

City of Winsted
Planning Commission
City Council Chambers
September 14, 2011
6:00 p.m.

Present: JoLynn Cafferty
Dan Dickhausen
Marvin Ebensperger
Max Fasching
Mike Guggemos
Tom Ollig – Council Liaison

Staff Present: Brad Martens, City Administrator
Raquel Kirchoff, Administrative Assistant

1) Call the Meeting to Order

Ebensperger called the meeting to order at 6:00 p.m.

2) Approval of Minutes

Fasching motioned to approve the minutes from the Planning Commission Meeting on May 11, 2011. Dickhausen seconded the motion. Motion carried 5-0.

3) No Public Hearings

4) **Old Business**

a.) Zoning Ordinance – Section 1501 Amendment

Ebensperger moved this agenda item of how the Planning Commission members wanted to receive the recently updated Zoning Ordinance – Section 1501 Amendment to the end of the meeting, after the Site Plan Review was completed.

The Planning Commission revisited this subject when the discussion for the Casey's site plan was finished. They decided that they would like to have the updated Section 1501 Amendment to the Zoning Ordinance distributed in both electronic and paper format. Kirchoff will distribute these copies to the Planning Commission.

5) New Business

a) Planning Commission Resolution PCR-11-05 – Site Plan Review for Casey's General Store – 240 6th Street North

John Anderson, Municipal Development Group, Incorporated was present and gave the following complete review of the site plan.

Background:

Casey's convenience store is located on the site at 240 – 6th Street North and the applicant is proposing to reconstruct the building, reconfigure the parking area and relocate the gas pumps and canopy. The lot is 49,332 square feet, or 1.13 acres and the building is ninety-three (93) feet long by forty (40) feet wide, or approximately 3,720 square feet. The property is not located in a shoreland area, so a review from the Department of Natural Resources (DNR) is not required; however, it is located on McLeod County Road One (1) and has access to County Road One (1), so a McLeod County Highway Department review has been completed. The only review comment from Chad Hausmann, McLeod County Highway Department Engineer, is that the applicant is required to receive an approved access permit prior to construction.

Land Use Plan:

The property is guided Commercial/Retail and the proposed use would be consistent with the existing land use designation.

Zoning Classification:

The current zoning is C-2 Highway Commercial. Directly north of the property and across the street (Westgate Drive) is zoned R-1 Single Family Residential District, to the west is a City park which is zoned R-1, and to the south is more C-2 Highway Commercial.

Zoning Requirements for Auto Service Stations:

The following requirements are located in the Winsted Zoning Ordinance for auto service stations and the site plan does, for the most part meet these requirements, except for the item of setbacks as they relate to Casey's wanting to keep the current store open while the new store is being constructed. The current site plan shows that Casey's will need to apply for a variance for the rear setback.

1. **Setbacks.** When this use is adjacent to residential districts, the service station buildings, signs and pumps shall be a minimum of twenty-five (25) feet from the adjoining property. In commercial areas, the structures shall be set back at least ten (10) feet from the adjoining property.
2. **Curb and Gutters.** Concrete curb and gutters shall be installed on all streets giving access to the station. There shall be a six (6) inch curb along all interior driveways.
3. **Fencing and Screening.** When adjacent to residential property, there shall be a screening fence.
4. **Vehicles.** No vehicles shall be parked on the premises other than those utilized by employees or awaiting service. No vehicle shall be parked or be waiting for service longer than fifteen (15) days.
5. **Exterior Storage.** Exterior storage, besides vehicles, shall be limited to service equipment and items offered for sale and those items listed in Subdivision eight (8) below. Exterior storage of items offered for sale shall be located in containers such as racks, metal trays and similar structures designed to display merchandise.
6. **Screening.** All areas utilized for the storage or disposal of trash, debris, discarded parts and similar items shall be fully screened. All structures and grounds shall be maintained in an orderly, clean and safe manner.
7. **Architecture.** The station and other buildings shall be of a design that is compatible with the surroundings.
8. **Outdoor Displays.** The storage of new or used tires, batteries and other such items for sale outside the building shall be controlled. Such items shall be displayed in specially designated containers and be limited to one or two areas well back from the street right-of-way line. Junk cars, empty cans and other unsightly materials will not be permitted in an area subject to public view.
9. **Lighting.** Lights shall be designed and placed in such a manner as to direct the light away from residential areas.
10. **Other Activities.** Business activities not listed in the definition of service stations and not incidental to the station are not permitted on the premises of a service station unless a conditional use permit is obtained specifically for such business. Such activities include but are not limited to the following: a) automatic car and truck wash, b) rental of vehicles, equipment or trailers, and c) general retail sales.
11. Gas pumps located at and a part of other types of business establishments shall require a conditional use permit.

