



222 Lewis Street
River Falls, WI 54022

(715) 425-0900
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**AGENDA
PLAN COMMISSION
August 2, 2016 at 6:30 p.m
City Council Chambers
222 Lewis Street River Falls, WI 54022**

CALL TO ORDER/ROLL CALL

APPROVAL OF AGENDA/MINUTES

NOTE: Minutes of July 5, 2016 Plan Commission Meeting

PUBLIC COMMENTS – Non-Agenda Related Topics

PUBLIC MEETINGS

1. Ordinance 2016-12 - Modifying Chapter 17.104.020 – Administration and Enforcement Section of the Municipal Code Regarding Administrative Relief of Specific Zoning Requirements

UPDATE AND INFORMATION

2. City of River Falls Monthly Status Report

ADJOURNMENT

*Council members may be in attendance for informational purposes only.
No official Council action will be taken.*

Post: River Falls Journal, July 28, 2016

Post: City Hall Bulletin Boards July 28, 2016



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**MINUTES
PLAN COMMISSION
MEETING
Tuesday, July 5, 2016 at 6:30 pm
City Hall – Council Chambers**

CALL TO ORDER/ROLL CALL – Meeting convened at 6:30 pm

Members Present: Dan Toland, Andrew Brown, Lisa Moody, Scott Morrissette, Susan Reese, Todd Schultz Mary Van Galen, Reid Wronski,

Members Absent: None

Staff Present: Amy Peterson – *Assistant Community Development Director*, Tony Steiner – *City Planner*, Julie Bergstrom – *Finance Director*, Tyler Galde – *GIS Intern*

Others Present: Ben Fochs, Sean Lentz,

APPROVAL OF AGENDA/MINUTES

Morrissette/Moody to approve the Plan Commission minutes of the June 7th meeting - unanimous

PUBLIC HEARINGS

1. ***Public Hearing regarding the proposed amendment of boundaries and project plan for Tax Incremental District No. 10***

Shawn Lentz from Ehlers presented the plan amendment to the Commission. TID # 10 was established in 2014 for the Sterling Ponds corporate Park and is being amended to bring in additional property that was outside of the City limits at the time of creation. The City has approved a development agreement with at least one company that will be constructing in the park this year. The proposed lots were created to maximize the development area, but fall both within and outside of the current tax increment district, and resolution of the district boundaries is needed. A public hearing followed the presentation.

MSC- Wronski/Reese to approve resolution recommending to Council Amendment to Tax Incremental Finance District 10, boundaries and project plan – Unanimous

2. ***Public Hearing regarding the proposed project plan, boundaries and creation of Tax Incremental District No. 12***

Sean Lentz from Ehlers presented the proposed plan to the Commission. The City purchased 85 acres of land in Mann Valley in 2011 and an additional 240 acres in 2013 to be developed into a corporate park. The City was approached by Winfield Solutions to develop a portion of the property near the University Farm. Creation of a tax increment district requires the property to be within the City limits, and an ordinance annexing approximately 300 acres to the City will be presented to the City Council in July for consideration. The area is proposed to be included in a tax increment district in order to recover the initial development costs through increases in the tax base from new construction. The first step for district creation is to hold a public hearing at the Plan Commission on the proposed plan and make a recommendation to Council. A public hearing followed the presentation.

MSC- Wronski/Reese to approve resolution recommending to Council the creation of Tax Incremental District #12, its designated boundaries and project plan – Unanimous

CURRENT PLANNING PROJECTS

3. ***Resolution recommending temporary zoning and official map amendment for property being annexed to the City of River Falls, by the City of River Falls, Mann Valley Property.***

Tony Steiner reviewed the report with the Plan Commission. The total area of the property being annexed is 291.9 acres. As part of the process the Plan Commission is required to recommend a temporary zoning designation and to recommend changes to the official land use map that are in sync with the future use of the property.

