

WABASHA PLANNING COMMISSION

September 8, 2020 6:00 PM

Zoom Link <https://us02web.zoom.us/j/84109905210>

MEETING AGENDA

- 1) Call to Order
- 2) Approval of Minutes-
 - a) Minutes 6-9-2020
- 3) Changes or Additions to Agenda
- 4) Public Comment
- 5) Public Hearings
 - a) CUP - 1000 Coulee Way Guest Cottage
- 6) Old Business
 - a) Solar Garden Moratorium
- 7) New Business
- 8) Board of Adjustment Business
- 9) Other Business
- 10) Next Regular Meeting Date - October 13, 2020
- 11) Adjourn

Planning Commission

2) a)

Meeting Date: 09/08/2020

SUBJECT: Minutes 6-9-2020

DEPARTMENT: Planning & Zoning

TITLE:

Minutes 6-9-2020

PURPOSE:

Attachments

6-9-2020 Minutes

DRAFT

WABASHA PLANNING COMMISSION

June 9, 2020 6:00 PM

MEETING MINUTES

Commission Members: Tim Wallerich, Chair Sara Carrels, Vice Chair
 Scott Durand Sharon Burke
 Ozzie Goodman Jeff Sulla
 Kris Kruse

Present: Ozzie Goodman; Chair Tim Wallerich; Sharon Burke; Jeff Sulla

Absent: Scott Durand; Kris Kruse; Sara Carrels

Also Present: Alex Conzemius, Contracted City Planner; Wendy Busch, City Clerk

1) Call to Order

The meeting was called to order by Chair Wallerich at 6:01 p.m. The meeting was held via video conference. Roll call was conducted. Commissioners Sulla, Burke, Wallerich, and Goodman were in attendance.

2) Approval of Minutes-

a) Minutes Special Meeting April 29, 2020

Motion made by Jeff Sulla, seconded by Sharon Burke to approve the special meeting minutes. A roll call vote was conducted.

Vote: 4 - 0 Adopted - Unanimously

Other: Scott Durand (ABSENT)

Kris Kruse (ABSENT)

Sara Carrels (ABSENT)

3) Changes or Additions to Agenda

There were no changes or additions to the agenda.

- 4) Public Comment
There was no public comment.

5) Public Hearings

a) 1712 Hiawatha Dr E Solar Garden (IPS Development LLC)

Chair Wallerich referenced past discussion of a solar garden moratorium, with the exception of applications in process. City Planner Conzemius provided an overview of the proposed project and referenced the staff report in this regard. He noted that the property is in a flood overlay district in an area that has not had a detailed study. He stated that the DNR would require a detailed study to determine whether this land is in the flood way or the flood fringe.

City Planner Conzemius noted that he had requested information from the applicant relating to the access drive, grading, a decommissioning plan, and the value at the end of the lease period. He noted that he has received a decommissioning plan and financial assurances from the applicant. He noted that the applicant has submitted a screening plan and has coordinated with Xcel Energy.

A representative of the applicant, Evan Carlson, provided additional details regarding the proposed project. He noted that no grading would be required. He reviewed the estimated salvage value of the materials at the end of the project. He discussed the access road, adding that the site would be restored to its original condition at the end of the project. He clarified the project timeline, indicating that construction would likely begin in the spring of 2021. He discussed the flood plain study.

Chair Wallerich opened the public hearing at 6:11 p.m. There was no public comment during the public hearing. City Clerk Busch indicated that no public comments were received. Chair Wallerich closed the public hearing at 6:12 p.m.

City Planner Conzemius asked about the length of the contract with Xcel Energy. Mr. Carlson indicated that the contract would have a 25-year term, beginning at the time an interconnection agreement is signed. He provided additional background information regarding the application approval process. He discussed the lease agreement with the landowner.

Access to the site was further discussed. It was suggested to add a condition of approval in this regard. When asked whether the parcel would be subdivided, Mr. Carlson indicated that this would be up to the property owner.

Financial assurances were reviewed.

