



**PLAINVIEW PLANNING COMMISSION MEETING
AGENDA**

Tuesday, January 4, 2022 at 6:00 P.M.

Church of Christ – 205 1st Street NE Plainview, MN 55964

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Consent Agenda**
 - A. October 5, 2021 Minutes**
- 4. Public Hearing**
 - A. Skye View Development Preliminary Plat**
- 5. New Business**
 - A. 2021 Annual Report to City Council**
 - B. Term Expired – Ann Liebenow-Anttila**
 - C. Select Chair for Planning & Zoning Commission**
 - D. Select Vice Chair for Planning & Zoning Commission**
- 6. Adjourn**

PLAINVIEW

CITY COUNCIL ACTION



Executive Summary

Planning Commission Regular Meeting: January 4, 2022

AGENDA ITEM: Minutes	AGENDA SECTION: Consent
PREPARED BY: Carol Kujath, City Clerk	AGENDA NO. 3.A.
ATTACHMENTS: Draft Minutes	APPROVED BY: cjk
RECOMMENDED ACTION: 1. Motion to approve Minutes of the October 5, 2021 Planning Commission Regular Meeting Proceedings.	

CITY OF PLAINVIEW PLANNING COMMISSION
OCTOBER 5, 2021
MEETING MINUTES

The October 5, 2021 meeting for the Plainview Planning Commission was called to order at 6:00 p.m. by Chair Holly Reeve.

Members present: Holly Reeve, Ann Liebenow-Anttila, Roger Durgin, Jim Walkes, Scott Kujath and Aaron Nicklay.

Members absent: Ben Jacobs

Staff members present: City Administrator David Todd, City Clerk Carol Kujath, Deputy Clerk Kayla Hall, Brian Malm, and Harry Davis.

Guests in attendance: Tony Montgomery, Tom Wiener, Bill Tointon, Kenneth Busch, Tami Sawyer, and Stacy Montgomery.

Motion by Walkes, second by Durgin to approve the agenda.
Motion carried unanimously.

Motion by Liebenow-Anttila, second by Walkes to approve the Consent Agenda.
Motion carried unanimously.

Skye View Developments LLC – Special District Zone:

Skye View Developments LLC (Tom Wiener) has applied for application for a Special District Development, containing a low-density residential district, medium-density district, central business district, and a mixed-use district. The subject property is located in the southern part of Plainview, south of Highway 42 and between 255th Ave. and 3rd St. SW. Approximately 1.8 acres is dedicated for low density residential, 1.5 acres is dedicated for medium density residential, 2.1 acres is dedicated for mixed use, and 0.72 acres is dedicated for a commercial district. The applicant will adhere to new zoning standards.

Pro

Use	Lot Area	Lot Frontage	Setback Criteria:			
			Front Yard	Rear Yard	Side Yard	Sum
Multifamily	15,000 SF	140 ft	25	16	15	30
Condominium	Variable	Variable	25	15	15	30
Apartments	TBD ⁽¹⁾	TBD ⁽¹⁾	25	15	15	30
Open/Recreational Space	N/A	N/A	N/A	N/A	N/A	N/A

Proposed Medium Density Standards:

Use	Lot Area	Lot Frontage	Setback Criteria:			
			Front Yard	Rear Yard	Side Yard	Sum
Single Family Detached	8,000 SF	70	25	25	8	16
Single Family Attached	6600 SF	60	20 ⁽¹⁾	15	8	16
Row House Style Townhouses	4320 SF	30 ⁽²⁾	20 ⁽¹⁾	15	8	16
		38 ⁽³⁾				
Zero Lot Line	3000 SF	38	20	15	8/0	8

Proposed Commercial Business District Standards:

Use	Lot Area	Lot Frontage	Setback Criteria (Feet):			
			Front Yard (feet)	Rear Yard	Side Yard	Sum
all uses	6,000 SF	80	25	25	10	2
parking lots (associated with the principal structure)	n/a	n/a	8	8	8	n
corner lot	6,600 SF	80	25	25	12 ⁽¹⁾	2

The proposal does not include standards for the Mixed-Use District.

The City Staff Findings:

The purpose of Special Districts is to establish modifications to or to supplement existing zoning regulations to accomplish a special public purpose that is supported by the goals and Policies of the Comprehensive Plan, including land uses as found in the future land use plan. Specifically, these purposes and conditions supporting the establishment of a Special District are:

1. Areas may exist where there is a desire and need to establish regulatory authority or the administration of land use control at the city level of government.

Finding: Although Plainview already has regulations to administer land within city limits, this proposed Special District is located in an area where the City intends to have mixed-use development in the future. This development provides a nuanced approach towards mixed-use development in a Planned Development Area that achieves city goals.

2. Areas may exist where substantial public interests require that existing regulations be modified or supplemented to accomplish a special purpose.

Finding: This area is noted as a mixed use residential and commercial neighborhood. A Special District accomplishes the need for a Planned Development Area along Highway 42. This proposal would modify or supplement the existing regulations to accomplish the goals in Plainview's Comprehensive Plan. To ensure new development constructed under this provision is of high-quality construction, complimentary to existing neighborhood and City character, and compliant with the goals, policies, and future land use map in the

Comprehensive Plan, the following conditions must be met by developments proposed under this provision:

3. Provide for the establishment of Special Districts in appropriate settings and situations, to create or maintain a development pattern that complies with the City's Comprehensive Plan.

Finding: One of the land use goals in the comprehensive plan is to "encourage land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state, and utility costs". A subgoal under the goal above is to require coordination between growth and utility capacities (sewer, water, etc.). The proposal appears to encourage different land uses and densities next to each other, with an efficient street grid and reasonable extensions of water and sewer. The density of the proposal partly offsets the extended infrastructure. However, it is unclear how the applicant intends to facilitate extension of watermain to serve the development, and whether there will be any cost to the public for that extension. It is also unclear how the applicant intends to facilitate the proposed connection to Highway 42 and whether there will be any cost to the public for that connection (e.g., if MnDOT requires turn lanes to be constructed, or if the applicant does not intend to fully cover the cost of the proposed Highway 42 connection).

Under the housing goals in the comprehensive plan, there are various goals that address supporting a "variety of housing types and densities", "encourage a range of housing ... [fitting community] character", and "maintain and enhance the quality of Plainview's homes and neighborhoods". This proposal provides a variety of housing types between attached single-family, multi-family condominiums, apartments, and live/work. The example buildings appear to be of a reasonable quality that would fit within the community and maintain or enhance Plainview's image.

The Future Land Use Map designates the subject properties as Mixed Use Residential and Commercial and in a Planned Development Area. The proposal provides a range of residential uses with commercial uses. A Special District contributes towards the Planned Development Area designation.

4. Areas may exist where substantial public interests require that existing regulations be modified or supplemented to accomplish a special purpose.

Finding: The future land use map shows mixed-use residential and commercial and a Planned Development Area at this location. The subject property is also a large, undeveloped property in a prominent location along Highway 42. The City should have an interest in regulating development in this area.

5. Provide for variations to the strict application of the land use regulations in this Ordinance to improve site design and operation, while incorporating design elements (e.g., construction materials, landscaping, lighting, etc.) that exceed the City's standards to offset the effect of any variations.

Finding: The proposal does include some flexibility in the final design of the project as well as performance standards that establish a minimum threshold for development.

6. Provide a more creative and efficient approach to land use within the City, while at the same time protecting and promoting the health, safety, comfort, aesthetics, economic viability, and general welfare of the City.

Finding: The mixed-use aspect of the proposal is a more creative and efficient approach to development within the City. Higher density residential has greater efficiencies for infrastructure and includes creative uses like live/work.

7. Preserve and enhance natural features and open spaces for public and private use.

Finding: The proposal does not provide information regarding open spaces for public and private use. The City Engineer has comments on impacts to wetlands and the drainage

channel on the subject property. The proposal does not incorporate or preserve natural features on the property.

8. Maintain or improve the efficiency of public streets and utilities.

Finding: The location of the development along Highway 42, near to existing infrastructure, and very close to the center of Plainview all contribute towards maintaining and improving the efficiency of public streets and utilities.

9. Ensure the establishment of appropriate transitions between differing land uses.

Finding: The applicant has not provided details regarding how screening, buffer, or other design and zoning elements will be used to provide compatibility between land uses within and outside the development.

Engineering Findings:

The City Engineer has the following comments and findings:

1. The plan shows public streets in Phases 1 & 2 of the proposed development being served by an unimproved gravel private road (534th Street) to the west, outside of city limits. This private road ultimately connects to an unimproved gravel township road (255th Ave), outside of City limits. Given the potential traffic generated by Phase 1 & 2 of the proposed development, we expect there to be a number of issues if this is allowed. Maintenance on the private and township gravel roadways will increase, and it is unclear who currently is or will be responsible for maintenance on the private roadway. At a minimum, Plainview Township should be consulted regarding concerns they may have about increased maintenance on 255th Avenue. It is also unclear whether connection of a new public street through a private access easement is actually allowed under the terms of the current access easement. These issues need to be fully evaluated prior to approval of the plan. Even if public street access through the private access easement is determined to be allowable, and responsibility for existing and increased maintenance responsibilities would need to be established. Based on our past experience, we would expect there to be a significant level of complaints from property owners in the new development regarding gravel roadway access to the development. We do not recommend approving a new development with the only access along existing gravel roadways, especially given the uncertain timing of a future connection to Highway 42, as discussed below.

2. The plan shows development of a future public roadway connecting to Highway 42 in Phase 3 of the development. This connection will need to be reviewed and approved by MnDOT. The application indicates that there is currently a permit in process for this connection. Although both the City and applicant have had conversations with MnDOT regarding the proposed access, no formal permit has been submitted and MnDOT has yet to grant approval for the proposed access location. Based on City staff conversations with MnDOT staff, it is possible that MnDOT approval will be granted for the access, but it may need to be located further west than the proposed location, may require the construction of turn lanes, and may include conditions regarding the location of any future access to the north of Highway 42 in this area. It is recommended that formal MnDOT approval of the roadway connection to Highway 42 be obtained prior to approval of the special district plan and that the timing of the proposed connection be determined. Also, if it is the applicant's intent is for the City to bear responsibility for a portion of the cost of the proposed connection, as we understand based on conversations with the applicant, whether that be through direct City contribution or through City application and acquisition of grant funding, that should be made clear in the application.

3. The proposed connection to Highway 42 and the extending public roadway is shown being partially constructed outside of property owned by the applicant. Based on prior conversations, it is understood that the applicant wishes the City to require platting of a portion of this future right-of-way when the adjacent property is developed. The current

owner of the adjacent property has indicated to City staff that they are not willing to develop their property in a manner that would accommodate this right-of-way. So, unless the adjacent property changes ownership, it is unlikely that the proposed Phase 3 roadway connection to Highway 42 as shown is viable. Without this connection, all traffic within the development will continue to be routed to the west along gravel roadways. As noted above, we do not recommend approving a new development with the only access being along existing gravel roadways. We recommend that the applicant revise the plan to show the proposed access to Highway 42 taking place fully within property under their control.

4. The plan shows development of public utilities outside of property owned by the applicant. The applicant will either need to secure easements from the adjacent property owner for these improvements or revise the plan to show all proposed improvements taking place within the limits of property owned by the applicant.

5. The property does not currently have access to City watermain adjacent to the development. The included exhibits appear to show connection to watermain from the east and to the north. It is unclear how the applicant proposes to facilitate extension of watermain to the development. Connection to watermain from the north would require construction of watermain across private property. Connection to watermain from the east would require extension of watermain along Highway 42, within MnDOT right-of-way, or across private property. The applicant should revise the application to clarify the intent for water service for the development. Also, if it is the applicant's intent for the City to bear a portion of the cost of the watermain extension, that should be made clear in the application.

6. The property appears to include jurisdictional wetlands and possibly a jurisdictional stream. A wetland delineation has not been submitted at this time. The applicant will need to delineate these areas and complete proper permitting through the Wetland Conservation Act and Section 404 of the Clean Water Act. At a minimum, wetland mitigation and possibly stream mitigation, will be required as a part of this permitting process. We understand, based on conversations with the applicant, that they have had preliminary discussions with BWSR and USACE regulatory staff and that they don't believe there will be any issues with the stream/drainage channel, and that any wetland issues can be resolved through the normal permitting process. It should be noted that issues with wetland permitting do have the potential to cause the need for revisions to the proposed development layout, although it appears that is unlikely to occur, based on information provided by the applicant.

7. The proposed layout shows rerouting an existing stream/drainage channel through a proposed storm sewer system. Assuming the stream re-routing is allowed through the WCA, and Section 404 permitting process as noted above, a hydraulic analysis will need to be completed to determine impacts to upstream and downstream properties. Since the proposed storm sewer system connects to MnDOT drainage infrastructure, MnDOT review and approval will also be required.

8. The application should be revised to include a boundary survey clearly delineating the properties and easements described as Parcels 1 and 2 in Exhibit A of the application. The included exhibits do not appear to accurately depict the Exhibit A properties and easements.

9. The proposed layout appears to show pedestrian connectivity to Highway 42 in a location that does not correspond to an intersection. It is unclear what the applicant's intent is here. The application should be revised to clearly indicate the intent of the pedestrian connection shown.

10. The proposed layout appears to show a stormwater management pond. Stormwater management for the project will need to comply with the City's wellhead protection plan and MPCA NPDES Construction Stormwater Permit requirements for wellhead protection areas. The proposed size of the stormwater management pond will need to be verified as a part of

the drainage study for the project.

Recommendation:

Staff recommends the Planning Commission first provide feedback and direction on the following issue:

- Does the application have all of the necessary information for the Planning Commission to make a decision granting or denying a Special District?

If the Planning Commission determines that a Special District should be granted for PID 26.00116.24 and 14.00109.05, then Staff recommends that the Planning Commission forward the Special District to the City Council recommending approval, with the following conditions:

1. Prior to further development approval:

- a. The City attorney should be consulted as to whether the public roadways constructed in the initial phases of the development can be served through the private access easement for 534th St.
- b. A road maintenance agreement between the applicant and the City of Plainview regarding 534th St. shall be required
- c. A road maintenance agreement between the applicant and Plainview Township or the City and Plainview Township regarding 255th Ave shall be required.
- d. The applicant shall submit a wetland delineation.
- e. A hydraulic analysis shall be completed to determine impacts to upstream and downstream properties and to verify the size of the proposed stormwater management pond. Since the proposed storm sewer system connects to MnDOT drainage infrastructure, MnDOT review and approval shall also be required.
- f. Formal MnDOT approval for Highway 42 access shall be required, and any potential public costs for such connection shall be determined.
- g. The proposed roadway connection to Highway 42 shall be revised to be entirely within the applicant's property.
- h. The plan shall be revised to show the applicants intent for watermain connection to the development and any potential public costs for such connection shall be determined.
- i. The application shall be revised to include a boundary survey clearly delineating the properties and easements described as Parcels 1 and 2 in Exhibit A of the application.
- j. The application shall be revised to include standards for the mixed-use district.
- k. The application shall be revised to clearly indicate the intent of the pedestrian connection shown.

If the Planning Commission determines that a Special District should not be granted, then Staff recommends that the Planning Commission forward the Special District Application to the City Council recommending denial, for the following reasons:

1. The application is incomplete.
2. The application does not meet the findings of a Special District.
3. The application does not meet the standards of a Special District.

The Planning Commission, along with City Staff and the Applicant discussed at length the issues with this application. The application is very unclear and is missing information. Some of the issues discussed were access to the undeveloped land, waiting to hear if there is MNDOT approval for access off Hwy 42, how are utilities to get to the development and how is this to be funded, what is the financial cost to the City going to be, questions regarding a clear boundary of the property, and the clarity of intent for this Special District.

The Applicant provided the Commission with a written response to the staff report findings and asked that his written response be included as part of the permanent record of this meeting. *(See attached document)*

Motion by Liebenow-Anttila, second by Durgin to recommend the City Council reject the Skye View Developments LLC's Special District Zone application due to it being an incomplete application.

Motion carried unanimously.

Motion by Reeve, second by Durgin to adjourn.

Motion carried at 6:50 p.m.

Planning and Zoning Commissioner

City Clerk

Date

Dear commissioners,

WSE has read Bolton & Menk's (BMI) memorandum, written by Mr. Davis, Planner and Mr. Malm, City Engineer, relative to the proposed Special District zone change application. Due to their number of findings, therefore necessitating a number of responses to address them, we are providing written responses to be part of the record for the October 5th Planning and Zoning meeting.

Let me start by stating there is certainly merit to some of the comments and concerns brought up by BMI that we agree should be addressed as part of our Special District application. The Special District application has 9 criteria, and we believe Mr. Davis's findings correctly focused on the 9 submittal requirements for a Special District application. Mr. Davis corresponded and sought clarification with WSE on September 23 before writing his findings.

It my understanding that WSE's planning department believes his finding were minor and has addressed Mr. Davis's finding. Mr. Tointon is here tonight to answer any Planning related items. The focus of this document will be to respond to the City Engineers findings.

WSE agrees with BMI's position (found on the bottom of page 4) that states, "*The purpose of Special Districts is to **establish modifications to or to supplement existing zoning regulations** to accomplish a special public purpose that is supported by the goals and Policies of the Comprehensive Plan, including land uses as found in the future land use plan.*" (Emphasis added by WSE)

We are excited to help Plainview advance its Comprehensive Plan, and we are experts in making a development of this scale a reality. With that said, a development of this scale takes many steps to bring it to fruition and should be developed systematically in the correct order. However, it seems it is either WSE, or the City Engineer, who are misunderstanding the intent of a Special District zoning change request. Keep in mind that the purpose of Special Districts is to **establish modifications to or to supplement existing zoning regulations**. Therefore, we believe many of his comments are not relevant at this juncture, some lack basis, and some harmfully muddy the water by further complicating an already complicated issue.

WSE only received one email from the City Engineer between our application submission date and us getting the packet on September 30th. (Our application was turned in on September 7, with applicable exhibits following on September 10th). That one email was regarding wetlands; and our Environmental department informed Mr. Malm that his comment was premature at this juncture, but that we were on it. As can be seen in Exhibit A, Mr. Malm states in his email that his comment "*isn't necessarily an issue of application completeness*". We understood his email as extending a professional courtesy due to the window for wetland mitigation is seasonally dependent. Needless to say, when we received the packet is was shocking to see Mr. Malm opine on matters outside of the application requirements, and then use them as justification to prematurely recommend not approving the development.

