CITY OF EMILY



PLANNING COMMISSION/BOARD OF ADJUSTMENT

AGENDA

Tuesday, September 5, 2023, 6:00 pm

Assemble for Planning Commission Website Picture at 5:50 PM

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Roll Call
- 4. Additions or Deletions to Agenda
- 5. Open Forum
- 6. Public Hearings
 - a. Conditional Use Permit Application 23-40 to allow for the construction and operation of 4 commercial storage unit buildings within the Commercial Transition/ Light Industrial zoning district. Owner/Applicant: Emily Ace Storage LLC Continuation from August Meeting
- 7. Approval of Minutes
 - a. August 1, 2023, regular meeting
- 8. New Business
 - a. Upcoming Term Expirations Discussion
- 9. Old Business
- 10. Subcommittee Discussion Update (Notes in Packet)
- 11. P&Z Administrator's Report
- 12. Adjourn

This agenda is not exclusive. Other businesses may be discussed as deemed necessary.

Emily Ace Storage, LLC

The CUP for Emily Ace Storage, LLC was not approved by the City Council at their August 8, 2023 meeting. The Council sent it back to the Planning Commission for the clarification of the following.

- Property Access (driveway) & not having any driving services around the units.
- Questions regarding impervious service coverage if gravel is to be added
- Questions on the unit location on the lot. (The council was not provided with the sketch plan showing the building locations)



39811 State Highway 6 PO Box 68 Emily, MN 56447 218-763-2480 clerk@emily.net

August 9, 2023

Emily Ace Storage LLC 707 5th St South Princeton, MN 55371

Re: Conditional Use Permit application – City of Emily

Dear Emily Ace Storage LLC Owners,

Final action on your Conditional Use Permit application for parcel 21270736 will be extended to the City Council meeting on September 12, 2023. Your request will be discussed at the September 5, 2023, Planning Commission meeting. This extension notice is given per Minnesota State Statue 15.99 Subd. 3(f) due to your application reaching the 60-day limit on August 12, 2023. The reasons for the extension are as follows:

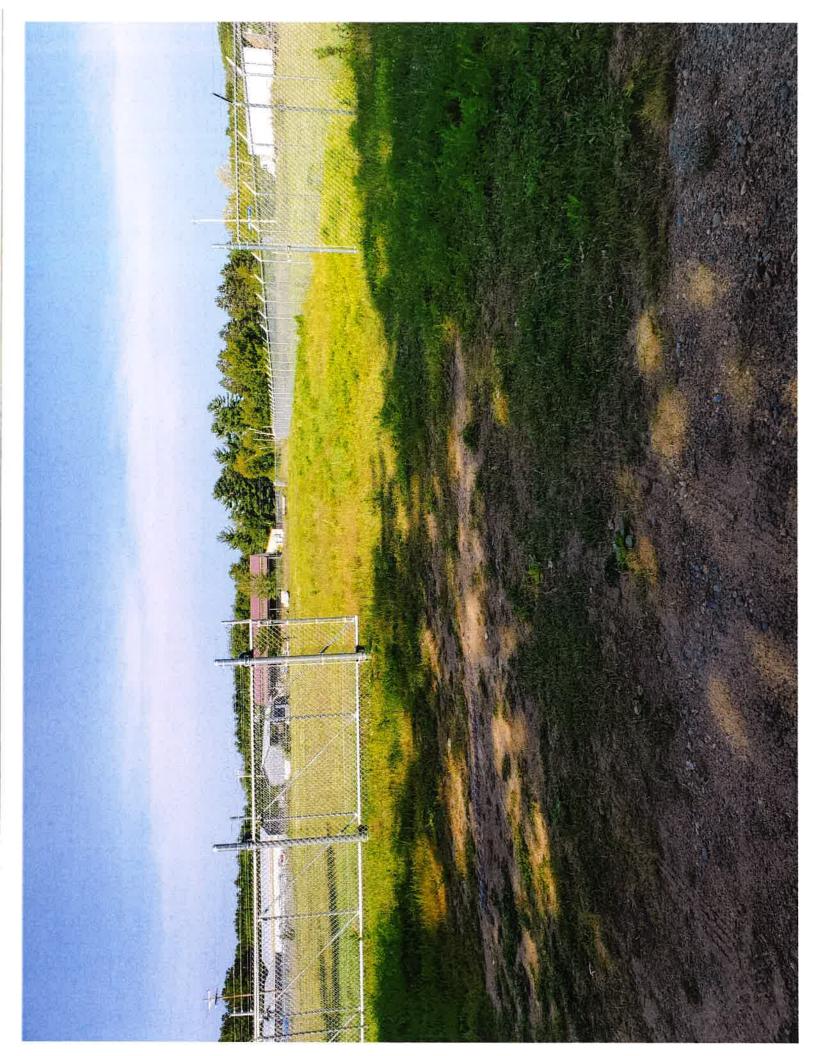
- On August 1, 2023, the Planning Commission made a formal recommendation to the City Council to approve your request.
- On August 8, 2023, the City Council reviewed the Planning Commission's recommendation. The Council returned the Conditional Use Permit application to the Planning Commission for additional information on the amount of impervious surface coverage and access to the property without the addition of a driving surface. Based on the conversation at said meeting the Council would like to see a covered driveway (by way of asphalt, concrete, class V, etc.) to access the property.

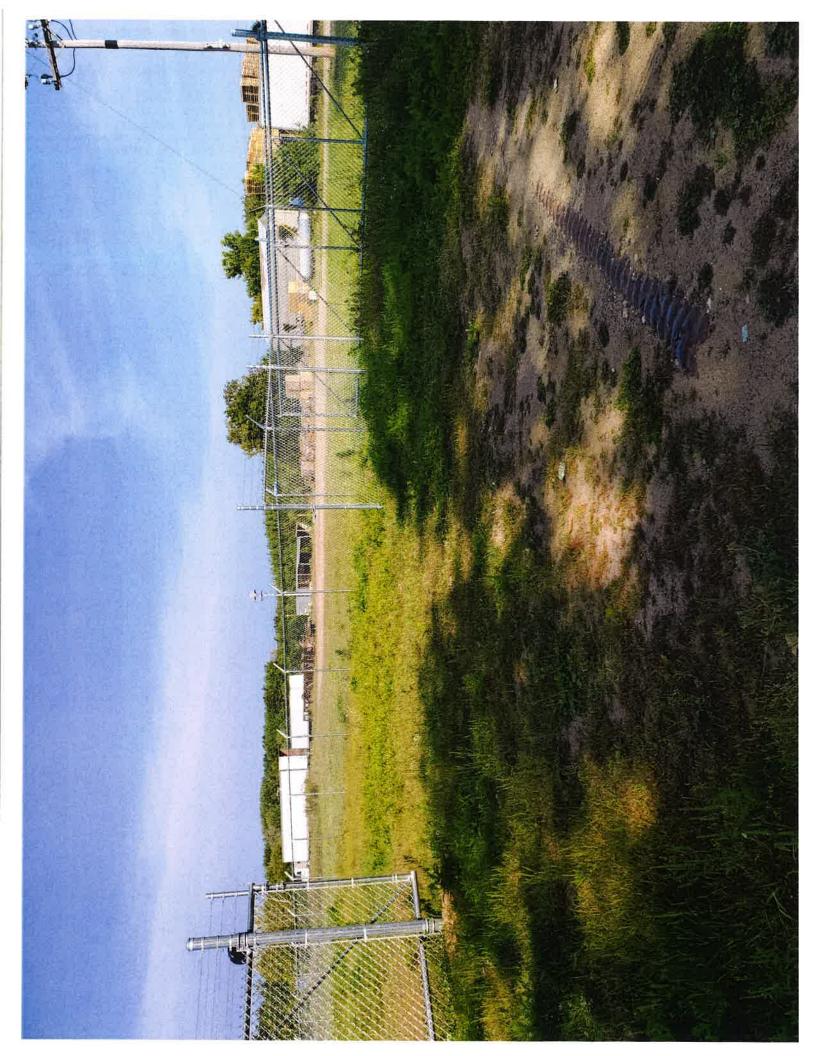
If you have any questions, please let me know.

