

**CALL TO ORDER**

A meeting of the Planning Commission was held on Monday, June 13, 2022, commencing at 4:30 p.m. in the Council Chambers of City Hall. Chairperson Asmus called the meeting to order.

**A. ROLL CALL:**

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

**B. ANNOUNCEMENT OF ADDITIONAL ITEMS**

**II. APPROVAL OF MINUTES**

It was moved by Commissioner Dahl, seconded by Commissioner Mathwig, to approve the minutes of the May 9, 2022, meeting. All members present voted aye.

Motion Carried.

**III. SCHEDULED ITEMS**

**A. PUBLIC HEARINGS:**

- VARIANCE REQUEST** – *by Litchfield Shipping at 425 S Chandler Ave. Variances would allow for setbacks for an office addition.*

City Planner Hannah Rybak provided an overview of the request – a variance from the front and interior side yard setback requirements for the purpose of constructing an addition to the existing office portion of the building. She provided a recommendation to approve the request for the addition to encroach 12.4 feet into the 40-foot front yard setback and 16.3 feet into the 20-foot interior side yard setback.

Commissioner Asmus asked if the proposed addition would be moving closer to the north property line than the existing building. Planner Rybak responded that it would be in line with the existing building, and match the existing north side setback.

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 4:35 p.m., June, 13, 2022, to consider a Variance Request by Litchfield Shipping, at 425 S Chandler Ave.

Darcy Hoff, representing Litchfield Shipping at 425 S Chandler Avenue, was present. She did not have anything to add to Planner Rybak's presentation.

No further comments were heard, and the hearing was closed at approximately 4:37 p.m.

Based on the findings of facts and submitted plans, Commissioner Woods made a motion to recommend approval of the Variance Request by Litchfield Shipping, at 425 S Chandler Ave. This motion was seconded by Commissioner Dahl. All members present voted aye.

Motion carried.

**2. *CHANGE IN ZONING*** – by JJ Holdings LLC at 1103 N Sibley Ave. Request for change in zoning and site plan review.

City Planner Hannah Rybak provided an overview of the request for a change in zoning and site plan review to facilitate the development of West Central Smiles, an orthodontic clinic. She provided a recommendation that the rezoning be approved, and that the site plan also be approved, subject to the following conditions:

1. Final construction plans shall be submitted for review and approval (through building permit application) prior to construction.
2. All landscaping shall occur outside the 50-foot wetland buffer.
3. A sign permit shall be required prior to the installation of any signage.
4. Site development must adhere to the submitted site plan.
5. Stormwater calculations shall be submitted for the site for pre-developed and post-developed conditions. There shall be a net reduction in stormwater flow, volume, TSS and phosphorus leaving the site. In addition, the high water elevation associated with the wetland shall be identified and a stormwater pollution prevention plan submitted.
6. The developer shall be required to obtain all necessary permits for the project, including a stormwater permit from the MPCA.
7. Final construction plans shall be submitted for review and approval prior to construction.
8. The installation of the sewer and water service lines shall be inspected by the City and tested according to the regulatory requirements. In addition, a MnDOT permit will be required for the installation of the service lines in the TH 12 right-of-way.
9. Any damage to the existing street pavement and curb and gutter along 11th Street shall be restored to match the in-place depths and style.
10. The plans do not show any work associated with the existing service road and access points to TH 12 and 11th Street. The developer shall clarify their intentions with the service road and access points.
11. The plan shows a delineated wetland on the west portion of the site. A copy of the LGU approval of the delineation shall be submitted. The plan does not show any wetland impacts, however, any impacts would need to be reviewed and approved by the LGU.
12. Any areas disturbed in the wetland buffer area shall be restored with a natural vegetation.
13. Additional details associated with the overall site drainage plan shall be provided with the final plans, including the location of any storm sewer and pretreatment structures.

Commissioner Ellingson asked does the wetland drain into the creek? Or to the storm sewer? How is that water going to get out? Planner Rybak responded that she was unsure and could obtain an answer from the City Engineer; the City Engineer has reviewed the full wetland delineation, provided by the Applicant, and everything is in order. She stated that redevelopment is an opportunity for the City to enforce the Wetland Buffer Ordinance and require native seed be planted to establish areas of required buffer that may not exist as buffer.

Commissioner Ellingson asked about the stand of trees and would it be removed. Planner Rybak stated that no plans regarding tree removals were provided, but she would confirm with the Applicant. She noted that the City currently has no requirement within the Zoning Code that trees be preserved.

Commissioner Asmus stated that he has a concern that the intersection is busy and the cars coming in from the west are going faster than they should and the orthodontist is hosting children. Kids are driving over there and its going to be busy when he is there. He stated that the City Council should have the conversation about potential measures to increase traffic safety. He was personally involved in a car accident at the intersection.

