PLANNING COMMISSION

FEBRUARY 12, 2024

6:30 O'CLOCK P.M.

- 1. Call to Order
- 2. Minutes of the Previous Meeting January 8, 2024

Public Hearings

- 3. Landscaping Ordinance
- 4. Conditional Use Permit for Fence Kislinger
- 5. Nokomis Energy Presentation Kalmar Garden

MINUTES OF PLANNING COMMISSION MEETING January 8, 2024

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 8th day of January, 2024 at 6:30 PM

THE FOLLOWING WERE PRESENT: Chairman Ferris, Commissioner Eggler, Commissioner Johnson, and Commissioner Fitch

THE FOLLOWING WERE ABSENT: Commissioner Buckingham, Commissioner Hanson, and Commissioner Tinsley

THE FOLLOWING WERE ALSO PRESENT: Ian Albers, Planning/EDA Assistant, Brad Scheib, HKGi, Les Conway, WSE/Massey, Camron and Kate Harthun, Richard and Marge Accurso, Dennis Ims, John Kislinger

CALL TO ORDER AT 6:30PM

MINUTES OF THE PREVIOUS MEETING — <u>Motion to Approve the November 13, 2023</u> <u>Minutes made by Commissioner Eggler, second by Commissioner Johnson with All Voting Aye.</u>

PUBLIC HEARINGS

Public Hearings

Zoning + Comp Plan Amendment – Egan – Community Development Assistant Ian Albers gave background on this property. This will be a office, warehouse and distributing and outside contractor yards parking areas and stormwater retention. The current zoning is C-3 Highway Commercial and the proposed zoning is Industrial. The Current comp plan designation is retail service commercial and the proposed reguide is to industrial. This would be an expansion of the surrounding district. Public Hearing Opened

No comments

Public Hearing Closed

Discussion – Commissioner Eggler stated that this makes sense since we just rezoned the property to the east. Commissioner Fitch stated that this is a good addition to the area. <u>Motion to Approve made by</u> <u>Commissioner Eggler, second by Commissioner Fitch with All Voting Aye.</u>

Zoning Amendment – Oscar Meadows – This was annexed into the City in 2022 as development holding zone and will need to be rezoned to Residential.
Public Hearing Opened
Richard Accursc - asked where this is located and how many parcels are involved.
Public Hearing Closed
Discussion – Commissioner Johnson stated that all we are doing is rezoning this for residential.
Chairman Ferris stated that we are surrounding Wilker Landscaping with residential.
Motion to
Approve the rezone Commission Eggler, second by Commissioner Johnson with All Voting Ave.

Conditional Use Permit for Fence – John Kislinger – 906 8^{th} Ave NE, this came to the City's attention due to a utility locate. The fence is built. There is an access agreement with the property owner to the north and the other properties who already have fences were constructed before the requirement for a cup. The only access agreement is on the property to the north.

Public Hearing Opened

Camron Harthun – they do not want the fence on the property line. They have an intention of putting a privacy fence and this would hamper their ability to maintain both sides of their fence.

John Kislinger – put up the fence without realizing the ordinance.

Public Hearing Closed

Discussion – Chairman Ferris stated that we could table this and let the neighbors work this out and come back next month. <u>Motion to table this to next month made by Commissioner Eggler, second</u> by Commissioner Fitch with All Voting Aye.

Concept Plan Review – Oscar Meadows – Mr. Albers stated this is currently used as ag and tree farming. They are proposing individual residential lots and there is an area proposed for parkland. County Engineer Guy Kohlenhofer has submitted a letter regarding access to County Road 21. Commissioner Johnson stated that the 16th st ROW would need to be widened. Les Conway of WSE/Massey stated that there are several large utility easements that run through this property. There is a 50 foot sanitary easement and a 70 foot gas easement. And a 40 foot easement. Whks has made comments on this concept plan. Commissioner Fitch asked about the multiple retention ponds. Mr. Conway explained that there is additional soil testing that needs to be done to determine the amount and type of ponds. Commissioner Johnson asked if the jogs in the north/south roads could be straightened out.