Thank you,

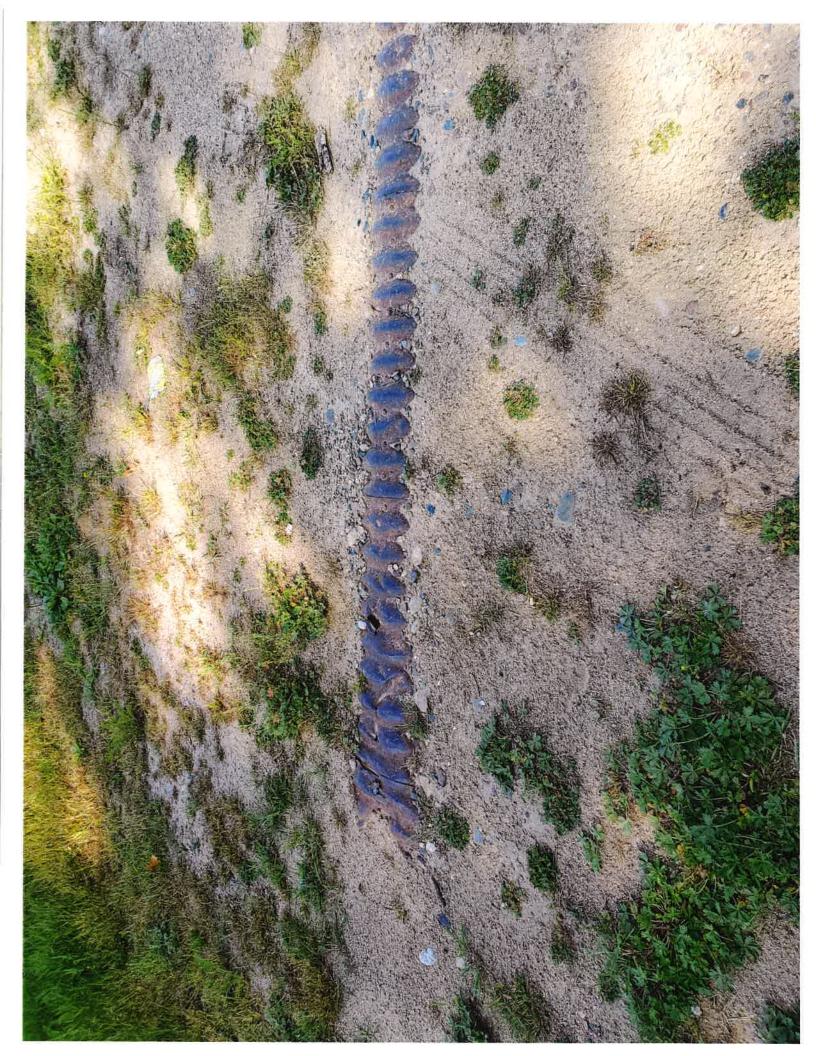
Brittney Cotner
Community Development Administrator
City of Emily
brittney.cotner@sourcewell-mn.gov

CC – via email City Clerk and Zoning Clerk











CITY OF EMILY BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING August 1, 2023 6:00 P.M.

TO WHOM IT MAY CONCERN:

The following will be the subject of a public hearing on Tuesday, August 1, 2023, beginning at 6:00 P.M at Emily City Hall.

Hearing: Conditional Use Permit Application 23-40 to allow for the construction and operation of storage unit business within the Commercial Transition/ Light Industrial zoning district

Property Owners/Applicants: Emily Ace Storage LLC

Property Description: The subject property is located at 40109 Sawmill Rd (PID 21270736)

A map identifying the subject property is on the reverse side of this notice.

Purpose: The request is to allow for the construction and operation of 4 commercial storage unit buildings within the Commercial Transition/ Light Industrial zoning district

Property Owners Please Note: Please share this information with your neighbors in the event that any property owner has been overlooked or is not contained in our records.

All interested persons are invited to attend these hearings and be heard or send written comments to the City of Emily, PO Box 68, Emily MN 56447 or directly to the Zoning Administrator, Brittney Cotner, at zoning@emily.net.

Additional information regarding the request including the application form, maps, drawings and other pertinent information is available at city hall. The staff report regarding the request will be available approximately one week before the meeting. Meeting packets can be accessed on the City of Emily Website by hovering over the "departments" tab>hovering over the "Planning and Zoning" tab>hovering over the "documents" tab>selecting "Planning Commission Packets".

Brittney Cotner, Zoning Administrator

The subject property is located at 40109 Sawmill Rd (PID 21270736)



ATWATER, TROY C & LAURIE 16836 WEST EAGLE LAKE RD FIFTY LAKES MN 56448

BRANNAN, VIRGINIA L TRUST 20878 COUNTY ROAD I EMILY MN 56447

E M BROTHER LLC PO BOX 252 EMILY MN 56447

EMILY ACE STORAGE LLC 707 5TH ST S PRINCETON MN 55371

ERICKSON, JENNIFER L 707 5TH ST S PRINCETON MN 55371

GENZ, LUKE M & AMANDA K PO BOX 308 EMILY MN 56447

INCOMMERICAL NET LEASE DST 6 117 N JEFFERSON ST STE 303 CHICAGO IL 60661

JMKS PROPERTIES LLC PO BOX 346 MERRIFIELD, MN 56465

STAFF REPORT

Application: Conditional Use Permit Application 23-40

Property Owner/Applicant: Emily Ace Storage LLC

Background Information: The applicant is proposing to construct and operate 4 commercial storage unit buildings on the property located at 40109 Sawmill Rd (PID 21270736). The subject property is 1.67-acres and is located in the "Commercial Transition/ Light Industrial" zoning district. The subject property does not have any existing structures. The 4 storage unit structures are all that is being proposed. No driving surface will be placed due to maximum impervious coverage levels being met by the structures.



