

PLANNING & ZONING COMMISSION MINUTES
September 13, 2016 - 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: Commissioners Howie Oswald, Bob Ryan and Council Liaison Steve Barrows

MEMBERS ABSENT: Chair Bob Kinzel, Commissioners Steve Lund and Gwen Carleton

STAFF PRESENT: Planner Matthew Gindele

OTHERS PRESENT: Jacob Bahr

APPROVAL OF MINUTES

MOTION by Commissioner Oswald, seconded by Council Liaison Barrows to approve the minutes from the August 10, 2016 meeting as presented. Motion carried unanimously.

PUBLIC HEARINGS

*All items under old and new business items will go to City Council on
September 20, 2016 if not tabled, continued or otherwise noted.*

Acting Chair Ryan stated that this Commission is advisory and the final approval/denial is given at the City Council Meeting on September 20, 2016 at 7:00 pm.

OLD BUSINESS

None

NEW BUSINESS

1. PUBLIC HEARING. Conditional Use Permit to place up to 60 yards of black dirt on a lot within the shoreland overlay district and up to 15 yards within the shore impact zone on White Sand Lake for property located at 13821 Kenwood Court, Baxter, MN. (LOT 4, BLOCK 1, WILLOW BEND) (City file 16-25)

Requested by: Backyard Reflections, 24142 Smiley Road, Nisswa, MN 56468

Acting Chair Ryan asked Planner Gindele to start with the staff report. Planner Gindele stated this is a request for a conditional use permit (CUP) to place up to 60 yards of black dirt on a lot within the shoreland overlay district and up to 15 yards within the shore impact zone on White Sand Lake for property located at 13821 Kenwood Court. Planner Gindele gave the history of the lot, previous owners had taken down trees and turned the area in question into a sandy beach without DNR approval. The new owners would like to take some of the beach area away and return it to a grassy area. Being this is within the shoreland overlay district the applicant needs a CUP, per code for anything over 50 yards. The applicant is looking to bring 60 acres of black dirt, thus the CUP is required for the amount and the

grading. Planner Gindele reviewed the site plan and indicated that the fire pit has been removed from the request and the proposed landscaping and stone steps are allowed per the Code. Planner Gindele also informed the Commission that there is a small existing retaining wall near the beach that will remain and act as the boundary between the beach that is to remain and the soon-to-be grassy area above the wall. Acting Chair Ryan clarified that the retaining wall is not technically a true retaining wall since it does not meet the building code height standard to be a true retaining wall; Planner Gindele confirmed that is correct.

Planner Gindele stated that staff is recommending approval of the CUP application with the findings and conditions noted in the draft resolution. Planner Gindele noted that an updated resolution was passed out to the Commission prior to the start of the meeting.

Acting Chair Ryan opened the public hearing.

Mr. Bahr, Backyard Reflections representing the owners stated that Planner Gindele explained the request thoroughly and they had no concerns with the conditions.

Council Liaison Barrows asked if there was going to be any silt fencing; Mr. Bahr indicated that there would be silt fencing installed.

Acting Chair Ryan closed the public hearing.

Motion by Commissioner Oswald, second by Council Liaison Barrows to recommend the City Council approve the conditional use permit to place and grade up to 60 yards of black dirt on a lot within the shoreland overlay district and up to 15 yards within the shore impact zone on White Sand Lake for property located at 13821 Kenwood Court as presented by staff in the draft resolution. Motion carried unanimously.

OTHER BUSINESS

None

ADJOURNMENT

MOTION by Council Liaison Barrows, seconded by Commissioner Oswald to adjourn the meeting at 6:10 p.m. Motion carried unanimously.

Approved by:

Submitted by:

Acting Chair Bob Ryan

Shanna Newman CD Administrative Assistant