PLANNING COMMISSION
CITY OF WABASHA

Minutes of the December 14, 2010 meeting:

COMMISSION MEMBERS:	John Friedmeyer, Chair	Claire Abbott
	Jim Niemantsverdriet	Charles Bricher
	Rollin Hall	Ron Benson
	Brian Wodele	

STAFF PRESENT: Molly Patterson-Lundgren, City Planner
Phil Rosendale, Zoning Administrator
Patty Heraty, Administrative Assistant

The regular meeting of the Wabasha Planning Commission was held on Tuesday, December 14, 2010 and was called to order by Commissioner Friedmeyer at 7:00 pm.

Roll found all members present.

Commissioners Bricher and Wodele moved to approve the 11/8/10 regular minutes and the 11/30/10 special meeting minutes. Approved unanimously.

There were no changes or additions to the agenda.

Commissioners discussed the list of potential changes to the Zoning Ordinance. The following proposed changes to the Zoning Ordinance were discussed:

> Changing the maximum building height in the downtown district was discussed. The item has been previously discussed and it was decided that staff should talk to the city attorney for more information. The basis for changing the ordinance is to allow for taller buildings with a CUP because currently variances would have to be issued and it would not be possible to grant a variance based on the current state Supreme Court decision. Molly stated that she had talked to both the city attorney and the LMC attorney and there does not seem to be anything in state statute indicating that they cannot change the ordinance to allow taller buildings with a CUP. Molly stated that the variance criteria issue would be going before the state at this legislative session and the LMC is pushing the issue. Discussion also included eliminating height requirements in the downtown districts. Molly also provided an “option B” for changing the ordinance which would allow for “structures or lots not meeting District Minimum Performance Standards” within a district with a CUP. Option B would change requirements for all districts not just the downtown district. After all discussion, the commission decided to table this issue until after the state legislative decision on the variance issue.
>
> Commissioner Friedmeyer asked if an applicant can request a zoning ordinance change. Molly stated that anyone can request a zoning ordinance change and that it requires a public hearing.

(Commissioner Hall left the meeting at 7:47)

> Commissioners also discussed proposed changes in section 305.06 District Regulations; Performance Standards; and Definitions.

Molly provided commissioners with a handout on Excavations for discussion. It was decided that commissioners would review the information provided and put in on the next agenda for further discussion.

Molly updated commissioners on open CUP’s. Molly provided commissioners with the following list of open CUP’s and current project status:

Parkside Marina
CUP for **operation of a campground**
Issued April 13th 2010

Condition	Status
1. Campground/Marina rules will be completed by the applicant that will establish expectations for campers which will include: a. No campfires allowed b. Quiet hours The final set of rules will be reviewed and approved by the Police Chief prior to final acceptance.	**Completed**
2. Prior to opening of the campground, the applicant shall submit a copy of all required state and/or county permits indicating that Department of Health regulations for recreational camping areas is being met.	e-mail dated 9-7-10 indicated applicant is working with public health
3. All lighting will meet city standards when changed	**No action expected** until changed
4. All campers will be registered	**No action expected**
5. Campers (recreational camping vehicles) will only be allowed 1 unit per each designated campsite	Stated in list of rules
6. Only guests of registered boat slip customers will be allowed to utilize campsites and the registration process will enforce this	**No action expected**
7. No tents are allowed in the camping area	Stated in list of rules
8. No recreational camping vehicles are allowed in the marina or in the campsite area between October 15th and April 15th	Stated in list of rules

Parkside Marina
CUP for **operation of a gas pump**
Issued April 13th 2010

Condition	Status
1. The applicant will provide city staff with copies of all MPCA permits for gas pumps as they are issued.	**Completed** - no "permits" required. See e-mail from Molly dated 9-7-10
2. The applicant will provide city staff with copies of all DNR permits.	**Completed** – on file
3. The applicant will provide city staff with an emergency management and access plan approved by the Fire Chief.	**Completed** - verbal approval confirmed with Keith 12-7-10
4. The applicant will submit a lighting plan for the pump house for staff approval.	