It is not our desire to have an adverse relationship with the City Engineer, but it is my strong opinion that the City Engineer has overstepped on many of his opinions and failed to seek common understanding before issuing written comments that now become part of a written record; thereby necessitating a written responses.

It is somewhat difficult to correlate our responses due to BMI's memorandum not having Section numbers, as well as many sentences in their finding, so WSE copied the City Engineer's findings starting on page 6 and have prepared responses directly below his findings.

City Engineers numbered Findings and respective WSE responses

1. The plan shows public streets in Phases 1 & 2 of the proposed development being served by an unimproved gravel private road (534th Street) to the west, outside of city limits. This private road ultimately connects to an unimproved gravel township road (255th Ave), outside of City limits. Given the potential traffic generated by Phase 1 & 2 of the proposed development, we expect there to be a number of issues if this is allowed. Maintenance on the private and township gravel roadways will increase, and it is unclear who currently is or will be responsible for maintenance on the private roadway. At a minimum, Plainview Township should be consulted regarding concerns they may have about increased maintenance on 255th Avenue. It is also unclear whether connection of a new public street through a private access easement is actually allowed under the terms of the current access easement. These issues need to be fully evaluated prior to approval of the plan. Even if public street access through the private access easement is determined to be allowable, and responsibility for existing and increased maintenance responsibilities would need to be established. Based on our past experience, we would expect there to be a significant level of complaints from property owners in the new development regarding gravel roadway access to the development. We do not recommend approving a new development with the only access along existing gravel roadways, especially given the uncertain timing of a future connection to Highway 42, as discussed below.

Response:

We believe this finding is premature, is speculative, and is harmfully complicating the issue. However, due to a written finding, we now need to respond in an attempt to add clarity to intent.

The private road is a recorded driveway access and has certain legal rights to provide some access to the property; and we agree maintenance would increase for both the private road and the 255th Ave township road if the entire development was to bear all the increased traffic. However, Mr. Malm illustrates wHwy. Plainview's Comprehensive Plan contemplated a primary access from Hwy. 42.

We agree that the township should be consulted; however, it is premature to do so now, not only technically, but also fiscally (wasted time value of cashflow to fully address all Engineering issues at a zoning meeting - when there is a process to follow).

To address your finding more specifically, we do envision that private road will have function for both short term and long term. The degree of what is short term vs long term is also premature to address at a zoning meeting, due to the degree of engineering needed that is not practical for the same reasons already cited. However, we believe that long term it would make sense to have that private road available as secondary access to not only provide for emergency response vehicles, but to be an access point for future public road as the City grows toward Elgin (As contemplated in the Comprehensive Plan). We do envision a short term/interim use plan being developed that involves applicable

engineering analysis as we work with township and the city on the level of traffic that is acceptable in the interim.

In short, we do not agree, nor find bases for the City Engineer's recommendation to not approve a new development with only access along an existing gravel roadway. To be clear, we are not seeking approval of a development, we are seeking approval of Special District Zoning change.

However, we fully understand there is still a number of steps forthcoming to include: Preliminary Plat, Final Plat, as well as the Development agreement. We also understand the City concern regarding maintaining a city street without a connecting city road, which is an entirely different topic that also has mitigable measures (maintenance agreements, etc - when we get to that stage of the development).

2. The plan shows development of a future public roadway connecting to Highway 42 in Phase 3 of the development. This connection will need to be reviewed and approved by MnDOT. The application indicates that there is currently a permit in process for this connection. Although both the City and applicant have had conversations with MnDOT regarding the proposed access, no formal permit has been submitted and MnDOT has yet to grant approval for the proposed access location. Based on City staff conversations with MnDOT staff, it is possible that MnDOT approval will be granted for the access, but it may need to be located further west than the proposed location, may require the construction of turn lanes, and may include conditions regarding the location of any future access to the north of Highway 42 in this area. It is recommended that formal MnDOT approval of the roadway connection to Highway 42 be obtained prior to approval of the special district plan and that the timing of the proposed connection be determined. Also, if the applicant's intent is for the City to bear responsibility for a portion of the cost of the proposed connection, as we understand based on conversations with the applicant, whether that be through direct City contribution or through City application and acquisition of grant funding, that should be made clear in the application.

Response:

We believe this finding is premature, is speculative, and is harmfully complicating the issue. However, due to a written finding, we now need to respond.

By submitting the Special District application, it triggers the permit process to begin. It appears the City Engineer did not understand our intent and appears to insinuate we falsely state that there is a permit in process. To be fair, I myself did not understand why our Planning Department stated the permit to connect was in process, but after a short discussion with our Planner he informed me that he used it as a documentation in the code to show it was a necessary component. Remember the Special District language goes into Plainview's zoning code (if adopted), therefore he was merely documenting that the permit is in process (I think it's a messy way of doing it myself but could have easily been worked through with prior communication prior to issuing a written finding).

We do understand the Hwy. 42 connection still needs to be formally approved by MnDOT, however, we are still confused with this the remainder of the finding. At your request, some time ago, we supplied the city with concept drawing to submit to MnDOT to gauge their preliminary thoughts, and it is our

understanding that MnDOT is telling you the same thing they have told us - that they will approve the access if it connects to the City's public road system.

Now that we have formally submitted an application, as stated above, it is our understanding that the permit is in process (to either approve or deny), and that the submission to MnDOT is in the City Engineer's court and not ours. So, the City Engineer's recommendation to deny this development until there is a formal MnDOT approval is confusing for two reasons: 1) the ball is in the city's court, 2) it would seem obvious it is the wrong time to opine whether or not to approve the development now when there is so much of the development process left to go through yet, there is so much engineering and coordination with other parties yet, that would expensive and wasted time prior to an approved Zone Change (again as contemplated by the Comp Plan)

Lastly, we strongly disagree that funding requests and city cost apportionments would be made at the time of Special District zoning application (remember this language goes into the Code). Once the zone change is approved, then there can be formal meetings with other jurisdictions to work through a number of items you cite as reasons to not approve the development.

As we continue down this development process, we will continue to be, available to meet with the City, County, MnDOT, etc., to work through the necessary engineering as part of this permit process as we move forward; but in summary this finding is premature, is speculative, and we believe is harmfully complicating the issue.

3. The proposed connection to Highway 42 and the extending public roadway is shown being partially constructed outside of property owned by the applicant. Based on prior conversations, it is understood that the applicant wishes the City to require platting of a portion of this future right-of-way when the adjacent property is developed. The current owner of the adjacent property has indicated to City staff that they are not willing to develop their property in a manner that would accommodate this right-of-way. So, unless the adjacent property changes ownership, it is unlikely that the proposed Phase 3 roadway connection to Highway 42 as shown is viable. Without this connection, all traffic within the development will continue to be routed to the west along gravel roadways. As noted above, we do not recommend approving a new development with the only access being along existing gravel roadways. We recommend that the applicant revise the plan to show the proposed access to Highway 42 taking place fully within property under their control.

Response:

We believe this finding is premature, is speculative, and is harmfully complicating the issue. However, due to a written finding, we now need to respond.

We do not understand the City Engineer's basis to opine that the proposed connection to Hwy. 42 is not viable if the adjacent parcel does not change ownership. Not only is this not solely the City Engineer decision, it is contradictory to following a public process and public comment; whereas the City not only has the authority to execute a publicly put together plan but has a duty to do so. For example, is the city not currently contemplating a sidewalk plan that will require a number of parcels to comply with the

plan even if some landowners are unwilling? I am unaware if the City Engineer has the same opinion that the sidewalk plan is not viable - even though I am aware of, and extremely sympathetic to, landowners that bought a house with no sidewalk, but will likely be made to comply with a sidewalk plan willing or unwilling. Conversely, I am less sympathetic to a land owner who bought land after Plainview has published a plan they intended to carry out.

It is indeed true that we've had several conversations regarding the location of the access from Hwy. 42. If the city intends to follow laws and their own code (where adjacent developments must connect with one another), then how does the city intend to satisfy environmental justice laws if access from Hwy. 42 does not equally share cost and benefit. Even if the adjacent developer does not see a benefit from connecting adjacent parcels, the city should go through the public process (which we are doing) to determine whether or not it does (e.g. sidewalk plan). It is impossible to escape the benefit of connecting the adjacent developments in order to manage bike and ped traffic across Hwy. 42.

Until the adjacent parcel can demonstrate a plan that meets city code and demonstrate safe access for bike and ped traffic across Hwy. 42, I do not see how it is possible to recommend putting the burden of the access on one developer and still meeting applicable laws. However, I stand willing to work openly through a public process to make the Comprehensive Plan a reality.

4. The plan shows development of public utilities outside of property owned by the applicant. The applicant will either need to secure easements from the adjacent property owner for these improvements or revise the plan to show all proposed improvements taking place within the limits of property owned by the applicant.

Response:

We believe this finding is premature, is speculative, and is harmfully complicating the issue. However, due to a written finding, we now need to respond.

What public utilities are you referring to? Water is discussed in the next finding. This is a great example of a topic that could have been worked through prior to seeing it in the packet. There is an easement with the adjacent landowner. However, it does not describe specific location, but there is an easement in place to bring water across the adjacent parcel to the east. With that said, it is common to run utilities in the road right of way if the city determines the location of its city road system in this area.

5. The property does not currently have access to City watermain adjacent to the development. The included exhibits appear to show connection to watermain from the east and to the north. It is unclear how the applicant proposes to facilitate extension of watermain to the development. Connection to watermain from the north would require construction of watermain across private property. Connection to watermain from the east would require extension of watermain along Highway 42, within MnDOT right-of-way, or across private property. The applicant should revise the application to clarify the intent for water service for the development. Also, if it is the applicant's intent for the City to bear a portion of the cost of the watermain extension, that should be made clear in the application.

Response:

We believe this finding is premature, is speculative, and is harmfully complicating the issue.

We are aware there is a utility easement to the North for the sewer that could easily be modified to include water line. We are also aware there is public road ROW that could accommodate a waterline. I am sure you are aware the city has the authority to change a sewer easement to include water as well.

7. The proposed layout shows rerouting an existing stream/drainage channel through a proposed storm sewer system. Assuming the stream re-routing is allowed through the WCA and Section 404 permitting process as noted above, a hydraulic analysis will need to be completed to determine impacts to upstream and downstream properties. Since the proposed storm sewer system connects to MnDOT drainage infrastructure, MnDOT review and approval will also be required.

Response:

We believe this finding is premature and is planned to be handled in a subsequent submission

8. The application should be revised to include a boundary survey clearly delineating the properties and easements described as Parcels 1 and 2 in Exhibit A of the application. The included exhibits do not appear to accurately depict the Exhibit A properties and easements.

Response:

It is my understanding this is done

9. The proposed layout appears to show pedestrian connectivity to Highway 42 in a location that does not correspond to an intersection. It is unclear what the applicant's intent is here. The application should be revised to clearly indicate the intent of the pedestrian connection shown.

Response:

We believe this finding is premature and is planned to be handled in a subsequent submission.

However, the intent is work with MnDOT, DNR, and the City during subsequent design phases to deliver Bike and Pedestrian traffic under Hwy. 42, via an enlarged box culvert, near the location proposed in the application. The application shows intent as required; however, there is a large amount of engineering and coordination yet to be done - that we will work on once the Special District is zoned.

10. The proposed layout appears to show a stormwater management pond. Stormwater management for the project will need to comply with the City's wellhead protection plan and MPCA NPDES Construction Stormwater Permit requirements for wellhead protection areas. The proposed size of the stormwater management pond will need to be verified as a part of the drainage study for the project.

We believe this finding is premature and is planned to be handled in a subsequent submission. However we agree and have actively been working on this to verify our concepts are workable.

On Pg 8, BMI indicates a number of recommendations for the P&Z board. For brevity I have not copied them all. However, our response is below.

Response:

It appears that the City Engineer has wrongly based his recommendation to not advance "further development approval" based on a number of items that we believe are engineering items in nature or are outside the intent of a Special District Zoning meeting. We whole heartily agree with BMI's stated purpose of a Special District found on the bottom of page 4.

*"The purpose of Special Districts is to **establish modifications to or to supplement existing zoning regulations** to accomplish a special public purpose that is supported by the goals and Policies of the Comprehensive Plan, including land uses as found in the future land use plan." (Emphasis added by WSE)*

Summary

The bottom line is this: approving a Special District Zone does not allow for a developer to start pushing dirt or pulling building permits. There are several steps yet in the development process.

All we are asking the Planning and Zoning Commission to do is recommend approval of the Special District regulations you see before you, or with any stipulations you'd like to see changed that are Zone (regulation) based. The exhibits are nothing more than to illustrate the look and feel of the Special District.

Respectfully submitted,

Tom Wiener

**MEMORANDUM**

Date: December 30, 2021
To: City of Plainview Planning Commission
From: Harry Davis, AICP
Brian Malm, P.E.
Subject: Skye View –Preliminary Plat Application
City of Plainview

Meeting Date: January 4, 2021

Request:

Applicant: Les Conway (WSE)
Owner: Tom Weiner (Skye View Development LLC)
Property Location: North of Piper Hills Golf Course and south of Highway 42
Property ID: 26.00116.24 and 14.00109.05

Background:

The subject property is in the southern part of Plainview, south of Highway 42 and between 255th Ave and 3rd St SW. The property is zoned SD for the Skye View Special District and overlay. The property totals approximately 9.19 acres. Table 1 below shows adjacent land use and zoning.

Table 1

Direction	Land Use	Zoning
North	Undeveloped; Residential	R-2, Residential; R-1, Residential
South	Golf Course	Wabasha County
East	Large Lot Residential	R-1, Residential
West	Commercial/Industrial	Wabasha County

Request:

The request by the applicant is for approval of a preliminary plat for seven outlots, with one dedicated for stormwater retention. The plat also includes 13 parcels for attached single-family homes and townhomes. The lot sizes will be between 3,600 square feet and 65,000 square feet with a range of lot widths (street frontage) between 30 feet and 416 feet. As detailed below and further within this report, the applicant will adhere to the Special District limits for each land use area (see attachments for SD Skye View land use map):

Table 2 – Low Density Residential

Table A						
Use	Lot Area	Lot Frontage	Setback Criteria:			
			Front Yard	Rear Yard	Side Yard	Sum
Single Family Detached	8,000 SF	70	25	25	8	16
Single Family Attached	6800 SF	60	20	15	8	16
Row House Style Townhouses	3500 SF	30 ⁽¹⁾ 38 ⁽²⁾	20	15	8	16
Zero Lot Line	3000 SF	38	20	15	8/0	8

Table B		
Land Use	Proposed Density/Intensity	Approx. Acres
Low Density Residential District (Single Family Attached/Row Townhouses)	12-18 Units/Acre	1.8

Table 3 – Medium Density District

Table A						
Use	Lot Area	Lot Frontage	Setback Criteria:			
			Front Yard	Rear Yard	Side Yard	Sum
Multifamily	15,000 SF	140 ft	25	15	15	30
Condominium	N/A	N/A	25	15	15	30
Open/Recreational Space	N/A	N/A	N/A	N/A	N/A	N/A

Table B		
Land Use	Proposed Density/Intensity	Approx. Acres
Medium Density Residential District (Multifamily/Condominiums)	16-21 Units/Acre	1.6

Table 4 – Mixed Use District

Table A						
Use	Lot Area	Lot Frontage	Setback Criteria (Feet):			
			Front Yard (feet)	Rear Yard	Side Yard	Sum
Multi-family	Variable	120	25	20	8	16
Live - Work	Variable	106	25	20	8	16
Multi-family (max. 4 units)	Variable	80	25	20	8	16

Table B		
Land Use	Proposed Density/Intensity	Approx. Acres
Mixed Use District (Multi-family/Live-Work/ Multi-family (max. 4 units))	19-42 Multi-family Units	1.5
	3+ Living Units	
	Multi-family (max. 4 units)/8 units per acre	

Table 5 – Commercial Business District

Table A						
Use	Lot Area	Lot Frontage	Setback Criteria (Feet):			
			Front Yard (feet)	Rear Yard	Side Yard	Sum
all uses	6,000 SF	80	25	25	10	20
parking lots (associated with the principal structure)	n/a	n/a	8	8	8	n/a
corner lot	6,600 SF	80	25	25	12	N/A
Table B						
Land Use			Proposed Density/Intensity		Approx. Acres	
Commercial District			0.50 FAR ⁽¹⁾		0.56	

Public Comment:

No public comment was received as of publishing this report.

Neighborhood Notification:

All property owners within 350' feet of this property were notified within ten days of the Planning Commission public hearing and published in the paper on December 23 and 30, 2021 that a public hearing would be held on January 4, 2021. No additional notification is required for City Council.

Infrastructure:

Streets: The subject parcel has access to an unimproved, gravel private roadway known as 534th St via an unimproved, gravel township road (255th Ave). Both of these roads are outside of Plainview's City limits and 534th St exists in a private access easement. The property abuts Highway 42, however, access to Highway 42 is controlled by MnDOT and would not be allowed without MnDOT approval. No other public street or roadway access is currently available for this property.

Water: Public water is not readily available to the subject property. A watermain extension will be required to provide water service to the property.

Sewer: Public sanitary sewer is available to serve the subject property.

Drainage: The property includes a waterway that serves as the drainage outlet for an upstream area of approximately 102 acres that includes developed areas of the

City and MnDOT right-of-way. The project proposes to impact this waterway by replacing it with a storm sewer pipe. A hydraulic analysis will need to be completed to determine impacts to upstream and downstream properties. Since the proposed storm sewer system connects to MnDOT drainage infrastructure, MnDOT review and approval will also be required. Stormwater management for the project will need to comply with City and MPCA NPDES Construction Stormwater Permit requirements. This will need to be completed prior to final plat approval.

Environmental: This property is within a Wellhead Protection Area. Stormwater management for the project will need to comply with the City's wellhead protection plan and MPCA NPDES Construction Stormwater Permit requirements for wellhead protection areas. A BWSR approved wetland delineation has been submitted. The applicant will need to complete proper permitting through the Wetland Conservation Act and Section 404 of the Clean Water Act for proposed wetland impacts prior to final plat approval.

