

CITY OF PARK RAPIDS
REGULAR MEETING
PLANNING COMMISSION
SEPTEMBER 26, 2016, 6:00 p.m.
Park Rapids Library, 210 First Street West – Lower Level
Park Rapids, Minnesota

1
2 **1. CALL TO ORDER:** The September 26, 2016, Regular Meeting of the Park
3 Rapids Planning Commission was called to order at 6:00 p.m. by Chair Bradow.
4

5 **2. ROLL CALL:** Present: Commissioners Dick Bradow, Nels Peterson, Dick
6 Rutherford, Sam Spaeth and City Council Member Paul Utke. Absent: Joel Vorhes.
7 Staff Present: City Planner Ryan Mathisrud and Planning Assistant Carmen L. Lockhart.
8 Others Present: David Goeddertz, Deb Farrell, Dawn Pappas, Sandee Edelman-Karl,
9 Danielle Lien, Nicole Lalum and Rita Anderson.
10

11 **3. APPROVAL OF AGENDA:** A motion was made by Rutherford, seconded
12 by Peterson, and unanimously carried to approve the agenda as presented.
13

14 **4. APPROVAL OF REGULAR MEETING PLANNING COMMISSION MINUTES**
15 **OF AUGUST 22, 2016:** A motion was made by Peterson, seconded by Spaeth and
16 unanimously carried to approve the August 22, 2016 Regular Meeting Minutes as
17 presented.
18

19 **5. PUBLIC HEARING:**
20

21 **5A. CONDITIONAL USE PERMIT REQUEST FROM DANIELLE NORBY LIEN**
22 **TO CONSTRUCT AND OPERATE A RECREATIONAL FACILITY/COMMUNITY**
23 **CENTER AT 1009 HOLLINGER STREET LOCATED IN A B-1 HIGHWAY BUSINESS**
24 **DISTRICT, PID #32.68.00300; 32.68.00400 AND 32.68.00500:**
25

26 Mathisrud explained the applicant is Danielle Norby Lien and the property owner is
27 ACT Properties, LLC and John Hoscheid was representative on this. The purpose of
28 this request is to obtain a Conditional Use Permit to expand an existing building from
29 14,565 sq. ft. to 23,805 sq. ft. by adding a 9,000 sq. ft. gym and recreational facility to
30 that building as an addition to office space that is currently there and would be
31 developed. The total area proposed to be developed is 1.65 acres which consists of
32 three commercial lots in this location. The east lot is fully developed and there is a
33 parking area on the west two lots currently being used as an office space.

34 Mathisrud stated that in looking at the Comprehensive Plan in relationship to this
35 type of request we have identified this area for commercial use and our Community
36 Facilities Goal #1 is to continue to maintain and improve all community facilities and
37 identify future needs. Under Policy 8 we stated we wanted to promote and support a
38 community center/convention center to support year-round community activities,
39 meeting space, conventions and recreational developments. This is a broad goal that
40 was identified in the 2008 Comprehensive Plan. Under Recreational Goal #1 we
41 identified that we wanted to provide and maintain an appropriate number of recreational
42 facilities that meet the needs of all community residents, regardless of age, sex, race, or
43 socio-economic status. Policy 8 - Involve and encourage private business and industry's

1 help in operating recreational programming. Mathisrud stated the nature of this request
2 seems to fit the 2008 Comprehensive Plan.
3

4 Mathisrud explained the location of the request and the zoning of the property
5 which is B-1 Highway Business District. The area located to the south is undeveloped or
6 underutilized development in this commercial area. It's not located in the shoreland
7 overlay, airport overlay or in an environmentally sensitive area or wetland and it is not
8 located in the wellhead protection area. This parcel is serviced by sanitary sewer and
9 water and there is no storm water available. The road was recently constructed to its
10 current standard which is a wide street with rural standard drainage and parking on both
11 sides.
12

