

MINUTES

REGULAR MEETING OF THE CITY OF NISSWA
PLANNING COMMISSION/BOARD OF ADJUSTMENT
TUESDAY, JUNE 12, 8:15 AM

Members Present: Woody Haecker, Jim Swanson, Peter Mann, Anne Laufman, Ann Beaver

Members Absent: Don Jacobson

Others Present: Mark Hallan

Staff Present: Desmond McGeough, Maggi Wentler

1. Call to order

2. Roll Call

3. Tour of properties – None

4. Roll Call

5. Additions or deletions to agenda

6. Approve Minutes:

- a. May 8, 2018 Minutes

7. Open Forum:

- a. Alice Harris – Update on Traffic Study in Grand View Lodge area.

8. Public Hearings: (published in the Echo Journal May 31, 2018 & notice was mailed to all property owners within 350 feet & the affected state agencies.)

- a. Interim Use Permit application 007-18 – Jody Davis – Denied
- b. Rezone application 008-18 – Jim Anderson – Recommend to City Council
- c. Rezone application 009-18 – Jack Grotkin – Recommend to City Council

9. New Business:

- a. Metes and Bounds Lot Split 006-18 – James Anderson – Recommend to City Council
- b. Metes and Bounds Lot Split 010-18 – Jack Grotkin – Tabled
- c. Information Only: Right-of-way turn back to City – County Road 18

10. Old Business:

- a. Sketch Plan – Thomas Steffens PUD

11. Commission Discussion Items

- a. Archeological Sensitive Areas
- b. Grand View Lodge Density Map
- c. Commission Discussion items to be on July Meeting

12. Planning & Zoning Administrator's Report

- a. Permits
- b. Conditions

13. Adjourn

46 **MEETING MINUTES FROM JUNE 12, 2018**

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48 1. **Call to Order:** Haecker calls the meeting to order at 8:15 AM.

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50 2. **Roll Call (before tour):**

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52 3. **Tour of Properties:** They decided not to go on tour

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54 4. **Roll Call (after tour):**

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56 5. **Additions or Deletions to Agenda:**

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58 Haecker would like to discuss a few items, clear cutting, water quality, building
59 finishing, parking, comprehensive plan, DNR issues, future of Nisswa. Some of
60 these items we discussed at May's special meeting.

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62 **MOTION:** Laufman motioned to approve the agenda as amended, Beaver
63 seconded.

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65 **FURTHER DISCUSSION:**

66 Mann would like to see these items added to the agenda and additional
67 information be included in the packet to allow enough time to research. He
68 believes there will be no quality input without some sort of information. He is
69 willing to listen to a 5-10 discussion on all of these items though. Beaver agrees.

70
71 All members voting "Aye", motion carries.

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73 6. **Approval of Minutes:**

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75 a. **May 8, 2018:**

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77 One suggested change on line 559 to add a space between "He" and "stated".

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79 **MOTION:** Mann motioned to approve the May 8, 2018 minutes with the
80 noted change to line 559, Beaver seconded. All members voting "Aye",
81 motion carries.

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84 7. **Open Forum:**

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86 a. **Alice Harris** – (resident on West Linden) was looking at last month's packet
87 and questioned the Conditions report, and was wondering what the
88 strikethrough lines were. Does this mean they are completed? McGeough
89 stated they are marked off as an ongoing activity. They are meeting the
90 condition of their application. Harris also questioned where the traffic study in
91 the Grand View Lodge area is at. She hasn't heard anything. McGeough stated
92 that a committee has been formed and does include a small group of residents
93 on Linden Blvd.

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8. Public Hearings:

MOTION: Beaver motioned to open the public hearing, Mann seconded. All members voting “Aye”, motion carries.

a. Interim Use Permit application 007-18 – to allow an 8.5’ x 17’ portable concession trailer to be located within a parking lot area through September 2018.

Property Location: 25496 Murray Road at the southwest corner of Murray Road and City Hall Street – PID# 280111400IA0009

Applicant: Jody Davis - Logan & Haiden Davis present

Property Owner: Evan Lawrence

Hallan stated there are four parking stalls in front of this business. He questioned if this type of business needed 2-3. McGeough stated they only need 2.4 parking stalls, so if the food trailer comes in they are still good.

