

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

1. CALL TO ORDER: The July 24, 2017, Regular Meeting of the Park Rapids Planning Commission was called to order at 6:03 p.m. by Vice Chair Peterson.

2. ROLL CALL: Present: Commissioners Dick Rutherford, Nels Peterson and City Council Member Liz Stone. Absent: Dick Bradow and Sam Spaeth. Staff Present: City Planner Ryan Mathisrud and Planning Assistant Carmen L. Lockhart. Others Present: Ben Koppelman.

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

4. APPROVAL OF REGULAR PLANNING COMMISSION MEETING MINUTES OF MAY 22, 2017: A motion was made by Rutherford, seconded by Stone and unanimously carried to approve the May 22, 2017 Regular Meeting Minutes as presented.

5. PUBLIC HEARINGS:

5A. CONDITIONAL USE PERMIT REQUEST FROM CATHOLIC HEALTH INITIATIVES TO ESTABLISH A STORAGE FACILITY AND WAREHOUSE AS PRINCIPLE USE IN A B-1 HIGHWAY BUSINESS DISTRICT ON PROPERTY LOCATED AT PROPOSED 109 LARSON AVE, PID# 32.26.00124.

Mathisrud explained the owner and applicant is Catholic Health Initiatives (CHI) to establish a storage facility and warehouse as a principle use in the B-1 Highway Business District which is proposed to be located on property to be addressed 109 Larson Ave. Mathisrud provided images showing the subject property. The purpose of the request is that the applicant is looking to sell the property on the north side of the parcel addressed at 1004 1st St. W and split the property and retain the south building for storage/warehouse. By doing this it is required to establish this as a principle use by obtaining a Conditional Use Permit. The lot will be split to create a 100 ft. wide lot which is required by code. The applicant is Ben Koppelman representing CHI/St. Joseph's. The land area of the proposed parcel would be .48 acres or 21,172 sq. ft. The property is not located inside the shoreland overlay zone or an environmentally sensitive area. It is located within Airport Safety Zone C but there are no additional restrictions that apply to this property. The property is located within the Drinking Water Supply Management Area which is to be protected as our drinking water is taken from this region. The Future Land Use Map this area has been designated as commercial uses and the property is zoned B-1 Highway Business District.

Mathisrud provided an image of the exterior elevation showing the proposed

property with the two buildings with a well on the property which was previously serving the building to the north. However, in 2013 the property was connected to city water and sewer so at this point the well and the septic system are abandoned.

Mathisrud explained there is a restaurant to the east, an office building to the south, auto sales to the west and Highway 34 frontage to the north.

Mathisrud stated the applicant has provided a Certificate of Survey showing the proposed boundaries of the lot division and the proposed use. There is no further construction, adaptation or development proposed for that storage building, simply storage. Upon review staff identified that the retail building was connected to City water/sewer as required by ordinance, however there appears to be a septic system and well on the site that are not properly abandoned. Mathisrud stated he spoke with the maintenance person from CHI who mentioned they believe they removed that tank so I am requesting additional documentation at this time showing the septic system was properly abandoned. One thing to note is that the well and septic system are located in the Drinking Water Supply Management Area which is an area to be protected for our ground water so consideration should be given to requiring the proper abandonment of the well and septic as indicated in the Wellhead Protection Plan. Other than that the proposed use does meet all setback provisions and City Code requirements.

Mathisrud provided proposed responses to the Findings of Fact as follows:

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. However, this can be mitigated by abandoning the well and septic systems properly per wellhead protection plan recommendations.**
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 stated staff recommends approval of the Conditional Use Permit with the following conditions:

1. The owner shall seal the existing well Unique #520260 on the property prior to land division.
2. The owner shall properly abandon the existing septic system on the property prior to completing the land division.
3. All survey monuments shall be properly set within 6 months.

Rutherford inquired if the storage building is sold in the future are they required to connect to sewer and water? Mathisrud said the building to the north is connected to City water/sewer. In the future, if the property to the south desires to change the use by adding a restroom or water, they would also be required to file for a new connection to City water/sewer. At this time that storage building is not proposed to connect to City water/sewer as it is just a storage facility so it is not required. Under this Conditional

Use Permit we are establishing a principle use as storage in the B-1 District.