It was clarified that electrical infrastructure will be buried underground up to the point of connection with existing overhead power lines.

The flood plain area and the required study were discussed.

The screening plan was reviewed. A proposed condition of approval in this regard was discussed. It was recommended to require screening on the north and south sides of the solar field and the exposed east side.

Language relating to conditions of approval was discussed and revised. Grading was further discussed, and it was suggested that the City Engineer approve any requested changes to the current plan.

The project timeline was further discussed.

Following the vote, next steps were reviewed.

Resolution _____
CUP for a Solar Garden / Farm

WHEREAS, the property numbered PID # R27.00110.00 located in the NW of the NW of Section 04, Township 110 Range 010, Wabasha

WHEREAS, the site is currently utilized for agricultural purposes but zoned RC and R2 residential, which allows Solar Gardens as a conditional use.

WHEREAS, The Planning Commission provides the following findings:

- a. IPS Development, LLC on behalf of Lawrence and Deborah Stegemann have submitted a complete Conditional Use permit application
- b. The use, if approved will not have a negative impact on the health, welfare or safety of the area or the community in general
- c. The solar garden, if approved, will support the energy needs of the community.
- d. Conditions placed in this CUP will protect the health, safety & general welfare of the community and neighbors use and enjoyment of property and their property values.
- e. The City of Wabasha has sufficient areas zoned Residential to meet the residential needs of the City of Wabasha for the life of the Solar Garden
- f. The applicant will complete and comply with all other state and federal regulatory agencies and obtain all necessary permits.
- g. The proposed use is consistent with the City comprehensive land use plan.
- h. Ingress and egress is provided off access road that is to be constructed by the developer.
- i. The site does not need city sewer or water service.

NOW THEREFORE, IT IS HEREBY RESOLVED, the Planning Commission approves the Conditional Use Permit for a solar garden / farm allowing the applicant to submit plans for a building permit, with conditions:

- 1) All performance standards for a solar garden/farm are met.
- 2) Additional evergreens could/should be planted an additional 100 feet to the east or 200 feet to the south to fully screen the solar field from established residential neighborhoods.
- 3) All on-site power and communication lines running between solar panels and buildings shall be buried underground on the premise.
- 4) If the project disturbs more than 1-acre, a Construction SWPPP and Stormwater Management Plan Permit must be submitted and approved by the MPCA.
- 5) A grading plan must be approved by the City Engineer prior to the start of construction for the project.
- 6) A PE must verify the floodwaters in this area would not be excessive or dangerous to life and property.
- 7) Solar panels shall be elevated above the regulatory flood protection elevation (panels themselves, not necessarily support poles).
- 8) A decommissioning plan should be submitted and financial assurances provided to ensure the removal of the project from the site at the end of its useful life.
- 9) The site shall not create any noise, dust, fumes, glare, or other.
- 10) A sign permit is required if necessary

Motion made by Sharon Burke, seconded by Jeff Sulla to approve the proposed solar garden project, with the conditions of approval as discussed. A roll call vote was conducted.

Vote: 4 - 0 Adopted - Unanimously

Other: Scott Durand (ABSENT)

Kris Kruse (ABSENT)

Sara Carrels (ABSENT)

6) Old Business

a) Subcommittee Solar Moratorium - Set Upcoming Meeting

The role of this group was discussed. A subcommittee meeting was scheduled on June 16 beginning at 6:00 p.m.

7) New Business

There was no new business.

8) Board of Adjustment Business

There was no Board of Adjustment business.

9) Other Business

10) Next Regular Meeting Date - July 14, 2020

The next meeting date was discussed.

11) Adjourn

Motion made by Chair Tim Wallerich, seconded by Ozzie Goodman to adjourn the meeting. A roll call vote was conducted. The meeting adjourned at 6:39 p.m.