13 Mathisrud advised the land use of the adjacent properties looking north is
14 unplatted and is a vacant parcel currently zoned for future residential uses. Immediately
15 adjacent to the east there is a future street – Eagle Avenue which has been platted to
16 connect to the residentially zoned parcel to the north and is currently zoned B-1. To the
17 south there is a vacant lot with some industrial uses and storage and looks like there is
18 equipment stored there which is also zoned B-1. To the west there are two vacant lots
19 also zoned B-1.
20

21 Mathisrud stated the applicant submitted some plans for the proposed
22 development which shows the proposed addition of approximately 9,200 sq. ft. to the
23 existing building. It's proposed to be a recreational use. They have shown a gym space
24 with some seating for people to watch the players. As I understand it will be more of a
25 mixed use facility so they will be able to operate different types of recreational uses
26 within that facility. To the east on the plan that will all be fully developed and remodeled
27 into office spaces to accommodate additional offices for their principal use, their main
28 business which is mental health services and other therapeutic type services.
29

30 Mathisrud said in looking at the proposed development as a whole, what we are
31 looking at is, the current facility is 14,500 sq. ft. and the addition proposed is 9,200 sq.
32 ft. which is the gym recreational facility and the total building size is 23,800 sq. ft. and
33 we're looking at 57,000 sq. ft. of impervious surface or 80% of the site is proposed to be
34 parking lot and building combined. The green space provided is shown at 14,500 sq. ft.
35 which is the other 20%. There are 19 offices and the gym facility is proposed to be
36 mixed use so most of that use would occur during off peak hours for consultative
37 services so primarily evenings and weekends and those types of uses so generating off
38 peak traffic. We identified there was no storm water management plan provided at this
39 time.
40

41 Mathisrud stated in reviewing the Findings of Fact staff identified the following:
42

- 43 1. Are there characteristics of the proposed use that may violate the public health,
44 safety or general welfare of Park Rapids City Residents? **No**
- 45 2. Is the proposed use inconsistent with the intent of the Park Rapids
46 Comprehensive Plan and Zoning Ordinance? **No**
- 47 3. Does the proposed use present any unique concerns regarding erosion, runoff,
48 water pollution or sedimentation? **Yes 80% impervious surface proposed.**
49 **Storm water condition recommended.**
- 50 4. Could the proposed use create any special problems with parking? **Yes-Parking**
51 **Condition recommended**
- 52 5. Would the proposed use cause any problems with access or traffic generation?
53 **No**

1 6. Is the proposed use incompatible with other uses located in the zoning district? **No**

2
3 Mathisrud stated staff's Recommendation is to approve the request with the
4 following conditions:

- 5
6 1. The applicant shall provide parking at a rate of 1 stall per 250 square feet of gross
7 floor area. If in the future it is determined that the applicant has insufficient
8 parking, additional off street parking shall be provided on site or within 100 feet
9 under common ownership.
- 10 2. The applicant shall provide a storm water management plan showing that post
11 development runoff shall not exceed predevelopment runoff.
- 12 3. The applicant shall provide a signage plan showing that the ordinance will be
13 complied with and that signage can be incorporated for the gym area of the
14 building.
- 15 4. The applicant shall provide a landscaping plan that complies with the City of Park
16 Rapids Landscaping ordinance.
- 17 5. The applicant shall be in compliance with all other applicable city ordinances as
18 well as Minnesota Department of Human Services licensing as well as any other
19 regulations applicable to the businesses they operate.
- 20

21 Peterson asked on the parking rate of 1 stall for 250 sq. ft. what is the equation
22 for that since there are offices in there that fall under a certain rule and then the
23 basketball gymnasium that falls under a certain rule? Mathisrud stated when we
24 originally looked at this request we were looking at it through the eyes of an accessory
25 use and through that lens the 1 per 250 sq. ft. would be an adequate number to account
26 for those off street parking minimums. In reviewing some other parking information
27 through other standards I have in the office looking at office type uses very similar to
28 this one a standard parking requirement would be something like 86 parking spaces for
29 this type of use based on gross square footage. Park Rapids code for this type of use
30 would be the 1 for 250 sq. ft. standard for office uses and it is slightly more restrictive
31 than others that I looked at. Mathisrud stated he is comfortable recommending that for
32 this type of use due to that and the on street parking available.

