

PLANNING & ZONING COMMISSION MINUTES
September 10, 2013 - 6:00 p.m.

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission was called to order at 6:00 p.m.

MEMBERS PRESENT: Chair Bob Kinzel, Commissioners Bob Ryan, Howie Oswald, Gwen Carleton, Steve Lund and Council Liaison/Mayor Darrel Olson.

MEMBERS ABSENT: None

STAFF PRESENT: City Administrator Gordon Heitke, Interim Planner Kendra Lindahl and CD Director Josh Doty

OTHERS PRESENT: Nate Grotzke, Chad Conner, Ben Flaskrud, Tom Rutske and Rick Mileski

APPROVAL OF MINUTES

MOTION by Commissioner Lund, seconded by Commissioner Oswald to approve the minutes of August 13, 2013 as presented. Motion carried unanimously.

PUBLIC HEARINGS

*All items under old and new business items will go to City Council on
September 17, 2013 if not tabled, continued or otherwise noted.*

OLD BUSINESS

None

NEW BUSINESS

1. **PUBLIC HEARING. Conditional Use Permit** for Furniture Sales at North Pointe Shopping Center located at 14643 Edgewood Drive, Suite 115 (city file 13-038)

Requested by: Lingle Design Group for property legally described as Lot 2, Block 1, North Pointe Centre Redevelopment, Crow Wing County, Minnesota

Planner Lindahl explained the location and the request to sell furniture, appliances and electronics. The applicant is not asking for outside display or storage and should they wish to in the future it would require a separate conditional use approval. The parking area is adequate for this type of retail sales. Staff is recommending approval based on the findings and conditions in the draft resolution.

Chair Kinzel opened the public hearing.

Mr. Ben Flaskrud representing Home Choice stated that he had no concerns regarding the conditions. Chair Kinzel confirmed that he understood there is no outside storage/display, he acknowledged that he did.

Chair Kinzel closed the public hearing and brought it back to the Commission.

Commissioner Ryan asked if the applicant was aware of the new sign regulations regarding temporary signs. Planner Lindahl stated that they would have to comply with the temporary, grand opening and permanent sign regulations.

Motion by Commissioner Ryan, seconded by Commissioner Oswald to recommend approval to City Council for the conditional use permit for Furniture Sales at North Pointe Centre Shopping Center located at 14643 Edgewood Drive, Suite 115 subject to the findings and conditions in the draft resolution. Motion carried unanimously.

Chair Kinzel reminded all the applicants that this Commission is advisory and the final approval/denial is given at City Council on September 17, 2013 at 7:00 pm.

2. **PUBLIC HEARING. Conditional Use Permit Amendment and Minor Subdivision** to plat four existing parcels into three lots to be known as "Johnson Centre" on property located west of Golf Course Drive, north of Universal Road and east of Dellwood Drive (city file 13-039)

Requested by: Thomas Rutske for property legally described as Part of the S1/2-NW1/4-Sw1/4, Section 5, Township 133, Range 28, Crow Wing County, Minnesota (full legal available at City Hall)

Planner Lindahl explained the location of the property and the request to create three new lots from four existing lots. The applicant is amending the conditional use permit to only require the existing 2002 conditional permit to pertain to the new Lot 1. There is no intention to build on the two new lots at this time, however when the new lots sell, they will be required to follow all existing regulations regarding ponding, parking and landscaping. Planner Lindahl further explained the new easements. Staff is recommending approval based on the findings and conditions in the draft resolutions.

Chair Kinzel asked if there were any questions of staff, there were none.

Chair Kinzel opened the public hearing.

Mr. Tom Ruske representing Johnson Properties stated he had no concerns with the majority of the conditions, however he did want to comment on the park fees. He felt that he should not be required to pay park fees on a lot that had previously had two ugly building on it. He also expressed some concern about the city requiring an additional right of way, should that happen then the Johnson Centre would lose their sidewalk and makes it a negative for that property. He requested that the Lot 3 park fee be waived as it did have a building on it for years.