Troy's Bait Bucket – CUP for mixed use residential & marina operation
issued May 11th 2010
Status of Conditions

	Condition	Status
1.	The applicant will work with the County Engineer and DNR area hydrologist and obtain any necessary permits or permission from those agencies prior to completion of the landscape plan with copies of approval provided to the City for file	Applicant indicated **this may not move forward** in e-mail dated 7-26-10

2.	No wastewater pumping facilities will be provided as part of the marina	**No action required** unless violation occurs
3.	A set of rules will be established by the applicant to provide to customers regarding the conduct and this be provided to the City	**Still has not been provided** – e-mail of 7-26-10 indicates he would send it. Reminder e-mail sent to Troy on

Notes:
Reminder on need for list of rules (condition #3) e-mailed to Troy on 12-3-2010

Interim Use Permit issued May 11th 2010
Troy's Bait Bucket topographic alteration
Status of Conditions

	Condition	Status
1.	The final landscaping plan will include any and all necessary best management practices to provide adequate erosion control both during and after construction (e.g. silt fencing or other appropriate methods)	Applicant indicated **this may not move forward** in e-mail dated 7-26-10
2.	The final landscaping plan will be approved by DNR & County Engineer prior to construction work commences	Applicant indicated **this may not move forward** in e-mail dated 7-26-10
3.	The project shall be completed by April 30th 2011	**Deadline has not yet occurred**

Mud Duck Marine – CUP issued June 8th 2010
Status of Conditions

	Condition	Status
1	Applicant will acquire any state or local permits for any additional infrastructure (electrical/water/sewer) expansion. Copies of all permits will be provided to the city.	**No action expected** until/unless work is planned
2	Any waste pump out services for personal use must meet state sewage disposal code requirements	**No action expected** until/unless work is planned
3	Existing pump out facilities will be for personal use only	**No action expected** unless changes planned
4	A set of rules will be established by the applicant to provide to customers regarding the conduct and a copy will be provided to the city.	**Completed**
5	No wastewater pumping facilities will be provided as part of the marina services	**No action expected** unless volition occurs
6	Any approvals and/or permits required at the time of construction of the stone wall (indicated on the application diagram) shall be received prior to construction commencing	**No action expected** until/unless work is planned

Notes:
e-mail sent to Bill on 7-27-10 with resolution CUP attached.
Phone call with Bill 12-7-10 asking for list of rules

Wabasha Motel & RV – CUP issued April 13th 2010
Status of Conditions

	Condition	Status
1.	The Fire Chief will approve a final plan for a walkable footpath to the adjacent existing fire hydrant	

2.	State stormwater construction permit application materials and copy of the permit (once it is issued) will be provided to the City for review and file	
3.	The applicant or future owners of the campground real estate shall be responsible for extending any necessary trails sidewalks, or other transportation infrastructure through or past this development when this is required in the future for future development	**No action expected** unless/until development occurs nearby
4.	Prior to opening of the campground, the applicant shall submit a copy of all required state and/or county permits	
5.	Any new lighting will meet City requirements (contained in the Zoning Ordinance or other regulations as adopted)	**No action expected** until development occurs
6.	Campground rules will be finalized and provided to planning staff for filing upon completion and will be provided to all campers	

Notes:

11/08/2010
Phil talked with Elaine Miller about where they are at with the CUP that was approved back in April 2010 for the explanation to their campground. Over the past several months they have looked at what changes that would be required to meet the requirements set forth within the CUP. Their plans are to work with a designer over the winter, bring those plans to the city planning dept. possibly the Planning Commission if warranted, and to start construction in the spring 2011.

11/8/10
Dan stopped into the Planning Commission meeting to assure that work is proceeding

12-6-10
Dan was in early last week to show me the types of changes he is looking at. He is looking at adding some commercial and/or moving some of the camp sites to behind the hotel. I suggested he refine the changes and bring them into the Planning Commission in January.

Molly brought forward for discussion the Eagles Landing Condo's drainage issue. Molly stated that she has been in contact with Dave Oschner of the Eagles Landing Condo Association and that they had recently authorized a contractor to install a temporary drainage pipe/tile extension because of recent flooding issues. The extension was installed on city property without city authorization or obtaining a permit. Molly stated that the issues are that they have changed the original PUD plans by changing the site plans and also by draining onto someone else's property and digging on someone else's property, and also not obtaining necessary permits. Molly will work further with Mr. Oschner to assist to resolve the issue.

Molly provided commission members with a copy of the 2011 meeting and application deadline schedule.

Subdivision Ordinance updates. Molly state that she is currently working on the draft.

There was no Board of Adjustment business.

Sign permit update. Molly stated that a new sign for a spa/massage therapist has been installed on the Yenter property by the dentist office without a permit. She has spoken with them and they did not realize they needed a permit since they were replacing a current sign. Phil will call and remind them that they need to get a permit.

Commissioner Abbot asked if there was an ordinance allowing guns in city limits. Phil stated that guns are not allowed to be discharged within the platted portion of the city.

Commissioners thanked Commissioner Hall for his service.

Having no other business, by unanimous consent the meeting was adjourned at 8:56pm.

Respectfully submitted by: _____

Patty Heraty, Administrative Assistant