Vote: 4 - 0 Adopted - Unanimously

Other: Scott Durand (ABSENT)

Kris Kruse (ABSENT)

Sara Carrels (ABSENT)

Respectfully submitted by: _____
Wendy Busch, City Clerk

Adopted Date

Planning Commission

5) a)

Meeting Date: 09/08/2020

SUBJECT: CUP - 1000 Coulee Way Guest Cottage

DEPARTMENT: Planning & Zoning

TITLE:

CUP - 1000 Coulee Way Guest Cottage

PURPOSE:

ITEM SUMMARY:

An application for a CUP has been received from Chris Richardson at 1000 Coulee Way for a Guest Cottage. (Living space in a newly constructed pole shed.)

Attachments

Staff Report



Memorandum

Office of the City Planner

To: Wabasha Planning Commission
From: Alex Conzemius, AICP
Date: August 17, 2020
Subject: CUP application – Chris Richardson

MEETING DATE: September 8, 2020

I. REQUEST:

- 1) **Applicant:** Chris Richardson
- 2) **Owner:** Chris Richardson
- 3) **Location:** 1000 Coulee Way, Wabasha, MN 55981

II.A Staff Report

Zoning Summary – A Conditional Use Permit has been requested by Chris Richardson to construct a guest cottage, or pole shed with a living space, on roughly a ½ acre of the 15 acre property located in the NE quarter in Section 6 Township 110 Range 10 (PIN R27.01630.00).

Zone: RR/GT – Rural Residential Growth/Transitional and Residential Conservancy

Existing Land Use: Agricultural/Undeveloped

Maximum Residential Density: 1 dwelling unit per 2.5 acres

District Provisions	Min	Richardson Site
Min. Lot Size:	108,900 SF	15 Acres
Min. Lot Width:	60 feet	NA
Min. Lot Frontage:	25 feet	NA
Setbacks:	25' (Front)	Site Plan does not show
	25' (Rear)	setbacks, however application
	5' (Side)	material states compliance
Accessory	Behind principal structure (Front)	Site Plan does not show
Setbacks:	3' (Rear)	setbacks, however application
	3' (Side)	material states compliance

Details of the request:

- After applying for a building permit for a “pole shed” and “cold storage” on his property, Chris Richardson constructed a guest cottage on roughly ½ acre of his 15 acre property.
- Originally, Richardson’s father-in-law applied for a building permit for a “pole shed” and “cold storage” on the property.
- After the building was constructed, the state electrical inspector went in to inspect it. He then called CMS to report Richardson had constructed a habitable space.

- Since Richardson is planning to build a home or principal structure on the lot as well, he has now applied for a CUP for a guest cottage on the property.

Guest Cottage Definition: An accessory structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

Surrounding Property Uses: Open space to the east. Farmland with residential properties to the north and south. Some open space before Coffee Mill Ski Area to the west. **See attached aerial and streetview*

Neighborhood Notification: All property owners within 350' feet of this property were notified ten days of the public hearing. A notice was published in the paper on August 27th, 2020 that a public hearing would be held on September 8, 2020 for this conditional use permit request.

Recommended Conditions:

- 1) If a conditional use permit is granted, the guest cottage should be inspected to assure it follows building guidelines and is safe for habitation.

III. PLANNING COMMISSION ACTION:

Following are sample resolutions for both approval and denial which may be used by the Planning Commission in their decision.

Sample resolution for approval

**Resolution _____
CUP for a Guest Cottage**

WHEREAS, the property numbered PID # R27.01630.00 located at 1000 Coulee Way, Wabasha, MN; and

WHEREAS, the site is currently undeveloped but zoned RR/GT – Rural Residential Growth/Transitional, which allows Guest Cottages as a conditional use.

WHEREAS, The Planning Commission provides the following findings:

- a) Chris Richardson has submitted a complete Conditional Use permit application
- b) The use, if approved, will not have a negative impact on the health, welfare or safety of the area or the community in general.
- c) The guest cottage, if approved, will act as a second dwelling on the Richardson Property, as the property owner plans to build a home or principal structure on the lot as well.
- d) Conditions placed in this CUP will protect the health, safety & general welfare of the community and neighbors use and enjoyment of property and their property values.
- e) The applicant will complete and comply with all other state and federal regulatory agencies and obtain all necessary permits.
- f) The proposed use is consistent with the City comprehensive land use plan.
- g) Ingress and egress is provided off Coulee Way.
- h) The site does not need city sewer or water service.

