park which will improve the appearance of the park and will provide additional shade for users of the park. By providing additional municipal parking, the park will enhance the access to Veteran's Park. Because of the enhancements and improvements to the park being provided, the City specifically finds that the proposed development satisfies the purpose and intent of the City's park plan of maintaining a park and open space system.

NOW THEREFORE BE IT RESOLVED as follows:

1. That the final plat of Veterans Park Subdivision will be filed with the City Administrator of the City of La Crescent.
2. That the Mayor and City Administrator are hereby authorized and directed to execute the plat in accordance with the laws of the State of Minnesota and City Code thereunto appertaining and to execute and deliver such other certificates and documents which may be required to effectuate said plat.

Adopted this 9th day of April, 2018.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Hutchinson and upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

Horse Track Meadows Preliminary Plat

City Attorney Wieser reviewed with City Council the Planning Commission minutes, conditions and findings regarding approval of Horse Track Meadows (Race Track) Preliminary Plat. Jeff Miller and Dave Booth filed Agenda Requests and also addressed the City Council regarding this item. The Planning Commission referenced the following conditions and findings of fact for City Council to consider:

Conditions:

1. Identify property to be conveyed to City of La Crescent as an outlot.
2. Outlot to be conveyed/dedicated to the City as part of Phase I.
3. Phases of the development need to be identified.

4. Utility and drainage easements needs to be identified and dedicated on the plat. The location and width of the utility and drainage easements need to be approved by the City Engineer.
5. That the applicant/developer comply with the terms and conditions of the Preliminary Development Agreement dated March 1, 2018.
6. Utility plan, stormwater plan, site grading plan/erosion control plan will be prepared by the applicant/developer and reviewed and approved by the City Engineer.
7. Applicant/developer comply with the recommendations contained in the Engineering Report of Braun Intertec dated February 13, 2018.
8. All building setbacks shall be identified on the final plat.
9. Building footprints should be provided on final plat.
10. No site work shall commence until after approval of the final plat.
11. The sewer connection service agreement with the City of La Crosse, Wisconsin be amended to include proposed development property.
12. Prior to approval of final plat, Chapter 429 – Special Assessment procedure is completed assessing the cost of public improvements back to lots.
13. The applicant/developer construct a walking trail through the outlot dedicated to the City at applicant/developer cost. The trail to be identified on plat.
14. That the city water system be “looped” in order to provide sufficient water flows.
15. That lots be identified with their intended use (R1-A Single Family, R-3 twin home, multifamily with number of units). The PUD development plan shall identify all the proposed land uses and those uses shall become permitted uses with the expectance of the development plan.
16. All easements of record to be identified on plat.
17. The applicant/developer provide information required by the following sections of the Subdivision Ordinance: 13.09(2)(B)(1-6); 13.09(2)(C)(1-17); 13.09(2)(D)(1-22); 13.09(2)(E)(1-10); 13.09(2)(G)(1-8); 13.09(2)(G)(2)(i-iv).
18. The applicant/developer will abide by all representations made by the applicant/developer 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 spirit or explicit conditions of the conditional use permit.
19. That the applicant/developer apply with all applicable federal, state, and local regulations.
20. Show Ordinary High-Water Line/ Floodplain on plat.
21. Common walls of townhomes shall be on the lot line.
22. 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.
23. Submit a Certificate of Survey for the parcel.
24. Show existing building structures within 350 feet of the boundary.
25. Provide gross and buildable lot acreages.
26. Show width of lots at setbacks for those lots on a curve
27. Stormwater must be addressed on the site. Locations will need to be determined and drainage calculations need to be submitted to meet City and State requirement.
28. Storm water needs to be contained within the established drainage easements. Provide open channel flow calculations verifying.
29. The final grading plan should be submitted with the final plat and plan submittal. Grading plan provisions should insure 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.

30. Slopes of the land adjacent to Pine Creek should be shown so that a determination can be made as the implementation of the City's Bluffland Ordinance. This should be evaluated as part of the PUD process.
31. Additional easements required by private utility companies, if any, should be platted. All proposed utility conduit crossings must be shown on the final plans. All related private utility fees shall be paid by the Developer.
32. Utility plans shall be submitted with the final plat and plan submittal. Additional easements may be required to accommodate sanitary sewer and water main to serve county road 6 properties and utility line connections to Valley Lane.

