

## PLANNING AND ZONING COMMISSION

4:00 P.M.

Wednesday, July 6, 2022

Present: Steve VanHouse  
Richard DeRosier  
Wade LeBlanc  
Nelson French  
Mike Johnson

Tim Costley, City Attorney  
Lana Fralich, City Administrator  
Gary Thompson, Planning & Zoning Director  
David Drown, Economic Development Director  
John Anderson, Sawtooth 16, LLC  
John Jamnick, JPJ Engineering  
Rob Stromquist  
Ron & Barb Bautch  
Carolyn Hudyma

VanHouse called the meeting to order at 5:25 p.m.

**Agenda** – Motion by LeBlanc, second French to approve the Agenda. **MOTION CARRIED.**

**Approval of Minutes-** Motion by DeRosier, second French to approve minutes of June 8, 2022 Regular Meeting and June 22, 2022 Joint Planning Workshop Meeting. **MOTION CARRIED.**

**Zoning Administrators Report-** Currently not many building projects happening.

**Communications** - None at this time.

### **OLD BUSINESS-**

**Request to accept or deny Chapter 12 Zoning Code Revisions to Section 1241 Planned Unit Development, Section 1210.03 (R-1) Single- and Two- Family Residence-District, Section 1210.10 (FR) Forest Reserve District, Section 1223, Recreational vehicles-use as dwelling on public or private property, and Section 1200.03 Definitions, Subd. 51 Recreational Vehicles Revisions** – Public hearing was held prior to the meeting on the proposed revisions. There was no further discussion made. Motion by French, second DeRosier to make recommendation to City Council to accept revisions to Chapter 12. **MOTION CARRIED.**

**Request to accept or deny Stromquist Variance Request- 62 Davis – Rob Stromquist is requesting a variance to Chapter 12 Zoning, Section 1210.03 (R-1) Single and Two (2) Family Residence-District, Subd. 4 District Requirements varying from the minimum setback requirement of 8’ for a principal structure to 3’ for a principal structure due to attaching an existing accessory building to the principal structure-** A public was held prior to the meeting on the variance application. The City Attorney explained to the Commission the standard of variance called “Practical Difficulties”, the elements to practical difficulties for determining the acceptance or denial of the variance application, including: is the variance request reasonable; is there anything unique about the property that will require or justify the issuance of the variance; if a variance were granted, does it alter the essential character of the neighborhood; is it consistent with the Comprehensive Plan; and is the variance in harmony with the purpose and intent of the code.

Motion by DeRosier, second LeBlanc to recommend to Council the approval of the variance request by Rob Stromquist, 62 Davis Dr. MOTION CARRIED.

VanHouse expressed his vote to recommend approval of the variance request because it will stay within same footprint, it will make area safer for homeowner, and meets the comprehensive plan.

French expressed his vote to recommend approval of the variance request because it is consistent with the comprehensive plan and the proposed modifications will be within the same footprint and will be safer.

LeBlanc expressed his vote to recommend approval of the variance request because it will stay within the same footprint and everything Stromquists have done in past has benefited the city.

**Request to accept or deny Sawtooth 16, LLC Conditional Use Permit for Boathouse Bay Development –** Motion by LeBlanc, second French to make recommendation to City Council to accept Sawtooth 16, LLC Conditional Use Permit for Boathouse Bay Development. MOTION CARRIED.

LeBlanc expressed it is part of comprehensive plan which was derived by the citizens for what they wanted. Private land and increase tax base benefits everyone in community.

VanHouse expressed that the development works with comprehensive plan, with the existing neighborhood, that the land has been empty for years, and it is nice to have a developer coming in to enhance what we have here and creates a shared vision by the majority.

The Commission agrees that the vision is consistent and following the comprehensive plan.

Discussions continued regarding placing conditions on the permits, which will include that the developer cannot restrict renting or selling of property by zip code, signage needs to be installed for no trespassing to aid in people going onto neighboring properties, that a screen or fence to offer privacy be required if there are issues in the future with trespassing, and that the each property be required to have a garage as part of their HOA fees to insure that personal property is not stored outdoors.

Drown suggested the Commission think about how to develop signage for a development like Boathouse Bay and suggested the Developer submit a signage plan for approval. There was also discussion regarding where a main office could be located.

Motion by French, second LeBlanc to make recommendation to Council to approve a Conditional Use Permit with the following restrictive covenants: no rental restrictions by location, install no trespassing signage, each unit is required to have a garage/storage unit for their use, and to submit a signage plan, all part of the conditional use permit for Boathouse Bay Development. MOTION CARRIED.

### **Request to accept or deny Sawtooth 16, LLC Preliminary Plat for Boathouse Bay Development –**

Attorney Costley asked if any comments have been received by engineer, per City Administrator Fralich nothing formal has been received and there were no changes made. The Plat has been sent out to MN Power- no issues getting electric there, MN Energy-under final review, Mediacom/Zito- no response back yet, and Centurylink- has not been submitted yet.

Attorney Costley discussed that the Commission needs to report on its findings that the Plat conforms with the Comprehensive Plan, it fulfils conformity of the subdivision chapter, it connects to city sewer and storm water drainage, and that provisions have been made for areas of public, such as use thru event center and mini storage units.

Thompson stated the need to make 50% enjoyable use; parks and common space, available to residents. Drown expressed that the plan is to do cluster development and that there is a park area as part of the Bayview Park Plat, and that in his opinion the park space of the PUD should be waived because of public park abutting the property.

Attorney Costley further advised that consideration has been given for solar access, that the storm water plan addresses protection for all lots from flood hazard, and that the Commission has 90 days to complete the final plat approval.

Motion by DeRosier, second LeBlanc to recommend to Council to accept Preliminary Plat for Boathouse Bay Development. MOTION CARRIED.

### **Request to accept or deny Sawtooth 16, LLC Planned Unit Development (PUD) for Boathouse Bay –**

Attorney Costley clarified the Planned Unit Development is still following old Chapter 12, Section 1241 codes, PUD has a plat, 50% open space, has water, sewer, and stormwater runoff control. It has been sent to engineer and awaiting findings from him that PUD meets all the rules and regulations needed.

Motion by French, second LeBlanc to make recommendation to Council to approve the PUD, pending final approval of the engineer. MOTION CARRIED.

**Other proposed Chapter 12 Code Amendments - None**

**Proposed New Permit Applications** – BSA has met and provided training with Thompson and city staff, and that Drown is developing new permits to coincide with the new community development software. BSA will be the link for online use. More information will be provided at a future meeting.

### **NEW BUSINESS**

**Recommendation on Sale of Land in Bayview Park for Boathouse Bay Development-** State law requires Commission to acknowledge and comment on land sale that it is compliance with the Comprehensive Plan, for which the Planning and Zoning Commission has already done.

**Review and Comment on preliminary lot layout/rezoning for Golf Course Residential Development-** Commission reviewed a proposed lot layout of a Golf Course Residential Development and discussion followed regarding FR & RR districts, rezoning, smaller lots and tax base. EDA has recommended concept plan, Drown would like the Commission's recommendation on how the design could conform to the codes. Attorney will review and bring back for discussion at future meeting.

Motion by French, second Johnson to adjourn at 6:20 p.m. MOTION CARRIED.

Minutes taken by Lisa Christenson