

1 **MINUTES**

2 **EMILY PLANNING COMMISSION/BOARD OF ADJUSTMENT**
3 **REGULAR MEETING**

4
5 **September 5, 2023**

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7 **1. CALL TO ORDER**

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

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11 **ROLL CALL**

12 PRESENT: Dave Johnson (Chairperson), Bill Spiess, Lynn Bartel, Denise Vukelich, Patrick
13 Rheaume and Faye Hughes.
14 Council: Greg Koch (Liaison)
15 Staff: Brittney Cotner, Zoning Administrator (Sourcewell) and Sue Fahrendorff, Planning &
16 Zoning Clerk
17 Public: Dan Erickson

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19 **2. ADDITIONS OR DELETIONS TO AGENDA**

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23 **3. OPEN FORUM**

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27 **4. PUBLIC HEARINGS-CONTINUATION FROM AUGUST 1,2023 MEETING**

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29 a. Conditional Use Permit Application 23-40 to allow for the construction and operation of
30 4 commercial storage unit buildings within the Commercial Transition/Light Industrial
31 zoning district. Owner/Applicant: Emily Ace Storage, LLC. Continuation from August
32 2023 meeting.

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34 **Cotner provided a brief background:**

35 Cotner stated the Planning Commission approved the Conditional Use Permit at their
36 Planning Commission meeting August 1, 2023 with the following conditions:

- 37 1. Any additions to impervious coverage must remain withing the allowed
38 amount for the zoning district
39 2. Lighting for the business and signage must be downcast
40 3. No habitable structures are part of the request. Septic and well may be
41 installed but are not to be used for dwelling purposes.
42 4. Holding pond for storm water retention.

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The Planning Commission made a recommendation to the City Council to approve the Conditional Use Permit. At the August 8, 2023 City Council meeting, the Council decided to send the recommendation back to the Planning Commission for additional information and clarification of the following:
Driving surface and driveway access.

Zoning staff made a site visit to the property and provided photos of driveway access to the property. Cotner state she spoke with the applicant and there will be no driving surface or materials added to the property. He intends to use the dirt surface that is already there and use the driveway that already exists.

Planning Commissioners discussed the impervious coverage is at the maximum allowed for this lot per the ordinance, so the addition of gravel or asphalt wouldn't be allowed without applying for a variance.

MOTION MADE BY COMMISSIONER JOHNSON TO OPEN PUBLIC HEARING. SECONDED BY COMMISSIONER VUKELICH. ALL VOTED IN FAVOR, MOTION CARRIED. 5-0.

Dan Erickson stated there is not a lot of traffic going in and out of the other storage units he owns, so he doesn't feel the need to cover the driving surface is necessary. He estimates less than six visits per unit per year due and possibly less since it's typically seasonal storage. Mr. Erickson stated he will level the driving surface and keep the grass mowed around each unit. Mr. Erickson stated he thought the confusion from the City Council was the Planning Commission was impeding him from putting a hard surface on the ground. That is not what Mr. Erickson wanted to do and he is fine with the current surface of the lot as it is now. Mr. Erickson stated there is a mesh that can be applied to the surface that will allow rain to get through to the ground and provide more traction during for a better driving surface. If necessary, he would apply the mesh to the property.

Council Liaison Greg Koch stated the City Council wasn't asking Mr. Erickson to put in a driveway, but in the future if there would be a need, since he was at his maximum impervious coverage limit already.

Planning Commissioners discussed sending the approved Conditional Use Permit back to the City Council with an explanation that the applicant is not interested in putting in a driveway at this point. Commissioner Spiess stated if the City Council rejects the recommendation again, they will provide an explanation in writing for the rejection.

The following is from the Planning Commission Public Hearing on August 1, 2023.

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 are being proposed. No driving surface will be placed due to maximum impervious coverage levels being met by the structures.

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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).*

MOTION MADE BY COMMISSIONER SPIESS TO SEND CONDITIONAL USE PERMIT APPLICATION 23-40 WITH RECOMMENDATIONS FOR APPROVAL BACK TO CITY COUNCIL. SECONDED BY COMMISSIONER RHEAUME. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

5. APPROVAL OF MINUTES

- a. August 1, 2023, regular meeting.

Commissioner Rheaume stated he abstained from voting on the July meeting minutes approval because he was absent from the July meeting. Minutes have been updated to reflect the correction.

MOTION BY COMMISSIONER RHEAUME TO APPROVE AUGUST 1, 2023 MINUTES AS AMENDED TO STATE COMMISSIONER RHEAUME ABSTAINED FROM VOTING ON THE JULY MEETING MINUTES. SECONDED BY COMMISSIONER SPIESS. ALL VOTED IN FAVOR 5-0. MOTION CARRIED.

6. NEW BUSINESS

- a. Upcoming Term Expirations Discussion

Discussion is a reminder that Commissioner Johnson and Commissioner Vukelich terms are ending December 31, 2023. If they would like to continue to serve on the Planning Commission, they will need to submit the application to the City Clerk.

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7. OLD BUSINESS

None

8. SUBCOMMITTEE DISCUSSION UPDATE

Cotner provided an update from the Land Use Ordinance Subcommittee Meeting that was held earlier that afternoon. The committee has completed the review of Appendix A: Table of Uses. Cotner plans to hold a public hearing regarding the revisions of the entire matrix at the November 2023 Planning Commission Meeting.

9. P & Z ADMINISTRATOR’S REPORT

Cotner stated there are several permit expirations that are coming due. She will continue to monitor the progress and report back to the Planning Commission on the status of these projects. Permit volume has slightly decreased.

10. ADJOURNMENT

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

The meeting adjourned at 6:25 pm.

Respectfully submitted,



Sue Fahrendorff,
Zoning Clerk