

WABASHA PLANNING COMMISSION

October 9, 2018 6:00 PM

MEETING AGENDA

- 1) Call to Order
- 2) Approval of Minutes- 9-11-18
- 3) Changes or Additions to Agenda
- 4) Public Comment
- 5) Public Hearings
 - a) Land Use Amendment & Rezone Wabasha Sand and Gravel
- 6) Old Business
 - a) Solar Stone Update
- 7) New Business
- 8) Board of Adjustment Business
- 9) Other Business
- 10) Next Regular Meeting Date - Novemeber 13, 2018
- 11) Adjourn

Planning Commission

2)

Meeting Date: 10/09/2018

SUBJECT: Approval of Minutes 9-11-18

DEPARTMENT: Planning & Zoning

TITLE:

Approval of Minutes- 9-11-18

PURPOSE:

Attachments

PC Minutes 9-11-18

WABASHA PLANNING COMMISSION

August 15, 2018 6:00 PM

MEETING MINUTES

Commission Members:	Tim Wallerich, Chair	Scott Durand
	Lynn Schoen, Vice Chair	Sharon Burke
	Craig Falkum	Sara Carrels
	Kris Kruse	

Present: Craig Falkum; Scott Durand; Chair Tim Wallerich; Vice Chair Lynn Schoen; Sharon Burke

Absent: Kris Kruse; Sara Carrels

Also Present: Kristi Clarke, Contracted City Planner; Wendy Busch, Planning & Zoning Assistant

1) Call to Order

The meeting was called to order at 6:00 p.m. by Chair Wallerich.

2) Approval of Minutes-

a) Planning Commission Minutes July 10, 2018

The minutes were reviewed, and a typographical error was noted.

Motion made by Craig Falkum, seconded by Scott Durand to approve the minutes as corrected.

Vote: 5 - 0 Adopted - Unanimously

Other: Kris Kruse (ABSENT)

Sara Carrels (ABSENT)

3) Changes or Additions to Agenda

There were no changes or additions to the agenda.

4) Public Comment

No one came forward to speak with regard to items not listed on the agenda.

5) Public Hearings

a) Gerkens CUP

City Planner Clarke provided background information and referenced the location on an aerial photo. She reported that, if the CUP is approved, two existing drying bins would be removed and replaced with one, which will be completely hidden by the building. She noted that the blower will work much more effectively and can be shut down sooner at night, producing less noise. She also discussed a proposed new wet storage bin, which will be tucked behind the drying facility. She noted that there would be no

impact on truck traffic or usage of the site. She reviewed a recommended condition of approval relating to construction hours.

City Planner Clarke referenced a letter received from Mika and Paul Gens and reported that their questions have been answered. It was noted that a call was received from Brenda Pearson. A suggestion was made to include correspondence in the agenda packet.

Commissioners raised concerns relating to glare, dust, and noise.

Chair Wallerich reviewed the public hearing procedure and opened the public hearing at 6:11 p.m.

Commissioner Durand relayed a recent conversation he had with Mika Gens with regard to her concerns about the proposal. He requested guidance with regard to the decision-making process for the Planning Commission relative to a CUP request. City Planner Clarke explained that a CUP allows a permitted use, with reasonable conditions. She commented that this business, which has been in this location for more than 100 years, is requesting to make some necessary changes to its operation. Commissioner Burke provided additional background information with regard to the concerns expressed by Paul and Mika Gens.

Java Jim introduced himself as the owner of a business located at 330 Second Street West. He commented that Gerkens has been a good neighbor and very considerate of the neighborhood.

John Evers introduced himself as a representative of the applicant and commented that he arrived on time for this meeting. He provided additional information regarding the benefits of the proposed new drying system. He commented that he has received no complaints with regard to noise issues. The fans were discussed.

No one else came forward to speak during the public hearing. Chair Wallerich closed the public hearing at 6:31 p.m.

Dust and fire concerns were discussed. Mr. Evers stated that there will be no increase in dust or noise with the new system. He commented that there will be no construction work done on Sunday. The outside appearance of the bins was discussed. When asked about the investment that Gerkens plans to make to improve its operation, Mr. Evers estimated the project cost at \$450,000.

