

# **PLANNING COMMISSION**

**MARCH 13, 2023**

**6:30 O'CLOCK P.M.**

1. Call to Order
2. Minutes of the Previous Meeting – February 13, 2023
3. Public Hearings – Kwik Trip Electronic Sign
4. Discussion on an inquiry for annexation
5. Rezoning within the Urban Expansion District for LC Trucking relocation
6. Other
7. Adjourn

## MINUTES OF PLANNING COMMISSION MEETING

February 13, 2023

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 13th day of February, 2023 at 6:30 PM

**THE FOLLOWING WERE PRESENT:** Chairman Ferris, Commissioner Hanson, Commissioner Eggler, Commissioner Tinsley and Commissioner Johnson

**THE FOLLOWING WERE ABSENT:** None

**THE FOLLOWING WERE ALSO PRESENT:** City Clerk Linda Rappe, Ian Albers, Planning/EDA Assistant, Brad Scheib – HKGI, City Administrator Tim Ibisch and Mike Marti

**CALL TO ORDER AT 6:30PM**

**SWEAR IN NEW MEMBER** – Administrator Ibisch swore in New Planning Commissioner John Hanson.

**ELECTION OF CHAIRPERSON** – Commissioner Eggler nominated Commissioner Ferris as Chairperson, second from Commissioner Johnson with All Voting Aye.

**MINUTES OF THE PREVIOUS MEETING** – December 12, 2022 Motion to Approve made by Commissioner Eggler, second by Commissioner Tinsley with All Voting Aye

**PUBLIC HEARINGS – MARTI ELECTRIC VARIANCE** – EDA Assistant Albers stated that Mike Marti would like to add an addition to the front (south) of the building and since the public hearing was published Mr. Marti would like to extend the variance to 6 feet instead of 5 feet. Mr. Marti has already put his building as far north on the property as possible because there is a large sewer easement that runs through the property. Mr. Albers read through the criteria for granting a variance.

Commissioner Tinsley asked about the setback from the street and that would be 24 feet. Administrator Ibisch stated that this is consistent with the other buildings on that street.

Public Hearing Opened

Mike Marti formally asked for the 6 foot variance.

Public Hearing Closed

Chairman Ferris stated that a 6 foot variance is reasonable.

Commissioner Johnson stated that the satellite view looks as though the other buildings are that close. This property is unique with the large sewer easement running diagonally through the property.

**Motion to Recommend Approval of a 6 foot variance made by Commissioner Eggler, second by Commissioner Johnson with All Voting Aye.**

**COMPREHENSIVE PLAN/ORDINANCE UPDATE DISCUSSION** – Brad Schieb (HKGI) went through his slideshow and gave the planning commissioners something to think about and how they will want to guide development. Administrator Ibisch stated that we have about a year and a half worth of lots available. Mr. Ibisch also stated that the school was very conservative on their projections. This will come back to future meetings for discussion.

**PAVED LOT ORDINANCE** – Discussion – Tim stated that the engineer is asking to take a harder line for paving lots in town. After a lot of discussion regarding the paving of parking lots, the Commissioners were in agreement that we should enforce the paving of parking lots with new structures.

**OTHER** – Nothing

**ADJOURN** – 7:37pm

Respectfully Submitted,

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Linda Rappe, City Clerk

## STAFF REPORT

**TO:** Planning Commission  
**FROM:** Ian Albers, Community Development Assistant  
**DATE:** March 6, 2023  
**SUBJECT:** Kwik Trip North – CUP for Sign  
**APPLICANT:** Kelly Voegele, La Crosse Sign  
**OWNER:** Kwik Trip, Inc  
**LOCATION:** 1601 Mantorville Ave N  
**MEETING DATE:** **March 13, 2022**  
**COMPREHENSIVE PLAN:** Retail/Service Commercial  
**ZONING:** C-3 Highway Commercial District

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## BACKGROUND

The applicant, Kelly Voegele of La Crosse Sign has applied for a conditional use permit on behalf of Kwik Trip, Inc to place an electronic sign at the proposed Kwik Trip at 1601 Mantorville Ave N. The proposed sign is a freestanding ground type sign consisting of an electronic message center, pricer cabinet, and ID cabinet. A CUP is required to allow an electronic sign to be placed in a commercial district.

## REVIEW PROCEDURE

### *60-Day Land Use Application Review Process*

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, “Day 1” for the conditional use permit application was determined to be February 13, 2023. The City's deadline for action is on April 14, 2023.

### *Public Hearing*

City Code § 154.312(B)(3) requires a public hearing for review of a conditional use permit to be held by the Planning and Zoning Commission. The public hearing notice for the CUP was published in the Dodge County Independent and mailed to all affected property owners located within 350 feet of the subject property.

## APPLICATION REVIEW

### *Existing Site Character*

See attached pictures.

### *Conditional Use Permit Review*

As described in Section 154.067(D)(4), the following should be considered during review of a conditional use permit application:

- (1) The effects of the proposed use on the comprehensive plan; and



- (2) The effects of the proposed use upon the health, safety and general welfare of occupants of surrounding lands.

Additionally, the following findings should be made, when applicable:

- (1) The proposed conditional use meets all of the applicable use specific standards listed within § 154.175 to 154.178;
- (2) The use is not in conflict with the comprehensive plan of the city;
- (3) The use is consistent with the purpose of this chapter and the purposes of the zoning district in which the applicant intends to locate the proposed use;
- (4) The use will not cause traffic hazards and the traffic generated by the proposed use can be safely accommodated on existing or planned street systems; and the existing public roads providing access to the site will not need to be upgraded or improved by the city in order to handle additional traffic generated by the use;
- (5) Adequate measures have been taken or are proposed to prevent or control offensive odor, fumes, dust, noise, vibration or lighting which would otherwise disturb the use of the neighboring property;
- (6) Adequate utilities, parking, drainage and other necessary facilities will be provided;
- (7) The proposed use will not impede the normal and orderly development or improvements of the surrounding property;
- (8) The proposed use will not be injurious to the use and enjoyment of other property in the neighborhood and will not significantly diminish or impair the values of the property;
- (9) The use will not disrupt the character of the neighborhood; and
- (10) The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.