33

34 Rutherford asked how many parking spaces are along the street on both sides?
35 Mathisrud stated that street was developed to allow for on street parking on both sides
36 of the street and the City's parking ordinance does allow the use of 1 stall for every 30
37 ft. of frontage so for this particular location we can count 12 parking spaces for on street
38 for the street that is currently developed. Eagle Avenue is next to it and if that were
39 ever to be developed in the future or if we had a request to license that street for
40 parking purposes we could do an additional 7 stalls for that area.

41

42 Rutherford said he was thinking about the Armory and the parking there verses
43 the parking over here. Mathisrud advised the downtown areas are in a different zoning
44 district so we don't have a specific parking standard that applies to the downtown areas
45 as people generally walk a lot further to get to their destination and that's just the nature
46 of the density of downtown areas. For new development in commercial areas we
47 generally require sufficient off street parking be provided because it is new
48 development. Park Rapids has really tried to provide ample on street parking to support
49 businesses as you see the diagonal parking in the neighborhood districts and very wide
50 streets as we've tried to accommodate those dense uses through the generous use of
51 on street parking.

52

1 Rutherford said if they would purchase the next street down for parking, they
2 would qualify, am I right? Mathisrud advised under the current count, they would be
3 able to meet the standard required for the number of parking spaces. They would just
4 make that and so that 1 for 250 standard including on street parking, 95 parking spaces
5 would be required and 95 would be met. It's a tight site, there's no question.
6

7 Bradow inquired if the CUP applicant is a tenant of this property now? Mathisrud
8 stated they are not currently a tenant at the property now. Bradow asked will they be a
9 tenant since someone else owns it then? Mathisrud stated yes there is a Purchase
10 Agreement in place to acquire this site and develop it. Bradow clarified they would be
11 an owner if they did this then? Mathisrud stated that is correct.
12

13 **The Public Hearing was opened at 6:21 p.m.**
14

15 Dawn Pappas stated one of the first questions she had is how is it determined
16 what type of facility this was categorized as only because in the description it states so
17 many different types of facilities and based upon the type of facility it is that drives the
18 parking and the parking is a significant concern to us because we are developing the
19 property to the west? Mathisrud explained we selected the item in the parking ordinance
20 that best applied to this facility as a whole so I am recommending the 1 for 250 sq. ft.
21 standard. It is a Conditional Use Permit application and if that does not seem adequate
22 we can require additional parking if that is determined to be needed for something like
23 this.
24

25 Utke asked Pappas he heard a little prior to the meeting and you just mentioned
26 you're developing lots to an area east of there? Pappas responded west. Utke inquired
27 if her property is the next two lots. Pappas said yes, the ones that would abut Eastern
28 Avenue North and the easement that has been taken there. Peterson asked what are
29 you proposing to develop there? Pappas asked when? Peterson said what are you
30 proposing to develop there? Pappas explained we own and operate a wellness center
31 which provides mental health and a number of other complimentary services. Peterson
32 said so that's another building besides this, is that proposed for one lot or two lots?
33 Pappas said we are going to be developing the eastern lot first in phase 1 and I believe
34 we will move over onto the property line between the east and west lot. Peterson asked
35 if something like this is being proposed and we are discussing here, is that something
36 that could become an asset to your business having the gymnasium facility next door?
37 Pappas responded she thinks that regardless of where the gymnasium is located, it
38 would be an asset to the community. I think that our main concern is the size of the
39 project trying to be shoehorned into the existing parcel and one of the concerns is on
40 the recommendations says that if in the future it is determined the applicant has
41 insufficient parking, that seems to be more retroactive and reactive rather verses
42 proactive and planned for us because we are planning to have adequate spots available
43 and we would also like to have access to the street, but just the idea of the amount of
44 traffic with such a large facility is something we wanted to hear more about.
45

46 Pappas said she is curious to know on the Findings of Fact, number 2 states is
47 the proposed use inconsistent with the intent of Park Rapids Comprehensive Plan and

