

**CITY OF PARK RAPIDS
SPECIAL MEETING
PLANNING COMMISSION
MARCH 20, 2017, 6:00 p.m.
Park Rapids Library, 210 First Street West – Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: The March 20, 2017, Special 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, Nels Peterson, Sam Spaeth, and Dick Rutherford. Absent: City Council Member Liz Stone. Staff Present: City Planner Ryan Mathisrud and Planning Assistant Carmen L. Lockhart. Others Present: Jennifer Keller, Murry Westberg, Jason McCollum and Chuck Alberg.

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

4. APPROVAL OF REGULAR MEETING PLANNING COMMISSION MINUTES OF FEBRUARY 27, 2017: A motion was made by Peterson, seconded by Bradow and unanimously carried to approve the February 27, 2017 Regular Meeting Minutes as presented.

5. PUBLIC HEARINGS:

5A. COMPREHENSIVE PLAN FUTURE LAND USE AND FUTURE LAND USE MAP REVISION REQUEST FROM MURRY WESTBERG AND JENNIFER KELLER FOR THREE PARCELS CONSISTING OF .40 ACRES LOCATED AT 321 1ST STREET WEST FROM RESIDENTIAL TO COMMERCIAL. PID#32.39.01000. 32.39.01200 AND 32.39.01400.

Mathisrud explained the previous owner requested a Comprehensive Plan and Future Land Use Map Revision from commercial to residential in August of 2016. The applicants are purchasing the property and plan to develop a new eye clinic on the site and therefore are requesting the property be classified as commercial rather than residential.

Mathisrud provided maps for the Comprehensive Plan and Future Land Use Map as existing and proposed. Mathisrud stated the property is located at 321 1st St W and the applicants intend to construct an eye clinic. The applicants are Murry Westberg and Jennifer Keller and the current property owner is Robin Howard. The total land area for three lots is .40 acres. There is a single family home on the property which would be demolished and the applicant would redevelop the site as a commercial use.

Mathisrud stated the Future Land Use Map shows the property as residential and the applicant desires it to be commercial. Future Land Use Goal #3 Enhance the community's character and identity. Policy 2 – preserve and maintain existing stable, residential areas along Highway 71 and Highway 34 corridors in the City. The property is not located in the shoreland overlay area. It is located within Airport Safety Zone C

which does not affect this use. It is not located in an environmentally sensitive area but is located in the wellhead protection area, however the proposed use does not conflict with wellhead protection and maintaining the quality of our drinking water. There are adequate utilities available on this site for the proposed use and adequate water available for sprinkled uses. There is storm sewer available and sanitary sewer. Mathisrud provided photos of the site with the unmaintained residential use.

Mathisrud stated the applicant's site plan is for a proposed use of a 5,572 sq. ft. eye clinic with an area set aside for a future addition of 1,632 sq. ft. It does have adequate off-street parking to serve both those uses as well as a sufficient area for storm water management. It is able to meet all the setbacks and provide the ADA required parking. Mathisrud explained this site is a high traffic commercial corridor and staff has had other commercial inquiries in the past however, it is a fairly small lot size but is adequately sized for the proposed use. Mathisrud commented the project includes the vacant lot to the east and changing the zoning to commercial would continue that westward incremental expansion of commercial uses and correct that residential area.

Mathisrud recommended revising the Comprehensive Plan and Future Land Use Map from residential to commercial to allow the redevelopment of the site.

Mathisrud provided staff's responses to the Findings of Fact as follows:

1. Is the zoning amendment consistent with the Park Rapids Comprehensive Plan? **Yes- if the Planning Commission votes to change the Future Land Use map to commercial.**
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.**

The Public Hearing for the Comprehensive Plan and Future Land Use Map was opened at 6:08 p.m.

Jason McCullom of Citizens National Bank stated they are a neighboring business and is here to support the project as it will be a nice addition to that side of town as the property has been unmaintained for the past several years so we are here to support it.

The Public Hearing was closed at 6:09 p.m.

There are no Findings of Facts for Comprehensive Plan Revision.

A motion was made by Rutherford, seconded by Peterson, and unanimously carried to recommend to the City Council approval of a Comprehensive Plan Future Land Use and Future Land Use Map revision request from Murry Westberg and Jennifer Keller for three parcels consisting of .40 acres located at 321 1st St. W from Residential to Commercial. PID#32.39.01000, 32.39.01200 and 32.39.01400.

5B. ZONING DISTRICT BOUNDARY AMENDMENT REQUEST FROM MURRY WESTBERG AND JENNIFER KELLER FOR THREE PARCELS CONSISTING OF .40 ACRES LOCATED AT 321 1ST ST. W TO BE REZONED FROM R-2 SINGLE, TWO FAMILY AND TOWNHOUSE RESIDENTIAL DISTRICT TO B-1 HIGHWAY BUSINESS DISTRICT, PID#32.39.01000, 32.39.01200 AND 32.39.01400:

Mathisrud stated since we are recommending approval of the Comprehensive Plan and Future Land Use Map amendment, staff recommends approval of the rezoning request from R-2 to B-1 as explained in the staff report.

The Public Hearing for the Zoning District Boundary Amendment was opened at 6:11 p.m.

Spaeth inquired when construction would start? Westberg stated this summer. Spaeth stated the reason he is asking is that when we rezoned it to residential the owner was going to work on the house but there is a tree laying up against the house and nothing has been done so you're not intending to buy it and rezone it and sit on it? Westberg and Keller said absolutely not, we are working on drawings right now and as soon as that's done we will get it out for bids and get something going as soon as spring rolls around. Keller added as soon as possible.

The Public Hearing was closed at 6:12 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, IF THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP ARE CHANGED FROM RESIDENTIAL TO COMMERCIAL.**

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.**

A motion was made by Rutherford, seconded by Peterson, and unanimously carried to recommend to the City Council approval of a Zoning District Boundary Amendment request from Murry Westberg and Jennifer Keller to rezone three parcels located at 321 1st St. W, from R-2 Single, Two Family and Townhouse Residential District to B-1 Highway Business District. PID#32.39.01000, 32.39.01200 and #32.39.01400.

Bradow advised the applicants that the Planning Commission is a recommending body to the City Council and that they should attend the City Council meeting for final approval.

6. INFORMATIONAL/DISCUSSION:

Eagle Avenue:

Spaeth was absent at a previous meeting and wanted to express his concern and opinion that Eagle Avenue should not be vacated as the street was platted to provide for development to the north and the City should not give it away and then have to obtain property for a new road for future development. Spaeth stated the applicant came with a plan which we approved and now they want more. There was discussion amongst the commissioners and two commissioners were against the vacation and two commissioners were in favor of vacating the platted street.

Towers:

There was discussion concerning not allowing towers in the city and the commissioners were divided in their opinions.

Chickens:

Spaeth voiced his concern regarding drafting a proposed ordinance to allow chickens in residential districts in the city as it devalues property values and he is of the opinion there will be complaints from neighbors and chickens should not be allowed in the city. Spaeth stated residents are already keeping chickens in violation of the ordinance and there are enforcement issues. There was further discussion and debate concerning allowing chickens in residential districts.

7. ADJOURNMENT: A motion was made by Rutherford, seconded by Peterson, and unanimously carried to adjourn the meeting at 6:31 p.m.

Chair Dick Bradow

ATTEST:

Carmen L. Lockhart
Planning Assistant