2040 Comprehensive Plan:

One of the land use goals in the comprehensive plan is to "encourage land uses, densities and regulations that promote efficient development patterns and relatively low municipal, state, and utility costs". A sub-goal under the goal above is to require coordination between growth and utility capacities (sewer, water, etc.). Under the housing goals in the comprehensive plan, there are various goals that address supporting a "variety of housing types and densities", "encourage a range of housing ... [fitting community] character", and "maintain and enhance the quality of Plainview's homes and neighborhoods".

The Future Land Use Map designates the subject property as Residential and in a Planned Development Area. The Existing Functional Classification and Future Roadways Map indicates future access to Highway 42 just east of the subject property.

Staff Findings:

1. A determination of whether the proposed preliminary plat meets zoning and overlay requirements.

Finding: The outlots in the proposed preliminary plat generally meet zoning requirements for lot area and frontage in the SD Skye View zoning and overlay, with the exception of lots in Block 1. Lots 1 and 2 do not appear to be at least 60 feet in width, although the frontage could easily be adjusted to meet this requirement by taking some away from the adjacent Outlot G. The plans should show the setbacks for each lot consistent with the requirements in the SD for each unique area. Lots 3, 6, and 9 shows incorrect setbacks for an exterior townhouse.

2. A determination of whether the proposed preliminary plat meets subdivision development standards.

Finding: Easements: The applicant has proposed right-of-way in the preliminary plat that satisfies code requirements. Drainage and utility easements have been included along all side and rear yard lot lines. Final review and determination of easement locations and widths to be included on the final plat will be coordinated with review of the proposed public infrastructure final plans and specifications.

Parkland Dedication: Payment of parkland dedication fees-in-lieu will be required as a part of the development agreement, in accordance with the Special District ordinance.

Variances: The applicant has not submitted any separate zoning or subdivision variance requests.

Lot Configurations: The applicant has proposed lot configurations that generally meet code requirements.

Block and Street Configuration/Design: The proposed block and street configuration/design meets applicable code requirements. The proposed Skye View Lane public street is shown offset in the proposed right-of-way. This is being done to allow for grading and retaining wall construction along the east side of the roadway to avoid impacts to the adjacent property. While the proposed street will be within the right-of-way, the boulevard and sidewalk will be within a proposed pedestrian facilities easement. This easement will need to be separately recorded prior to recording the final plat, and will be depicted on the final plat as an existing easement for this purpose. Final review and approval of the proposed slope grading and retaining wall will occur during the construction plan and final plat phase of the development.

MnDOT right-of-way maps indicate that MnDOT acquired right-of-way for Highway 42 adjacent to the proposed development in 1943. The final plat should include dedication of this portion of Highway 42 right-of-way to MnDOT.

The development currently has a private road within an easement connecting to the south for the golf course. Minor modifications to the existing private gravel roadway will need to be made at the connection to the proposed public streets. In the future, the intent is to make a public road connection to the golf course property, as shown in the preliminary plat diagram as 'Future Road'.

Required Improvements:

Streets - The proposed streets of the subdivision appear to meet the City's roadway section requirements. Final review and approval will occur in the construction plan/final plat stage.

The proposed street connection to Highway 42 may require the construction of turn lanes. Determination of turn lane requirements will be based on expected traffic volumes from the proposed development. A traffic study is needed to determine expected traffic volumes and will be required prior to final plat approval.

Sidewalks – The proposed sidewalk meets City Code requirements for sidewalk construction in new subdivisions with the exception of Skye View Lane and 8th Street SW. These streets are showing future sidewalk construction on the east and west sides respectively. A determination will need to be made as a part of the development agreement negotiations how this sidewalk construction will be accomplished in the future.

Drainage/Stormwater Management – The proposed storm sewer layout will need to be reviewed and approved as a part of the construction plan/final plat phase, and will be based on a drainage study, which will include City and MnDOT review and approval.

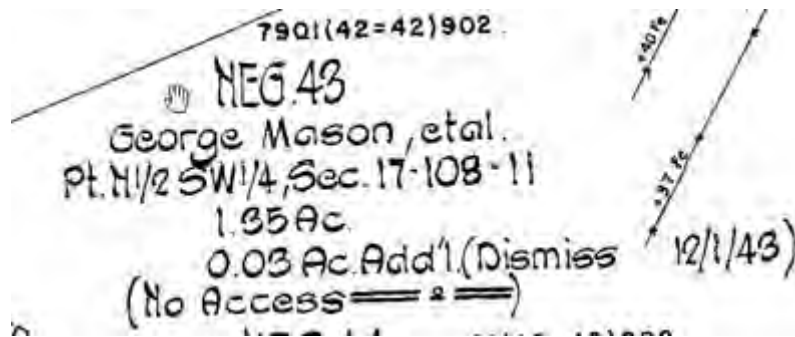
Sanitary Sewer - The proposed sanitary sewer layout appears reasonable. The existing sewer easement will need to be vacated once the sanitary sewer realignment is completed. This will be accomplished as a part of the final plat process.

Watermain - The proposed watermain layout within the subdivision appears reasonable. However, as noted above, a watermain extension will be required to provide water service to the property. The applicant is proposing an extension from the north. The applicant and the City will need to determine the appropriate location and route, and intended cost allocation for the watermain extension, prior to final plat approval.

Other Jurisdictional Approvals: This development is subject to all local, county, and state requirements for development. Failure to receive necessary approvals will render any plat approval null and void. Since this plat abuts MnDOT right-of-way, it has been submitted to MnDOT for review and comment, in accordance with State Statute. The following comments were received. City and applicant staff will work with MnDOT to address these comments as a part of the final plat stage of the project.

- District Survey, R/W and Planning staff reviewed the Preliminary Plat and have the following comments for consideration. Note, the comments were made not having the benefit of reviewing the acquisition documents. For the review, the plat on file was used as reference. A “snap-shot” of a portion of the plat is below.





- Parcel 7901-902-43 was negotiated as Permanent Easement.
 - Access Control was also part of that negotiation.
 - This parcel was in Condemnation and with payment made Sept. 19, 1941.
- Was the alignment used to compute the easement boundary obtained from the District?
 - The District does have the mapping data available (alignment and r/w).
 - District mapping should be used for the easement boundary.
- Regarding the proposed preliminary plat:
 - The local road connection is being made through an existing access restriction.
 - There is a “process” for a new access opening that the owners will need to request the State issue a deed for it.
 - Please contact for more details regarding this process.
 - This request for an access opening conveyance should be made in writing by the fee owners to the District Engineer.
 - Following a recommended approval from the District it will then be reviewed by MnDOT’s Conveyance Office in St. Paul.
- As part of breaking access control for a public roadway, the District would like to have conversation with the city of Plainview to:
 - 1) Show and formally dedicate the rest of existing access control on the Subdivision Plat.
 - 2) Show and formally dedicate T.H. 42 on the Subdivision Plat
 - a. This is more of a formality, since it creates an Easement which we already have.
 - 3) After the Plat is of Record, require a Deed for that portion shown as Trunk Highway No. 42 from the current owners.
 - a. MnDOT preferred practice is to convert existing Easement R/W to Fee where possible.

Denial of Plan and/or Plat: In the case of all subdivisions, the Planning Commission shall recommend denial of, and the City Council may deny, approval of a general development plan, preliminary or final plat if it makes any of the following findings:

- a) That the proposed subdivision, including the design, is in conflict with any adopted component of the Plainview Comprehensive Plan, Land Management Ordinance, Storm Water Pollution Control Ordinance, or any other provision of the City Code;
- b) That the physical characteristics of this site, including but not limited to topography, vegetation, susceptibility to erosion and siltation, susceptibility to flooding, water storage, drainage and retention, are such that the site is not suitable for the type of development or use contemplated;
- c) That the site is not physically suitable for the proposed density of development;
- d) That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage;
- e) That the design of the subdivision or the type of improvements is likely to cause serious public health problems;
- f) That the design of the subdivision or the type of improvements will conflict with easements of record;
- g) That the design will create a significantly higher density than the surrounding areas;
- h) That the design will create an undue burden on the City's traffic system or water/wastewater infrastructure.

The subdivision, when including the findings and requirements above, does not appear to violate findings a) through h).

Recommendation:

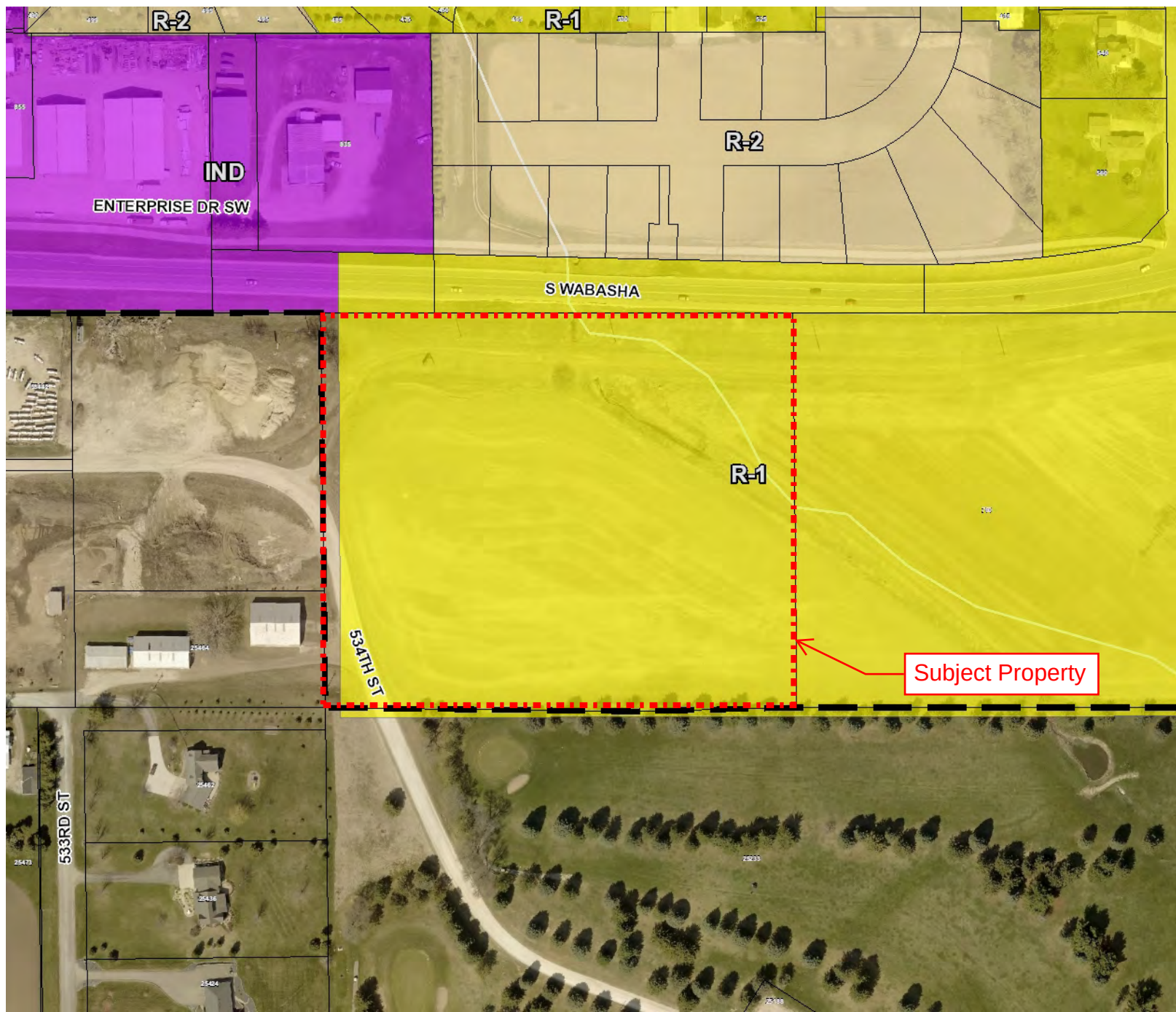
Staff recommends that the Planning Commission forward the preliminary plat to the City Council recommending approval, with the following conditions:

1. The applicant shall make the following revisions prior to approval to be compliant with code:
 - a. Adjust Lots 1 and 2 to be at least 60 feet in width.
 - b. Adjust Lots 3, 6, and 9 to have correct setbacks for an exterior townhouse.
2. A recommendation that the proposed preliminary plat does not conflict with any conditions listed in Section 620.4 of the Plainview City Code, and thus approval of the preliminary plat is appropriate.
3. The preliminary plat shall generally be consistent with the Skye View Special District.
4. Public roadway connection to Highway 42 shall be required as a part of the first phase of the proposed development.
5. Formal MnDOT approval for Highway 42 access shall be required prior to final plat approval.
6. Highway 42 right-of-way shall be dedicated to MnDOT as a part of the Final Plan

7. Final plat and construction plans shall show that access to Parcel No.'s 14.00110.00 and 14.00109.06 is maintained through the special district property during construction of the improvements and after the improvements are made.
8. A traffic impact study shall be completed prior to approval of the Final Plat.
9. A method for accomplishing the needed watermain extension for the development will need to be determined, including cost allocation, prior to approval of the Final Plat.
10. Plans and specifications and all applicable permits for the required infrastructure improvements shall be submitted for City review and shall be approved by the City prior to Final Plat approval.
11. A Development Agreement to install the required infrastructure improvements necessary to support development on lots within the proposed subdivision will be required as a condition of Final Plat approval in accordance with City Code.
12. Easements included on the final plat shall conform with those shown on the preliminary plat, as well as any adjustments or additions determined to be needed by the City during preparation and review of final plans and specifications for the proposed subdivision improvements.
13. The parkland dedication cash in lieu of land amount shall be determined and finalized as a part of the development agreement.
14. All other comments or conditions from city departments, franchise service and utility providers, or other authorities with jurisdiction over this development shall apply to this development.
15. Unless earlier rescinded by the City Council, approval of a preliminary plat is limited to a period of one year, after which time the applicant is required to resubmit a preliminary plat. Upon application filed with the City Clerk, the City Council may continue the approval for an additional period of time. The application shall be filed at least 20 days prior to expiration of the approval of the preliminary plat. In the event the developer does not submit a final plat for approval within this time limits listed herein, the preliminary plat approval in this resolution shall expire.

Attachments:

- Current Zoning Map
- Plainview Comprehensive Plan
 - o Future Land Use Map
 - o Environmental Resources
 - o Existing Functional Classification and Future Roadways Map
- Skye View Special District Code and Land Use Map
- Preliminary Plat
- Preliminary Plat with Aerial Photo
- Preliminary Plat Zoning Exhibit



Legend

- 11** City Limits
- Parcels (11/1/2020)
- Parcels
- Zoning**
- AG (Agricultural District)
 - C-1 (Central Business District)
 - C-2 (Service Commercial District)
 - IND (Industrial District)
 - R-1 (One-Family Dwelling)
 - R-2 (Two-Family Dwelling)
 - T (Transition District)
- Protected Waters - Watercoul

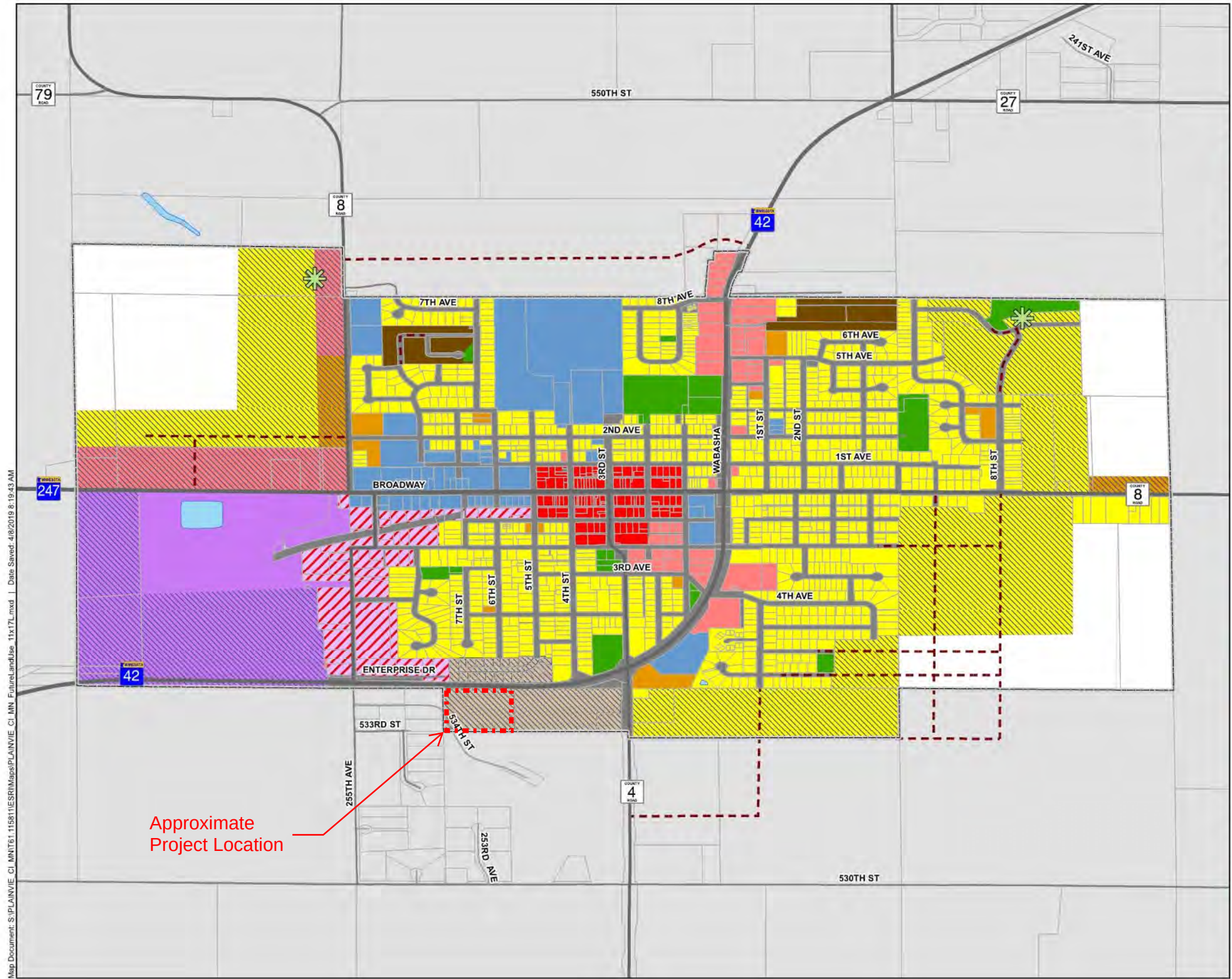
Zoning



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Plainview is not responsible for any inaccuracies herein contained.

