

**I. CALL TO ORDER**

A meeting of the Planning Commission was held by videoconferencing on Monday, June 8, 2020, commencing at 5:30 p.m. Chairperson Asmus called the meeting to order. This meeting was conducted via videoconferencing pursuant to Minn. Stat. 13D.021.

**A. ROLL CALL:**

Chairperson	Shannon Asmus	Present by videoconferencing
Commissioner	Michael Flaata	Present by videoconferencing
Commissioner	Judy Hudson	Absent
Commissioner	Larry Dahl	Present by videoconferencing
Commissioner	Eric Mathwig	Present by videoconferencing
Commissioner	Jeff Woods	Present by videoconferencing
Commissioner	Tom Zens	Present by videoconferencing
City Planner	Hannah Rybak	Present by videoconferencing

**B. ANNOUNCEMENT OF ADDITIONAL ITEMS**

1. **ZONING ORDINANCE DISCUSSION**
2. **FIRST DISTRICT ASSOCIATION PARKING LOT SCREENING**

**II. APPROVAL OF MINUTES**

It was moved by Commissioner Dahl, seconded by Commissioner Mathwig, to approve the minutes of the May 11, 2020 meeting. Upon roll call vote, all members present voted aye.

Motion Carried.

**III. SCHEDULED ITEMS**

**A. PUBLIC HEARINGS:**

1. **VARIANCE REQUEST** – *by Bradley & Jennifer Kusler at 615 Northridge Drive  
To allow a seven (7) foot variance to the side yard setback*

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a variance.

No written comments were received.

Staff recommendation and potential action were reviewed.

9 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Commissioner Asmus asked City Planner Rybak for clarification on what “essential” means in the criteria “the variance, if granted, will not alter the essential character of the locality.” Rybak explained that it basically means if it fits in the district or not.

Commissioner Zens commented that the only neighbor affected by this request has submitted a letter in support of the project, so there shouldn't be any issues in that aspect.

Commissioner Asmus asked if we need to worry about future land owners in this area.

Commissioner Zens said that hopefully the neighbors to the south considered that when giving their support.

Commissioner Asmus opened the Public Hearing.

This being the time, date, and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 5:39 p.m., June 8, 2020, to consider a Variance request by Bradley & Jennifer Kusler at 615 Northridge Drive to allow a variance of seven (7) feet to the side yard setback to allow for construction of a deck.

Jennifer Kusler was present to answer any questions and explain the request. She explained to the Commission that the deck will face the neighbor's garage side of the house. The only windows are up high so when on the deck they wouldn't be able to look into any windows.

Commissioner Zens asked Kusler if the deck is going to be one level with or without stairs. Kusler stated they are undecided on stairs at this point but that it will only be a one level deck.

Commissioner Asmus asked if they decide on stairs if they would go down to the backyard and Kusler stated they would.

No further comments were heard and the hearing was closed at approximately 5:42 p.m.

Commissioner Woods stated he sees no problem with this request and that it will be an asset to the property.

Commissioner Asmus commented that having the neighbor's support is beneficial to the request being they are the ones impacted the most.

Commissioner Dahl agreed with Commissioner Woods that this is a good project.

Commissioner Mathwig asked City Planner Rybak if the neighbor to the south met setback requirements, to which Rybak responded they do. Mathwig then asked if that neighbor requested a variance in the future for a garage addition would they be able to. Rybak said there would need to be adequate fire separation between the two, a distance of six (6) feet.

Commissioner Woods made a motion, seconded by Commissioner Dahl, to recommend approval, as submitted, of the Variance request by Bradley & Jennifer Kusler at 615 Northridge Drive based on the findings of fact and submitted plans, to allow a variance of seven (7) feet to the minimum required side yard setback of ten (10) feet. Upon roll call vote, all members present voted aye.

Motion Carried.

2. **VARIANCE REQUEST** – *by Thomas Torkelson at 802 Estates Avenue*  
*To allow a two (2) foot variance to the corner side yard setback*

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a variance.

No written comments were received.

Staff recommendation and potential action were reviewed.

9 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Commissioner Asmus asked City Planner Rybak if she knew the height of the deck being it's a split-level home. Rybak said she didn't see the building plans but is guessing it would be raised up to the upper level but check with the applicant.

Commissioner Asmus then asked why there is such a big right-of-way in this area. Rybak explained it depends on how the road was platted during the original development and if any extra area was needed for any underground lines. Asmus followed with asking if the site triangle is an issue with this request which Rybak said it is not.