Permitted Use:

The proposed use would be a permitted use within the C-2 zoning district as a: *"Automobile Service Stations including sales, gasoline service stations and auto repair garages, provided that no filling station, public*

garage or gasoline distributing station shall be located within two hundred (200) feet of a school, church, hospital or meeting place having a seating capacity of more than fifty (50) persons."

Lot, Yard, Area, and Height Requirements:

Within the C-2 Highway Commercial District the following lot, yard, area and height requirements shall apply:

	District Standard	Existing or Proposed
Lot Area (minimum)	No minimum	49,332 sq ft
Lot Width - minimum	No minimum	218.84 feet
Front yard setback - minimum	60 feet from back of curb	162 feet
Side yard setback – minimum	20 feet	Setback met
Rear yard setback - minimum	30 feet	22 feet 8 inches proposed
Height - maximum	35 feet	18 feet
Lot coverage maximum - structures	50%	Under 50%

In determining the front lot line of a lot, the frontage shall be defined as that side which contains the main entryway for the building. In this case, that would be the east side of the building which faces Sixth (6th) Street North (CR 1).

At this time, the rear yard setback does not meet the required rear yard setback of thirty (30) feet and would require a variance as a condition of the approval of the site plan. Although there is sufficient room on the site to move the building further to the east to meet the setback requirement, the applicant has stated that the building is located where it is so they can keep the existing building open while construction begins on the new building. The variance needed would be a six (6) foot, seven (7) inch variance from the required thirty (30) foot requirement.

Building Materials:

The proposed building materials are a mixture of materials varying depending on the side of the building. The front is a majority of brick in an antique red color in a running bond pattern. The windows and doors are a bronzed framed tinted glass and the signage is a synergy senerflex Exterior Insulation Finishing System (EIFS) system in a slate white color and a sierra texture. Bronze cap flashing is also proposed at the top of the building. A large sign in the center of the building will say "Casey's General Store" and two (2) smaller signs, one right and one left of the Casey's General Store sign, will say "Homemade to Go, Pizza, Donuts Subs". Two (2) signs will be located below the two (2) smaller signs within the brick facade.

The right and left sides of the building are the same, other than the fact that the right side will have a side entry door which is a steel door that is dark bronze inside and outside. The same brick will be located on the bottom of the sides, two (2) feet ten (10) inches from the ground with steel sheeting panels that are behlen color surrey beige on the rest of the sides.

The rear of the building will also have the steel sheeting panels in the same color as the sides.

Chain link fences will also be proposed on both sides of the building around refrigerator ground equipment. The fence will have a running bond pattern with tool joint and be antique red in color. These fences will be six (6) feet in height.

Lighting:

Lighting has been shown on the plans. All proposed lighting shall meet the requirements of the City Engineer.

Canopy:

The applicant has proposed a canopy over the gas pumps twenty-four (24) feet wide by one hundred and fourteen (114) feet long. The canopy itself will be supported by eight (8) support structures that will be located

on each side of the pumps themselves. The canopy will be three (3) feet, nine (9) inches high and twenty (20) feet, three (3) inches from the ground to the top of the canopy. The fascia of the canopy will be tan and have fascia braces on top of it. One small Casey's General Store logo will be on each end of the fascia. There are eight (8) proposed spots to fill up gas under the canopy.

