

**City of Pine Island
Planning and Zoning Commission**

Agenda

Tuesday – February 11, 2014

7:00 PM

Second Floor – City Hall
250 South Main Street

- I. Roll Call
- II. Pledge of Allegiance
- III. Thanks to Roy Larson for his years of service and welcome to Brad Rehling as a new Commissioner
- IV. Minutes of September 10, 2013
- V. Public Hearing regarding Pine Haven, Inc. request for a Variance at Pine Haven Community Block 1 Lot 2 to allow:
 - 1) less than 10 foot side setback on south property line;
 - 2) less than 30 foot setback from R-1, R-2, and R-3 zoned districts on north property line; and
 - 3) up to 41 off-street parking spaces.
- VI. Action related to Pine Haven, Inc. request for Variance
- VII. Adjourn.

City of Pine Island
Planning and Zoning Commission
Minutes
Tuesday, September 10, 2013
7:00 P.M. – City Hall

Roll Call: Meeting called to order at 7:00 P.M. by Chairman Ken Hames

Present: Harlan Pahl, Grant Friese, T.J. Schutz, Ken Hames

Absent: Randy Bates

Also Present: Jon Eickhoff, Mr. & Mrs. Bushman, Jim and Pat Walter, Karen Doll

Motion by Friese and second by Schutz to accept the minutes of the July 9, 2013 meeting.
Approved 4-0.

Opened public hearing regarding Chapter 11 proposed amendment which would allow variances to be issued when enlargement of a non-conforming use is desired by applicant. Eickhoff commented that John Tiedeman left a telephone message about this today. Eickhoff returned the call but was unable to reach Tiedeman. No additional comments.

Motion by Schutz and second by Friese to close the public hearing. Approved 4-0.

Friese and Hames think it is the right thing to do.

Motion by Friese and second by Schutz to recommend Chapter 11 proposed amendment be approved by Council. Approved 4-0.

Opened public hearing regarding 512 South Main Street variance request. No comments.

Motion by Schutz and second by Friese to close public hearing. Approved 4-0.

Friese asked Bushman how big the expansion would be. Bushman said the proposed size is 10' by 20'.

Motion by Friese and second by Schutz to allow the proposed variance at 512 South Main Street.
Approved 4-0.

Jim Walter asked the Planning and Zoning Commission if a hotel or multi-family residential housing could be located north of County #11. Friese talked about a possible mixed use. Hames clarified that opinions of Planning and Zoning members may not reflect future request approvals. Hames commented that it may be a good area for a PUD.

Motion by Schutz and second by Pahl to adjourn Planning and Zoning meeting at 7:31 P.M.
Approved 4-0.

Respectfully Submitted,

Jon Eickhoff



LETTER OF TRANSMITTAL

Date: January 28, 2014
To: Jon Eickhoff, City Clerk / Zoning Administrator
 Cindy Oelkers, Deputy Clerk
From: Craig Britton, PE
cc: Steve Ziller, Pine Haven Administrator
Project Name: Pine Haven Care Center Expansion
Project No.: WSN 1002R0025.001
Subject: **Petition for Variance Request and Supplemental Information**

Rochester
 6301 Bandel Road NW
 Suite 301
 Rochester, MN 55901-8798
 507.292.8743
 507.292.8746
 Rochester@wsn.us.com
 WidsethSmithNolting.com

We are sending: Other - See Remarks **Via:** Delivery

Action	Copies	Date	Description
For Approval	10	2/4/14	Petition for Variance
For Your Use	10	2/4/14	Letter Explaining Variances Requested
For Your Use	10	2/4/14	Site Plan
For Your Use	10	2/4/14	Exterior Elevation Drawing
For Your Use	10	2/4/14	Pine Haven Community Plat
For Your Use	10	2/4/14	Pine Island Zoning Map - Pine Haven Area

Remarks:

Jon and Cindy,

Please find enclosed the above items for the variance request for the Pine Haven Care Center expansion project. Please let me know if you'd like any further information prior to the meeting on February 11th.

Thank you,

Signed:

Craig Britton, PE

If enclosures are not as noted, kindly notify us at once.
If you have any questions, comments, or concerns, please contact us.