Discussion on Landscaping Ordinance – MN Ag Group and A&A Electric – Mr. Albers stated that a landscaping plan is required with every site plan review. Both MN Ag Group and A & A Electric are requesting a deviation from the full application of the City ordinance. MN Greensteps Program that Kasson is a part of has some alternative compliance options. Les Conway spoke on behalf of A&A Electric and MN Ag Group and he would like the ability to negotiate with staff and to come up with options.

Brad Schieb stated that when we updated the zoning ordinance in 2017 we did not put in modifications for economic development and aesthetics and environmental reasons. Scheib stated that what staff is looking for is for the Planning Commission to ask staff to come back with modifications to the code that would satisfy situations like this. Mr. Albers will come up with a sample ordinance and it would be a public hearing in February. Motion to direct staff to work on the landscape ordinance and bring it back to the February meeting as a public hearing made by Commissioner Eggler, second by Commissioner Johnson with All Voting Aye.

Resolution Supporting TIF District – Edge Apartments – This is housing in the Vail Subdivision. 48 units in the building will be for low and moderate income. Part of TIF approval is the passing of the resolution regarding the modification of Municipal Development District No. 1 and the establishment of Tax Increment Financing District 1-19. <u>Motion to approve made by Commissioner Fitch, second by Commissioner Eggler with All Voting Aye.</u>

Other – Chairman Ferris asked about the parking study and if anything was slated to change. Commissioner Eggler stated that the Council decided to do bump outs on main street and paving behind the legion and liquor store parking lots.

ADJOURN - 7:40pm

Respectfully Submitted,

Linda Rappe, City Clerk

MEMO

TO:	The Planning Commission			
FROM:	Ian Albers, Community Development Assistant			
DATE:	February 12, 2024			
RE:	Landscape Ordinance Revision			

At the previous Planning Commission meeting, there was a discussion on the City's landscaping ordinance and how it applies to the administrative site plan review process. Two current expansion projects, one by MN Ag Group and the other by A&A Electric, were required to submit landscaping plans as part of this review. Both projects presented the case that strict adherence to the landscaping ordinance as written may not always be practical. However, the code does not provide a mechanism allowing alternative compliance when this occurs. Because of these reasons, the Planning Commission recommended holding a public hearing to consider revising the code and guided staff to recommend a sample ordinance.

Upon further examination of the City's code, and through comparison of the requirements of other cities, there are a number of questions that should be considered to move forward. These questions follow on the next page and are designed to recommend revisions that could be made to the code. In addition, proposed new language has been inserted into the existing code, including the alternative compliance language from the GreenStep Cities Model Ordinance.

Requirements from a few other cities are included in comparison to Kasson's requirements – many of the cities included are large suburbs in the metro, but these have the most detailed landscaping ordinances. Local examples, such as Byron, Pine Island, and Stewartville lack minimum requirements for shrubs or trees, but generally specify areas of a site that should be landscaped. Finally, the materials from MN Ag Group and A&A Electric are included as supporting materials for the public hearing.

Questions:

- Should the City require 2 canopy trees planted in the ROW for one- and two-unit residential developments?
 - If yes, there needs to be an enforcement process (indicate during platting process or at time of building permit)
 - If no, delete (E)(1)
- Should the City require a minimum number of trees per street frontage or minimum number of shrubs per square footage of new construction for multifamily residential and all nonresidential developments?
 - If yes, there needs to be a mechanism in place if the minimum number cannot be met (see proposed (E)(3) alternative compliance)
 - If no, remove or reduce the minimums in (E)(2)
- Should the City require parking lots to be landscaped with trees, shrubs, and ground cover plants, including islands (if required)?
 - \circ If yes, keep (F) in code, or consider reducing the amount required
 - o If no, delete (F)
- Should the City require that no more than 30% of required trees are of the same species?
 - If yes, keep (H) in code
 - o If no, remove requirement and add language to encourage plant diversity
- Should the City require specific sizes of plants?
 - If yes, keep (J) in code
 - If no, delete (J)
- Should the City require plant materials to be planted before issuing a certificate of occupancy?
 - If yes, keep (L) in code
 - If no, delete (L)
- Should the City collect a landscape security deposit before a building permit is issued?
 - If yes, keep (N) in code
 - If no, delete (N)