Parking:

As part of the site plan review, parking requirements will need to be satisfied. The following general parking requirements will need to be met:

Four (4) spaces, plus two (2) spaces for each service stall, plus additional spaces as may be required for related uses contained within the principal structure will be required.

The applicant has proposed eight (8) service stalls for the gas pumps which would require sixteen (16) off-street parking spaces plus the four (4) other spaces required for a total of twenty (20) off-street parking spaces required.

With the most current plan received, the applicant has proposed thirteen (13) parking spaces, after removing the three spaces that were located in front of the trash enclosure on the original plans. The applicant has stated that the eight (8) spaces for cars to park at the pumps should also be included as off-street parking spaces. If that is the case, the applicant would have twenty-one (21) off-street parking spaces, but if the eight (8) spots for the gas pumps were not counted, the applicant would need to either add seven (7) additional spaces or receive approval of a variance reducing the required number of off-street parking spaces from twenty (20) to thirteen (13).

In all districts where off-street parking lots are permitted or required, such off-street parking lots shall be constructed and maintained subject to the following regulations that apply to this proposal:

- a. Adequate ingress and egress shall be provided.
- b. Such parking lots shall be maintained in a useable dust-proof condition, such as concrete, blacktop or properly treated crushed rock or some other permanently surfaced area and shall be kept graded and drained to dispose of surface water.
- c. Necessary curbs or other protections against damage to adjoining properties, streets and sidewalks shall be provided and maintained.
- d. Plans for the construction of any such parking lot must be approved by the City Engineer before construction is started. No such land shall be used for parking until approved by the City Engineer.

The new parking areas are proposed to contain curb for the boundaries of the parking lot and be constructed with concrete.

Civil Drawings:

As part of the site plan review, grading plans, utility plans and erosion control plans have been submitted by the applicant and will be reviewed by the City Engineer. All comments and questions on the grading plan should be submitted to the City Engineer.

Landscaping:

The zoning ordinance requires landscaping of yards fronting a county road and in this case the site fronts County Road 1 (CR 1) to the east. When landscaping is required, a landscaping plan must be submitted to the Planning Commission for review and comment and then submitted to the City Council for approval.

Anderson reviewed the landscaping plan that was submitted by the applicant with the Planning Commission. There are two (2) trees currently in the front of the property along McLeod County Road One (1) and they plan to add more ornamental trees here, as well as along Westgate Drive to the north, and also along the southwest portion of the property.

Fencing and screening is also required when adjacent to residential property in the form of a screening fence. The property to the west of this site is zoned R-1 Single Family Residential, but is not a residential property but instead a City park. It should be discussed if this constitutes a residential property and therefore require a screening fence. If the Planning Commission feels a screening fence is required a condition should be added as follows: **Screening.** *That a screening fence shall be required along the rear property line of the property and shown on the landscaping plan to be submitted to the City.*

Trash Enclosures:

A trash enclosure has been proposed as part of this site plan review and the proposed trash enclosure is required to be screened from views on all four (4) sides since the property abuts a residentially zoned district. It is proposed to be located south of the proposed building approximately twenty (20) feet north of the south property line and approximately forty (40) feet from the rear property line. The dumpsters will be located on a concrete pad that is nineteen (19) feet, four (4) inches deep and twenty-eight (28) feet long. The trash enclosure will hold two (2), eight (8) yard dumpsters and will be screened from views on all four (4) sides by a six (6) foot high chain link fence with brown vinyl slats. The front will have two (2), twelve (12) foot openings with double six (6) foot swinging doors in each opening.

Exterior Storage:

No exterior storage is noted on the plans.

Signage:

At this time, a Pylon sign has been proposed in the northeast corner of the lot and signage has also been proposed on the front of the building, as well as two (2) small Casey's General Store logos on the canopy. According to Section 1501.023 of the zoning ordinance, wall signs may not extend more than eighteen (18) inches from the wall they are attached to and wall signs may not exceed more than twenty percent (20%) of the wall area that they are affixed to. There are five (5) proposed signs on the front of the building totaling approximately 196.1 square feet, or approximately 11.9% of the front façade, or under the required 20% in the zoning ordinance.

