

WASECA PLANNING COMMISSION
TUESDAY, JULY 11, 2017
6:00 P.M.
CITY COUNCIL CHAMBERS
508 SOUTH STATE STREET

Any person speaking to the Commission shall first give to the Recording Secretary of the Commission their full name and address prior to speaking

1. CALL TO ORDER/ROLL CALL

A) Introduction of Maryam Moeinian, Community Development Intern

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

A) April 11, 2017

4. PUBLIC COMMENT

5. TRAFFIC SAFETY

No Traffic Safety items were submitted.

6. PROJECT UPDATES

7. UPDATE OF PREVIOUS PLANNING COMMISSION ITEMS

- June 2016: Action No. 16-03_CUP Amendment, Hoehn Properties, 609 South State Street
- July 2016: Action No. 16-04_CUP Amendment, Alex's Transitional House, 615 East Elm Avenue
Action No. 16-05_Rezoning, Local Heritage Preservation Overlay District
- August 2016: Action 16-06_VAR, Joel Will, 1417 Bonnie Jean Court
Action 16-07_Easement Vacation, Lots 6 & 8, Block 22, Jenkin's Second Addition

8. OTHER

9. NEXT MEETING

The next Planning Commission meeting is scheduled for Tuesday, August 8, 2017, at 7:00 p.m.

10. ADJOURNMENT

Upon request, accommodations will be provided for individuals with disabilities wishing to participate

MINUTES

REGULAR WASECA PLANNING COMMISSION TUESDAY, APRIL 11, 2017 7:00 P.M.

1 CALL TO ORDER/ROLL CALL

The Waseca Planning Commission meeting was called to order by Chair Nicholas Elsner at 7:00 p.m.

Members Present: Daren Arndt
Roger Ashland
Nicholas Elsner
Byron Larson
Kay Neuendorf
Lori Pommerenke
Robin Terrell

Staff Present: Daniel Lenz, City Manager
Bill Green, Planning & Zoning Coordinator
Ranae Schult, Community Development Assistant

2 APPROVAL OF AGENDA

It was moved by Neuendorf, seconded by Daren, to approve the agenda as presented; the motion carried 6-0.

3 APPROVAL OF MINUTES

It was moved by Ashland, seconded by Neuendorf, to approve the minutes of the March 14, 2017, regular Planning Commission meeting as presented; the motion carried 6-0.

4 PUBLIC COMMENTS

No Public Comments were received.

*** Commissioner Pommerenke arrived after the votes ***

5 TRAFFIC SAFETY

No Traffic Safety items were submitted.

6 NEW BUSINESS

A) **Action No. 17-04_VAR: Terry Huber, 516 4th Avenue SE**

Terry Huber, owner of the property, is requesting four Variances from provisions of Chapter 154, Waseca Zoning Ordinance to allow the expansion of an existing

detached garage. The property is located at 516 4th Avenue SE and is zoned R-2, Urban Residential.

A complete application was received March 8, 2017. Final action, which is required within 60 days of the complete application date, must be taken by May 7, 2017.

The property is occupied by a single-family home, detached garage and small storage shed. All structures meet current setback requirements. The existing garage is 728 square feet in size. The proposed addition would add 572 square feet to the existing garage for a total of 1,300 square feet. By adding onto the garage with an additional 572 square feet, the property owner would need Variances from four sections of the City of Waseca Zoning Code. There are no known environmental issues related to the project. The property is not located in the Shoreland Overlay District.

Variances would be required for the following codes:

1. Section 154.016 – Size of Accessory Structures
2. Section 154.016 – Lot Coverage Maximum
3. Section 154.102 – Expansion of a Non-conforming Structure
4. Section 154.150 – Size of Accessory Structure Relative to Principal

Staff provided the following Findings of Fact for consideration in approval of the Variances:

1. The Variance will not maintain the essential character of the locality. The neighborhood is comprised of mostly small square foot homes with single attached garages and/or detached two-car garages. A 26' x 50' structure would be out of character in this local.
2. Reasonable use for the property exists. The property currently has an oversized two-car garage with ample parking area in front of the garage, and rear property that could be utilized for legal parking/storage of recreational vehicles on approved surfaces.
3. Variances are intended to address extraordinary, exceptional, or unique situations that were not caused by the applicants act or omission.