Emma Krueger (audience) is a proud owner of A&W. She has lived, worked and now has her growing family here in Nisswa. She works everyday open to close. She is active in the community. She is not in favor of a shaved ice or any other type of food trailer coming to the area. These food trailers take away business from the brick and mortar businesses. These businesses are here year round, pay property taxes, and sewer bills. These food trailers can come in and pay a small fee to be here 3 months out of the year. If this one food trailer is approved there are likely to be more that will come in and apply. Many people’s lives, and the community will be affected if this shaved ice trailer is approved.

Robert Stoll (audience) is the owner of the Chocolate Ox in Nisswa. This will be their 16th season. He noted that Emma Krueger represents what the majority of the business community thinks. As business owners they have a stake and ownership in the community. Temporary structures are not fair to others who pay property taxes among other fees to have a brick and mortar store. He welcomes new businesses in the area and there are buildings for sale that can be found. Stoll recalls that this same issue happened 4-5 years ago, the commission approved it, but the food trailer owner decided not to operate in Nisswa as they didn’t have support of the community. Stoll believes that the room would be packed if more businesses had have received the notice of this shaved ice trailer coming to town. If this trailer is allowed what happens next year? How many parking stalls will be used? Stoll would like to see the city support businesses that pay taxes.

Shawn Hansen (audience) is with the Nisswa Chamber. She first applauds these two guys for starting their own business. She notes that the city ordinance allows food trucks but believes there needs to be some consistency. There are other businesses that are in violation of this and have these been addressed yet? Hansen stated that McGeough has been informed of these violations. She noted that the Chamber bring in food trucks 3 times a year

144 during events, because the business owners say they can't keep up. For a
145 small fee of \$300.00 a food truck is allowed to be in town for 3 months, while
146 most businesses stay open year round; during the busy and slow times of the
147 year. If the commission does approve this shaved ice trailer she would like
148 them to ensure that all Health Department regulations are covered. She also
149 wanted to note that the application isn't signed by the property owner, and that
150 the property owner is listed incorrectly. Also the applicant signed in the
151 incorrect spot, he signed in the property owners signature. This is an
152 incomplete application that didn't meet the deadline and should not have been
153 put on the agenda for this month.

154
155 Hansen noted that there is an issue with visibility of the stop sign that stands
156 on the corner of Murray Road and City Hall Street. This shaved ice trailer will
157 most likely take up two parking stalls, as there will need to be room for
158 customers to purchase shaved ice. As a business of a brick and mortar
159 building there are many costs that are associated with keeping their doors
160 open. This application originally was proposed in the parking lot of Black
161 Ridge Bank, but was withdrawn. She respectfully would not like the
162 commission to grant this application.

163
164 Laufman questioned the correct length of the trailer. Based on the diagram it
165 is 23 feet. If this is true it will overlap in to the parking lot or on the sidewalk,
166 as the parking stall is 19 feet long. H. Davis stated that the hitch length is only
167 1-1/2 feet. Beaver believes that food trailers work well in larger cities, but
168 doesn't believe they are a good fit for Nisswa. She would like to see
169 something permanent. Swanson has concerns with the length of the trailer,
170 and that they will most likely be taking up two parking spots. Swanson
171 questioned what they would be serving out of this trailer. H. Davis stated
172 shaved ice and bottled water. Swanson questioned their hours of operation. H.
173 Davis stated they are not sure what to expect on high traffic times and will
174 adjust their schedule based on that. They are thinking 7 days a week 10am -
175 9pm. Mann questioned if we had the correct signatures by the deadline?
176 McGeough stated the application was in before the deadline, but the property
177 owner's signatures were needed. He did receive an email from the property
178 owner agreeing to this application. Later he noticed that the business owner
179 was not the land owner. He did have the landowner (Peter Svendsen) sign the
180 front of the application 10 days ago.

181
182 Mann questioned what they would be doing for trash containers. H. Davis
183 stated they could have a trash can. Mann questioned if it would be emptied
184 daily by them. H. Davis stated they can empty daily. Mann asked if there
185 would be any lighting and noted it must be down cast. H. Davis stated there
186 would be a small LED light. Mann stated if this is approved they must work
187 with McGeough on signage, ensuring that the ordinance is followed. L. Davis
188 stated they will make sure all health codes and city ordinances are followed.
189 Beaver questioned where the trash containers were going to be placed. L.
190 Davis stated one will be inside the trailer and they will need to figure out
191 placement for the outside one. H. Davis noted they will work with the
192 business owner on trash container placement. Haecker questioned if they

193 would pick up cups everywhere as some people with just throw them on the
194 ground. H. Davis stated they will pick them up every night.