Commissioner Asmus opened the Public Hearing.

This being the time, date, and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 5:53 p.m., June 8, 2020, to consider a Variance request by Thomas Torkelson at 802 Estates Avenue to allow a variance of two (2) feet to the corner side yard setback to allow for construction of a screened deck.

Tom & Shar Torkelson were present to answer any questions and explain their request.

Commissioner Dahl asked the Torkelsons if when they put the roof on the deck will it follow the current roof line. They responded that yes it will follow the roof line.

Commissioner Asmus asked if the deck will be raised to the second floor of the home. Torkelsons clarified that it will be about 5 ½ feet off the ground.

Commissioner Zens asked if any trees would need to be removed to which the Torkelsons stated they will not. They are far enough away.

The Torkelsons then asked if steps are required on a deck. Commissioner Asmus responded that they are not required.

The Commissioner Zens questioned if they put steps on the deck, they can't go closer to the side. Torkelsons said if they add steps they will go to the backyard.

No further comments were heard and the hearing was closed at approximately 5:56 p.m.

Commissioner Dahl made a motion, seconded by Commissioner Zens, to recommend approval, as submitted, of the Variance request by Thomas Torkelson at 802 Estates Avenue based on the findings of fact and submitted plans, to allow a variance of two (2) feet to the minimum required corner side yard setback of twenty (20) feet. Upon roll call vote, all members present voted aye.  
Motion Carried.

3. **VARIANCE REQUEST** – *by Jeremy & Keri Bischof at 704 W 7<sup>th</sup> Street*  
*To allow a one (1) foot variance to the side yard setback*

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a variance.

No written comments were received. The neighbor to the east called in giving support of this project.

Staff recommendation and potential action were reviewed.

9 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Commissioner Asmus opened the Public Hearing.

This being the time, date, and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 6:04 p.m., June 8, 2020, to consider a Variance request by Jeremy & Keri Bischof at 704 W 7<sup>th</sup> Street to allow a variance of one (1) foot to the side yard setback to allow for construction of a garage and house addition.

Jeremy & Keri Bischof were present to answer any questions and explain their request.

Commissioner Asmus asked if the addition to the back of the garage will be both upper and lower with level. Jeremy said that the upper level will be living space and the lower level will be storage with an access door from the rear of the garage.

Commissioner Asmus asked if the addition will follow the same roof line to which Jeremy said it will.

Commissioner Woods commented that this is a great project.

Commissioner Zens asked if they plan to cut in and widen the driveway all the way to the street or will it be at an angle using the existing entrance from the street. Jeremy explained that they would prefer to have the driveway straight down to the road. They are able to do it without interfering with the curb because the curb is not square in this neighborhood. Jeremy asked if the driveway is a concern because they can do it either way. Zens said no there is no concern he was just trying to envision the aesthetics of it. City Planner Rybak stated that the new driveway would be required to be finished with a hard surface and they are limited to a width of thirty-two (32) feet at the street.

No further comments were heard and the hearing was closed at approximately 6:10 p.m.

Commissioner Mathwig made a motion, seconded by Commissioner Dahl, to recommend approval, as submitted, of the Variance request by Jeremy & Keri Bischof at 704 W 7<sup>th</sup> Street based on the findings of fact and submitted plans, to allow a variance of one (1) foot to the minimum required side yard setback of ten (10) feet. Upon roll call vote, all members present voted aye.

Motion Carried.

**4. CHANGE OF ZONING REQUEST** – by Peter Balbo at 403 E Ripley Street  
To change zoning from I-2 to R-2

City Planner, Hannah Rybak, provided an overview of the request. She reviewed the consistency of the request with the standards for granting a change of zoning.

No written comments were received.

Staff recommendation and potential action were reviewed.

12 findings of fact offered by staff were presented to the Commissioners by City Planner Rybak.

Commissioner Asmus opened the Public Hearing.

This being the time, date, and place set, with all mailed and published notices given as required by law, the hearing was opened at approximately 6:21 p.m., June 8, 2020, to consider a Change of Zoning request by Peter Balbo at 403 E Ripley Street to change the zoning from I-2, General Industrial District, to R-2, Residence District.

Peter Balbo was present to answer any questions and explain his request.