The plan is to assign a temporary zoning designation of (I1) Industrial and (A) Agricultural. Attached you will find a map (Exhibit 3). The (I1) zoning pattern will accommodate the immediate planned project and the (A) zoning pattern is compatible with the surrounding uses and will stay in place until a plan for the future corporate park is developed. The temporary zoning will be changed to permanent as part of the overall zoning amendments for the greater area to take place after this property is annexed to the City.

The Plan Commission also recommends changes to the Comprehensive Plan future Land Use Map that are compatible with planned uses and zoning. After the property is annexed the City will be preparing a plan for the future corporate park and at that time the Plan Commission will review this plan and recommend appropriate changes to the Future Land Use Plan.

MSC- Morrissette/Reese to approve resolution recommending to Council approval of Mann Valley annexation and assignment of temporary zoning – Unanimous

4. ***Resolution Regarding Variance of on Street Parking for Best Maid Cookies***

Amy Peterson reviewed the report with the Plan Commission. Best Maid Cookie Co., Inc. is headquartered in River Falls, and the Company has consistently grown over the years. In 2014 the Company was acquired by Arbor Investments with the intent to keep the headquarters in River Falls and to continue the growth trajectory. The Company currently employs over 150 people and recent staff increases have depleted their on-site parking supply. Future employment growth over the next few years will only exacerbate the problem. The onsite outlet store requires additional parking needs for customers as well.

Currently the Company is drafting plans for a 30,000+ SQFT bakery addition, and plans are anticipated for future expansions as well that may include a 3rd production line and possibly expansion to other adjacent properties.

The City of River Falls Industrial Park Covenants state that there shall be no on street parking within the Industrial Park. The Covenants also allow the Common Council in their sole discretion and after recommendation from the Plan Commission to grant a variance from the literal application of one or all of the regulations, restrictions and covenants, if the enforcement of such restriction causes undue hardship on the development and the Council determines a variance is in the best interest of the City.

The Company has requested a two year variance (Exhibit 2) to the no on street parking clause on the west side of Benson Street as well as both sides of Troy Street as shown on Exhibit 3. The resolution (Exhibit 1) requires the on street parking to comply with the City's alternate side parking ordinance, and also requires Best Maid to prepare a future parking plan that complies with both the Industrial Park covenants as well as City ordinances. This plan will be submitted to the City with the Companies upcoming building expansion plans or by December 31, 2016, whichever is sooner.

Planning staff have talked with City Divisions and none have expressed concern over the variance as proposed. This is a short term issue that the Company will plan to alleviate during the extension timeframe. Staff recommended approval of the variance.

MSC- Schultz/Morrisette to approve a two-year variance to allow on-street parking between the hours of 6am-1 am, in accordance with the City's alternate side parking ordinance, and along both sides of the east Troy Street cul-de-sac, as well as the west side of Benson Street as shown on Exhibit 2 presented to Plan Commission on July 5, 2016 – Unanimous

ADJOURNMENT

MSC Morrisette/Reese to adjourn at 7:15 p.m.

Respectfully submitted,



Tony Steiner, City Planner



PLANNING DEPARTMENT

222 Lewis Street
River Falls, WI 54022

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PLAN COMMISSION

August 2, 2016

STAFF REPORT

FILE: Ordinance 2016-12 - Modifying Chapter 17.104 – Administration and Enforcement Section of the Municipal Code Regarding Administrative Relief of Specific Zoning Requirements

REQUEST: Staff requested Ordinance Change

PURPOSE: This ordinance change would provide staff some administrative flexibility regarding setbacks, building height, site coverage, open space and number of parking stall requirements in the Zoning Code.

BACKGROUND:

Inevitably instances arise where the zoning requirements applied do not function as intended, or cause issue with future development plans. Typically when interpreting zoning code, interpretation and enforcement is black and white, i.e. 35 foot building height maximum means that the building shall not be built to 36 foot height. At times there are circumstances whether due to topography, irregular property boundaries, equipment height, financial burdens, or other unusual circumstances that requires a variance from the requirements. In the past, staff has required minor variance request to go through the Board of Appeals process, knowing fully that the variance request does not pose an adverse effect to public health, safety and general welfare and will not be injurious to or incompatible with adjacent land owners. This process both increases staff time and administration, as well as draws out process for the applicant.

