



MINUTES

REGULAR MEETING OF THE CITY OF NISSWA
PLANNING COMMISSION/BOARD OF ADJUSTMENT
TUESDAY, MARCH 13, 9:00 AM

Members Present: Don Jacobson, Peter Mann, Woody Haecker, Anne Laufman, Ann Beaver

Members Absent: Jim Swanson

Others Present: Mark Hallan

Staff Present: Desmond McGeough, Maggi Wentler

1. Call to order

2. Tour of properties - None

3. Additions or deletions to agenda

4. Approve Minutes:

- a. February 13, 2018 Minutes

5. Open Forum: None

6. Public Hearings: (published in the Echo Journal March 1, 2018 & notice was mailed to all property owners within 350 feet & the affected state agencies.)

- a. Conditional Use Permit application 036-17 – City of Nisswa - Spirits – Tabled
- b. Conditional Use Permit application 038-17 – ETOC (Lake Hubert) - Tabled
- c. Interim Use Permit application 002-18 – Jody Davis/Black Ridge Bank - Withdrawn

7. New Business:

- a. Metes and Bounds Subdivision application 003-18 – Randy Johnson – Recommended to City Council
- b. Sketch Plan – Thomas Steffens PUD
- c. Planning Commission/Board of Adjustment Vacancy
- d. Planning Commission Special Meeting

8. Old Business:

- a. Grand View Lodge Spa Discussion

9. Commission Discussion Items

- a. Comprehensive Plan Review Status
- b. Nisswa Lake Park Presentation

10. Planning & Zoning Administrator's Report

- a. Permits

11. Adjourn

MEETING MINUTES FROM MARCH 13, 2018

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1. **Call to Order:** Haecker calls the meeting to order at 9:00 AM.

2. **Tour of Properties:** None

3. **Additions or Deletions to Agenda:**

Mann would like to have a discussion about Grand View Lodge Spa addition on the agenda item 8a.

MOTION: Mann motioned to approve the agenda as amended, Jacobson seconded. All members voting “Aye”, motion carries.

4. **Approval of Minutes:**

a. **February 13, 2018:**

Hallan would like to reword line 265 to state “or drainage device.

MOTION: Jacobson motioned to approve the February 13, 2018 minutes with the noted change to line 265, Beaver seconded. All members voting “Aye”, motion carries.

5. **Open Forum:** None

6. **Public Hearings:**

a. **Conditional Use Permit application 036-17 – to consider plans to construct a 44 sf. (two-sided, 88 square foot total) freestanding dynamic display sign.**

Property Location: 23962 Smiley Road

Applicant: City of Nisswa

Property Owner: Schaefer’s of Nisswa

b. **Conditional Use Permit application 038-17 – to consider plans to construct a 2,500 sf dining hall and a 1,764 sf kitchen facility.**

Property Location: general located south of Lake Hubert, approximately 1,600 feet west of E. Lake Hubert Drive and 1,200 east of the terminus of S. Lake Hubert Drive. PIN 280254305000009

Applicant/Property Owner: ETOC

c. **Interim Use Permit application 002-18 – to allow an 8.5’ x 17’ portable concession trailer to be located within the Black Ridge Bank parking lot area through September 2018.**

Property Location: 5411 Lakers Lane

Applicant/Property Owner: Jody Davis/Black Ridge Bank

96 **Motion:** Jacobson motioned to table items 6a and 6b until the April 9 meeting
97 without permission of the applicant and noted that item 6c was withdrawn by
98 applicant, seconded by Mann. All members voting “Aye”, motion carries.
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101 **7. New Business**

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103 **a. Metes and Bounds Subdivision application 003-18 (no one present)**

104
105 McGeough read his staff report.

106
107 Beaver stated that the lot splits meets the ordinance. Mann questioned why
108 this split parcel is not a perfect rectangle. Beaver stated it is the only way to
109 get enough road frontage to meet the ordinance.
110

111 **Motion:** Laufman motioned to recommend to the City Council approval of
112 this Metes and Bounds Subdivision application at with the Findings of Fact:
113

- 114 1. The subject property is located adjacent to the south side of Commons Drive
115 and west of Hazelwood Drive. (PIN 280143100AA0009).
- 116 2. Subject property is in an undeveloped state.
- 117 3. The subject property is 13.14 acres and currently classified as a “Highway
118 Business” Zone District”.
- 119 4. The metes and bounds subdivision request is to subdivide the 13.14 acre tract
120 into two parcels. “Tract A” is 1.29 acres; the “Remainder Tract” is 11.85
121 acres.
- 122 5. Both tracts meet all minimum lot standards for the Highway Business Zone
123 District.
- 124 6. The nearest public sewer line is located in Smiley Road, approximately 370
125 east of the subject property.
- 126 7. Section 10.6 of the Municipal Code requires future development from which
127 wastewater is discharged and adjacent to public right-of-way to install a
128 suitable sewer connection at the owner(s) expense, provided public sewer is
129 located within 100 feet of the property.
130

131 Seconded by Jacobson. All members voting “Aye”, motion carries.
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133 **b. Sketch plan – Thomas Steffens (present) and Cindy Hidde from**
134 **Stonemark (present): Proposed multi-family residential development**

135
136 McGeough read his staff report.