Applicable Ordinances:

§ 152.039 COMMERCIAL TRANSITION/LIGHT INDUSTRIAL (CT).

(B) Lot and use requirements (CT).

	-
Buildable lot area	20,000
Building height - feet, maximum	25
Impervious surface - percent, maximum	25%
Lot width- feet, minimum	100
Setback, between buildings - feet, minimum	10
Setback, parking from lot line - feet, minimum	10
Setback, right-of-way, city road- feet, minimum	30
Setback, right-of-way, county or state road, feet, minimum	30
Setback, side next to residential district - feet, minimum	30
Setback, side yard - feet, minimum	30
Setback, rear - feet, minimum	30
Setback, sign - feet, minimum	1
Setback, wetland - feet, minimum	75

§ 152.155 CONDITIONAL USE PERMITS.

- (E) The Planning and Zoning Commission shall decide the issue with consideration to the following:
 - (1) The following must be met:
 - (a) The use or development is an appropriate conditional use in the land use zone;
- (b) The use or development, with conditions, conforms to the comprehensive land use plan;

- (c) The use with condition is compatible with the existing neighborhood;
- (d) The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the city; and
- (e) For conventional subdivisions, the property contains physical constraints which make it unable to be developed by the conservation subdivision method.
- (2) The following must be considered.
- (a) The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity.
- (b) The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
- (c) The conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- (d) The conditional use will have vehicular approaches to the property which are so designed as not to create traffic congestion or an indifference with traffic on surrounding public thoroughfares.
- (e) Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.
- (f) Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner, that no disturbance to neighboring properties will result.
- (g) The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.
- (h) The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

APPENDIX A: TABLE OF USES

TABLE OF US	ES
Use	Commercial Transition/Light Industrial
Mini Storage Facility, Self Serve	С

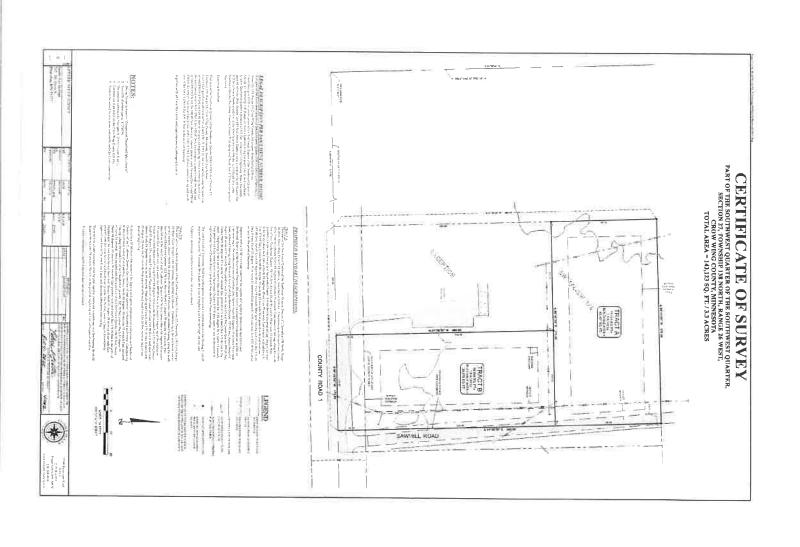
Findings of Fact. Staff provides the following findings of fact for consideration:

- 1) The subject property is located at 40109 Sawmill Rd (PIN 21270736).
- 2) The conditional use permit request is to construct and operate a mini storage unit facility.
- 3) The proposed use, with conditions, conforms to the comprehensive plan. The intended use of the property is for commercial purposes within the Commercial Transition/Light Industrial zoning district.
- 4) The proposed use, with conditions, is compatible with the existing neighborhood of commercial growth.
- 5) The subject property is located off of Sawmill Rd where commercial growth has existed and is expected to continue.
- 6) The proposed use with not be injurious to the public health, safety, welfare, decency, order, comfort convenience, appearance, or prosperity of the city.
- 7) The proposed use will not impede the orderly development and improvement of surrounding property for uses predominant in the area (commercial).

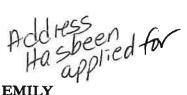
Planning Commission Direction: The Planning Commission can approve or deny the conditional use permit request or table the request if additional information is needed. If the motion is for approval or denial, findings of fact shall be cited.

Staff recommendation: Staff recommends the application be approved with the following conditions:

- 1. Any addition to impervious coverage must remain under the allowed amount for the zoning district.
- 2. The lighting for the business and signage must be downcast.
- 3. No habitable structures are part of this request and approval. A SSTS and Well may be installed but not used for a dwelling unit on the property.



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CITY OF EMILY

CONDITIONAL USE PERMIT APPLICATION

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	APP # (July 10)
[Date 6 12 70%
F	ee 500 T
	(for office the only)

Name of Applicant Emily Ace Stoppie	LL 4- Phone 6/2-382-08-/2 (for office ples only)
Property Address (E911#) PSD 210273300. Mailing Address 707 5th South	
(if different than above)	371
Applicant is: Legal Owner Contract Buyer ()	Title Holder of Property :(if other than applicant) (Name)
Option Holder () Agent () Other	(Address)
Signature of Owner, authorizing application (require (By signing the owner is certifying that they have read and und Signature of Applicant (if different than owner):	erstood the instructions accompanying this application.)
(By signing the applicant is certifying that they have read and use Property ID # (8 digit # on Tax Statement)	nderstood the instructions accompanying this application.)
Zoning District, Lake Name (if app Commencial Transition / Light What are you proposing for the property? State nate	licable)
STORAGE UNITS	
What changes (if any) are you proposing to make to	
Building: 4-135 X40 St. RAGE	BIDGS CONCRITE Stabon GRADE
Landscaping: 50 % Scacen to the	BIDGS CONCRITE Station GRADE Road & Neighbaring property & TROES
Parking/Signs:	