1 Zoning Ordinance? Pappas said she heard Mathisrud speak about the planning for a
2 community center it's something that's been talked about since Healthy Park Rapids
3 2010 way back and the question I have is that according to B-1, the largest amount that
4 you can develop your parcel is to 20,000 sq. ft. and so this proposed facility is 20%
5 more than the maximum and so I'm curious as to how decisions are made about that?
6 Mathisrud responded under the B-1 Zoning Ordinance, as a permitted use you can
7 develop a building up to 20,000 sq. ft. by requesting a permit from my office. If you are
8 developing a new development that exceeds 20,000 sq. ft. it requires a Conditional Use
9 Permit which is this process and that is to develop appropriate conditions that break up
10 the bulk of new structure to produce adequate landscaping and help large structures fit
11 into developments. Mathisrud used the example of Walmart which exceeds the 20,000
12 sq. ft. threshold and so that is the intent of the buildings larger than 20,000 sq. ft. by
13 requiring they go through this CUP process and address any concerns that are raised.
14 Pappas said Walmart is a relevant example as it is basically five times the size of this
15 proposed site and yet the amount of land they have acquired to accommodate it is
16 grand in scale so that kind of gives the feeling of space. The worry is that it is a very
17 large structure next to our rather modest structure. We have a 4,700 sq. ft. building
18 going in which represents in essence kind of the overage over the maximum so again it
19 just feels like 1.65 acres is not a lot of land to put such a large structure on. The other
20 question I had was the applicant shall provide a storm water management plan showing
21 that post development runoff shall not exceed predevelopment run off. We're in the
22 process, our engineers are developing our storm water management plan in preparation
23 for our project in talking with Mathisrud and Ron Dick and the discussions we've had
24 involve having quite a bit of land available to hold our storm water and again our project
25 is 1/5 the size so I'm curious as to how this can be accommodated and not negatively
26 impact us? Utke stated it can be under the parking lot too, actually Hugo's is a good
27 example as they put storm water retention under the parking lot so there are multiple
28 ways to do it. Pappas said okay, so again the requirement where it is going over the sq.
29 footage and taking up space you're assured that it's going to be fine to eradicate the
30 water for us as neighbors? Utke said I wasn't commenting on whether it's good, bad or
31 indifferent, but that there are other ways and I'm sure that's what you are working on.
32 Mathisrud stated under his recommendation is that the storm water plan does show that
33 storm water will not leave the site and negatively impact any off site property owners,
34 that's what's required under that condition and so what I expect is that plan will show
35 some sort of underground storage or some sort of a retention or detention basin
36 perhaps on another lot adjacent to it or something of that nature is what I expect will
37 come out of that process which is why I recommended that as a condition. Pappas
38 asked when you say an adjacent lot, I mean to the north of us is a residential parcel that
39 we share boundaries with, to the west is us and to the east is a proposed street and to
40 the south is a street, so would that run under a road? Mathisrud responded yes, it is
41 possible to develop a storm water retention facility on a lot adjacent to a street and tie
42 into it utilizing underground storm water pipe to do that. Pappas said okay.

43
44 Pappas asked Mathisrud to explain again, as our impression from your report
45 was that the parking spaces were quite short to begin with but you made a modification
46 that made it doable, I'm not really sure I understand? Mathisrud explained what he was

1 suggesting on that was the plan they provided was using a parking standard that was
2 10 x 20 and if they reduce that to a traditional parking standard which is 9 x 19 that
3 would meet the parking ordinance in that respect. Pappas said okay and still going by
4 the 250 which is the least restrictive. Mathisrud stated 1 for 250 which is what I was
5 recommending and then reducing the proposed parking stalls to the standard 9 x 19
6 and then that would meet the parking ordinance, yes. Pappas said okay.

7
8 Rutherford asked there was another street proposed east of that? Mathisrud
9 stated yes, just to the east was a platted street named Eagle Avenue on the plat which
10 is just a stubbed street right now and it is dependent on the future plat and what
11 happens out there as far as how that gets developed in the future. Rutherford said he
12 should have looked at his own map before. Mathisrud stated thought he saw your name
13 on that plat. Rutherford said it was on the plat.