§ 154.310 GENERAL LANDSCAPING. (Proposed new language in red)

- (A) All open areas of a lot not used for buildings, parking, circulations, patios or storage must be landscaped with a combination of canopy trees, ornamental trees, evergreen trees, shrubs, flowers, sod, ground cover and other site design features to ensure soil stabilization. This requirement shall not apply to undisturbed areas retained in a natural state or areas within the D-H Development Holding District.
- (B) Fences, hedges, walls and other landscaping shall be located entirely upon the property which they serve. Fences, hedges, walls and other landscaping obstructing a utility or drainage easement or extending beyond the legal property boundary may be removed at the owner's expense.
- (C) Landscape plans shall be submitted for all site and subdivision related applications where exterior construction and development activity will occur, except for the construction of an individual single-family or two-family dwelling.
- (D) Landscape plans shall be prepared by a registered landscape architect or other qualified individual for planned unit developments or development where there is greater than one acre of site disturbance.
- (E) The following minimum number of plant materials shall be provided:
 - (1) All residential one and two-unit developments shall require two canopy trees per dwelling unit installed in the city right-of-way.
 - (2) All residential uses with three or more units and nonresidential uses shall provide:
 - (a) One canopy or evergreen tree per 25 lineal feet of street frontage. Only one street frontage shall be used for corner lots or lots fronting upon more than one street.
 - (b) All structures must have foundation plantings consisting of shrubs, perennials and native grasses.
 - (c) All additions, expansions or additional structures shall require an additional two shrubs per 1,000 square feet of new construction.

- (3) Alternative compliance: The Zoning Administrator may approve the substitution or reduction of landscaped plant materials, landscaped area, or other landscaping standards upon finding any of the following:
 - (a) The alternative meets the intent of this chapter and the site plan is similar in form, scale, and materials to existing features of the site and to surrounding development, and it includes amenities or improvements that address and adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative or pervious pavers, state-of-the-art stormwater management, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural features, restoration of previously damaged environment, and rehabilitation of existing structures and places that have been locally designated or have been determined to be eligible for local designation as having historic significance.
 - (b) Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of the chapter.
 - (c) Existing plant materials, walls, fences or topography of the site and its surroundings make the required landscaping less necessary.
 - (d) The required landscaping will hinder truck access and service necessary to the operation of the use.
 - (e) The required landscaping may obstruct views of traffic or reduce natural surveillance of the site.
- (4) Compliance: If the applicant and Zoning Administrator cannot agree on the proposed landscaping design, the applicant shall be required to make an application for a conditional use permit to prove compatibility

(F) Off-street parking area landscaping.

(1) All off-street parking areas containing more than 50 stalls or two or more drive aisles must include landscaped, interior parking lot islands as follows:

(a) Islands are required at the end of each row of cars, at vehicle circulation aisles or driveways, or every 15 stalls, whichever is less.

(b) Islands shall be provided to separate pedestrian and vehicular traffic.

(c) Islands shall contain trees, shrubs, perennials and native grasses.

(d) Islands shall be bounded by a raised concrete curb or approved equivalent and shall contain mulch to retain soil moisture.

(e) Turf grass is permitted within landscaped areas located around the periphery of a parking lot.

(2) All open, off-street parking areas shall have a minimum of one square foot of landscaping per ten square feet of parking using trees, shrubs or ground cover plants. The preservation of existing trees, shrubs and other natural vegetation in the parking area may be included in the calculation of the required minimum landscape area.

(G) All plant materials must:

(1) Meet the minimum standards set by the American National Standards Institute in ANSI Z60.1 American Standard for Nursery Stock.

