May 3, 2022 – 5:30 p.m.
La Crescent City Hall
315 Main Street

Agenda

1. Call To Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of April 5, 2022 Meeting Minutes
5. Public Meeting - Variance Application 190 Main Street
6. Discussion Item – Zoning Code Text Amendment to Modify Commercial Design Standards Regarding Allowed Percent Architectural Metal as Primary Exterior Building Finish Material
8. Adjourn

cc: Honorable Mayor, City Council Members, City Attorney, City Administrator
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 Stoeecklein, 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 Stoeecklein. Members recited the Pledge of Allegiance.

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.

   Stoeecklein – Yes
   Stotts – Yes
   Steffes – Yes
   Coleman – Yes
   Hanifl – Yes
   Welch – Yes
   Husmann – Yes

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 Haniifl.

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

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.

Variances shall not be permitted when they are not in harmony with the general purposes and intent of the ordinance and when the variances 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 variances (and actually needs a third variance) 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.”

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 in 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.”

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.
PLANNING COMMISSION – BOARD OF ADJUSTMENT PUBLIC MEETING
VARIANCE REQUEST – 190 MAIN STREET
STAFF REPORT

MEETING DATE: May 3, 2022

CASE NUMBER: PC-22-05-VAR 190 Main Street - Variance

OWNER: La Crescent Land Company - C/O Randy Gibson
2809 Losey Boulevard S
La Crosse, WI 54601

PARCEL ID: 25.00031.000

APPLICANT: Allan McCormick

REQUEST: 1) Proposed fence height variance of two (2) feet (maximum fence height in the city is six (6) feet in height from adjoining natural ground surface).

LOCATION: 190 Main Street

GENERAL PLAN/
ZONING DESIGNATION: Shoreland Mixed-Use / I - Industrial District

SURROUNDING USES: North: Industrial;
South: Commercial (car wash), Industrial (storage);
East: RR Tracks;
West: Industrial.

BACKGROUND

The subject property is a portion of Lots 11 and 12 of the Manton Subdivision and is subject to a Public Street Right-of-Way Easement to the City. The property is located at the northwest intersection of Main Street and Sycamore Street. The zoning code specifies that fences in the city cannot exceed 6’ in height and the applicant is seeking a two-foot height variance to allow an eight-foot-tall fence.

Sect-10 Twp-104 Range-004 MANTON Lot-999 Block-005 LOTS 11 & 12 - BLK 5 & N 10 FT VAC MAIN ST ADJ SAME MANTON PLAT DOC #229337 & 1/2 VAC ALLEY - B 421 P 119 EASEMENT TO CITY OF LA CRES- DOC 256893
PROPOSAL

PC-22-05-VAR is a proposed variance request from the zoning code provisions found in Chapter 12, Zoning Ordinance, Section 12.10, General Provisions, Subd. 8 Fences, D. Agriculture, Commercial, Central Business and Industrial Fences, 1. Fences in the Agricultural and Industrial Districts shall not exceed six (6) feet in height. The applicant is requesting to install an 8’ tall chain link fence on the eastern side of the property to enclose an area for boat storage for the U.S. Army Corps of Engineers.

BUILDING AND ZONING STAFF ANALYSIS

Relationship to Comprehensive Plan:

The subject site is designated by the City’s General Plan as “Shoreland Mixed-Use.” The Comprehensive Plan states that this land use designation will continue to function as the primary supply of highway-oriented uses while leading to improvements in the appearance and environmental performance of these areas. Land Uses include Wholesale and Distributing Facilities, Industrial, Retail Sales and Service, Restaurants and Entertainment, Professional Offices, Civic and Institutional, Park and Recreation, and Multi-family residential. The preferred design strategies note that “Storage and loading areas should be screened from view from the highway.” Further that “Generous landscaping, preferably with native species is strongly encouraged.”

Land Use & Community Design

Goal 3 Properties along the State and Federal highway corridors will be improved and redeveloped.

Objectives:
3.1. Buildings will be improved or replaced with higher-quality materials and design.
3.2. Outdoor storage uses on these prominent sites will relocate and/or have improved screening.

Future Land Use Categories: I - Industrial District

Any new or expanded industrial use should have the following features to ensure compatibility with surrounding land uses and the City’s environmental stewardship principles: fencing and landscaping to reduce or eliminate the visibility of any outdoor storage or loading areas

City zoning and land use regulations: The City Zoning Code contains fence regulations in Section 12.10 and specifies that no fence in the city may be taller than six feet in height.

Site Context:

The site consists of portions of four platted industrial lots with buildings and parking covering most of the property. The eastern portion of the property is vacant and consists of grass and a
gravel area that provides access to a loading dock. The eastern portion of this site does not have highway exposure to Highways 14/61.

**Infrastructure Improvements:**

N/A

**Public Input:**

Staff has not received any public comment regarding this application.

**FINDINGS OF FACT FOR VARIANCE REQUEST**

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.