14
15 Spaeth asked do your lots join, who owns the two lots to where the end of the
16 building would be? Pappas said they own the two lots to the west of where the parking
17 would end.

18
19 Danielle Norby Lien introduced herself and explained this is a project she has
20 been working on for a number of years actually and I just want to thank you for listening
21 to the presentation and we're excited to be working with the MMCDC which is the
22 Midwest Minnesota Community Development Corporation out of Detroit Lakes and they
23 have actually issued some funding using the new market tax credits so I don't know how
24 much you know about those and I'm learning more every day about them but I know
25 that it is rather competitive and difficult to receive that funding so it's pretty exciting that
26 they are investing in our community and our project. Thank you.

27
28 Rita Anderson stated she wanted to speak to two issues and that is for about a
29 two year period from 2010 to 2012 I was the manager at Anytime Fitness and on a
30 regular basis people would come in seeking memberships for families and for children
31 and a safe place for teenagers to go and recreate. It was very sad to have to turn them
32 away so one of the things I see this project meeting is that need for a safe space for
33 families and kids to be able to play during the winter and other times of the year.
34 Secondly, and I'm also on the Hubbard In Prevention Committee and part of that grant
35 is about preventing under age alcohol use and this community survey that was done
36 last year identified across the community the lack of recreational activities places for
37 families and for children so I just wanted to share that.

38
39 Spaeth asked Lien where her place is located? Lien asked the current one?
40 Spaeth said the one she was just speaking about? Anderson said Anytime Fitness is
41 that what you're speaking about? Spaeth said you said when they came to your place
42 to sign up?. Anderson explained that when she was a manager at Anytime Fitness
43 which is a 24/7 private facility here in Park Rapids where people can buy gym
44 memberships, they don't allow for the most part, children are not allowed. Spaeth
45 asked where that is located at? Anderson advised it's behind the Great Northern.

1 Spaeth said okay. Anderson said it is limited to adults and some older teenagers but as
2 far as kids being able to use the facility it's not possible.

3
4 Deb Farrell stated she wanted to know if we need to read the letter that we have
5 provided to you folks in order for it to be part of the record. Bradow asked all
6 commissioners if they read the letter? Bradow advised all commissioners have read the
7 letter. Farrell asked so not necessary? Bradow responded not necessary.

8
9 Peterson said the applicant here, on the calculations of the offices provided here,
10 what dictated to add this many? Just simply trying to utilize that building, is there an
11 avenue here that can be worked upon to reduce the sq. footage of this building down to
12 20,000 sq. ft? Lien said it would be difficult to reduce it because the part that we are
13 adding on is a gym and so there are specific sizes and regulations to the gymnasium
14 part of it. That makes it difficult. We would have to knock down part of the building that's
15 currently there in order to reduce it. Peterson said they could build a smaller
16 gymnasium. Lien responded then we couldn't do basketball tournaments or something
17 as the size we have on there you could turn the courts sideways so you could have two
18 courts going at the same time to regulation size. This is the smallest we could do in
19 order to have that ability. Peterson asked for a full size? Lien said yes. Peterson said
20 but they could do a smaller size there and reduce that building in size. Lien said yes,
21 they could do one court. Peterson said then they could add the parking that's missing
22 and reduce the building back to its square footage of 20,000 and both areas could be
23 met. Lien explained we could do that but it would also limit our ability to do a lot the
24 things that we would like to do. A lot of community members talk about how the fifth and
25 six grade basketball team for example has to practice really late at night or they can't
26 practice at all or they have to go to the Faith Bridge Church and so if they had another
27 facility that had actual regulation courts and stuff they would utilize that a lot more.
28 Peterson asked if Lien was aware that existing building was a pole barn and to meet the
29 fire code requirements in there that is a major gut out? Lien said yes, we have a
30 sprinkler system and we are really far in the planning process so we have a sprinkler
31 system proposed and in our budget and everything. Peterson said they haven't gone
32 that far yet have they? Bradow stated she already said they have finances. Peterson
33 said so you have already met the financing? Lien said yes.

