

City of Winsted
Planning Commission
City Council Chambers
September 8, 2010
6:00 p.m.

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

Staff Present: Andrew Elbert, 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

Dickhausen motioned the approval of the July 14th, 2010 meeting minutes; Fasching seconded. Motion carried 3-2. Ebensperger and Guggemos abstained.

3) **Conditional Use Permit – 511 – 4th Street North**

Saint Mary's Care Center, 551 – 4th Street North, is requesting a Conditional Use Permit (CUP) to host a retail pharmacy located on an R-2 [high density residential] zoned property. The CUP is being considered under the following: "Clinics and other buildings for the treatment of human beings contingent upon adequate parking being provided."

Terms of Conditional Use Permit:

Terms and conditions for issuing a CUP within the City of Winsted are as follows:

- 1) That the conditional use will not be injurious to the use and enjoyment of the other property in the immediate vicinity for the purposes already permitted.
- 2) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.
- 3) That adequate utilities, access roads, drainage and necessary facilities have been or are being provided.
- 4) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- 5) That proper facilities are provided which would eliminate any traffic congestion or traffic hazard which may result from the proposed use.
- 6) The demonstrated need for the proposed use.
- 7) The proposed use is in compliance with any Land Use Plan adopted by the City.
- 8) That the conditional use shall not be issued wherein it would create a public nuisance or a health hazard.

Andy Opsahl, Administrator for Saint Mary's Care Center, Jennifer Kamstra, Living Services Foundation, and Julie Rizzo, a pharmacist and representative for Keaveny Drug, Winsted were present to answer questions. Rizzo stated that Deb Keaveny, owner of Keaveny Drug, could not attend the meeting due to a building sale transaction in another part of the state.

Planning Commission members Ebensperger and Guggemos asked questions regarding the moving of Keaveny Drug from downtown Winsted to Saint Mary's campus and if Saint Mary's residents obtained their prescriptions from Keaveny Drug, Winsted. Opsahl responded that medications residents receive are delivered from Keaveny's Cokato business, not from Keaveny Drug, Winsted. The Planning Commission is hesitant to make any motions to approve the CUP if there is not a demonstrated need for a pharmacy at Saint Mary's site, due to the fact that Keaveny Drug pharmacy draws business to the downtown and the downtown would be impacted negatively without them.

Lenora Kubasch, 210 – 6th Street North, voiced her opinion of disagreeing with the pharmacy moving from downtown and suggested that possibly a prescription drug kiosk could be placed in Saint Mary's to provide prescriptions.

Gary Lenz, 321 Southshore Drive, voiced his opinion of disagreeing with the pharmacy moving from downtown.

Ollig stated that some Winsted residents may be misinterpreting Saint Mary's request for Keaveny Pharmacy to move to their campus as a threat to Keaveny's; and that if they do not move onto Saint Mary's site, Saint Mary's would pursue another pharmacy. Opsahl stated that is not the intent of Saint Mary's.

Opsahl stated that Saint Mary's feels that a pharmacy would be a good addition to the health care campus that they are creating which will have many health care options in one location.

Ollig asked what Saint Mary's would do if Keaveny's did not move to their pharmacy to Saint Mary's and Opsahl did not have a definite answer at the time.

Rizzo addressed questions from the Planning Commission and stated that Keaveny's has not made a decision yet on whether they will move the pharmacy or not. She stated that they are considering what is best for the City of Winsted. She also stated that they considered the option of putting a drive through at their current location and have not ruled out that possibility.

Opsahl did not realize that Saint Mary's had considered a drive through at their current location.

Guggemos motioned to close the public hearing; Cafferty seconded; unanimously carried.

Ebensperger recommended that further discussion be continued at a future meeting. Some of the issues discussed during the public hearing need further clarification by Deb Keaveny of Keaveny Drug.

Elbert stated that Saint Mary's and Living Services Foundation want to continue the process of their building additions so he recommended that a Special Planning Commission meeting be scheduled before the next regularly scheduled Planning Commission meeting.

Fasching motioned to hold a Special Planning Commission meeting on Wednesday, September 15th, 2010 at 6 p.m. to further discuss the Conditional Use Permit request; Guggemos seconded; Motion carried.

4) No Old Business.

5) New Business

a) Extension of Preliminary Plat Approval – Winsted West Industrial Park

In the fall of 2006, Mr. Clay Montgomery received approval for a preliminary plat for a forty (40) acre commercial/industrial development known as Winsted West Industrial Park. The plat provided lots for highway commercial development along CR-1 and CR-5 and industrial development on the balance of the property. This preliminary plat has yet to progress to the final plat stage of the city's development process. The zoning ordinance provides a two (2) year window to have a preliminary plat adopted as a final plat. If the preliminary plat does not receive final plat approval, the preliminary plat becomes null and void and any future development of the property must begin with a new preliminary plat process.

In December, 2008, Mr. Clay Montgomery was granted a one (1) year extension until September 1, 2009 to obtain final plat approval from the City Council. A second request was granted to Mr. Montgomery which is set to expire this September, 2010. This is the third request for an extension of the preliminary plat for the site.

Fasching motioned to grant an extension of the preliminary plat approval for the Winsted West Industrial Park until September 1, 2011, at which time a final plat must be approved by the City of Winsted or the preliminary plat will be considered null and void; Dickhausen seconded; Motion carried.

a) Planned Unit Development Review – Municipal Development Group

Cynthia Smith-Strack, Municipal Development Group, Incorporated, was present to discuss a final review of ordinance language amendments to the Subdivision and Planned Unit Development (PUD) Ordinances. Topics discussed were proposed additional standards to the Subdivision Ordinance and PUD related discussion including:

- PUD = Flexible Design/Development
- May or may not included Subdivision
- Overlay versus rezone to PUD
- Public Benefit Required
- Density

Planning Commission members discussed the language of the Subdivision and Zoning Ordinance related to PUD and agreed on new language for these ordinances.

Fasching motioned to schedule a public hearing for Wednesday, October 13, 2010 to amend the Subdivision Ordinance; Cafferty seconded; Motion carried.

Fasching motioned to schedule a public hearing for Wednesday, October 13, 2010 to amend the Zoning Ordinance; Cafferty seconded; Motion carried.

6) No Other Business.

7) Adjournment

Cafferty motioned to adjourn the meeting; Guggemos seconded; Motion carried.

Respectfully Submitted,

Raquel Kirchoff

Administrative Assistant