

**CITY OF PARK RAPIDS  
REGULAR MEETING  
PLANNING COMMISSION  
OCTOBER 26, 2020, 6:00 p.m.  
Park Rapids City Hall, 212 Second Street West  
Park Rapids, Minnesota**

**1. CALL TO ORDER:** The October 26, 2020, Regular Meeting of the Park Rapids Planning Commission was called to order at 6:0 p.m. by Chair Bradow.

**2. ROLL CALL:** Present: Commissioners Dick Bradow, Nancy Newman, Scott Hocking, Robb Swanson and City Council Member Liz Stone. Absent: Bruce Johnson. Staff Present: City Administrator Betty Thomsen, City Planner Andrew Mack and Planning/Administrative Assistant Carmen L. Lockhart. Others Present: David Bitker, Stephen Pritchard and Robin Fish of the Park Rapids Enterprise.

**3. APPROVAL OF AGENDA:** A motion was made by Swanson, seconded by Newman and unanimously carried to approve the agenda as presented.

**4. APPROVAL OF PLANNING COMMISSION MEETING MINUTES OF SEPTEMBER 28, 2020:** A motion was made Hocking, seconded by Stone and unanimously carried to approve the September 28, 2020 Meeting Minutes as presented.

**5. PUBLIC HEARINGS:**

**5A. Request for a Comprehensive Plan Revision and Future Land Use Map Revision from Single Family Residential to Multi Family Residential by David Bitker for a parcel consisting of approximately .45 acres. Property is located at 604 Riverside Ave. PID#32.44.40100; AND**

The City of Park Rapids requests the following 35 parcels in the same vicinity be revised from Single Family to Multi-Family Residential: 32.40.06000 32.40.06010 32.40.06100 32.40.06110 32.40.06200 32.40.06300 32.40.06400 32.44.40100 32.44.40200 32.44.40300 32.44.40400 32.44.40500 32.44.41200 32.44.41300 32.44.41400 32.44.41500 32.44.41600 32.44.41700 32.44.41800 32.44.43011 32.44.43031 32.45.52000 32.45.52100 32.45.52200 32.45.52300 32.45.52400 32.45.52500 32.70.00100 32.70.00200 32.70.00300 32.70.00500 32.70.00600 32.70.00610 32.70.01040 32.25.02032; consisting of approximately 15.52 acres.

Mack explained the first case here is to address the Future Land Use Map of the Comprehensive Plan as it sets the stage for the rezoning actions that are going to follow. David Bitker initially applied for rezoning and for Comprehensive Plan amendment. When we first considered his need to rezone the property, we looked at how it was guided in the plan and it was guided for single family residential. The guiding

for his proposal required multi-family for three dwelling units or higher which the map also shows for two family dwellings, but for three or more, the guiding is multi-family designation as shown on the map in orange. That application was joined with the additional area as we saw River Heights Apartments but missed the tri-plex and two story apartments and townhomes in the area. As a result, what we are looking at now is the larger area for re-guiding as shown on the map. The area we are looking at on this first action is to amend the Future Land Use Map from those areas that are guided from single family residential to multi-family residential. This will encompass a larger area than the subsequent zoning actions, but in reviewing this carefully with Chair Bradow before setting this case up, we wanted to have a good contiguous district and guide and encourage areas to be consistent with their current use and also wanted to create an opportunity for future densification in the area. I provided and recommend a series of ten findings to support this action all consistent with the Comprehensive Plan basis as it pertains to increasing density and current policies in the current Comprehensive Plan. These findings are indicating that the city initiated and applicant-initiated request is consistent with the Comprehensive Plan based on these findings and I recommend approval.

**The Public Hearing was opened at 6:07 p.m.**

Stephen Pritchard stated he lives at 517 Riverside Avenue which is the corner of Sixth and Riverside. I understand why the multiple use buildings need to possibly have rezoning tweaks throughout the years but why are the residential single family owner occupancy being considered for rezoning? Is there something down the lines in ten or fifteen years that we don't know about as far as redevelopment? Chair Bradow asked Mack to respond.

Mack said first of all there are two different actions being considered by the Planning Commission. The first has to do with the long range plan which guides the property for future development and is different from the zoning which controls what can currently be allowed to be developed. The first action they are dealing with is this larger area. When we get to the subsequent rezoning actions, it is far fewer parcels. The next case includes Bitker's property. Mack explained the zoning applications. Pritchard said I thought the multi-use buildings had already been zoned multi-use before becoming a rental like the older houses that have been chopped up into apartments? Mack said there are two of those that are part of the requests tonight. Pritchard said okay I thought they had already been done. Bradow said they should have been and now we are going to clean that up. Pritchard said okay I understand contiguous spaces sure but it's a little concerning when the taxes from the property assessment for road construction on Riverside, will there be any negative or positive effects on our taxes based upon the future rezoning? Mack said no, the assessing by the city and county assessor's office is based on actual use of the property and that's called a tax use classification. Pritchard said sure, next to these properties that are being adjusted, I always think there's going to be some sort of effect, a trickle down effect. Mack said there won't be, there should not be. Pritchard said other than normal things that go up? Mack said correct. Thank you. Bradow asked if that answered his question? Pritchard said it does, thank you.

