

**CITY OF PARK RAPIDS**  
**REGULAR MEETING**  
**PLANNING COMMISSION**  
**APRIL 24, 2017, 6:00 p.m.**  
**Park Rapids Library, 210 First Street West – Lower Level**  
**Park Rapids, Minnesota**

**1. CALL TO ORDER:** The April 24, 2017, 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, Nels Peterson, Sam Spaeth, Dick Rutherford and City Council Member Liz Stone. Absent: None. Staff Present: City Planner Ryan Mathisrud and Planning Assistant Carmen L. Lockhart. Others Present: Scott Kliver of Innovative Builders, Jackie & Dennis Christianson, Mike Monsrud, David Collins, and Art and Kathy Symantiez.

**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 SPECIAL PLANNING COMMISSION MEETING MINUTES OF MARCH 20, 2017:** A motion was made by Peterson, seconded by Spaeth and unanimously carried to approve the March 20, 2017 Special Meeting Minutes as presented.

**5. PUBLIC HEARINGS:**

Mathisrud explained that all the items on the agenda are relating to this same project for Knute Nelson which is working with Innovative Builders to construct an independent and assisted living senior housing project with approximately 140,000 sq. ft. in the first phase. They are proposing to create approximately 40 jobs, 28 full time and 12 part time. There are 69 independent and assisted living in the proposed building with 19 memory care units. The apartments range in size from 694 to 1258 sq. ft. as well as community amenities in the middle of the project including an activity room, dining hall, spa and fitness room, and coffee area. There is heated underground parking and the developer is seeking approvals for their project at this time.

**5A. PRELIMINARY PLAT OF CRYSTAL BROOK FOR KI DEVELOPERS OF PARK RAPIDS, LLC, CONSISTING OF THREE LOTS AND APPROXIMATELY 40 ACRES RECENTLY ANNEXED, PID#32.36.00200 & 32.36.00300:**

**5A-1. APPROVAL OF FINAL PLAT OF CRYSTAL BROOK:**

Mathisrud advised they are proposing three lots consisting of approximately 40 acres recently annexed into Park Rapids. This is located off of Crocus Hill Street at the corner of Crocus Hill Street and Henrietta Avenue South in the southeast corner of the city. The purpose of this public hearing is approving the Preliminary and Final Plat of Crystal Brook a subdivision for the proposed 88 unit senior housing project. The applicant/owner is KI Developers of Park Rapids represented by Randy Roers and Scott Kliver of Innovative is here today. The proposed plat consists of 40.78 acres and is not

located within the Shoreland Overlay but is located within Safety Zone C of the Airport Overlay. There are three proposed lots and the senior housing project will be located on Lot 2 and has an access from the north and from the east. The remaining lots are more conventionally shaped. Lot 1 is 3 acres and Lot 3 is 20 acres. These lots are adequately sized for future multi-family development. In reviewing the plat it shows a dedication of real estate to the city for roads which are the existing roads located on the north–Crocus Hill Street and east–Henrietta Avenue South. Essentially they are dedicating the portions that are already developed as roads and are dedicating that to the City as part of the plat. Mathisrud stated is consistent with the Comprehensive and is the correct width. Also located around the lots are some 10 ft. utility easements to allow for installation of utilities, water, sewer, phone, cable, etc. There is small corner of a utility easement which is shown to encumber Lot 1. We usually don't like to see these encumbrances but staff reviewed this and felt it was appropriate for this development as they need to access our utility connection located within the right-of-way.

The Preliminary and Final Plat was sent to the City Engineer to review and their comments stated the City has the capacity to serve this subdivision and would like to see some additional details provided on the private lift station they will be providing for this project.

City Clerk commented that the deferred assessments be paid upon development of the project so we are requesting that payment be provided prior to recording of the Final Plat.

Hubbard County Soil and Water provided comments stating the site does not contain any evidence of wetlands.

The Parks and Beautification Committee commented the site does not warrant dedication of land but by code the developer would be required to pay \$3,700 for parkland improvements.

Mathisrud stated in reviewing the Comprehensive Plan – Land Use Goal #1 Promote new residential development in the southeast quarter of the City. Housing Goal #3 states we should focus on increasing housing options for senior citizens.

Mathisrud stated staff's recommendation is to approve the Preliminary and Final Plat of Crystal Brook with the following conditions:

1. Parkland dedication in the amount of \$3,700.00 is required prior to filing the Final Plat.
2. Deferred assessments in the amount of \$53,737.85 are required to be paid prior to filing the Final Plat.
3. Minor clerical changes to the plat are also requested prior to signature.