0 200 Feet



Map #3: Future Land Use

2040 Comprehensive Plan
Plainview, Minnesota

Legend

- City Limits
- Parcels
- Waterbodies
- Future Roadways
- Planned Development Areas
- Future Park Areas

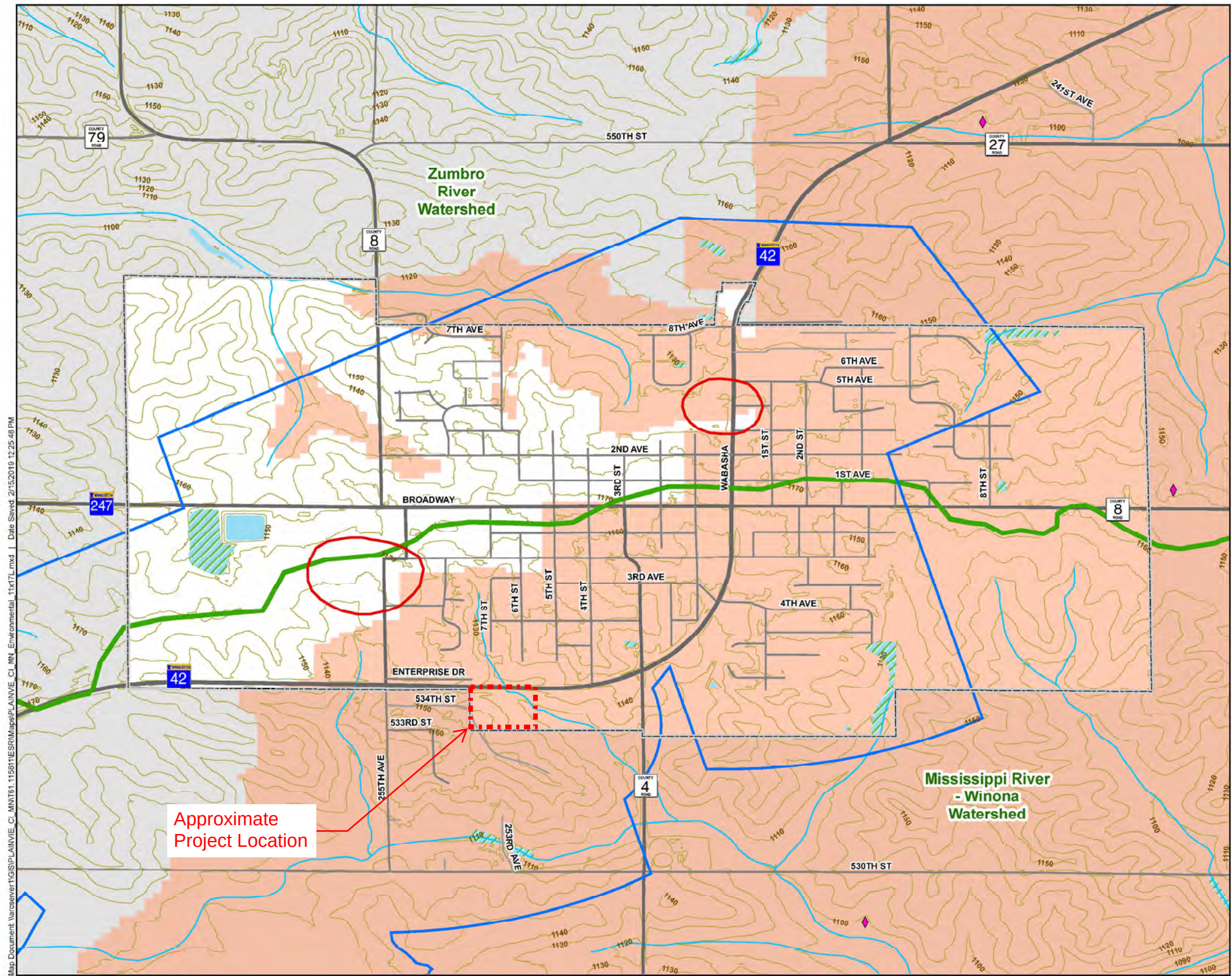
Future Land Uses

- Agricultural
- Central Business
- Service Commercial
- Commercial/Industrial
- Industrial and Utilities
- Institutional
- Mixed Residential / Commercial
- Residential
- Multi-Family Residential
- Manufactured Housing Park
- Parks, Open Space, and Recreational Areas
- Road and Railway Right of Way

0 0.5 Miles
Source: Wabasha County, MnGeo



April 2019



Map #13: Environmental Resources

2040 Comprehensive Plan
Plainview, Minnesota

Legend

- City Limits
- Waterbodies
- Streams and Ditches
- National Wetland Inventory
- Watershed Boundary
- ERA: Emergency Response Area
- WPA: Wellhead Protection Area
- Prone to Surface Karst Feature Development: Carbonate and Sandstone
- Karst Feature: Sinkhole
- 10ft Contours (LiDAR)

0 0.5 Miles

Source: Wabasha County, MnDNR, MnGeo, USFWS



Real People. Real Solutions.

February 2019

ORDINANCE NO. 2021-_____

**AN ORDINANCE AMENDING PLAINVIEW CITY CODE, ADDING SECTION 611.7.7
ESTABLISHING SKYE VIEW DEVELOPMENT SPECIAL DISTRICT**

THE CITY COUNCIL OF THE CITY OF PLAINVIEW DOES ORDAIN (new material is underlined; deleted material is lined out; sections which are not proposed to be amended are omitted; sections which are only proposed to be re-numbered are only set forth below as to their number and title):

SECTION 1. Plainview City Code, Section 611 is hereby amended, adding Section 611.7.7 as described and written in Exhibit 1, with the following conditions adopted by City Council, to be included in the adopted ordinance in section 611.7.7.14.:

Subd. 1 Approval of this special district ordinance is made with the following conditions:

- a. Public roadway connection to Highway 42 shall be required as a part of the first phase of the proposed development.
- b. Formal MnDOT approval for Highway 42 access shall be required prior to final plat approval.
- c. Preliminary and final plat submittals shall show that access to Parcel No.'s 14.00110.00 and 14.00109.06 is maintained through the special district property during construction of the improvements and after the improvements are made.
- d. The preliminary and final plat shall properly identify MnDOT right-of-way for Highway 42.

Subd. 2. After two years from the date of approval of the Special District, the Council may, following a public hearing, rescind approval of this Special District upon finding that the conditions in Subd. 1 have not been met, or that no progress has been made in the construction of the development.

SECTION 2. That this ordinance shall take effect from and after its passage and publication.

Passed by the City Council of the City of Plainview, Minnesota this ____ day of _____, 2021.

Aaron Luckstein, Mayor

Attest:

Carol Kujath, City Clerk

VOTE: ____ LUCKSTEIN ____ KIEFFER ____ REEVE ____ JACOBS
 ____ HAMMER-BARTLEY

Published:

Date: _____

EXHIBIT 1

SECTION 611.7.7 SKYE VIEW DEVELOPMENT SPECIAL DISTRICT

611.7.7.1. PURPOSE. The purpose of this Special District is to provide for zoning regulations that will be administrated in the Skye View Development Special District, as required in Section 611.7 of Plainview City Code (600 Construction, Planning, Zoning, and Land use). The following is the special regulations of the Skye View Development Special District.

611.7.7.2. BOUNDARIES OF THE LAND. This ordinance shall apply to the following described property located within the City of Plainview, County of Wabasha, State of Minnesota:

Parcel 1 (PID: 26.00116.24):

A part of the North Half of the Southwest Quarter of Section 17, Township 108 North, Range 11 West, Wabasha County, Minnesota, described as follows:

Commencing at the northwest corner of the Southwest Quarter of said Section 17; thence along the north line of said Southwest Quarter for a distance of 861.3 feet; thence, southerly, parallel with the north line of said Southwest Quarter, for a distance of 577.5 feet (35 rods); thence westerly, parallel with the north line of said Southwest Quarter, for a distance of 693.00 feet; thence northerly for a distance of 577.5 feet to the POINT OF BEGINNING. Containing 9.19 acres, more or less.

Above parcel includes the right of access over the following described easement:

A non-exclusive easement for driveway purposes, 8.25 feet on each side of the following described line: That part of the Southwest Quarter of Section 17, Township 108, Range 11, Wabasha County, Minnesota, beginning at a point on the West line of said Southwest Quarter 206.25 feet southerly from the northwest corner of said Southwest Quarter of Section 17 (for purposes of this description bearing of said West line is assumed South 0 degrees 42 minutes 00 seconds East), thence North 90 degrees 00 seconds East, a distance of 495.00 feet and there terminating.

AND ALSO 33 feet on each side of a line beginning at the aforesaid point of termination, thence South 89 degrees 40 minutes 29 seconds East, 365.00 feet; thence South 6 degrees 10 minutes 45 seconds East, 102.65 feet; thence South 23 degrees 43 minutes 42 seconds East, 278.00 feet; thence South 26 degrees 49 minutes 24 seconds East, 88.54 feet; thence South 38 degrees 50 minutes 59 seconds East, 89.28 feet; thence South 61 degrees 40 minutes 43 seconds East, 119.27 feet; thence South 69 degrees 33 minutes 06 seconds East, 93.77 feet; thence South 66 degrees 40 minutes 33 seconds East, 151.09 feet and the re terminating.

611.7.7.3. LEGISLATIVE INTENT AND FINDINGS.

Subd. 1. Skye View Development provides a compelling alternative to single-use zones by offering a dramatically different mixed-use and environmentally, socially, economically, and aesthetically advanced development design.

Subd. 2. This Special District is established to foster the development of a comprehensively planned, mixed income and mixed-use neighborhood. This is accomplished by promoting a variety of land uses, housing types, and densities, and by requiring skillful architectural and landscape design. The sites unique location, with the TH 42 along the north boundary and adjacent to Piper Hills Golf Course on the South, makes this an ideal place to create a district that avoids the negative impacts of suburban sprawl with an efficient, compact, mixed-use land plan.

Subd. 3. This type of development is consistent with the goals and policies of the cities 2019 Comprehensive Plan, which encourages creating mixed-use, and higher density residential neighborhoods.

611.7.7.4. ESTABLISHMENT OF SKYE VIEW DEVELOPMENT

Subd. 1. Pursuant to Section 611.7 of the Plainview City Code, the City Council hereby creates a special zoning district to be known as the Skye View Development Special District (SD-SK). The Special District shall be an overlay-zoning district designed to encourage the attractive and innovative development on the Site. As a part of this Special District, the property will be divided into four different use districts (see Exhibit A). The regulations and guidelines set forth in this Special District shall prevail over the regulations of the noted underlying zoning district.

Subd. 2. The determination of the need for the creation of this Special District is based upon the following findings or Land Use Principles:

- a. This Special District is established to foster the development of a comprehensively planned, mixed-use neighborhood. This is accomplished by promoting a variety of land uses, housing types, and densities, and by requiring skillful architectural and landscape design in creating buildings, on an infill site. The Site's unique location, adjacent to TH42 and the Piper Hills Golf Course, makes this an ideal place to create a neighborhood that avoids the negative impacts of suburban sprawl with an efficient, mixed use land plan.
- b. The location of Skye View Development fits within the City's Urban Services Area boundary.
- c. A mix of uses within the development creates opportunities for people to walk and interact. That combined with strong urban and landscape design creates a sense of place. The size and shape of Skye View Development ensures that all destinations are within an easy walk and that the development functions as a mixed-use infill neighborhood.
- d. A range of housing types serves people with different income levels and housing needs while contributing to the vitality of the streetscape.

611.7.7.5. UNDERLYING DEVELOPMENT STANDARDS. Except where otherwise specified, standards for the development of this district will be based upon the following City code, when and where applicable, except where the city Special District language modifies the standards of the City Codes.

- a. No conditional uses are permitted.
- b. Residential District- Section 613 – R-1 Low Density Residential District.
- c. Medium Density Residential district – (Single family attached Row House Style Townhomes, zero lot line.) Section 614 – R-2 Residential District (Multifamily, Condominiums, Apartments).
- d. Commercial Business District Section 616 C-1 Central Business District
- e. Mixed-use District- Residential (Quads, live over work, apartments, row style townhomes).

611.7.7.6. DEFINITIONS

- a. Zero Lot Lines: A lot designed for either one dwelling unit of an attached one-family dwelling unit or a detached one-family dwelling unit with one side yard reduced or eliminated.
- b. Townhouse: An arrangement of single-family dwellings separate or joined by common walls on not more than two sides with the uppermost story being a portion of the same dwelling location directly beneath at the grade or first floor level and having exclusive individual ownership and occupant rights of each dwelling unit including but not limited to the land area directly beneath the dwelling.
- c. Row House Style Townhomes: An attached dwelling joined to at least three others in a row by common walls on not more than two sides. Row houses are generally urban housing style, usually on their own lots.
- d. Single Family Attached: A lot designed to accommodate two individual units that share a common wall on a common lot line.

611.7.7.7. SUBDISTRICT REGULATIONS.

Subd. 1. There are four subdistricts established in this Special District. They are: “Low Density Residential”, “Medium Density Residential”, “Commercial Business District”, and “Mixed Use District”.

Subd. 2. The following regulations apply within the area identified as “Low Density Residential” on the Skye View Land Use Plan. This District consists of four land uses: “Single-family”, “Single-family attached”, and “Zero lot line”, and “Row House Style Townhomes”.

a. Low Density Residential

1. Unless otherwise specified in this special district, the regulations of the R-1 District shall apply within the Low-Density District.
2. Permitted uses shall include the following
 - a. Single family detached
 - b. Single family attached
 - c. Row House Style Townhouse
 - d. Zero lot line
3. Lot Development Standards.
 - a. Setback and lot criteria:
 - The minimum setback and lot criteria for this District is listed in Table A

Table A						
Use	Lot Area	Lot Frontage	Setback Criteria:			
			Front Yard	Rear Yard	Side Yard	Sum
Single Family Detached	8,000 SF	70	25	25	8	16
Single Family Attached	6800 SF	60	20	15	8	16
Row House Style Townhouses	3500 SF	18 ⁽¹⁾ 26 ⁽²⁾	20	15	8	16
Zero Lot Line	3000 SF	38	20	15	8/0	8

(1) Interior Unit

(2) Exterior Unit

- b. The only exemption from the front, and rear setback standards will be eaves and stoops.
- c. The driveway curb cuts will be no greater than 16' width for a 2-car garage and 12' for Row House Style Townhomes to the garage.
- d. Street trees of a minimum 1-1/2" caliper size are required at approximate 35' intervals in all grass boulevard areas of public streets
- e. The maximum height of any structure is 35 feet measured from the lowest ground elevation adjacent to the structure to the midpoint of the sloped roof.
- f. Density and intensity
 - The minimum density and intensity for this District is listed in Table B:
- g. Zero lot line development will require party wall and maintenance agreements.

Table B		
Land Use	Proposed Density/Intensity	Approx. Acres
Low Density Residential District (Single Family Attached/Row Townhouses)	12-18 Units/Acre	1.8

b. Medium Density District

1. Unless otherwise specified in this special district, the regulations of the R-2 District shall apply within the Medium Density area.
2. Permitted uses shall include all the following
 - a. Condominiums
 - b. Multifamily
 - c. Open space/recreational area
3. Lot development standards:
 - a. Setback and Lot Criteria
 - The minimum setback and lot criteria for this District is listed in Table A:

Table A						
Use	Lot Area	Lot Frontage	Setback Criteria:			
			Front Yard	Rear Yard	Side Yard	Sum
Multifamily	15,000 SF	140 ft	25	15	15	30
Condominium	N/A	N/A	25	15	15	30
Open/Recreational Space	N/A	N/A	N/A	N/A	N/A	N/A

- b. The only exception from the front and rear setback standards will be eaves and stoops
- c. The driveway curb cuts will be no greater than 25 feet in width.
- d. Street trees of a minimum 1-1/2" caliper size are required at approximate 35' intervals in all grass boulevard areas of public streets.
- e. Architectural standards. A building must incorporate architectural styles, building materials and colors used in surrounding buildings. An Architectural Control Committee has been established to review all proposed building plans for consistency in design and appearance standards.
- f. Landscape Plan: Lot landscaping standard requirements for the medium density development shall be provided for each lot consistent with the minimum standards established by the Architectural Control Committee (ARC). The ARC shall review all landscape plans to ensure they are consistent with the minimum standards established by the ARC.
- g. Maximum building height shall be 35 Feet.
- h. Density and intensity
 - The minimum density, range of densities (minimum to maximum), and intensity for this District is listed in Table B:

Table B		
Land Use	Proposed Density/Intensity	Approx. Acres
Medium Density Residential District (Multifamily/Condominiums)	16-21 Units/Acre	1.6

c. Commercial Business District

1. Unless otherwise specified in the special district, the regulations of the C-1, Central Business District shall apply within the Commercial Business District.
2. Permitted uses shall include the following
 - a. Retail Sales
 - b. Sit-down and drive thru Restaurants
 - c. Entertainment & Drinking
 - d. Home Improvement Trades
 - e. Appliance Sale and Services
 - f. Repair Shops
 - g. Banks/Savings/Loans

- h. Offices
- i. Personal Services
- j. Hotel/Motel
- k. Animal Hospital/ veterinary clinic
- l. Convenience Retail – with and without gasoline sales
- m. Drive-Thru Facilities
- n. Electric vehicle charging stations
- o. Coffee Shops
- p. Live Over Work

3. Lot Development Standards

a. Setback and Lot Criteria

- i. The Minimum Setback and Lot Criteria for the District is listed in Table A

Table A						
Use	Lot Area	Lot Frontage	Setback Criteria (Feet):			
			Front Yard (feet)	Rear Yard	Side Yard	Sum
all uses	6,000 SF	80	25	25	10	20
parking lots (associated with the principal structure)	n/a	n/a	8	8	8	n/a
corner lot	6,600 SF	80	25	25	12	N/A

- b. Maximum building height shall be 35 feet.
- c. Minimum parking standards for commercial uses shall be in accordance with Section 609.7 Parking of the Code of Ordinance for the City of Plainview.
- d. Density and Intensity
 - The maximum density and intensity for this District is listed in Table B:

Table B		
Land Use	Proposed Density/Intensity	Approx. Acres
Commercial District	0.50 FAR ⁽¹⁾	0.56

(1) Maximum floor area ratio: A sum of the gross horizontal area of the floors of a building measured from the outside faces of wall or the centerline of party walls separating two buildings. This does not include any interior parking spaces, loading spaces, any space where the floor to ceiling height is less than six feet, any space devoted to mechanical equipment, terraces, breezeways, screened porches, basements, other sub-terranean areas not intended for human habitation.

