

I. CALL TO ORDER

A meeting of the Planning Commission was held on Monday, September 12, 2022, commencing at 5:30 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	Larry Dahl	Present
Commissioner	Eric Mathwig	Present
Commissioner	Jeff Woods	Present
Commissioner	Tom Zens	Present
Commissioner	James Ellingson	Present
City Planner	Hannah Rybak	Present

B. ANNOUNCEMENT OF ADDITIONAL ITEMS

Resignation of Commissioner Ellingson

II. APPROVAL OF MINUTES

It was moved by Commissioner Dahl, seconded by Commissioner Mathwig, to approve the minutes of the August 8, 2022, meeting. All members present voted aye.

Motion Carried.

III. SCHEDULED ITEMS

A. NONE:

IV. NEW BUSINESS

A. REQUEST FOR SITE PLAN REVIEW – 212-216 E NELSON STREET

City Planner, Hannah Rybak, provided an overview of the request. Mr. Shilling has proposed a single-building apartment development consisting of five units. Each unit would contain one bedroom, one bathroom and an attached garage. The properties are currently owned by the City of Litchfield, and would be combined into one parcel when Mr. Schilling takes ownership. Following site plan approval, a development agreement between Mr. Schilling and the City of Litchfield would be signed. Mr. Schilling has proposed individual utility connections to serve each unit, individual driveways and intends to plat at least five trees following construction.

Commissioner Asmus asked if the parcel directly to the east (222 E Nelson St.) is included in the development. Planner Rybak responded, no, the City is retaining ownership of that parcel.

Commissioner Ellingson asked how the garages compare to the size that the Planning Commission previously discussed as a new minimum requirement. Planner Rybak responded that the proposed garage is 12' x 23', which is one foot short of the 24' depth that the Planning Commission discussed. Planner Rybak stated that the requirement the Planning Commission discussed is not codified yet.

Commissioner Flaata asked how it would work with utilities for telephone and electricity, if the property is all filled in and leveled flat, because it looks like those are located at the back of the lot. Planner Rybak responded that the City utilities (water and sewer) will come from the front of the lots, and directed the Planning Commission to ask the Applicant about his plans for connecting additional utilities.

Commissioner Flaata asked where all the water from the development will go, because it is currently low land. Planner Rybak responded that her understanding is that the City is retaining ownership of 222 E Nelson St. for that purpose. The lot will remain undeveloped.

Commissioner Asmus asked for clarification on the renderings. It appears that one side of the building shows a grade change from the front to the back of the lot. Mr. Schilling stated that is a computer error; his intent is to make the entire site flat. He plans to construct an 8' x 8' or 10' patio for each unit in the rear yard.

Commissioner Asmus stated that he is concerned with the trash containers potentially being stored outside and Mr. Schilling's ability to enforce that his residents keep them in the garage outside of collection days. He asked if a dumpster was considered rather than individual trash service. Mr. Schilling responded that he has tried having a dumpster at other properties he owns, but they tend to turn into community dumpsters, and he then has to pay the disposal fee for large items such as TVs and mattresses. He believes that the proposed garages are plenty large to accommodate the storage of individual trash and recycling containers.

Commissioner Flaata asked if Mr. Schilling has heard anything about a holding pond on 222 E Nelson St. in his discussions with City Staff. Mr. Schilling responded that he knows that the City wants to retain ownership of the lot and there is a pump of some sort located on it. He knows the water from his development has to run that way.

Commissioner Asmus stated that he is concerned that there isn't much of a buffer between this proposal and the neighboring single family. He feels that five trees are enough. Mr. Schilling stated that he would be willing to plant more trees, but he didn't know how much room he is going to have and did not want to over-promise. He will take this under advisement and plant what he can following construction.

Commissioner Ellingson pointed out that plantings do not need to be solely trees. Hedges or other plantings could provide screening and not take up as much space for root systems. Mr. Schilling stated that he is unsure if there are utilities along the west side property line. If there are not, hedges would be an option.

Commissioner Asmus asked what the timeframe for development is? Mr. Schilling responded that he is having a difficult time finding an engineer with ability to draw up his plans right now. Everyone he has reached out to does not have time until winter. He is hoping to get going on fill as soon as possible to allow it to settle over the winter. He would then begin construction in the spring.

Commissioner Asmus commended Mr. Schilling on his courage to continue development within the City of Litchfield.