## RECOMMENDATION

Staff recommends to the Planning Commission to approve the application for a CUP to allow an electronic sign with a 20 foot height and 99.57 square foot area to be placed in a commercial district with no additional conditions. However, the Planning Commission may recommend conditions as may be appropriate to facilitate the use on the site.

In recommending approval of the conditional use permit, staff offers the following findings of fact:

- (1) The proposed sign is not a prohibited type as listed in § 154.345;
- (2) The proposed sign does not exceed the applicable code standards for height or area;
- (3) The proposed sign does not encroach on any public right-of-way or easement; and
- (4) The proposed sign does not flash or move, nor is it intermittently lit.

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Complete Sign Package for KT1194 Kasson, MN:

- #1- 24" LED 'Kwik Trip' channel letters for building- 24.37 sq ft
- #2- Non lit, building directional sign- 4 sq ft
- #3- 18" LED 'Kwik Trip' and 24" LED 'Carwash' channel letters- 35.98 sq ft
- #4- 24" LED 'Kwik Trip' channel letters for building- 24.37 sq ft
- #5- 12" non lit carwash 'Enter' directional sign- 4 sq ft
- #6- 12" non lit carwash 'Exit' directional sign- 3 sq ft
- #7- 12" non lit carwash 'Your Choice' directional sign- 10 sq ft
- #8- 24" LED 'Kwik Trip' channel letters for canopy- 24.37 sq ft
- #9- 24" LED 'Kwik Trip' channel letters for canopy- 24.37 sq ft
- #10- 24" LED 'Kwik Trip' channel letters for canopy- 24.37 sq ft
- #12- Non lit, single-faced post and panel directional sign- 4.5 sq ft
- #13- Non lit, single-faced post and panel directional sign- 4.5 sq ft
- #14- Non lit, double-faced post and panel directional sign- 4.5 sq ft
- #15- Non lit, single-faced post and panel directional sign- 4.5 sq ft

LED Canopy stripe surrounding gas canopy:

North- 16.67 sq ft; East- 70 sq ft; South- 16.67 sq ft; West- 80.67 sq ft

Address Sign A- 5" address vinyl on front door- 60 sq in

#11- 20' tall Double-faced pylon sign with main ID, pricer cabinet, and electronic message center- total 99.57 sq ft

