

**CITY OF PARK RAPIDS  
REGULAR MEETING  
PLANNING COMMISSION  
MARCH 26, 2018, 6:00 p.m.  
Park Rapids Library, 210 First Street West – Lower Level  
Park Rapids, Minnesota**

**1. CALL TO ORDER:** The March 26, 2018, 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, Thomas Petschl, Nancy Newman, and City Council Member Liz Stone. Absent: Bruce Johnson, Sam Spaeth and Planning/Administrative Assistant Carmen L. Lockhart. Staff Present: City Planner Ryan Mathisrud. Others Present: Michael Lien and Gail Petschl.

**3. APPROVAL OF AGENDA:** A motion was made by Bradow, seconded by Stone, and unanimously carried to approve the agenda with the following changes as presented. Move the Agenda approval to #3 and move Oaths before the Election of Chairperson and Vice Chairperson.

**4. OATH OF OFFICE – NANCY M. NEWMAN:** Chair Bradow administered the Oath of Office to Nancy M. Newman and staff and the Planning Commission welcomed her.

**5. OATH OF OFFICE – BRUCE JOHNSON:** Johnson was absent.

**6. ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON:** Petschl nominated Bradow as Chair and Bradow nominated Stone as Vice Chair. A motion was made by Bradow, seconded by Newman and unanimously carried to nominate and elect Dick Bradow as Chairperson and Liz Stone as Vice Chairperson.

**7. APPROVAL OF REGULAR MEETING PLANNING COMMISSION MINUTES OF OCTOBER 23, 2017:** A motion was made by Petschl, seconded by Stone and unanimously carried to approve the October 23, 2017 Regular Meeting Minutes as presented.

**8. PUBLIC HEARING:**

**8A. CONDITIONAL USE PERMIT REQUEST FROM MIKE LIEN OF DELANEY'S SPORTS PROPERTIES, INC., 1100 1<sup>ST</sup> ST. E, PARK RAPIDS, MN 56470, TO ALLOW DISPLAY AND SALES OF RECREATIONAL VEHICLES AT THE RETAIL BUSINESS, LOCATED IN A B-1 HIGHWAY BUSINESS DISTRICT, PID#32.25.00210:**

Mathisrud explained this request is for a Conditional Use Permit and the applicant is Michael Lien of Delaney's Sports Properties, Inc. located at 1100 1<sup>st</sup> St. E, which is

located in a B-1 Highway Business District to allow display and sales of recreational vehicles. Mathisrud the purpose of this request is the applicant is intending to apply for a Minnesota Dealer's License in order to purchase RV's and sell them. In order to do that the State of Minnesota requires a sign off by the zoning official in the local community and this is actually required that they have a CUP in order to deal RV's and similar equipment with any volume. The applicant is intending to sell ice fishing houses or RV's, small ones and in limited numbers. The applicant is Michael Lien of 27883 240<sup>th</sup> Street in Akeley and the owner is the holding company, Delaney's Sports Properties, LLC. The property is located next to the Park Rapids municipal liquor store. The total land area is just under a half an acre (.44 acres) un-platted and is currently used as a sporting goods store as a retail use with fishing tackle, boats, bait and associated things. These retail uses are permitted in the B-1 District and looking at the Comprehensive Plan it is designated as commercial uses and the zoning is also for commercial uses. It is not located in an environmentally sensitive area and is not in the airport safety zone and is connected to city utilities as well as storm sewer. Under the B-1 Zoning Ordinance, Conditional Uses #14 we do require a Conditional Use Permit for auto, boat, farm machinery and recreational vehicles, repair, service and sales.

Mathisrud stated the applicant provided a site plan sketch with the intent of display of recreational vehicles and this image is oriented north/south and on the west side of the building the applicant intends to display up to five fish houses. At this time, they sell one product that is 6 ft.x12 ft in size. They are proposing to put them on the west side of the building in a grassy area. Mathisrud stated he anticipates that like a lot of these uses that's what's proposed but there will probably be one or two along the highway frontage along 34 as they figure out where they will go. There are some images in your packet showing the site and right now there is a some signage and a fish house out front and on the side they have two fish houses parked in what is normally customer parking so looking at this proposed use staff has determined a couple of things: The building itself was built in about 1950 which predates the city's zoning ordinance and right now our adopted zoning ordinance requires 16 paved parking spaces and this site can accommodate about 20, it does not accommodate any on street parking as we don't have curb and gutter there so the grade slopes to the pavement on Hatch Avenue so we can't count that to factor into the parking requirements. The building itself is approximately 4,000 sq. ft. which requires the 16 spaces. The site currently does have appropriate access for customers pulling in and if there are fish houses located too close to the intersection of Hatch Avenue and Highway 34 it may block the visibility of cars coming out from Hatch Avenue onto 34 so it is important to keep that site triangle clear. There proposed use is to orient them in the grassy area to the west may work if they abut them up close to the building as they have enough real estate there for that. We do have a landscaping ordinance so normally under these conditional use permits applications we request that the applicant does try to reach conformity to the landscaping ordinance if possible but this won't be able to fully do that but I do recommend that we add a few trees to the site in order to soften it up and make it look a little nicer. This site does have a limited amount of area for RV's or this type of use so I don't think it would be appropriate to have an unlimited amount of display area for this type of use. Mathisrud explained he measured the site and it looks like there is room for 400 to 500 sq. ft. of display area for RV's.