David Bitker commented that he is the one putting in for rezoning. This was rezoned improperly many years ago by the city planner and when I approached him on it they basically refused to do anything about it and I always had in this one parcel I'm talking about, I always had in my mind to take this one building and do what I'm planning to do with it now but it just never worked out until this coming year.

**The Public Hearing was closed at 6:13 p.m.**

**The Findings of Facts were reviewed. The commissioners agreed with staff recommended findings as follows:**

1. The proposed change guides residential growth in an orderly and compact form so that new development can be effectively served by public improvements and that the character and quality of the City's existing neighborhoods can be maintained and enhanced.
2. The proposed change encourages the construction of multiple family housing units in an area suitable for this type of development.
3. The proposed change promotes the availability of affordable housing in this part of the community.
4. The proposed change will encourage private development to promote varied housing opportunities.
5. The proposed change will encourage the dispersion of multi-family housing types in this part of the City consistent with zoning and will be compatible with adjacent land uses.
6. The proposed change will encourage the rehabilitation and redevelopment of substandard housing in this neighborhood.
7. The proposed change will encourage in-fill housing in areas of the City that are already served with infrastructure consistent with the neighborhood.
8. The proposed change will provide an incentive for the upgrading and maintenance of older homes in the neighborhood to help ensure that an adequate amount of affordable housing is maintained; especially by guiding current land use for consistency with zoning classifications.
9. The proposed change will facilitate the changing of zoning to higher residential densities for residential building sites in this area.
10. The proposed change will occur in an identified area with the potential to upgrade older housing stock and promote reinvestment in existing residences over time.

**A motion was made by Swanson, seconded by Hocking and unanimously carried to recommend to the City Council approval of a Comprehensive Plan Revision and Future Land Use Map Revision from Single Family Residential to Multi Family Residential by David Bitker for a parcel consisting of approximately .45 acres. Property is located at 604 Riverside Ave. PID#32.44.40100; AND**

**The City of Park Rapids requests the following 35 parcels in the same vicinity be revised from Single Family to Multi-Family Residential: 32.40.06000 32.40.06010 32.40.06100 32.40.06110 32.40.06200 32.40.06300 32.40.06400 32.44.40100 32.44.40200 32.44.40300 32.44.40400 32.44.40500 32.44.41200 32.44.41300 32.44.41400 32.44.41500 32.44.41600 32.44.41700 32.44.41800 32.44.43011 32.44.43031 32.45.52000 32.45.52100 32.45.52200 32.45.52300 32.45.52400**

**32.45.52500 32.70.00100 32.70.00200 32.70.00300 32.70.00500 32.70.00600  
32.70.00610 32.70.01040 32.25.02032; consisting of approximately 15.52 acres.**

**5B. Request for a Zoning District Boundary Amendment from David Bitker to rezone one parcel located at 604 Riverside Avenue consisting of .45 acre, from R-1 Single Family Residential District to R-3 Medium Density Residential District. PID#32.44.40100.**

Mack explained this application is for David Bitker to rezone the subject parcel from R-1 to R-3 with four staff recommended Findings of Fact and recommends approval.

**The Public Hearing was opened at 6:16 p.m. No comments.**

**The Public Hearing was closed at 6:16 p.m.**

**The Findings of Facts were reviewed. The commissioners agreed with staff recommended findings:**

1. The zoning amendment request to permit an additional third dwelling on the parcel is consistent with the Park Rapids Comprehensive Plan Future Land Use Map which now as amended, guides this area for multiple family residential.

2. There are changes in the character of development in this vicinity for increased residential density over time and the proposed change in zoning will be consistent with this character neighborhood character.

3. The amendment request is the result of an error made in the Zoning Ordinance and Zoning Map inconsistent with the current use of the property at the time the map was adopted.

4. The zoning amendment will permit construction of a new dwelling on this property consistent with the immediate surrounding areas to the North and West of the property.