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 PUD process is an appropriate zoning for the property because it is greater than 10 acres and is unique in many ways including in its rather contained geographic boundaries. It is suitable for a mixed-use neighborhood with single family and multi-family properties.
4. Such PUD development is consistent with the Comprehensive Plan which calls for additional family housing of mixed and varied types. Such mixed neighborhoods are increasing in demand and successful. This fact and the number and quantity was identified in the housing study completed by Maxwell and reviewed by the Planning Commission, although the final proposed mix is not yet identified on the submittal.
5. The basic layout of streets and lots are acceptable. It is noted that the applicant designed to R1-A standards for single family lots and R-2 standards for twin homes.

Following discussion, it was recommended to include the following additional Conditions:

- That the Developer enter into a final Development Agreement with the City to be approved by the City Attorney and City Council.
- That the preliminary plat be forwarded to the Houston County Engineer for review and comment.

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

MOTION TO APPROVE THE PRELIMINARY PLAT FOR HORSE TRACK MEADOWS (RACE TRACK) WITH THE ABOVE STATED CONDITIONS, INCLUDING ADDITIONAL CONDITIONS PRESENTED AT APRIL 9, 2018 CITY COUNCIL MEETING, AND TO ADOPT THE FINDINGS STATED ABOVE AND AS STATED IN THE APRIL 3, 2018 PLANNING COMMISSION MINUTES.

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

Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

Member Bernie Buehler voted against the same. The motion was declared duly carried by a 4-1 vote.

Horse Track Meadows Planned Unit Development

City Attorney Wieser reviewed with City Council the Planning Commission minutes, conditions and findings regarding approval for a Planned Unit Development for Horse Track Meadows (Race Track). The Planning Commission referenced the following conditions and findings of fact for City Council to consider:

Conditions:

1. Identify property to be conveyed to City of La Crescent as an outlot.
2. Outlot to be conveyed/dedicated to the City as part of Phase I.
3. Phases of the development need to be identified.
4. Utility and drainage easements needs to be identified and dedicated on the plat. The location and width of the utility and drainage easements need to be approved by the City Engineer.
5. That the applicant/developer comply with the terms and conditions of the Preliminary Development Agreement dated March 1, 2018.
6. Utility plan, stormwater plan, site grading plan/erosion control plan will be prepared by the applicant/developer and reviewed and approved by the City Engineer.
7. Applicant/developer comply with the recommendations contained in the Engineering Report of Braun Intertec dated February 13, 2018.
8. All building setbacks shall be identified on the final plat.
9. Building footprints should be provided on final plat.
10. No site work shall commence until after approval of the final plat.
11. The sewer connection service agreement with the City of La Crosse, Wisconsin be amended to include proposed development property.
12. Prior to approval of final plat, Chapter 429 – Special Assessment procedure is completed assessing the cost of public improvements back to lots.
13. The applicant/developer construct a walking trail through the outlot dedicated to the City at applicant/developer cost. The trail to be identified on plat.
14. That the city water system be “looped” in order to provide sufficient water flows.
15. That lots be identified with their intended use (R1-A Single Family, R-3 twin home, multifamily with number of units). The PUD development plan shall identify all the proposed land uses and those uses shall become permitted uses with the expectance of the development plan.
16. All easements of record to be identified on plat.
17. The applicant/developer provide information required by the following sections of the Subdivision Ordinance: 13.09(2)(B)(1-6); 13.09(2)(C)(1-17); 13.09(2)(D)(1-22); 13.09(2)(E)(1-10); 13.09(2)(G)(1-8); 13.09(2)(G)(2)(i-iv).
18. The applicant/developer will abide by all representations made by the applicant/developer 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 spirit or explicit conditions of the conditional use permit.
19. That the applicant/developer apply with all applicable federal, state, and local regulations.
20. Show Ordinary High-Water Line/ Floodplain on plat.
21. Common walls of townhomes shall be on the lot line.
22. 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.

City Council also reviewed the Developer's request to permit garages to be built in front of principal dwellings subject to agreed setback and to allow twin homes to be built horizontally in area designated as R-2 zoning.

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 PUD process is an appropriate zoning for the property because it is greater than 10 acres and is unique in many ways including in its rather contained geographic boundaries. It is suitable for a mixed-use neighborhood with single family and multi-family properties.
4. Such PUD development is consistent with the Comprehensive Plan which calls for additional family housing of mixed and varied types. Such mixed neighborhoods are increasing in demand and successful. This fact and the number and quantity was identified in the housing study completed by Maxwell and reviewed by the Planning Commission, although the final proposed mix is not yet identified on the submittal.
5. The basic layout of streets and lots are acceptable. It is noted that the applicant designed to R1-A standards for single family lots and R-2 standards for twin homes.