After discussion, Commissioner Mathwig made a motion to recommend approval of the site plan, at 212-216 E Nelson Street, subject to the following conditions:

1. The two subject parcels must be combined together prior to issuance of a building permit.
2. Five trees must be planted, as shown on the site plan, following construction.
3. Any alterations to the site plan shall be submitted to City Staff for determination on whether they are minor or major. Any major alteration shall require a site plan amendment, with review by the Planning Commission and City Council.
4. A final site plan, grading plan and drainage plan shall be submitted to the City for review and approval.
5. All street and curb and gutter areas disturbed by construction shall be restored to match the in place style and sections.
6. The developer shall be responsible for all permits required for the development.
7. The developer will need to verify the location of the in place sanitary sewer and water services as they relate to the proposed building location. All connections to the existing service lines and any new service connections will need to be inspected by the City.

This motion was seconded by Commissioner Woods. All members present voted aye.

Motion Carried.

B. ZONING ORDINANCE UPDATES:

Planner Rybak requested Planning Commission input on several areas of the Ordinance to assist in drafting proposed amendments.

Currently there is a conflict regarding people residing in temporary dwellings within the City. Temporary dwellings would include a garage, a tent, a recreational camping vehicle, etc. One of the current provisions allows this for up to four weeks, with no City approval. The second provision states that it is permissible in emergency cases, with prior approval by the City through an administrative permit. The Planning Commission discussed and recommended that it be allowed in emergency cases for up to four weeks, through the issuance of a zoning permit. City Staff would have the discretion to review and approve or deny the permit based on the individual application.

Planner Rybak requested that the Planning Commission discuss the conditional use permit requirement to move any structure over 200 square feet in size within the City of Litchfield. We have processed this for several detached accessory structures over the years, and it is staff's opinion that the process may not be necessary. If a building permit were to be used instead, the building official would still inspect the structure in its current location to ensure that it is fit to be moved. They would also still provide requirements that any component of the structure needing repair would be fixed or replaced upon relocation. Finally, the standard building relocation performance standards would still apply. Staff feels confident that these items can be adequately addressed through the building permit process, and bringing the project forth for a

conditional use permit is not necessary in these cases. The Planning Commission discussed this and agreed with staff. They determined that accessory structures up to 720 square feet in size could be relocated without the need for a conditional use permit, using only the building permit process.

The Planning Commission discussed screening standards. Currently, the Zoning Ordinance contains very few standards for when screening is or is not required. The Planning Commission determined that the most important situation where screening is necessary is between residential uses and non-residential uses. The Commission does not want to require screening that would cause sight issues for motorists. Planner Rybak explained that the clear vision triangle prevents screening to be required in an area where it will cause visibility issues. The Planning Commission indicated that they would prefer not to place hard requirements regarding screening of parking lots. Rather, they would like the code to encourage it, and have the ability to place screening as a condition on a site plan approval if it is necessary. The Planning Commission stated that they would be supportive of a requirement to provide screening in the event of a non-residential use immediately abutting a residential use.

The Planning Commission engaged in a lengthy discussion regarding exterior storage at commercial and industrial properties. This is a difficult topic, as there is some ambiguity in the current provisions relating to this, and many businesses within Litchfield need to have some level of exterior storage to function. The Planning Commission feels very strongly that they do not want to overburden these businesses with additional regulation. The Planning Commission also desires to make Litchfield's commercial and industrial districts look nice. The Planning Commission agreed with Planner Rybak's recommendation on which commercial and industrial districts should contain exterior storage as a permitted accessory use. After a lengthy discussion, the Planning Commission indicated to staff that minor changes to correct the issues with the current code would be the best path forward. Removing the requirement that all exterior storage comply with principal structure setbacks is necessary. The Planning Commission would like to see this item back before them, with a firmer recommendation from staff.

V. OLD BUSINESS

Planner Rybak provided an update regarding the access points and frontage road for the proposed orthodontic clinic at 1101 North Sibley Ave. City Engineer Chuck DeWolf provided confirmation that MnDOT would be removing the two north access points and the frontage road. The developer for the orthodontic clinic will be utilizing the southern access and portion of the frontage road for the construction, and those items would be removed by the property owner following construction.

VI. ADDITIONAL ITEMS

Commissioner Asmus accepted the resignation of Commissioner Ellingson, and read the following statement: "Effective after tonight's meeting, I will be resigning from the Planning and Zoning Commission due to a pending move outside of the Litchfield city limits, scheduled for October 1st 2022. Thank you for having me as a member of the Commission, it has been a short but educational and enjoyable experience."

Commissioner Asmus thanked Commissioner Ellingson for his work on the commission.

VII. SET HEARING DATES AND TIMES

The next scheduled meeting is Monday, October 10, 2022, at 5:30 p.m.

VIII. REVIEW OF COUNCIL ACTIONS

There was no Planning Commission business on the City Council agenda on August.

IX. ADJOURNMENT

Commissioner Asmus adjourned the meeting at approximately 7:14 p.m.

Hannah Rybak
City Planner