195
196 Robert Stoll (audience) stated if all signatures were not done in time this
197 application should have been on next month's agenda. He would have liked
198 this extra time to get more business owners to attend. McGeough stated they
199 had 20 days to complete the application and technically it was not the property
200 owner's signature after the 20 day deadline. Stoll stated this trailer taking up 2
201 parking stalls and encroaching into the public right-of-way could be an issue
202 on Turtle Race days.

203
204 Shawn Hansen (audience) stated that the Chamber has blocked off parking
205 stalls in this area for the Turtle Races. Would this trailer being staying on a
206 daily basis or would it be moved every night? L. Davis stated it would stay on
207 the property for the length of the permit. Hansen stated the ordinance is
208 against any overnight parking for trailers/campers. L. Davis highly respects all
209 the opinions given. He has been in the area for 10 years and a customer of
210 many of the businesses downtown. He stated they will do everything they can
211 to work with everyone in the community. H. Davis stated they are not just
212 here to reap the benefits. Their business is of selling shaved ice, which is a
213 summer product. All money earned will be to pay for college. L. Davis stated
214 they would be willing to empty all trash cans in the area if that would help.

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216 **MOTION:** Haecker motioned to deny this interim use permit application to
217 operate an 8.5' x 17' portable concession trailer based on these findings of
218 fact:

- 219 1. The subject property is located at 25496 Murray Road.
- 220 2. The subject property is zoned "Central Business District" (CBD).
- 221 3. The interim use permit request is to operate a mobile food unit.
- 222 4. The use and enjoyment of property in the immediate vicinity will be
223 impaired by the proposed use.
- 224 5. The use will impair the normal and orderly development and
225 improvement of the vacant property for predominant uses in the area.
- 226 6. The request will not have an impact on drainage, utilities or access to
227 the property.
- 228 7. The request will have an impact on required off-street parking needs
229 for the retail business.
- 230 8. Adequate measures have not been taken to ensure the proposed use
231 does not create a nuisance.
- 232 9. The proposed use will not depreciate property values within the
233 immediate vicinity of the subject property.
- 234 10. The proposed use will not cause the local, county or State road
235 systems to exceed their safe carrying capacity.
- 236 11. The use conforms to zoning regulations.
- 237 12. The permission of the use will not impose additional costs on the
238 public if it is necessary for the public to take the property in the
239 future.
- 240 13. The visibility of stop sign could have impact on traffic safety.
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Seconded by Mann, all members voting “Aye”, motion carries.

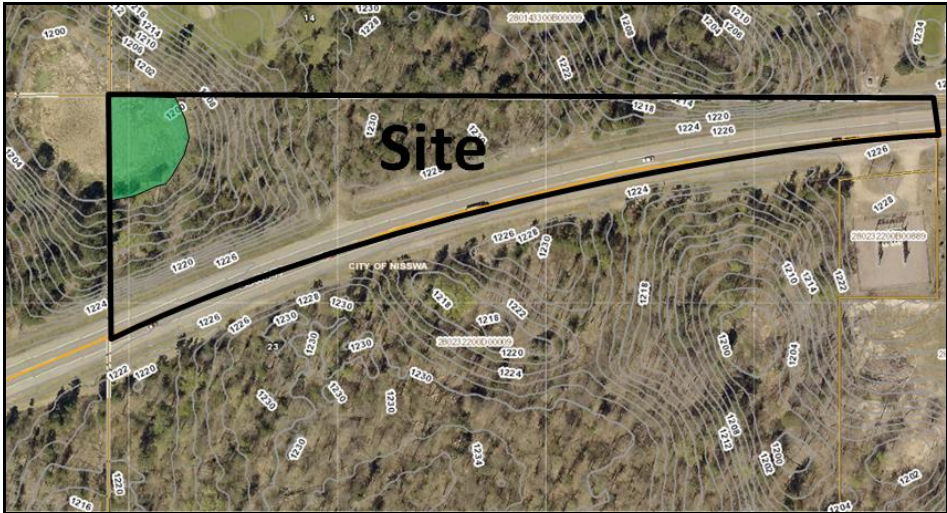
- b. Rezone application 008-18 – to change the zoning on a 3.5 tract of land from Commercial Waterfront (CW) to Open Space Residential (OSR). Property Location: on the north side of Crow Wing County Highway 77 approximately 1,450 feet east of Nokomis Ave. PID# 280232200D00009 Applicant/Property Owner: Jim Herd Anderson (Pat Trottier with Stonemark present)**

McGeough read his staff report and gave presentation.