Main ID cabinet- 33 sq ft

Pricer cabinet- 36 sq ft

Electronic Message Center- 30.57 sq ft

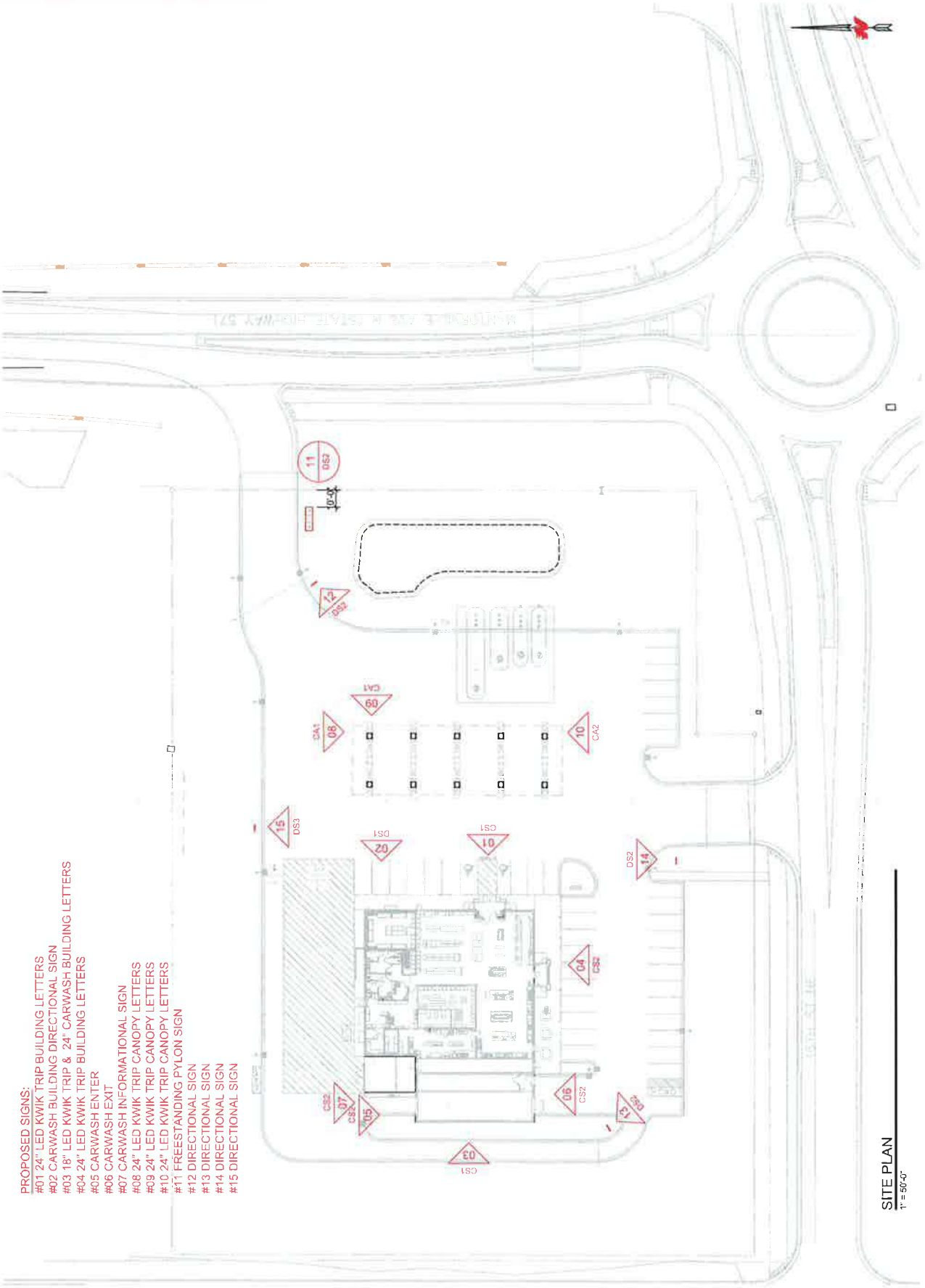




KWIK TRIP, Inc.  
P.O. BOX 2107  
1626 OAK STREET  
LA CROSSE, WI 54602-2107  
PH. (608) 781-8988  
FAX (608) 781-8980

**SITE PLAN**  
CONVENIENCE STORE #1194  
WITH 1 BAY CARWASH  
MANTORVILLE AVE N & 16TH ST NE  
KASSON, MN

DATE	REVISION
4/4/2010	1. REVISED SITE PLAN
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- PROPOSED SIGNS:
- #01 24" LED KWIK TRIP BUILDING LETTERS
  - #02 CARWASH BUILDING DIRECTIONAL SIGN
  - #03 18" LED KWIK TRIP & 24" CARWASH BUILDING LETTERS
  - #04 24" LED KWIK TRIP BUILDING LETTERS
  - #05 CARWASH ENTER
  - #06 CARWASH EXIT
  - #07 CARWASH INFORMATIONAL SIGN
  - #08 24" LED KWIK TRIP CANOPY LETTERS
  - #09 24" LED KWIK TRIP CANOPY LETTERS
  - #10 24" LED KWIK TRIP CANOPY LETTERS
  - #11 FREESTANDING PYLON SIGN
  - #12 DIRECTIONAL SIGN
  - #13 DIRECTIONAL SIGN
  - #14 DIRECTIONAL SIGN
  - #15 DIRECTIONAL SIGN

**SITE PLAN**  
1" = 50'-0"

**#1194 KASSON, MN**



This artwork is copyrighted and may not be otherwise used without permission. It is the property of Le Croisier Sign Co., Inc., and must be returned to them.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_ Landlord: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_

[lacrossesign.com](http://lacrossesign.com)

DESIGN

## SALES

FILE

## COLOR KEY



**La Crosse  
Sign Group**

1450 Oak Forest Drive • Onalaska, WI 54650 • 608-781-1450  
2242 Mustang Way • Madison, WI 53718 • 608-222-5353  
2502 Melby Street • Eau Claire, WI 54703 • 715-835-6189

Drawing by: Danielle Hadley

Sign Type: Pylon

Date Created:

**Last Modified:**

Scale: 3/16" = 1' 0"

Job Name: Kwik Trip

Job Address:


Salesperson:

Job Number:


Revision Number:

**Job File Location:**

**a**  NA 208080 Beige

**b**  Black S/G paint

**C**  #2283 Red Acrylic

**d**  White of Acrylic

NA 307880 Hemlock

**g**  Green LED

### h ■ Black (230-22)

Yellow (230-015)

Blue (230-167)



SolarStone Partners  
2325 Girard Ave S  
Minneapolis, MN 55405



MARCH 10<sup>TH</sup>, 2023

City of Kasson  
401 5th St SE  
Kasson, MN 55944

Planning and Zoning Commission,

We are writing today to inform you that as Jessup DeCook (landowner) and SolarStone Partners (acting solar development partner) we are jointly seeking the review and approval for the annexation of a parcel of land that is currently been designated as part of the Urban Expansion Zone (see Exhibit A) and contiguous with the existing City limits (see Exhibit B).

The purpose for this annexation request is to provide the ability to build and operate a 585 kilowatt solar energy facility with a solar footprint of approximately 5 acres in the Southeast corner of the 77 acre parcel (see Exhibit C). We anticipate that the project will be smaller than 5 acres when operational, but we are requesting the 5 acres to allow us some margin for the following (see Exhibit D):

- A single service road off of 625<sup>th</sup> Street for access to the solar facility and for agricultural equipment to utilize and share jointly (i.e. keeping access to one point on 625<sup>th</sup> Street)
- In addition, we have some hydro features in the Southeast corner of the project that we need to further investigate in more detail to ensure compliance with jurisdictional agencies

Thank you, and we look forward to bringing this opportunity forward to the City for consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jessup DeCook'.

Jessup DeCook  
Landowner

A handwritten signature in blue ink, appearing to read 'Gordon Simanton'.