PETITION FOR VARIANCE

Date 1/24/2014

Person(s) applying for variance Pine Haven, Inc.
Steven Ziller, Administrator

Address 210 3rd Street NW, Pine Island, MN 55963

Telephone # (507) 356-8304

Legal description of property: Lot: 2 Block: 1

Plat Parcel# Pine Haven Community Addition. _____

Reason for variance. Setback Requirements 1 11.34.Subd.6.C.4, Setback requirement is 30 ft, west wing is as close as 22.45 ft. 2 11.34.Subd.6.C.1, Setback requirement is 10 ft, south building line does not meet.

Parking-11.70.Subd.24.F.18, Use not specifically noted. Easement vacation and new description on north side of lot.

Names and addresses of the property owners abutting directly on (See letter for additional information) the property described in this application

City of Pine Island, 250 Main Street South, Box 1000, Pine Island, MN 55963

Royal Court LLC, PO Box 149, Oronoco, MN 55960

Pine Haven Inc, 210 3rd Street NW, Pine Island, MN 55963

1. Are there exceptional or extraordinary circumstances to the properties which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which you, as owner, have had no control Yes X No _____

Comment Current bond with City on current skilled nursing facility to south of parcel. (See letter for additional information)

2. Do you declare the special conditions or circumstances have not resulted from your actions Yes X No _____

Comment (See letter for additional information)

3. Is the variance requested the minimum variance which would alleviate the hardship? Economic conditions alone are not considered a hardship. Yes X No _____

Comment (See letter for additional information)

4. Will the proposed variance be sufficiently compatible so as to not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or substantially diminish or impair property values within the neighborhood. Yes X No _____

Comment (See letter for additional information)

Signature Steve Ziller

For Planning and Zoning Commission Use Only

PETITION FOR VARIANCE

1. Is it concluded the literal interpretation of the provisions of the Zoning Chapter will not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Chapter?

Yes _____ No _____

Comment _____

2. Is it concluded that granting the variance will not confer on the applicant any special privilege that is denied by the Zoning Chapter to owners of other lands, structures or buildings in the same district? Yes _____ No _____

Comment _____

3. Is it concluded the variance would not be materially detrimental to the purpose of the Zoning Chapter, or to other property in the same zone Yes _____ No _____

Comment _____

Planning and Zoning Approved _____ Denied: _____

Signature _____

Date of Publication. _____ Date of P&Z meeting _____

Notices sent. _____

Date of Council meeting _____ Approved _____ Denied _____

City Administrator. _____

VARIANCES

sec. 11.18. Variances

Subd. 1. Criteria for Granting Variances. A variance to the provisions of this Chapter may be issued by the Board of Adjustment to provide relief to the landowners in those cases where this Chapter imposes undue hardship or practical difficulties to the property owner in the use of this land. No use variances may be issued. A variance may be granted only in the event that the following circumstances exist:

A. Exceptional or extraordinary circumstances apply to the properties which do not apply generally to other properties in the same zone or vicinity and result from lot sizes or shape topography or other circumstances over which the owners of property since the effective date of this Chapter have had no control

B. The literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Chapter.

C. That the special conditions or circumstances do not result from the actions of the applicant.

D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to owners of other lands, structures or buildings in the same district.

E. That the variance requested is the minimum variance which would alleviate the hardship. Economic conditions alone shall not be considered a hardship.

F. The variance would not be materially detrimental to the purpose of this Chapter, or to other property in the same zone

G. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or

substantially diminish or impair property values within the neighborhood. The Board of Zoning Adjustment may impose such restrictions and conditions upon the premises benefited by a variance as may be necessary to comply with the standards established by this Chapter, or to reduce or minimize the effect of such variance upon other properties in the neighborhood, and to better carry out the intent of the variance. No variance shall permit a lower degree of flood protection than the Regulatory Flood Protection Elevation for the particular area or permit standards lower than those required by Federal, State or local law.

Subd. 2. Required Exhibits for Variances.