NOW THEREFORE, IT IS HEREBY RESOLVED, the Planning Commission approves the Conditional Use Permit for a guest cottage allowing the applicant to submit plans for a building permit, with conditions:

Sample resolution for denial:

Resolution _____
CUP for a Guest Cottage

WHEREAS, the property numbered PID # R27.01630.00 located at 704 Coulee Way, Wabasha, MN; and

WHEREAS, the site is currently undeveloped but zoned RR/GT – Rural Residential Growth/Transitional, which allows Guest Cottages as a conditional use.

WHEREAS, The Planning Commission provides the following findings: **[insert findings as deemed appropriate]**

- The guest cottage, as proposed, does not adhere to building standards of the district in which it is located;
- The use, as proposed would have negative impacts on the health, safety & general welfare and would cause hazardous, harmful or otherwise adverse impacts to the environment or the value of the neighborhood or community.
- The establishment, maintenance or operation of the use would be detrimental to or endanger the public health, safety, comfort or general welfare of the city;
- The use would 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 neighborhood;
- The establishment of the use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
- There is inadequate access to utilities, access road
- The guest, as proposed, would create drainage and erosion control issues
- The site, as proposed would provide inadequate ingress and egress so as to minimize traffic congestion in the public streets;
- The use shall does not conform to the applicable regulations of the district in which it is located;
- The site, as proposed, provided inadequate parking facilities
- The site, as proposed, does not preserve natural resources
- The site, as proposed, would obstruct scenic views
- The site, as proposed, is not of adequate size and configuration of property for the proposed use or activity;

NOW THEREFORE, IT IS HEREBY RESOLVED, the *Planning* Commission denies the Conditional Use Permit for a guest cottage use as requested in the application dated February 10, 2020.

Office of County Recorder
Wabasha County, Minnesota
Doc. No. **335555**

Certified, filed, and or recorded on
July 30, 2019 11:48 AM

Jeffery R. Aitken, County Recorder
Fees: **\$56.00**



335555

PART OF DOCUMENT DO NOT REMOVE
THIS PAGE IS BEING ADDED TO SHOW
RECORDING DATA.

Jeffery R. Aitken Wabasha Co. Recorder

Date Received **7/30/19**

Amount Paid Cash Ck No **1760** Chg

Well Certificate Amt. Pd. **56.00**

Return To

Torrens

Abstract —

THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE WABASHA COUNTY COORDINATE SYSTEM, NAD 83, 1996 ADJUSTMENT (HARN).

SCALE: 1 INCH = 200 FEET

200 400 600

SCALE IN FEET

THE UNIVERSITY OF MICHIGAN LIBRARY
 300 NORTH ZEEB ROAD
 ANN ARBOR, MICHIGAN 48106-1500
 TEL: 734 763 7000
 FAX: 734 763 7000
 WWW: WWW.LIBRARY.MICHIGAN.EDU

have caused the suits to be surveyed and judged as **CARROLLS ADDITION** and do hereby dedicate to the public or public use the public way as involved by this plat.

Witness my hand and the hand of my attorney, **Thaddeus W. Carroll**, husband and wife, have caused these presents to be signed this **day of** **January**, **1908**.

This is a detailed plat map of Block 1, Coffee Hill Village, and Block 2. The map shows the following details:

- Block 1, Coffee Hill Village:**
 - Lot 1:** 1.45 Acres. Dimensions: 1027' 40" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
 - Lot 2:** 16.00 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
 - Lot 3:** 24.07 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
 - Block 1:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
 - Block 2:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
 - Coffee Hill Village:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
 - Coffee Hill:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
 - Unplatted Land:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
- Block 2:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
- Section 6:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
- Other Features:**
 - Coffee Hill Village:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
 - Coffee Hill:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.
 - Unplatted Land:** 1.1100 Acres. Dimensions: 1027' 20" 00" W, 1027' 20" 00" E, 1027' 20" 00" S, 1027' 20" 00" N.