Following discussion, it was recommended to include the following additional Findings of Fact:

Zoning Ordinance 12.26 – Planned Unit Development

Subd. 2 – Standards and Regulations for a Planned Unit Development

- A. The Planned Unit Development is consistent with the comprehensive plan of the city.

Response:

The Planned Unit Development is consistent with the comprehensive plan of the city by providing additional housing inventory. The Planned Unit Development will provide mixed uses and densities of the land making La Crescent competitive with neighboring communities for new housing developments. The Planned Unit Development is also consistent with the recommendation of a recently completed Housing Study.

- B. The Planned Unit Development is an effective and unified treatment of the development possibilities on the project site and the development plan provides for the preservation or creation of unique amenities such as natural streams, stream banks, wooded cover, rough terrain, manmade landforms or landscaping and similar areas.

Response:

The proposed Planned Unit Development incorporates a walking trail that would be deeded to the City and constructed by Developer.

- C. The Planned Unit Development can be planned and developed to harmonize with any existing or proposed development in the areas surrounding the project site. The development plan will not have a detrimental effect upon the neighborhood or an in which it is proposed to be located.

Response:

The Planned Unit Development will not be detrimental to any adjoining properties. The Planned Unit Development will be designed to allow future development of adjacent properties. Adjoining land uses are predominately residential and some undeveloped.

- D. The Planned Unit Development provides transitions in land use in keeping with the character of adjacent land use and provides variety in the organization of site elements and building design.

Response:

The Planned Unit Development is consistent with the character of the adjoining area. The Planned Unit Development will provide variety in housing opportunities.

- E. The tract under consideration is under single ownership or control.

Response:

True.

- F. The tract is at least ten acres in size unless the applicant can show that a Planned Unit Development of less acreage meets the standards and purposes of the comprehensive plan and preserves the health, safety and welfare of the citizens of the city and that all of the following conditions exist:

1. The proposal better adapts itself to the physical and aesthetic setting of the site and with the surrounding land uses than could be developed using strict standards and land uses allowed within the underlying zoning district.
2. The proposal would benefit the area surrounding the project to greater degree than development allowed within the then existing zoning district(s).
3. The proposal would provide mixed land use and/or site design flexibilities while enhancing site or building aesthetics to achieve an overall, workable higher quality of development than would otherwise occur in the then existing zoning district.
4. The proposal would ensure the concentration of open space into more workable or usable areas and would preserve the natural resources of the site than would otherwise occur in the underlying zoning district.

Response:

The tract is larger than ten acres, therefore, Subd. 2(F)(1-4) is not applicable.

- G. The public benefits, such as but not limited to, improved site or architectural design, open space preservation, improved parks, trails, recreation facilities or other amenities, a mix of compatible land uses which foster Comprehensive Plan goals, of the Planned Unit Development justify rezoning from the primary zoning ordinance provisions and performance standards.

Response:

The Planned Unit Development provides public benefits for the entire City of La Crescent. The Planned Unit Development will increase the City tax base and will provide additional housing inventory and housing opportunities for the public. The parcel being development was annexed into the City of La Crescent in order to provide municipal services to the proposed development.

- H. The Planned Unit Development will not create an excessive burden on parks, schools, streets, or other facilities and utilities that serve or are proposed to serve the Planned Unit Development.

Response:

The Planned Unit Development will not create an excessive burden on parks, schools, streets, or other facilities. The Planned Unit Development is adjacent to a county highway of sufficient width and capacity to handle any additional traffic. The growth will also benefit the local school district by increasing the local population.

AND

Zoning Ordinance 12.26 – Planned Unit Development

Subd. 5 – Procedure for Processing a Planned Unit Development (PUD)

Section C – General Development Plan

1. The proposed Planned Unit Development is in conformance with the City’s Comprehensive Plan along with the Development Policies of the City of La Crescent.
2. The Planned Unit Development will not adversely impact the reasonable use and enjoyment of adjacent properties. The proposed Planned Unit Development is consistent with the adjoining uses.
3. The Planned Unit Development is proposed to be completed in phases. The phases appear to be balanced and coordinated to meet market conditions as seen by applicant.
4. The Planned Unit Development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities.
5. The Planned Unit Development is designed in a manner that provides a unified environment within the boundaries of the Planned Unit Development. The Planned Unit Development also provides additional access to adjacent parcels that could be developed in the future.
6. The Developer has provided a written narrative as part of the application for a general development plan.
7. The Care and Maintenance of Public Spaces will be addressed in the Final Development Agreement and Final Plat Process.