(2) Landscape species shall be indigenous or proven adaptable to the climate, but shall not be invasive species.

(3) Landscape materials shall be tolerant of specific site conditions, including but not limited to heat, drought and salt.

(4) Existing healthy plant material may be utilized to satisfy landscaping requirements, provided it meets the minimum plant size specified in this division.

(H) Not more than 30% of the required number of trees shall be of the same species.

(I) Trees and shrubs may be clustered and do not need to be evenly spaced.

(1) It is preferable that trees be located between the sidewalk and the curb, within the landscaped area of a boulevard or in tree wells installed in pavement or concrete.

(2) If placement of street trees within the right-of-way will interfere with utility lines, trees may be planted within the front yard setback adjacent to the sidewalk.

(J) The minimum size of plantings shall be as follows:

(1) Canopy trees – 2.5-inch caliper.

(2) Ornamental trees – 1.5-inch caliper.

(3) Evergreen tree – six-foot height.

(4) Deciduous or evergreen shrub – five-gallon pot.

(K) Mulch shall consist of shredded bark, chipped wood, or stone installed at a minimum depth of two inches. If stone is used it shall be spread over a permeable weed barrier fabric.

(L) All required plant materials shall be planted prior to issuing a certificate of occupancy.

(1) In the event that the project is completed during a time of year when planting is impractical, a performance guarantee meeting the requirements of and in the amount of the remaining improvements may be required.

(2) In such case that a performance guarantee is required, all landscaping shall be completed within one year after the certificate of occupancy has been issued.

(M) The continued maintenance of all required landscaping materials in a live and healthy state is a requirement of this code and is the responsibility of the owner and tenant of the property on which the materials are required.

(1) Plantings which have died shall be promptly replaced by the property owner in accordance with the landscape plan approved for the site.

(2) This requirement shall run with the land and be binding upon all future property owners.

(3) Failure to comply with this maintenance requirement shall be a violation of this section.

(N) Prior to the issuance of a building permit for all projects requiring approval of a landscape plan, the developers, contractor, or property owners shall deposit a security with the city to guarantee compliance with and to indemnify the city for any expenses incurred in enforcing the requirements of this section.

(1) Landscape security for all uses except one or two unit dwellings shall be in a form approved by the Departments and shall be equal to 125% of the estimated cost necessary to furnish and plant the required landscaping and any ancillary screening improvements such as fencing.

(2) The estimated cost shall be subject to approval by the city.

(Ord. 879, passed 10-28-2020)

Blaine – One (1) overstory deciduous shade tree for every two thousand (2,000) square feet of building footprint or one (1) tree for every one hundred (100) feet of site perimeter, whichever is greater. One (1) coniferous tree for every two thousand (2,000) square feet of building footprint or one (1) coniferous tree for every two hundred (200) feet of site perimeter, whichever is greater. One (1) understory shrub for every three hundred (300) square feet of building footprint or one (1) shrub for every thirty (30) feet of site perimeter, whichever is greater. One (1) understory shrub for every three hundred (300) square feet. One (1) understory shrub for every three hundred (300) square feet of building footprint or one (1) shrub for every thirty (30) feet of site perimeter, whichever is greater. One (1) shrub for every thirty (30) feet of site perimeter. One (1) shrub for every thirty (30) feet of site perimeter. One (1) overstory deciduous shade tree, one (1) coniferous tree, and one (1) ornamental tree is required for each townhome unit.

Brooklyn Park – A minimum of one large tree or two medium trees shall be provided per 360 square feet of required parking lot area green space. At least 50% of the total building perimeter shall be sodded or landscaped with approved ground cover, low level plantings in an area of no less than six feet in width. No more than 25% of any trees planted shall come from the same family and 15% of the same species. In addition the landscape plan design shall, at a minimum, provide at least three of the following required numbers of trees and shrubs in addition to any trees and shrubs required for screening in § 152.375: 1. One overstory tree per 3,000 square feet of open area. 2. One ornamental tree per 1,500 square feet of open space. 3. One evergreen tree per 3,000 square feet of open area, except on sites where security, pedestrian or traffic safety are a concern evergreens may be excluded or installed in a reduced number. 4. One deciduous or evergreen shrub per 100 square feet of open area. (4) Street trees. (a) The purpose of this requirement is to soften and screen street

Brooklyn Park – Required canopy trees shall be located within the parking lot area islands (minimum width of six feet and total area of 180 square feet) if designed as end island or nine feet in width if designed as continuous island between bays.