Gordon Simanton  
SolarStone Partners



# Exhibit A

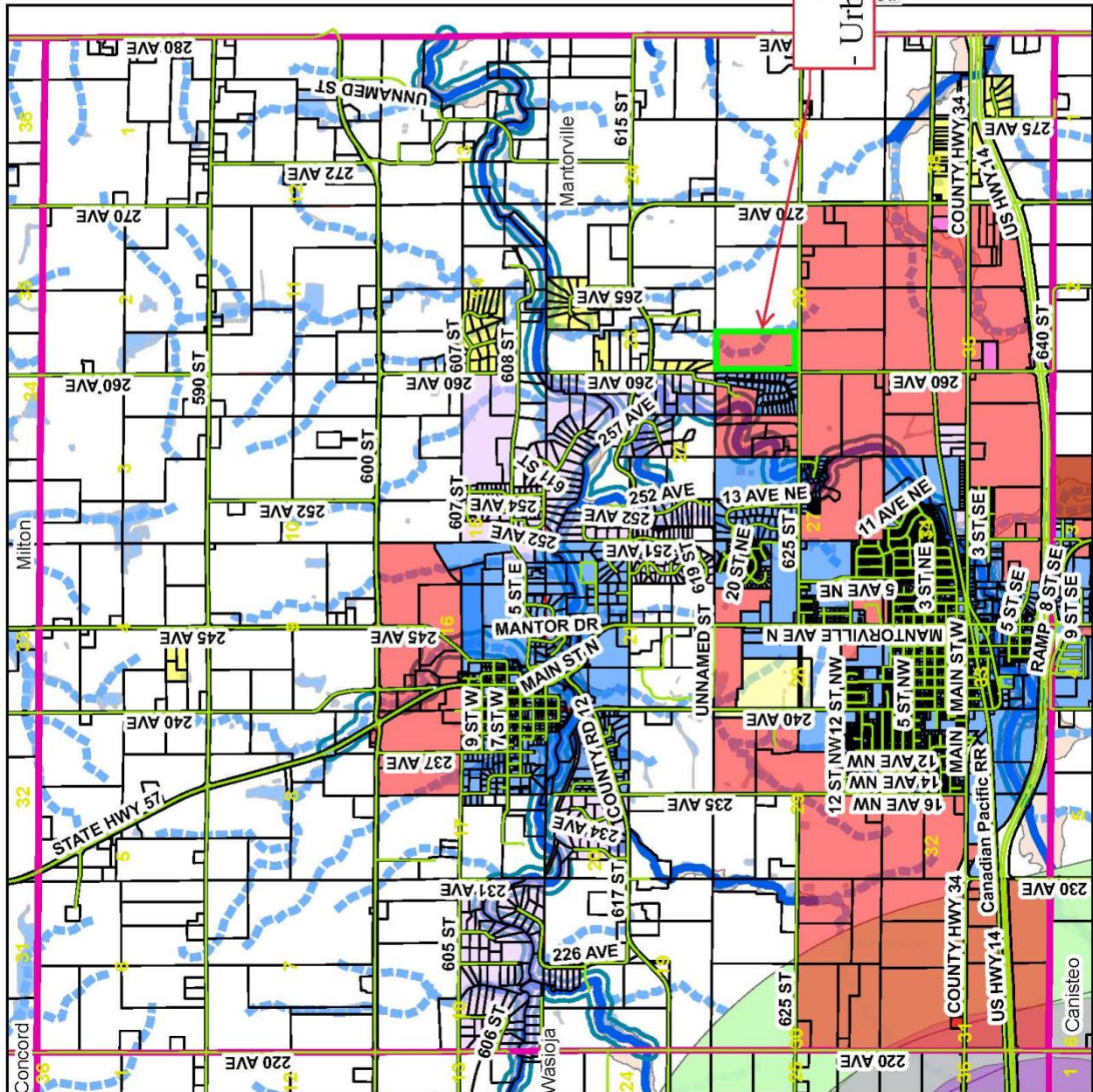
- Roads
- PLSS Townships
- Parcels
- Section Lines
- Stream Centerlines
- Wetlands
- Shoreland Buffer 300ft
- Intermittent Streams
- Perennial Streams
- FEMA Floodplain Poly
- Zoning Districts
- Agricultural
- City
- Closed Landfill
- Commercial
- Hamlet
- Industrial
- Rural Residential
- Split
- Urban Expansion
- Urban Expansion Res
- Dodge County Airport Buffer
- Dodge County Airport Zoning