A. A preliminary building and site development plan. The Council may also require a boundary survey of the property.

B. Evidence of ownership or enforceable option on the property.

Subd. 3. Procedures. The procedure For obtaining a variance from the regulations of this Chapter are as follows

A. The property owner or his agent shall meet with the Zoning Administrator to explain his situation, learn the procedures and obtain an application form.

B. The applicant shall file the completed application form together with the required exhibits with the Zoning Administrator and shall pay a filing fee as established by the Council.

C. The Zoning Administrator shall transmit the application to the Board of Zoning Adjustment for review and shall notify all property owners within three hundred fifty (350) Feet of the outer boundaries of the property in question; however failure of any property owner to receive such notification shall not invalidate the proceedings.

D. The Zoning Administrator shall set the date for a public hearing and shall have notice of such hearing published at least once in the legal newspaper, not less than ten (10) days nor more than thirty (30) days prior to the hearing.

E. The Board of Zoning Adjustment shall hold a public hearing on the proposed variance and shall make a decision within thirty (30) days after the public hearing. It shall recommend one of three actions - approval, denial, or conditional approval.

F. No application by a property owner for a variance shall be submitted to the Board of Zoning Adjustment within a six (6) month period following a denial of such, a request, except the Board may permit a new application if, in the opinion of the Board, new evidence of change of circumstances warrant it.



January 28, 2014

Jon Eickhoff, Zoning Administrator
250 S. Main Street
PO Box 1000
Pine Island, MN 55963

Rochester
6301 Bandel Road NW
Suite 301
Rochester, MN 55901-8798

507.292.8743 
507.292.8746 

Rochester@wsn.us.com 

WidethSmithNolting.com

RE: Petition for Variance – Pine Haven Care Center
Explanation of Variances Requested

Dear Mr. Eickhoff,

Below is supplementary information for the variances being requested for the proposed building addition at the Pine Haven Care Center facility at 210 3rd Street NW. Pine Haven is proposing to construct a 24,798 s.f. building addition north of the existing skilled nursing center. The building addition will be located on Lot 2, Block 1 of the Pine Haven Community plat that was completed in the spring of 2012. The proposed building will contain 30 single rooms along with common areas for the residents. The Pine Haven Care Center is licensed for 70 beds and there are currently 66 active beds in the existing skilled nursing facility. Because the facility is near capacity a number of residents are required to share rooms. The addition of the 30 single rooms will provide residents with the opportunity to have their own rooms improving the privacy for the residents.

The property where the improvements are being proposed is zoned R-4, Multi-Family Residential District. Abutting properties are zoned as follows; North - R-3 Urban Residential, West and South – R-4 and East – City Right-of-Way with R-3 District east of the City Right-of-Way.

There are three variances being requested for the proposed building addition. Below is a brief description of the variances along with the corresponding section of the City Ordinance.

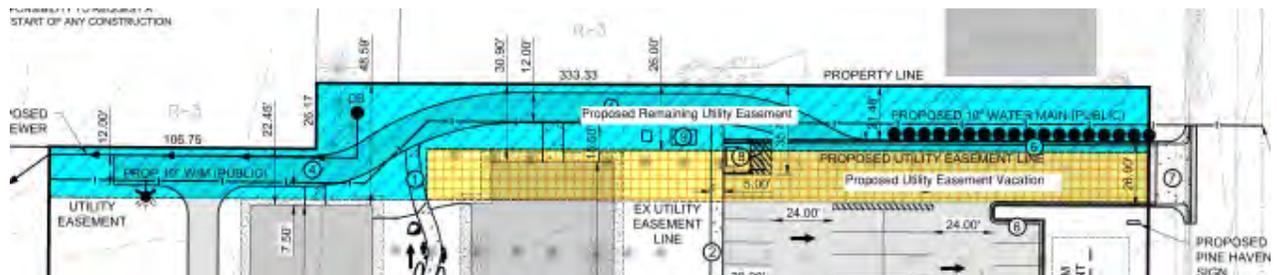
1. Section 11.34, Subd.6.C.1 – Minimum Side Yard Setback, 10 ft (south property line, Lot 2)
The proposed building addition is attached to the existing skilled nursing center to the south. Therefore the addition encroaches onto the Lot 4 property. Additionally the majority of the building addition is positioned 0.46 ft north of the south property line, while the hexagon shaped sitting area crosses the property line by nearly 8 ft. There is a unique situation with Lot 4 in that there is an existing bond that is being paid off on the existing City owned property. There is currently 8 years left on the bond and once paid in full, Lot 4 will become Pine Haven owned property.
2. Section 11.34, Subd.6.C.4 – No building shall be located closer than 30 ft from the R-1, R-2 and R-3 Districts (north property line, Lot 2)
The proposed building addition has two wings. The east wing is located 30.90 ft south of the north property line. There is a jog in the property line at the west wing of the addition and the west portion is within 22.45 ft of the property line and the east portion is located 48.59 ft from the property line. Therefore, approximately 25 ft of the west wing is nearly 7.5 ft closer to the R-3 zoned district than the ordinance allows. Pine Haven has looked closely at the size of the building throughout the design process. Through the moratorium plan that was submitted by Pine Haven, the State has approved funding for the addition of 34 units to the Pine Haven facility. Understanding the size of Lot 2 and the space requirements for skilled nursing home facilities Pine Haven decided to proceed with the addition of 30 units. The current size of the building maximizes the State funding available for the building addition while providing more private rooms for the current Pine Haven residents.