Trottier wanted to be sure that the commission received the letter from James Anderson in their packets. He noted that the city would prefer not to have double zoning on one parcel. This was not the intent of Mr. Anderson to have this zoned commercial. Beaver stated it is logical to rezone.

Motion: Laufman motioned to recommend to the City Council approval of rezoning this 3.5 acre tract of land from Commercial Waterfront (CW) to Open Space Residential (OSR) parcel ID# 280232200D00009 with the following findings of fact:

- 1. Preservation of natural sensitive areas:
Approximately 11,300 square feet acres of the subject site (7.4%) are identified as being located within a designated National Wetland Inventory Area.



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- 2. Present ownership and development:
According to the Crow Wing County Assessor’s Office, the 29.27 acre parcel (PIN #280232200D00009) is owned by the Mary Lajene Anderson Revocable Trust. Crow Wing County Highway 77

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bifurcates the subject parcel. With the exception of the Highway, the site is not developed or disturbed in any manner. The applicant is the owner of the parcel immediately to the west. The applicant has submitted a metes and bounds subdivision that would join the subject rezone area to the property to the west, on the north side of County Highway 77.

3. Shoreland soil types and their engineering capabilities: Not Applicable.
4. Topographic characteristic:
A wetland is located in the far northwest corner of the proposed rezoning area. The grade from the highway significantly drops to the wetland area in a short distance. Likewise, the Far East side of the rezoning area drops in elevation from the County Highway. The center of the rezoning area, approximately one acre, is relatively flat. (See exhibit Page 7)
5. Vegetative cover:
The subject rezoning site is heavily vegetated.



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6. In-water physical characteristics: Not Applicable.
7. Recreational use of surface water: Not Applicable.
8. Road and service center accessibility:
The subject property has approximately 1,000 linear feet of frontage on Highway 77. There are no existing roads to the north, west or east. A golf course is located to the north of the site. Should this site develop in the future, access to the site would likely be directly from the highway.
9. Socio economic development needs of the public:
The small 3.5 acre proposed rezoning area is located on a parcel 29 acre size that currently has a different zone classification on the south side of the parcel, south of County Highway 77. The property to the

316 west is also zoned open space residential. The applicant seeks to
317 aggregate the north side of the highway into one parcel. It would be
318 difficult to develop this site as commercial to any significant extent
319 with wetlands and steep slopes compromising a significant portion of
320 the site. It is difficult to conclude that there is a socioeconomic public
321 benefit to the public by maintaining the property under its current zone
322 designation.

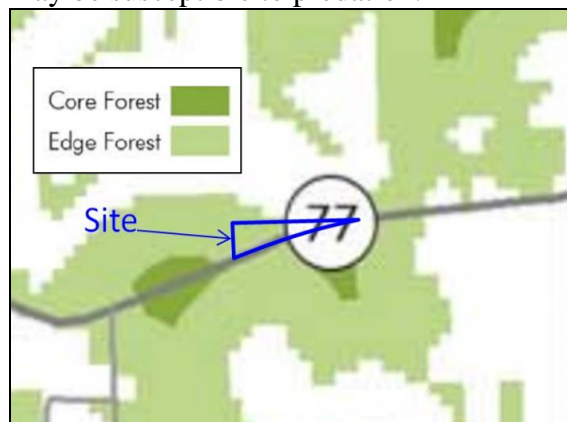
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10. Availability of public sewer:

Public sewer is not located in the immediate vicinity of the subject property. There is a 10-inch public sewer line located at the intersection of Nokomis Avenue and County Road 77, approximately 1,400' west of the subject site.

11. The necessity to preserve and restore certain areas having significant historical or ecological value:

The subject site is called out on the future land use map as "Open Space" and "Conservation Residential". This is due in part to the site being identified as forest area, in addition to the national wetland inventory designated area on the northwest side. The area immediately south of County Route 77 is identified as Core Forest area. Core forest areas are surrounded by at least 800 feet of undisturbed forest land on all sides and provide important habitat for birds and other species that may be susceptible to predation.



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12. Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties :

Not applicable. Applicant seeks to change the zone from Commercial Waterfront to Open Space Residential, which is a much less intense zoning designation.