**A motion was made by Stone, seconded by Swanson and unanimously carried to recommend to the City Council approval of a Zoning District Boundary Amendment from David Bitker to rezone one parcel located at 604 Riverside Avenue consisting of .45 acre, from R-1 Single Family Residential District to R-3 Medium Density Residential District. PID#32.44.40100.**

**5C. Request for a Zoning District Boundary Amendment from Aaron Halik to rezone one parcel located at 601 Riverside Avenue consisting of .48 acre, from R-1 Single Family Residential District to R-3- Medium Density Residential District. PID#32.45.52000.**

Mack stated this request is made by Aaron Halik the owner as property at 601 Riverside Ave which is currently a tri-plex and is zoned R-1 which makes it a nonconforming use of the property. The application is to rezone from R-1 to R-3 so the use is consistent with the zoning. Staff recommends approval based on the staff recommended Findings of Fact.

**The Public Hearing was opened at 6:18 p.m.**

Stephen Pritchard said he lives right across the street from 601 Riverside Avenue and Sixth Street is the pine road, does that mean that they want to just rezone it or are there going to be any other further construction to allow for tenant's cars other than street parking? There is a spot in the back where they do park but I'm just concerned about increased traffic on Sixth Street and Riverside if their proposal goes through for the rezoning? Do they have any building intentions? Chair Bradow asked Mack to respond.

Mack responded the applicant has not indicated any plans for construction at this time. Staff and the Planning Commission Chair did initiate and reach out to these landowners based upon some of the fact finding that was done about the nonconformities out there and there is a clear advantage for them to rezone so that the use is consistent with the zoning. One would be that if they were to expand, they could in the future, provided that they could meet all the requirements, but there is no intended plan of that sort. The only contact I've had with any plans for expansion is at 501 Riverside and that's currently a single family dwelling and zoned R-2 and owned by Hallaway at 607 Riverside. This has been a recent remodel and it may turn into a duplex and that's the only project that I'm aware of that could happen in this area but it's already zoned for it and it's not a change that would be required. Pritchard said alright, thank you.

**The Public Hearing was closed at 6:21 p.m.**

**The Findings of Facts were reviewed. The commissioners agreed with staff recommended findings:**

1.The zoning amendment request to bring the current use of the parcel for three-family residence into conformity with zoning is consistent with the Park Rapids Comprehensive Plan Future Land Use Map which now, as amended, guides this area for multiple family residential.

2.There are changes in the character of development in this vicinity for increased residential density over time and the proposed change in zoning will be consistent with the immediate neighborhood character.

3.The amendment request is the result of an error made in the Zoning Ordinance and Zoning Map inconsistent with the current use of the property at the time the map was adopted.

4.The zoning amendment will bring the current use of the property into conformity with the zoning for this property and thereby eliminate the nonconforming use of the property.

**A motion was made by Stone, seconded by Swanson and unanimously carried to recommend to the City Council approval of a Zoning District Boundary Amendment from Aaron Halik to rezone one parcel located at 601 Riverside Avenue consisting of .48 acre, from R-1 Single Family Residential District to R-3 Medium Density Residential District. PID#32.45.52000.**

**5D. Request for a Zoning District Boundary Amendment from MLRAE Corp., Inc., James & Beverlee Hallaway to rezone one parcel located at 607 Riverside Avenue consisting of .23 acre, from R-1 Single Family Residential District to R-3- Medium Density Residential District. PID#32.45.52200.**

Mack said the next zoning request is from Beverlee Hallaway, MLRAE Corp, Inc. who has several rental properties in the community. This is currently a duplex and is zoned R-1 and after discussing with owner there was an application for rezoning to bring that duplex into conformity with the current zoning. Obviously we have now recommended an amendment to the Comprehensive Plan consistent with the plan and staff is recommending approval based on the staff recommended findings.

**The Public Hearing was opened at 6:24 p.m. No comments.**

**The Public Hearing was closed at 6:24 p.m.**

**The Findings of Facts were reviewed. The commissioners agreed with staff recommended findings:**

1. The zoning amendment request to permit an additional third dwelling on the parcel is consistent with the Park Rapids Comprehensive Plan Future Land Use Map which now, as amended, guides this area for multiple family residential.
2. There are changes in the character of development in this vicinity for increased residential density over time and the proposed change in zoning will be consistent with this character neighborhood character.
3. The amendment request is the result of an error made in the Zoning Ordinance and Zoning Map inconsistent with the current use of the property at the time the map was adopted.
4. The zoning amendment will permit construction of a new dwelling on this property consistent with the immediate surrounding areas to the North and West of the property.