**CRITERIA FOR GRANTING VARIANCE**

The City Zoning Ordinance states the following:

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

Subd. 2.

A. Variances shall only be permitted

1. when they are in harmony with the general purposes and intent of the ordinance, and

2. when the variances are consistent with the comprehensive plan.

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

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

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and

3. The variance, if granted, will not alter the essential character of the locality.
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. The board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance. DECISIONS. Following the public meeting or any continuance which is not appealed by the applicant, the Board of Adjustment shall grant or deny the variance upon a decision by a majority of members present. The Board of Adjustment may grant variances from the literal provisions of this Ordinance when the applicant for the variance establishes that there are practical difficulties as defined herein, and when they are in harmony with the general purposes and intent of the Ordinance and when the variances are consistent with the comprehensive plan. The Board of Adjustment may impose any reasonable condition in granting of such variances in order to ensure compliance with this Ordinance or to protect adjacent property. The Board of Adjustment may consider functional and aesthetic issues in order to protect the essential character of the neighborhood. The Board of Adjustment shall accompany its decision to grant or deny a variance with a statement of its findings.

STAFF FINDINGS AND RECOMMENDATION

City staff has reviewed the submitted application, the applicant’s response (a - k) of the application, reviewed the adopted comprehensive plan, and the city’s zoning code. The requested variance is to allow a fence to be an additional two feet in height contrary to the zoning code. The comprehensive plan provides general guidance that emphasizes improved screening of outdoor storage as follows:

3.2. Outdoor storage uses on these prominent sites will relocate and/or have improved screening.

Industrial: Any new or expanded industrial use should have the following features to ensure compatibility with surrounding land uses and the City’s environmental stewardship principles: • fencing and landscaping to reduce or eliminate the visibility of any outdoor storage or loading areas

Variance shall not be permitted when they are not in harmony with the general purposes and intent of the ordinance and when the variances are not consistent with the comprehensive plan. While there is no specific reference in the comprehensive plan to eight-foot fences versus six-foot-tall fences, the Comprehensive Plan does call for improved screening and landscaping of industrial uses to reduce or eliminate the visibility of any outdoor storage or loading areas.

The variance request is not in harmony with the general purposes and intent of the zoning ordinance, which is to carry out the intent of the City of La Crescent, Minnesota's plans and policies and to promote the public health, safety and general welfare.

Subd. 8. FENCES. Fences shall be permitted in all zones subject to the issuance of a zoning permit and the following conditions.
D. Agriculture, Commercial, Central Business and Industrial District Fences

1. Fences in the Agriculture and Industrial Districts shall not exceed six (6) feet in height.

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.”

Staff finds that the comprehensive plan is not specific enough with regard to this request. Staff
finds that the request is not in harmony and purpose of the ordinance. The city fence code is
very explicit regarding height regulations in all zoning districts. The rationale for the variance is
that the tenant wants an eight-foot-tall fence not because the parcel has any limiting or unique
factors. Because the request does not meet the two-tail test specified for a variance, the
request does not need to be analyzed under the “practical difficulties” analysis and should
therefore not be approved.

However, if one were to analyze the request under the three practical difficulties criteria, the
request does not meet criteria #2: The plight of the landowner is due to circumstances unique
to the property not created by the landowner. This request is being made to accommodate the
tenant’s use of the property and is not due to circumstances unique to the property. The
applicant does not provide sufficient rationale to indicate that the variance is justified because
the property is unique. The request does meet criterion #1 and #2 of the practical difficulties
analysis.

If the Planning Commission approves the variance request, staff suggests the following
conditions:

1) Prior to fence installation, the city Engineer will verify the easement location and
confirm whether the city’s plan for the Wagon Wheel Trail corridor includes a possible
10’ sidewalk within the easement or stormwater bioswale.
2) The proposed fence shall not be installed within the City’s perpetual roadway right-of-
way easement.
3) Three (3) deciduous shade trees be planted with 30’ spacing in the boulevard between
the sidewalk and the back of the curb, unless the city engineer determines that a 10’
side walk is planned and the boulevard is impacted to make tree planting impractical.
4) The fence be a decorative fence and not chain link and constructed such that the top
two feet can be removed if/when the tenant relocates.
RECOMMENDED MOTION FOR CONDITIONAL USE PERMIT

I move that the Planning Commission serving as the Board of Adjustment (APPROVE/DENY) case PC-22-05-VAR – 190 Main Street, a request by Allan McCormick to allow for a two (2) foot fence height variance for the construction of a fence, eight (8) feet in height.

Statement of Findings (Refer to Exhibit 2):

1)

Conditions:

________________________________________
_Larry Kirch_
Prepared by Larry Kirch,
Community Development Director

Attachments:
Exhibit #1 – Houston County Beacon Aerial Map – Parcel Map
Exhibit #2 – Variance Findings Form
Exhibit #3 – Decorative Fence Examples
Exhibit #4 – Application - Variance Request
Exhibit #1
Houston County Beacon Aerial Map – Parcel Map
Exhibit #2
Variance Findings Form

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

The variance is/is not in harmony with the purpose and intent of the zoning ordinance based on the following findings of the Planning Commission because: __________________________

________________________________________

________________________________________

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

Granting the variance is/is not consistent with the Comprehensive Plan because: __________________________

________________________________________

________________________________________

Practical Difficulties Analysis

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

The property owner does/does not propose to use the property in a reasonable manner not permitted by the ordinance, given the purpose of the protections because: __________________________

________________________________________

________________________________________

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

There are/are no circumstances unique to the property that would prevent compliance with the ordinance because: __________________________

________________________________________

________________________________________

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

Granting the variance will/will not alter the essential character of the locality because: __________________________

________________________________________
Exhibit #3
Decorative Fence Examples
WireWorks Plus®

Commercial Welded Wire Steel Fence

The WireWorks Plus fence system is the new standard in welded wire fencing. With this product, Ameristar has a fence solution that will reduce dependency on chain link. WireWorks Plus provides unobstructed visibility, aesthetics, and security while delivering a value added fencing solution.

Primary Applications:
- Commercial Developments
- Parking Facilities
- Self Storage
- Parks & Recreation
- Schools & Universities
- Apartments (Multi-Family)
- Amusement Parks
- Healthcare Facilities
Exhibit #4
Application - Variance Request
Jason,

This variance is for the 8' fence for the Army Corp. parking at 190 E. Main.

I am looking for the answer on easements & restrictions. Anyway, this parking area will be gravel and accessible for any reason.

No rush on this one.

Thank you,

Allan McCracken
2: NA
3: The chain link fence will be installed by a professional fence company and will not alter the essential character of the area. Properties on both sides have chain link fences.

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.)

   The only practical difficulty is that the Army Corp requires an 8' fence.

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.

   Removing the request for barbed wire was a significant improvement to maintain a friendly esthetical appearance in the area.

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.

   The 8' tall chain link fence will not adversely affect the neighbor's view, privacy or access to light.

h. 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.
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. No animals, No special instructions.)
- 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 March 25, 2022
190 main Street
La Crescent, MN

WAREHOUSE
3600 SF.

24'-0"

12'-0" GATE

ARMY CORP.

8'-0" CHAIN
LINK FENCE

12'-0" GATE

PARKING

Sycamore St.
WARRANTY DEED

FOR VALUABLE CONSIDERATION, La Crescent Land Company,

Ministered by

a Minnesota Limited Liability Company under the laws of the State of Minnesota ("Grantor"),

hereby conveys and warrants to the City of La Crescent

Ministered by

a Municipal Corporation organized and existing under the laws of the State of Minnesota ("Grantee"),

real property in Houston County, Minnesota, legally described as follows:

See Exhibit "A" attached hereto.

Check here if all or part of the described real property is Registered (Tentative) □

together with all hereinafter mentioned appurtenances belonging thereto, subject to the following exceptions:

Check applicable box:

□ The Seller certifies that the Seller does not know of any wells on the described real property.

□ A well disclosure certificate accompanies this document.

□ I am familiar with the property described in this instrument and certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

La Crescent Land Company

By: ______________________

[Signature]

[Title]

By: ______________________

[Signature]

[Title]
State of Minnesota, County of Houston

This Instrument was acknowledged before me on May 12, 2009

by Randy Gibson

as Member

and by Allan McCormick

as Member

of La Crescent Land Company, a Minnesota Limited Liability Co

THIS INSTRUMENT WAS DRAFTED BY:
William Von Arx
Von Arx Law Office
216 South Kingston Street
Caledonia, MN 55921

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN
INSTRUMENT SHOULD BE SENT TO:
(Insert name and address of Grantee to whom tax statements should be sent)
A PERPETUAL EASEMENT FOR ANY AND ALL PUBLIC STREET RIGHT-OF-WAY PURPOSES OVER, IN AND UPON:

That part of Lot 12, Block 5, MANTON, according to the plat thereof on file at the County Recorder's Office, Houston County, Minnesota, and that part of the South Half of the vacated alley of said Block 5, and also that part of the north 10.00 feet of vacated Main Street adjoining said Lot 12, described as follows:

Beginning at the Southeast corner of said Lot 12; thence North 00 degrees 16 minutes 20 seconds West along the East line of said Lot 12 and its Northerly extension 131.65 feet to the centerline of the vacated alley of said Block 5; thence South 89 degrees 10 minutes 15 seconds West along said centerline 1.99 feet; thence South 17 degrees 42 minutes 55 seconds West 149.84 feet to the South line of the North 10.00 feet of vacated Main Street adjoining said Lot 12; thence North 88 degrees 40 minutes 27 seconds East along said South line 48.27 feet to the Southerly extension of the East line of said Lot 12; thence North 00 degrees 16 minutes 20 seconds West along said Southerly extension 10.00 feet to the point of beginning.

Said tract contains 3559 square feet more or less.

A part of the consideration for this easement grant is the waiver by City of the 6 off-street parking spaces regulation (requiring 1 parking space for each 500 square feet of building) for any future improvement by Grantor or Assigns on its adjacent lands.

RXHIBIT "A"
SCHEDULE A

Policy Number: CO 841066                                      File No. 03-5451
Date of Policy December 4, 2003 at 3:44 P.M.          Amount of Insurance $293,587.00

1. Name of Insured: La Crescent Land Company, LLC, a MN Limited Liability Company

2. The estate or interest in the land covered by this policy is: Fee Simple

3. Title to the estate or interest in the land is vested in: La Crescent Land Company, LLC, a Minnesota Limited Liability Company

4. The land referred to in this Policy is described in Schedule C.

Issued By Agent:
Al Wieser, Jr. Law Office
33 South Walnut Street, Suite 200
La Crescent, Minnesota 55947
(507) 895-8200
SCHEDULE B

Attached to Policy No. CO 841066 File No. 03-5451

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

1. Standard Exceptions:
   (a) Rights or claims of parties in possession not shown by the public records.
   (b) Easements, or claims of easements, not shown by the public records.
   (c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
   (d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
   (e) Taxes and special assessments which are not shown as existing by the public records.


3. The lien of levied special assessments, if any. There are no levied special assessments on said property at this time.

4. Mortgage executed by La Crescent Land Company, LLC, a Minnesota Limited Liability Company, as mortgagor(s), to Community First National Bank, as mortgagee, dated November 14, 2003, recorded December 4, 2003, as Document No. 229338, securing the original amount of $234,869.60.

5. The premises are subject to a Highway Easement as set forth in Final Certificate dated July 22, 1942, recorded August 6, 1942, in Book 155 of Miscellaneous, Page 63.

6. The premises are subject to an utility easement granted to Northern States Power Company dated October 22, 1941, recorded October 29, 1941, in Book 147 of Miscellaneous, Page 575.

7. The premises are subject to the rights with respect to the maintenance of public utility pipes, cables or conduits, if any, which may be installed under the surface of the vacated premises described in Exhibit "A".

Issued By Agent:
Al Wieser, Jr. Law Office
33 South Walnut Street, Suite 200
La Crescent, Minnesota 55947
(507) 895-8200

Continued
8. The premises are subject to a variance which allowed expansion of the building to within 5 feet of the rear property line dated May 3, 1993, recorded August 17, 1998, as Document No. 196077.

9. The premises are subject to the possible rights of the public in and to that part of Lot 12, Block 5 of the Plat of Manton, reflected as crushed rock roadway on Blumentritt Land Surveying, P.C.'s survey dated July 28, 2000, found in Survey Book 18-33 in the Houston County Recorder's office.

10. The premises are subject to the encroachment of roof overhang as found on Blumentritt Land Surveying, P.C.'s survey dated July 28, 2000, found in Survey Book 18-33 in the Houston County Recorder's office.

11. There are no delinquent taxes on this property.
SCHEDULE C

File No. 03-5451

The land herein referred to is situated in the County of Houston, State of Minnesota and is described as follows:

See Attached Exhibit "A"

TAX PARCEL NO: La Crescent City #30 and #31
190 Main Street
La Crescent, MN 55947

Issued By Agent:
Al Wieser, Jr. Law Office
33 South Walnut Street, Suite 200
La Crescent, Minnesota 55947
(507) 895-8200
EXHIBIT “A”

LOTS TEN (10), ELEVEN (11), AND TWELVE (12), ALL IN BLOCK FIVE (5), OF THE PLAT OF MANTON IN THE CITY (FORMERLY VILLAGE) OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

AND

THAT PART OF LOT NINE (9) IN SAID BLOCK FIVE (5) WHICH LIES SOUTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT NINE (9); THENCE WEST ALONG THE NORTH LINE THEREOF, 20.00 FEET TO THE POINT OF BEGINNING OF THIS LINE DESCRIPTION; THENCE SOUTHWESTERLY TO A POINT ON THE SOUTH LINE OF SAID LOT NINE (9) WHICH IS 45.00 FEET WEST OF THE SOUTHEAST CORNER THEREOF AND THE POINT OF TERMINUS OF THIS LINE DESCRIPTION.

SUBJECT TO THE RIGHT OF WAY OF U.S. HIGHWAY NO. 14 AND 61.

AND

THE SOUTH HALF (S1/2) OF THE VACATED ALLEY APPURTENANT TO SAID LOTS TEN (10), ELEVEN (11), AND TWELVE (12) AND THE EAST 15.00 FEET OF SAID LOT NINE (9), ALL IN SAID BLOCK FIVE (5).

AND

THAT PART OF THE NORTH 11.6 FEET OF VACATED MAIN STREET APPURTENANT TO SAID LOTS NINE (9) AND TEN (10) IN SAID BLOCK FIVE (5), LYING EASTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY NO. 61.

AND

THE NORTH 10 FEET OF VACATED MAIN STREET APPURTENANT TO LOTS ELEVEN (11) AND TWELVE (12) IN SAID BLOCK FIVE (5).

AND
That part of Lot 9, Block 5, that part of the alley in said Block 6, and that part of Main Street, adjoining said Block 6, all in the recorded plat of Manton, Houston County, Minnesota, described as follows:

Commencing at the southeast corner of said Lot 9; thence South 88 degrees 40 minutes 27 seconds West, along the south line of said Lot 9, a distance of 45.00 feet to the point of beginning of the land to be described, also being a point on the former easterly line of U.S. Highway No. 14 and 61; thence South 25 degrees 56 minutes 59 seconds West, along said former highway right of way line, 13.05 feet to the intersection of the south line of the north 11.60 feet of said Main Street; thence South 88 degrees 40 minutes 27 seconds West, along said south line of the north 11.60 feet of Main Street, 15.23 feet to the intersection of the southerly extension of the west line of said Lot 9; thence North 00 degrees 17 minutes 13 seconds West, along said last intersected line, and along said west line of Lot 9, a distance of 23.74 feet; thence North 16 degrees 51 minutes 28 seconds East, 47.98 feet; thence northerly along a tangential curve, concave westerly, having a radius of 710.30 feet, a central angle of 06 degrees 17 minutes 41 seconds, and an arc length of 78.04 feet to the north line of the South Half of said alley in Block 5; thence North 89 degrees 10 minutes 16 seconds East, along said north line of the South Half of the alley, 20.12 feet to the northwest corner of that part of the South Half of the vacated alley lying northerly of and adjoining the east 15.00 feet of said Lot 9; thence South 00 degrees 17 minutes 00 seconds East, along the west line of said South Half of the vacated alley lying northerly of and adjoining the east 15.00 feet of said Lot 9, a distance of 9.25 feet to the north line of said Lot 9; thence South 13 degrees 13 minutes 52 seconds West, 128.35 feet to the point of beginning.
No delinquent taxes and transfer entered: Certificate of Real Estate Value ( ) filed ( ) not required
Certificate of Real Estate Value No. ____________________________

May 13, 2009

Charles V. Kettner
County Auditor

Henry M. Bates
Deputy

DOCUMENT NO. 256893

Office of County Recorder
Houston County, Minnesota

Hereby certify that the within instrument was recorded on May 13, 2009
at 3:30 P.M.
Beverly J. Bauer, County Recorder
By: Shawn J. Schmebech
Recorder

WARRANTY DEED

Business Entity to Business Entity

DEED TAX DUE: $ __________

DATE: May 12, 2009

FOR VALUABLE CONSIDERATION, La Crescent Land Company

a Minnesota Limited Liability Company
under the laws of the State of Minnesota

(Grantor),
hereby conveys and warrants to the City of La Crescent

City of La Crescent

(Grantee)

a Municipal Corporation organized and existing under the laws of the State of Minnesota
real property in Houston County, Minnesota, legally described as follows:

See Exhibit "A" attached hereto.

Check here if all or part of the described real property is Registered (Torus) □

Check applicable box:
☐ The Seller certifies that the Seller does not know of any wells on the described real property.
☐ A well disclosure certificate accompanies this document.
☐ I am familiar with the property described in this instrument and certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

La Crescent Land Company

By: ____________________________

(Signature)

It's: Member

(type of authority)

By: ____________________________

(Signature)

It's: Member

(type of authority)
State of Minnesota, County of Houston

This instrument was acknowledged before me on May 12, 2009 by Randy Gibson

(month/day/year) as Member

and by Allan McCormick

(name of authorized signer) as Member

(month/day/year)

of La Crescent Land Company, a Minnesota Limited Liability Company

(type of authority)

My Commission Expires Jan 31, 2023

ALOYS W. WIESER III
NOTARY PUBLIC - MINNESOTA

Title (and Rank):

My commission expires: (month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:

William Von Arx
Von Arx Law Office
218 South Kingston Street
Caledonia, MN 55921

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

(insert name and address of Grantee to whom tax statements should be sent)
A PERPETUAL EASEMENT FOR ANY AND ALL PUBLIC STREET RIGHT-OF-WAY PURPOSES OVER, IN AND UPON:

That part of Lot 12, Block 5, MANTON, according to the plat thereof on file at the County Recorder's Office, Houston County, Minnesota, and that part of the South Half of the vacated alley of said Block 5, and also that part of the north 10.00 feet of vacated Main Street adjoining said Lot 12, described as follows:

Beginning at the Southeast corner of said Lot 12; thence North 00 degrees 16 minutes 20 seconds West along the East line of said Lot 12 and its Northerly extension 131.65 feet to the centerline of the vacated alley of said Block 5; thence South 89 degrees 10 minutes 15 seconds West along said centerline 1.99 feet; thence South 17 degrees 42 minutes 55 seconds West 149.84 feet to the South line of the North 10.00 feet of vacated Main Street adjoining said Lot 12; thence North 88 degrees 40 minutes 27 seconds East along said South line 48.27 feet to the Southerly extension of the East line of said Lot 12; thence North 00 degrees 16 minutes 20 seconds West along said Southerly extension 10.00 feet to the point of beginning.

Said tract contains 3559 square feet more or less.

A part of the consideration for this easement grant is the waiver by City of the 6 off-street parking spaces regulation (requiring 1 parking space for each 500 square feet of building) for any future improvement by Grantor or Assigns on its adjacent lands.

EXHIBIT "A"
WARRANTY DEED

File No. 03-5451
La Crescent Land Company, LLC

SEE ATTACHED
WARRANTY DEED

Deed Tax $968.84 For the consideration of One ($1.00) Dollar(s) and other valuable consideration, Todd C. Wilwert and Jens M. Wilwert, husband and wife

do hereby Convey to La Crescent Land Company, LLC, a Minnesota Limited Liability Company

the following described real estate in Houston County, Minnesota

See attached Exhibit "A".

Grantees do hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is Free and Clear of all Liens and Encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

STATE OF IOWA

DUBUQUE COUNTY,

On this 30th day of October, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Todd C. Wilwert and Jens M. Wilwert, husband and wife
to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Dated: October 30, 2003

(Grantor)

(Grantor)

(Grantor)

(Twarn of acknowledgment for)

JAYNE A. RAUSCH
COMMISSION NO. 184473
MY COMMISSION EXPIRES 8/26/04

Jayne A. Rausch

101 WARRANTY DEED
Dated: October 30, 2003
EXHIBIT "A"

LOTS TEN (10), ELEVEN (11), AND TWELVE (12), ALL IN BLOCK FIVE (5), OF THE PLAT OF MANTON IN THE CITY (FORMERLY VILLAGE) OF LA CRESCENT, HOUSTON COUNTY, MINNESOTA.

AND

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AND

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AND
That part of Lot 9, Block 5, that part of the alley in said Block 5, and that part of Main Street, adjoining said Block 5, all in the recorded plat of Mentor, Houston County, Minnesota, described as follows:

Commencing at the southeast corner of said Lot 9; thence South 66 degrees 40 minutes 27 seconds West, along the south line of said Lot 9, a distance of 48.00 feet to the point of beginning of the land to be described, also being a point on the former easterly line of U.S. Highway No. 14 and 61; thence South 25 degrees 55 minutes 69 seconds West, along said former highway right of way line, 13.05 feet to the intersection of the south line of the north 11.60 feet of said Main Street; thence South 88 degrees 40 minutes 27 seconds West, along said south line of the north 11.60 feet of Main Street, 15.23 feet to the intersection of the southerly extension of the west line of said Lot 9; thence North 00 degrees 17 minutes 13 seconds West, along said last intersected line, and along said west line of Lot 9, a distance of 23.74 feet; thence North 15 degrees 51 minutes 28 seconds East, 47.98 feet; thence northerly along a tangential curve, concave westerly, having a radius of 710.30 feet, a central angle of 06 degrees 17 minutes 41 seconds, and an arc length of 78.04 feet to the north line of the South Half of said alley in Block 5; thence North 88 degrees 10 minutes 15 seconds East, along said north line of the South Half of the alley, 20.12 feet to the northwest corner of that part of the South Half of the vacated alley lying northerly of and adjoining the east 15.00 feet of said Lot 9; thence South 00 degrees 17 minutes 00 seconds East, along the west line of said South Half of the vacated alley lying northerly of and adjoining the east 15.00 feet of said Lot 9, a distance of 9.25 feet to the north line of said Lot 9; thence South 13 degrees 13 minutes 52 seconds West, 128.35 feet to the point of beginning.
TO: Planning Commission

FROM: Sustainability Coordinator, Jason Ludwigson

DATE: 04/28/2022

RE: Review of sample EV-ready zoning language

Background:
Transportation accounts for 27.3% of U.S. greenhouse gas emissions, which is the largest share of all emissions categories, according to the US Environmental Protection Agency. Within the transportation sector, on-road vehicles comprise the vast majority of emissions. Electric Vehicles and Electric Vehicle (EV) charging infrastructure are both needed throughout the US to reduce these emissions. Global EV sales have grown from 450,000 in 2015 to 6.5 million in 2021. EV sales are also projected to increase while battery prices decrease and more models become available, according to the Minnesota Department of Transportation.

Currently the City of La Crescent does not have any language in the city zoning ordinance for EV charging infrastructure. The Green Steps committee reviewed proposed EV ordinance language at the March 23rd meeting. The committee reviewed Best Practice No.5 which recommends becoming an EV ready city. After review the committee voted to bring forward the proposed EV ordinance language to the planning commission. Additionally the Partners in Energy Plan adopted by the city in March of 2021 lists Electric Vehicles as one of the three focus areas.
The language proposed would constitute a first reading for ordinance language adoption as it relates to EVs. The ordinance language would establish general standards for EV charger infrastructure in the City of La Crescent. The following tables summarize a selection of EV-ready ordinances based upon nationwide best practices and peer city examples.

Proposal:
La Crescent’s proposed EV ordinance language includes a requirement for multifamily and non-residential uses to install EV chargers in some parking spaces, and to have other spaces made “EV-ready” (i.e., conduit installed to support future installation of chargers). EV chargers come in three styles. Level-1 (L1) is considered slow charging. The voltage level for L1 chargers is between zero and 120 volts, and chargers can use a standard household outlet. L1 chargers usually start at around $150 for basic models. Level-2 (L2) is considered medium speed charging. The voltage level for L2 chargers is between 120 and 240 volts. L2 chargers can cost between $300 and $2,000 depending on features. Level-3 (L3) charging is considered fast or rapid. The voltage for L3 chargers - sometimes called DC chargers - is greater than 240 volts. L3 chargers are the most expensive and usually cost around $10,000, but can cost up to $40,000 for “super-fast” models.

Summary of the Proposed EV Charger Requirements

<table>
<thead>
<tr>
<th>Property Use</th>
<th>Charger Requirement</th>
<th>EV-Ready Spaces</th>
<th>Additional Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential uses with up to 3 units</td>
<td>One L2 charger required in an enclosed parking space</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
### Electric Vehicle Charging Station as Permitted Land Uses

<table>
<thead>
<tr>
<th>Category</th>
<th>Purpose</th>
<th>Sample Language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Land Use</td>
<td>To streamline the installation of charging infrastructure by clarifying where EV charging stations, or specific types of EV charging stations, are permitted.</td>
<td>EVCS shall be a permitted accessory use in all zoning districts</td>
</tr>
</tbody>
</table>
### Electric Vehicle-Designed Parking Use Standards and Protections

<table>
<thead>
<tr>
<th>Category</th>
<th>Purpose</th>
<th>Sample Language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety, Signage, and Other</td>
<td>To assist all drivers in understanding the appropriate use of EVSE and enhance its public value, as well as minimize risk.</td>
<td>• EVCS shall be posted with signage indicating the space is reserved for electric vehicle charging purposes.</td>
</tr>
<tr>
<td>Category</td>
<td>Purpose</td>
<td>Sample Language</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Required EV Parking Capacity and Minimum Parking Requirements | To clarify how EV charging spots are accounted for as part of minimum parking space requirements. | • EVCS shall provide a phone number or other contact information on the equipment to report problems.  
• EVCS shall have adequate lighting available for ease of night time use.  
• EVCS equipment shall be protected by a curb, wheel stops, or concreted filled bollards  
• EVCS installers should consider the following best practices for considerations of individuals protected under The Americans with Disabilities Act (ADA) until such time as there is national standard for ADA requirements for EVCS.  
• Accessible EVCS should not count |
<table>
<thead>
<tr>
<th>Category</th>
<th>Purpose</th>
<th>Sample Language</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>toward the minimum number of accessible car and van parking spaces required in a parking facility, as they are meant to be used by EV owners only.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- EVCS should be located so they are accessible for a person in a wheelchair on an access aisle, and the EVCS should not encroach on the access aisle.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Reach range and turning radius requirements from ADA are good standards for accessing the equipment.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Bollards and wheel stops should not obstruct the use of the charging station.</td>
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<tr>
<td></td>
<td></td>
<td>- Charging equipment may be shared</td>
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<tr>
<td>Category</td>
<td>Purpose</td>
<td>Sample Language</td>
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<tr>
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<tr>
<td></td>
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<td>between accessible EVCS and regular EVCS.</td>
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<tr>
<td></td>
<td></td>
<td>• It is recommended that at least one accessible EVCS be included when installing multiple EVCS. If installing only one EVCS, strong consideration should be given to making it accessible.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Allows for a 5% reduction of minimum required parking for the installation of EV chargers above and beyond requirements, at a ratio of one L2 or L3 charger to one parking spot.</td>
</tr>
<tr>
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<td>• New off-street parking areas will need to comply with the EV charger requirements and if an existing parking area is physically expanded, any added parking areas will need to</td>
</tr>
<tr>
<td>Category</td>
<td>Purpose</td>
<td>Sample Language</td>
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<tr>
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<td>meet ratios for minimum EV charging requirements as well.</td>
</tr>
</tbody>
</table>

**Possible Definitions:**
Defining terms is a best practice for any ordinance, particularly when ordinance users and staff may be unfamiliar with the specifics of the land use and the policies being implemented via the ordinance requirements. Several EV or EVSE terms used in or pertinent to an EV-ready ordinance are defined below