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

Ben Koppelman introduced himself as the President of St. Joseph's and stated he just wanted to mention that we think we properly abandoned the site and are looking for the paperwork from our contractor. The well should be properly abandoned within the next couple weeks. We are looking to sell the property and that is the goal. It is currently being used as a storage facility and will remain a storage facility and we are just transferring the ownership back. The building to be sold was previously used by the hospital to run an equipment care essentials business and we haven't been in the business for a few years now so we are choosing to sell that property and retain the property to the south for storage and there is no plan to change that building.

The Public Hearing was closed at 6:16 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? YES. However, this can be mitigated by abandoning the well and septic systems properly per Wellhead Protection Plan recommendations.*
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? Yes, *Mathisrud and the Commissioners recommend the following conditions:*

1. The owner shall seal the existing well Unique#520260 on the property prior to land division.
2. The owner shall properly abandon the existing septic system on the property prior to completing the land division.
3. All survey monuments shall be properly set within 6 months.

A motion was made by Stone, seconded by Rutherford, and unanimously carried to recommend to the City Council approval of a Conditional Use Permit request from Catholic Health Initiatives to establish a storage facility and warehouse as a principle use located at proposed address of 109 Larson Ave, in a B-1 Highway Business District, on the southern part of PID#32.26.00124 with the following conditions:

1. **The owner shall seal the existing well Unique#520260 on the property prior to land division.**
2. **The owner shall properly abandon the existing septic system on the property prior to completing the land division.**
3. **All survey monuments shall be properly set within 6 months.**

Mathisrud informed Koppelman this matter will go before the City Council for final approval on August 8th and to attend that meeting as well.

6. INFORMATIONAL/DISCUSSION:

6A. HEIGHT OF BUILDING: Mathisrud provided diagrams and explained the methods of measuring the height of buildings i.e. flat roof; gable, hip or gambrel roof; and mansard roof. Mathisrud explained the bulk of the building would be included in the measurement while allowing for some projection into the line for the very peak of the building.

The current definition is simple, but it measures to the very peak of any roof that is constructed. The issue for builders is that our building height requirements are similar to other communities but the definition is different. This has the effect of requiring buildings to have shallow pitched roofs. Making this change changes the point where we measure building height to the mid-point between the peak and the eaves on the most common roof type requested. Many of the requests we have for garages and houses result in permit requests that are for buildings that slightly exceed the height requirement. The purpose of the height requirement is to generally limit the number of stories and have consistent scale of buildings within each zoning district.

There was discussion concerning how it would generally affect buildings such as the senior living facility which required a two foot variance as well as residential garages and roofs with steeper pitched roofs.

The Planning Commissioners agreed on making a revision to the definition of Height of Building using the gable, hip or gambrel roof as presented. Mathisrud stated he will bring it for a public hearing at the next Planning Commission Meeting.

6B. HANDICAP/WHEELCHAIR RAMP: Mathisrud explained another definition to consider revising is that of wheelchair ramps. Staff has received various inquiries and requests to build wheelchair ramps for single family houses in Park Rapids. Mathisrud explained the average age of the baby boomers in the City is aging as is the State of Minnesota. Mathisrud provided photos of various uncovered wheelchair ramps that have been constructed in the city and are fairly unobtrusive. There was discussion concerning if ramps are covered but then it increases the bulk significantly and is then considered a building/structure.

Mathisrud stated due to the definition of a structure and the setbacks required, many houses cannot build one without a variance. Since wheelchair ramps are

occupant and use specific, staff recommends considering changing the definition to allow “uncovered residential wheelchair ramps that are compliant with the building code” as an exception to the definition of a building. This would allow people to construct one with a simple building permit instead of requiring the request of a variance first.

The Planning Commissioners agreed with this revision and will hold a public hearing in the future.

7. ADJOURNMENT: A motion was made by Rutherford, seconded by Stone, and unanimously carried to adjourn the meeting at 6:39 p.m.

Vice Chair Nels Peterson

ATTEST:

Carmen L. Lockhart
Planning Assistant