Staff does not support the Variances to allow the expansion of a detached garage on property located at 516 4th Avenue SE based on the criteria as stated in the Waseca City Code, Chapter 154.180.

Commission member Byron inquired as to the depth of the lot. Bill Green, Planning & Zoning Coordinator, stated the depth is 190 feet at the farthest point and 174 feet on the shorter line of the property, the average depth of a property is typically 160 feet.

Commission Terrell inquired if Staff received any letters or phone calls from the neighbors. Mr. Green stated he was not contacted by any of the neighboring property owners.

Chair Elsner opened the Public Hearing at 7:10 p.m.

Terry Huber, 516 4th Avenue SE, Waseca, MN, provided letters from three neighbors that share his property line stating no objection to the project. These letters were placed in the record (attached).

Mr. Huber stated that he currently has five snowmobiles behind his garage, and with this addition, he plans on having the items which are currently outside, stored inside. He commented that he wants his existing garage and house to match in siding type and color and he will do this with the addition. He would rather have one large building and not a lot of small sheds around his property. He wants to keep things looking nice on his property.

Commission member Pommerenke inquired if Mr. Huber was aware that his request would require four Variances. Mr. Huber stated he was made aware of this.

Larry Huber, 31908 State Highway 13, Waseca, MN, stated the reason his son wants the depth of the addition to be 22 feet is so that it will be deep enough for a vehicle to fit.

Commission member Terrell inquired about access doors. Mr. Huber stated there will be an overhead garage door in the back.

Chair Elsner closed the Public Hearing at 7:17 p.m.

Danny Lenz, City Manager, stated the role of the Planning Commission is to take into consideration not only the concern of the current owner and neighbors, but of the future neighbors as well.

Considerable discussion was held by the Planning Commission regarding the total lot coverage, and how this property owner has done an excellent job improving his home, and how the neighbors would rather look at a large garage rather than at snowmobiles, etc.

Staff stated support or non-support is not about determining if the project is okay, but to articulate the justification/reasoning as what is extraordinary or exceptional about this circumstance to approve a Variance.

Commission member Larson stated that a precedent is not set by granting a Variance – each circumstance is different.

It was moved by Larson, seconded by Ashland, to recommend approval of the request from Terry Huber, for four Variances for the property located at 516 4th Avenue SE, to the Waseca City Council at their April 18, 2017 meeting; the motion carried 7-0.

7 **DISCUSSION ITEMS**

A) **Update of Previous Planning Commission Items**

May 10, 2016:

Action No. 16-02_VAR: Barbara Kooken, 413 13th Avenue NE

Barbara Kooken applied for a Variance to allow construction of an attached deck which would encroach into the rear property line. The property was an irregular shaped lot and met all other setback requirements. The proposed encroachment was 6 feet at the northwest corner and a 2 foot encroachment at the southwest corner.

At a vote of 6-0, the Planning Commission concurred with Staff's recommendations and forwarded their recommendation to the Waseca City Council. The Waseca City Council met on May 17, 2016 and at a vote of 7-0, adopted Resolution 16-21 approving the Variance for an encroachment into the rear yard setback at 413 13th Avenue NE. Resolution No. 16-21 was recorded by the Waseca County Recorder's Office on May 23, 2016.

As of March 20, 2017 the deck has been completed as observed by City Staff.

8 **OTHER**

A) **Resignation of Nicholas Elsner**

On March 27, 2017, the City Clerk received a letter of resignation effective May 1, 2017, from Nicholas Elsner stating that he would be moving to Owatonna, and therefore unable to maintain his position as a member of the City of Waseca Planning Commission.