Chair Wallerich summarized the CUP request. The proposed condition relating to limiting construction hours was discussed. When asked about the anticipated construction schedule, Mr. Evers provided information in this regard.

Motion made by Craig Falkum, seconded by Vice Chair Lynn Schoen to approve the CUP request, with the proposed condition of approval.

Vote: 5 - 0 Adopted - Unanimously

Other: Kris Kruse (ABSENT)
Sara Carrels (ABSENT)

6) Old Business

a) Solar Stone

City Planner Clarke reported that she is working with the applicant and will provide an update next month.

7) New Business

There was no new business.

- 8) Board of Adjustment Business
There was no business.
- 9) Other Business
There was no other business.
- 10) Next Regular Meeting Date - September 11, 2018
A meeting reminder was provided.
- 11) Adjourn

Motion made by Vice Chair Lynn Schoen, seconded by Scott Durand to adjourn the meeting. The meeting adjourned at 6:50 p.m.

Vote: 5 - 0 Adopted - Unanimously

Other: Kris Kruse (ABSENT)
Sara Carrels (ABSENT)

Respectfully submitted by: _____
Wendy Busch, Planning & Zoning Assistant

Adopted Date

Planning Commission

5)a)

Meeting Date: 10/09/2018

SUBJECT: Land Use Amendment & Rezone Wabasha Sand and Gravel

DEPARTMENT: Planning & Zoning

TITLE:

Land Use Amendment & Rezone Wabasha Sand and Gravel

PURPOSE:

Attachments

Wabasha Sand & Gravel Rezone Memo



Memorandum

Office of the City Planner

To: Planning & Zoning Commissioners
From: Kristi Clarke, Consultant City Planner
Date: October 4, 2018
Subject: Rezoning & Land Use Plan Amendment for three (3) parcels

MEETING DATE: October 9, 2018
APPLICANT: Wabasha Sand & Gravel
REQUEST: Rezone from HC (Highway Commercial) to I (Industrial)
Land Use Plan Amendment from Highway Commercial to Industrial

BACKGROUND

Wabasha Sand & Gravel has owned and operated an open-pit construction material mine on these three sites and adjacent properties for decades. The owners came into City Hall a few months ago to discuss a future mine-related project that they would like to begin working on next year, when it was determined that their properties were not zoned (Industrial) as the owners had thought.

Following that initial meeting, Bob Kohner submitted an application for a rezone and land use plan amendment on September 10, 2018 to be reviewed and discussed at the October 9th Planning Commission Meeting.

Staff reviewed both the zoning and land use history of these sites to see if we could tell the owners when they were rezoned or if they ever had an industrial land use designation. Our last 'official' zoning map at City Hall is dated 2011 which still shows the properties as Highway Commercial. Though we have records of rezoning applications dated as far back as 1994; we can't find any official zoning maps from that far back.

We also know that the three properties were given a Highway Commercial Land Use designation in the previous Comprehensive Plan (2005) as well as the current plan (2015). In the previous plan, a future collector or frontage roadway was proposed along the west side of these parcels to gain vehicle access to these parcels from Highway 61 between Bruegger Valley Road and Shields Avenue which would allow these properties to develop with highway commercial uses when the mine was filled. The current Comprehensive Plan does not show a potential roadway as the properties will continue to be mined and filled as an active part of the Wabasha Sand & Gravel Mining operation for years to come.

Proposed Rezone

The proposed rezone under consideration is to allow Wabasha Sand & Gravel to rezone three (3) properties or approximately 18.73 acres of land along Highway 61 from Highway Commercial (HC) to Industrial (I).