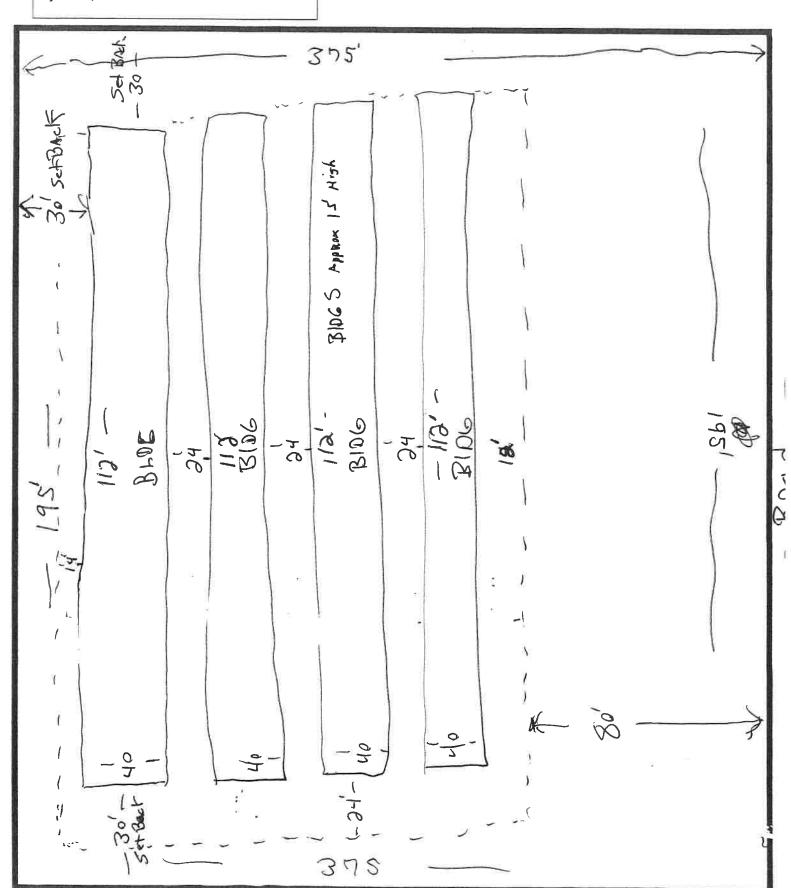
Impervious Surface Calculation for Your Lot

Name: Emily	Ace Storage	Address:	707 5th St St. 922	ceton MN SJ371
	mpervious Surface	Dimensions	To	otal sq. ft.
1 Existing or	Proposed Dwelling	4-135x40	190	720 St++
2 Proposed	Dwelling Addition	, , , , ,	7	10. o
3 Existing Ac	cessory Structure			
4 Existing Ac	cessory Structure			
5 Proposed	Accessory Structure			
6 Sidewalks				
7 Deck with	Impervious Below			
8 Deck with	Impervious Below			
<pre>9 Patio(s)</pre>				
10 Driveways	and Parking Areas			
11				
12				
13				
		Total lange	rations Conference (A)	ON DOM:
		Total impe	ervious Surface (A)	T02 0
			1	1930
Existing Lot Dime	nsions:			
375 x	195 =	73124	sq. ft. (B)	
Impervious covera	age (A divided by B tim	nes 100)		
(A)_ 17920	÷(B)_73	194x	100 = 24,5	percent
				•

Site Plan



Include: Property lines, water features, existing and proposed structures, septic systems, wells and roads.



Site Plan



Include: Property lines, water features, existing and proposed structures, septic systems, wells and roads.

17930 THI MPERUIOUS SUFFICE TO 50% SCREENING with tRee'S ON RD + BORDER PROPERTY ARREAD PREIMATER WITH POSSIBLE FOR MORE WITH C pond in NW CORNER 8650 Sytt DRAZWAGE S' Drep FOR Future 8106's F. GRADE FOR DRAINGAR LAND SCAPE PLAN 345×10

Roag

CONDITIONAL USE PERMIT APPLICATION CHECKLIST Fee (\$500 application fee payable to the City of Emily+ \$46.00 recording fee payable to Crow Wing County) NK Sewer Compliance Inspection Report (if SSTS) 🗡 All current City charges paid No outstanding violations Site Plan – (on 8-1/2 x 11 paper preferred) as close to scale as possible, with the following information, as a minimum (unless waived by the P&Z Administrator)*: X Legal Description of Site (can be located on most property tax statements) X Size of parcel and dimensions All existing structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake OHW level) and each other All proposed structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake OHW level) and each other NA Location on the parcel of existing and proposed sewage treatment systems (SSTS) and wells and their distance from property lines, structures and each other Existing and/or proposed square footage of the driveway (gravel and/or paved), access roads, parking, sidewalks Proposed landscaping and screening plans (required) Proposed Drainage Plan (required) Location of the subject property (a copy of the tax map can be used) Name of record owner/title holder of property Approximate location of existing and proposed water courses, wooded areas, and other

CITY OF EMILY PLANNING AND ZONING OFFICE CONTACT INFORMATION

Planning and Zoning Administrator:

significant physical features

NR Approximate location of any proposed signs

Brittney Comer P. O. Box 68 Emily, MN 56447

Phone: (218) 763-2480 (Emily Office)

(218) 541-5294 (cell)

Fax: (218) 763-2481

Email: zoning@emily.net

brittney.cotner@sourcewell-mn.gov

^{*} Under certain circumstances, the Planning Commission may require a professionally prepared property survey, stormwater management plan, and/or landscaping plan.

1 MINUTES

EMILY PLANNING COMMISSION/BOARD OF ADJUSTMENT REGULAR MEETING

August 1, 2023

1. CALL TO ORDER

 The meeting was called to order by Commissioner Johnson at 6:00 pm. Pledge of allegiance was recited.

ROLL CALL

PRESENT: Dave Johnson (Chairperson), Bill Spiess, Lynn Bartel, Denise Vukelich, Patrick Rheaume and Faye Hughes.

13 Rheaume 14 Council: C

Council: Greg Koch (Liaison), Gary Hanson

 Staff: Brittney Cotner, Zoning Administrator (Sourcewell) and Sue Fahrendorff, Planning & Zoning Clerk

Public: Steve Beneke, Denise Gorsuch, Dave Moe, JoAnne Moe, Mick Davis, Jane Davis, Jennifer Erickson, and Dave Larsen

2. ADDITIONS OR DELETIONS TO AGENDA

Addition to New Business 8-d. Charles Winkler permit#20-86 status/discussion.

MOTION BY COMMISSIONER SPIESS TO ACCEPT MODIFIED AGENDA, SECONDED BY COMMISSIONER RHEAUME. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

3. OPEN FORUM

None

4. PUBLIC HEARINGS

 a. Conditional Use Permit Application 23-40 to allow for the construction and operation of 4 commercial storage unit buildings within the Commercial Transition/Light Industrial zoning district. Owner/Applicant: Emily Ace Storage, LLC.

Cotner provided a brief background:

 The applicant is **pro**posing to construct and operate 4 commercial storage unit buildings on the property located at 40109 Sawmill Rd (PID 21270736). The subject property is 1.67-acres and is located in the "Commercial Transition/ Light Industrial" zoning district. The subject property does not have any existing structures. The 4 storage unit structures are all that are being proposed. No driving surface will be placed due to maximum impervious coverage levels being met by the structures.

Finding of Facts:

- 1) The subject property is located at 40109 Sawmill Rd (PIN 21270736).
- 2) The conditional use permit request is to construct and operate a mini storage unit facility.
- 3) The proposed use, with conditions, conforms to the comprehensive plan. The intended use of the property is for commercial purposes within the Commercial Transition/Light Industrial zoning district.
- 4) The proposed use, with conditions, is compatible with the existing neighborhood of commercial growth.
- 5) The subject property is located off of Sawmill **Rd** where commercial growth has existed and is expected to continue.
- 6) The proposed use will not be injurious to the public health, safety, welfare, decency, order, comfort convenience, appearance, or prosperity of the city.
- 7) The proposed use will not impede the **orderly** development and **improvement** of surrounding property for uses predominant in the area (commercial).