## DeCook Parcel - Urban Expansion Zone

Created From GoodData Online Mapping  
Site Sources: Dodge County, MN



0 4,000 8,000 US Feet



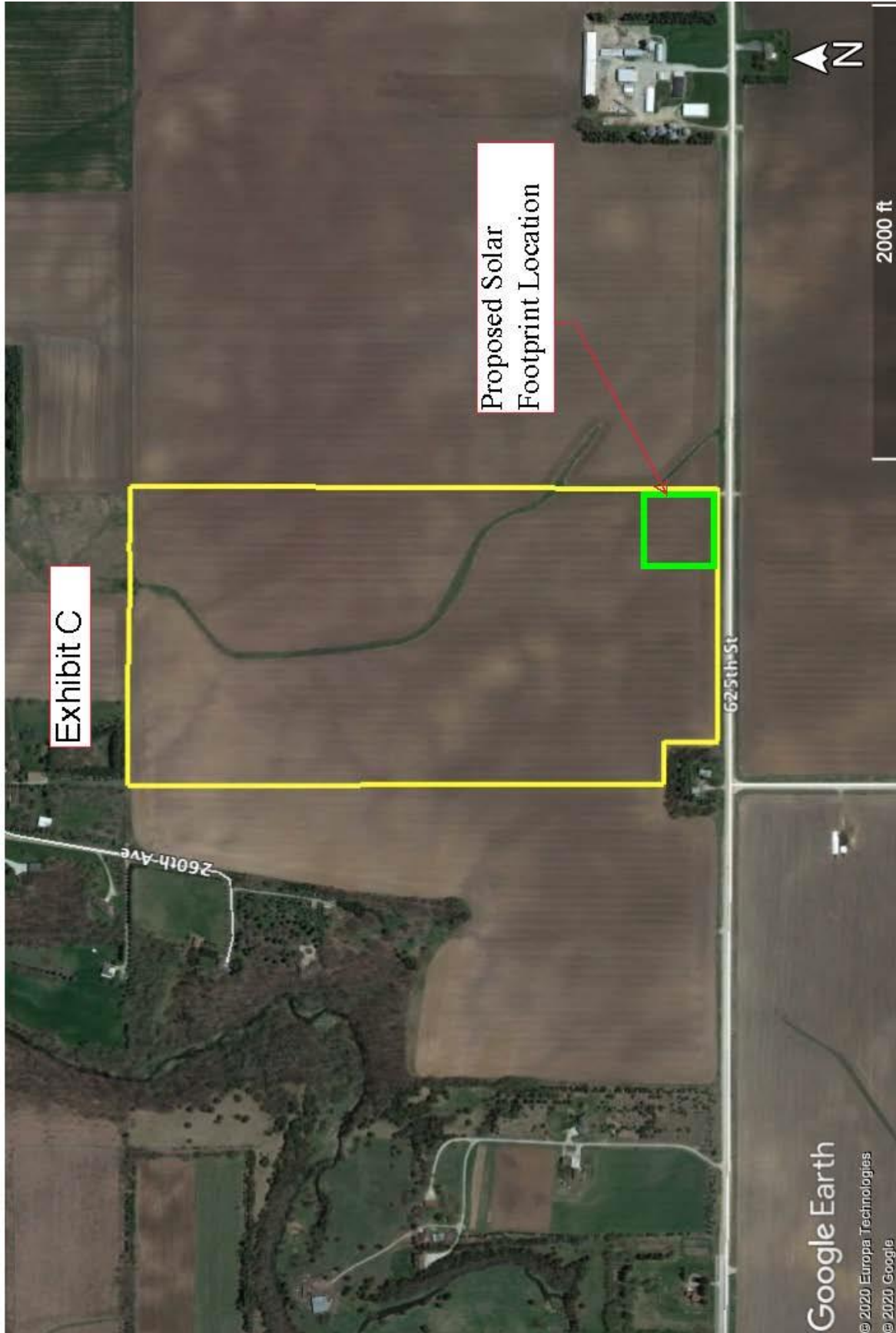




**Mantorville Solar Project**

- Jessup DeCook
- 625th Street
- PID#: 130260401
- 77 acres

**Exhibit B**







**PROPERTY OWNER PETITION FOR ANNEXATION BY ORDINANCE**

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE ANNEXATION  
OF CERTAIN LAND TO THE CITY OF KASSON, MINNESOTA  
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 5

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TO: Council of the City of Kasson, Minnesota

AND

Office of Administrative Hearings  
Municipal Boundary Adjustment Unit  
P. O. Box 64620  
St. Paul, MN 55164-0620

PETITIONER(S) STATE: The property owner or a majority of the property owners in number are required to commence a proceeding under Minnesota Statutes § 414.033, Subd. 5.

It is hereby requested by:

  X   the sole property owner; or  
       all of the property owners; or  
       a majority of the property owners

of the area proposed for annexation to annex certain property described herein lying in the Town of Mantorville to the City of Kasson, County of Dodge, Minnesota.

The area proposed for annexation is described as follows:

***INSERT THE COMPLETE AND ACCURATE PROPERTY DESCRIPTION.  
DO NOT USE DESCRIPTIONS FROM PROPERTY TAX STATEMENTS.***

1. There are   1   property owners in the area proposed for annexation. (If a property owner owns more than one parcel in the area proposed for annexation, he/she is only counted once as an owner - the number of parcels owned by a petitioner is not counted.)
2.   1   property owners have signed this petition. (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)
3. Said property is unincorporated, abuts on the city's N S E W (circle one) boundary(ies), and is not included within any other municipality.
4. The area of land proposed for annexation, in acres, is:  
  X   Unplatted        Platted        Total
5. The reason for the requested annexation is to enable solar development within the city limits.
6. The area proposed for annexation will be zoned D-H Designated Holding Zone.

7. All of the area proposed for annexation is or is about to become urban or suburban in character.
8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes § 414.0325, nor in any other boundary adjustment proceeding pending before the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings.

PETITIONERS REQUEST: That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of     K a s s o n     Minnesota.

Dated: \_\_\_\_\_

Signatures: \_\_\_\_\_

***NOTE: Pursuant to Minnesota Statutes § 414.033 and Minnesota Rules 6000.0800, the petition to the Office of Administrative Hearings must be accompanied by a certification showing that a copy of the petition was filed within ten (10) days after service on the annexing city to the affected township(s), county, and any other abutting municipality(ies).***

***NOTE: Under Minnesota Statutes § 414.033, Subd. 5, if the petition is not signed by all of the property owners of the land proposed for annexation, the ordinance shall not be enacted until the municipal council has held a hearing on the proposed annexation after at least 30 days mailed notice to all property owners within the area to be annexed.***