**The Public Hearing was opened at 6:09 p.m.** No public comments.

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

**A motion was made by Peterson, seconded by Bradow, and unanimously carried to recommend to the City Council approval of the Preliminary and Final Plat of Crystal Brook for KI Developers of Park Rapids, LLC, consisting of three**

**Lots and approximately 40 acres recently annexed, PID#32.36.00200 & 32.36.00300 with the following conditions:**

- 1. Parkland Dedication in the amount of \$3,700.00 is required prior to filing the Final Plat.**
- 2. Deferred assessments in the amount of \$53,737.85 are required to be paid prior to filing the Final Plat.**
- 3. Minor clerical changes to the plat are also requested prior to signature.**

**5B. COMPREHENSIVE PLAN REVISION AND FUTURE LAND USE MAP REVISION REQUEST FROM KI DEVELOPERS OF PARK RAPIDS, LLC. FROM SINGLE FAMILY RESIDENTIAL TO MULTI-FAMILY RESIDENTIAL FOR RECENTLY ANNEXED PROPERTY TO BE KNOWN AS PLAT OF CRYSTAL BROOK, CONSISTING OF THREE LOTS AND APPROXIMATELY 40 ACRES PID#32.36.00200 & 32.36.00300:**

Mathisrud explained this report relates to both the Comprehensive Plan Revision as well as the Zoning Designation of R-B. At this step of the process the applicant is requesting the appropriate zoning to apply to the project that they intend to construct. Currently our Comprehensive Plan shows this southeast corner as being future single family residential and at this point no zoning has been established for this quadrant as it had previously fallen under the township zoning so now is an appropriate time to establish zoning.

The proposed address for the development will be 1006 Crocus Hill Street. The area we are talking about right now is the entire plat which is approximately 40.78 acres. The property is vacant – undeveloped farmland.

Mathisrud provided the Future Land Use Map showing the area as single family. Crocus Hill Street or CSAH 15 is 40 mph minor arterial street and Henrietta Avenue South is also a 40 mph street so traffic moves a little quicker. To the west are single family homes. Diamond Willow and single family homes are on the north side of Crocus Hill Street. Itasca Mantrap is located on Henrietta Ave South to the east.

Mathisrud stated staff is recommending a change from the current Comprehensive Plan and Future Land Use Map from single family to multi-family residential which would allow for a zoning change consistent with senior housing.

Mathisrud advised the Zoning Map is a similar situation as this property is currently not zoned by the City and staff is recommending establishing a zoning designation of R-B Residential Business Transitional District so we can allow a mixture of limited types of businesses on this location along with multi-family housing.

Mathisrud provided images of the proposed area which is generally flat, not located in the Shoreland Overlay but is located in Airport Safety Zone C which limits height of structures to 150 ft. It is not located in the Wellhead Protection Area.

Mathisrud identified the surrounding land uses again. Mathisrud explained the senior housing project is designed for future expansion in mind.

Mathisrud provided his Findings of Fact answers for a Zoning Amendment:

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 Multi Family Residential.**

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.**

Mathisrud stated staff is recommending approval to establish zoning of R-B Residential-Business Transitional District for the proposed Plat of Crystal Brook.

Spaeth asked about traffic coming in off of Henrietta Avenue South? Mathisrud explained that is laid out in the next item, the Conditional Use Permit. The main entrance is off of Crocus Hill Street and is where the majority of visitors and residents will enter and the rear entrance off of Henrietta Avenue South is for the Memory Care Units and deliveries. Spaeth asked if they are for sale or rentals? Mathisrud stated rentals. Spaeth expressed concerns of endangering accidents coming off of Henrietta Avenue South. Mathisrud explained the south or back entrance is not connected to the main north entrance. Spaeth commented further on using the fire lane. Mathisrud explained the fire lane is narrow and gravel and is meant to primarily serve fire trucks in an emergency situation and people would be discouraged from driving on it because it is gravel.

Bradow asked Spaeth if he was worried about the delivery people or the residents? Spaeth said the residents because the older people have problems with visibility. Bradow said the older people can't get back there as they have underground parking. Stone stated the south parking is intended for the memory care staff. Bradow advised this can be addressed in the public hearing for the Conditional Use Permit which is coming up as Item 5D.