3. Section 11.70, Subd.24.F.18 – Off-Street Space Required

Skilled nursing facilities aren't specifically noted in the ordinance. Therefore, according to the above section the number of off-street parking spaces is to be determined by the Council following review by the Planning Commission. Typically skilled nursing centers are required to provide off-street parking in the amount of 1 space per 3 or 4 beds. Examples are Stewartville, 1 space per 4 beds and Kasson, 1 space per 3 beds plus 1 space for each 2 employees. The current parking lot provides for 41 total parking spaces. Based on the addition of 30 units, at a 3:1 ratio there would be 10 required spaces and at a 4:1 ratio there would be 8 required spaces. Pine Haven would like to provide the number of stalls shown on the current site plan to provide for additional off-street parking for the entire facility.

4. Existing Utility Easement – North side of Lot 2

Currently there is a utility easement on the north side of the Pine Haven parcel and the east wing of the proposed building addition encroaches into the easement by approximately 15 ft. The existing easement is 20 ft in width on the west side of the property and 46.17 ft in width on the east side of the property. The original width of the utility easement was determined in part due to the possibility of sanitary sewer and water main lines being installed on the north side of the property for future expansion of the facility to the west. A water main line will be installed on the north side of the building; however, a sanitary sewer service is planned to be installed from the building addition to 1st Ave NW without the need to install a sewer main line on the north side of the building addition. Future facilities constructed to the west of the building addition could be served by the sewer main located at the intersection of 3rd Ave NW and 3rd St NW. There is one other utility in the existing easement. BevComm has a telephone line that is located approximately 10 ft south of the north property line. Therefore, the telephone line would still be located in the easement should the easement be reduced in width. Below is a sketch of the existing easement and proposed vacation of a portion of the easement.



Please let me know if you would like any additional information prior to the February 11th Planning Commission meeting.