These parcels have been legal non-conforming lots for many years as the properties are used as a part of an active mine, which is not a legal use of the property within the HC Zoning District. However, as you can see from the Zoning Map, the properties are close to the Industrial Park located along Industrial Court and as you can see from the Aerial, the properties are part of a much larger mine and parcels owned by Wabasha Sand & Gravel that do connect the three parcels to the Industrial Park. **See attached Zoning and Aerial Maps.*

Proposed Land Use Plan Amendment

The proposed land use plan amendment under consideration is to allow Wabasha Sand & Gravel to rezone three (3) properties or approximately 18.73 acres of land along Highway 61 from Highway Commercial (HC) to Industrial (I).

As was stated in the background, these parcels were part of a plan developed in the 2005 Comprehensive Plan to extend highway accessible commercial uses along the north and south side of Highway 61 between Bruegger Valley Road and Shields Avenue. Therefore, the previous plan adopted in 2005, shows these parcels as Highway Commercial along with a proposed frontage road that would help the area develop. Likewise, the current plan adopted in 2015, also shows these three parcels as Highway Commercial but we did change the southern half of Wabasha Sand & Gravel's existing mine to Industrial and connected the mine to the Industrial Park and pushed back the Limited Low Density Residential land use to be more compatible with the existing uses.

As we now look forward to the R-Cuts and other improvements along Highway 61 set to be constructed in 2019, the frontage road plans from Wabasha County on the north side of Highway 61, as well as the future plans for the Wabasha Sand & Gravel Mine, we have a clearer picture of the short and perhaps longer view of what industrial uses these parcels will be used for in the next 5-10-20 years. **See attached Land Use Map.*

Policies & Goals Contained in the Comprehensive Plan

The City of Wabasha's Comprehensive Plan outlines the purpose of the Industrial Land Use Designation which is as follows:

"Industrial areas are intended primarily for manufacturing, transportation facilities, communication, warehousing, contractor storage yards, and wholesale businesses. Industrial land uses are located on the southwest side of Highway 61 and between 5th Grant Boulevard and the east side of Highway 61."

- ✓ The Comp. Plan outlines in Figure 8.3 that the existing land use total for Industrial uses is 2% while the future land use need to expand to 4%.
- ✓ The Plan also cites the fact that “Redevelopment of the Army Corps of Engineers and Wabasha Sand and Gravel sites as future industrial park expansion areas” should be reviewed as development opportunities.
- ✓ Public Input for the Steering Committee identified two relevant issues:
 - 1) Develop a plan and timeline for the Army Corps of Engineer’s industrial Park and Wabasha Sand & Gravel mine areas to be filled and reclaimed and ready for industrial uses.
 - 2) Encourage and develop additional industrial sites along Highway 61.
- ✓ Land Use (Goal 2 - Objective #2 (page 8.11) states, “promote industrial development that achieves Wabasha’s economic objectives without compromising environmental objectives”.
 - ✓ Implementation Policy #2 states, “Work with the Army Corps of Engineers and Wabasha Sand & Gravel to prepare their industrial sites for development”.

Staff Recommendation:

Staff suggests that the Planning Commission consider if the proposed rezone and land use plan amendment for these three parcels, from Highway Commercial to Industrial would be consistent with the goals and policies outlined in the Comprehensive Plan. Following are drafted motions containing findings of fact which the commission may find helpful in forming a recommendation to the City Council.

SAMPLE MOTIONS

Sample Motion to *Recommend Requested Land Use Plan Designation from Highway Commercial to Industrial* (approval)

A motion to recommend to City Council that the three (3) parcels legally described be amended in the Land Use Plan from a Highway Commercial designation to an Industrial designation based on the following findings of fact:

1. Industrial (I) land use designations, located south and east of the three parcels, is based on the land use district in the adopted Comprehensive Plan and the purpose of the Industrial land use district is to provide areas for *continued industrial use*, requiring standards so that these uses will peacefully coexist with neighboring uses.
2. The proposed modification is for a pre-existing (legal non-conforming) use, those which are already in place and would be allowed to continue operation at that current location.
3. Allowing for existing industrial uses to remain at their existing locations will help meet the Land Use Plan goal of efficient use of existing infrastructure and services.