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

Art Symanietz asked if the zoning on the north side of Crocus Hill Street will change? Bradow said no. Mathisrud stated that is correct and this only applies to the 40 acres on the south side of Crocus Hill Street. Dennis and Jackie Christianson said they are right next to the road and we're opposed to the road there being that close to the back of their property. Mathisrud said this application only applies to this 40 acres that was recently annexed and does not apply to any of the residents there now. Jackie Christianson said that road is going to be pretty close when you bring that road in and pretty close to the back of our property so can you move the road? Mathisrud said that is a private drive and not a City road. Mathisrud said it is 300 ft. from the corner of your property so this would be a private access. Jackie Christianson said it sounds like it is going to be pretty busy. Mathisrud said there is parking for 156 vehicles. Well we bought that and we were in the country and then all of a sudden we are in the city. Mathisrud said you are not in the city. Jackie Christianson said no we aren't but that's how we feel, that's what happened to us, the city came onto us and we're not city people.

Peterson said that road will be 300 ft. plus. Jackie Christianson said that's not much. Peterson said that would be more than three football lengths away. Dennis

Christianson said no. Peterson said pardon? Christianson said it's not more than three football fields unless they changed the size of a football field. Peterson asked what is a football field? Christianson said 300 ft. There was further clarification that a football field would be 100 yards.

**The Public Hearing was closed at 6:28 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 Revision and Future Land Use Map revision request from KI Developers of Park Rapids, LLC from single family to multi-family residential. PID#32.36.00200 & 32.36.00300.**

**5C. ESTABLISH ZONING DISTRICT BOUNDARY OF R-B RESIDENTIAL-BUSINESS TRANSITIONAL DISTRICT REQUEST FROM KI DEVELOPERS OF PARK RAPIDS, LLC, FOR TWO RECENTLY ANNEXED PARCELS, THE PROPOSED PLAT OF CRYSTAL BROOK, PID#32.36.00200 & 32.36.00300:**

Mathisrud stated his report was given with the Comprehensive Plan and Future Land Use Map revision. Mathisrud stated his recommendation is to approve establishing zoning of R-B Residential-Business Transitional District for the proposed Plat of Crystal Brook – see above for staff's Findings of Fact answers.

**The Public Hearing was opened at 6:30 p.m.**

Dennis and Jackie Christianson asked if someone could identify KI Developers of Park Rapids, who are they? We've lived here all of our lives and never heard of them, just for familiarity can they be identified? Mathisrud said he can answer or we can defer to the developer. Bradow deferred to the developer. Scott Kluver of Innovative Builders said that KI Developers of Park Rapids is a partnership between Innovative Builders and Knute Nelson. Christianson said so K stands for Knute and who's the I? Kluver said the I stands for Innovative Builders. Christianson asked are you from here? Kluver said no, from Alexandria and Knute Nelson is based out of Alexandria and the reason it says of Park Rapids is a legal thing we put together for the project, we are not from Park Rapids. There was discussion that Knute Nelson has done projects in Park Rapids as a contractor.

**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, IF COMPREHENSIVE PLAN IS CHANGED.**
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 Peterson, seconded by Bradow, and unanimously carried to recommend to the City Council approval to Establish a Zoning District Boundary of R-B Residential-Business Transitional District for two recently annexed parcels, the proposed Plat of Crystal Brook, PID#32.36.00200 & 32.36.00300.**

**5D. CONDITIONAL USE PERMIT FROM KI DEVELOPERS OF PARK RAPIDS, LLC, TO CONSTRUCT AND OPERATE A 138,600 SQ. FT. THREE STORY MULTI-FAMILY LIVING FACILITY WITH 70 UNITS AND 18 MEMORY CARE UNITS AND RELATED SERVICES IN A PROPOSED R-B RESIDENTIAL-BUSINESS TRANSITIONAL DISTRICT, LOT 2 BLOCK 1 OF PROPOSED PLAT OF CRYSTAL BROOK, 1006 CROCUS HILL STREET, PID#32.36.00200 & 32.36.00300:**

Mathisrud said the purpose of this request is to authorize a Conditional Use Permit for the R-B District for a proposed three story, 88 unit senior housing facility located on Lot 2, Block 1 of Crystal Brook and the site acreage for this request is 15.68 acres. The City's Comprehensive Plan and Future Land Use Map designate this area for multi-family uses under the previous application. Our Land Use Goal #1 is to promote new residential development in the southeast quarter of the city. Housing Goal #3 is to increase housing options for senior citizens, so it fits with the Comprehensive Plan.