Example: Two story building with 1,500 S.F. of gross floor area for a total of 3,000 S.F. located on a 6,000 S.F. lot. First floor mechanical room of 30 S.F. and stairwell area of 750 S.F. combined on both floors. $3,000 \text{ S.F.} - (30 \text{ S.F.} + 750 \text{ S.F.}) = 2,220 \text{ S.F.}$ of net floor area. $\text{FAR} = 2,200 \text{ S.F. net floor area} / 6,000 \text{ S.F. gross lot size} = 0.37$.

4. Site Development Plan and Site Plan Review: A site Development Plan for all uses in the Commercial Business District shall be prepared and submitted to the City of Plainview for review. The City of Plainview will review the Site Development Plan for consistency with the standards and criteria of the Special District for architecture, signage, parking, and landscaping, including City code, when and where applicable, except where the city Special District language modifies the standards of the City Codes.
5. Convenience retail and drinking and entertainment uses shall have hours of operation as follows:
 - a. Convenience Retail: 24 hours
 - b. Drinking and entertainment: 6am - 12 midnight
6. Stacking Requirements for drive-in facilities shall be reduced to five in-bound and one out-bound space per drive lane.
7. On-street parking in front of the retail uses shall be allowed. On street parking in front or on the side street of the lot shall count toward fulfilling the parking requirements of the ordinance. On street parking spaces must be striped for clarity and be at least 22.5' long. On-Street spaces may not conflict with traffic, sight lines, or pedestrian circulation.
8. Limitation on permitted uses:
 - a. Not more than one convenience retail use that includes sales of automotive fuels may be permitted in the Commercial Business District.
 - b. With the exception of transit accommodation (motel/hotels), restaurant uses and grocery stores, individual businesses shall not exceed 20,000 square of floor area on the ground floor.
9. Lot Development Standards:
 - a. Exterior Trash Receptacles shall be constructed to the size and standards of the typical section on Exhibit G of the Special District.
 - b. Utility boxes and water backflow prevention devices shall be located so they are visually unobtrusive and screened with landscaping as allowed.
 - c. Buildings shall be oriented to face the street with entrances and display windows at the street level. Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade. A revocable permit will be required by the City whenever a canopy or awning extends into the public right of way. Restaurants shall be permitted to operate outdoor cafes on sidewalks, including areas within the public right of way provided that pedestrian circulation and access to store entrances are not impaired. Revocable permits are for the private use of the public right-of-way, either permanent or temporary. The "revocable" designation means that the City may revoke the permit at any time for any reason.

d. Bicycle-locking stands are required in each Commercial Use. One stand, which holds a minimum of six bicycles, shall be provided for every 20,000 square feet of gross leasable space. These stands must harmonize with the architectural of the retail area connect to the ground at two points or more.

e. Street trees are required along the public streets of all mixed-use buildings at a minimum spacing of 35' on center.

f. Parking

i. Minimum parking requirements for the Commercial Business District, shall use business center parking standards of Section 609.7 of the Code of Ordinance for City of Plainview.

ii. In commercial or office uses, which have shop fronts adjacent to sidewalks and streets, on-street parking directly in front of the lot shall count toward fulfilling the parking requirement and meet requirements set forth in 611.7.7.c.4.7.

iii. Parking lot screening

a. All parking areas containing more than six spaces (if not screened by the building from public roads) must be screened with a hedgerow (42" minimum height), unless there is a minimum 8 front wide landscape use provided. Hedgerows shall be planted at a maximum of 4'-0" on center and shall reach a minimum height of 36" and a maximum height of 6'-0".

iv. Parking Lot Landscaping:

a. Parking areas containing more than 15 spaces and containing more than two contiguous or parallel rows of parking shall have internal landscaping within the parking area equal to at least five percent of paved area of the lot (including drive aisles plus driveways).

b. Paved areas do not include sidewalks, patios, or other paved areas not associated with vehicle parking or circulation. Planting areas must be distributed throughout the parking areas. They must have a minimum width of at least eight feet and be at least 100 square feet in area.

c. Each 100 square feet of required landscape area must contain at least one canopy tree or two understory trees (minimum size for canopy trees in 1 ½" caliper and minimum size for understory tree is one inch caliper). The landscape islands shall not be used for snow storage and any planting must be maintained in a healthy condition and appearance. These areas may contain external standard lighting fixtures.

10. Landscape Plan: Lot landscaping standard requirements to the Commercial development shall be provided for each lot consistent with the minimum standards established by the Architectural Control Committee (ARC). The ARC shall review all landscape plans to ensure they are consistent with the minimum standards established by the ARC.

a. Signs

- i. Signs should add interest to the street level environment. They can only unify the overall architectural concept of the building or provide unique identity for a commercial space within a larger mixed-use structure. Signage shall be appropriate for the scale, character and use of the project and surrounding area. Signs should be oriented and scaled for both pedestrians on sidewalks and vehicles on streets. The following sign types satisfy these requirements:
 - a. **Blade Sign** - A sign used to attract pedestrians or drivers who cannot see a storefront. Blade signs are usually illuminated both on the front and back with two faces. They can also be non-illuminated with a cut-out design. They are usually hung from ornate brackets.
 - b. **Marquee** - A structure attached to and projecting from a wall of a building, located above an entrance, which is designed to identify a business or use located on the premises or to advertise present or scheduled events on the premises.
 - c. **Neon signs** - sized to not exceed 20 square feet.
 - d. **Free standing sign** - self-supporting sign resting on or supported by means of poles, standards of any other type of base anchored to the ground
 - e. **Projecting sign** – A sign, other than a wall sign, which attaches to and projects from a structure or building facade.
 - f. **Graphics sign** – A sign which is an integral part of the building facade. The sign is painted directly on, carved in or otherwise permanently imbedded in the facade. Signs in shop windows are included unless they qualify as auxiliary signs.
 - g. **Auxiliary sign** – A sign providing information of a special or general nature which does not include information on names, brands or product lines, such as hours of operation, length of special sales, security warnings, directions for parking or entry or general pricing information (such as gas prices at service stations).
 - h. **Advertising signs (billboards)** - will be prohibited.
 - i. **Wall signage** - A sign mounted parallel to a building facade or other vertical building surface. These signs shall not be mounted more than 18 inches from the wall surface they are attached to and not exceed 10% of the wall surface of the front of the building.
- ii. Sign standards shall conform with the following criteria:
 - a. **Free standing sign** – maximum height 20’ feet.
 - b. **Projecting sign** – maximum area – 20 square feet, maximum height – 12 feet.
 - c. **Graphics sign** – maximum area of 10% of wall.

- d. **Auxiliary sign** – maximum height – 6’.
 - e. **Advertising signs** (billboards) will be prohibited.
 - f. **Wall signage** - should be uniform in size.
 - g. Signs can be internally lit.
- iii. Architectural standards.
 - a. Standards for all uses:
 - 1. Each Building shall avoid long, monotonous-uninterrupted walls or roof planes. The façade of a building should be divided into distinct modules, no longer than 150 feet.
 - 2. Mechanical equipment, electrical and communication transformers, cabinets, and service areas shall be located out of public view where feasible or screened from public view with fences, walls, or landscaping.
 - b. Standards for Convenience Retail Uses
 - 1. Convenience retail uses shall locate automotive fuel service and drive-in service areas away from residences and toward the perimeter streets.
 - 2. Light from lighting fixtures and signage, and sound from sound-producing equipment shall be deflected away from residences. Music from sound producing equipment shall be prohibited on the exterior of the building.
 - 3. Foundation landscaping (4’ minimum planting bed width) and windows shall be provided along all building sides that are open to view from public streets.
 - 4. Perimeter landscaping at least four feet in depth shall be provided along public roads between sidewalks and driveway or parking areas.
 - 5. Pedestrians must be able to safely access the building from public sidewalks on visual prominent crosswalks within drive areas to the building’s front door.
 - 6. All sides of the building façade shall be designed to provide architectural and visual interest.
 - i. A minimum of 50% of the building along a street right of way at ground level must be clear or lightly tinted windows, doors, or other treatment that are sufficiently transparent to provide pedestrian views into the building.
 - ii. Awnings, covered walkway, open colonnades, or similar weather protection must be provided by at least 50% of the commercial, retail, service, and office uses that front the right of way.

- iii. Doorways, windows, and other openings in the façade of a building shall be proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level.
- iv. Exterior materials may include brick, architecturally treated concrete, stone, tile, stucco, stucco-like panels and other cultured stone, and similar high quality architectural materials.
- v. Buildings shall be oriented to face the street with entrances and display windows at the street level. Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade. Restaurants shall be permitted to operated outdoor cafes on sidewalks, including area within the public right of way and in courtyards provided that pedestrian circulation and access to store entrances are not obstructed.
- vi. Drive-thrus:
 - a. Drive-thru facilities shall be permitted in the Commercial Use District
 - b. The Stacking requirements for the Drive-Thrus are defined in Section 611.7.7 C.6
 - c. The use of outdoor speaker systems and other audio type equipment shall be limited by the Architectural Control Committee and local noise ordinances.
 - d. The Site Plan for each drive-thru facility shall minimally include the location of the drive-thru, staging aisle, location of the menu board, and other signage deemed necessary for the operation of the drive-thru.

d. Mixed-Use District:

- 1. The “Mixed Use District” permitted uses are as follows:
 - a. Multi-family (max. 4 connected units)
 - b. Live Over Work
 - c. Multi-family
 - d. Commercial uses permitted by this special district.
 - e. Row House Style Townhouses
- 2. Lot Development Standards
 - a. Setback and Lot Criteria

- The Minimum Setback and Lot Criteria for the District is listed in Table A:

Table A						
Use	Lot Area	Lot Frontage	Setback Criteria (Feet):			
			Front Yard (feet)	Rear Yard	Side Yard	Sum
Multi-family	Variable	120	25	20	8	16
Live - Work	Variable	106	25	20	8	16
Multi-family (max. 4 units)	Variable	80	25	20	8	16
Row House Style Townhouses	3500 SF	18 ⁽¹⁾ 26 ⁽²⁾	20	15	8	16

(1) Interior Unit

(2) Exterior Unit

3. Density and Intensity

- The maximum density, range of densities (minimum to maximum), and intensity for this District is listed in Table B:

Table B		
Land Use	Proposed Density/Intensity	Approx. Acres
Mixed Use District (Multi-family/Live-Work/ Multi-family (max. 4 units)/Row House Style Townhomes)	19-42 Multi-family Units	1.5
	3+ Live Over Work	
	Multi-family (max. 4 units attached)/8 units maximum	
	Row House Style Townhomes/8 units maximum	

4. Live Over Work: Office and residential uses are allowed on the upper levels. Two off-street parking stalls per residential unit is required and must be reserved.
5. A site Development Plan for all uses in the Mixed-Use District shall be prepared and submitted to the city of Plainview for review. The City of Plainview will review the Site Development Plan for consistency with the standards and criteria of the Special District for architecture, signage, parking, and landscaping, including City code, when and where applicable, except where the city Special District language modifies the standards of the City Codes.
6. Minimum of two stories above grade is allowed. A story is defined as that portion of a building included between the upper surface of any floor and the upper surface at the next floor above except that the topmost floor shall be that portion of a building included between the upper surface of the topmost floor and ceiling.
7. Maximum size for a restaurant use is 7,000 square feet.
8. Alcohol sales are permitted.
9. The height allowed for a three-story building shall be 35 feet.
10. Lot development Standards:

- a. Exterior Trash Receptacles shall be constructed to size and standards of the typical section on figure Exhibit F of the Special District.
 - b. Utility boxes and water backflow prevention devices shall be located so they are visually unobtrusive and screened with landscaping as allowed.
 - c. Buildings shall be oriented to face the street with entrances and display windows at the street level, except for the storage facilities. Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade.
 - d. Street trees are required along the public streets of all mixed-use buildings at a minimum spacing of 35' on center.
11. Parking requirements for the Mixed-Use District shall use standards of Section 609.7 except as follows:
 - Live over work Commercial space 1 stall/ 200 square feet
 - Apartments: 1 stall for 1 bedroom, 1.5 stalls for 2-bedroom, 2 stalls for 3 bedrooms.
 - a. Parking Lot Screening:
 1. All parking areas containing more than six spaces (if not screened by the building from public roads) must be screened with a hedgerow. These landscaped areas but be a minimum of 4'-0" wide. Hedgerows shall be planted at a maximum of 4'-0" on center and shall reach a minimum height of 36" and a maximum height of 6'0".
 - b. Parking Lot Landscaping:
 1. Parking areas containing more than 15 spaces and containing more than two contiguous or parallel rows of parking shall have internal landscaping within the parking area equal to at least five percent of paved area of the lot (including drive aisles plus driveways).
 2. Paved areas do not include sidewalks, patios, or other paved areas not associated with vehicle parking or circulation.
 3. Each 100 square feet of required landscape area must contain at last one canopy tree or two understory trees (minimum size for canopy trees in 1 – 1/2" caliper and minimum size for understory tree is one inch caliper). The landscape islands shall not be used for snow storage and any planting must be maintained in a healthy condition and appearance. These areas may contain external standard lighting fixtures.

12. Signs

- a. Signs should add interest to the street level environment. They can only unify the overall architectural concept of the building or provide unique identity for a commercial space within a larger mixed-use structure. Signage shall be appropriate for the scale, character and use of the project and surrounding area. Signs should be oriented and scaled for both pedestrians on the sidewalks and vehicles on streets. The following sign types satisfy these requirements:

1. **Blade Sign** - A sign used to attract pedestrians or drivers who cannot see a storefront. Blade signs are usually illuminated both on the front and back with two faces. They can also be non-illuminated with a cut-out design. They are usually hung from ornate brackets.
 2. **Marquee** - A structure attached to and projecting from a wall of a building, located above an entrance, which is designed to identify a business or use located on the premises or to advertise present or scheduled events on the premises.
 3. **Neon signs** - sized to not exceed 20 square feet.
 4. **Free standing sign** - self-supporting sign resting on or supported by means of poles, standards of any other type of base anchored to the ground
 5. **Projecting sign** – A sign, other than a wall sign, which attaches to and projects from a structure or building facade.
 6. **Graphics sign** – A sign which is an integral part of the building facade. The sign is painted directly on, carved in or otherwise permanently imbedded in the facade. Signs in shop windows are included unless they qualify as auxiliary signs.
 7. **Auxiliary sign** – A sign providing information of a special or general nature which does not include information on names, brands or product lines, such as hours of operation, length of special sales, security warnings, directions for parking or entry or general pricing information (such as gas prices at service stations).
 8. **Advertising signs (billboards)** - will be prohibited.
 9. **Wall signage** - A sign mounted parallel to a building facade or other vertical building surface. These signs shall not be mounted more than 18 inches from the wall surface they are attached to and not exceed 10% of the wall surface of the front of the building.
- b. Sign standards shall conform with the following criteria:
1. **Free standing sign** – maximum height 20' feet.
 2. **Projecting sign** – maximum area – 20 square feet, maximum height – 12 feet.
 3. **Graphics sign** – maximum area of 10% of wall.
 4. **Auxiliary sign** – maximum height – 6'.
 5. **Advertising signs (billboards)** will be prohibited.
 6. **Wall signage** - should be uniform in size.
 7. Signs can be internally lit.
13. Architectural Standards.
- a. Standards for all uses:
1. Each building shall avoid long, monotonous-uninterrupted walls or roof planes. The façade of a building should be divided into distinct modules, no longer than 150 feet.
 2. Mechanical equipment, electrical and communication transformers, cabinets, and services areas shall be located out of public view

where feasible or screened from public view with fences, walls, or landscaping.

3. All sides of the building façade shall be designed to provide architectural and visual interest.
 - i. Doorways, windows, and other openings in the façade of a building shall be proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level.
 - ii. Exterior material may include brick, architectural treated concrete, sone tile, stucco, stucco-like panels and other cultured stone, and similar high quality architectural materials
 - iii. Buildings shall be oriented to face the street with entrances and display windows at the street level. Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade.

611.7.7.8. PARKLAND DEDICATION REGULATIONS

1. Section 622.9 of the Code of Ordinances for the City of Plainview titled “Parks, Open Space, and Public Use” contains the current policy for parkland dedication or cash in lieu of dedication provision when a park or public area is not shown on the Comprehensive plan. Parkland Dedication Ordinances are granted pursuant to State Statute 462.358. Section 622.9 of the Code of Ordinances provides for a schedule based on density of the development for R-1 and R-2 residentially zoned districts.
2. The Skye View Special District Plan contains four distinct land use districts of which three are subject to parkland requirements. They are (1) Low-Density Residential; (2) Medium Density Residential; (3) a portion of the Mixed-Use for Multifamily, or Live-Over work.
3. The parkland dedication requirement for this Special District will be met via a cash contribution in lieu of land dedication. The cash payment for parkland dedication shall be made prior to recording the Final Plat of each phase of development with land uses that are subject to the parkland dedication per item 3 above.
4. Calculation of parkland dedication: The amount of cash in lieu of dedication of parkland for each land use designation shall be based on the density of each category as noted in the following table:

Table A	
Land Use	Required Dedication
Low Density Residential	8% of total land area
Medium Density Residential	Refer to Table B
Mixed-Use Density Residential	Refer to Table B

Table B: Density calculation for Medium Density and Mixed-Use Density for residential use. The population density chart is pertinent to the land use that potentially increases demand on parks.

