

**CITY OF PARK RAPIDS
REGULAR MEETING
PLANNING COMMISSION
AUGUST 24, 2020, 6:00 p.m.
Park Rapids City Hall, 212 Second Street West
Park Rapids, Minnesota**

1. CALL TO ORDER: The August 24, 2020, Regular Meeting of the Park Rapids Planning Commission was called to order at 6:00 p.m. by Chair Bradow.

2. ROLL CALL: Present: Commissioners Dick Bradow, Nancy Newman, Scott Hocking, Robb Swanson and City Council Member Liz Stone. Present via phone: Bruce Johnson. Absent: None. Staff Present: City Planner Andrew Mack and Planning/Administrative Assistant Carmen L. Lockhart. Others Present: Adam Herberg, Betty Neiman, William Buggert, Jerrilyn Pritzlaff, Barry Munson and Robin Fish of the Park Rapids Enterprise.

3. APPROVAL OF AGENDA: A motion was made by Stone, seconded by Swanson to approve the agenda as presented.

The vote was called.

The following Commissioners voted in favor: Bradow, Newman, Swanson, Stone, Johnson and Hocking

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

4. APPROVAL OF PLANNING COMMISSION MEETING MINUTES OF JULY 27, 2020: A motion was made Stone, seconded by Swanson to approve the July 27, 2020 Planning Commission Minutes as presented.

The vote was called.

The following Commissioners voted in favor: Bradow, Newman, Swanson, Stone, Johnson and Hocking

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

5. PUBLIC HEARINGS:

5A. Request for Zoning District Boundary Amendment from Barry Munson to rezone Lot 5 Block 1, Hockings Acres, consisting of .76 acre, located on Balsam Lane from R-1 Single Family Residential District to R-2 Single, 2 Family and Townhouse Residential District. PID#32.38.91050.

Mack provided a map showing the parcels Barry Munson is requesting to rezone. The parcels are currently zoned R-1 and due to changes in the past, once upon a time

conditional use permits were issued in R-1 districts to build twinhomes which is Munson's intention. The request is to rezone from R-1 to R-2 which was the ordinance change that occurred that twinhomes are a permitted use. According to the city's Comprehensive Plan depicted on this map, this area is guided for single family and twinhome is considered consistent with single family residential either for a twin home or duplex according to the past interpretation of the Future Land Use Map so it is consistent with the Comprehensive Plan.

Mack stated he recommends approval of the rezoning.

The Public Hearing was opened at 6:04 p.m.

Bill Buggert said he lives at 1015 Balsam Lane and showed on the map that he lives on the corner and said he has no concern about building twinhomes but his concern is the low spot on the corner where the culvert goes under his driveway and under the road here from the lot that we are talking about. What I would like to make sure happens is because what you can't see is from the old Hocking house all this hard impervious driveway and concrete all drains to the west so what happens is the last time we got that four and a half inches of rain it all runs into his yard. There is no holding pond of any kind on the corner or east side of that road. I'm requesting that when Munson builds there, that you find a settling pond, a place for that water to go because there is no water mitigation, there is no storm sewers, no nothing in that area. If you build on here and get all that impervious ground is going to run off into my yard. The last time we had that four and a half inch rain I had ten and a half inches of water in my front yard. I think that can be mitigated by simply in the northeast corner of that lot, put a settling pond in there. That is my big concern. I would like that to be considered on that lot especially. The next lot that is south of there will run that way also so when all that hard surface goes in there and all that, what I call savannah gets cut, that water is all going to take off into my front yard as well as it comes from the north already. One other question I wanted to make sure too is that I think it's a great idea to develop these lots and put twinhomes and things on that, I want to be careful that we don't put in some low rent housing.

Bradow asked how close does that water get to your house? Buggert said it doesn't get that close quite honestly because our house is set way back on the furthest setback it can be on that corner but I don't know, there's trees and everything in that corner. There's pine trees, aspen, oaks and that water shouldn't go there in the first place. I'm sure when it was developed years ago, they didn't think that it would collect there but as soon as you put all that development and you get all that impervious ground in there that water is going to go someplace until it has a chance to settle through and believe me there is plenty of sand for it to settle through if you were to put a holding pond in there for it as you have to do for any other parking lot or new building in the area. The bottom line is I pay on my water bill every month for storm water mitigation and it's a good time to do it before it happens so get it fixed while you can. Thank you.