Commissioner Spiess asked if there was a drainage plan submitted and if not, he suggested there be a plan for a rain garden. Cotner stated there was a drainage plan for a 10 foot swale.

Jennifer Erickson, applicant/owner, stated the drainage plan will go three quarters around the property with a 10 foot grade, 2 foot depth sloping towards the ditch. Erickson stated it would be possible to put an additional drainage pond in the NW corner of the property if needed.

Commissioner Rheaume asked how the size of a drainage pond would be estimated. Commissioner Spiess stated 10'x10'x 3' size drainage pond should be adequate since most of the property is sand. Commissioner Hughes asked if the drainage pond would be in addition to the trench. Commissioner Spiess stated the trenching would slope into the drainage pond. Cotner asked the Planning Commission if they wanted the additional drainage pond to be an engineered plan since she is unfamiliar with water management codes. Commissioner Vukelich stated she felt the applicant's submitted drainage plan was adequate and there was no need for an additional drainage pond or engineered design. Commissioner Rheaume agreed the submitted plan was adequate. Commissioner Bartel asked for clarification regarding lighting, since there would not be sewer, electricity or water on the property. Erickson stated lighting would be solar powered, motion sensors therefore no need for electricity. Signage would be on the building with no lighting and the driving surface would not be asphalt or gravel. They intend to leave the driving surface as it currently is. Commissioner Johnson asked if the storage units will be 10' x 20' and what material they intend to use. Erickson stated they are still in the planning stage of size, and the units will be steel construction.

MOTION BY COMMISSIONER SPIESS TO GRANT THE CONDITIONAL USE PERMIT WITH THE 7 FINDING OF FACTS AND 4 ADDITIONAL CONDITIONS-1.IMPERVIOUS COVERAGE; 2. LIGHTING & SIGNAGE; 3. NO HABITABLE STRUCTURES; 4. 10'x10' 3 FOOT DEEP DRAINAGE POND FOR SWALE TO FLOW INTO. SECONDED BY COMMISSIONER BARTEL.

The Planning Commission discussed condition #4 regarding the drainage pond and whether they should keep or delete that condition.

PLANNING COMMISSION VOTED TO KEEP THE MOTION AS PRESENTED. COMMISSIONER SPIESS AND COMMISSIONER BARTEL VOTED IN FAVOR OF KEEPING THE MOTION AS PRESENTED. COMMISSIONER RHEAUME AND COMMISSIONER VUKELICH VOTED IN FAVOR OF AMENDING THE MOTION TO DELETE CONDITION #4. COMMISSIONER JOHNSON CASTED THE TYE VOTE IN FAVOR OF KEEPING THE MOTION AS PRESENTED. 3-2 MOTION CARRIED.

b. Modification to an existing Conditional Use Permit to construct and operate a commercial storage unit. Original approval was July, 2021. The requested modification is to deviate from the previously approved landscaping plans of 114 trees (6'-8' planted height) to 86 trees (4'-5' planted height) and timeline conditioned on initial CUP.

Cotner provided a brief background:

The applicant is proposing to modify their previously approved Conditional Use Permit from 2021 to construct and operate a commercial storage unit building on the property located at 43823 State Highway 6 (PID 21090613). The subject property is just over 10-acres and is located in the "Highway Mixed Use" zoning district. The subject property does not have any existing structures; however, the building pad has been poured.

Findings of Fact:

- 1) The subject property is located at 43823 State Highway 6. PIN 21090613.
- 2) The conditional use permit request is to construct and operate a 32 unit commercial storage facility which is an allowed use (Mini Storage Facility, Self-Serve) with a conditional use permit in the Highway Mixed Use Zone. The proposed commercial storage building is 40' x 150' (6,000 sf).
- 3) The proposed use, with conditions, conforms to the comprehensive plan. The intended use of the property is for commercial purposes.
- The proposed use, with conditions, is compatible with the existing neighborhood. The subject property is located adjacent to State Highway 6 and is in the vicinity of other commercial businesses.
- The proposed use with not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance, or prosperity of the city.
- 6) The proposed use will not impede the orderly development and improvement of surrounding vacant property for uses predominant in the area (residential and commercial).
- 7) The conditional use, with conditions, will prevent pollution of ground and surface waters including sedimentation and control of nutrients.

Commissioner Johnson opened public discussion:

- Jane Davis-neighbor stated she is not in favor of any changes to the original plan.
- JoAnn Moe-neighbor stated she is not in support of shorter trees or any changes to the original plan. She stated smaller trees will not provide enough screening from the building, and she lives directly across the road from the site.

Steve Beneke-Owner/applicant explained the reason for the landscape modification is due to the original landscape design company no longer in business and they are unable to purchase 6ft-8ft trees from their new landscape company. Mr. Beneke stated the original design was not conducive for proper tree growth and would result in more trees dying. Their new landscape company is unable to get taller trees due to the draught the past few years and suggested smaller trees. Taller trees would be delivered ball and burlap and their growth would be halted for 2 years. Smaller trees would be delivered in buckets and typically grow faster in the first few years than the ball burlap trees. The new spacing of the trees would be 18 foot on center between the two rows. Trees will be Black Hills Spruce and the smaller trees will grow approximately 6-12 inches per year.

Jane Davis stated the site is currently flat with HWY 6. There used to be a natural buffer/ridge area between Highway 6 and the property site, but that has been removed. She asked if the buffer/ridge area could be replaced to allow for the trees to be higher.

Council Member Koch stated he was on the Planning Commission at the time the original Conditional Use Permit was granted. He is not in favor of the Planning Commission allowing changes to an already approved plan.

Commissioner Rheaume asked if the color of the building would influence the property owner's thoughts in any way. The building color will be gray and rustic/maroon red. The neighbors' stated it would not change their opinion of the building.

Commissioner Spiess stated there should be a berm added to the property to bring up the height of the trees. Mr. Beneke said a berm would take water away from the trees and cause more water to run off instead of actually getting into the tree roots.

The planning Commission asked why this project has taken so long to complete.

Mr. Beneke stated the reason was because of supply issues, labor, and material costs were extremely high. The lot was mowed and maintained while he waited for prices to come down. Mr. Beneke stated he does have a tentative build start date of August 21, 2023. Concrete has been poured and they are waiting for the material to be delivered.

Commissioner Johnson stated the planting of the trees should not be on a specific timeline, but rather a timeline that is more conducive to a successful tree planting/growing season. Commission Johnson stated he is not in favor of the smaller trees because that is not what was agreed upon. Mr. Beneke stated he could build a 2 foot berm with a gully in between the 2 rows and add mulch material that would have better water retention.