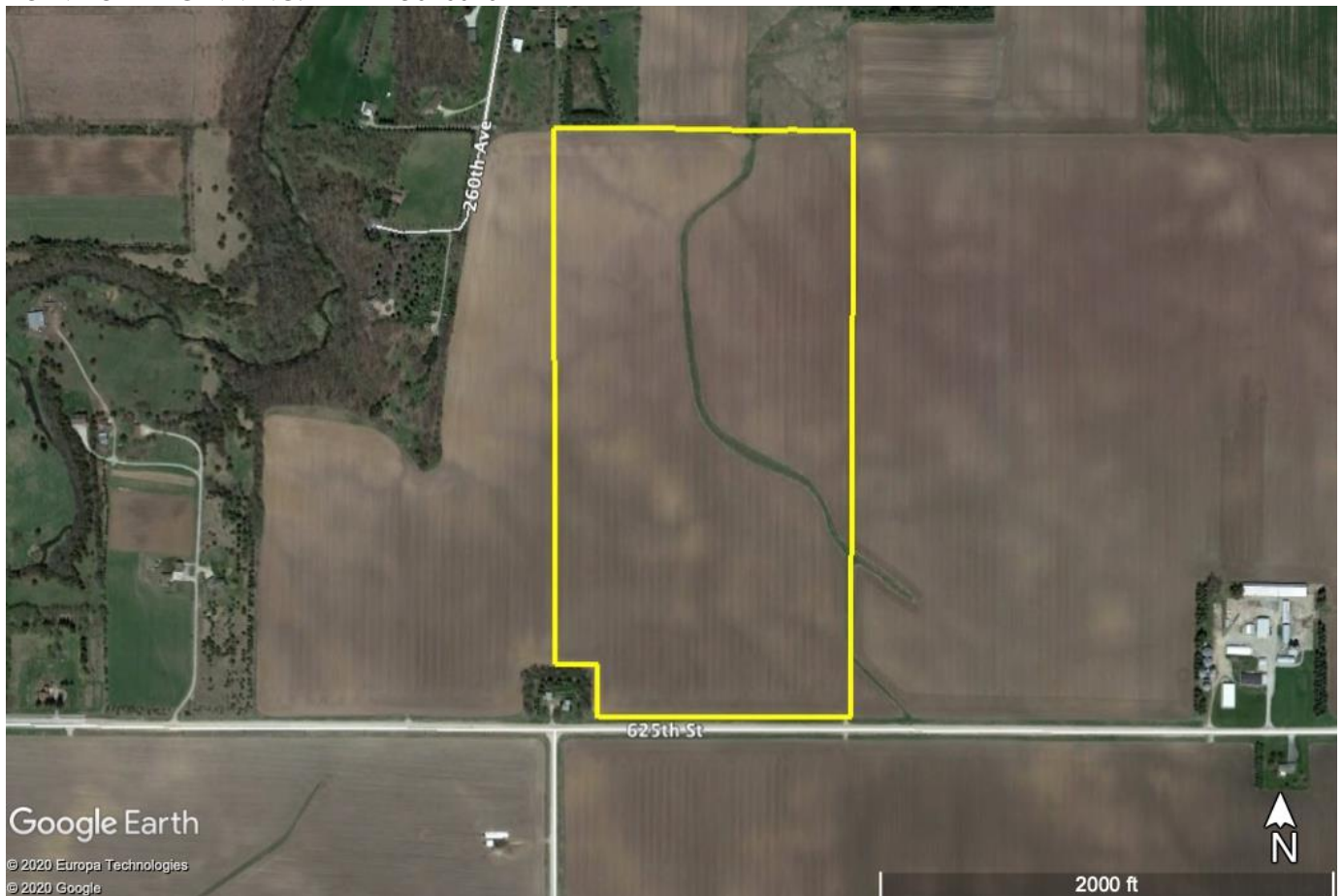
## Exhibit A-1

### Legal Description of the Land

Real property in \_\_\_Dodge\_\_\_ County, State of Minnesota, legally described as:

The West Half of the Northwest Quarter of Section 26, Township 107 North, Range 16 West, Dodge County, Minnesota; except that portion thereof in the following:

That part of the Northwest Quarter of Section 26 and that part of the Northeast Quarter of Section 27, all in Township 107 North, Range 16 West, Dodge County, Minnesota, being described as follows: BEGINNING at the southeast corner of the Northeast Quarter of said Section 27; thence North 89 degrees 45 minutes 37 seconds West (Note: All bearings are in relationship with the Dodge County Coordinate System NAO '83, Adjusted 1996) along the south line of said Northeast Quarter, 148.00 feet; thence North 00 degrees 14 minutes 23 seconds East, 430.00 feet; thence South 89 degrees 50 minutes 31 seconds East, 144.00 feet to the east line of said Northeast Quarter and to the west line of the Northwest Quarter of said Section 26; thence continue South 89 degrees 50 minutes 31 seconds East, 186.89 feet; thence South 00 degrees 05 minutes 33 seconds West, 430.00 feet to the south line of said Northwest Quarter; thence North 89 degrees 54 minutes 27 seconds West, along said south line, 184.00 feet to the POINT OF BEGINNING. PID# 130260401