Columbia Heights – A minimum of one large tree or two medium trees shall be provided per 360 square feet of required parking lot area green space. At least 50% of the total building perimeter shall be sodded or landscaped with approved ground cover, low level plantings in an area of no less than six feet in width.

Richfield – Table matrix dependent on tree type. One and two-unit dwellings: 1 per dwelling. Multifamily: between 0.5 to 1.5 trees. Commercial and mixed uses: One (1) tree per 2,500 square feet of Developable Landscaping Area; and One (1) shrub per 1,000 square feet of Developable Landscaping Area.

Richfield – Parking lots for more than 25 vehicles must have at least five (5) percent of their area devoted to landscaped islands planted with overstory deciduous trees. The minimum size of a landscaped island is 180 square feet with a minimum curb-face-to-curb-face dimension of ten (10) feet. Each planting island should have two (2) overstory trees or two (2) ornamental trees if branches do not interfere with sight lines or pedestrian movement. Compacted soil in planting islands should be removed to a depth of 3.5 feet to provide adequate drainage.

Lindstrom – All residential one and two-family developments shall require two (2) canopy trees per dwelling unit. All multi-family, mixed-use, and non-residential uses shall provide: One (1) canopy or evergreen tree per 25 linear feet of street frontage. All structures must have foundation plantings. All additions, expansions, or additional structures shall require an additional two (2) shrubs per 1,000 square feet of new construction.

Lindstrom –

B. Landscape Island Design

1.Landscape islands shall be sized and designed to support plant health and shall be no smaller than 324 square feet in area. It is strongly encouraged to use these areas for infiltration purposes.

2. Landscaped islands may contain:

a. Rain gardens;

b. Depressed infiltration areas; or

c. Trees, shrubs, perennials, and/or native grasses.

C. Any divider median shall be at least eight (8) feet in width and extend the full length of the parking stalls. The divider median shall be covered in grass, ground cover, mulch, shrubs, trees, or other landscape treatment other than concrete and pavement.

D. Shade trees shall be used for the perimeter of the parking area and island landscaping at a minimum rate of one (1) shade tree per 10 parking stalls. Shade trees shall be setback a minimum of eight (8) feet from curbs and/or pavement.

E. The preservation of existing trees, shrubs, and other natural vegetation in the parking area may be included in the calculation of the required minimum landscape area.

F. Modifications from the requirements of this Section may be permitted through the Site Plan Permit review process.

MAILING ADDRESS: PO BOX 100 KASSON, MN 55944

507.634.4505 WSE.ENGINEERING



Memorandum

To: Ian Albers/City of Kasson

From: Les Conway/WSE Massey

Copy:

Date: November 28, 2023

Re: Landscape Plan for MN AG Group Expansion

As per our discussions on November 16, 2023, we have prepared a landscape plan with more details for your review. The landscape plan offers four (4) dense planter areas with State of Minnesota approved prairie species. The east portion of the site will be grass turf.

In our discussions, we spoke about trees and bushes/shrubs. This criterion was outlined in Section 154.310. For the MN AG Group Expansion, we are requesting a deviation from the tree and shrub requirements of Section 154-310.

Bigelow Homes developed this commercial business park about 20 years ago. Discussions with Tony Bigelow indicate that dense landscaping requirements were intentionally avoided during development. Most of the commercial sites do not have any trees and that was intentional. Dodge County did not want any trees as obstructions in the ROW or in line with driveways for line-of-sight distances. The HC/Highway Commercial zoning is designed for clear viewing from the County and State roads. This takes advantage of high traffic counts. There is a good justification to avoid trees and shrubs in this development based on the zoning and use.