MOTION BY COMMISSIONER RHEAUME TO GRANT THE LANDSCAPE MODIFICATION OF THE ORIGINAL CONDITIONAL USE PERMIT WITH THE 7 FINDINGS OF FACTS; AN ADDITION OF TWO-2 FOOT BERMS WITH A GULLY/TRENCH BETWEEN THE 2 ROWS OF 4 TO 5 FOOT STAGGERED TREES. PLANTING WILL BE FALL OF 2023. THE REPLACEMENT OF ANY DEAD TREES WILL TAKE PLACE DURING THE FALL. SECONDED BY COMMISSIONER VUKELICH. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

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5. APPROVAL OF MINUTES

a. July 5, 2023, regular meeting.

MOTION BY COMMISSIONER SPIESS TO APPROVE JUNE 6, 2023 MINUTES AS PRESENTED. SECONDED BY COMMISSIONER VUKELICH. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

6. NEW BUSINESS

a. Larsen Variance Discussion

Mr. Larsen would like to add a 30'x 20' addition to the south side of his existing cabin. The addition would encroach into the wetland by 1 foot and fill approximately 825 SqFt of wetland to create a slope. TEP board findings were presented to the Planning Commission. The Planning Commission stated Mr. Larsen can apply for a variance, however the likelihood of the variance being granted would be slim due to the fact the structure would be in the wetland, not the setback. The Planning Commission recommended Mr. Larsen have a wetland delineation prior to pursuing a variance application.

b. Septic Fee Increase

Cotner stated the septic permit fee increase from \$250.00 to \$260.00 is requested due to the septic inspector's fee increase of \$10.00. Cotner is recommending the Planning Commission make a recommendation to the City Council to increase the septic permit fee by \$10.00.

MOTION BY COMMISSIONER SPIESS TO RECOMMEND THE CITY COUNCIL INCREASE THE SEPTIC PERMIT APPLICATION FEE FROM \$250.00 TO \$260.00. THIS COVERES THE INCREASED INSPECTION FEE OF \$10.00 CHARGED BY THE INSPECTOR. SECONDED BY COMMISSIONER VUKELICH. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

c. Boundary Line Adjustment Fee Discussion

Cotner stated a request for a boundary line adjustment was submitted to Planning and Zoning, however there was not a boundary line adjustment fee listed on the fee schedule. Cotner recommended the Planning Commission request the City Council approve the addition of a line to the fee schedule for Boundary Line Adjustment with the fee of \$150.00.

MOTION BY COMMISSIONER SPIESS TO RECOMMEND THE CITY COUNCIL APPROVE FEE SCHEDULE ADDITION OF BOUNDARY LINE ADJUSTMENT FEE OF \$150.00 SECONDED BY COMMISSIONER VUKELICH. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

d. Winkler Permit Extension Request

231 Cotner stated Mr. Winkler was granted his last extension on July 31, 2023 by the 232 Planning Commission at the May 2, 2023 Planning Commission meeting. Cotner did a site visit of the property prior to the Planning Commission meeting and stated there 233 234 is siding and roof work left to complete. At the time of the site visit, there were crews 235 working at the property. She recommended the Planning Commission consider one final and last extension until the end of September or October 2023. 236

> MOTION BY COMMISSIONER SPIESS TO EXTEND PERMIT TO OCTOBER 15, 2023. SECONDED BY COMMISSIONER BARTEL. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

7. OLD BUSINESS

None

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8. SUBCOMMITTEE DISCUSSION UPDATE

Cotner provided an update from the Land Use Ordinance Subcommittee Meeting that was held earlier that afternoon. The committee is continuing to move through Appendix A: Table of Uses specifically for Highway Mixed Use. Commissioner Johnson stated there has been a lot of positive progress made by the subcommittee during their afternoon meetings.

P & Z ADMINISTRATOR'S REPORT

Cotner stated the workflow fluctuates depending upon the day. She has seen a slight decrease in applications and questions, however that changes all the time.

10. ADJOURNMENT

MOTION BY COMMISSIONER RHEAUME TO ADJOURN THE MEETING, SECONDED BY COMMISSIONER SPIESS. ALL VOTED IN FAVOR 5-0. MOTION **CARRIED**

The meeting adjourned at 7:51 pm.

Respectfully submitted.

273 Sue Fahrendorff,

Zoning Clerk 274

Land Use ordinance (LUO) subcommittee Meeting Notes

Date: August 1, 2023

Attended: Dave Johnson, Greg Koch, Gary Hanson, Brittney Cotner and Sue Fahrendorff

Bill Spiess was absent.

• Brittney discussed a few items that will be on the agenda for the Planning Commission Meeting later that evening.

Chuck Winkler permit extension-added agenda item Dave Larsen variance discussion.

Red's Storage LLC CUP landscape adjustment.

- Briefly discussed Mike Helberg's shed violation. The Planning Commission sent the violation to the City Council for actions. Currently our City attorney is working with Mr. Helberg's attorney to resolve the issue.
- Continued review of Appendix A Matrix for Highway Mixed Use. We picked up where we had left off from the July meeting Park Model Trailer and made it to Temporary Commercial Structure Short Term.

2023 Permits--Emily Planning and Zoning

							7		
Project Completed Y/N									Project Completed Y/N
DISTRICT	MO	N R	SR	SR	& #	SR	SR	N R	DISTRICT
H	\$75.00	\$75.00	\$400.00	\$250.00	75 Need to Pay	\$1,500.00	\$150.00	\$400.00	盟
DESCRIPTION	Outdoor Market Permit	Construct a 10'X16' (160 SqFt) deck to existing home	Construct a 45'X48' (2,160 SqFt) Accessory Structure	Construct a 20X29 (580 SqFt) 3 season dwelling with 20X6(120 SqFt) Porch	Install roof mounted solar system 44- panesl, 2 inverters, 16.28 KW	After-The-Fact Permit 8'X10' and 10'X16' Accessory Structure	Construct a 16'X24' (384 SqFt) Accessory Structure	Construct a 24X35 (840 SqFt) Accessory structure (garage) AND 24X25 (600 SqFt) secondary dwelling with deck	DESCRIPTION
TYPE	Outdoor Market Permit	Land Use	Land Use	Land Use	18774 Grooked Land Use Solar Greek Rd Panels	Land Use	Land Use	Land Use	TYPE
ADDRESS	40141 State HWY 6	20529 Clearwater Dr	23252 South Shore Dr	44865 Preserve Pt	18774 Crooked Creek Rd	19590 Blue Lake Rd	44924 S Smokey Hollow Rd	21343 Mill Rd	ADDRESS
FIRST	Kris Balvin	Beverly	Jeff	Kari & Eeva	Timethy Gillespie	Loren	leonard	Crystal	FIRST
LAST	Emily Wesleyan 21270656 Church	Gorsuch	21250526 Adamsheck	21060502 Sundstrom	Solar Permits- 21080576 Trevor Southards	Patnode	Mallery	Huff	LAST
RECODE	21270656	21090670 Gorsuch	21250526	21060502	21080576	21080567 Patnode	21030558 Mallery	21220582 Huff	RE CODE
Appvrd	4/4/2023	3/22/2023	3/22/2023	4/11/2023	Denied- 6/6/2023	6/27/2027	5/2/2023	5/9/2023	Appvrd
Recd	3/13/2023	3/15/2023	3/20/2023	4/3/2023	Denied 4/11/2023 6/6/2023	4/24/2023	4/26/2023	5/9/2023	Recd
NUMBER	23-10	23-11	23-12	23-13	23 14	23-15	23-16	23-17	NUMBER