COUNTY SURVEYOR

herby earthy that in accordance with Minnesota Statutes, Section 203.021, Subd. 11, that this plat has been reviewed and approved in accordance with the Minnesota County Conference No. 7, and that this plat has been mathematically checked by a professional Surveyor and is correct.

CITY COUNCIL CITY OF WARREN MINNESOTA

This plat of CABELLS ADDITION was approved and accepted by the City Council of the City of Winnetka, Minnesota at a regular meeting thereof held this _____ day of _____, 2018, and said plat is in compliance with the provisions of Minnesota Statutes, Section 605.03, Subd. 2.

The Council, City of Winnetka, Minnesota.

James A. Connors, Managing County Surveyor
 Records License No. 47400

 Mayor

Mayer	Clark
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**JOHNSON & SCOFIELD INC.
LAND SURVEYORS**

Sheet 1 of 1 Sheets

Planning Commission

6) a)

Meeting Date: 09/08/2020

SUBJECT: Solar Garden Moratorium

DEPARTMENT: Planning & Zoning

TITLE:

Solar Garden Moratorium

PURPOSE:

ITEM SUMMARY:

A solar garden subcommittee group has met with City Planner, Alex Conzemius to discuss the current Solar Garden Ordinance and the moratorium currently in place. Attached is a memo staff report from Alex.

Attachments

Staff Report Solar Moratorium

II.B Staff Report – Solar Moratorium

Zoning Summary – Following three meetings of the Solar Sub-committee, members have put ideas together on how to move forward and achieve the objective of allowing Solar in the Wabasha Community while at the same time, protecting prime residential development to maintain compatible land uses within the City of Wabasha. At this point, before any clear direction is reached, the Solar Sub-Committee reasoned a public outreach effort to check the pulse of the community, and particularly landowners that through one method or another, may lose the ability to develop their property for Solar purposes. The Solar Sub-Committee feels it important to do community outreach prior to having made any decisions. The sub-committee has not reached consensus on the tools and quadrants of the community that would allow/prohibit solar. It seems all options are on the table while some information gathering is completed. Option include:

- A new solar overlay district
- Adding performance standards to the ordinance to mandate a separation from utilities and infrastructure
- Prohibiting Solar in residential zoning districts (and possibly tightening the residential zoning district to areas that may reasonably be developed for residential purposes and expanding the Growth/Transitional District).
- Do nothing and allow property owners to determine the highest and best use of their property

Staff has consulted with the City Engineer regarding properties that have immediate development potential; particularly in the southern part of town. Many properties (exceeding acreage needed to accommodate housing projections) have immediate access to sewer and water.

A moratorium on further solar development was approved in late April to last for a maximum of 6 months. Planning Commissioners will be asked to give guidance on the form of public outreach that should be held. Ultimately, if zoning ordinance revisions are pursued, a public hearing will be required. This *could* be held as the part of the public outreach in an October Planning Commission meeting. No decisions need to be made as part of this public hearing meeting; any decision can be tabled until Planning Commissioners have had the opportunity to digest public input.

In addition to consideration of the parcels in the community that could be developed for solar garden purposes, the solar committee believes that codifying the need for a financial surety for solar garden developments, and permitting them as an Interim Use Permit (as opposed to a Conditional Use Permit) would be wise policy.