The MN AG Group site has additional restrictions. The north side of the site is Hwy 14 ROW. Again, this side of the site is intended to take advantage of high visibility and the Hwy 14 traffic counts. The south side of the site is County Road 13 ROW. Dodge County would prefer this area to remain clear and free of any site obstructions. The west property line has electrical and communication utilities.

MN AG Group sells and leases farm and agriculture equipment. Much of this equipment is very large. Trees and shrubs would be an added restraint across the site for maneuvering and loading.

Please evaluate the dense planting areas and the grass turf as adequate landscaping for the MN AG Group Expansion. It will be very beneficial to avoid the encumbrances from heavy tree and shrub plantings.

11/1/2023 6:46:51 PM

Landscape Plan.dwg



MAILING ADDRESS: PO BOX 100 KASSON, MN 55944

507.634.4505 📕 WSE.ENGINEERING



Memorandum

To: Ian Albers/City of Kasson

From: Les Conway/WSE Massey

Copy:

Date: January 3, 2024

Re: Landscape Plan for A&A Underground Electric Expansion

For the A & A Underground Electric Expansion, we are requesting a deviation from the tree and shrub requirements of Section 154-310.

Bigelow Homes developed this commercial business park about 20 years ago. Discussions with Tony Bigelow indicate that dense landscaping requirements were intentionally avoided during development. Most of the commercial sites do not have any trees and that was intentional. Dodge County did not want any trees as obstructions in the ROW or in line with driveways for line-of-sight distances. The HC/Highway Commercial zoning is designed for clear viewing from the County and State roads. This takes advantage of high traffic counts. There is a good justification to avoid trees and shrubs in this development based on the zoning and use.

The A & A Underground Electric site has additional restrictions. The south boundary of the site abuts a residential area. There is a fence line between the residential area and the existing A & A building. The fence line is on the residential side of the property line. It is recommended that 4 trees be planted along the fence line on the A & A side of the property line. The new expansion area will also have a new fence along the property line and 6 new trees. There will also be grass turf along the new south property line. The north property line along the expansion can also include 4 trees and grass turf.

Please evaluate the trees and the grass turf as adequate landscaping for the A & A Underground Electric Expansion.



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10/30/2023 3:28:13 PM



137-234389 CG01

)/30/2023 3:28:30 PM

Ian Albers

From:John KislinSent:Tuesday, FTo:Ian AlbersSubject:Re: Condit

John Kislinger <johnkislinger@gmail.com> Tuesday, February 6, 2024 6:14 PM Ian Albers Re: Conditional Use Permit for Fence

lan,

Thank you for reaching out, I had lost your contact.

The agreement is that I will remove and reinstall the fence so it is not within 3 feet of the property line to be completed before June 1st. I guess this means withdrawing the condition use permit application. I was planning to attend the meeting in order to report back to the board.

John Kislinger (507)251-6175 johnkislinger@gmail.com

On Tue, Feb 6, 2024 at 1:50 PM Ian Albers <<u>eda@cityofkasson.com</u>> wrote:

Good afternoon John,

I wanted to follow up with you and see if there are any updates regarding your fence and your neighbor to the north – have you reached a resolution on how to proceed? The next Planning Commission meeting is scheduled for Monday the 12th starting at 6:30.

Sincerely,

Ian Albers

Community Development Assistant

Email: eda@cityofkasson.com

Phone: (507)-634-6328

ArcGIS WebMap





ArcGIS WebApp Builder



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NS		-	ADDRESS	27235 625TH ST, MN 55944	
	7FT TALL AGRICULTURAL FENCE	-	COUNTY	KASSON	
			DC SYSTEM SIZE	5624.4 kW	
			AC SYSTEM SIZE	4000 kW	
			SITE AREA	25.64 ACRES	
			AZIMUTH	180° (S) -52° TO 52°	
			GCR	32.75%	
			IC VOLTAGE	12.47kV	
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