4. Allowing these properties to have an Industrial land use designation will allow for future development opportunities as the area will expand industrial park uses and tax base for the City of Wabasha.
5. Expanding the industrial land uses along Highway 61 was an outlined issue and goal within the Steering Committee for the Comprehensive Plan adopted in 2015.
6. Expanding industrial land uses by “working with Wabasha Sand & Gravel to prepare their industrial sites for development” will fulfill Goal 2, Implementation Policy #2 of the Comprehensive Plan.

Sample Motion to Recommend No Changes (denial)

A motion to recommend to City Council that they **not approve** the proposed land use plan designations based on the following findings of fact:

1. To be determined by the Commissioners

Sample Motion to Recommend Requested Rezone from Highway Commercial to Industrial (approval)

A motion to recommend to City Council that the three (3) parcels legally described be rezoned from the Highway Commercial (HC) zone to the Industrial (I) zone based on the following findings of fact:

1. The proposed rezone is for a pre-existing (legal non-conforming) use, which are already in place and would be allowed to continue operation at that current location.
2. The three parcels are surrounded by heavy industrial uses (Wabasha Sand & Gravel’s existing mine) and major roadways. (Highway 61, Bruegger Valley Road, and Shields Avenue)
3. Allowing for existing industrial uses to remain at their existing locations will help meet the Land Use Plan goal of efficient use of existing infrastructure and services as the existing mining resources and proximity to Highway 61 cannot be moved to another location that will meet their needs.
4. Industrial uses will demand less visitor trips along the south side of Highway 61 as the construction of the R-Cuts by MnDot might reduce easier access from the north side or main downtown area of the City.
5. If a land use designation of Industrial is approved, the rezone to Industrial will conform with the land use designation and future plans for the three parcels.
6. There are only 16 permitted uses within the Industrial zone. These uses are primarily light industrial, service uses, utilities, professional office space, parks, major entertainment, gas stations and repair or maintenance, and storage facilities. All other uses such as heavy industrial require either a conditional or interim use permit which will require additional oversight by the Planning Commission.

Sample Motion to *Recommend No Changes* (denial)

A motion to recommend to City Council that they **not approve** the proposed rezone based on the following findings of fact:

1. To be determined by the Commissioners

Wabasha Sand & Gravel Rezone/ Land Use Plan Amendment Parcels Legal Descriptions

Pin Number: R27.00591.06
Legal Description: Sect-31 Twp-111 Range-010 WABASHA (WABASHA CITY) 7.51 AC S OF
NEW HWY 61 OF WLY 459.5' OF BLKS 209 & 216
Acres: 7.51

Pin Number: R27.00592.00
Legal Description: Sect-31 Twp-111 Range-010 WABASHA (WABASHA CITY) 3.22 AC EX HWY,
SLY 69' OF ELY 46.66' OF LOT 6 & ELY 174.25' OF WLY 293.5' OF LOT 6 BLK
209 & ELY 220.5' OF BLK 216
Acres: 3.22

Pin Number: R27.00593.00
Legal Description: Sect-31 Twp-111 Range-010 WABASHA (WABASHA CITY) Block-217 8.50
AC EX HWY PART OF SECT 31 & 32
Acres: 8.50
Total Acreage: 18.73