Peter raise also Commissioner Dahl asked Peter if he planned to raise the structure and put in a foundation. responded that his plan is to raise the structure 4-5 feet and put a 2 bedroom, 1 bath with basement entrance. Dahl then asked if Balbo felt the home is structurally sound enough to raise. Balbo said he had Tim, with Litchfield Building Center, and his carpenter, David Muellner, look at it and there needs to be quite a bit of reinforcement in the basement to level the house. He said they need to lift the house versus dig down because the block sits right on the footing. Balbo also said that as the house is getting emptied, they are finding the floors to be in good condition.

phases. The first phase would be taking care of the upper two floors and bring them to code. The second phase would be raising it up and making it a duplex. The third phase would possibly be asking for a lot split, removing the current garage and building a duplex to the east.

asked long Commissioner Asmus asked if there will be a garage available for the duplex at all times. Balbo answered that he is not positive but there should be enough room to add a garage. Asmus City Planner Rybak if there are any requirements to have a garage and she said there is not as long as there is enough off street parking, which in this case there is.

No further comments were heard and the hearing was closed at 6:23 p.m.

Commissioner Dahl commented that any improvements to this property is an upgrade, 100%.

Commissioner Woods made a motion to recommend approval, based on the findings of fact and submitted plans, of the Change of Zoning request by Peter Balbo for property located at 403 E Ripley Street to change the zoning from I-2, General Industrial District, to R-2, Residence District. This motion was seconded by Commissioner Dahl. Upon roll call vote, all members present voted aye.

**IV. NEW BUSINESS**

**V. OLD BUSINESS**

**VI. ADDITIONAL ITEMS**

**A. ZONING ORDINANCE DISCUSSION**

Commissioner Asmus requested discussion on the process of requests. He feels that maybe the Commission needs to be stricter on the codes or give the City authority to approve certain requests so that some of the simple requests don't need to go through the whole Planning Commission process that seems it could take up to sixty days.

Commissioner Dahl asked if anyone knew when the Zoning Ordinance was last updated. City Planner Rybak stated that the minimum requirements were recently reviewed. She explained that each item that comes in is unique to that specific property. Rybak continued to say that the decision rests with the City Council if they would want to review the Zoning Ordinance as a whole.

Commissioner Zens asked how the requests arise. Rybak said that about half of the applicants know they need a variance or CUP. The other half call to talk to her about what they want to do and ask how to go about it. Rybak also clarified to Commissioner Asmus that most applications come in right at the deadline for the month, so it's more of a 4 week process from start to approval.

Commissioner Zens asked if most permits meet setbacks or how many are we reviewing. Rybak replied that most meet setbacks.

Commissioner Mathwig, Council member representative, told the Commission that the Council had planned on reviewing the code book in 2020, however, due to Covid-19, that got pushed back to 2021 and the Comprehensive Plan is being reviewed in 2020.

No formal action taken.

**B. FIRST DISTRICT ASSOCIATION PARKING LOT SCREENING**

Commissioner Asmus explained how when First District Association presented their parking lot plan by Evergreen Park, they were told 100% screening between the lot and residential property. What was planted is not 100% coverage. He is wondering if we are going to enforce this. City Planner Rybak explained that Administration gave guidance not to press the issue at this time unless neighbor complaints come in. Commissioner Mathwig is going to check on this and return information to the Commission.

No formal action taken.

**VII. SET HEARING DATES AND TIMES**

The next scheduled meeting is Monday, July 13, 2020, at 5:30 p.m., however it is uncertain at this time if there will be any items for the agenda.

**VIII. REVIEW OF COUNCIL ACTIONS**

**A. PRELIMINARY & FINAL PLAT GRANTED** – *PRAIRIE PARK ESTATES by Eric Doering*

**B. CONDITIONAL USE REQUEST GRANTED** – *by Peter Kormanik at 718 N Sibley Avenue  
To allow converting the property to a single-family residence in the B-3 District*

**C. CHANGE OF ZONING REQUEST GRANTED** – *by St Pauls Lutheran Church at 226 S Ramsey Avenue  
To change zoning from R-2 to I-2*

**D. SITE PLAN, CONDITIONAL USE & VARIANCE GRANTED** – *by Ekalath Sophapahn, on behalf of  
property owner ISD 465  
To allow construction across two parcels and impervious surface coverage of 37%*

**IX. ADJOURNMENT**

Commissioner Asmus adjourned the meeting at 6:48 p.m.

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Hannah Rybak  
City Planner