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S. S.	RP	DMU	⊃WH	SR	SR	SR	SR	SR	SR	SR
\$150.00	\$150.00	\$450.00	\$46.0 CWC	\$150.00	\$250.00	\$450,00	\$250.00	\$400.00	\$550.00	\$250.00
Construct a 16'X12' Arctic Entry attached to existing home	Construct a 8'X32' (256 SqFt) accessory structure(chicken coopw/run) and 14'X16' (224 SqFt) free standing deck	New Dwelling 25'X56' (1,400 SqFt) with 23'X24' (552 SqFt) attached garage.	Small business use; Machine shop & repair shop	Install a 254 SqFt Paver Patio with 20- FT boulder edgin	Construct a 30'X40' (1,200 SqFt) garage	New Dwelling Construction 40'X30' (1,200 SqFt)	Install a Type 1 Mound Design SSTS System. 300 GPD, 1,500 gallons 2 compartment tank	Construct a 36'X56' (2,016 SqFt) Accessory Structure	construct a 76'X32' (2,432 SqFt) Dwelling	Install a Type 1 Trench/Pressure Bed design, 750 GPD, 2250 Gallons 1 tank
Land Use	Land Use	Land Use	Conditional Use Permit	Land Use Permit	Land Use Permit	18526 Woodlake Blvd Land Use Permit	SSTS Permit	Land Use Permit	Land Use Permit	SSTS
Scott & Paula 20741 Levitt Ln	20125 Cty Rd 1	XXXX Bloomquist Dr	42524 St HWY (Dawn Korinek 40948 Poplar	17875 Emerald Dr	18526 Woodlake Blvd	18526 Woodlake Blvd	41122 Poplar Dr	43251 Minnie Lake Dr	43251 Minnie Lake Dr
Scott & Paula	John & Jessica	Jon & Karen	1	- Korinek	Dean & Barb	Robert	Robert	James	Ryan	Ryan
Worley	21330616 Istvanovich	Stern	21150526 Usherwood	Dylan Burge- Beachcombers- LLC	Keller	Sorg	Sorg	Edmonds	Gerlach	Gerlach
21040541	21330616	21270610 Stern	21150526	Dyla Bea 21220529 LLC	21190569 Keller	21060533 Sorg	21060533 Sorg	21220504 Edmonds	21170528 Gerlach	21170528 Gerlach
5/16/2023	5/16/2023	5/16/2023	7/5/2023	Denied- 5/23/2023	5/23/2023	5/23/2023	5/23/2023	5/23/2023	5/30/2023	5/30/2023
05/16/23	5/16/2023	5/16/2023	5/17/2023	Denied- 6/22/2023 5/23/2023	5/22/2023	5/23/2023	5/23/2023	5/23/2023	5/30/2023	5/30/2023
23-18	23-19	23-20	23-21	23-22	23-23	23-24	23-25	23-26	23-27	23-28

Cass County	Project Completed Y/N					Yes-Greg Kossan 8/10/2023		YES-GK 8/1/2023	
8	DISTRICT	SR	SR	Æ	RP	SR	SR	S R	SR
Did not pay Fee	EE	\$150.00	\$400.00	\$150.00	\$200.00	\$250.00	\$450.00	\$250.00	\$250.00
Place a RV Fishhouse on lot. Porta Potty on site	DESCRIPTION	Construct a 12'X43' (516 SqFt) Deck attached to dwelling	Construct a 44'X30' (1,320 SqFt) Accessory Structure	Construct a 12'X32' (384 SqFt) Accessory Structure with Class 5 Gravel Driveway	Permenant camper permit with connection to existing septic system	Install a Type 1 Trench/Seepage Bed design system; 300 GPD; 1,500 Gallon 2 compartment tank	New constructionDwelling 35'X24' (840 SqFt) with 13'X24 (312 SqFt)Attached Garage	Install a Type 1 Trench/Pressure Bed design 450 GPD, 1,500 gallon 1 compartment tank. Adding an effluent filter to outlet and 500 gallon lift tank & alarm	Construct a 30'X30'(900 SqFt) addition to existing pole shed structure
Annual Camper Permit	TYPE	Land Use Permit	Land Use Permit	Land Use Permit	Camper Permit- Permenant	SSTS Permit	Land Use Permit	SSTS Permit	Land Use Permit
17960 Wood- Lake Blvd	ADDRESS	22084 County Rd 1	23248 South Shore Dr	40883 State Hwy 6	21310 Evening Star Lane	40206 Marshview Dr	40206 Marshview Dr	21321 Mill Rd	10 Woodlakes Tri NE-fifty Lakes
Billy	FIRST	Samuel	Brent	Shaun	Tim	William	William	Jeffrey	Karen
Wilhelmi	LAST	Linhoff	Nolby	Kelly	Blackwell	21300505 Pendizmas	21300505 Pendizmas	Holcomb	Schmoll
24060584 Wilhelmi	RE CODE	21230550 Linhoff	21250528 Nolby	21210514 Kelly	21030505 Blackwell	21300505	21300505	21220583 Holcomb	- త
6/30/2023 NA-Cass Cty	Appvrd	6/6/2023	6/6/2023	6/6/2023	6/6/2023	6/6/2023	6/6/2023	6/13/2023	21060586 6/13/2023 21060585
6/30/2023	Recd	6/5/2023	6/5/2023	6/6/2023	6/6/2023	6/6/2023	6/6/2023	6/7/2023	6/7/2023
23-29	NUMBER	23-30	23-31	23-32	23-33	23-34	23-35	23-36	23-37