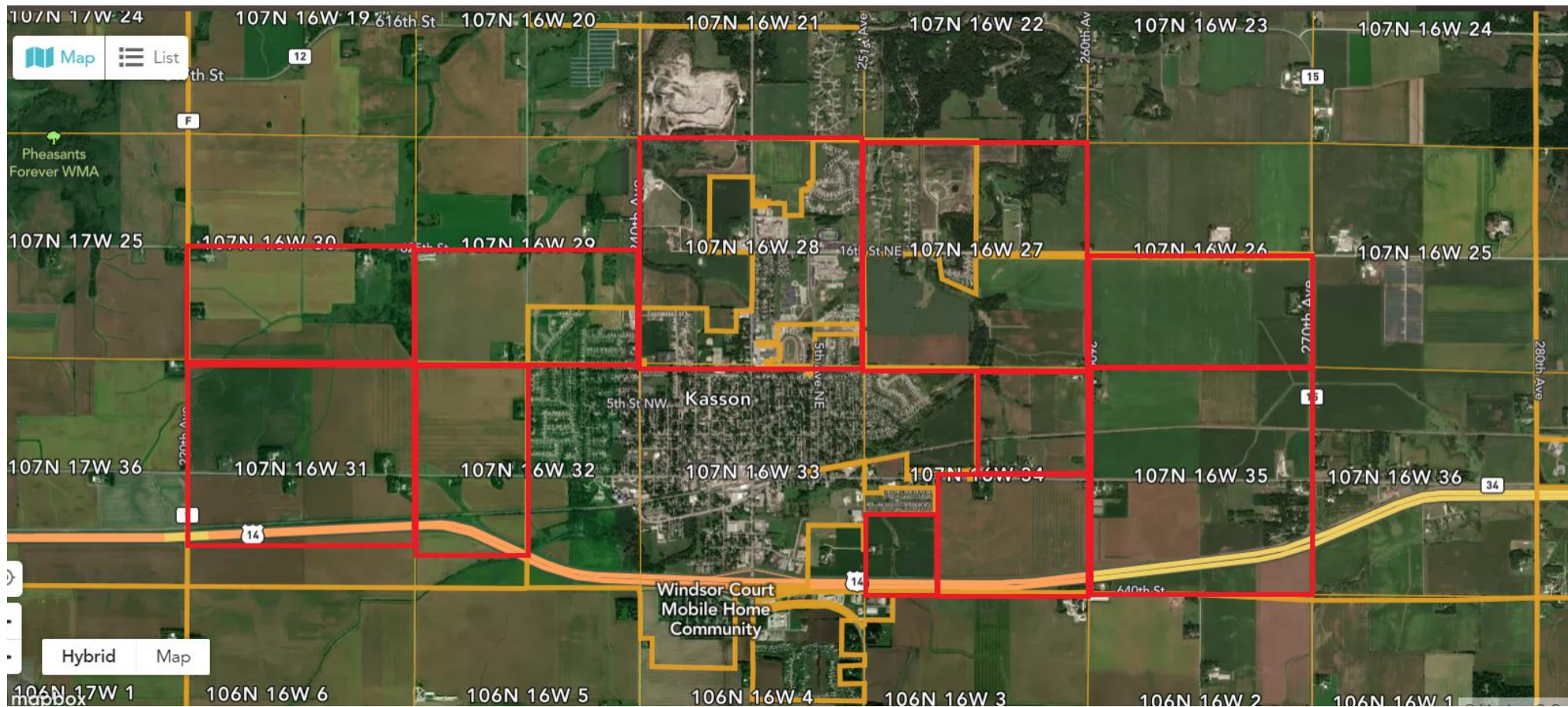
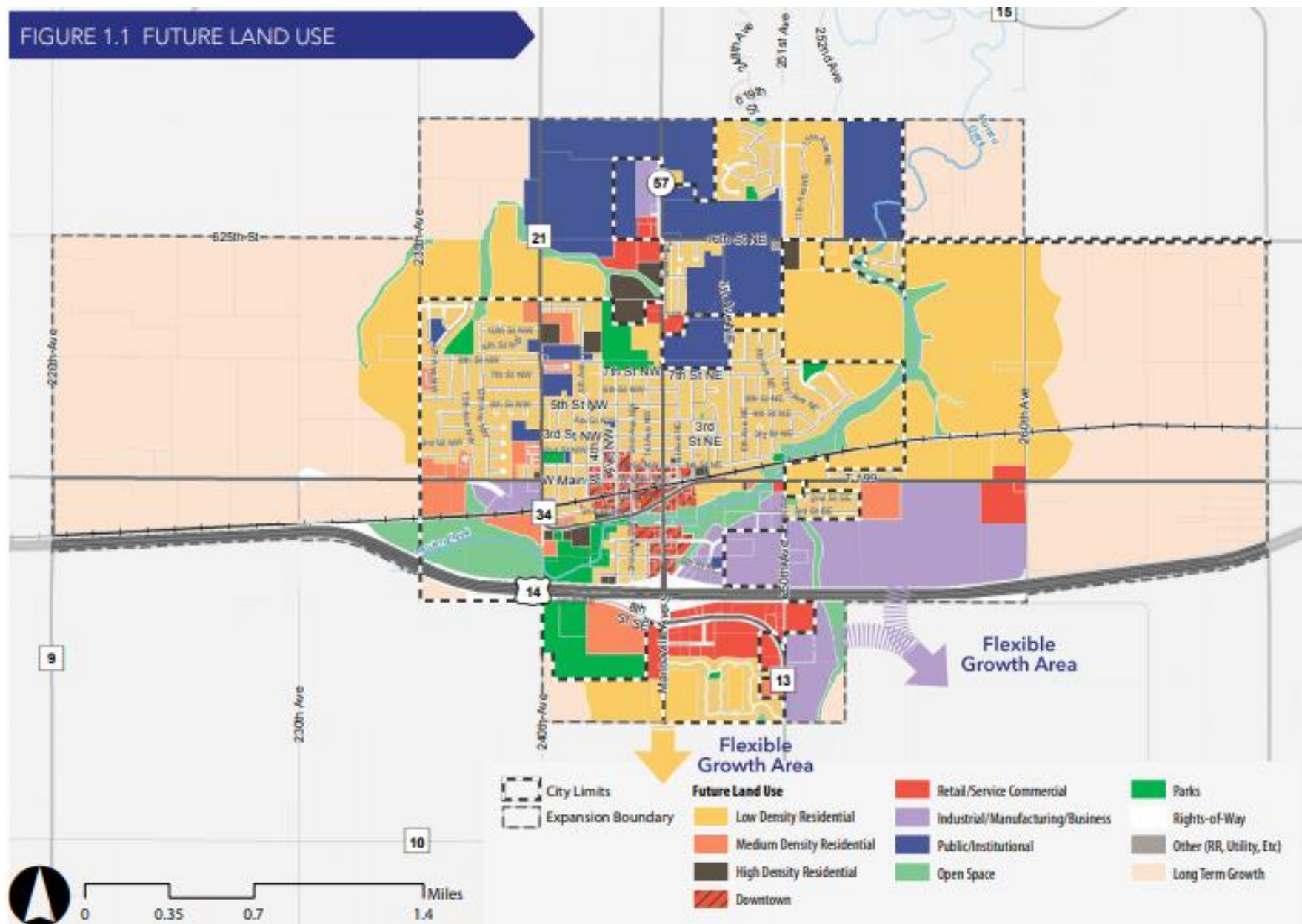


Exhibit A

FIGURE 1.1 FUTURE LAND USE



## MEMO

**TO:** The Planning Commission  
**FROM:** Ian Albers, Community Development Assistant  
**DATE:** March 9, 2023  
**MEETING:** March 13, 2023  
**RE:** Rezoning within the Urban Expansion Zone

LC Trucking has proposed a new location for their business that is outside of Kasson city limits. At the intersection of Co Rd 15 and Co Rd 34, this new location falls within the Urban Expansion District. The Kasson comprehensive plan shows the future land use for the area as Long Term Growth. The property is currently zoned as Urban Expansion and would require a rezone to Commercial in order to allow LC Trucking to relocate.

Per Chapter 18, Section 18.9.4 REZONING, subsection C. II. – Dodge County Zoning Ordinance:

II. When rezoning is proposed within the Urban Expansion District, the City shall provide a written recommendation on the rezoning request which indicates:

- a. Whether the request does or could comply with the City's Comprehensive Land Use Plan and any Future Land Use Maps, and
- b. The proposed end use of the rezoned parcel would be conforming upon annexation to the city;
- c. Annexation to the city is not possible or feasible at the current time.