Barry Munson said he is the builder. Bill's been a friend for years and he talked to me about his concern and I told Mack I think I can go in that corner because I'm not going to stretch the house out that way anyway. I can shape the yard into a retention area. The only concern I have is utilities, I don't know how deep they are, which would affect how deep I can make the retention area there. I could do one on the inside corner where Maple Ave comes into Balsam Lane too, on the west side of that lot. To speak to the other concern, the quality of the houses we built, and we've built a lot of houses in town and we are building the best houses in town. You come through the neighborhood there and the twinhomes we did up there, I did one for my parents and my son that was in half of one of them and they are probably as nice a house as there is in there. My intention is to stay the course there because I can. My comment would be the same for each of the three lots. We are intending to do a nice home, something that is probably better than anything else that we've even done. We are doing a hard poured wall between the units for fireproofing and selling. We are pouring a cement wall, poured insulated concrete forms and splitting the units like that. I want them to be nice for the tenant and I want them to be nice as I want to sell them for a nice price.

Stone asked if a retention pond or can you do a French drain or something along those lines to mitigate the water? Munson said I don't know what that is but I think there's a culvert under the road that's kind of dictating the height and if I can interrupt the flow before it gets to the culvert to go across, then I can harbor it onto the one side and make it both corners because like Bill said when you come to the next lot south, that one largely the street kind of trends downhill that way and so my roof and driveway, the impervious portion of what I'm doing will drain to the street away from the house and you know how it is in our sand, those retention areas could be a foot deep but in two hours it's going to be gone. The trees that Mack talked about and as we put in our trees, we will just keep them out of there so we don't drown them.

Bradow asked on the impervious surface how is your design on the driveway? Are they both together? Munson said he was just talking about that and splitting them. Bradow asked if it was possible to split them? Munson responded when you design them you put the garage in the middle because then your front door and my front door are far apart, and so I'm looking at if I can do them, especially on that lot, I might be able to bend the house because of the largeness of it and get a garage that would both come off of Balsam Lane but I could bend the driveway around, bring the garage on one end and one on the other end but I haven't drawn that yet but we talked about it, so we could split the driveway instead of abutting them together, and put them apart which is probably the same amount of impervious surface but if we tip it so we bring some to the yard and then it can be absorbed into the lawn and such there. Bradow said as long as it's that sandy there it might take it. Munson agreed it will take a portion of it.

Mack stated he can go out there with the city engineer to take a look at this as obviously it sounds like we have some engineering design deficiencies in the storm water system for this area when it was originally developed and that's not uncommon around Park Rapids area for our subdivision designs, not to say that everyone is a problem but it sounds like there are some concerns here. The city engineer could take a

look at it and Munson is willing to build onsite swale to help mitigate some of that so as not to make it worse than it already is. I'm sure the city engineer would offer some suggestions and design advice. However I want to make it clear we can't condition any of that as a part of rezoning the property but we can definitely address it at the staff level.

Munson responded he is not resistant to whatever you come up with.

Hocking said speaking from living in that area, the address right here has a drainage system already because there is a culvert that flows between the two and all they did was they just cut out the back slope of the house and spread it ten feet into the property to give it time to drain away. So if that is something you could look at. Munson said yes as we shape the lots we always are running the drainage away from the house and we can slow it down as it comes off the back of the house coming around. Hocking said it is just an option to see how it was done there. Munson said it not only helps the neighborhood it will help the folks that move in there too.

Betty Neiman said she has a twin home by Maple, the townhouse, what do you mean by townhouse? Munson responded it would be a twin home like yours. Neiman asked if it would be a two story? Munson said no it's just a one story. Neiman said okay, that was my only question and concern.