Sincerely,



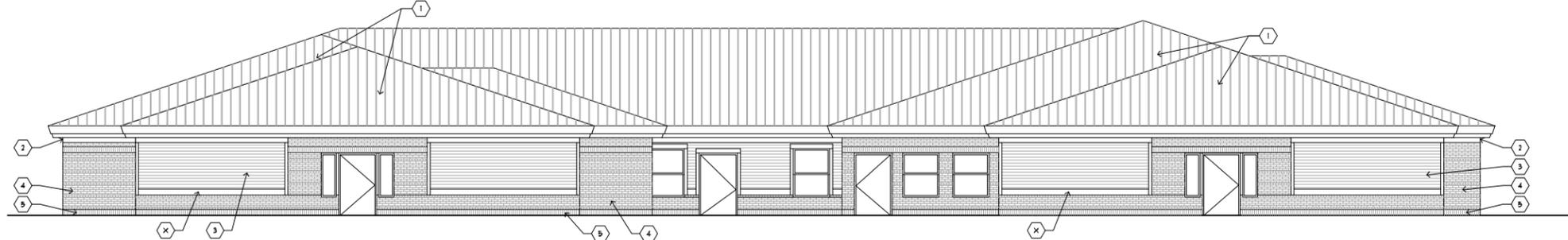
Craig Britton, PE
Widseth Smith Nolting

cc: Steve Ziller, Pine Haven Administrator

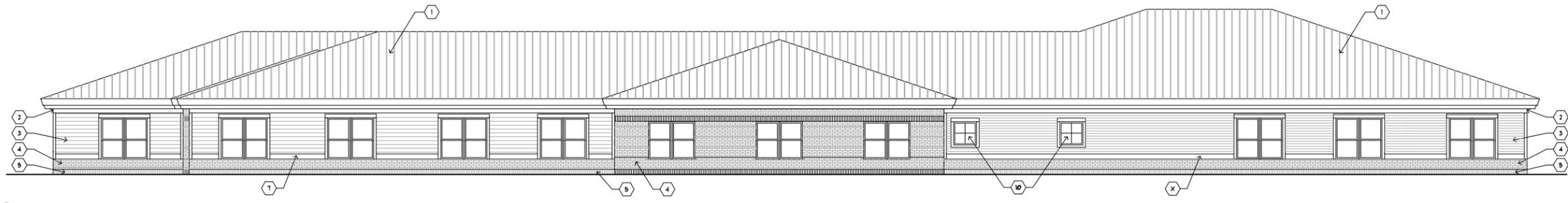
GENERAL NOTES:

1. DO NOT SCALE DRAWINGS. SEE PLANS, SECTIONS AND DETAILS.
2. REFER TO SPECIFICATIONS FOR FURTHER SPECIFIC PRODUCT INFORMATION.
3. REFER TO SHEET A06 AND ALL OTHER DOCUMENTS FOR ADDITIONAL INFORMATION.
4. COORDINATE WITH MECHANICAL AND ELECTRICAL DRAWINGS FOR EXACT EQUIPMENT, ROOF AND WALL PENETRATIONS, EXTERIOR LIGHTING, ETC.
5. SEE ROOF PLAN AND DETAILS FOR SPECIFIC ROOF ACCESSORIES, INCLUDING ICE & WATER PROTECTION.
6. PROVIDE SPLASH BLOCKS OR CONNECTIONS TO UNDERGROUND SYSTEM AT ALL DOWNSPOUTS TO GRADE.
7. FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO STARTING WORK. NOTIFY ARCHITECT OF ANY DISCREPANCIES.
8. COORDINATE CONNECTIONS TO ANY EXISTING BUILDING OR STRUCTURE. CONNECTION MUST BE WEATHER TIGHT. REPAIR/ REPLACE EXISTING MATERIALS AS NECESSARY FOR COMPLETE CONNECTION.
9. PROVIDE FLASHING AND WEEPS AS REQUIRED BY "MEANS AND METHODS" AND "BEST PRACTICES" FOR ALL WALL AND ROOF SYSTEMS.
10. FINISH COLOR AND TEXTURES NOT INDICATED ON DRAWINGS OR SPECS WILL BE SELECTED BEFORE OR DURING SHOP DRAWING PROCESS.