**A motion was made by Stone, seconded by Hocking and unanimously carried to recommend to the City Council approval of a Zoning District Boundary Amendment from MLRAE Corp., Inc., James & Beverlee Hallaway to rezone one parcel located at 607 Riverside Avenue consisting of .23 acre, from R-1 Single Family Residential District to R-3- Medium Density Residential District. PID#32.45.52200.**

**5E. Request for a Zoning District Boundary Amendment by the City of Park Rapids to rezone the following parcels from R-1 Single Family Residential and R-2 Single, 2-Family and Townhouse District to R-3 Medium Density Residential District:**

Carol Snelling	603 Riverside Ave	32.45.52100	.32 acre
HRA of PR River Heights Apt.	500 Riverside Ave	32.25.07081	3.54 acres
City of Park Rapids		32.25.02032	1.60 acres

Mack explained this is a city-initiated application for three properties to bring consistency to the district boundaries for R-3 contiguous essentially with the River Heights apartment area and the subject property that have been recommended for approval. The River Heights apartments clearly is multi-family and multi-story apartment building currently zoned R-2 which is also a nonconforming use based on the zoning requirements. This change would bring the city's HRA property into conformity with the ordinance. There is also a second parcel which is a vacant parcel that is just to the east right along the river and there is no development on this site except for a lift station which is a utility. That's not considered an actual use of the property and there's no proposal to build any apartments on this site, but it would set it up for the proper zoning should such a future initiative be made by the City of Park Rapids. The other property is owned by Carol Snelling at 603 Riverside Avenue which is currently a single family owner-occupied residence. The zoning ordinance for R-3 still allows that as a permitted use so it would retain its conforming land use status as proposed for the rezoning. Mack said he didn't want a gap in the contiguous zoning district so this was initiated by the city and there are no planned changes to the structure, but would open that opportunity up on the future if there was an interest at some point in time in the future. Staff recommends rezoning of the three parcels consistent with the four staff recommended findings.

**The Public Hearing was opened at 6:29 p.m. No comments.**

**The Public Hearing was closed at 6:29 p.m.**

**The Findings of Facts were reviewed. The commissioners agreed with staff recommended findings:**

1. The zoning amendment request to bring the current use of the parcel for Apartments into conformity with zoning is consistent with the Park Rapids Comprehensive Plan Future Land Use Map which guides this area for multiple family residential.
2. There are changes in the character of development in this vicinity for increased residential density over time and the proposed change in zoning will be consistent with this immediate neighborhood character.
3. The amendment request is the result of an error made in the Zoning Ordinance and Zoning Map inconsistent with the current use of the property at the time the map was adopted.
4. The zoning amendment will bring the current use of the property into conformity with the zoning for this property and thereby eliminate the nonconforming use of the property.

**A motion was made by Swanson, seconded by Stone and unanimously carried to recommend to the City Council approval of a Zoning District Boundary Amendment from the City of Park Rapids to rezone the following parcels from R-1 Single Family Residential and R-2 Single, 2-Family and Townhouse District to R-3 Medium Density Residential District:**

<b>Carol Snelling</b>	<b>603 Riverside Ave</b>	<b>32.45.52100</b>	<b>.32 acre</b>
<b>HRA of PR River Heights Apt.</b>	<b>500 Riverside Ave</b>	<b>32.25.07081</b>	<b>3.54 acres</b>
<b>City of Park Rapids</b>		<b>32.25.02032</b>	<b>1.60 acres</b>

**6. INFORMATIONAL/DISCUSSION:**

**6A. Planning Commissioner Training Update:** Bradow asked Hocking if he had any comments he would like to share after attending the training on October 12<sup>th</sup> and 13<sup>th</sup>? Hocking said as far as him being new to all this, it was a great eye opening experience. It talked about from the beginning of time, how they came about, what they did, why they were there, why you have CUP's and IUP's. Some things got a little deeper than what I anticipated when talking about setting up the Comprehensive Plan and that got pretty deep. We already have a Comprehensive Plan so it wasn't something that was new or would have been helpful to us. There were some tidbits of information that we are behind as a lot of these are recommended every ten years to update the Comprehensive Plan and according to Mack we are a few years beyond that already. It helps to adjust your city's growth and change so that's why they want to see it updated every ten years.

There was discussion regarding the link and who else might be interested in viewing the training. Bradow highly recommended the commissioners attend the training. There was further discussion the expiration of the link on November 14<sup>th</sup> and regarding dates for the commission members could view. It was the consensus of the commissioners to hold three - two hour viewing sessions as follows:

Thursday, November 5<sup>th</sup>; Tuesday, November 10<sup>th</sup>; and Thursday, November 12<sup>th</sup> from 10:00 a.m. to Noon to be viewed at City Hall in the conference room. Agendas will be published accordingly.

**7. ADJOURNMENT:** A motion was made by Stone, seconded by Newman and unanimously carried to adjourn the meeting at 6:52 p.m.

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Chair Richard Bradow

ATTEST:

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Carmen L. Lockhart  
Planning/Administrative Assistant