34
35 Spaeth said now you're going to have a bunch of kids up there is that what you're
36 planning? Lien said yes a lot of it would be for children just because a lot of recreation
37 need is for kids, they need to move around, right now a lot of people go to Burger King
38 in the winter and that's where they're kids are playing. Spaeth asked what is going to
39 entertain them up there? Lien said she set up a nonprofit as well so we would hire
40 somebody to facilitate all that and run everything and they would organize all the
41 activities. We're going to be bringing in a lot of different partners and we talked to the
42 Park Rapids schools and Nevis schools. Spaeth asked if there will be dancing and
43 entertainment and now if we have a bunch of kids around, who is going to be policing
44 that area? Lien asked like law enforcement wise? Spaeth said yes. Lien said Park
45 Rapids City. Spaeth said I don't think so. Utke said they will have staff hired internally.
46 Lien said yes staff in the building. Spaeth asked will they watch the outside too, the

1 parking lots? Lien said yes and we monitor everything very closely as well because of
2 the nature of what we do, just the behavioral health part of it and then obviously we
3 want liability wise, we want to be safe so we're going to make sure there's enough staff
4 and it will meet all of the different regulations. If we did a daycare in there it would be
5 licensed by the state and all up to regulation.

6
7 Deb Farrell said she would just like to reinforce that if from the description of all
8 the activities that are going to go on in this building, there's going to be and I'm
9 concerned about the level of traffic and whether this parking lot and in and out that
10 traffic is going to be sufficient. It feels like it is the wrong kind of facility in this much
11 space. Bradow asked Lien to speak to the hours of operation and I'm imagining that
12 there will be different occupants at different times of the day. Can you tell us what the
13 hours of operation are that are planned? Lien stated they basically looked at what does
14 the community need as a whole and what can we do within our boundaries as being
15 health professionals, like a big road block we keep running into is like physical health
16 and physical activity and so we were looking at there are not a lot of activities we can do
17 in the winter was kind of the main ones and so during the business day those facilities
18 would be utilized for more clinical services. I know we've talked to the schools about like
19 a day treatment for children so they would need a gym space for like physical education
20 stuff and then during the afterschool, evening and weekend hours it would be utilized by
21 mostly the general public. People could bring in a national speaker and that would also
22 help the economy as a whole because people would be traveling to hear the speaker for
23 example and they would also be lodging somewhere, they would be purchasing gas and
24 stuff too. That's what some of the real estate agents have asked us for when they heard
25 about the project, they said that we don't have any common or large spaces that people
26 can rent even for like wedding receptions and so we're trying to maximize use of the
27 space in order to bring in or meet all of these different needs in the community. I've
28 worked with the group the WRECK and I think it was a couple years ago they started on
29 it but Mary Jo Lohmeier couldn't be here tonight but she said it was hard for them to find
30 funding in order to have a standalone recreation facility so we kind of found that in order
31 to make something like this work it would have to have a second or third use in order for
32 banks to be fully funded and sustainable rather than having two buildings or two
33 facilities sit empty half the time.

34
35 Peterson said when he looks at the gymnasium plan and I just simply count the
36 seats in the bleachers there and of course you bring in the players and coaches, you're
37 far exceeding the parking capacity of this property, far, far, far exceeding it. Lien said if
38 it were an elementary age tournament, a lot of the families come in vans and so you
39 might have 7 people in each vehicle so but we do have a plan for the parking so I'm not
40 concerned about that, we do have a plan. Peterson asked what is that plan? Lien said
41 there are two more lots that we are purchasing and that was a recent development.
42 Peterson asked if that was done or just speculating at this point or is it positive? Lien
43 said no, there is a Purchase Agreement. Peterson said it's already done, which lots are
44 those on this map? Lien said the two lots to the east and I think each of them is .55
45 acres. Rutherford said the two Ray Nagle lots right? Lien said yes. Spaeth asked have

1 you spoken to Mr. Nagel? Lien said he actually approached me and asked me so he
2 was really awesome.