No design standards have been provided for the proposed pylon sign but according to sign regulations in the zoning ordinance, freestanding signs shall not exceed eighty (80) square feet per sign face, and no more than one (1) freestanding sign is permitted on any site, and freestanding signs must be located at least five (5) feet from any property line.

Prior to any sign construction, the applicant shall be required to submit plans and specifications for all signs that meet the requirements of the zoning ordinance. The sign permit shall be in addition to other required building permits.

City Engineer Comments:

All plans and drawings shall meet the requirements of the City Engineer. Comments have been received from the City Engineer and are included in a memo that is within the Planning Commission's Packet for this meeting.

Building Permit Construction Review:

No building permit review has taken place at this time. It is expected that the building permit application would be submitted after the site plan review and approval.

CONDITIONS

If approval is recommended by the Planning Commission, the following conditions are proposed to be included. The conditions listed below may be subject to modification.

1. Zoning Ordinance Requirements. The site plan shall meet all the requirements within section 1501.014.E of the Zoning Ordinance.

2. Rear Yard Setback. The applicant shall receive a variance for a reduction in the rear yard setback from thirty (30) feet to twenty-two (22) feet, eight (8) inches, but with the updated site plan that has been received, this should be changed to twenty-three (23) feet, three (3) inches, prior to the issuance of a building permit by the City of Winsted.

3. Electrical Power Systems, Telephone and other Wire Communication Systems and Gas Systems.

Services for all electrical, telephone and other wire communication systems and gas lines shall be located underground. All maintenance and service shall be the responsibility of the supplier or its designated agent. Any and all meters or metering devices shall be attached to the main structure located on the premises.

4. Exterior Lighting. Any exterior lighting plans shall be reviewed and approved by the City Engineer prior to issuance of a building permit by the City of Winsted.

5. Off-street Parking Variance. That the applicant remove the three (3) off-street parking stalls located in front of the trash enclosure and either receive a variance from the City for a reduction in number of required off-street parking stalls or install an additional seven (7) off-street parking stalls on site that meet the City's approval. With the updated site plan that was received, the applicant has removed the three (3) off-street parking stalls located in front of the trash enclosure.

6. Parking. That all off-street parking stalls meet the required depth of twenty feet (20') and width of nine feet (9') as required within the zoning ordinance.

7. Striping. All parking stalls shall be marked with white or yellow painted lines not less than four (4) inches wide.

8. County Road Access. Any access revisions to county roads will require a permit to be issued by McLeod County and will be the responsibility of the applicant. All required permits shall be approved and delivered to the City prior to construction and issuance of a building permit by the City of Winsted.

9. City Engineer Approval. That the site plan meets all requirements and addresses all concerns of the City Engineer prior to the issuance of a building permit by the City of Winsted.

10. Landscaping. That a landscaping plan is submitted prior to issuance of a building permit by the City of Winsted and that all landscaping is installed according to the approved landscaping plan. It should be noted that a landscape plan has been received.

11. Signage. All signs shall meet the requirements of section 1501.023 of the zoning ordinance and no signs shall be replaced, installed or constructed until the appropriate sign permits have been issued by the City of Winsted.

12. Building Permit. That all appropriate building permits are issued before construction begins. No building or structure shall hereafter be erected nor construction on the existing structure shall be started until the Building Inspector or the designated representative has issued a lawful building permit from the City of Winsted.

13. Time Limit from Site Plan Approval until Building Permit is Issued. From the time the applicant receives site plan approval from the City Council, the applicant must be issued a building permit within twelve (12) months from the site plan approval date. Failure to do so will require the applicant to obtain a new site plan approval, with appropriate fees, to receive a building permit. The applicant may apply for one (1), six (6) month extension before the expiration date. Application for an extension is an administrative process.

ALTERNATIVES:

1. Recommend approval of the site plan subject to conditions.
2. Table this item to a date specific, and provide the applicant with direction on the issues that have been discussed.
3. Recommend denial of the site plan request.