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

The Findings of Facts were reviewed. The commissioners came to the following conclusions:

- 1. Is the zoning amendment consistent with the Park Rapids Comprehensive Plan? YES.*
- 2. Have there been changes in the character of development in this vicinity? NO.*
- 3. Is the amendment request a result of an error made in the Zoning Ordinance/Zoning Map or Comprehensive Plan? NO.*

Mack added a fourth Finding:

4. The zoning amendment will facilitate the construction of new residences in this development that has suffered from the effects of the housing recession and will provide the opportunity to pay off assessments from city installed water & sewer infrastructure that were idled during tax forfeiture from the original developer. Commissions didn't object to this.

A motion was made by Swanson, seconded by Stone, to recommend to the City Council approval of a Zoning District Boundary Amendment request from Barry Munson to rezone Lot 5 Block 1, Hockings Acres, consisting of .76 acre, located on Balsam Lane from R-1 Single Family Residential District to R-2 Single, 2 Family and Townhouse Residential District. PID#32.38.91050.

The vote was called.

The following Commissioners voted in favor: Bradow, Newman, Swanson, Stone, Johnson and Hocking

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

5B. Request for a Zoning District Boundary Amendment from Barry Munson to rezone Lot 10 Block 1, Hockings Acres, consisting of .46 acre, located on the north corner of Maple Avenue and Walnut Lane, from R-1 Single Family Residential District to R-2 Single, 2 Family and Townhouse Residential District. PID#32.38.91101.

Mack pointed out the parcel on the map which is .46 acre and the intention is to come off with a future split and the driveway on Maple Avenue. There is an intent to build twinhomes and it's consistent with the Comprehensive Plan and the changing opportunities for development to complete the subdivision. Staff is recommending approval.

The Public Hearing was opened at 6:22 p.m. No comments.

The Public Hearing was closed at 6:22 p.m.

The Findings of Facts were reviewed. The commissioners came to the following conclusions:

1. *Is the zoning amendment consistent with the Park Rapids Comprehensive Plan? YES.*

2. *Have there been changes in the character of development in this vicinity? NO.*

3. *Is the amendment request a result of an error made in the Zoning Ordinance/Zoning Map or Comprehensive Plan? NO.*

Mack added a fourth Finding:

4. *The zoning amendment will facilitate the construction of new residences in this development that has suffered from the effects of the housing recession and will provide the opportunity to pay off assessments from city installed water & sewer infrastructure that were idled during tax forfeiture from the original developer. Commissions didn't object to this.*

A motion was made by Swanson, seconded by Hocking, to recommend to the City Council approval of a Zoning District Boundary Amendment request from Barry Munson to rezone Lot 10 Block 1, Hockings Acres, consisting of .46 acre, located on the north corner of Maple Avenue and Walnut Lane, from R-1 Single Family Residential District to R-2 Single, 2 Family and Townhouse Residential District. PID#32.38.91101.

The vote was called.

The following Commissioners voted in favor: Bradow, Swanson, Hocking, Newman, Johnson and Stone.

The following Commissioners voted nay: None.

The following Commissioners were absent:

The motion passed.

C. Request for a Zoning District Boundary Amendment from Barry Munson to rezone Lot 1 Block 2, Hockings Acres, consisting of .40 acre, located on the south corner of Maple Avenue and Walnut Lane, from R-1 Single Family Residential District to R-2 Single, 2 Family and Townhouse Residential District. PID#32.38.92010.

Mack stated this is the third parcel and all are under a purchase agreement by the current owner, H&H Properties to sell to Munson. This is to permit construction of a twinhome, owner occupied dwellings. Property consists of .40 acre, all of the lots are sufficient in size and lot width to permit construction of a twinhome without variances upon rezoning.

Mack stated he did receive one call from the owner of several other lots in this development, David Pritzlaff, that he may have some interest in considering rezoning in the future based on the direction that this is going based on the notices that were sent out and you may entertain those requests in the future depending on whether he wants to change his plans in the future from single family to a twinhome. Just wanted to make sure that went on record in the minutes tonight. Again, staff is recommending approval based on Findings of Fact.

The Public Hearing was opened at 6:27 p.m. No comments.