Mathisrud recommended the following responses for 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? **No.**
  4. Could the proposed use create any special problems with parking? **Yes and would recommend a condition to limit the amount of display area.**
  5. Would the proposed use cause any problems with access or traffic generation? **Yes, and would recommend a condition that would limit placement of the RV's so it doesn't interfere with any site triangles.**
  6. Is the proposed use incompatible with other uses located in the zoning district? **No.**

Mathisrud stated staff's recommendation is to approve the request with the following conditions:

1. The owner shall operate the business in accordance with all local, state, and federal regulations.
2. The owner shall provide striped and signed customer and handicap parking to serve the proposed use.
3. All signage shall meet the standards indicated in the zoning ordinance.
4. The owner shall submit a landscaping plan for the property for approval by the city planner and plant the approved plantings within 6 months.
5. The owner shall be limited to a display area of 400 square feet for recreational vehicles.
6. The owner shall not park RV's or equipment within the public Right of Way.
7. Display of RV's shall not interfere with intersection sight triangles.

Petschl inquired how is the topography going to change? Are they going to level out the area that is there or will it stay as it is existing and are they going to just back them on there? Mathisrud said he will defer that question to the applicant but it appears as if there is room if the site is sloping it looks like they will be able to get them on there without doing any additional topographic changes but they would have to be tight up against the building to make it work. Petschl asked if you put those units along the building and a lot of times it's like a car dealership, I don't want to get bothered by sales people so I'll park, go look at the units first and then go in, is there a way we can get a sign saying no parking from here to the corner from their position on because inadvertently people are going to park right along Hatch at that point and it does limit the area when you turn the corner, although semis park over to the side, I understand that there is an area for everybody to push back in there because I take Hatch often but having cars protruding out I think would be an inconvenience so at least a sign saying no parking from here to the corner be required. Mathisrud said that is an option to do and the applicant could provide signage or pay for signage for the city to install no parking signs if that is a condition that is warranted to put on as part of the landscaping plan. Stone asked wouldn't that be adding, if they violated that, even if they are temporarily parked there then that would be a condition for a ticket? Mathisrud said in order for the city to post signs within the right of way we would have to do an ordinance, basically the city manages it's own right of way so we could have the applicant put signage on their own site that says no parking but the city, in order to do no parking on the street has to do it by ordinance I believe, so we have to do our own thing which we can certainly do if necessary. There is parking area on the other side of Hatch Avenue so we're not saying that you can park along the grassy area but like if someone were to pull up they would be able to park along the other side across the street. Petchl said the semis pull up there and park. Bradow asked if the parking on the other side in the city right of way or is that part of Super 8? Mathisrud said that is within the city right of

way. Bradow said so the city cut that out for parking along there? Mathisrud said yes. Bradow said so the customers could park over there and walk across the street and look at the units. Mathisrud said yes.

Stone asked in the diagram the units appear to be parked parallel to the building and my only concern with that is that it might be difficult if an officer is patrolling the area in the evening to see between the RV's and the building? It might be a potential place for people to hide or cause unfortunately vandalism to the units so I'm wondering if you can park them at an angle so they would be easier to see behind, between and underneath? I just feel like that is a concern, it's a hiding space when they are parked tight. Mathisrud said that is definitely something that could occur but how I have this written with some flexibility so they are not limited to parking just against the building so theoretically you could move the display area to the side of the building where it's actually already paved. Stone said she likes the idea of him utilizing the grassy space but just concerned that if they are parked parallel it's just one straight shot and there's a lot of shadows that people can hide in so if they park at an angle and back them in, I just want him to have the flexibility to be able to do that. Mathisrud said we can make a change to the condition to require that if that is a condition that the commission would like to look at changing, we can do that. Bradow said he understand what you are saying but I think if we give the business the appropriate amount of square footage here in the display area I think they are going to make a business decision that will make it the least likely for somebody to go around the back side of them and damage them, i.e. key the unit on one side by walking along down the side of them and key all the units so they may want to angle them plus they have to get them out of there is somebody wants to buy them, they are going to be easy to just pull out. Bradow said let's talk to the owner. Stone said that's why she used the word flexibility. Let's see if there are any other questions and I will open it up to a public hearing and we can address that question in the public hearing.