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

MOTION TO APPROVE THE PLANNED UNIT DEVELOPMENT FOR HORSE TRACK MEADOWS (RACE TRACK) WITH THE ABOVE STATED CONDITIONS AND TO ADOPT THE FINDINGS STATED ABOVE AND AS STATED IN THE APRIL 3, 2018 PLANNING COMMISSION MINUTES AND ALSO ADDITIONAL FINDINGS AS PRESENTED AT APRIL 9, 2018 CITY COUNCIL MEETING.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

Southside Subdivision Final Plat

City Attorney Wieser reviewed with City Council the Planning Commission minutes, conditions and findings regarding approval of Southside Subdivision Final Plat. The Planning Commission referenced the following conditions and findings of fact for City Council to consider:

Conditions:

1. That the applicant/developer abide by all representations made by applicant/developer or his agents or representatives made during the plat review approval process.
2. That the applicant/developer comply with all applicable Federal, State and local regulations.
3. The applicant must submit a utility plan depicting locations and details for water service and sanitary service connections.
4. Storm water for building on Lot 4 will need to be addressed and approved by City Engineer.
5. The applicant submit a utility plan depicting locations and details for water service and sanitary sewer service connections.

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. There were no objections from neighbors.

Following discussion, Member Krenz introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 04-18-12

A RESOLUTION APPROVING THE FINAL PLAT FOR SOUTHSIDE SUBDIVISION IN THE CITY OF LA CRESCENT

WHEREAS, Jeanne L. Howarth Decedent's Trust U/D/T dated December 29, 2010, owner and developer of certain lands lying and being in the City of La Crescent, Houston County, Minnesota, more particularly described in the official plat to which this resolution is referenced, has duly petitioned the City of La Crescent City Council for approval of the final plat of Southside Subdivision, City of La Crescent, pursuant to Section 13.16, Chapter 13, City Code, City of La Crescent, and have in connection therewith satisfied the requirement of said City Code;

WHEREAS, the recommendations of the City Planning Commission and City Engineer will be satisfied and duly noted;

WHEREAS, the approval of the final plat of Southside Subdivision is contingent upon the following:

1. That the applicant/developer abide by all representations made by applicant/developer or his agents or representatives made during the plat review approval process.
2. That the applicant/developer comply with all applicable Federal, State and local regulations.
3. The applicant must submit a utility plan depicting locations and details for water service and sanitary service connections.
4. Storm water for building on Lot 4 will need to be addressed and approved by City Engineer.
5. The applicant submit a utility plan depicting locations and details for water service and sanitary sewer service connections.

WHEREAS, the City Council took under consideration the following 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. There were no objections from neighbors.

NOW THEREFORE BE IT RESOLVED as follows:

1. That the final plat of Southside Subdivision will be filed with the City Administrator of the City of La Crescent.
2. That the Mayor and City Administrator are hereby authorized and directed to execute the plat in accordance with the laws of the State of Minnesota and City Code thereunto appertaining and to execute and deliver such other certificates and documents which may be required to effectuate said plat.

Adopted this 9th day of April, 2018.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Hutchinson and upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.3 – DEMOLITION PROPOSALS

City Building/Zoning Official Wetterlin requested that this item be moved to next City Council Meeting agenda. No action taken.

ITEM 3.4 – AUTHORIZE EXPENDITURE – COMPUTER SOFTWARE

City Building/Zoning Official Wetterlin reviewed with City Council that the 2017 capital equipment certificate includes funds to purchase Building/Zoning software, along with a computer. The prices came in as follows: Software – Schneider permit software \$14,664.00; and Permitworks permit software \$15,000.00. Computer – CDW Government Sales (includes mounting hardware) \$3,072.05; and Office Max \$3,374.99. It was recommended to City Council to authorize the purchase and accept the proposal from Schneider in the amount of \$14,664.00 for the computer software; and the proposal from CDW Government Sales for the computer in the amount of \$3,072.05. There are funds available in the 2017 Capital Equipment Budget for this expenditure. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

MOTION TO AUTHORIZE THE PURCHASE OF BUILDING/ZONING SOFTWARE, ALONG WITH A COMPUTER, AND TO ACCEPT THE PROPOSAL FROM SCHNEIDER IN THE AMOUNT OF \$14,664.00 FOR THE COMPUTER SOFTWARE; AND THE PROPOSAL FROM CDW GOVERNMENT SALES FOR THE COMPUTER IN THE AMOUNT OF \$3,072.05 USING FUNDS AVAILABLE IN THE 2017 CAPITAL EQUIPMENT BUDGET FOR THIS EXPENDITURE.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.5 – SECOND CITY COUNCIL MEETING IN MAY