The Public Hearing was closed at 6:27 p.m.

The Findings of Facts were reviewed. The commissioners came to the following conclusions:

- 1. Is the zoning amendment consistent with the Park Rapids Comprehensive Plan? YES.*
- 2. Have there been changes in the character of development in this vicinity? NO.*
- 3. Is the amendment request a result of an error made in the Zoning Ordinance/Zoning Map or Comprehensive Plan? NO.*

Mack added a fourth Finding:

4. The zoning amendment will facilitate the construction of new residences in this development that has suffered from the effects of the housing recession and will provide the opportunity to pay off assessments from city installed water & sewer infrastructure that were idled during tax forfeiture from the original developer. Commissions didn't object to this.

A motion was made by Stone, seconded by Swanson, to recommend to the City Council approval of a Zoning District Boundary Amendment request from Barry Munson to rezone Lot 1 Block 2, Hockings Acres, consisting of .40 acre, located on the south corner of Maple Avenue and Walnut Lane, from R-1 Single

Family Residential District to R-2 Single, 2 Family and Townhouse Residential District. PID#32.38.92010.

The vote was called.

The following Commissioners voted in favor: Stone, Johnson, Swanson, Hocking, Bradow, Newman

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

D. Request for a Zoning District Boundary Amendment from City of Park Rapids to rezone seven parcels, consisting of 1.78 acres, located on Spruce Lane, Oak Blvd. and Balsam Lane, from R-1 Single Family Residential District to R-2 Single, 2 Family and Townhouse Residential District. Surrounding properties are zoned R-1; R-2; and R-3. PID#32.62.02000; 32.62.02010; 32.62.02100; 32.62.02200; 32.62.02210; 32.62.02300; and 32.62.02310.

Mack this case is in relation to the requests from Munson and in light of the prior construction of twinhomes in the area this is an attempt to create more of a unified R-2 district based on existing development. The prior ordinance allowed twins in R-1 to be constructed via a CUP and three of those twins were done that way. The ordinance was then changed so they wouldn't have to go through a public hearing but rather rezone the property. We are following within the spirit and intent of that ordinance change by rezoning this city-initiated rezoning from R-1 to R-2 to reflect that current development pattern. Those areas are shown on the map. Mack said he did not include one lot in the rezoning because although it is contiguous to this parcel, there are no R-2 dwellings or twins built on either side of it at this point so this was not necessary at this point in time. Mack recommended approval based on Findings of Fact.

The Public Hearing was opened at 6:32 p.m. No comments.

The Public Hearing was closed at 6:32 p.m.

The Findings of Facts were reviewed. The commissioners came to the following conclusions:

1. *Is the zoning amendment consistent with the Park Rapids Comprehensive Plan? YES.*

2. *Have there been changes in the character of development in this vicinity? NO.*

3. *Is the amendment request a result of an error made in the Zoning Ordinance/Zoning Map or Comprehensive Plan? NO.*

Mack added a fourth Finding:

4. *The zoning map amendments will bring the subject properties with twinhomes into conformity with past changes made to the City's Zoning Ordinance and establish conforming uses. Commissions didn't object to this.*

A motion was made by Swanson, seconded by Hocking, to recommend to the City Council approval of a Zoning District Boundary Amendment request from

the City of Park Rapids to rezone seven parcels, consisting of 1.78 acres, located on Spruce Lane, Oak Blvd. and Balsam Lane, from R-1 Single Family Residential District to R-2 Single, 2 Family and Townhouse Residential District. PID#32.62.02000; 32.62.02010; 32.62.02100; 32.62.02200; 32.62.02210; 32.62.02300; and 32.62.02310.

The vote was called.

The following Commissioners voted in favor: Stone, Newman, Bradow, Swanson, Hocking and Johnson

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

5E. COMPREHENSIVE PLAN UPDATE – ELECTRICAL VEHICLE (EV) READINESS SECTION:

Adam Herberg read his report on page 22 of packet, stating he has updated and revised the EV readiness section for the comp plan with City Planner Andrew Mack and is ready for final review and approval. This section includes goals, strategies, and actions steps we can use to help guide us and the community in any project EV related. Additional policies, images, and information are enclosed to help show the impact and need of this project and how we can regulate and maintain EV readiness going forward.