Table B	
Density in Dwelling Units per Gross Acre of Residential Land Area (dwelling units per acre)	Estimated Number of Persons per Dwelling Unit
16-21	2.22
Over 21	1.98

5. The total land dedication requirement in Table A is calculated based on total land area within the low-density residential zone multiplied by the required dedication percentage. The dedication requirement formula is **number of acres within the low-density residential zone x required dedication percentage = Amount of land to be dedicated.**

The total land dedication requirement in Table B is calculated based on need for 8 acres per 1,000 residents. The dedication requirement formula is **0.008 x the number of persons per dwelling unit x number of units = Amount of land to be dedicated.**

The formula for Cash in Lieu of land dedication is as follows: **Fair market value per acre x number of acres required to be dedicated = cash payment in Lieu of land dedication.**

Table A Example:

10 acres low density residential x 0.08 = 0.8 acres

0.8 acres x \$10,000 per acre fair market value = \$8,000.00

Table B Example:

(0.008 x 2.22 persons per dwelling unit) x 20 dwelling units = 0.35 Acres

0.35 acres x \$10,000 per acre fair market value = \$3,552.00

The fair market value of the land before development to be used in calculations for Tables A and B shall be defined by either (1) appraised or (2) negotiated value between the City and Developer.

611.7.7.9. GENERAL DEVELOPMENT STANDARDS

1. Public street section for Skye View Development shall follow the cross-sections shown in Exhibit C.

611.7.7.10. BOUNDARIES

1. The regulations established herein shall apply to the land described in Section 611.7.2 and shall be designated “SD-SV” on the zoning map.

611.7.7.11. EXHIBITS

1. The following documents shall be submitted with the Special District application and included as exhibits of this Ordinance:
 - i. Special District Boundary and Underlying Zone, Exhibit A
 - ii. Concept Plan Exhibit B
 - iii. Street Sections/Utilities, Exhibit C
 - iv. Pedestrian Circulation, Exhibit D
 - v. Building Proto-types Exhibit E
 - vi. Trash enclosure- Exhibit F

611.7.7.12. EFFECTS OF REGULATIONS

1. The Special District ordinance and Exhibits A-F including preliminary or final plats together with the conditions and restrictions imposed, if any, shall govern the use and development of the land.

611.7.7.13. DEVELOPMENT PROCEDURES

Subd. 1. Except as herein described, development procedures for property within the Special District shall be consistent with the requirements of the Plainview Code of Ordinances. Additional plans and information shall be submitted, as necessary, for development within the Special District, as outlined below. If determined necessary by the Zoning Administrator, additional plans, or information necessary for development approvals shall also be submitted.

Subd. 2. Preliminary and Final Plat Application. Preliminary and Final plat applications within the Special District shall include plans and information consistent with the requirements of the Plainview Code of Ordinances. If requested by the Zoning Administrator, additional information needed in order to judge the nature and propriety of the proposal shall also be submitted.

Subd. 3. Zoning Certification and Building Permit. Applications for building permits and zoning certificates within the Special District shall include submission of a Skye View Development Architectural Review Committee document. This document must verify a review of sitting and plans for the compliance with this Special District’s intent, as outlined in the covenants submitted with the final plat.

611.7.7.14. CONDITIONS

Subd. 1. Approval of this special district ordinance is made with the following conditions:

- a. Public roadway connection to Highway 42 shall be required as a part of the first phase of the proposed development.
- b. Formal MnDOT approval for Highway 42 access shall be required prior to final plat approval.

- c. Preliminary and final plat submittals shall show that access to Parcel No.'s 14.00110.00 and 14.00109.06 is maintained through the special district property during construction of the improvements and after the improvements are made.
- d. The preliminary and final plat shall properly identify MnDOT right-of-way for Highway 42.

Subd. 2. After two years from the date of approval of the Special District, the Council may, following a public hearing, rescind approval of this Special District upon finding that the conditions in Subd. 1 have not been met, or that no progress has been made in the construction of the development.

**Exhibit A - Special District Boundary &
Underlying Zoning**

14-203293_ Exhibit A.dwg

11/4/2021 10:29:04 AM

LEGAL DESCRIPTION:

A PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 108 NORTH, RANGE 11 WEST, WABASHA COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 861.3 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 693.00 FEET; THENCE, SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 577.5 FEET (35 RODS); THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER, FOR A DISTANCE OF 693.00 FEET; THENCE NORTHERLY FOR A DISTANCE OF 577.5 FEET TO THE POINT OF BEGINNING, CONTAINING 9.19 ACRES, MORE OR LESS.

ABOVE PARCEL INCLUDES THE RIGHT OF ACCESS OVER THE FOLLOWING DESCRIBED EASEMENT:

A NON-EXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES, 8.25 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 108, RANGE 11, WABASHA COUNTY, MINNESOTA, BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER 206.25 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 17 (FOR THE PURPOSES OF THIS DESCRIPTION BEARING OF SAID WEST LINE IS ASSUMED SOUTH 0 DEGREES 42 MINUTES 00 SECONDS EAST), THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 495.00 FEET AND THERE TERMINATING.

AND ALSO 33 FEET ON EACH SIDE OF A LINE BEGINNING AT THE AFORESAID POINT OF TERMINATION, THENCE SOUTH 89 DEGREES 40 MINUTES 29 SECONDS EAST, 365.00 FEET; THENCE SOUTH 6 DEGREES 10 MINUTES 49 SECONDS EAST, 102.65 FEET; THENCE SOUTH 11 DEGREES 15 MINUTES 51 SECONDS EAST, 92.58 FEET; THENCE SOUTH 18 DEGREES 48 MINUTES 36 SECONDS EAST, 90.10 FEET; THENCE SOUTH 23 DEGREES 43 MINUTES 42 SECONDS EAST, 278.00 FEET; THENCE SOUTH 26 DEGREES 49 MINUTES 24 SECONDS EAST, 88.54 FEET; THENCE SOUTH 38 DEGREES 50 MINUTES 59 SECONDS EAST, 89.28 FEET; THENCE SOUTH 61 DEGREES 40 MINUTES 43 SECONDS EAST, 119.27 FEET; THENCE SOUTH 69 DEGREES 33 MINUTES 06 SECONDS EAST, 93.77 FEET; THENCE SOUTH 66 DEGREES 40 MINUTES 33 SECONDS EAST, 151.09 FEET AND THERE TERMINATING.

LAND USE LEGEND

	LOW DENSITY RESIDENTIAL DISTRICT (SINGLE FAMILY ATTACHED/ROW TOWNHOUSES)
	MEDIUM DENSITY RESIDENTIAL DISTRICT (MULTIFAMILY/CONDOMINIUMS)
	MIXED USE DISTRICT (MULTI-FAMILY/LIVE-WORK/4 UNIT MULTI-FAMILY/COMMERCIAL)
	COMMERCIAL DISTRICT

T.H. 42

℄ T.H. 42

N 89°54'54" E 693.00

N 89°54'54" E 1085.60

N 89°54'54" E 2621.74

S. R/W LINE T.H. 42

WABASHA CO MON
NE COR SE 1/4
SEC 17-108-11

CURRENT ZONE: R1
HOWARD F BENNETT ETAL
PID: R14.00109.15

CURRENT ZONE: R1 GARY J &
LINDA M KOBILARCSIK PID:
R14.00109.06

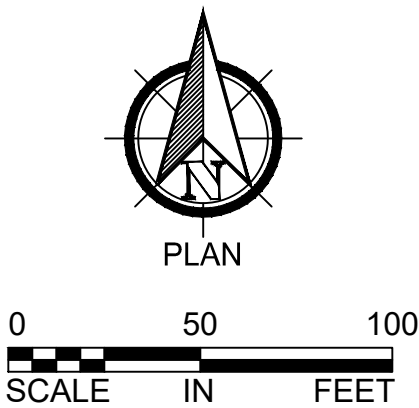
9.19 ACRES
CURRENT ZONE: ONE-FAMILY DWELLING
SKYE VIEW DEVELOPMENT
PID: R26.00116.24

CURRENT ZONE: ONE-FAMILY DWELLING
ANASTACIA DEVELOPMENT INC
PID: R26.00116.03

N 89°54'54" E 693.00

CURRENT ZONE: A2
FAIRWATER LLC PID:
R14.00110.00

N 00°38'07" W 2620.40
E. LINE SW 1/4



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SUITE 3
PLAINVIEW, MN 55964

ROCHESTER OFFICE
1712 RESTORATION
ROAD SW
ROCHESTER, MN 55902

REV	DATE	DESCRIPTION

SKYE VIEW DEVELOPMENTS
PLAINVIEW, MINNESOTA
BOUNDARY EXHIBIT & UNDERLYING ZONING

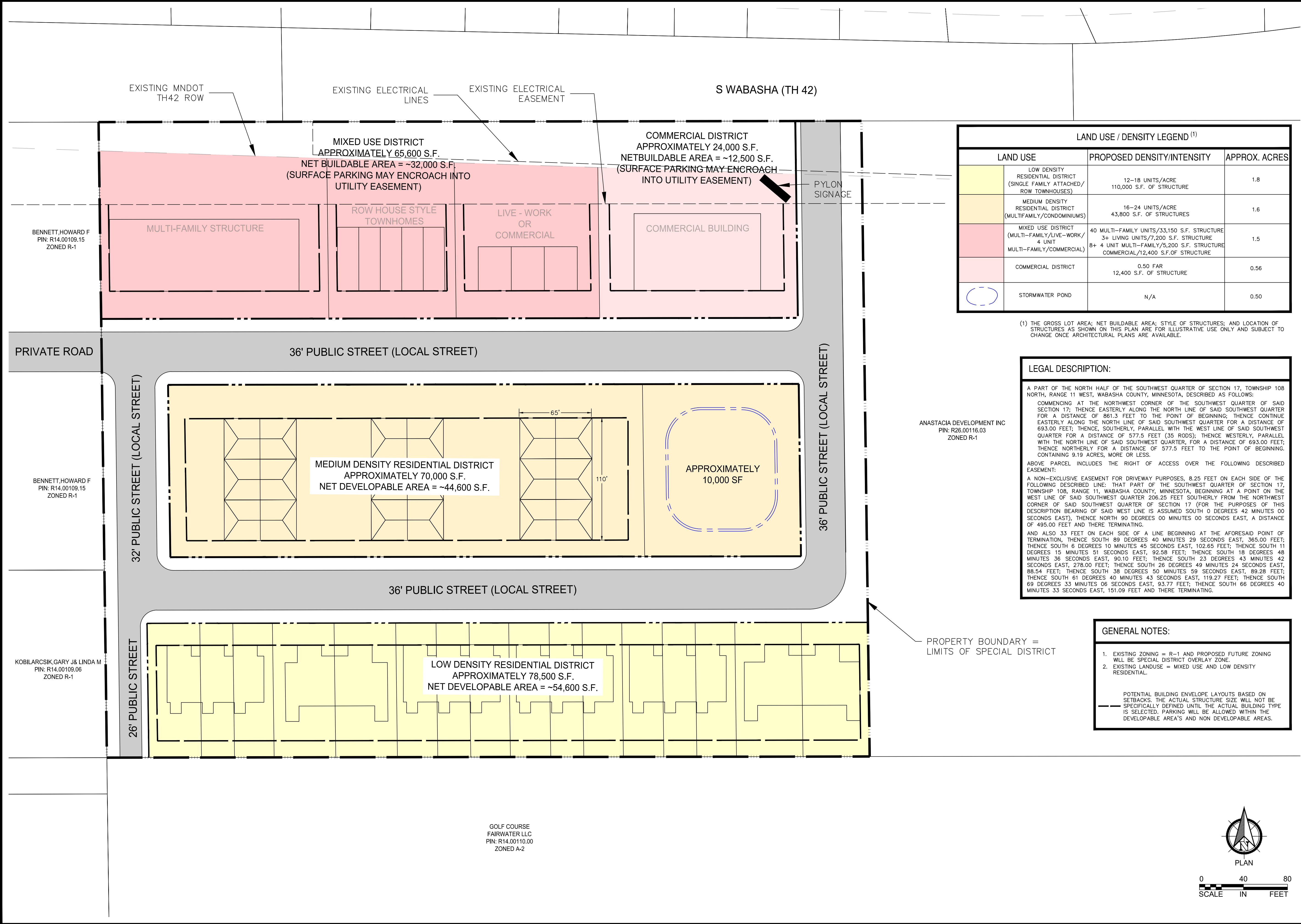
EXHIBIT A
BOUNDARY EXHIBIT &
UNDERLYING ZONING

SCALE: AS SHOWN
DATE: 11/4/21
DRAWN BY: TSW
JOB NUMBER: 14-203293
DWG. FILE: 14-203293_EXHIBIT A.DWG

Exhibit B - Concept Plan

14-203293_Exhibit B.dwg

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LAND USE / DENSITY LEGEND ⁽¹⁾			
LAND USE		PROPOSED DENSITY/INTENSITY	APPROX. ACRES
	LOW DENSITY RESIDENTIAL DISTRICT (SINGLE FAMILY ATTACHED/ ROW TOWNHOUSES)	12-18 UNITS/ACRE 110,000 S.F. OF STRUCTURE	1.8
	MEDIUM DENSITY RESIDENTIAL DISTRICT (MULTIFAMILY/CONDOMINIUMS)	16-24 UNITS/ACRE 43,800 S.F. OF STRUCTURES	1.6
	MIXED USE DISTRICT (MULTI-FAMILY/LIVE-WORK/ 4 UNIT MULTI-FAMILY/COMMERCIAL)	40 MULTI-FAMILY UNITS/33,150 S.F. STRUCTURE 3+ LIVING UNITS/7,200 S.F. STRUCTURE 8+ 4 UNIT MULTI-FAMILY/5,200 S.F. STRUCTURE COMMERCIAL/12,400 S.F. OF STRUCTURE	1.5
	COMMERCIAL DISTRICT	0.50 FAR 12,400 S.F. OF STRUCTURE	0.56
	STORMWATER POND	N/A	0.50

(1) THE GROSS LOT AREA; NET BUILDABLE AREA; STYLE OF STRUCTURES; AND LOCATION OF STRUCTURES AS SHOWN ON THIS PLAN ARE FOR ILLUSTRATIVE USE ONLY AND SUBJECT TO CHANGE ONCE ARCHITECTURAL PLANS ARE AVAILABLE.

LEGAL DESCRIPTION:

A PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 108 NORTH, RANGE 11 WEST, WABASHA COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 861.3 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE EASTERLY ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 693.00 FEET; THENCE, SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 577.5 FEET (35 RODS); THENCE WESTERLY, PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER, FOR A DISTANCE OF 693.00 FEET; THENCE, NORTHERLY FOR A DISTANCE OF 577.5 FEET TO THE POINT OF BEGINNING, CONTAINING 9.19 ACRES, MORE OR LESS.

ABOVE PARCEL INCLUDES THE RIGHT OF ACCESS OVER THE FOLLOWING DESCRIBED EASEMENT:

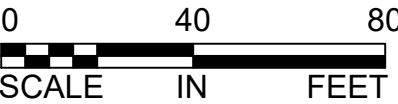
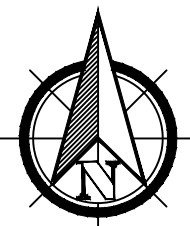
A NON-EXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES, 8.25 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 108, RANGE 11, WABASHA COUNTY, MINNESOTA, BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER 206.25 FEET SOUTHERLY FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 17 (FOR THE PURPOSES OF THIS DESCRIPTION BEARING OF SAID WEST LINE IS ASSUMED SOUTH 0 DEGREES 42 MINUTES 00 SECONDS EAST), THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 495.00 FEET AND THERE TERMINATING.

AND ALSO 33 FEET ON EACH SIDE OF A LINE BEGINNING AT THE AFORESAID POINT OF TERMINATION, THENCE SOUTH 89 DEGREES 40 MINUTES 29 SECONDS EAST, 365.00 FEET; THENCE SOUTH 6 DEGREES 10 MINUTES 45 SECONDS EAST, 102.65 FEET; THENCE SOUTH 11 DEGREES 15 MINUTES 51 SECONDS EAST, 92.58 FEET; THENCE SOUTH 18 DEGREES 48 MINUTES 36 SECONDS EAST, 90.10 FEET; THENCE SOUTH 23 DEGREES 43 MINUTES 42 SECONDS EAST, 278.00 FEET; THENCE SOUTH 26 DEGREES 49 MINUTES 24 SECONDS EAST, 88.54 FEET; THENCE SOUTH 38 DEGREES 50 MINUTES 59 SECONDS EAST, 89.28 FEET; THENCE SOUTH 61 DEGREES 40 MINUTES 43 SECONDS EAST, 119.27 FEET; THENCE SOUTH 69 DEGREES 33 MINUTES 06 SECONDS EAST, 93.77 FEET; THENCE SOUTH 66 DEGREES 40 MINUTES 33 SECONDS EAST, 151.09 FEET AND THERE TERMINATING.

GENERAL NOTES:

- EXISTING ZONING = R-1 AND PROPOSED FUTURE ZONING WILL BE SPECIAL DISTRICT OVERLAY ZONE.
- EXISTING LANDUSE = MIXED USE AND LOW DENSITY RESIDENTIAL.

POTENTIAL BUILDING ENVELOPE LAYOUTS BASED ON SETBACKS. THE ACTUAL STRUCTURE SIZE WILL NOT BE SPECIFICALLY DEFINED UNTIL THE ACTUAL BUILDING TYPE IS SELECTED. PARKING WILL BE ALLOWED WITHIN THE DEVELOPABLE AREA'S AND NON DEVELOPABLE AREAS.