4. Other specific action as directed by the Planning Commission.

RECOMMENDATION:

Anderson recommended the Planning Commission to review and discuss the site plan items and to recommend that the City Council approve the site plan for the proposed reconstruction of the Casey's General Store, with the above mentioned conditions by adopting Planning Commission Resolution PCR 11-05 approving the site plan with the conditions that have been stated in numbers one (1) through (13).

Anderson opened the discussion to the Planning Commission.

Brian DePrez and Chad Gramentz were present as representatives for Casey's. Planning Commission Member Fasching asked how long the existing store would be out of operation during the process. DePrez answered approximately six (6) to eight (8) weeks, if they are able to keep the current store open during construction.

Ebensperger asked for a review of where the retaining wall will be and Gramentz replied that it will be along the south property line and also part of the back rear property line as well. In addition, the retaining wall will have a chain link fence placed on top of it.

Ebensperger asked about how the lighting intensity would change from the old store to the new. DePrez answered that all lights were planned to be recessed and pointed down to avoid an increase in light intensity.

Planning Commission members discussed the rear yard setback that Casey's is requesting that will need a variance request submitted to the City. Because the area behind the store is a park, no one expressed any concern that the variance would not be granted because the setback is not from a house.

Gordon and Lenora Kubasch, 210 – 6th Street North, were present with questions regarding the project because they are the neighbors to the south of Casey's. They stated concerns that they have had papers blowing from Casey's onto their property in the past. Gramentz replied that there is a chain link fence planned for the property that should alleviate the problem.

They asked questions about the property lines, the stakes that were used to mark the lines, and if Casey's had completed a recent survey for their site. Gramentz replied that a survey had been completed. Martens asked Gramentz if he would work with Casey's surveyor to ensure that they had reviewed the Kubasch's property survey while they had completed the survey.

They also had questions regarding whose property the drainage pipe was on. Gramentz replied that the drainage pipe is entirely on Casey's property. Kubasch's stated that the drainage pipe was installed on their property and they were told that they would get a permanent easement, but it never happened. If Casey's has a twenty (20) foot easement, they are concerned that any work that needs to be completed for drainage maintenance or problems would require that machinery would have to enter onto their property to complete this work. Martens stated that he and Gramentz would work to answer the questions that the Kubasch's had.

Martens reviewed the comments that the Police Department and the Fire Department provided regarding the site plan of:

- Increased lighting at the pumps is recommended. DePrez stated that there would be increased lighting.
- Higher quality security cameras viewing the pump area is recommended. DePrez stated that he would review this possibility.
- Adequate visibility and lighting for visual inspections during closed hours should be maintained. DePrez did not see any issues with this.
- The installation of a lock box for emergency services is recommended. DePrez stated that he would review this possibility.
- A gas shut off is recommended in case of an emergency. DePrez stated that this is planned for.

Guggemos noted that the gas pumps look like they will run east and west, instead of how they are currently north and south. DePrez stated yes and that the distance from the front of the building to the gas pumps would be increased slightly from sixty (60) feet to sixty-five (65) feet to potentially avoid accidents.

Ebensperger reminded Planning Commission members that they needed to address the issues of the rear setback and parking issue where the plan was currently counting the cars purchasing gas as eight (8) parking stalls. The Planning Commission agreed that the eight (8) stalls could be considered as a parking stall.

Anderson stated that condition number five (5) could be stricken from the resolution.

Ebensperger reminded the applicant that they needed to apply for a variance for the rear setback and that a Public Hearing would be required at the October, 2011 meeting. Planning Commission members stated that they did not foresee any issues of this variance being granted.

Martens read the review of the site plan from the City of Winsted Engineer, Bolton and Menk, Incorporated as follows:

General:

- 1.) The proposed redevelopment consists of removal and replacement of the existing building and pumps. The proposed project also includes the construction of a retaining wall along the south and west edge of the property.
- 2.) Record drawings shall be completed and submitted upon completion of this project. Both hard copies and electronic copies are required.
- 3.) A McLeod County permit will be required for work along Sixth (6th) Street North (CSAH 1).
- 4.) It is recommended to require drainage and utility easements to be provided to cover the existing storm sewer line along the southerly property line and the proposed storm sewer lines located along the westerly property line (or verify easements currently exist).