SURROUNDING ZONING:

Not applicable.

ANALYSIS:

This administrative relief proposal provides the community and staff with a bit of flexibility, if needed, within the structure of the zoning code. The Department Director will have the discretion to approve 10 percent flexibility in standards or require a Board of Appeal review.

Currently the Winfield – Land O’ Lakes building in Sterling Ponds is proposed at 35’11” and the maximum height in Industrial-1 zoning is 35 feet. There is a piece of equipment needed by the company that with maintenance space will not allow them to meet the 35 foot height requirement, without digging down and recessing the floor. This site is just over 13 acres in the middle of the

Sterling Ponds Corporate Park and will be a flagship corporate location for Winfield – Land O’ Lakes. The proposed building and landscaping will provide an aesthetically pleasing focal point for the Corporate Park. There is not an issue with public health or welfare; there is no danger or implications for adjacent property owners. This is the perfect instance where this proposed Administrative Relief clause could be utilized.

NEIGHBORHOOD/PUBLIC COMMENTS:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of ordinance changes.

CITY PLAN COMMISSION OPTIONS:

1. Approve the ordinance change as recommended by staff.
2. Approve the ordinance change with additional or different conditions.
3. Send the ordinance back to staff with direction for further revision.
4. Do not approve the ordinance.

EXHIBITS:

1. Ordinance with proposed modifications

Chapter 17.104 - ADMINISTRATION AND ENFORCEMENT

Sections:

17.104.010 - Purpose.

The purpose of this chapter is to outline specific rules and procedures whereby the provisions of this title shall be administered and enforced.

(Prior code § 21.60)

17.104.020 - Enforcement responsibilities.

The zoning administrator shall have primary responsibility for the enforcement of this title. No structure shall be built, moved or altered and the use of land substantially changed except after having obtained a permit therefor from the zoning administrator.

A. Powers and Duties. The zoning administrator shall have the following powers to enforce the provisions of this title:

1. Examine and approve any application pertaining to the use of land, buildings or structures to determine if the application conforms with the provisions of this title;
2. Issue all zoning certificates and keep permanent records thereof;
3. Conduct inspections of buildings, structures and uses of land to determine their compliance with this title;
4. Receive, file and forward for action all applications for appeals, variation, special uses and amendments to this title which are filed in the zoning office;
5. Initiate, direct and review from time to time a study of the provisions of this title and make reports of his or her recommendations to the plan commission and the city council not less frequently than once a year;
6. Revoke certificates of zoning compliance where provisions of this chapter are being violated;
7. Maintain permanent and current records of zoning code, including all maps, amendments, special uses and variations;
8. Provide and maintain public information relative to all matters arising out of this title;
9. Upon recommendation of the Zoning Administrator, the Department Director is authorized to grant administrative relief, with or without conditions, not to exceed 10% of the applicable requirement/standards set forth in this title, subject to the following:
 - a. The administrative relief is consistent with the Comprehensive Plan and is consistent with the Zoning Ordinance.
 - b. The administrative relief applies only to setbacks, building height, site coverage, open space and number of parking stall requirements.
 - c. The administrative relief will not create conditions detrimental to the public health, safety and general welfare or will not be injurious to or incompatible with other properties or land uses in the vicinity.