3
4 Peterson suggested writing that into the CUP that it's contingent upon those two
5 lots being incorporated into that.

6
7 Utker commented that 90 some spaces is a lot already and I mean we hope for
8 both ventures you hope you fill them up, I mean that is the wish of every business when
9 you take on something new is to see the parking lot totally full so I mean it's great to
10 have that option down the road but it is going to take a while to build this to that point
11 too.

12
13 Peterson asked if the easement where the road crossing through to the east of
14 the existing property to connect the proposed neighborhood in the back, would that
15 remain there then? Mathisrud said that is correct. Peterson asked who owns it?
16 Mathisrud said the city owns the undeveloped road as it has been dedicated to the
17 public.

18
19 Spaeth commented on the parking spaces at the Legion when there is a
20 wedding. Lien asked how many spots do they have there? Peterson said it's over
21 capacity when they fill it and they are all the way to the east. Spaeth said they park on
22 Thielens lot also.

23
24 Peterson asked if it is possible the city would be willing to, if we redraw this and
25 put the gymnasium to the east so you have more land for the gymnasium? Lien said
26 potentially the only issue would be that Eagle Avenue if we needed to develop the
27 residential portion that would have to be two separate facilities I think because we don't
28 want to tear it down, but I'm open to the idea it would just be something I think you
29 would have to approve.

30
31 Rutherford asked what would happen if they approached the city and said they
32 want to close this street off and we've done it before, there is nothing on either side or to
33 the north or to the south. Mathisrud said Eagle Avenue was taken as a dedication
34 because we don't know what the future of the property to the north is and so in looking
35 at vacating a street, that would weigh heavily, at least in staff's position, on that. To
36 vacate a street you do a request to the Planning Commission and City Council and the
37 Council would have the authority to vacate a street for example, but there is a lot that
38 goes into a recommendation to do that and at this point I would have some concerns of
39 vacating that street. However, what we've done, more typically, is to license streets for
40 use by developer, we did that at Park Avenue Plaza the DaVita building as well as
41 Hugos where we licensed the street for private use but still maintained access to that so
42 we can still cross it and put utilities in that location so that would likely be a more viable
43 solution at this point to utilize that street for private purposes through the use of a
44 license agreement.

1 Spaeth said he likes the idea but is afraid you are squeezing a lot of cars into a
2 small area. Lien asked even with the two additional lots would that help at all? Spaeth
3 said those are Nagel's lots and they haven't got them yet. Utke said right, but they have
4 a Purchase Agreement. Spaeth asked you have a Purchase Agreement on Nagel's
5 lots? Lien said yes, he approached me and came into my office one day and asked if I
6 wanted to purchase them. Spaeth said that's fine as long as you have the Purchase
7 Agreement there, that gives you extra room to park, that's my concern because I think
8 the recreation center is a good idea because the kids need a place to go.

9
10 Rutherford stated they more than meet their requirements on parking then with
11 the other two lots right.

12
13 Bradow asked if the folks that brought the letter for the commissioners, have all
14 of your questions been addressed on this letter? Pappas said I believe so, yes.

15
16 **The Public Hearing was closed at 6:51 p.m.**

17
18 **The Findings of Facts were reviewed. The commissioners came to the**
19 **following conclusions: Is the proposed use identified as a conditional use in this**
20 **zoning district? YES.**

- 21
22 1. *Are there characteristics of the proposed use that may violate the public health,*
23 *safety, or general welfare of Park Rapids City residents? NO.*
24 2. *Is the proposed use inconsistent with the intent of the Park Rapids City*
25 *Comprehensive Plan and Zoning Ordinance? NO.*
26 3. *Does the proposed use present any unique concerns regarding erosion, runoff,*
27 *water pollution or sedimentation? YES. 80% impervious surface.*
28 4. *Could the proposed use create any special problems with parking? NO.*
29 5. *Would the proposed use cause any problems with access or traffic generation?*
30 *NO.*
31 6. *Is the proposed use incompatible with other uses located in the zoning district?*
32 *NO.*