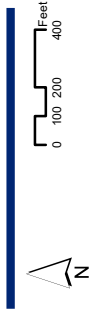




Wabasha Sand & Gravel

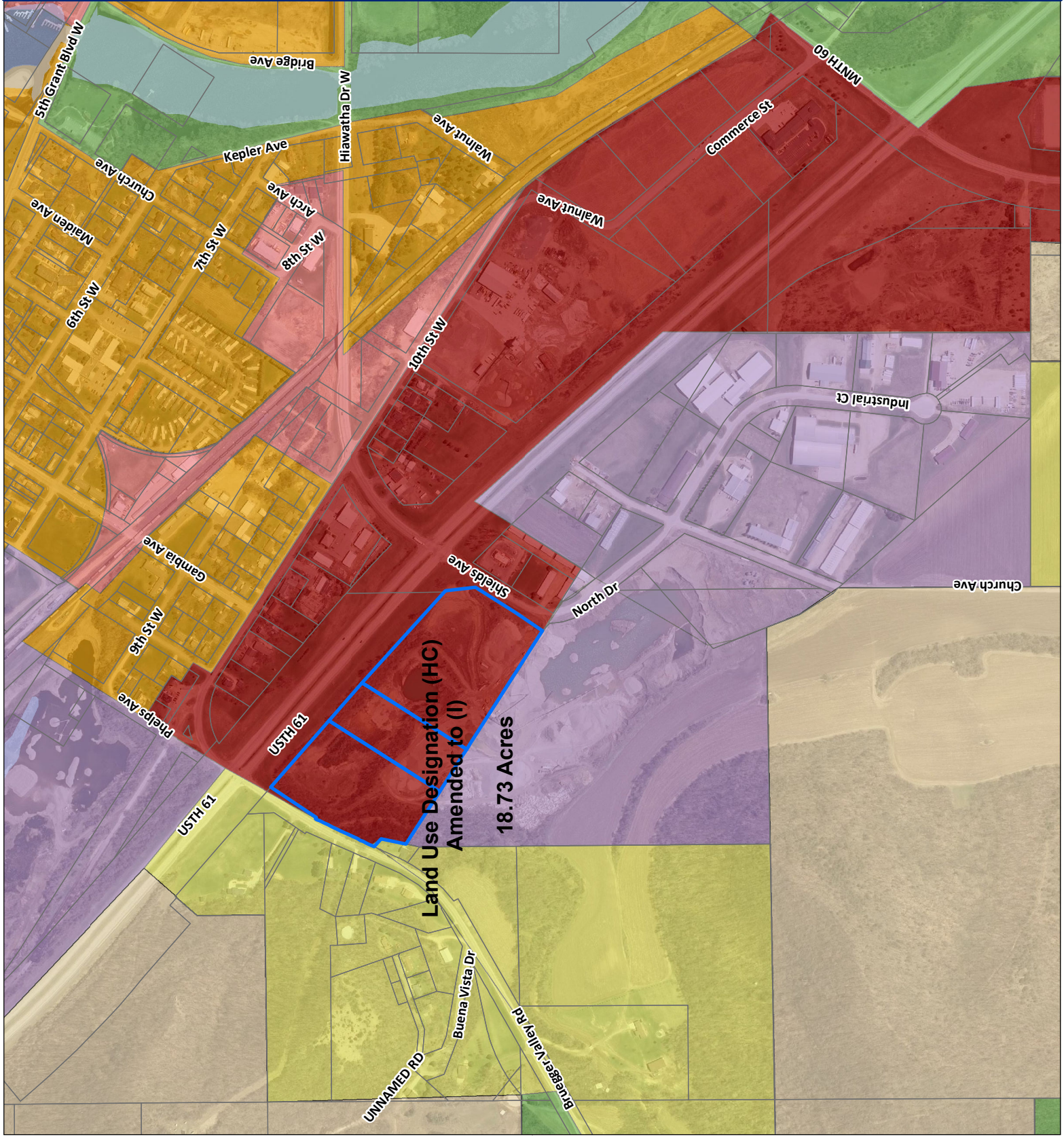
Land Use Map

- Agricultural/Limited Residential
- Limited Low Density Residential
- Low Density Residential
- Medium Density Residential
- Traditional Downtown Commercial
- General Commercial
- Highway Commercial
- Industrial



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. The City of Wabasha is not responsible for any inaccuracies herein contained.