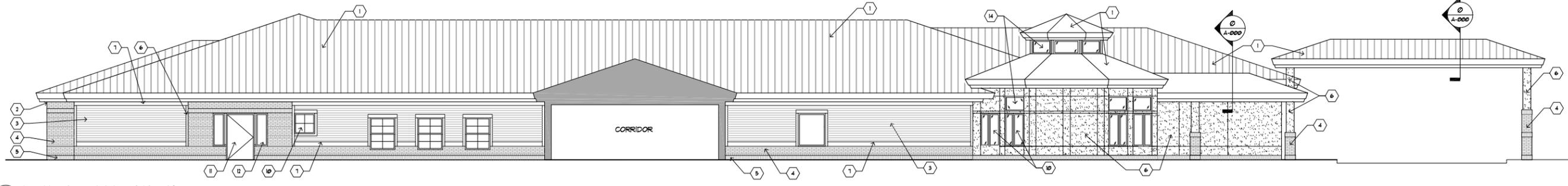
EXTERIOR ELEVATION KEY NOTES:	
1	STANDING SEAM METAL ROOF
2	METAL FASCIA - PROFILE TO MATCH EXISTING BLDG.
3	CEMENT BOARD SIDING
4	BRICK #1
5	BRICK #2
6	STUCCO
7	CEMENT BOARD TRIM 8"
8	CEMENT BOARD TRIM 6"
9	ALUM. CLAD WOOD WINDOW - SINGLE HING
10	ALUM. CLAD WOOD WINDOW - CASEMENT
11	ALUM. FRAME DOOR
12	ALUM. FRAME SIDE LIGHT
13	ALUM. WINDOW
14	ALUM. CLAD WOOD WINDOW - PICTURE



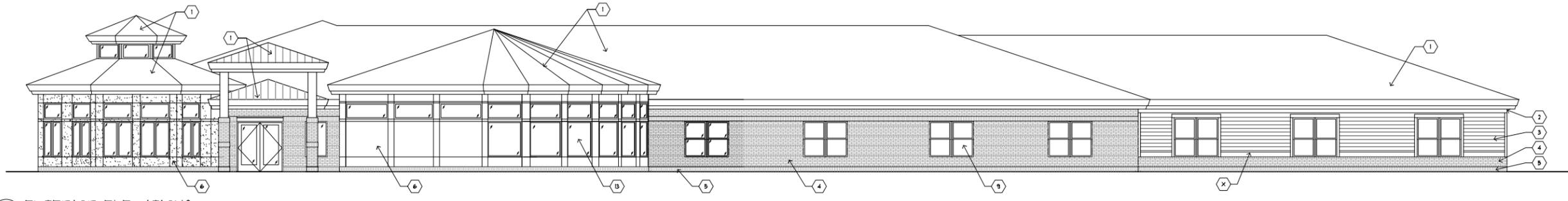
1 EXTERIOR ELEVATIONS
SCALE: 1/8"=1'-0" @ 1/4"=1'-0"
SCALE: 1/16"=1'-0" @ 1/8"=1'-0"
X-REF



2 EXTERIOR ELEVATIONS
SCALE: 1/8"=1'-0" @ 1/4"=1'-0"
SCALE: 1/16"=1'-0" @ 1/8"=1'-0"
X-REF



3 EXTERIOR ELEVATIONS
SCALE: 1/8"=1'-0" @ 1/4"=1'-0"
SCALE: 1/16"=1'-0" @ 1/8"=1'-0"
X-REF



4 EXTERIOR ELEVATIONS
SCALE: 1/8"=1'-0" @ 1/4"=1'-0"
SCALE: 1/16"=1'-0" @ 1/8"=1'-0"
X-REF

Pine Island Zoning Map

Pine Haven, Inc.
City of Pine Island

Zoning

- AG Agricultural District
- R-1 Suburban Residential District
- R-2 Traditional Residential District
- R-3 Urban Residential District
- R-4 Multi-Family Residential District
- C-1 Central Business District
- C-2 Highway Commercial District
- C-3 Neighborhood Commercial District
- I-1 Heavy Industrial District
- I-2 Light Industrial District
- BP Business Park District
- RR Regional Recreation District
- PI Public/Institutional District
- POS Parks and Open Space District

Overlay

- SL Shoreland Overlay District
- FP Floodplain Overlay District
- PUD Planned Unit Development Overlay District
- City of Pine Island
- Rivers/Streams



CITY OF PINE ISLAND
Planning & Zoning Commission
NOTICE OF PUBLIC HEARING
Tuesday, February 11, 2014
7:00 PM
Second Floor Pine Island City Hall