Mathisrud said in looking at our zoning overlays, it is not in a Shoreland Overlay but it is located in the Airport Overlay which does trigger a submittal of an airspace study which is a standard document filed with FAA. There are no known environmentally sensitive areas in this location. It is not located in the Wellhead Protection area and this is the area for development and does show city utilities to the north along Crocus Hill. We went through the adjacent land uses previously. The site plan shows the primary entrance to serve this use comes off of Crocus Hill Street and towards the back there is a fire lane which is intended for a local fire department to access the back side. This was a suggested addition which they provided and it is proposed to be gravel. The main entrance for parking inside underneath the building comes in and there is also a round driveway to access the building for dropping off and picking up people. There's additional surface parking in the front of the building. A storm water retention pond on the north side will capture and handle storm water off the building and parking lots. There's proposed to be a water feature in the southwest corner like a fountain or similar pond for storm water purposes but also as a site amenity. The front area of the building is primarily senior housing assisted living and independent living. To the south side is a wing intended to serve memory care services and again this has its own private access for staff on the back side. There is also an area set aside to the north as well as the east for future expansion should the project be successful moving forward. There is a sidewalk that connects the building to the rest of the community. On Crocus Hill Street there is a sidewalk on the north side which connects to the city. We are recommending signage for a crosswalk be added here so it is a safer crossing. That's the general site overview. If you look at the plans for inside the building there is the heated underground parking area with 59 parking stalls located inside with handicap parking as well as some storage available and again that is expandable in the future. They have a receiving driveway on the back side for delivery of products to run the facility. Inside on the main level there is a fitness room, multi-purpose rooms, dining area, patio, a store, a conference room, bistro and a kitchen area

and the apartments.

Mathisrud said looking at a cross section of the building there is a proposed height of 46 ft. 9 inches to the peak and again that's three stories and the underground parking. Reviewing this Conditional Use Permit request they are proposing to have a private sewer connection and in reviewing the civil drawings we're recommending those connections be located closer to the right-of-way so it is clear what is public and what is private. There's a private lift station proposed for the site because it is so far back from city services so we are going to request specifications be provided for that. It would be owned and maintained by the developer. A NPDES Permit is required for the management of storm water to make sure it is handled adequately. Right of Way permits are required to be obtained from Hubbard County and storm water runoff on the south access road is required to be treated and is not shown on the site plan at this time. Mathisrud noted that the façade is broken up in materials and colors which is good urban design.

Mathisrud provided his answers to the Findings of Fact:

1. Are there characteristics of the proposed use that may violate the public health, safety or general welfare of Park Rapids City Residents? **No.**
2. Is the proposed use inconsistent with the intent of the Park Rapids Comprehensive Plan and Zoning Ordinance? **No.**
3. Does the proposed use present any unique concerns regarding erosion, runoff, water pollution or sedimentation? **Yes- NPDES permit condition recommended.**
4. Could the proposed use create any special problems with parking? **No.**
5. Would the proposed use cause any problems with access or traffic generation? **No.**
6. Is the proposed use incompatible with other uses located in the zoning district? **No.**

Mathisrud said staff recommends approval of the Conditional Use Permit with the following conditions:

1. The owner shall provide updated utility connection and lift station details for review.
2. A NPDES permit shall be required prior to obtaining a building permit.
3. All appropriate permits shall be secured from Hubbard County for work within county Right of Way.
4. A landscaping plan shall be submitted that meets the city landscaping ordinance.
5. A FAA 7460-1 shall be filed with the FAA.

**The Public Hearing was opened at 6:46 p.m.**

Stone asked the developer where the lift station will be located? Mathisrud said staff would require that it be located on private property and not within the city right-of-way or easement areas and typically it would be located somewhere closer to the building. Mathisrud advised when the sewer pipes get too high the lift stations are required to lift the waste water up and drop it back to the city utility.

Bradow asked Spaeth if he had any questions. Spaeth said no.