It was recommended to City Council that the second City Council Meeting in May be moved to Tuesday, May 29, 2018 at 5:30 p.m. due to the Memorial Day holiday. Following discussion, Member Krenz made a motion, seconded by Member Buehler, as follows:

MOTION TO APPROVE THAT THE SECOND CITY COUNCIL MEETING IN MAY BE MOVED TO TUESDAY, MAY 29, 2018 AT 5:30 P.M. DUE TO THE MEMORIAL DAY HOLIDAY.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.6 – ARBOR DAY PROCLAMATION

City Administrator Waller reviewed with City Council the 2018 Arbor Day Proclamation for April 27, 2018. The City’s 2018 Arbor Day event will include the planting of trees at Abnet Field and Crescent Valley Park. The trees will replace the ash trees that have been removed from each of these parks. The City’s 2017 Tree City USA application has been approved by the Arbor Day Foundation. City Administrator Waller also reviewed the participants and past projects. It was recommended to City Council to adopt the Arbor Day Proclamation. Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

MOTION TO ADOPT THE ARBOR DAY PROCLAMATION PROCLAIMING APRIL 27 AND APRIL 28, 2018 AS ARBOR DAY IN THE CITY OF LA CRESCENT.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.7 – TREE PROPOSALS

City Administrator Waller reviewed with City Council a proposal from Hoffman & McNamara to provide 50 trees that will be planted at Abnet Field and Crescent Valley Park. There are 10 different varieties of trees, and the total price is \$8,965. Hoffman & McNamara has provided the City with the majority of the product that has

been planted in the City over the years. There are funds in the general fund budget for this expenditure. It was recommended to the City Council to accept the proposal submitted by Hoffman & McNamara. Following discussion, Member Buehler made a motion, seconded by Member Hutchinson, as follows:

MOTION TO ACCEPT THE PROPOSAL SUBMITTED BY HOFFMAN & MCNAMARA FOR \$8,965.00 TO PROVIDE 50 TREES THAT WILL BE PLANTED AT ABNET FIELD AND CRESCENT VALLEY PARK USING FUNDS IN THE GENERAL FUND BUDGET FOR THIS EXPENDITURE.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.8 – BLOCK PARTY REQUEST

City Council reviewed a memorandum from Chief Doug Stavenau of the La Crescent Police Department regarding the Chamber of Commerce’s request for temporary street closure on the 300 block of Main between the intersections of Walnut and Oak Street for a Neighborhood Block Party on June 23, 2018 from 3:00 to 10:00 p.m. It is anticipated a minimal number of businesses would be impacted given the time and location of the event. Chief Stavenau has spoken with primary business owners affected by the event and does not anticipate any public safety concerns or undue hardship. Barricades would be provided by the Police Department and emergency access would still be available if needed. It was recommended that the City Council grant permission for the street to be temporarily closed and the event to be held. Following discussion, Member Krenz made a motion, seconded by Member Hutchinson, as follows:

MOTION TO APPROVE THE CHAMBER OF COMMERCE’S REQUEST FOR TEMPORARY STREET CLOSURE ON THE 300 BLOCK OF MAIN BETWEEN THE INTERSECTIONS OF WALNUT AND OAK STREET FOR A NEIGHBORHOOD BLOCK PARTY ON JUNE 23, 2018 FROM 3:00 TO 10:00 P.M.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 3.9 – ANNEXATION PETITION

City Attorney Wieser reviewed with City Council a Petition requesting annexation by property owners at 78 Crescent Avenue. Before the adoption of an Ordinance, the City will need to hold a public hearing and provide 30 days written notice to La Crescent Township and contiguous property owners. It was recommended that the Petition be accepted and that a Public Hearing be scheduled for May 14, 2018 at 5:35 p.m. Following discussion, Member Buehler made a motion, seconded by Member Krenz, as follows:

MOTION TO ACCEPT THE PETITION FOR ANNEXATION FROM THE PROPERTY OWNERS AT 78 CRESCENT AVENUE AND CALL FOR A PUBLIC HEARING ON MAY 14, 2018 AT 5:35 PM AT CITY HALL.

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

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

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

ITEM 8 – CHAMBER OF COMMERCE

There was no report from the La Crescent Chamber of Commerce.

There being no further business to come before the Council at this time, Member Krenz made a motion, seconded by Member Hutchinson, to adjourn the meeting. Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:43 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator