

MINUTES, REGULAR MEETING
PLANNING COMMISSION, CITY OF LA CRESCENT, MINNESOTA
April 2nd, 2024

The Planning Commission met at 5:30 p.m., on April 2nd, 2024, in the City's Community Building located at 336 S. 1st Street.

Item 1. Call to Order

Chair Greg Husmann called the meeting to order at 5:30 p.m.

Item 2. Pledge of Allegiance

Members recited the Pledge of Allegiance.

Item 3. Roll Call

Upon a roll call taken and tallied by Josh Tarrence, Building Inspector, the following members were present: Chair Greg Husmann, Ryan Stotts, Jerry Steffes, Christopher Langen and Judy Enright. Ex-Officio City Council Representative Cherryl Jostad was present. Mike Welch and Dave Hanifil were absent. Community Development Director Larry Kirch and City Attorney Skip Wieser were also present.

Item 4. Approval of the November 7th, 2023 Planning Commission Minutes

After reviewing the minutes from the November 7th, 2023 meeting, an addition was requested to be added to the minutes. The addition of corner lot requirements and restrictions, as described in the City Zoning Ordinance, was discussed and will be continued at a future meeting. This discussion was before the adjournment of the meeting. A motion to accept the minutes, with the addition, was made by Commissioner Langen and seconded by Commissioner Enright. Upon a roll call vote taken and tallied by Josh Tarrence, Building Inspector, the following Members voted in favor thereof, viz;

Chris Langen	Yes
Judy Enright	Yes
Ryan Stotts	Yes
Greg Husmann	Yes
Jerry Steffes	Yes

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

Item 5. Appointment of Planning Commission Chair

The nomination was made by Commissioner Langen for Greg Husmann to continue as Chair. Chair Husmann
Planning Commission Meeting - April 2nd, 2023

accepted said nomination. After a call for nominations three times, no other nominations were made. Upon a roll call vote taken and tallied by Josh Tarrence, Building Inspector, the following Members voted in favor thereof, viz;

Chris Langen	Yes
Judy Enright	Yes
Jerry Steffes	Yes
Ryan Stotts	Yes

The nomination was made by Commissioner Steffes for Commissioner Langen to be appointed Vice Chair. Commissioner Langen accepted said nomination. After a call for nominations three times, no other nominations were made. Upon a roll call vote taken and tallied by Josh Tarrence, Building Inspector, the following Members voted in favor thereof, viz:

Jerry Steffes	Yes
Ryan Stotts	Yes
Greg Husmann	Yes
Judy Enright	Yes

Item 6. 5:45PM Public Hearing PC-24-01-CUP Five7/Eriah Hayes

Larry Kirch provided a Staff Report to include Finding of Facts, Findings and Recommendations, and Recommended Motion in regards to the Conditional Use Permit application submitted by Eriah Hayes. The Conditional Use Permit application is for a privately owned recreational building in a residential zoning district.

Eriah Hayes, owner of Five7 spoke in regards to his application for a Conditional Use Permit.

Other community members that wished to speak in regards to the Conditional Use Permit included

- Matthew Riffe, 1214 Grandview Terrace
- Andy Heichel, 607 S 5th St
- Pete Hogan, 262 Skunk Hollow Road

Attorney Wieser answered any legal questions that were asked in regards to the Conditional Use Permit.

The public hearing was closed and Attorney Wieser discussed the purchase agreement and terms of sale for the subject property involved in the Conditional Use Permit.

After discussion, a motion was made by Commissioner Stotts to approve the Conditional Use Permit. The motion was seconded by Vice Chair Langen. Upon a roll call vote taken and tallied by Josh Tarrence,

Building Inspector, the following Members voted in favor thereof, viz;

Ryan Stotts	Yes
Chris Langen	Yes
Greg Husmann	Yes
Judy Enright	Yes
Jerry Steffes	Yes

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

A second motion was made by Commissioner Stotts and seconded by Commissioner Enright to approve the Finding of facts and Recommended Conditions adding a 9th condition for the purchase agreement and terms of the sale. Those items are as follows

FINDINGS OF FACT FOR CONDITIONAL USE PERMIT

As required by Chapter 12, Zoning Ordinance, the Planning Commission shall advise the council, make recommendations and findings on the effect of the proposed use on the health, safety, morals, and general welfare of occupants of surrounding lands.

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS.

- A. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

Finding: The primary concern is for aesthetics and the surrounding residential character. The city staff has stated that it will not permit vehicle access to/from Grandview Terrace and that traffic and parking would be on the west side and in the Community Ice Area lot. Building design that is harmonious with the residential uses is recommended.

- B. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

Finding: The proposed use is compatible with the Comprehensive Plan Land Use designation and the property will be accessed from the west through the ice arena lot.

- C. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Finding: The current utilities, access roads, drainage, and facilities are sufficient to support the proposed conditional use.

- D. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Finding: The applicant is providing sufficient parking on-site and the ice arena has capacity as well for the proposed use.

- E. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. The use is consistent with the purposes of the zoning code and the purposes of the zoning district in which the applicant intends to locate the proposed use.

Finding: The site will not generate any odors, fumes, dust, noise or vibration and the applicant will control outdoor lighting. With a residential design character, the use is allowed as a conditional use in the R1-B residential zoning district.

- F. The use is not in conflict with the policies of the City of La Crescent.

Finding: The proposed use is not in conflict with the Comprehensive Plan's Land Use category which is Public and Institutional. The use, while commercial, is already existing within the Community Ice Arena and is compatible to what is already occurring at the ice arena.

- G. The use will not cause traffic hazards or congestion.