13. Alternatives available for desired land use: The subject side does not fit the zone district description of Highway Business given the distance from the State Route 371 corridor. The existing Commercial Waterfront designation does not seem appropriate since it is not part of a resort property. Other zoning designations would be spot zoning or inconsistent with the Comprehensive Plan Land Use Map. From a desired land use standpoint, the most appropriate designation is the

355 OSR designation sought by the applicant.

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357 14. Prevention of spot zoning:

358 The property immediately to the west and south are zoned Open Space
359 Residential. An approval of the subject request does not constitute
360 “spot zoning”.

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362 15. Conformance to the City of Nisswa Land Use Plan:

363 The request to change the zone is consistent with the City of Nisswa
364 Land Use Plan designation of “Conservation Subdivision”. The
365 existing Commercial Waterfront zoning would allow a far more
366 intensive use. Given existing forested conditions, topography, wetlands
367 and size of the rezone area, the requested zone is the most compatible
368 with the Nisswa Land Use Plan

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370 Seconded by Beaver, all members voting “Aye”, motion carries.

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- 374 **c. Rezone application 009-18 – to change the zoning on a 2.98 acre tract of**
375 **land from Open Space Residential (OSR) to Shoreland Residential (SR).**
376 **Property Location: located south side of Mission Road approximately 550**
377 **feet west of State Highway 371. PID# 280353205C00009**
378 **Applicant: Jack Grotkin, present**
379 **Property Owner: John & Gwendolyn Kirzer**

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381 McGeough read his staff report and gave presentation.

382

383 McGeough noted that he received a few phone calls from residents in the area,
384 but once he informed them that this was going to be one additional lot they
385 had no additional comments.

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387 Steve Vollmer (audience) stated he owns a neighboring property and has no
388 objections to this application for rezoning.

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390 Beaver is in support of this rezone. Mann questioned if they would be building
391 one additional home if this is rezoned. Grotkin stated this will be a 3 acre site
392 and his intent is to split and build one additional structure.

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394 **Motion:** Beaver motioned to recommend to the City Council approval of
395 rezoning this 2.98 acre tract from Open Space Residential (OSR) to Shoreland
396 Residential (SR) with the following findings of fact:

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398 Findings of Fact

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- 400 1. Preservation of natural sensitive areas:

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402 Approximately 18,770 square feet of the subject site (14.4%) is
403 identified as being located within a designated National Wetland
Inventory Area.

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2. Present ownership and development:
According to the Crow Wing County Assessor's Office, the 2.98 acre parcel (PIN #280353205EA0009) is owned by Jon & Gwendolyn Krizer. The east portion of the site is developed with an existing single family home with detached garage. The subject site has a total of 4,287 square feet of impervious area, or approximately 3.3% of the total property area.

3. Shoreland soil types and their engineering capabilities:
The subject property is not immediately on a lake shore but does have a wetland in the west portion. There is plenty of high ground for a building site in the west portion outside of wetland areas. There are existing homes to the north and east of the subject property and it does not appear that there are any significant engineering capabilities related to building structure. One caveat to that would be the ability of the soils to accommodate a septic system drain field. However, prior to commencing any construction a septic system will need to be designed that meets the requirements of the State.

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While zone changes cannot be conditioned, a lot split can. It would be staff's recommendation to approve the change of zone and require a preliminary soils report prepared by a qualified professional that confirms the ability to place a drain field on site and meet all applicable environmental standards of the state with the approval of a lot split. Thus, this would assure that a future split lot would be "buildable".

4. Topographic characteristic:
A wetland is located in southwest corner of the site. The east side of the parcel is generally flat. The existing dwelling unit sits at an elevation of 1,220 feet; the wetland is at an approximate elevation of 1,196 feet. The topography in the middle of the site consists of a 10 percent slope, generally running east to west.
5. Vegetative cover:
The subject rezoning site is heavily vegetated.



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6. In-water physical characteristics: Not Applicable.
7. Recreational use of surface water: Not Applicable.
8. Road and service center accessibility:
The subject property has 652 linear feet of frontage on Mission Road. There are no existing roads to the south, west or west of the site. If approved, the Shoreland Residential zone district will allow for one additional single family lot with access occurring from Mission Road, a paved street.
9. Socio economic development needs of the public:
There is no perceived substantial socio economic benefit by leaving the property in the current OSR zoning designation.
10. Availability of public sewer:
Public sewer is not located in the immediate vicinity of the subject

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property. The closest public sewer line is located at the intersection of Highway 371 and Tall Timbers Road. The sewer line is approximately 1,000 linear feet away from the site, along the Mission Road and Highway 371 right-of-ways.