33
34 For each response answered affirmatively, are there conditions that could be
35 attached to the granting of a permit that would mitigate the adverse impact? YES.
36 *Mathisrud and the Commissioners recommended the following conditions::*

- 37
38 1. The applicant shall provide parking at a rate of 1 stall per 250 square feet of gross
39 floor area. If in the future it is determined that the applicant has insufficient
40 parking, additional off street parking shall be provided on site or within 100 feet
41 under common ownership.
42 2. The applicant shall provide a storm water management plan showing that post
43 development runoff shall not exceed predevelopment runoff.
44 3. The applicant shall provide a signage plan showing that the ordinance will be
45 complied with and that signage can be incorporated for the gym area of the
46 building.
47 4. The applicant shall provide a landscaping plan that complies with the City of Park
48 Rapids Landscaping ordinance.

- 1 5. The applicant shall be in compliance with all other applicable city ordinances as
2 well as Minnesota Department of Human Services licensing as well as any other
3 regulations applicable to the businesses they operate.
4

5 **A motion was made by Rutherford, seconded by Bradow, and unanimously**
6 **carried to recommend to the City Council approval of a Conditional Use Permit**
7 **Request to construct and operate a recreational facility/community center at 1009**
8 **Hollinger Street located in a B-1 Highway Business District PID#32.68.00300;**
9 **32.68.00400 and 32.68.00500 based on the Findings of Facts with the following**
10 **conditions:**

- 11
12 1. The applicant shall provide parking at a rate of 1 stall per 250 square feet of
13 gross floor area. If in the future it is determined that the applicant has
14 insufficient parking, additional off street parking shall be provided on site
15 or within 100 feet under common ownership.
16 2. The applicant shall provide a storm water management plan showing that
17 post development runoff shall not exceed predevelopment runoff.
18 3. The applicant shall provide a signage plan showing that the ordinance will
19 be complied with and that signage can be incorporated for the gym area of
20 the building.
21 4. The applicant shall provide a landscaping plan that complies with the City
22 of Park Rapids Landscaping ordinance.
23 5. The applicant shall be in compliance with all other applicable city
24 ordinances as well as Minnesota Department of Human Services licensing
25 as well as any other regulations applicable to the businesses they operate.
26

27 Bradow suggested the applicant attend the City Council meeting for final
28 approval.
29

30 **6. INFORMATIONAL/DISCUSSION:** Rutherford commented on last month's
31 Comprehensive Plan Revision and Rezoning from B-1 to R-2 for property located at 321
32 1st Street West. Rutherford said he thinks we need to keep it as a commercial piece of
33 property. Peterson said it is too late now. Rutherford said no it isn't there is the second
34 reading tomorrow night at the City Council meeting. Peterson said that is the place to
35 bring it up. Rutherford said I will bring it up, trust me.
36

37 Utke said that place has been up for sale for how many years and on something
38 like that is it our right to hold up or stop a sale when it isn't something that's totally
39 wrong? That's just something to think about because it's been vacant for ten plus years.
40 Bradow stated that was kind of our rationale here. There was discussion on someone
41 wanting to improve the property, previous attempts to put commercial business there
42 that haven't worked, getting it on the tax rolls again. There was discussion concerning
43 buying the property before rezoning it.
44

45 Rutherford explained he wanted to purchase the property once for residential and
46 was told by the previous planner it couldn't be changed to residential. Mathisrud said
47 any one can request to do what they want by submitting the proper application and
48 going through the process. The pros and cons were discussed and the Planning
49 Commission in reviewing those facts felt that it was appropriate to change the Comp
50 Plan and rezone the property. There was discussion concerning the extremely poor
51 condition of the house and previous grass complaints on the property.
52

1 **7. ADJOURNMENT:** A motion was made by Rutherford, seconded by Spaeth,
2 and unanimously carried to adjourn the meeting at 7:09 p.m.

3
4
5

Chair Dick Bradow

ATTEST:

Carmen L. Lockhart
Planning Assistant