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33 B E VETERANS
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SUITE 3
PLAINVIEW, MN 55964

ROCHESTER OFFICE
1712 RESTORATION
ROAD SW
ROCHESTER, MN 55902

REV:	DATE:	DESCRIPTION:

SKYE VIEW DEVELOPMENTS
PLAINVIEW, MINNESOTA
SPECIAL DISTRICT CONCEPT PLAN EXHIBIT

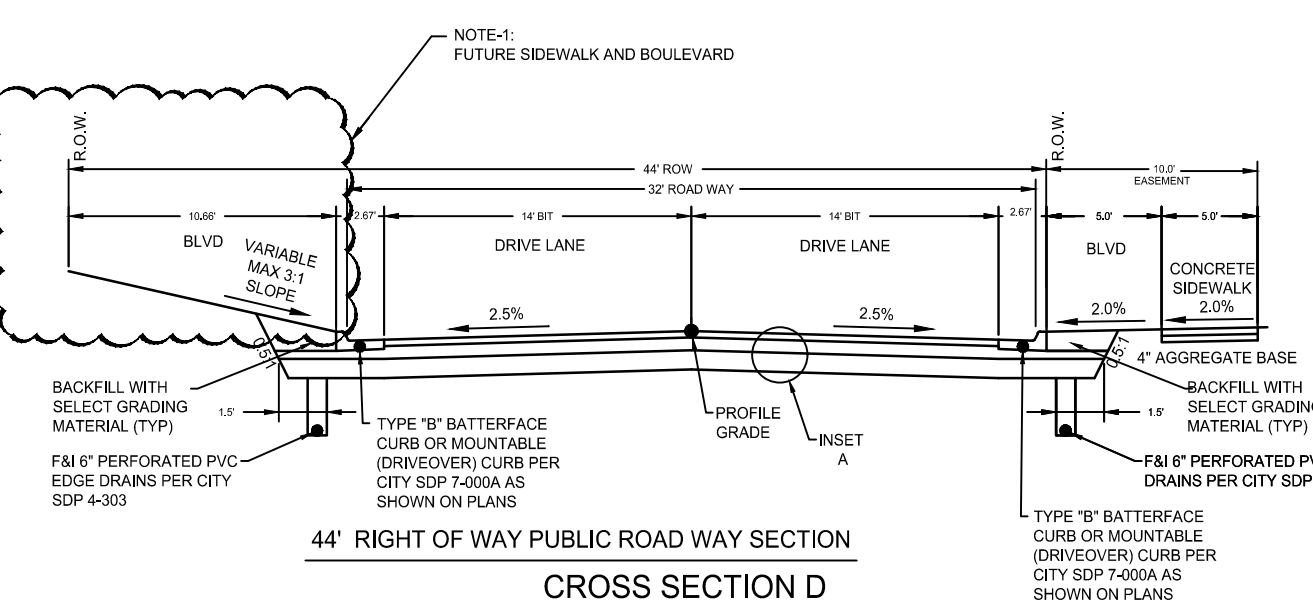
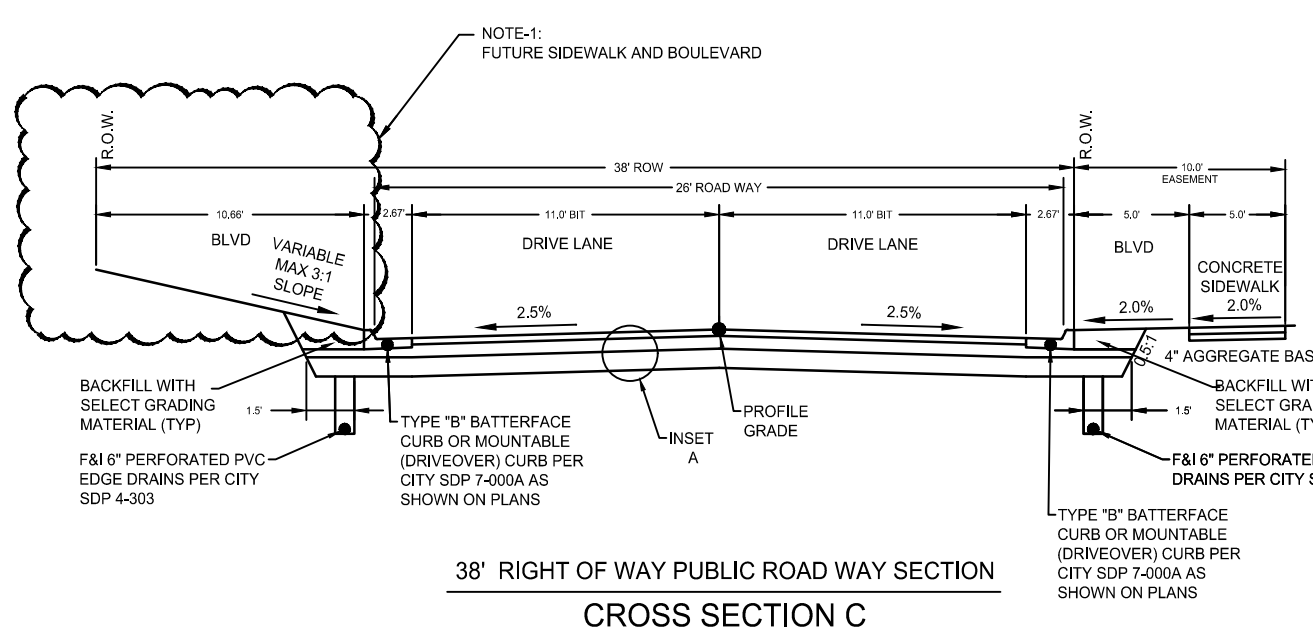
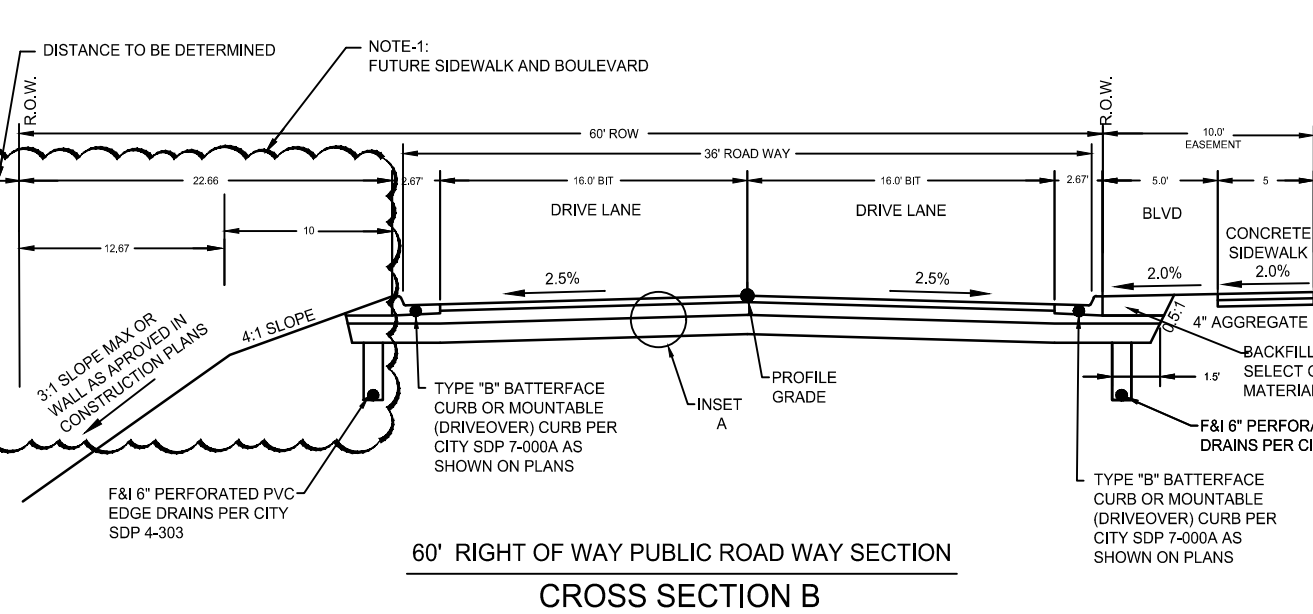
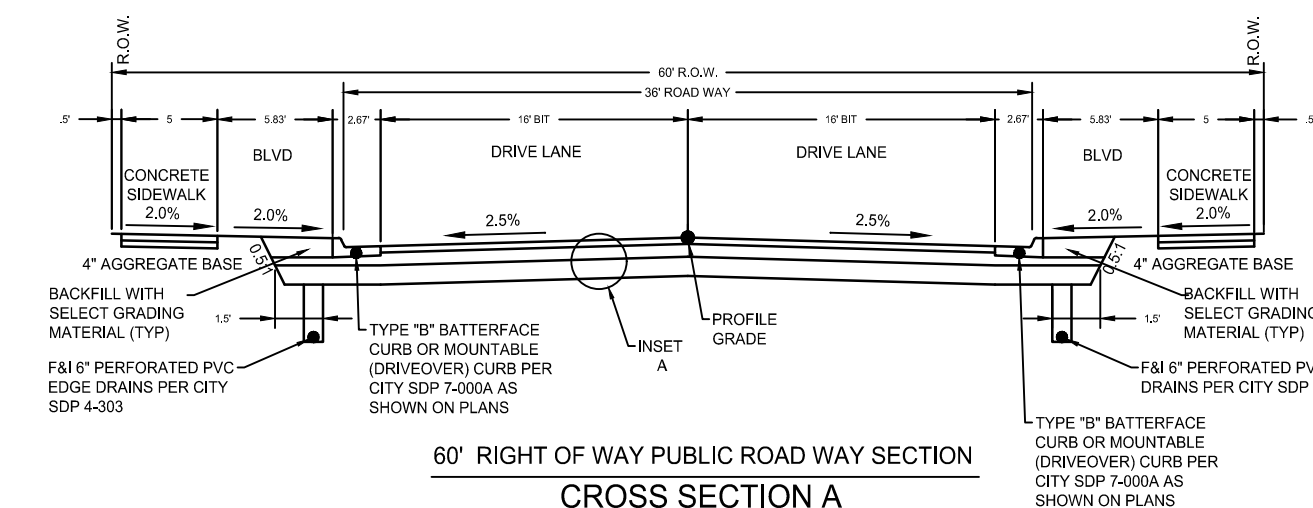
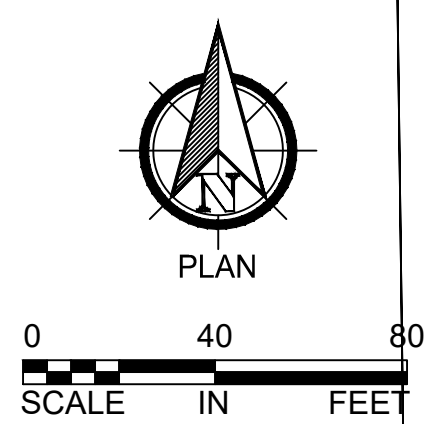
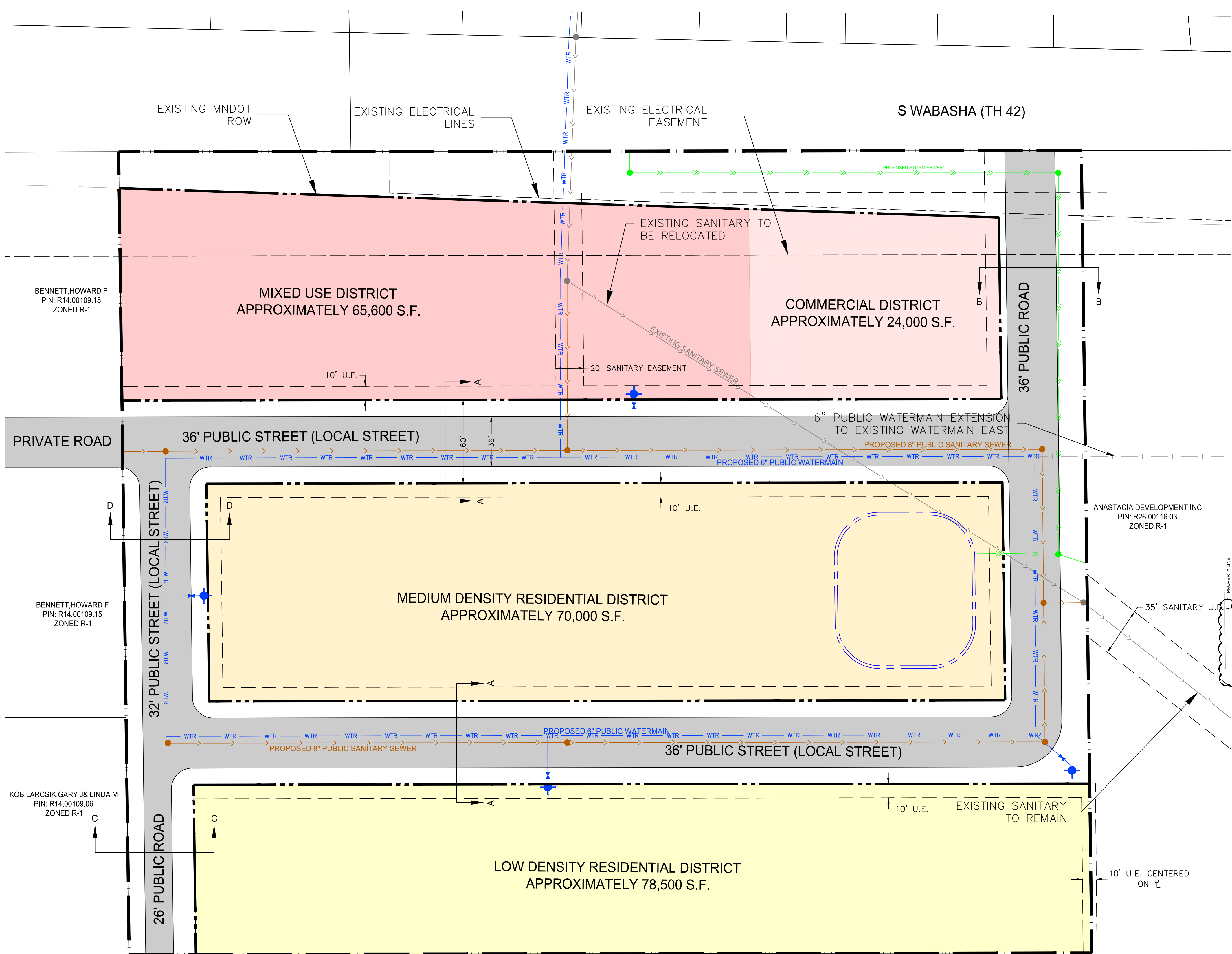
EXHIBIT B
CONCEPT PLAN

SCALE: AS SHOWN
DATE: 12/8/21
DRAWN BY: TSW
JOB NUMBER: 14-203293
DWG. FILE: 14-203293_EXHIBIT B.DWG

Exhibit C - Utilities / Street Standards

14-203293_ Exhibit C.dwg

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ROCHESTER, MN 55902

REV.	DATE	DESCRIPTION

SKYE VIEW DEVELOPMENT
PLAINVIEW, MINNESOTA
SPECIAL DISTRICT STREET SECTION EXHIBIT

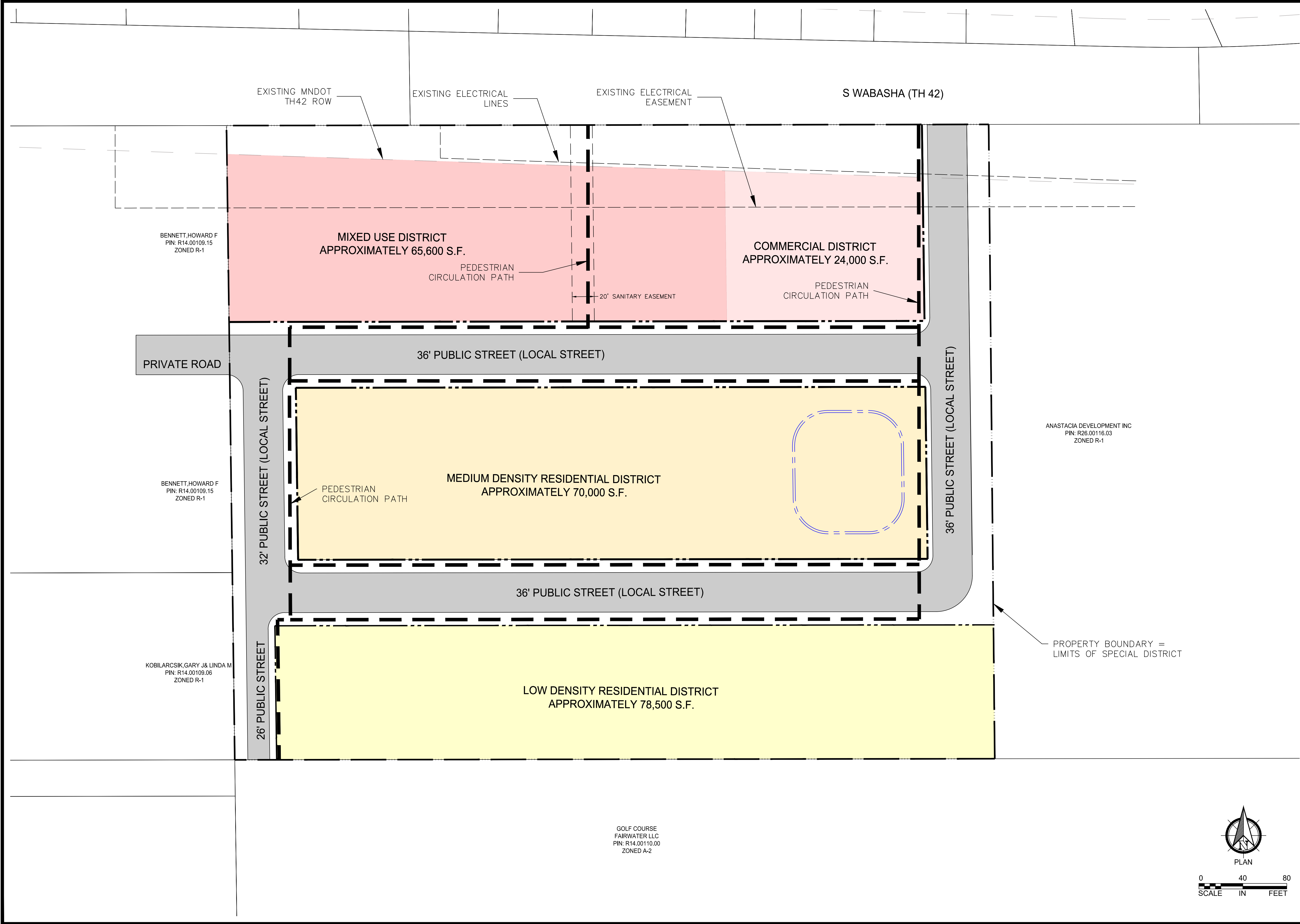
EXHIBIT C
STREET SECTIONS/ UTILITIES

SCALE: AS SHOWN
DATE: 10/25/21
DRAWN BY: TSW
JOB NUMBER: 14-203293
DWG. FILE: 14-203293_EXHIBIT C.DWG

Exhibit D - Pedestrian Circulation

14-203293_ Exhibit D.dwg

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ROCHESTER, MN 55902

REV	DATE	DESCRIPTION

SKYE VIEW DEVELOPMENTS
PLAINVIEW, MINNESOTA
SPECIAL DISTRICT PED CIRCULATION EXHIBIT

EXHIBIT D
PEDESTRIAN CIRCULATION
PLAN

SCALE: AS SHOWN
DATE: 12/8/21
DRAWN BY: TSW
JOB NUMBER: 14-203293
DWG. FILE: 14-203293_EXHIBIT B.DWG

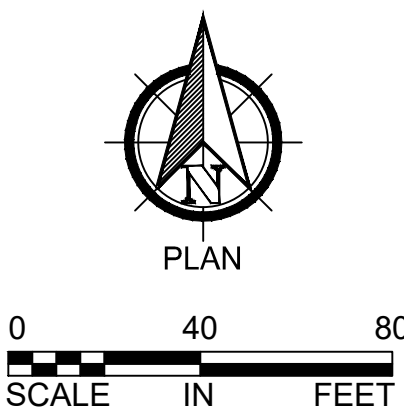
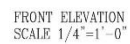
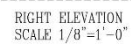