11. The necessity to preserve and restore certain areas having significant historical or ecological value:

There is a nationally designated wetland area on the west property line of the site. Future subdivision of the lot into two separate parcels would result in a westerly lot that could easily provide a building envelope accommodating the 30-foot required setback from a wetland area.

The area immediate surroundings are identified an “Edge Forest” area by the comprehensive plan



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12. Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties :

Generally not applicable. Applicant seeks to change the zone from Open Space Residential which requires a 100,000 square foot lot to SR which requires a 40,000 square foot lot. Approval of the zone change would have a net result of allowing one additional single family unit.

East

To the east is a 1.42 acre non-conforming lot within the OSR zone district, comparable to a lot size that would be found in the SR zone district. It may be appropriate at some point in the future to change the designation of this lot to SR reflecting the size of the existing lot.

South

The property to the south is 18.75 acres in size; however a significant portion of that lot, 11.5 acres is located within a wetland. There is one unit on that parcel on approximately 7.25 acres of “buildable” land. It is feasible that this lot could be split into one or two lots within the current OSR zone designation.

North

All properties on the north side of Mission Road are designated as Shoreland Residential.

504 West
505 The property southwest of site is zoned OSR and undeveloped. The
506 adjoining lot is completely located in the wetland area and is
507 unbuildable. The property immediately to the west is zones OSR, is
508 unbuildable and owned by the Department of Natural Resources.
509 Properties on the other side of these two lots, south of Mission Road,
510 are all zoned Shoreland Residential.

511
512 13. Alternatives available for desired land use:
513 There are no other viable land use alternatives, or compatible zoning
514 districts for the subject property other than the existing zone and the
515 proposed SR zone district.
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517 14. Prevention of spot zoning:
518 The property immediately to the north is zoned Shoreland Residential.
519 The property to the east is sized consistently with Shoreland
520 Residential zoning standards. Approval of the subject request does not
521 constitute “spot zoning”.
522

523 15. Conformance to the City of Nisswa Land Use Plan.
524 Staff finds this request to change the zone is consistent with the City of
525 Nisswa Land Use Plan. The subject property is identified as “Rural
526 Preservation” and touches the “Shoreline Residential” Classification at
527 the southeast property corner. Please see land use classification
528 descriptions below:
529

530 RURAL PRESERVATION
531 A designation for properties that are non-shoreline and have been
532 developed, or are suitable to be developed, to preserve the rural
533 character of the area. Lot sizes would be greater than Neighborhood
534 Residential.
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536 SHORELINE RESIDENTIAL
537 A designation for shoreline properties to be developed residentially.
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539 Seconded by Laufman, all members voting “Aye”, motion carries.
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542 **MOTION:** Beaver motioned to close the public hearing, Swanson seconded. All
543 members voting “Aye”, motion carries.
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546 **9. New Business**
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548 a. **Metes & Bounds Lot Split 006-18 – James Anderson, not present. Pat**
549 **Trottier, Stonemark Land Surveying, present**
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551 McGeough read his staff report and gave presentation.
552

553 **Motion:** Laufman motioned to recommend to the City Council approval of
554 this metes and bounds split of 61 acres into three separate tracts with the
555 following conditions:

- 556 1. Recommendation of approval on the subject metes and bounds lot split
557 application is contingent upon a City Council approval of the
558 concurrently running zone change application (Rezone Application
559 008-18).

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561 Findings of Fact:

- 562 1. The subject properties straddle the north and south side of Crow Wing
563 County Highway 77 approximately 300 feet east of Nokomis Avenue
564 (PIN 280221100A00009, 280232200D00009).
- 565 2. Subject property is in an undeveloped state.
- 566 3. The subject property is 61 acres in size and currently classified as an
567 “Open Space Residential” and “Commercial Waterfront” Zone
568 District.
- 569 4. Parcel # 280232200D00009 on the east side currently has a split
570 zoning in which the area north of Highway 77 is zoned “Commercial
571 Waterfront” (CW) and the area south of Highway 77 is zoned “Open
572 Space Residential” (OSR)
- 573 5. A rezoning application to change the 3.5 parcel from “Commercial
574 Waterfront to “Open Space Residential” has been filed. Approval of
575 the subject lot split application is contingent on a City Council
576 approval of the zone change request.
- 577 6. The metes and bounds subdivision request is to subdivide the 61 acre
578 tract into three parcels. Proposed “Tract A” is 19.8 acres; “Tract B” is
579 15.5 acres and “Tract “C” is 25.7 acres.
- 580 7. All tracts meet all minimum lot standards for the “Open Space
581 Residential” Zone District.
- 582 8. Section 10.6 of the Municipal Code requires future development from
583 which wastewater is discharged and adjacent to public right-of-way to
584 install a suitable sewer connection at the owner(s) expense, provided
585 public sewer is located within 100 feet of the property.