Chair Kinzel closed the public hearing and brought it back to the Commission.

Commissioner Carleton asked if there is any presentence for granting his request. Planner Lindahl explained how the ordinance is written and that she is not aware of any presentence and would have to do some research.

During Commissioner Oswald's motion, Chair Kinzel asked if he was including the waiving of the Lot 3 park fee, Commissioner Oswald stated that it can be taken up with the Council he was not including the request in his motion.

Motion by Commissioner Oswald, second by Commissioner Lund to recommend approval to the City Council for the conditional use permit amendment and minor subdivision to plat four existing parcels into three lots to be known as “Johnson Centre” on property located west of Golf Course Drive, north of Universal Road and east of Dellwood Drive per the findings and conditions in the draft resolutions. Motion carried unanimously.

3. **PUBLIC HEARING. Conditional Use Permit** for a Planned Unit Development and **Minor Subdivision** to plat a parcel to create two lots in “Baxter Edgewood Subdivision” at 14303 and 14305 Edgewood Drive (city file 13-040)

Requested by: Baxter Edgewood Properties, LLC for property legally described as part of the NW ¼ of the SE ¼ of Section 6, Township 133, Range 28, Crow Wing County, Minnesota (full legal available at City Hall)

Planner Lindahl explained that the applicant is requesting a conditional use permit for a planned unit development (PUD) and minor subdivision to plat a single parcel into two lots. The reason a PUD is being requested is for the flexibility that a PUD allows for. The PUD is needed in this case because the minor subdivision would create a lot without frontage on a public street, allow shared use of the existing off-site pylon and shared parking and access. She stated that there are only 70 parking stalls and any new uses would need to be reviewed to make sure there is adequate approval. The Utilities Commission reviewed this project and recommended approval. Staff is recommending approval based on the findings and conditions in the draft resolutions.

Chair Kinzel asked if there were any questions of staff, there were none.

Chair Kinzel opened the public hearing.

Chad Conner, WSN representing the owner had no concerns regarding the conditions.

Chair Kinzel closed the public hearing and brought it back to the Commission.

Motion by Commissioner Lund, second by Commissioner Ryan to recommend approval to the City Council for the conditional use permit for a Planned Unit Development and minor subdivision to plat a parcel to create two lots in “Baxter Edgewood Subdivision” at 14303 and 14305 Edgewood Drive per the findings and conditions in the draft resolutions. Motion carried unanimously.

OTHER BUSINESS

City Administrator Heitke stated that he wanted to explain where the City is going with Community Development. There are three components to Community Development, having the Commission, having staff to work with the Commission and good development ordinances in place to guide the City.

City Administrator Heitke introduced Community Development Director Josh Doty to the Commission. City Administrator gave a brief background on CD Director Doty’s work history. He further explained that former CD Director Deblon and Interim Planner Lindahl have formed a running list of items that need to be corrected or revisited in the zoning ordinance, and now CD Director Doty

has started a list. The City Council at the last meeting allowed Interim Planner Lindahl to stay on with the city on an hourly bases under the direction of CD Director Doty to address some of these ordinance issues. He further explained that CD Director Doty will be handling more of the daily counter activity and Interim Planner Lindahl will be phasing projects to CD Director Doty.

Chair Kinzel thanked Interim Planner Lindahl for her hard work and making the Commission meeting run extremely smooth.

Council Liaison/Mayor Olson reminded the Commission of the town hall meeting on September 14th at 9:00am.

CD Director Doty reminded the Commission of the special meeting on September 24th at 6:00 pm.

ADJOURNMENT

MOTION by Commissioner Ryan seconded by Commissioner Oswald to adjourn the meeting at 6:26 p.m. Motion carried unanimously.

Approved by:

Submitted by:

Chair Bob Kinzel

Shanna Newman CD Technical Clerk