This section of the comp plan can allow the community to grow in a more sustainable way while also adhering to the overall image and goals of our Heartland Lakes Area.

Appendixes have been added to show the progress of the project and the course of action we went through to get to where we are now. Any further comments and questions will be noted and thank you for allowing me to work on this project for the community.

Herberg recommended approval of the update amendment to the Comprehensive Plan EV Readiness Section.

Stone stated she was really impressed and thanked Herberg for all his hard work. Swanson commented he likes how the language has changed in encouraging business instead of legislating that they would have to. I do see that with forty or more parking spaces that is a change and if you have that much space I think that's a reasonable requirement. Herberg stated that is one thing in the revisions we are going for a less legislative like you said and do more encouraging and offering more for it instead of saying you have to do it. Swanson said thank you for hearing us.

Bradow thanked Herberg and said he did a nice job on this, you can be proud of your work. Herberg thanked the commission.

The Public Hearing was opened at 6:37 p.m. No comments.

The Public Hearing was closed at 6:37 p.m.

A motion was made by Stone, seconded by Swanson to recommend to the City Council adoption of the EV Readiness Section to the Comprehensive Plan.

The vote was called.

The following Commissioners voted in favor: Bradow, Stone, Newman, Hocking, Swanson and Johnson

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

5F. ORDINANCE AMENDING CHAPTER 152 RENTALS OF THE PARK RAPIDS CITY CODE AUTHORIZING THE PERMITTING OF SHORT-TERM RENTALS AND PRESCRIBING STANDARDS:

Mack stated this is a product of well over a year's worth of work by the Planning Commission and the City Council in hearing and remanding this back to the Planning Commission. We've had substantial input from the real estate community on this ordinance. As a result of your last discussion item at the last meeting I reworked the entire ordinance removing the administrative approval procedure and the buffering standards and inserting a public hearing process for interim use permits for each of these short term rentals on a case by case basis. The existing short term rentals which I think we are down to about two now would be required upon notification according to the ordinance language to obtain an IUP in order to continue being licensed as a rental in the community and those notices would go out upon adoption of the ordinance to apply for that IUP. The rest of the standards essentially remain the same in terms of making sure that we are not creating nuisances in neighborhoods but you will be able to handle that on a case by case basis and it will afford the opportunity for citizen input under the normal terms of any public hearing process. When we receive an application we send out notification to parcels within a 350 ft. radius affording the opportunity for input from neighbors for each permit. That was the direction staff received at the last Planning Commission meeting. This is a public hearing this evening. I did provide notification and a draft of the ordinance which was completed at the end of last was sent out to TJ Simon who has provided a predominant amount of input on this since it was remanded from the City Council back to the Planning Commission. I did not hear back from TJ Simon and he is not here tonight for this public hearing. He did know this was the scheduled date and he has been keeping track of this by way of your discussion so I'm not sure what to make of that but obviously he is not here. Again, the biggest concern coming from the real estate community had to do with the buffer and that again has been removed from the ordinance. Following the wishes of the Planning Commission staff is recommending that you approve this ordinance amendment and send it back to the City Council for their adoption.

The Public Hearing was opened at 6:43 p.m.

Bradow said he wants to excuse himself as a Planning Commissioner and speak as a member of the general public. Bradow asked Mack to display and read into the record a copy of this map that we saw last month. The public hearing is open. Bradow stated everybody should take note and this map isn't totally accurate but it is close enough for discussion. There are a total of 275 parcels that could possibly be approved under this revision for short term rentals if they all applied, we have a maximum of 275.

Bradow said I am urging the Planning Commission, future Planning Commissions, City Council and future City Councils to carefully consider how they are going to approve these. We have removed the buffer from our previous meeting. The buffer is removed so theoretically there could be 275 of these.

What would that do to a neighborhood?

How are you going to look at approving these?

