

OWATONNA PLANNING COMMISSION MINUTES FOR JUNE 11, 2024

The Owatonna Planning Commission met in regular session at 5:30 p.m. in the Charles S. Crandall Center – Chambers at City Hall with Chairperson Kelly Rooks conducting the meeting. Present at roll call were Commissioners Mark Meier, Kelly Rooks, John Eickhoff, Nick Peake, and Mark Wilson. Commissioners Rachel Springer-Gasner and David Effertz were absent. Community Development Manager Greg Kruschke, Planning Specialist Ashley Zidon, and Administrative Technician Kristen Kopp were also present.

A motion was made by Eickhoff and seconded by Meier to approve the minutes of the regular meeting of May 28, 2024. All Commissioners voting Aye, the motion carried.

Conditional Use No. CUP-15; which is a request by Jason Hall, with the consent of the City of Owatonna, to construct a 155 foot tall cell tower on the subject property at 1215 Kilworth Drive NW; was presented by Community Development Manager Greg Kruschke. The tower will allow for future co-locations in addition to the proposed tenant for the property located at 1215 Kilworth Drive NW. (Refer to report on file.) Public hearing opened at 5:34 p.m. No comments were made regarding this request. Public hearing closed at 5:35 p.m. Eickhoff asked why a variance for a fence wasn't being pursued. Kruschke said that the code allows seven feet. When you go to eight feet it requires a lot of building code requirements including structural engineering. Barbed wire isn't allowed. This is what they applied for. They didn't apply for a variance and they are required to meet code. The conditions are that they meet code. A motion was made by Eickhoff and seconded by Wilson to recommend City Council approval of CUP-15, a request to construct a 155 foot tall cell tower on the subject property located at 1215 Kilworth Drive NW with the following conditions:

- 1) All fencing shall be constructed in full compliance with the ordinance.
- 2) All lease terms shall be met at all times.
- 3) All FAA Rules and permits shall be met.
- 4) Access drive and any private utilities be located to the north of the current utility easement.
- 5) A grading permit will be required for the lease area. All applicable stormwater requirements will be required to be met.

All Commissioners voting Aye, the motion carried.

Application VAR-18; which is a request by Eric Hoyer, Two Rivers Habitat for Humanity, for a side yard setback variance of nine (9) feet where a 20-foot side yard setback is required from the east property line on a corner lot located at 824 Vine Street East; was presented by Planning Specialist Ashley Zidon. Section 157.028 (A) states the setback requirements. (Refer to report on file.) Public hearing opened at 5:43 p.m. Janice Stavenau of 818 Vine Street East, the property to the west of the subject property, said there isn't much room between the house and her property line. She said she doesn't understand; there is not 30 feet there. The alley gets used a lot and she doesn't understand how they can build a house that close to hers. Peake said that the proposed structure shows that it is 10 feet from the side property line. Peake said that her garage looks to be less than ten feet from the property line. She said yes; there is an evergreen tree where the property line ends. Wilson said that the side yard setback from their house is 10 feet, not 30 feet. Meier said the house isn't going to go all the way up to the property lines. Zidon showed the actual survey of the house in relation to the property lines. It will be 10 feet from the property line between their houses. Kruschke said that the City ordinance requires ten feet from the side property lines for all residential zoning districts and the majority of houses in the City. That west property line is in compliance and could be built

anywhere in the City. The variance they're requesting is to go closer to the property line along Birch Avenue—to go from 20 feet to 11 feet. An interior side yard setback of 10 feet is the rule for any lot in the City. Janice Stavenau said she would just put a fence along that property line. Public hearing closed at 5:50 p.m. Meier asked if anyone has looked at financing capabilities for nonconforming lots such as this. This would fall into the category of something that would be financed through FHA. Taylor Herman, Board Chair of Two Rivers Habitat for Humanity, said that if that becomes an issue, they would be financing it through their own financing. Eickhoff said that in order to build anything on this lot, you'd have to have a variance. A motion was made by Eickhoff and seconded by Meier to recommend City Council approval of Application VAR-18, a request for a side yard setback of nine (9) feet based on the findings of fact and the following conditions:

- 1) The site triangle at the corner of Birch and Vine must remain open, completely free of obstruction, during construction and post-construction.
- 2) No yard encroachments such as decks or steps shall be permitted in the east side yard setback.

All Commissioners voting Aye, the motion carried.