Mr. Elsner thanked the City and Planning Commission members for the opportunity to take an active role in the future of the City of Waseca.

Staff and the Planning Commission members thanked Mr. Elsner for his years of service.

B) **Election of Planning Commission Chair**

Commission member Terrell nominated Byron Larson as Chair of the Waseca Planning Commission. Commission member Ashland seconded the nomination.

Commission member Ashland motioned that nominations ceased. Commission member Elsner seconded the motion.

It was moved by Arndt, seconded by Terrell, to elect Byron Larson as Chair of the Waseca Planning Commission; the motion carried 7-0.

9 **NEXT MEETING**

The next Planning Commission meeting is scheduled for Tuesday, May 9, 2017, at 7:00 p.m.

10 **ADJOURNMENT**

It was moved by Ashland, seconded by Pommerenke, to adjourn the meeting at 7:35 p.m.; the motion carried 7-0.

Ranae Schult
Community Development Assistant

**PLANNING DEPARTMENT
M E M O R A N D U M**

TO: Byron Larson, Chair
Waseca Planning Commission

FROM: Bill Green, Planning & Zoning Coordinator
Maryam Moeinian, Community Development Intern

MEETING DATE: July 11, 2017

SUBJECT: Status Report on Planning Commission Items

Listed below are the previous Planning Commission items from the June, July and August 2016, meetings and their current status:

June 14, 2016:

Action No. 16-03_CUP Amendment: Hoehn Properties, 609 South State Street

Ed Hoehn, on behalf of Hoehn Properties, LLC, requested an amendment to their existing Conditional Use. The applicant requested an amendment to allow an additional ten units to be constructed within the existing apartment building. The building currently houses 15 apartment units, and would increase the total to 25 units when fully developed.

At a vote of 7-0, the Planning Commission concurred with Staff's recommendations and forwarded their recommendation to the Waseca City Council. The Waseca City Council met on June 21, 2016, and at a vote of 7-0, adopted Resolution 16-29 approving the Conditional Use Permit amendment to allow an additional ten units to be added at property located at 609 South State Street. Resolution No. 16-29 was recorded by the Waseca County Recorder's Office on June 27, 2016.

Comments: Hoehn Properties has completed one unit and it has been approved for occupancy. Mr. Hoehn is working on plans for further development. (2 year development)

July 12, 2016:

Action No. 16-04_CUP Amendment: Alex's Transitional House, 615 East Elm Avenue

Renata Berg, on behalf of Alex's Transitional Homes, LLC, requested an amendment to their existing Conditional Use Permit. The applicant requested an amendment to allow a change in property management from Frazier Recovery to Alex's Transitional Homes, LLC. Staff further recommended the addition of condition number eight regarding "*No person receiving a felony conviction of stated offenses shall be allowed to reside at the residence*".

At a vote of 7-0, the Planning Commission concurred with Staff's recommendations and forwarded their recommendation to the Waseca City Council. The Waseca City Council met on July 19, 2016 and at a vote of 5-0, adopted Resolution 16-31 approving the Conditional Use Permit amendment to allow a change of property management at Alex's Transitional Home, LLC from Frazier Recovery to Alex's Transitional Homes, LLC. Resolution No. 16-32 was recorded by the Waseca County Recorder's Office on July 25, 2016.

Comments: Property management is currently Alex's Transitional Homes, LLC as adopted by resolution.

Action No. 16-05_RZ: Rezoning of Real Property as a Local Heritage Preservation Overlay District

The City of Waseca proposed an amendment to the *City of Waseca Official Zoning Map* to designate six properties as Heritage Preservation Sites in the Heritage Preservation (HP) Overlay District.