In one of the questions of the Findings of Fact, generally there is a question about excess traffic generation. I am urging the Planning Commission now and future, City Council, now and future to look at how that will affect an R-1 Single Family Residential District. These are businesses that are going to be going into these neighborhoods. They are not a hair dresser business. They are not an attorney's office or a home business. These are businesses that will run 24/7 hours and 365 days of the year. They are not a regular home-based business. How are you going to protect the R-1 Districts? That's going to be a delicate question as to how you're going to monitor that. How are you going to say yes and how are you going to say no? That's my two cents.

Johnson stated he would like to add a public comment as well. Johnson stated dove-tailing on what Bradow just said, I think that the approach that the Planning Commissioners are looking at here is short sided and irresponsible because I don't believe that it can be effectively managed once that flood gate is open. These are, like you said it's not a mom and pop business. These are typically the owner is absent so the owner of the property doesn't feel the effect of the decisions to rent that property out and relying on the police to provide the coverage as was suggested by a Planning Commission Member I just, I don't see that that makes a lot of answers. I do think that someone who has a lot of money could hire an attorney to come in and make the case that because somebody else got it they should be able to get it and then you could have party row. I don't like the idea and I believe that under the zoning amendment questions, that we're about to look at as a commission, number 1 as a zoning amendment consistent with the Park Rapids Comprehensive Plan – I think we have altered the plan that we had already discussed, approved and put forward, got it kicked back and this was something that we came up with. I don't see that we typically get involved with IUP's in Park Rapids in Park Rapids and I think that doing that in this case is going to be to our detriment and I would also encourage that we revisit this. I think it should be extended and I think that we should have a public hearing where the public is actually notified by the newspaper of record because I believe that if you have public comment from the people that would be affected by this and they actually understand the gravity of the situation, I don't think we would be moving forward with this thing that we are looking at passing. That's my two cents.

Stone said it is posted in the paper every time, right? Public notice of the meetings? Lockhart stated yes.

Bradow asked is this a public comment or is this for discussion of the commission members? Stone said I guess this is for discussion.

The Public Hearing was closed at 6:49 p.m.

Stone asked because the meetings are always posted whether it's on line or in the newspaper, I guess I don't know how else you could do it? Isn't that what you're asking Bruce that it be posted in the newspaper? Johnson said I think that in the typical fashion that things are published, nobody has an interest in looking at that part of the paper. Honestly, if I named 50 people, probably 5 of them actually get the paper, the rest of them rely on word of mouth, who knows, Facebook, for their information and until something actually really surfaces, if this hit the front page of the paper, I'm pretty sure that the public comments would be more than zero people or two commission members making public statements. I think you would have a room full of people there is we actually got the word out and I think that on this vote, it's just my feeling and I think that if people were actually aware of what we were looking at voting on here, I think they would show up.

Bradow said he can empathize with what you are saying Bruce, but still the public does have an obligation to pay attention and show up and these IUPs then will publish and the properties in the close proximity will receive a letter from the city, correct me if I'm wrong Andrew and Carmen? Mack stated that is absolutely correct under the ordinance that a published notice would be mailed letters of the hearing too. Bradow stated okay so those folks would show up but my goodness, we have 275 of these properties that are eligible. Bradow continued what if one quarter of them applied? What would it do to a neighborhood? Stone interjected it's not just 275 properties that are eligible, all the properties are eligible in the city. Bradow replied you're right, they are but these are the desirable properties but any property is eligible, you're correct. Mack added as long as it's a residence. Bradow said as long as it's a residence, but this is a business we're putting in a residence and it's not just a hair salon.