A letter of request from LC Trucking is included in the meeting packet, along with a GIS map of the proposed site and the Mantorville Township zoning map.

The Planning Commission is requested to provide comments regarding the rezone request and make a recommendation to the City Council.



March 9, 2023

City of Kasson

-Planning Commission

-City Council Members

To Who It May Concern,

I am writing in regards to the 11.25-acre property located in Section 35, Township 107 North, Range 16 West, Dodge County, Minnesota. PID# 13.035-0201 currently owned by H4 Enterprises, LLC.

As you all know, Clever Pigs Properties LLC is in contract to sell the property located at 1601 Mantorville Avenue North Kasson, MN with Kwik Trip Inc. The current tenants of this property, LC Trucking LLC are looking to relocate to the property listed above. We are aware that this property is currently located in an Urban Expansion District. With that said, we are looking for the approval to rezone this parcel of land for commercial use. As this would be a good fit with the existing commercial property adjoining the land to the West.

If approved, the land would be purchased by Clever Pigs Properties, LLC, and then leased to LC Trucking, LLC (both owned by Leon & Lois Cunningham). LC Trucking would then construct a new mechanical shop space of approximately 80' X 150' with an additional office space connected along with a large parking area that would accommodate semi-truck and refrigerated trailer space to maneuver.

As lifelong residents of the Kasson-Mantorville area, we feel a connection to the community and would like to keep our business local. We feel that this is an ideal location for our business and appreciate you taking time to consider and recommend our request.

Sincerely,

Leon Cunningham

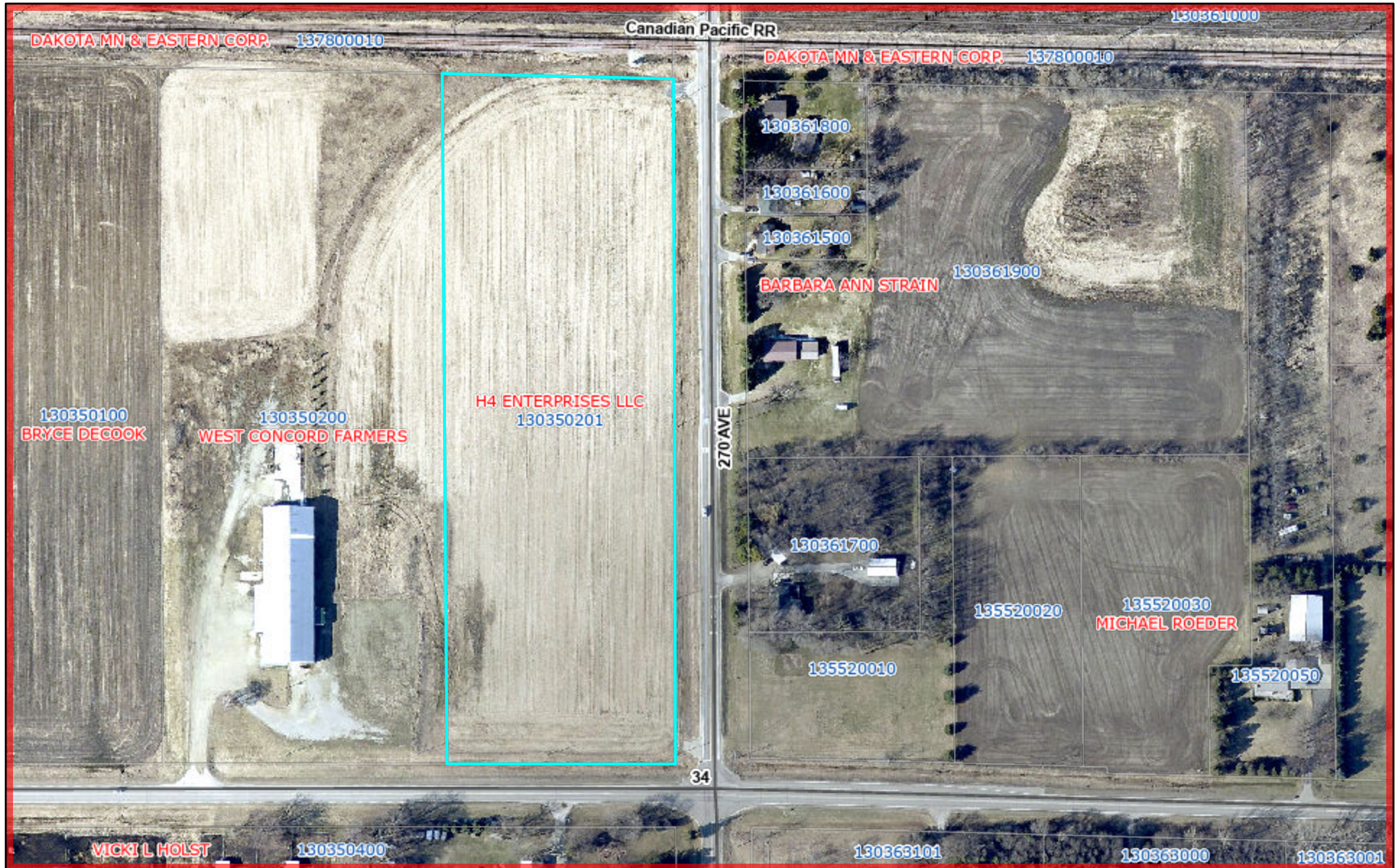
Clever Pigs Properties, LLC

LC Trucking, LLC

A handwritten signature in blue ink, appearing to be 'Leon Cunningham', is written over the printed name and company information.



# ArcGIS WebMap



February 21, 2023

Roads ——— RR Name  
CSAHP PIN Parcels