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587 Seconded by Beaver, all members voting “Aye”, motion carries

588
589 **b. Metes & Bounds Lot Split 010-18 – Jack Grotkin**

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591 McGeough stated that the applicant has left the meeting. Beaver is assuming
592 there will be a drain field on both tracts. McGeough stated they would likely
593 be sharing a drain field and would need an easement for this. He suggests
594 listing this as a condition. McGeough is unsure of how large an easement is
595 needed. Beaver stated there needs to be a primary site and a secondary site on
596 each lot. Beaver believes that an evaluation of the drain field should be done
597 first and suggests that we table this application. Mann agrees that tabling
598 makes the most sense.
599

600 **Motion:** Beaver motioned to table this application to allow the applicant to
601 research drain field possibilities, seconded by Swanson, all members voting
602 “Aye”, motion carries
603

604 c. **Information Only: Right-of-way property turn back to City – Highway 18**
605 **Improvement Project**
606

607 McGeough stated this is for information only. The purple and green shaded
608 areas will be turned back to the city. There is some additional landscaping that
609 needs to be complete within the green shaded area before this section will be
610 turned back over to the city.
611

612
613 **10. Old Business**
614

615 a. **Sketch plan: Proposed multi-family residential development – Thomas**
616 **Steffens (present) and Pat Trottier from Stonemark Land Surveying**
617 **(present)**
618

619 Steffens has revised his plan again. He stated this is his fifth time presenting a
620 sketch plan to the commission for this development. He has reduced the
621 number of units to 33. He originally started with 53. He has also moved the
622 clubhouse to the center of the property. He has been in contact with Hills
623 Crossing to get access to the public right-of-way on the south end of the
624 property. It seems like Hills Crossing is in favor if the city agrees to an
625 easement. Steffens noted that the DNR will not consent to another access over
626 the Paul Bunyan Trail. Steffens would like to get an idea from the commission
627 if they would be in favor of rezoning to residential and if they would approve
628 the density presented today. He will address other items on the preliminary
629 plat submittal.
630

631 Swanson noted that 40% of the units are still at the south end by the Hills
632 Crossing access and believes it will be a difficult access for the majority of
633 residents as it will be very congested. Steffens stated that he could switch the
634 twin homes to the north of the property and single units to the south. He noted
635 that they are likely to save 95% off the larger trees based on the tree study
636 they did. Swanson stated that he likes that Steffens added parking spaces on
637 the north end, but would have liked to see some at the south end as well, as
638 those units will need guest parking as well.
639

640 Steffens stated they would start by building one unit right away, but would not
641 build any additional units until they are sold.
642

643 Mann is not in favor of rezoning this parcel and would like to leave it zoned as
644 is. Mann questioned how the blacktop/concrete for the roads and driveways is
645 factored into the density calculations. Hallan stated that “Parking only” has
646 impervious coverage of 33,598 sq. ft. Mann questioned if the main roadway is
647 not included in the impervious calculation, as there is a note on the survey
648 stating that 68,850 sq. ft. is not included. Hallan stated if the roadways were

649 included it would be 31.24% impervious coverage. Mann noted this would be
650 over the 25% impervious coverage allowed. Mann questioned if the guests at
651 Good Ol' Days would have use of the Clubhouse within this development.
652 Steffens would like to see this happen. It would also reduce the ongoing costs
653 to the residents for upkeep.

654
655 Beaver is in favor of Urban Residential, but the design of the PUD doesn't fit
656 within our ordinance requirements based on what is presented. It does not
657 provide recreational area, it hasn't preserved natural areas, it is not designed
658 for shorter utilities and streets. PUD's should put units in one area. Beaver is
659 not in favor of this design. Laufman stated she ditto's Beaver's comments and
660 Mann's comments on impervious coverage. Laufman believes that any trees
661 left will die in 1-2 years after construction because their root system will be
662 disturbed. Trottier stated they only showed realistic number of trees on the
663 drawing, others were not included.