					YES-Greg Kossan 8/2/2023				
					YES-Gre 8/2/2023				
SR	K K	СТ	СТ	SR	SR	SR	SR	SR	SR
\$75.00	\$550.00	\$500.00	\$60.00	\$450.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00
Install roof mounted solar system 44 panesl, 2 inverters, 16.28 KW	New construction Dwelling 74'X28' (2,072 SqFt) with a 30'X40' (1,200 SqFt) Accessary Structure pole shed	Construct 4 135'X40' Storage Buildings	6' Fence around perimeter of lot (195'X375')	New Construction Dwelling 32'X52' (1,664 SqFt) with attached garage and covered porch	Install Type 1, Trench/Pressure Bed Design; 300 GPD; 1,500 gallon tank with 2 compartments	Construct a 12'X18' (216 SqFt) dwelling addition and 20'X24 (480 SqFt) Accessory Structure addition	Construct a 25'X30' (750 SqFt) Accessory Structure	Install a Type I, 300 GPD, 1,500 gallon tank	Remove existing Tank and Install a Type 1, 600 GPD Mound Septic System with 2 tank combo
Land Use Permit	Land Use Permit	CUP	Land Use Permit	Land Use Permit	SSTS Permit	Land Use Permit	Land Use Permit	SSTS	SSTS
18774 Crooked Creek Rd	21321 Mill Rd	40109 Sawmill Rd	40109Sawmill Rd	40190 Marshview Dr	40190 Marshview Dr	41336 Poplar Dr	40411 Pinewood Dr		18550 Woodlake Blvd SSTS
Timothy Gillespie	Jeffrey	Dan Erickson	Dan Erickson	Tom Andresen	İ	indy	Randall Provart		Ronald & Renee
Gillespie	Holcomb	Emily Ace Storage 21270736 LLC	Emily Ace Storage 21270736 LLC		21300504 RZ Plumbing	Hummel	21270581 Happy Ours LLC	21270581 Happy Ours LLC	
21080576 Gillespie	21220583 Holcomb	21270736	21270736	21300504	21300504	21220550 Hummel	21270581	21270581	21060531 Gothmann
6/27/2023	6/13/2023	8/1/2023	6/13/2023	6/13/2023	6/13/2023	6/13/2023	6/27/2023	6/27/2023	7/20/2023
6/8/2023	6/12/2023	6/12/2023	6/12/2023	6/12/2023	6/12/2023	6/13/2023	6/20/2023	6/20/2023	6/26/2023
23-38	23-39	23-40	23-41	23-42	23-43	23-44	23-45	23-46	23.47

23-48	6/27/2023	6/27/2023	21270561 Trenn		Robert & Karen	40321 Pinewood Dr	SSTS	Install a Type 1, 450 GPD, 1,500 Gallon, 1 tank; 2 compartment Trench/Pressure Bed System	\$250.00	SR	YES-Greg Kossan 7/11/2023
23-49	7/5/2023	7/5/2023	21080565 & 7/5/2023 21080566	Hanson	Магу Т.	19604 Blue Lake Rd	Land Use Permit	Temporary tubular frame carport-Through August 2023	\$75.00	SR	
23-50	7/6/2023	7/11/2023	21250582 Anderson		George & Kelly	23740 N. Shore Dr	Land Use Permit	Construct New Dwelling (64'X40' (2,560 SqFt) and detached accessory structure 64'X40' (2,560 SqFt)	\$950.00	Z Z	
23-51	7/9/2023	7/11/2023	21250582 Anderson		George & Kelly	23740 N. Shore Dr	SSTS	Install a Type I, 300 GPD, 1,500 gallon tank Mound Design system	\$250.00	N R	
23-52	7/12/2023	7/17/2023		21270740 EM Brothers, LLC	Leah Heggerston	40138 Sawmill Rd	Land Use Permit	Fence	\$60.00	CT/LI	
23-53	7/10/2023	7/17/2023				40107 E. Emily Dr.	Camper Land Use Permit	Annual Camper Permit	\$25.00	SR	
23-54	7/18/2023	7/25/2023	21170539 Nordahl		Dave	19345 Blue Lane E	ermit	Construct a 24'X40' Dwelling Addition to existing garage w/ 12'X12' 3 Season Porch	\$400.00	S R	
23-55	7/20/2023	7/25/2023	21170526 Lindstrom		Duane	43167 Minnie Lake Dr		Construct a 24'X36' (864 SqFt) Accessory Structure	\$150.00	SR	
NUMBER	Recd	Appvrd	RE CODE	LAST	FIRST	ADDRESS	TYPE	DESCRIPTION	FEE	DISTRICT	Project Completed Y/N
23-56	7/26/2023	8/1/2023	21030582 Meehan		Darrell	44418 State HWY 6	Land Use Permit	Construct a 28'X32' (896 SqFt) Accessory Structure	\$250.00	S. R.	
23-57	7/31/2023	8/1/2023	21170541 Johnson		Gary & Susan Court	Faye	Camper Land Use Permit	Annual Camper Permit	\$25.00	NR	
23-58	8/1/2023	8/1/2023	21090535 Frericks		Brian	20052 Blue Lake Rd	SSTS	Install Type 1, Trench/Pressure Bed Design; 600 GPD; 1,500 gallon tank with 2 compartments	\$250.00	SR	YES-Greg Kossan 8/3/2023

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SS	NR	Z Z	SR	SR	SR	S.	SR	SR	S C	χ Σ
\$250.00	\$400.00	\$25.00	\$60.00	\$250.00	\$250.00	HOLDING \$400 & Septic Cert	\$25.00	\$75.00	\$450.00	\$60.00
Construct a 24'X24' (576 SqFt) Accessory Structure attaching to existing dwelling.	Construct a 60'X80' (4,800 SqFt) Accessory Structure	Annual Camper/RV	Replace Existing Stairs to lake	Construct a 40'X24' (960 SqFt) Accessory Structure garage- attached to dwelling	Construct a 32'X32' (1,024 SqFt) Accessory Structure	Construct a 20'X20' (400 SqFt) Dwelling Addition; 14'X17' (238 SqFt) Screened Porch; 12'X55' Deck		Construct a 10'x16' (160 SqFt) Accessory Structure	Construct a 30'X40' (1,200 SqFt) Dwelling with a 12'X14' (168 SqFt) 3 season porch	Construct a 4'X8' permenant aluminum non lighted sign
Land Use Permit	Land Use Permit	Camper/RV Land Use Permit	Land Use Permit	Land Use Permit	Land Use Permit	Land Use Permit		Land Use Permit	Land Use Permit	Land Use Permit
23145 N Shore Drive	XXXX Blue Lake Rd	40401 Little Pine River Rd	41156 Loon Trail	40498 Sandhill Dr	44796 Roosevelt Lane	20158 Clearwater Dr	40206 Marshview Dr	39376 West Trout Ave	23092 South Shore Dr.	TBD Blue Lake Rd
Chuck	Charles	Robert	Owner	Joshua	David & Janice	Alan	Ε	Bob	Michael	Andy
Winker	21090513 Johannes	Peck	Northern Lakes Landscaping/Steve Travis Peterson Rabe/(Marty	Kodada	Geiwitz	21300505 Pendzimas	Bussler	21250532 Des Marais	
21250547 Winker	21090513	21260634 Peck	Northern Landscap 21220518 Peterson	21330513 Marty	21040586 Kodada	21090552 Geiwitz	21300505	21330588 Bussler	21250532	21090596 Moritz
8/2/2023	8/8/2023	8/8/2023	8/8/2023	8/15/2023	8/23/2023	8/15/2023	8/15/2023	8/29/2023		8/29/2023
8/1/2023	8/2/2023	8/7/2023	8/8/2023	8/9/2023	8/14/2023	8/14/2023	8/15/2023	8/22/2023	8/25/2023	8/25/2023
23-59	23-60	23-61	23-62	23-63	23-64	23-65	23-66	23-67	23-68	23-69