B. Permit Applications.

1. Building Permits Required. No building or other structure shall be erected, moved, added to or structurally altered without a permit issued by the zoning administrator or designee. No building permit shall be issued by the zoning administrator except in conformity with this subsection, Title 16 of this Municipal Code, state and local building codes and all other applicable codes unless the applicant has received a written order from the board of appeals granting a variance to this subsection.
2. Application for Building Permit. All applications for a building permit shall be accompanied by plans in duplicate or as many sets of plans as the zoning administrator or designee needs to properly review the application. Such plans shall be drawn to scale showing the actual dimensions and shape of the lot to be built upon, the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required, including, but not limited to:
 - a. Proof of ownership or proof of agency relationship between owner and applicant;
 - b. Where a permit is applied for new construction or construction that will alter the exterior foundation dimensions, the applicant shall provide a current title opinion from an attorney licensed in Wisconsin that indicates the degree and extent of private land restrictions, covenants and other such private land restrictions beyond the jurisdiction of the city. Further, the applicant shall hold the city harmless from any errors or omission provided in the title opinion;
 - c. Plans submitted by the applicant for all commercial structures and accessory uses and parking lots shall be prepared by a licensed architect, engineer or land surveyor;
 - d. Applicants for commercial structures, accessory uses and parking lots shall submit four complete sets of plans illustrating all necessary information as required by the city;
 - e. All applications for commercial structures, accessory uses and parking lots shall be accompanied with a fee payable to the city and deposited with the city clerk for the purpose of covering the cost of plan review. The fee will be set from time to time by resolution of the city council;
6. One copy of the plans shall be returned to the applicant by the zoning administrator after he or she shall have marked such copy, either as approved or disapproved and shall have attested to the same by his or her signature on the returned copy. One copy of the plans shall be retained by the zoning administrator;
7. Where the applicant or the zoning administrator or his or her designee desire to have the plan approval and building permit reviewed and acted upon by the plan commission, the applicant or the administrator may request that the item be placed on the next regularly scheduled agenda of the plan commission for action to be taken.

(Ord. 1999-7 (part); prior code § 21.61)

17.104.030 - Board of appeals.

- A. How Constituted. The board of appeals shall consist of five members appointed by the mayor, subject to confirmation by the council, for terms of three years pursuant to Section 62.23(7), Wis. Stats.
- B. The members shall serve with compensation as provided in Section 2.08.060 and shall be removable by the mayor for cause upon written charges and after public hearing. The board of appeals shall make and file in the office of the city clerk its own rules of procedure consistent with the

City of River Falls Monthly Status Report

Department Name: Community Development

Reporting Period: 7/1/2016

Department Projects and Status

Name of Project	Completed	In Progress	Delayed	Updates
Planning & Development				
Housing Authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff continue to work with and assist the Housing Authority as needed.
Kinni Corridor Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contract reviewed by the City and SHE and is expected to be sign in August.
Park Master Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Projects are in the current version of the CIP, per implementation recommendations.
Power Plant Substation Discussion	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A draft site plan was reviewed by staff amendments were recommended.
Department Budget	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff is preparing the 2017/18 Department budget. Due 7/11
SLUC	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff attended the June Sensible Land Use Coalition presentation on Community Engagement.
DNR Trail Grant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The trail will be designed in 2016 and built next year. Our contract requires the project to be finished by 2018. A engineering and design consultant has been chosen and surveying work began in mid June.
DOT Tap Grant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The city's application for funds to construct a pedestrian bridge on railroad abutments across the Kinni has been submitted. We have received word that it is currently under review. We expect to have a decision from the DOT later this year. As of July there is no update on this project.
South Main Street Corridor Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plan Commission planning workshops continue on this project. Our next meeting is August 2nd
2015 Trends Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The report is complete and was presented to Council on May 24th.
Wisconsin Historical Society Grant for National Register Nomination	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In early March the City received notice from the Wisconsin Historical Society that the City's grant application for funds to be used to produce a National Register of Historic Places nomination for the Glen Park Swinging Bridge has been approved. We expect to have a consultant on board by late August and work completed on the nomination by the end of the year. The grant contract has been signed and in June an RFP was drafted and