Commissioner Ellingson echoed Commissioner Asmus' concerns. He had witnessed an accident at that intersection and assisted those involved.

Commissioner Woods asked if the City has the ability to do anything, given that it is a United States Highway. He agreed that the City Council should know that the Planning Commission is concerned about the traffic in the area.

The Commission discussed potential solutions, including turn lanes, a decrease in the speed limit and speed bumps.

Commissioner Asmus wondered if Dr. Johnson would consider repurposing the Sears building that is closing, rather than building new. Planner Rybak stated that she has been communicating with Dr. Johnson's builder regarding the application and that she did not know if he would consider altering his plans.

Commissioner Mathwig mentioned that coordination of responsibility for traffic improvements may be difficult given the different roadway jurisdictions.

Commissioner Ellingson wondered if the access could be moved further to the west. This would be difficult given the wetland located directly west of the access.

Commissioner Asmus stated that the Planning Commission could delay action on the Application to provide time to explore the traffic issue. He then asked for clarification on what condition #10 actually means. What would the City require based on the Applicant's intent? He would like to know the answer to this before the Planning Commission makes a recommendation.

Planner Rybak responded that this is an engineering condition. She stated that her assumption is that because they did not show usage of the service road on their site plan that they intend to discontinue using it.

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 4:58 p.m., June, 13, 2022, to consider a Variance Request by JJ Holdings LLC, at 1103 N Sibley Ave.

No comments were heard and the hearing was closed at approximately 4:59 p.m.

Based on the findings of facts and submitted plans, Commissioner Flaata made a motion to recommend approval of the rezoning and site plan review requests by JJ Holding LLC, at 1103 N Sibley Ave. This motion was seconded by Commissioner Dahl.

Commissioner Asmus added further conversation asked the Planning Commission should move forward with the approval without waiting for any information traffic patterns an give up that opportunity to learn, or should they ask for additional information and give 30 days to receive and review that information.

Commissioner Woods asked if that would push the project out? Commissioner Asmus responded that it would. The Planning Commission discussed this option further. Agreement was reached that adding two additional conditions would require the Applicant, City staff and the City Council to address the questions surrounding traffic and the service road. Commissioner Flaata added the following conditions to his motion:

14. The Applicant shall work with MnDOT regarding the access road that exists within the Hwy 12 ROW. If possible, existing service road and access points shall be closed off and/or removed.
15. The Applicant shall work with the City Engineer on potential solutions to anticipated traffic issues and implement any that are feasible for the City of Litchfield.

All members present voted aye.

Motion carried.

#### **IV. NEW BUSINESS**

##### **A. ZONING ORDANCE AMENDMENTS**

Planner Rybak provided an update on the work completed over the last month on the Zoning Ordinance amendments.

Allowable sign square footage in the B-4, I-1 and I-2 Districts has been the cause of many variances. Planner Rybak requested feedback from the Planning Commission regarding alterations to the regulations that would not increase the square footage of allowable signage, but increase the flexibility for business owners to construct the signage they need without getting a variance. She proposed that the 100 square foot maximum per sign be removed, in favor of allowing up to four signs, with a total square footage of 400 square feet, which people could split between up to the four signs however they saw fit. The Planning Commission was supportive of this approach.

She also stated that the B-3 Roadside Business District is intended for businesses that cater toward motorists, and a maximum sign size of 40 square feet and two allowable signs does not seem to fit with the permitted businesses. She asked the Planning Commission for feedback on this item. The Planning Commission was supportive of increasing the allowable signage on site to up to 100 square feet, with two signs allowed.

The Planning Commission then went through each zoning district's purpose statement individually. The Planning Commission recommended some minor edits to several of the districts to better summarize the intended uses for each district. The B-2 Retail Shopping District was discussed in detail. Planner Rybak proposed changing the name to "B-2 Downtown Business District" to convey that the district is home to a variety of uses and is located downtown. The Planning Commission agreed with this proposed change.

**V. OLD BUSINESS**

**VI. ADDITIONAL ITEMS**

**VII. SET HEARING DATES AND TIMES**

The next scheduled meeting is Monday, July 11, 2022, at 5:30 p.m.

**VIII. REVIEW OF COUNCIL ACTIONS**

**A. VARIANCE & SPECIAL SIGN PERMIT REQUEST GRANTED** - by Meeker Cooperative at 1725 E US Hwy12. Variances to accommodate modifications to the existing monument sign on the property.

**IX. ADJOURNMENT**

Commissioner Asmus adjourned the meeting at approximately 5: 36 p.m.

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Hannah Rybak  
City Planner