137
138 Steffens stated there are a few units that do not meet the 50 ft. setback that
139 would need to be restructured. He is hoping that the 50 ft. setbacks would not
140 be required as it limits the amount of building that could fit on this parcel.
141 Steffens stated that Club House is an important part of this property and
142 would like to parcel off and rezone this parcel. Club House will be for
143 association members only. They are looking to have these roads within this
144 parcel be private and that the association will be responsible for them. They
145 would like to have access on Poplar Ave. and on the south end by Hills

146 Crossing. They cannot have a dead end road. They would need an easement
147 from the city to do this. There seems to be some conflicting issues with the
148 CUP that was granted to Hills Crossing and the easement of the roadway.
149 McGeough stated that there would need to be some changes due to the 50 ft.
150 setbacks. This is a long stretch of road and if they are unable to connect at
151 Hills Crossing, what are the options to cross the DNR trail at another point?
152 Hallan stated one of his concerns is meeting the setbacks from sewer lines and
153 water systems. The city will need about a 30 ft. utility easement for the sewer
154 lines if this becomes a private road. This could be tight with the proposed
155 drawing. The city does not want any issues with foundations, irrigation
156 systems and such. Hallan also noting the easement issue with Hills Crossing
157 which has already been mentioned.

158

159 Jacobson's list of concerns:

- 160 • PUD doesn't change the underlying zoning
- 161 • A rezone needs to happen first
- 162 • We would need approval from the property owner in writing before
163 anything would be approved
- 164 • Location of all 4 wells would need to be shown on survey
- 165 • Right-of-way for utilities needs to be shown on survey
- 166 • Believes the city road standards should be enforced to this
167 development based on past experience
- 168 • No screening is shown and would like to see a landscaping plan
- 169 • Flood plan including wetland area
- 170 • Update impervious coverage calculations to include road way
- 171 • Needs to have a second access for public safety need
- 172 • Utilities need to be shown on survey
- 173 • Need more greenspace
- 174 • Will there be any sidewalks, walking paths or access to trail, if so
175 these need to be shown
- 176 • Require association documents for the city attorney to review for any
177 issues

178

179 Jacobson also questioned what 55+ age meant. Steffens noted that he will not
180 be restricting the age, but this is what the market is calling for at this time.
181 Jacobson stated there is a different process from the state on restricting age for
182 developments. Jacobson would like to see additional parking lot for visitors
183 and holidays, so there aren't cars blocking the road. Jacobson questioned if all
184 units would be the same color and style. Steffens stated there would be a
185 variety of looks. Jacobson questioned if there would be basements in these
186 units. Steffens stated they are planning to have basements. Jacobson
187 questioned if these units would be rented out or purchased. Steffens stated
188 they would be purchased by the homeowner. Steffens mentioned that units 1-
189 33 include a double car garage.

190

191 Mann is not in favor of the zoning change and believes this property should be
192 built for dentist, doctors, accounting, beauty salon and other professional
193 services based on the Comprehensive Plan.

194

195 Laufman questioned what the value to the city is from a commercial versus
196 residential zoning? Jacobson stated that normally commercial zoning has a
197 higher tax value. Jacobson stated that our soon to be new Comprehensive Plan
198 is looking for affordable housing. Laufman stated there are other properties
199 that are already zoned residential that could be developed. Steffens feels there
200 is a need for new housing in this area. He can't see this property being
201 developed commercially with the Paul Bunyan Trail between Main Street and
202 the property.

203
204 Beaver has no issues with the rezoning to residential. She would like to keep
205 this parcel forested. She is not in favor of splitting off the Club House in to a
206 separate parcel. Beaver questioned if this parcel was within 1000 ft. from the
207 shoreline, as her measurement conclude that it is. If this is the case she
208 wonders if there are other shoreland requirements that need to be followed.
209 Beaver would like to see that the 50 ft. setbacks are followed, and that the
210 roads become public. If Steffens proceeds with this PUD she would like to see
211 a timeline of development stages. She would also like to see that not all trees
212 are cut down at the same time and wait until they are building that section.

213
214 Haecker is concerned about cutting all the trees down. He would like to see
215 some of the large mature trees saved and units built around them. He would
216 also be in favor of rezoning to residential. Haecker suggests that Steffens
217 come back with an updated site plan addressing issues and concerned
218 addressed today.

219
220 Mann is concerned that this development is very close to another property
221 Steffens owns, Good Ol' Days, and believes that there could be golf carts
222 driving back and forth to swim. Steffens stated that the resort and beach are
223 for resort guests only and they do enforce this. Mann is concerned with the
224 location of the Club House and believes it should be in the middle of the
225 development. Steffens stated he wants visibility as it will be a great selling
226 point. Mann questioned if this development takes up 55 ERC's on top of
227 Grand View's expansions will we have enough capacity. Hallan noted that the
228 city is planning for an expansion of the wastewater facility in the near future.
229 Mann questioned if Steffens had a timeline on when this development would
230 be completed. Steffens would start immediately and would like to see
231 completed within 5 years. Mann also has some concerns with the selling price
232 stated with this high density. He also would like to see a developer's
233 agreement completed noting product construction flaws. Mann suggests that
234 the city would require a certified building inspector to be hired and paid for by
235 the property owner to monitor building construction. Mann would like to see
236 sidewalks, drainage and stormwater plan. He believes that this PUD would
237 require Park Dedication Fees to be paid as well. Hallan stated that a SWIPP
238 would be requirement of the final PUD.