CUP-16; which is a request by Kelly Snyder, Wold Architects, on behalf of ISD 761 for a 3,200 square foot vehicle storage building on the subject property located at 333 School Street East; was presented by Community Development Manager Greg Kruschke. (Refer to report on file.) Kruschke said they've received two calls inquiring about this request. One wanted to know if kids could still play on the grass and the other was clarifying the request. There were no concerns from those people. Public hearing opened at 5:56 p.m. No comments were made regarding this request. Public hearing closed at 5:47 p.m. Eickhoff said the request itself seems fairly simple and asked if there is a long-term plan for the site that could be shared at this time. Bob Olson, ISD 761, said as far as long-term plans, they don't know what's going to happen in the future. As of right now, the District Office is moving into the building to the north and the Maintenance Facility is moving into the old Ag Building. Peake asked if those functions are in separate buildings now. Olson said yes, the District Office is on Bridge Street and the Maintenance Facility is near The Eagles on Rose Street. Peake said it seems to fit with the other buildings and doesn't encroach on the green space. A motion was made by Peake and seconded by Wilson to recommend City Council approval of CUP-16, a request for a 3,200 square foot vehicle storage building on the subject property located at 333 School Street East with the following conditions:

- 1) Proposed fencing shall be in compliance with the action taken on VAR-19.
- 2) No additional structures shall be permitted without a public hearing process.
- 3) A final inspection shall be scheduled with the City once construction is completed.

All Commissioners voting Aye, the motion carried.

Application VAR-19; which is a request by Kelly Snyder, Wold Architects, on behalf of ISD 761 for an eight (8) foot tall fence on the property where code only permits a seven (7) foot tall fence on the subject property located at 333 School Street East; was presented by Community Development Manager Greg Kruschke. (Refer to report on file.) Public hearing opened at 6:00 p.m. No comments were made regarding this request. Public hearing closed at 6:01 p.m. Meier said it is pretty straightforward request and he sees no issues with it. A motion was made by Meier to approve VAR-19. Meier withdrew his motion to allow for the question. Eickhoff asked why there is a seven foot requirement. Kruschke said it used to be that anything over six feet required a building permit. Our code allows for seven foot fences. There are building codes that come into play with eight feet. Bob Olson said that the chillers are eight feet and they wanted to

have less of that showing to the public. If seven feet is the way it is, that's the way it is. Peake asked about the existing fence around the track area. Olson said he believes there is fencing that is above eight feet due to it being on top of a retaining wall. A motion was made by Eickhoff and seconded by Meier to recommend City Council approval of VAR-19, a request for an eight (8) foot tall fence where only a seven (7) foot tall fence is permitted with the Findings of Fact:

- 1) The property is zoned R-1 Single Family Residential.
- 2) The variance application was published and notice was provided to property owners within 350 feet of the subject property and published in the Owatonna Peoples Press.
- 3) A public hearing was held at the Planning Commission on June 11, 2024.
- 4) The variance is in harmony with the general purposes and intent of the Ordinance.
- 5) The request is in general alignment with the Comprehensive Plan.
- 6) The circumstances of the property are not entirely caused by the landowner.
- 7) The variance request does differentiate in the fencing height to solve the security issued.
- 8) The variance will not alter the essential character of the neighborhood.

and the following condition:

- 1) A building permit and structural engineering are required for the fence.

Commissioners voting Aye: Eickhoff, Meier, Rooks, Wilson. Commissions voting No: Peake. 4 to 1, the motion carried.

Final Plat of Cashman Addition No. 3, which is a 0.56± acre tract of land zoned R-6 High Density Residential District, requested City of Owatonna and located at 285 22nd Street NW, was presented by Planning Specialist Ashley Zidon. (Refer to report on file.) A motion was made by Wilson and seconded by Peake to recommend City Council approval of this final plat, Cashman Addition No. 3, based on the findings of fact and the following conditions:

- 1) The final plat shall be recorded within 60 days of approval.
- 2) The title opinion shall be approved by the City Attorney prior to recording of the final plat.
- 3) Subject to City Engineer comments before recording.

All Commissioners voting Aye, the motion carried.

Community Development Manager Greg Kruschke gave an update on previous items. City Council approved the Karsten request on Canterbury Place as well as the preliminary plat of Cashman Addition.

Community Development Manager Greg Kruschke provided the monthly Building Reports for May. Single Family construction is low, but is starting to pick up.

There will be one item on the June 25 meeting—storage buildings on 26th Street NW.

A motion was made by Meier to adjourn and seconded by Peake at 6:14 p.m. All Commissioners voting Aye, the motion carried.

Respectfully Submitted,

Greg Kruschke
Community Development Manager