664
665 Haecker believes that the roadways should be included in the impervious
666 coverage calculations. Trottier stated he talked with staff and was informed
667 that roadways were not to be included in this calculation. He didn't include
668 cul-da-sacs either. Beaver agrees that this should be included as the roadway
669 is included in the total parcel area calculation. Laufman stated what is being
670 proposed is a subdivision not a PUD. Mann questioned what they would be
671 doing with the storm water runoff. Hallan stated they will need 4-6
672 stormwater filtration areas.

673
674

675 **11. Commission Discussion Items**

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677 **a. Archeological Sensitive Areas**

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679

680 Mann gave a presentation on what he found in his research. He talked with the
681 State Archeologist. Their primary concerns are burial sites. There are
682 locations within the city limits of Nisswa that could be potential Native
683 American burial sites. If the commission decided to have boring samples
684 required in these areas the city could require the developer or resident to be
685 responsible for paying for the fee to have boring samples complete. Mann
686 would like to invite the State Archeologist here to give a presentation if the
687 commission is interested in hearing more. Commission seems in favor of
688 inviting the State Archeologist here to give a presentation.

689
690

689 **b. Grand View Lodge Density Map**

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692

693 Mann stated he noticed some inconsistencies in several locations. There are
694 structures that have been removed that are still showing. Tennis courts are still
695 shown on this document. He also has concerns that this document is not
696 signed and dated. Mann also questioned why some of the homes are missing
697 on Nokomis. He believed that there were more homes on this stretch of road.
Hallan stated that many of the homes on Nokomis are not owned by ETOC,
but may be managed by ETOC. Mann questioned if these should be factored

698 into the tiers. Hallan stated they shouldn't be unless they are owned by ETOC.
699 Mann would like a clear picture of what is actually included in each tier, as
700 the chart on the right hand side is kind of confusing with the two columns.
701 Mann's largest concerns are with Tier 1 & Tier 2. Hallan noted that the date
702 on the map is 4/19/2018. Mann stated it is our responsibility to enforce
703 ordinances and is concerned that the spa addition may put them over the
704 limits. Hallan suggested that the commission get comments to him to research
705 and make any necessary adjustments. Then it can be updated, signed, and
706 dated after that.

707

708 **c. Commission Discussion Items to be added to July meeting**

709

710 Haecker would like to add these items back on the agenda for July. These
711 items were talked about at the special meeting back in May; Building
712 Finishes, Parking, and Cross referencing for stormwater protection and DNR
713 regulations. McGeough will add these to the agenda and information will be
714 provided in the July packet.

715

716

717 **12. Planning & Zoning Administrator's Report**

718

719 Mann questioned if the applicants are required to attend these meetings. It
720 seems like we are tabling applications due to questions that can't be answered
721 without the applicant here. McGeough stated it is not required for them to
722 attend. Mann suggests that we should strongly encourage them to attend.

723

724 Haecker would like to discuss some clear cutting that is happening on Cove
725 Trail. McGeough stated he had an application on his desk for this residential
726 property. Haecker questioned if there is anything we can do? McGeough
727 stated charge the after-the-fact fee. Haecker stated he would like to see
728 additional trees replanted.

729

730 Laufman questioned if there was a Fee Schedule these permit fees are based
731 on. Wentler stated she would send it out to her and the rest of the commission.

732

733 Laufman questioned what we are doing with the list of conditions. Are we
734 making progress? She noted that Turner Towing is getting old and referenced
735 some letters that were sent back on March 9, 2017 & May 26, 2016. Are any
736 of the conditions completed on this list as none of them are checked off?
737 McGeough stated he will update the list for Turner Towing.

738

739 Laufman also questioned what information was gathered on the Wausau
740 Homes sign. She didn't see the list of conditions listed on the report and
741 would like to discuss at next month's meeting. Most particular the base of the
742 sign and what was presented in the application, approved, and what is
743 currently there now.

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745 **a. Permits**

746 **b. Conditions**

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13. Adjourn

Motion: Beaver motioned to adjourn the June 12, 2018 meeting at 12:10pm, seconded by Swanson. All members voting “Aye”, motion carries

Respectfully submitted,

Maggi Wentler, Deputy City Clerk