239
240 Laufman questioned if there will be decks or patios on these units. Steffens
241 stated yes there will be and would be within the footprint shown. Laufman
242 mentioned that the PUD ordinance states that they must preserve open space
243 that 50% must remain as an open space. She also questioned the cul-de-sac

244 requires 136 ft. diameter, so based on the drawing it looks to be short. Hallan
245 stated scale shows 90 ft. diameter, but will look at the ordinance.

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c. Planning Commission/Board of Adjustment Vacancy

Gregg Sellner submitted his application for this vacancy for a term ending 2/2021. The planning commission members interviewed him. A closed ballot resulted in denying Sellner's application.

d. Special Meeting Date & Discussion Items

Haecker would like to call a special meeting to talk about priority items. Jacobson suggests that we do one or two items during our regular meetings and set aside 45 minutes to an hour instead of having an extra meeting. Laufman noted she would like to do her homework and research on one topic at a time instead of needing to study a ton of topics.

Planning Commission Prioritized list of items:

1. Water Quality & DNR Issues.
2. Color Standards & Building Finishes
3. Parking Standards

Laufman suggests that we look at surrounding community's information. Beaver stated she provided McGeough with buffer information from CWC. There was also a handout from the DNR. Haecker stated that Melissa from CWC who gave a presentation in October provided some information. Jacobson suggested the McGeough gather information from surrounding communities, county, DNR and Melissa and create a packet for commission members to review at least 5 days prior to the meeting. All commission members are to send Desmond dates in March that would work for a special meeting. Wentler noted that she will be out of the office March 20-23 for training.

8. Old Business

a. Grand View Lodge Spa Discussion (Mark Ronnei, present)

Mann stated that back in December and January the planning commission had asked for an updated density report on each Tier and hasn't seen one yet. Mann would like to see this report prior to approving any new permits from Grand View Lodge. Ronnei stated that WSN is working on updating this report. There have been delays due to snow. They will not break ground on the spa addition until September and the Tier's report has been provided.

9. Commission Discussion Items

a. Comprehensive Plan Review Status

294 McGeough is looking for feedback on where we are at with the Comp. Plan.
295 Jacobson stated that he provided his suggested changes to Laufman. Laufman
296 stated she is reviewing the current Comp. Plan, will be meeting with Tim
297 Moore to educate herself on what a Comp. Plan is, she will also be reviewing
298 Pequot Lakes Comp. Plan., and will eventually work with staff and council to
299 finalize her suggestions. Laufman is hoping to have something by the end of
300 May.

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302 **b. Nisswa Lake Park Presentation (Matthew Hill, Parks & Rec. Director)**

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304 Haecker and Mann agree that all projects should be reviewed by the planning
305 commission. McGeough stated they must follow the ordinances and get
306 approval from the Park Commission on these projects. Haecker would like to
307 see that the park comply with all ordinances, setbacks, heights, and etc.
308 Beaver stated it is McGeough's job to review the application and ensure that it
309 follows all ordinances.

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311
312 **10. Planning & Zoning Administrator's Report**

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314 McGeough will send the list of conditions to all commission members this week.
315 Laufman would like McGeough to go back through January 2017 to ensure that
316 we are not missing any. Laufman stated she has also requested a few times in the
317 past to see: site visits, violations, permits, conditions, and correspondences, as
318 these have been done prior to McGeough's employment and she finds them to be
319 very helpful. All commissions agree they would like to see these reports moving
320 forward.

321
322 Jacobson noted that nothing has happened with the Verizon cell tower yet and that
323 they should be notified to get the status of this project. The permit is will expire in
324 July.

325
326 McGeough noted that the property south of Gull Dam Brewery clear cut some
327 trees and he has been in contact with the owner and he will be coming in for a
328 CUP in the next few months to build an auto restoration facility and boat storage
329 in the back. Mann stated that the clear cutting is an issue and would like a
330 certified letter sent. McGeough stated that they clear cut more than 75% of the
331 forested area. There would be an after-the-fact permit fee

332
333 Laufman noted that Turner Towing conditions haven't been met yet.

334
335 ****Laufman left the meeting 11:30am****

336
337 Beaver questioned if all resorts have submitted their rental record for privately
338 owned units yet for the year of 2017. McGeough stated he hasn't seen any yet, but
339 will follow up with them.

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341 **a. Permits**

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343 **11. Adjourn**

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Motion: Beaver motioned to adjourn the March 13, 2018 meeting at 11:38 am,
seconded by Mann. All members voting “Aye”, motion carries

Respectfully submitted,

Maggi Wentler, Deputy City Clerk