Wabasha Sand & Gravel

Zoning Map

Zoning

NAME

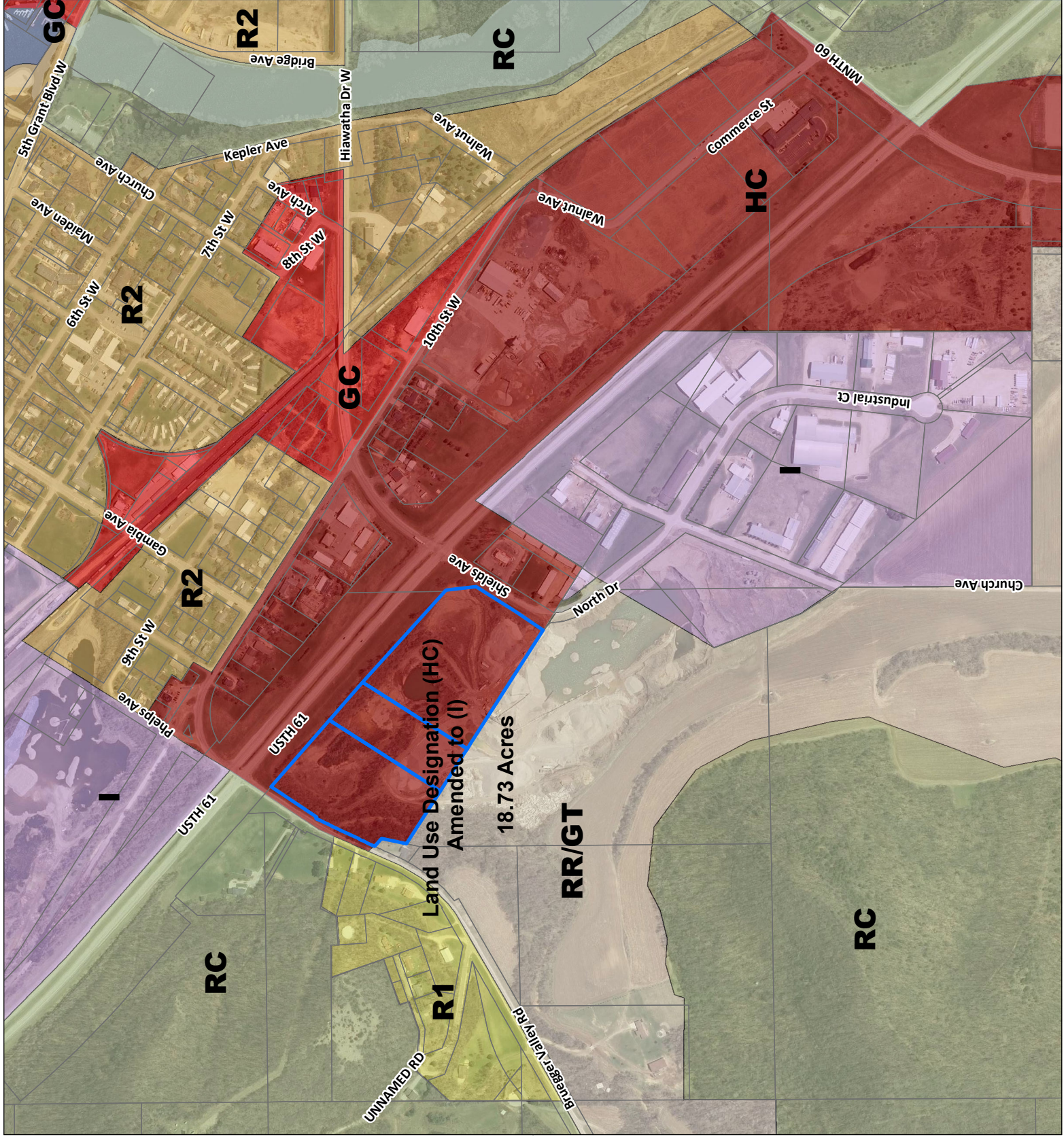
- Residential Conservancy
- Rural/Res./Limited/Ag.
- Rural Residential Growth/Transitional
- Low Density Residential
- Medium Density Residential
- Traditional Downtown Commercial
- General Commercial
- Highway Commercial
- Industrial



0 100 200 400 Feet

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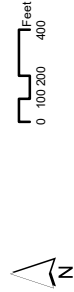


Wabasha Sand & Gravel

Wabasha S&G Properties

Legend

- Existing Quarries
- Wabasha_Sand_& Gravel_Properties
- Kohnor_Properties



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