Legend

City Limits

Roads

- Local Roads
- Interstate
- US Highway
- State Highway
- County Roads

Parcels (06/01/2019)

Sections

Zoning

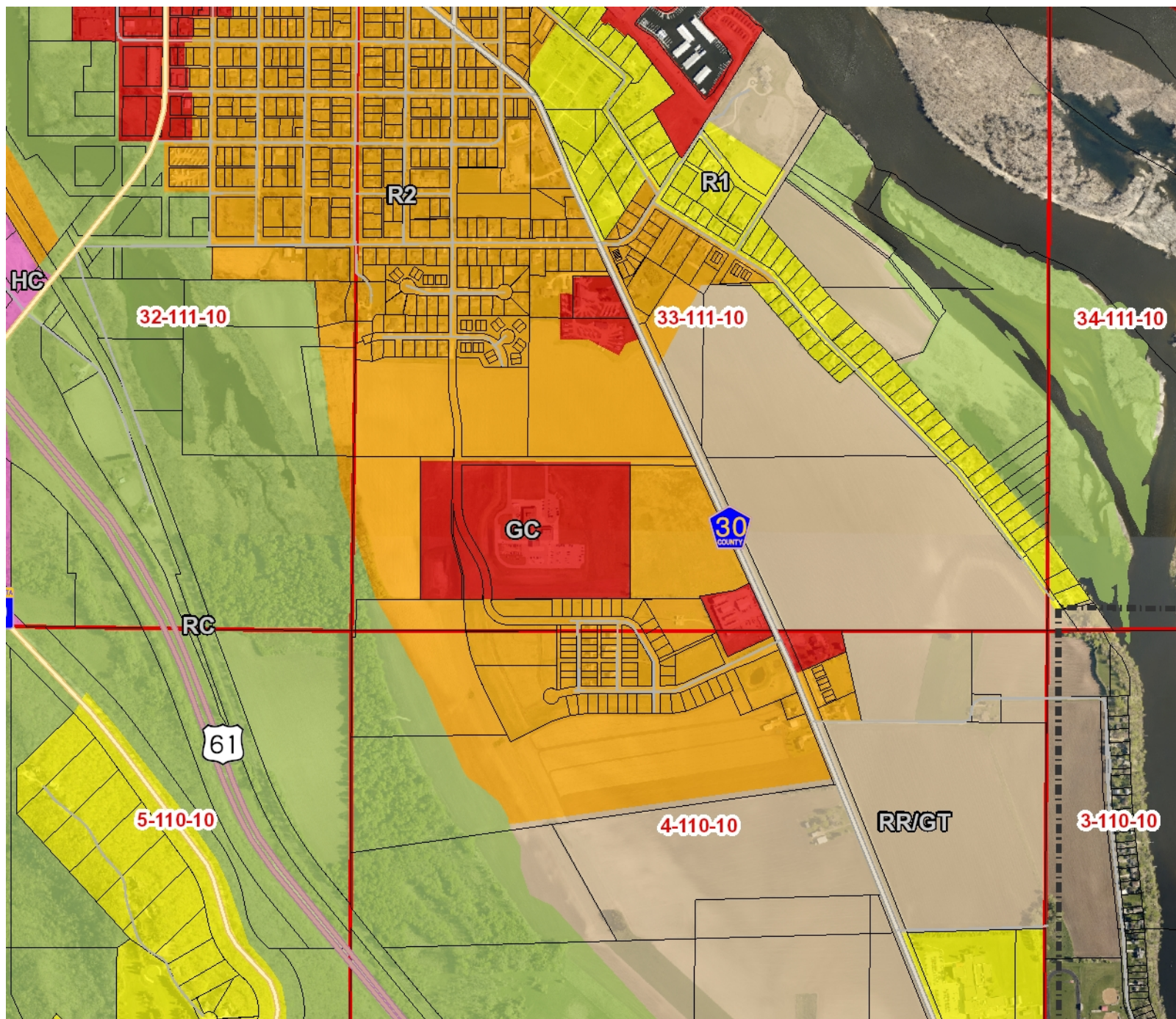
- RC - Residential Conservancy
- RR/LA - Rural/Residential/Limited/Agricultural
- RR/GT - Rural Residential Growth/Transitional
- R1 - Low Density Residential
- R2 - Medium Density Residential
- Traditional Downtown Commercial
- GC - General Commercial
- HC - Highway Commercial
- I - Industrial

Solar Subcommittee Existing Zoning



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Wabasha is not responsible for any inaccuracies herein contained.



0 1,053 Feet

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**BOLTON
& MENK**

Real People. Real Solutions.