Mathisrud commented that he did not in the condition write that it has to displayed according to the site plan. I wrote that they are just limited to 400 sq. ft. so they have the flexibility to make those decisions, they don't have to park them the way they are shown, just limiting to the 400 sq. ft. Bradow said that is item #5 on the recommendations. Stone said okay.

### **The Public Hearing was opened at 6:15 p.m.**

Michael Lien stated at a maximum he thinks he has five on the sketch, but I don't think that we will have five on display, at maximum we will have four and a lot of times we will just have three because probably 80% of these sales are coming from people coming in and writing orders, these are just display. So there may be potentially one in between where our sign was and the building and that will be basically east and west and then we can angle the second and the third house, facing more towards the northwest so that shouldn't be an issue.

Petschl asked about the topography and whether it was going to leveled off or leave it as it is. Lien said right now they are going to leave it as it is, we did some measuring and these units are only I think Mathisrud mentioned they are 6 ft. x 12 ft. so we kind of measured off to see where it tapered off and there is plenty of room so if we do angle them we are going to have plenty of space. Petschl asked if there are security lights along that side of the building? Lien said I don't believe we do, but that is something we could do.

Bradow asked if Lien had any plans to put hard surface in place of the grass in the future? Lien said as of right now, no, unless it's recommended we probably don't have any intentions of paving it. Mathisrud said at this time we are not recommending any additional pavement as the site is already pretty well paved with 85% so only 15% of the site is green space which is required by ordinance so I wouldn't recommend any additional paving. Bradow said that wasn't my thought as the grass is providing the green space and probably want to consider keeping that in place. Mathisrud agreed. Lien stated Mathisrud said right now we have two units parked on the southeast side by dumpster so if push comes to shove we could do one unit on the west side and one in between the side of the building and one tucked in behind the dumpster and again we're never going to have more than three or four units because all of them are mostly special orders.

Mathisrud read a comment into the record – from Commissioner Bruce Johnson who was supposed to be sworn in today but could not attend but wanted to comment that no additional paving be required for this site as he would like to see it not have any additional pavement.

Stone commented that is her thought also.

**The Public Hearing was closed at 6:22 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? YES.*
5. *Would the proposed use cause any problems with access or traffic generation? YES. SPECIFICALLY, THE SITE TRIANGLE ON THE CORNER OF HATCH & HIGHWAY 34.*
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 recommended the following conditions:*

1. The owner shall operate the business in accordance with all local, state, and federal regulations.
2. The owner shall provide striped and signed customer and handicap parking to serve the proposed use.
3. All signage shall meet the standards indicated in the zoning ordinance.
4. The owner shall submit a landscaping plan for the property for approval by the city planner and plant the approved plantings within 6 months. The owner shall also provide no parking signage along west property line.

5. The owner shall be limited to a display area of 400 square feet for recreational vehicles.
6. The owner shall not park RV's or equipment within the public Right of Way.
7. Display of RV's shall not interfere with intersection sight triangles.

Petschl inquired about no parking signs coming underneath the landscaping plan. Mathisrud said yes and condition #4 was modified as stated above. Petschl said from the tree line forward would have an impact on traffic coming in and out. There was further discussion concerning the issue.

**A motion was made by Petschl, seconded by Stone, and unanimously carried to modify the above condition #4 as follows: The owner shall submit a landscaping plan for the property for approval by the City Planner and plant the approved plantings within 6 months. The owner shall also provide no parking signage along west property line.**

**A motion was made by Petschl, seconded by Bradow, and unanimously carried to recommend to the City Council approval of a Conditional Use Permit Request from Mike Lien of Delaney's Sports Properties, Inc., 1100 1<sup>st</sup> St. E, Park Rapids, MN 56470, to allow display and sales of recreational vehicles at the retail business, located in a B-1 Highway Business District, PID#32.25.00210 with the following conditions:**

1. The owner shall operate the business in accordance with all local, state, and federal regulations.
2. The owner shall provide striped and signed customer and handicap parking to serve the proposed use.
3. All signage shall meet the standards indicated in the zoning ordinance.
4. The owner shall submit a landscaping plan for the property for approval by the city planner and plant the approved plantings within 6 months. The owner shall also provide no parking signage along west property line.
5. The owner shall be limited to a display area of 400 square feet for recreational vehicles.
6. The owner shall not park RV's or equipment within the public Right of Way.
7. Display of RV's shall not interfere with intersection sight triangles.

Bradow suggested Lien attend the City Council meeting for final approval.

**9. INFORMATIONAL/DISCUSSION:** None.

**10. ADJOURNMENT:** A motion was made by Petschl, seconded by Stone, and unanimously carried to adjourn the meeting at 6:35 p.m.

---

Chair Dick Bradow

ATTEST:

---

Ryan Mathisrud, City Planner