				approved by the State for distribution. The RFP has been sent out and in late July we received two proposals. A consultant will be chosen in August.
Site Plan Review	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are a number site plans submitted for review: - St Croix County Communications Tower located in Whitetail Ridge Corporate Park is now completed - St Croix Valley Incubator, Located in Sterling Ponds Corporate Park is ongoing - TW Vending located in Sterling Ponds Corporate Park is now completed - First National Bank is now completed - WinField Solutions Mann Valley site plan has been reviewed and is near completion. WinField Solutions site plan for Sterling Ponds Corporate Park has been submitted and staff is currently reviewing it. We expect it to be completed in the month of August. Staff has also completed a covenant review for the EDC on the Incubator, TW Vending and REV Materials.
Rezoning for The River Church	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Plan Commission approved the rezoning on May 3rd and the rezoning of the property was approved by council in early June.
214 & 220 Union Street	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All title work is complete and working with the Housing Authority to rent the units.
Safe Room Hoffman/Glen Park	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff held an open house in conjunction with the Fishes opening night, Saturday, May 7 th . On May 6 th An application for a safe room for Glen park was been submitted to the State and amendments requested by the State for submitted on June 1st . We expect to know if we are successful by December or early 2017.
BID	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Application was received for Bo's N Mine's rear patio project.
DRC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DRC approved First National Bank; staff approved Mariachi Loco and Bo's N Mine projects. Overview presentation to Council completed on June 28.
Mann Valley				Annexation and TID; staff is assisting in both processes.
Kilkarney Hills Golf, INC		X		Working on site plans and cost with Kilkarney Hills on future development of 20 acres of their property with the Whitetail Ridge Corp. Park 20 acres.
1300 South Main Street River Falls Motel		X		Working with City Attorney on process to raze the dilapidated building. Attorney Joel D. Schlitz represent the owner. Process to be presented in

				August to City Council.
Cooperative Plan with Kinnickinnic		X		The Town Planning Commission will review City proposed changes at their July 20 th meeting.
Parks & Recreation				
Pool Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Municipal Pool Operation Manual is updated and staff training done for 2016.
Park & Rec Fee Study	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plan to report to Park & Rec Board in the next meeting or two.
Building & Inspection				
Permitting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See the department dashboard for building permit totals.
Upgrade Rental Renewal System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Converting system from word/excel to Munis for greater efficiencies. Conversion will be completed by the end of September.
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Continue to receive complaints concerning tall grass & weeds, garbage issues, rental properties, abandoned vehicles, and sign enforcement.

Comments:

Recreation programs have registered 2636 participants in spring/summer programs and received \$98,939 in revenues in the eighteen weeks since registration started. Registration online is at 71% versus the calls/mailings or walk in. Programs and classes have been going very well this year, instructors are enthusiastic and children are having a fun/safe summer. Youth baseball completed their season on Wednesday July 27, now on the football and fall soccer. River Falls American Legion is hosting the State tournament on July 27-July31 at Hoffman Park First National Bank baseball stadium with seven visiting teams and families from around the state. July 23rd was the Border Battle bike race at Whitetail Ridge with numerous spectators from around the area.

Recreation staff is working on the Bicycle Friendly City Application, three years ago we were awarded Bronze level. Application has been extended to August 16th.

Beginning ComDev website updates

Good News! (Awards/grants received, accomplishments, employee customer service, etc.)

The Wisconsin Historical Society has awarded a historic preservation grant of \$4,000 to the City of River Falls to prepare a National Register Nomination for the "Glen Park Suspension Footbridge", more commonly referred to as the "Swinging Bridge" The Glen Park Suspension Footbridge is a rare resource type in the state. There are only two other known examples in Wisconsin of pedestrian suspension bridges similar to the Glen Park Suspension Footbridge — one located in Boyd Park in Eau Claire and another in Copper Falls State Park in Ashland County. It is also important for its association with the Planning and Development history of River Falls in general and with Glen Park, specifically. A historic preservation consultant will be selected by mid-summer and the nomination will be completed by the summer of 2017.