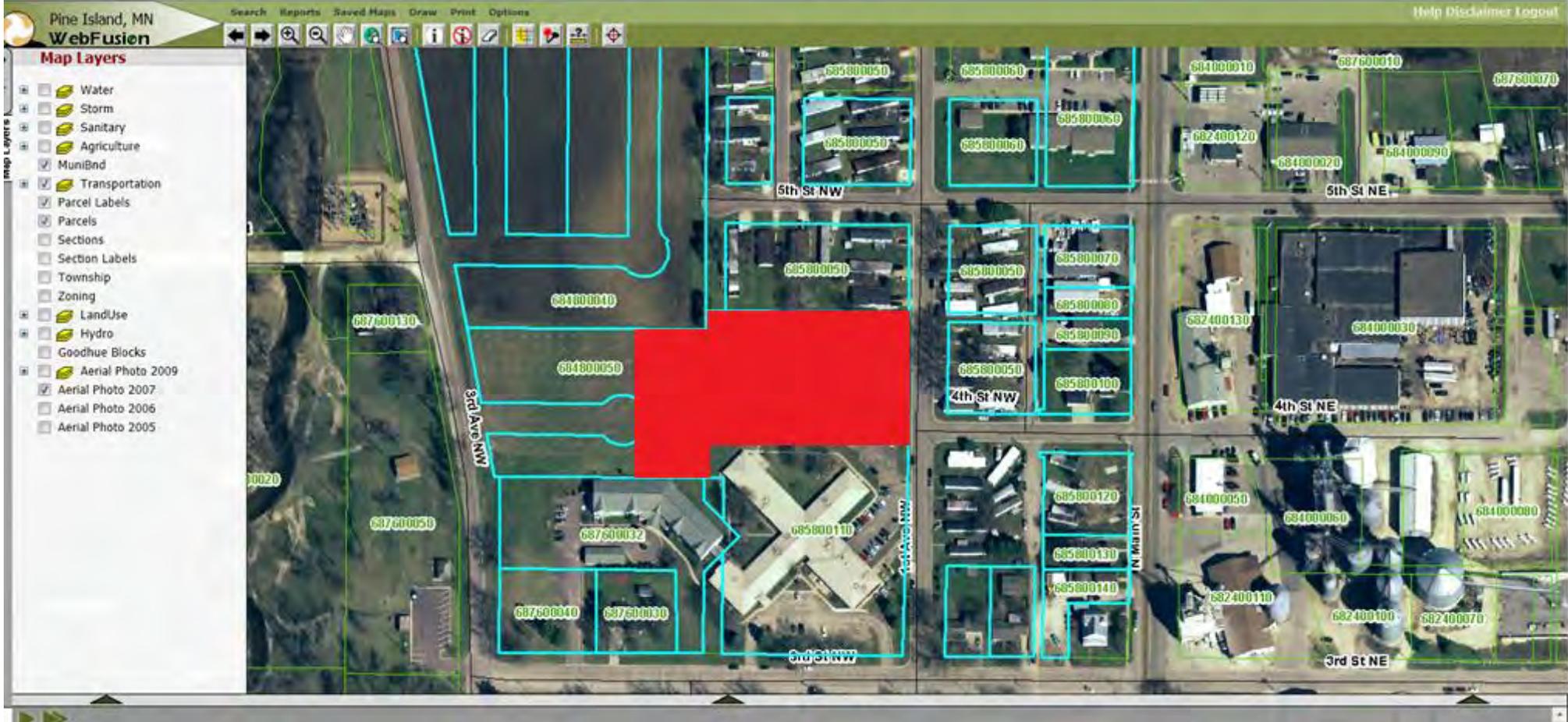
Notice is hereby given that the Planning Commission of the City of Pine Island, MN will hold a public hearing on the above date and time to consider a Variance Application for building setbacks, number of parking stalls and utility easement relocation for the Pine Haven building expansion project proposed on Lot 2, Block 1 of the 'Pine Haven Community' plat. The application was submitted by Pine Haven, Inc.



Any person wishing to comment upon this request may do so by submitting written comments to the Zoning Administrator, PO Box 1000, Pine Island, Minnesota 55963, or in person at the time and place of the hearing.

Jon Eickhoff
Zoning Administrator

Publish January 29, 2014.



ROYAL COURT
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PINE ISLAND, MN 55963-0105

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310 THIRD ST NW
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