Swanson said it is and I brought that up, Dick and I had a conversation about that and it is a business but it is a business of tourism and residing, it isn't a business like a store or a retail place is going to have traffic in and out. I mean you will have tourism traffic but the reality is that we are too when we are there. I live in that area and the people that live in that area recreate in that area, they have people over they have a lot of cars in their driveway, more than this allows. It isn't, a little on the IUP side, I think when I said one size doesn't fit all, if you have a home that has 8 bedrooms and you reside in it, you have a pretty giant footprint. You're probably going to have some traffic and if you rent that out and there's 8 rooms there you're going to, to me, have about the same amount of traffic, a little more recreational because they are up here for a week and their intention is to play in our town, to go snowmobiling, to go fishing. I think one of the things living in one of the areas that I've seen is the side/by/side ATV types of vehicles going up and down our city street. That is a concern. But I'm not that concerned about people being in the home that has short term rental because if it's not them, it's the family that is there. I don't see it adding as much as a retail place and it is 24/7 but I think some of the other legislation that we have in here deals with those issues. I'll just remind from one of my previous statements no other community had

moved forward with boundary limits on this so we are the first to consider that and so I think that since we couldn't come to an agreement on that, this is the best way to do it as the property owners within 350 feet from it get a letter will have a chance to be a voice, bring their concerns and I think that the Planning Commission and the City Council doing their public service within the Comprehensive Plan will hear that and make a very responsible decision.

Johnson commented I think that basically what we're hearing here is a rehash of the hash everybody knows the positions of the commission members and we're not stating anything new here. I realize just now if I'm understanding it correctly and maybe the thing to do is simply add a condition to this so that those 275 most likely to be impacted properties receive a notice about a future meeting and if they don't care to show up I guess then my objection is not really legitimate. I think they will show up. I think they will show up in droves, but that's just what I think so I believe if we're actually going to move this thing forward I don't think we need to restate our positions because we all know what they are. So move it forward and let those people know that there's going to be a public hearing and they can go to the City Council meeting and state their approval or disapproval and I would be happy with that. I think that's a meaningful solution.

Stone said but that's inconsistent with everything else. Then why wouldn't it be expected of us to send out individual letters and notices with every issue every time? Johnson said because this one is particularly touchy. Stone said to you, but I mean. Johnson said to me, yes, I will give you that, that's a fair point Liz, that's a fair point. Johnson said I can be shot down, I'm only one person, I'm only stating what I think but without trying to restate something that I've already stated, I think we are by just requiring an IUP, once you grant it, the permit for one person, then everybody else down the line is going to use that first case and you know how it is with people with money they don't even have to show up, they can send their attorney up and then we're dealing with that. I just got a bad feeling about it that's all. I won't support the way that it is I mean I know how I'm voting and so do you but I'm just suggesting that I think in this particular occasion it would be a good idea to let the most affected people know that this is out there because I do think that they will show up.

Stone responded I understand where you are coming from but I think then by sending out another letter individually to these 275 property owners because this is a situation that's you know. Johnson said I thought it was required because you are making a change in the comprehensive zoning plan? Everybody that might be affected, isn't that what we were talking about to begin?

Bradow said they were notified via the paper of record, the notification was published? So that has been done and the city has met their obligation with that respect? Bradow asked if we sent out notices to 275 desirable lots, why wouldn't we send it to everybody in the city because all lots are a potential short term rental locations that are residential lots.

Stone added my question to further that is then why wouldn't we send a letter to every residence every time something comes up? Bradow said that would be cost prohibitive. Stone said right but why is this once instance any less or more important than any other situation, why wouldn't we have sent letters to everybody in the neighborhood where they are putting in the new propane facility?

Johnson said when I applied for a permit for an IUP everybody that was within, because I had a zoning change, everybody that was and I don't remember what the distance was, received a letter to come to that meeting, it was outside the city limits but was that not the same. Bradow said yes there is that requirement in the IUP would require everybody within 350 feet to be notified via letter. Johnson said that's where I thought you were going with this. Johnson said I'm not suggesting that we get beyond the norm I just thought that in this case because it potentially is a zoning coordinate change to the Comprehensive Plan, item 1 under the Findings of Fact, I would suggest that in this case we could do that. If you choose not to, I don't know what the procedure is, I guess maybe Andrew has something on it.