Christiansons said you mentioned that the water fixture could be a pond for storm runoff, how many square feet or yards or whichever is impervious surface, obviously the road along with the parking lot will be tarred, approximately how many square feet or what type of an area are we talking about in that pond if you don't put a fountain there? What affect with that have on the ground water? I'm watching every winter morning as get salted, that's my concern? Kluver responded the pond and the water feature are two different things. Mathisrud said that's how he understood it, so the water feature to the south is a site amenity and as I discussed with the designer, that would actually be lined so water does not infiltrate into the ground in that location? Christianson asked if it is similar to Wal\*Mart's? Mathisrud said he doesn't know specifics on Wal\*Mart. This area is intended to be a storm water infiltration basin and retention pond. In Park Rapids most of the ponds that we have are fairly shallow and water infiltrates into the ground due to sandy soils. The ND PES Permit that I discussed earlier requires more specifics as well as calculations showing how big of pond is required for whatever volume of water we are trying to retain so generally that is designed for a five year storm event for Park Rapids. There are specific calculations that are laid out by the state. Christianson asked if it is roughly 15 acres? Mathisrud stated he doesn't have the impervious surface calculation but it would include the building, the driveways and all parking areas. Ideally this would be set up under the same permit to include the future expansion so it is adequately sized for the future. Christianson asked if she can walk on their sidewalk? Mathisrud said it is shown as private sidewalk not a public sidewalk. Christianson said yeah so can people walk there? Kluver said he couldn't imagine they would run you out but it is a private and a place of business. Christianson said so yeah we can, or no, we can't? Kluver responded it is private but you could probably go for a walk around the building.

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

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

1. *Are there characteristics of the proposed use that may violate the public health, safety, or general welfare of Park Rapids City residents?* **NO.**
2. *Is the proposed use inconsistent with the intent of the Park Rapids City Comprehensive Plan and Zoning Ordinance?* **NO.**
3. *Does the proposed use present any unique concerns regarding erosion, runoff, water pollution or sedimentation?* **NO.**
4. *Could the proposed use create any special problems with parking?* **NO.**
5. *Would the proposed use cause any problems with access or traffic generation?* **NO.**
6. *Is the proposed use incompatible with other uses located in the zoning district?* **NO.**



For each response answered affirmatively, are there conditions that could be attached to the granting of a permit that would mitigate the adverse impact? *No affirmative answers but Mathisrud and the Commissioners recommend the following conditions:*

1. The owner shall provide updated utility connection and lift station details for review.
2. A NPDES permit shall be required prior to obtaining a building permit.
3. All appropriate permits shall be secured from Hubbard County for work within county Right of Way.
4. A landscaping plan shall be submitted that meets the city landscaping ordinance.
5. A FAA 7460-1 shall be filed with the FAA.

**A motion was made by Peterson, seconded by Rutherford, and unanimously carried to recommend to the City Council approval of a Conditional Use Permit for KI Developers of Park Rapids, LLC to construct and operate an approximately 138,600 sq. ft. (3) three story multi-family living facility with 70 units and 18 memory care units and related amenity services in a proposed R-B Residential-Business Transitional District, Lot 2 Block 1 of proposed Plat of Crystal Brook, 1006 Crocus Hill Street, PID#32.36.00200 & 32.36.00300 with the following conditions:**

1. The owner shall provide updated utility connection and lift station details for review.
2. A NPDES permit shall be required prior to obtaining a building permit.
3. All appropriate permits shall be secured from Hubbard County for work within county Right of Way.
4. A landscaping plan shall be submitted that meets the city landscaping ordinance.
5. A FAA 7460-1 shall be filed with the FAA.

**5E. VARIANCE REQUEST FROM KI DEVELOPERS OF PARK RAPIDS, LLC FOR A TWO (2) FT. HEIGHT VARIANCE TO CONSTRUCT A THREE (3) STORY 70 UNIT MULTI-FAMILY LIVING FACILITY WITH 18 MEMORY CARE UNITS AND AMENITIES IN A PROPOSED R-B RESIDENTIAL-BUSINESS TRANSITIONAL DISTRICT ON LOT 2, BLOCK 1 OF PROPOSED PLAT OF CRYSTAL BROOK, 1006 CROCUS HILL STREET, PID#32.36.00200 & 32.36.00300:**

Mathisrud said in reviewing the site plan we identified that the height of the building exceeded what's allowable under City Ordinance for an R-B District so the applicant is requesting a two foot height variance to all the construction for this project as designed. When we look at the bulk regulations for the R-B District it shows a maximum height of 45 feet for multi-family type buildings. Our definition says we measure to the peak of the roof. In some cities that will have a different definition as to how to measure this but Park Rapids has chosen the peak of the roof which is how we handle this. The proposed height is 46 ft. 9 inches and they are requesting a two foot variance. The developer proposes a 5-12 roof pitch primarily to accommodate snow loads that are common in Park Rapids and results in that steeper roof pitch. The developer stated that reducing the height will result in additional engineering costs in order to fit that standard and it will also affect the aesthetics of the project. Those narrower roof pitches will kind of take away from the modern look of the building.