**Battery electric vehicle charging station** - an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

**Battery Electric Vehicle** - any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating.

**Charging Levels • Level 1 • Level 2 • Level 3** - "the standardized indicators of electrical force or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and 3 are the most common charging levels, and include the following specifications:

1. Level-1 is considered slow charging. Voltage including the range from 0 through 120.
2. Level-2 is considered medium charging. Voltage is greater than 120 and includes 240.
3. Level-3 is considered fast or rapid charging. Voltage is greater than 240. "

**Electric capacity** - at minimum: 1. Panel capacity to accommodate a dedicated branch circuit and service capacity to install a 208/240V outlet per charger; 2. Conduit from an electric panel to future EVCS location(s).

**Electric vehicle** - a vehicle that uses electricity for propulsion.

**Electric vehicle charging station (EVCS)** - a public or private parking space that is served by battery charging station equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.

**Electric vehicle charging station – private restricted use** - an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public).

**Electric vehicle charging station – public use** - an EV charging station that is accessible to and available for use by the public.

**Electric vehicle infrastructure** - structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.
Electric vehicle parking space - any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.
La Crescent, MN Commercial Exterior Materials

4. Exterior building materials shall be classified either primary, secondary, or accent materials. Primary materials shall cover at least sixty percent (60%) of the facade of a building. Secondary materials may cover no more than thirty percent (30%) of the facade. Accent materials may include door and window frames, lintels, cornices, and other minor elements, and may cover no more than ten percent (10%) of the facade. Allowable materials are as follows:

a. Primary exterior building materials may be brick, stone, architectural precast concrete or glass. Bronze tinted or mirror glass are prohibited as exterior materials in the CBD district.

b. Secondary exterior building materials may be any of the primary building materials above or decorative block, integrally colored stucco, or fiber cement siding (color impregnated or painted) in vertical panel design only with hidden seams.

c. Synthetic stucco may be permitted as a secondary material on upper floors only.

d. Accent materials may be wood, metal or fiber cement when used in trim, fascia or soffit if appropriately integrated into the overall building design and not situated in areas which will be subject to physical or environmental damage.

e. All primary and secondary materials shall be integrally colored, except where otherwise stated.

Lake City, MN

(B) Application of Design Standards. The design review process is required for all requests subject to review under Section 155.34 (H) of this Chapter; however, the following standards are advisory in nature.

(C) Building Placement and Design.

(1) Structures should be designed to reinforce the existing pattern of small storefronts facing the public right-of-way with new construction or alterations designed and detailed to fit well into their architectural surroundings. Building setbacks, roof pitch and appearance, and facade heights should be generally consistent with those of neighboring historic structures.

(2) Blank walls in view of public rights-of-way should be avoided whenever possible, and instead doorways, entrances, storefronts, and other vertical elements should be used to maintain vertical street-level patterns of architectural details common throughout the district.

(3) In nonresidential or mixed-use buildings, the first story should support the pattern of large display windows with a central entry. The upper stories should display vertically-oriented windows arranged in a symmetrical pattern. Buildings should be crowned with a projecting cornice.

(4) Materials. For new or substantially remodeled structures, exterior brick of a solid uniform color or smooth-faced, narrow profile horizontal lapped siding is preferred. Renovated structures should use existing exterior materials or compatible new finishes. Other exterior materials for new construction, including stucco and exterior insulation-and-finish systems (EIFS), may be appropriate if used with and subordinate to masonry construction, with panels, pilasters, moldings, or other details incorporated into the design of the finished surface.
(5) Roofs. Green roofs are encouraged where feasible.

(6) Details. Awnings, doors and other details should be designed as specified in the Downtown Preservation Design Manual.

Delano, MN

SECTION 51.21. B-2, GENERAL BUSINESS DISTRICT

3. Exterior Building Elevations. a. Principal Buildings. Within the B-2 District, all exterior wall surfaces may be a combination of materials including brick, dimensioned stone, rock faced block, decorative concrete panel, architectural concrete block, cast in-place concrete, stone, stucco, wood, or glass. An average of said materials shall constitute no less than ninety (90) percent of the exterior wall façade (except as allowed in Section 51.03, Subd. E.3.f or Subd. E.3.g of this Ordinance.

SECTION 51.22. B-3, HIGHWAY BUSINESS DISTRICT

3. Exterior Building Elevations. a. Within the B-3 Zoning District, all exterior wall surfaces may be a combination of materials including brick, dimensioned stone, rock face block, decorative concrete panels, stone stucco, wood, glass, or metal panels. Metal panels shall not encompass more than fifty (50) percent of Delano Zoning Ordinance B-3 District 22-13 the building elevation abutting a public right-of-way or residentially zoned property. Metal panels shall not exceed seventy-five (75) percent of all other exterior wall surfaces, except as allowed in Section 51.03, Subd. C.3.f of this Ordinance.