Municipal Sanitary Sewer:

- 1.) It is recommended to show all utility crossings in the sewer service profile to avoid vertical conflicts.
- 2.) Assuming an additional cleanout exists within the building, the proposed four (4) inch cleanout should be moved to the building side of the grease interceptor connection point.

Municipal Watermain:

- 1.) Note number two (2) on sheet C3.0 Utility Plan of the drawings should be revised to read "Remove existing water service line within public ROW. Remove existing corporation stop from main and install a saddle with plug."
- 2.) Add a curb stop to the proposed service line near the property line.
- 3.) The need for an additional hydrant, a sprinkler system, or other fire regulations shall be evaluated by the Public Works Department and the Fire Chief. Martens stated that he briefly discussed this with them and they did not have any concerns.

Grading, Drainage & Erosion Control:

- 1.) A sub-surface drainage system is proposed to be used to achieve the required stormwater rate reductions. This approach is acceptable; however, it is unique to the City of Winsted. An easement should be provided if this structure is to be considered public, or an agreement is recommended to assure that it is properly maintained and continues to function as designed.
- 2.) Add a note to the plan stating that the contractor shall notify the City prior to connecting the new tile line to the existing tile line at the northwest corner of the proposed building. City forces are currently evaluating this line and may need to perform additional maintenance as part of this project.
- 3.) A note should be added to the plans that no offsite vehicle tracking is permitted. Any tracked sediment shall be swept within twenty-four (24) hours of discovery/notice.
- 4.) The tile line located at the west side of the property flows to the north. Please revise the

proposed storm sewer layout.

- 5.) Riprap energy dissipation is required at the apron downstream from storm manhole number four (4) and at the outlet downstream from the storm outlet structure.
- 6.) Grading along the southerly lot line should be constructed to prevent water from impacting the neighboring property to the south.

Transportation & Pedestrian Facilities:

- 1.) The access points along Westgate Drive and Sixth (6th) Street are proposed to be relocated. These proposed entrance configurations are acceptable. The access on Sixth (6th) Street (CSAH 1) will need to be approved by McLeod County Highway Department prior to construction.
- 2.) It is assumed that the site will be closed during construction; however, traffic control measures are still needed along CSAH 1 and Westgate Drive, and should be shown or noted on the plans.

Gramentz commented that all of Bolton and Menk, Incorporated's comments were addressed on the plans dated September 12, 2011. He stated that the sub-surface storm water system is intended to be privately owned, so no easement would be necessary over that. The McLeod County Permit application has been submitted.

Guggemos motioned to adopt Planning Commission Resolution PCR 11-05 with the following amendments to the conditions: Condition Number Two (2) regarding the rear yard setback should read, "the applicant shall receive a variance for a reduction in the rear yard setback from thirty (30) feet to twenty-three (23) feet three (3) inches prior to the issuance of a building permit by the City of Winsted; Condition Number Five, "Off-street Parking Variance. That the applicant remove the three (3) off-street parking stalls located in front of the trash enclosure and either receive a variance from the City for a reduction in number of required off-street parking stalls or install an additional seven (7) off-street parking stalls on site that meet the City's approval," should be deleted; and Condition Number Ten (10) should read "That landscaping is installed according to the approved landscaping plan that was submitted." Dickhausen seconded the motion. Motion carried 5-0.

- 6) No Other Business.
- 7) Adjournment

Fasching motioned to adjourn the meeting. Dickhausen seconded the motion. Motion carried 5-0. The meeting adjourned at 7:00 p.m.

Brad Martens

Brad Martens,
City Administrator
City of Winsted

ATTEST:

Raquel Kirchoff

Raquel Kirchoff,
Administrative Assistant
City of Winsted