At a vote of 7-0, the Planning Commission concurred with Staff's recommendation and forwarded their recommendation to the Waseca City Council. The Waseca City Council met on July 19, 2016, and at a vote of 5-0, set the public hearing date for Ordinance No. 1048 to their August 3, 2016 meeting. On August 3, 2016, at a vote of 7-0, the Waseca City Council adopted Ordinance No. 1048 to amend the Heritage Preservation Overlay District on the City of Waseca's Official Zoning Map.

Comments: Ordinance was adopted as presented and the Zoning Map has been updated.

August 10, 2016:

Action No. 16-06_V: Joel Will, Rear Yard Encroachment, 1417 Bonnie Jean Court

Joel Will requested a Variance to allow construction of a new 16' x 13' attached three season porch.

At a vote of 5-0, the Planning Commission concurred with Staff's recommendations and forwarded their recommendation to the Waseca City Council. The Waseca City Council met on August 16, 2016, and at a vote of 7-0, adopted Resolution No. 16-35 approving a Variance to allow a rear property line encroachment for property located at 1417 Bonnie Jean Court. Resolution No. 16-35 was recorded by the Waseca County Recorder's Office on August 22, 2016.

Comments: As of July 6, 2017, the project is complete as observed by City Staff. Final inspection by the building inspector is to be scheduled soon.

Action No. 16-07_EV: Lots 6 & 7, Block 22, Jenkin's Second Addition

Marvin Dumdia, 400 11th Avenue NE, Apartment 208, and his successors, requested the vacation of a blanket easement that covers all of Lots 6 and 7, Block 22, Jenkins Second Addition to the City of Waseca.

The easement grants the City of Waseca the right to enter upon the real estate to construct, maintain and repair underground sewer lines for storm sewerage and surface water across, through and under the land, and the right to remove trees, bushes, undergrowth and other obstructions.

At a vote of 5-0, the Planning Commission concurred with Staff's recommendations and forwarded their recommendation to the Waseca City Council. The Waseca City Council met on August 16, 2016, and at a vote of 7-0, set the public hearing date for Ordinance No. 1049 to their September 6, 2016 meeting. On September 6, 2016, at a vote of 7-0, the City Council adopted Ordinance No. 1049 to vacate the utility easements located on Lots 6 and 7, in Block 22, of Jenkin's Second Addition.

Comments: Ordinance was adopted and recorded as presented.

AGENDA

**JOINT WORK SESSION
CITY COUNCIL/PLANNING COMMISSION
TUESDAY, JULY 11, 2017
6:30 P.M.
CITY COUNCIL CHAMBERS
508 SOUTH STATE STREET**

1. Call to Order/Roll Call

2. Hannah Rybak, Planner - WSB
Molly Patterson-Lundgren, AICP, Senior Planner - WSB
 - Planning 101 Presentation

3. Adjournment

Upon request, accommodations will be provided for individuals with disabilities wishing to participate



MEMORANDUM

DATE: July 11, 2017

TO: Planning Commission and City Council, City of Waseca

FROM: Danny Lenz, City Manager
Bill Green, Planning & Zoning Coordinator

SUBJECT: Planning 101 Presentation

Planning Commission and City Council members play an essential role in helping better our community. Serving in this role can sometimes be a bit more challenging than anticipated. This workshop will help insure you know how to be successful in this important position.

Topics covered will include:

- The What, Why, and How's of Planning
- Land Use and Zoning Tools
- Variances and Conditional Use Permits

It is critical that while the Planning Commission and City Council perform their duties they fully understand the implications of their decisions in the broader context of the community. Looking at decisions from the perspective of whether there is an expectation for future decisions being set, even if it doesn't reach the level of a legal precedent. This also includes taking into account future desired landuses for an area in the best interest of the whole community, not just the desire of the current property owner.

The Planning Commission and City Council have a role in ensuring decisions are made looking 5, 10 or 20 years down the road in the best interest of the community. The workshop will provide useful information and practical tips that can help make the difference between results and regrets as these decisions are made.