Finding: The proposed use will have all of its access from the ice arena parking lot and the use is not a significant traffic generator. Bicycle parking at the site should be installed to encourage community youth to get physical exercise on the way to the athletic training center.

- H. Existing uses will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare or general unsightliness.

Finding: The use is a commercial use but not a retail establishment therefore existing uses will not be negatively affected by excessive traffic or noise. With proper site planning and architectural design, there should not be noise, glare or general unsightliness. The applicant has agreed to keep the street frontage along Grandview Terrace landscaped and more subdued in terms of the architectural compatibility with the adjacent residential uses. The Planning Commission has reviewed the Comprehensive Plan along with the

terms of the sale. The Planning Commission finds the sale is compliant with the Comprehensive Plan and the sale is in the best interest of the City of La Crescent.

STAFF FINDINGS IN SUPPORT OF CONDITIONAL USE PERMIT

City staff has reviewed the submitted application, the applicant's response to the CUP criteria, reviewed the city zoning district regulations for the R1-B Traditional Low Density Residential Zoning District, and the adopted Comprehensive Plan Economic Development Element, Goals and Objectives. The proposed use is compatible with the Economic Development Element.

1.3. Local startups and entrepreneurship will increase.

Goal 3 Tourism and associated local spending will grow in La Crescent

Strategies: 2. Respond promptly and collaboratively with existing businesses seeking to remodel, expand, or move to La Crescent.

The proposed use is consistent with the Goal and Objectives of the Natural Systems, Open Spaces and Recreation comprehensive plan element as it provides recreational opportunities.

Goal 4 There will be recreational opportunities for all ages and abilities, in support of the health and well-being of our community.

In the Neighborhood Residential section of the Land Use and Community Design element, the text states: *Though housing is the primary land use in most neighborhoods, healthy and balanced neighborhoods may also include other uses that support the needs of residents, including: • Parks and recreational facilities.*

Staff finds that the proposed use for an athletic training facility is compatible with the stated intent of the zoning district and the conditional uses found in the R1-A residential district. As long as the architectural character of the building leans toward residential in its design elements, it can meet the intent of the zoning code. With access from the west, negative impacts to the residential uses can be minimized greatly. The proposed project is consistent with the comprehensive plan Economic Development Element, the Natural Systems, Open Spaces and Recreation Element and the Land Use and Community Design Element.

Subd 1. PURPOSE AND INTENT. The purpose and intent of the R-1B, Traditional Single-Family Residential District is to provide for development of low-density neighborhoods in character with the original residential lot layout of the city.

A. Government buildings and structures; private recreational buildings for the exclusive use of residents and their guests, neighborhood or community centers, and public swimming pools.

The staff finds that the proposed use does meet the CUP criteria in Section 12.06, Subd. 4 of the Zoning Code and recommends approval of the CUP. The Planning Commission may have their own findings, recommend changes, or additional conditions which they feel may be applicable to the proposed project.

CONDITIONS OF APPROVAL

- 1) This CUP is conditionally approved pursuant to Chapter 12, ZONING ORDINANCE of the City of La Crescent, Minnesota, Section 12-06, Conditional Use Permits and the use shall be as set forth in accordance with the application and plans attached and associated to this case and all the provisions of the zoning ordinance and city codes applicable to this case.
- 2) Applicant will abide by the 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 spirit or letter explicit conditions of the Conditional Use Permit.
- 3) The applicant shall comply with the city's adopted building codes.
- 4) In accordance with Subd. 4 of Section 12.06, the Planning Commission can require berms, screening, landscaping or other facilities to protect adjacent or nearby property and require landscaping, fencing, screening, or other improvements to protect adjacent or nearby property. Residentially appropriate fencing, tree plantings, landscaping and vegetative screening improvements shall be planted to enhance the residential character of the area.
- 5) Any security and site lighting shall be "Dark Sky" compliant, wherein all light sources shall be down-lit, full cutoff fixtures and shielded, and the correlated color temperature ("CCT") shall not exceed 2,700 Kelvins.
- 6) Access to the property shall be restricted to the west side of the property through the city-owned Community Ice Arena property.
- 7) The final site plan and final design of the building will contain elements that are residential in character including additional windows facing west and south. Signage shall be restricted to the west and south side of the building and any lighting for the signage shall be indirect lighting.
- 8) Applicant shall comply with all federal, state, and local regulations.

Upon a roll call vote taken and tallied by Josh Tarrence, Building Inspector, the following Members voted in ■
Planning Commission Meeting - April 2nd, 2023

favor thereof, viz;

Ryan Stotts	Yes
Judy Enright	Yes
Jerry Steffes	Yes
Greg Husmann	Yes
Chris Langen	Yes

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

A final motion in regards to the Conditional Use Permit, was made by Commissioner Stotts and seconded by Commissioner Enright, to recommend approval of the Conditional Use Permit with the 9 aforementioned conditions, to the La Crescent City Council. Upon a roll call vote taken and tallied by Josh Tarrence, Building Inspector, the following Members voted in favor thereof, viz;

Ryan Stotts	Yes
Judy Enright	Yes
Chris Langen	Yes
Jerry Steffes	Yes
Greg Husmann	Yes

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

Item 7. Review of Planning Commission Job Duties and Responsibilities

Attorney Wieser gave his annual presentation of the duties and responsibilities of the Planning Commission members as well as discussing the City of La Crescent's Communication Policy.

Item 8. Future Agenda Items

Chair Husmann asked the Planning Commission members if any items need to be added to the next meeting agenda. There were no recommended items.

Item 9. Adjourn

A motion was made to adjourn the Planning Commission Meeting by Vice Chair Langen and seconded by Commissioner Stotts.

The Planning Commission meeting was adjourned at 6:33 p.m.