Exhibit E - Building Proto-Types



**PROGRESSIVE PLAN
DESIGN LLP**
RESIDENTIAL ARCHITECTURE
714 County Rd. 3 NW, Byron, MN 55002
(507) 775-0877 info@progressiveplandesign.com

[illegible]

CONTRACTOR:
TOM WIENER

OWNER:
PLAINVIEW TWIN

DATE	8/19/21
TIME	2112782
NOTE	NOTED

Single Family Attached



Row House Style Townhomes



Multi-Family / Condominium



Residential Quads



Live Over Work

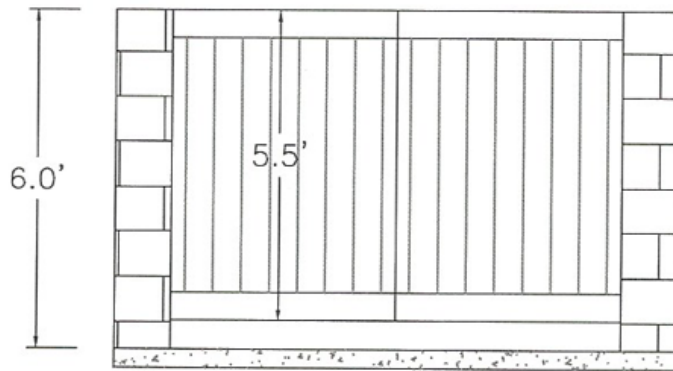


Apartment Structures

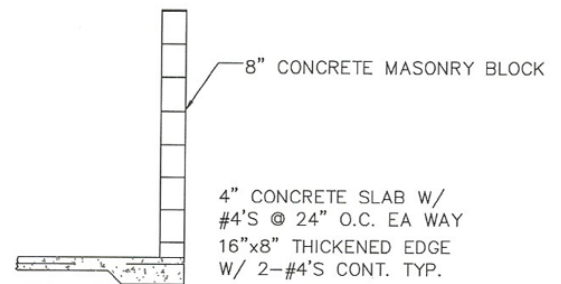


Commercial Building

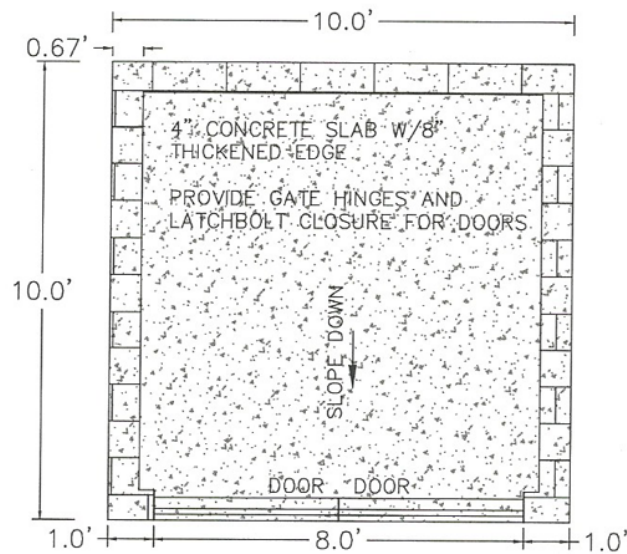
Exhibit F - Trash Enclosure



ELEVATION



TRASH ENCLOSURE SECTION



TRASH ENCLOSURE DETAIL

Sheet 1 of 1

014-203293GP01.dwg

LEGAL DESCRIPTION
A part of the North Half of the Southwest Quarter of Section 17, Township 108 North, Range 11 West, Wabasha County, Minnesota, described as follows:

Commencing at the northwest corner of the Southwest Quarter of said Section 17; thence easterly along the north line of said Southwest Quarter for a distance of 861.3 feet to the POINT OF BEGINNING; thence continue easterly along the north line of said Southwest Quarter for a distance of 693.00 feet; thence, southerly, parallel with the west line of said Southwest Quarter for a distance of 577.5 feet (35 rods); thence Westerly, parallel with the north line of said Southwest Quarter, for a distance of 693.00 feet; thence northerly for a distance of 577.5 feet to the POINT OF BEGINNING. Containing 9.19 acres, more or less.

Above parcel includes the right of access over the following described easement:

A non-exclusive easement for driveway purposes, 8.25 feet on each side of the following described line: That part of the Southwest Quarter of Section 17, Township 108, Range 11, Wabasha County, Minnesota, beginning at a point on the West line of said Southwest Quarter 206.25 feet southerly from the northwest corner of said Southwest Quarter of Section 17 (for the purposes of this description bearing of said West line is assumed South 0 degrees 42 minutes 00 seconds East), thence North 90 degrees 00 minutes 00 seconds East, a distance of 495.00 feet and there terminating.

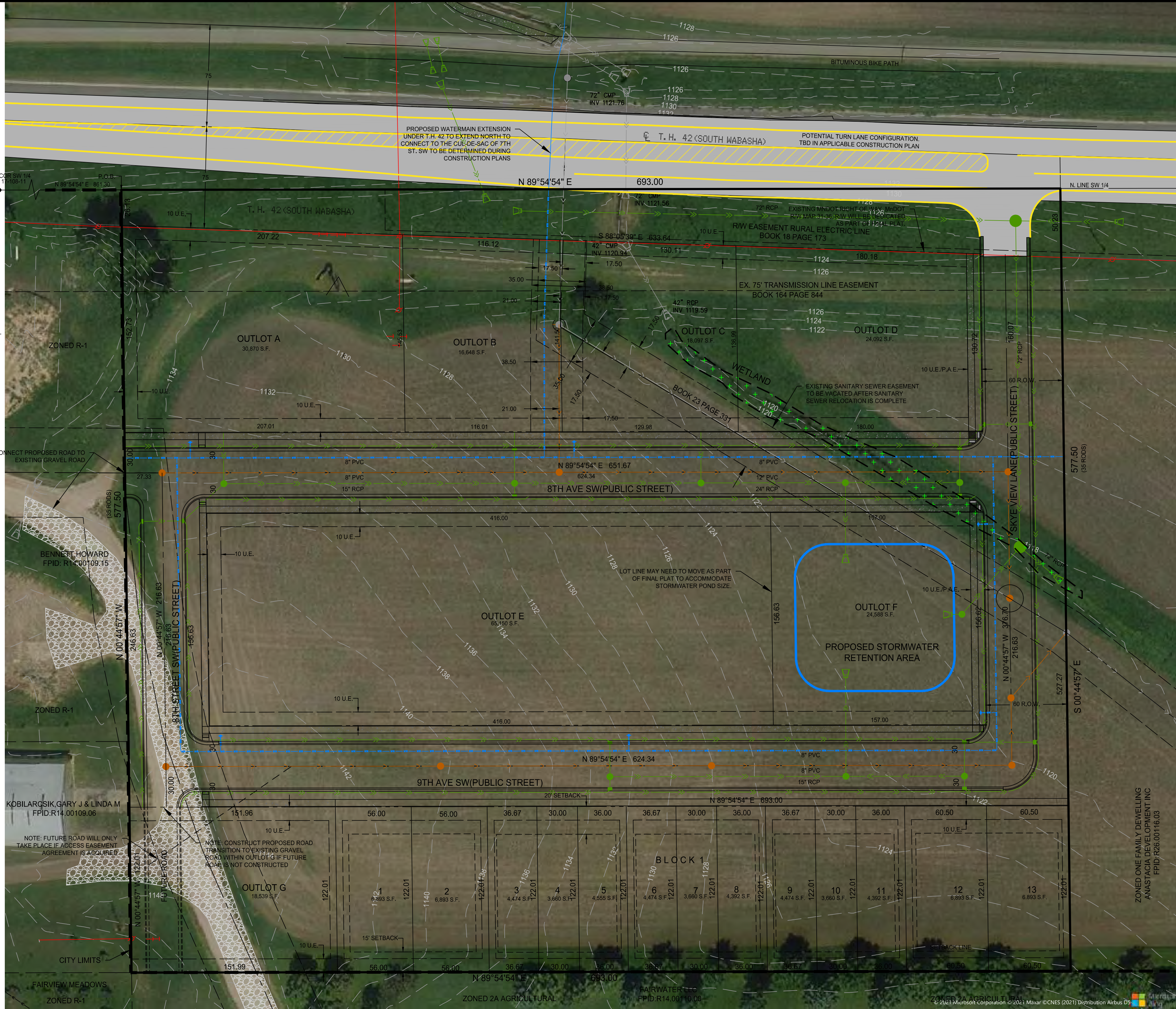
AND ALSO 33 feet on each side of a line beginning at the aforesaid point of termination, thence South 89 degrees 40 minutes 29 seconds East, 365.00 feet; thence South 6 degrees 10 minutes 45 seconds East, 102.65 feet; thence South 11 degrees 15 minutes 51 seconds East, 92.58 feet; thence South 18 degrees 48 minutes 36 seconds East, 90.10 feet; thence South 23 degrees 43 minutes 42 seconds East, 278.00 feet; thence South 26 degrees 49 minutes 24 seconds East, 88.54 feet; thence South 38 degrees 50 minutes 59 seconds East, 89.28 feet; thence South 61 degrees 40 minutes 43 seconds East, 119.27 feet; thence South 69 degrees 33 minutes 06 seconds East, 93.77 feet; thence South 66 degrees 40 minutes 33 seconds East, 151.09 feet and there terminating.

LEGEND	
	DENOTES EASEMENT
	DENOTES EXISTING CONTOURS
	DENOTES WATERMAIN PIPE
	DENOTES SANITARY PIPE
	DENOTES STORM PIPE
	DENOTES STEEP SLOPES GREATER THAN 25%
	DENOTES RIGHT OF WAY
	DENOTES PROPERTY BOUNDARY
	DENOTES SETBACK LIMITS
	DENOTES CITY LIMITS
	DENOTES EXISTING GRAVEL

NOTE:
U.E. = DRAINAGE & UTILITY EASEMENT
P.A.E. = PEDESTRIAN ACCESS EASEMENT

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date 12/27/2021
LIC. NO.: 59823
Reinhold W. Zieman



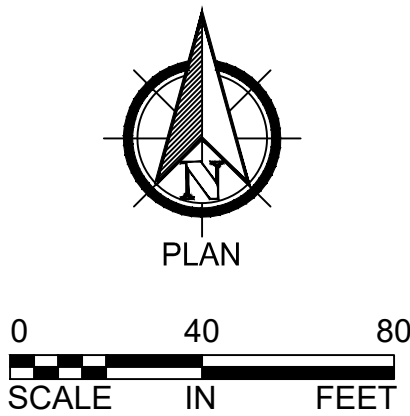
LAND USE SUMMARY:

NUMBER OF LOTS/OUTLOTS = 18 LOTS
TOTAL AREA OF PROPERTY = 9.19 ACRES

ZONING NOTES:

EXISTING ZONING = ONE-FAMILY DWELLING
PROPOSED ZONING = SPECIAL DISTRICT

OWNER INFORMATION:
Owner: Skye View Developments, LLC.
Address: 320 West Broadway, Ste. 1
Plainview, MN 55964
Name: Tom Wiener
Phone 507-272-6447
Email: Wien1tom@gmail.com



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KASSON, MN 55944

PLAINVIEW OFFICE
320 WEST BROADWAY
SUITE 3
PLAINVIEW, MN 55964

REV:	DATE:	DESCRIPTION:

PRELIMINARY PLAT
SKYE VIEW DEVELOPMENTS
PLAINVIEW, MINNESOTA

THIS DOCUMENT WAS
PREPARED FOR BIDDING
PURPOSES ONLY AND NOT TO
BE USED FOR CONSTRUCTION

SCALE: 1"=40'
DATE: 12/27/2021
DRAWN BY: T.A.C.
JOB NUMBER: 14-203293
DWG. FILE: 014-203293GP01

12/28/2021 12:26:42 PM

OWNER INFORMATION:
Owner: Skye View Developments, LLC.
Address: 320 West Broadway, Ste. 1
Plainview, MN 55964
Name: Tom Wiener
Phone: 507-272-6447
Email: Wien1tom@gmail.com



PLAINVIEW

CITY COUNCIL ACTION



Executive Summary

Planning Commission Regular Meeting: January 4, 2022

AGENDA ITEM:	2021 Report of the Plainview Planning Commission	AGENDA SECTION:	New Business
PREPARED BY:	Carol Kujath, City Clerk	AGENDA NO.	5.A.
ATTACHMENTS:	2021 Report to City Council of the Plainview Planning Commission	APPROVED BY:	hr
RECOMMENDED ACTION: Motion to approve the 2021 Report of the Planning Commission to be forwarded to City Council.			

SUMMARY

The Planning Commission is required to submit an annual report of activities to the City Council by the January council meeting.

2021 Report to City Council
Plainview Planning Commission
Summary of Activities

January, 2021:

No meeting

February 2, 2021:

Held a public hearing for the Marshman Addition preliminary plat; Voted to recommend approval with conditions

Tom Weiner and Jim Walkes agreed to new 3-year terms as commissioners.

March 2, 2021:

Reviewed the Marshman Addition final plat; Voted to recommend approval with conditions

Voted to request that the City Council change the time of the Planning Commission meetings from 7 pm to 6 pm.

April, 2021:

No meeting

May 4, 2021:

Reviewed the Orchard Hills 7th Addition final plat; Voted to recommend approval

Voted to recommend that the City Council direct staff to explore the potential for adding Special District language to city code

June 1, 2021:

Adam Daschner resigned his positions on the City Council and Planning Commission.

Held a public hearing for the Pleasant Acres Preliminary Plat; Voted to recommend denial due to a conflict with the Land Management Ordinance and an undue burden on the City's traffic system

Voted to recommend that the City Council allow staff to develop language for a code amendment allowing a Special District

July 6, 2021:

Held a public hearing to consider an amendment to City Ordinance to allow Special District Zoning; Voted to recommend approval of the amendment

Tom Weiner stepped down from the Planning Commission.

Holly Reeve was appointed to the Planning Commission to fill the position previously held by Adam Daschner.

August 4, 2021:

Reviewed an application for a Conditional Use Permit for Occupation submitted by Kaitlin and Justin Bauer; Voted to recommend approval

Reviewed the Pleasant Acres Development preliminary plat and GDP; Voted to recommend a 60 day extension

Reviewed applications for two open seats on the Planning Commission; Voted to recommend Aaron Nicklay and Scott Kujath

September 7, 2021:

Appointed officers for the remainder of 2021: Holly Reeve as Chair; Ann Liebenow-Anttila as Vice Chair

Information binders were distributed to all Planning Commission members

October 5, 2021:

Reviewed the Skye View Development application for a Special District Zone; Voted to recommend denial due to it being incomplete

November, 2021:

No meeting

December 7, 2021:

No meeting

PLAINVIEW

CITY COUNCIL ACTION



Executive Summary

Planning Commission Regular Meeting: January 4, 2022

AGENDA ITEM: Commissioner Term Expired	AGENDA SECTION: New Business
PREPARED BY: Carol Kujath, City Clerk	AGENDA NO. 5.B.
ATTACHMENTS: None	APPROVED BY: cjk
RECOMMENDED ACTION: Motion to recommend City Council approve the reappointment of Ann Liebenow-Anttila to the City of Plainview Planning & Zoning Commission for a three (3) year term to expire December 31, 2024.	

SUMMARY

The Plainview Planning and Zoning Commission is a seven-member commission appointed by the City Council as an advisory board to oversee zoning, development, and City Code related to the same. The Commission has two Council Members who serve on the board and the rest are made up of appointed members to round out the Commission.

Ann Liebenow-Anttila's three (3) year term expired December 31, 2021.

PLAINVIEW

CITY COUNCIL ACTION



Executive Summary

Planning Commission Regular Meeting: January 4, 2022

AGENDA ITEM: Select Chair for Planning Commission	AGENDA SECTION: New Business
PREPARED BY: Carol Kujath	AGENDA NO. 5.C.
ATTACHMENTS: none	APPROVED BY: cjk
RECOMMENDED ACTION: Motion to select and approve a Chair for the Planning & Zoning Commission.	

SUMMARY

The commission shall elect a chairperson and vice chairperson from among its appointed members for a term of one (1) year. The commission may create and fill such other offices as it may determine. The committee shall hold at least six (6) regular meetings each year. It shall adopt rules for the transaction and findings, which records shall be a public record. On or before the second regular City Council meeting in January of each year, the commission shall submit a report to the Council of its work during the preceding calendar year. Expenditures shall be within the amount appropriated for the purpose by the City Council.

PLAINVIEW

CITY COUNCIL ACTION



Executive Summary

Planning Commission Regular Meeting: January 4, 2022

AGENDA ITEM:	Select Vice Chair for Planning Commission	AGENDA SECTION:	New Business
PREPARED BY:	Carol Kujath	AGENDA NO.	5.D.
ATTACHMENTS:	none	APPROVED BY:	cjk
RECOMMENDED ACTION: Motion to select and approve a Vice Chair for the Planning & Zoning Commission.			

SUMMARY

The commission shall elect a chairperson and vice chairperson from among its appointed members for a term of one (1) year. The commission may create and fill such other offices as it may determine. The committee shall hold at least six (6) regular meetings each year. It shall adopt rules for the transaction and findings, which records shall be a public record. On or before the second regular City Council meeting in January of each year, the commission shall submit a report to the Council of its work during the preceding calendar year. Expenditures shall be within the amount appropriated for the purpose by the City Council.