Mathisrud stated staff finds that the variance is small obviously, but the code does state that clear maximum of 45 feet so we can't permit that as designed without a variance and in reviewing the Findings of Fact staff came to these conclusions:

1. Does the property owner propose to use the property in a reasonable manner that is prohibited by an official control? Yes- the building is setback far enough from adjacent properties that the bulk of the building meets the intent of the ordinance.
2. Is the property owner's plight due to the circumstances unique to this property which were not created by the land owner? (No) the property is undeveloped, fairly level and without topographical challenges. The developer has control over the design. In staff's opinion it is an aesthetically appealing design however it does not meet the letter of the ordinance.
3. Can the variance be granted without upsetting the purpose and intent of the zoning ordinance? (Yes) or (No) The property is setback far enough from other properties to meet the intent of the height restriction. If the intent of the zoning ordinance was to encourage shallow pitched roofs than it would upset the intent of the zoning ordinance.
4. Is the variance consistent with the Comprehensive Plan? (Yes)
5. Can the variance be granted without altering the essential character of the surrounding area? (Yes) most of the houses to the west are on heavily wooded lots and would not be impacted visually by the additional 2 feet.

Mathisrud recommended denial of this request because # 2 cannot be met.

**The Public Hearing was opened at 7:02 p.m.**

Christianson wanted clarification that Mathisrud is saying no? Mathisrud stated that is correct.

There was discussion amongst the Planning Commissioners concerning the engineering and design, flattening the roof, snow loads, asphalt shingles, 4/12 verses 5/12 pitch roof, rafter dimensions and structural engineering.

Kliver stated the building would not be impeding anyone's line of site and questioned whether other zoning districts would allow the height as engineered?

Spaeth asked if the units would be for sale or rent? Kliver advised they are rentals.

Mike Monsrud stated even if Mathisrud recommended denial, the Planning Commission can overrule it for the good of the project.

**The Public Hearing was closed at 7:09 p.m.**

**The Findings of Facts were reviewed. The Commissioners came to the following conclusions. (A Variance may be granted only where the strict**

application of the Park Rapids Zoning Ordinance will result in practical difficulties and variance is in harmony with the general purpose and intent of the official controls and is consistent with the Comprehensive Plan. Practical difficulties exist only upon a positive Finding of each of the following criteria, but economic considerations alone do not constitute practical difficulties.)

1. Does the applicant propose to use the property in a reasonable manner that is prohibited by an official control? YES. PROHIBITED BY HEIGHT LIMITATION.

2. Is the property owner's plight due to circumstances unique to this property, which were not created by the landowner? YES FROM ALL COMMISSIONERS EXCEPT BRADOW.

3. Can the variance be granted without upsetting the purpose and intent of the Zoning Ordinance? YES FROM ALL COMMISSIONERS EXCEPT BRADOW.

4. Is the variance consistent with the Comprehensive Plan? YES.

5. Can the variance be granted without altering the essential character of the surrounding area? YES.

There was continued discussion and debate concerning the intent of the ordinance, roof pitch, public interest, hardships, economic hardship, aesthetics, spirit of Comprehensive Plan, effect on value of surrounding properties, practical difficulties, revising the ordinance and legal issues.

A motion was made by Stone, seconded by Peterson to recommend to the City Council approval of a two (2) foot height variance request from KI Developers of Park Rapids, LLC to construct a three story 88 unit multi-family facility with amenities in an R-B Residential-Business Transitional District, located on Lot 2, Block 1 in the proposed Plat of Crystal Brook, 1006 Crocus Hill Street, PID#32.36.00200 & 32.36.00300.

The vote was called.

The following Planning Commissioners voted in favor: Stone, Spaeth, Peterson, Rutherford.

The following Planning Commissioner voted nay: Bradow.

The motion carried 4 to 1.

Bradow and Mathisrud advised the City Council will make the final decisions on May 9<sup>th</sup>, 2017.

**6. INFORMATIONAL/DISCUSSION:** There was discussion concerning revising the definition and formula for measuring and determining the height of a building and to review a proposed revision at the next meeting.

**7. ADJOURNMENT:** A motion was made by Rutherford, seconded by Peterson, and unanimously carried to adjourn the meeting at 7:41 p.m.

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Chair Dick Bradow

ATTEST:

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Carmen L. Lockhart  
Planning Assistant