Mack said that type of a notification for this area is far beyond the normal procedure that we would ever notify and in this case it's an ordinance amendment we're legislating, we're not taking specific action, which is more of a quasi-judicial approach this is legislating and the council, to legislate is required to hold two hearings and they are not required to put that notice in the newspaper but because this affects land use we did publish a public hearing notice in the paper and that public hearing notice was published each time a public hearing has been held on this ordinance and that was three times. Bradow said yes, this is the third time. Mack said I believe the newspaper has run articles on this so there has been some education to the general public for those that do read the newspaper. I tend to think that a lot of people in town do like to read the newspaper and this has been covered. At the chair's request this exhibit was put together and I know that Bruce expressed that interest that there be above and beyond the call of duty for publication of this but staff wasn't directed to do that for this public hearing so we did not do that. Could it be done, yes. What's the cost of 275 parcels to be mailed out at whatever the postage rate is, well there's substantial additional cost to that so in these times, I didn't just on my own initiative decide to commit that additional funds for the city to spend to send out additional notices. Could it be done, absolutely, it is the wishes of the commission on this.

Bradow stated he doesn't support that. I guess the only thing that in the earlier statement that I made I'm going to support this ordinance change because I think it's better to have something in place than nothing which is what we have right now. But, let's see how this thing plays out. There's always a possibility of a moratorium if we see this thing as going off the rails and that's all I wanted to make the Planning Commission, future and current, City Council, future and current that the moratorium would be appropriate to use if this thing was trashing our R-1 Districts. Let's see how this thing plays out but I think we better have something rather than nothing.

Stone agreed. Swanson agreed. Hocking said he is back to Liz's statement if we're going to send it out to 275 we better send it out to the whole city and that's not cost effective and that's not wise, because every R-1 in the city is subject and it just doesn't make sense to just single out these 275 when everyone else is at play, they deserve just as much notice as they have and they've received it. If they don't read the paper and they're not up to date, I'm sorry that's not for us to decide or for us to choose.

Bradow asked for any other comments or questions. There were none.

The Findings of Facts were reviewed. The commissioners came to the following conclusions:

1. *Is the zoning amendment consistent with the Park Rapids Comprehensive Plan? N/A Bradow stated this is not in the Comprehensive Plan yet. Mack said that is correct. All commissioners answered N/A.*

2. *Have there been changes in the character of development in this vicinity? N/A – Johnson. NO – all other commissioners.*

3. *Is the amendment request a result of an error made in the Zoning Ordinance/Zoning Map or Comprehensive Plan? N/A – Johnson. NO - all other commissioners.*

A motion was made by Swanson, seconded by Newman, to recommend to the City Council approval of an Ordinance Amending Chapter 152 Rentals of the Park Rapids City Code Authorizing the Permitting of Short-Term Rentals and Prescribing Standards.

The vote was called.

The following Commissioners voted in favor: Stone, Swanson, Newman, Hocking and Bradow

The following Commissioners voted nay: Johnson

The following Commissioners were absent: None

The motion passed.

6. INFORMATIONAL/DISCUSSION:

6A. GTS – Land Use Training & Education: Mack said some of the commission members are new. This is an excellent training opportunity through the same entity provided the last training. This will be in person so you travel to a particular venue, there are a couple, three different locations and if there is interest I would be happy to work with the commission member or two that would plan to attend. There is some room in the budget. The training is in October. Some may have concerns about traveling and I believe there would be proper CDC guidelines in play for this in person training.

Bradow asked how many spots do you have available for this training? Mack responded no more than two. Bradow commented he has been through these a couple of times with previous city planners and they are worthwhile, they really get you to look at things that you wouldn't think of. They use examples and I see some of the trainers that are listed here and I recognize a couple of the names on there. I think it's worthwhile if you can have that fit in your schedule, I would recommend it.

Mack commented most likely would be the October 26-27th training.

7. ADJOURNMENT: A motion was made by Stone, seconded by Swanson, to adjourn the meeting at 7:11 p.m.

The vote was called.

The following Commissioners voted in favor: Bradow, Johnson, Stone, Swanson, Hocking, Newman

The following Commissioners voted nay: None

The following Commissioners were absent: None

The motion passed.

Chair Richard Bradow

ATTEST:

Carmen L. Lockhart
Planning/Administrative Assistant