

CITY OF PARK RAPIDS
REGULAR MEETING
PLANNING COMMISSION
JANUARY 28, 2019, 6:00 p.m.
Park Rapids City Hall, 212 Second Street West
Park Rapids, Minnesota

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2 **1. CALL TO ORDER:** The January 28, 2019, Regular Meeting of the Park
3 Rapids Planning Commission was called to order at 6:00 p.m. by Chair Bradow.
4

5 **2. ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON:** A motion was
6 made by Petschl, seconded by Newman and unanimously carried to nominate
7 and elect Dick Bradow as Chairperson.
8

9 A motion was made by Stone, seconded by Newman and unanimously
10 carried to nominate and elect Tom Petschl as Vice Chairperson.
11

12 **3. ROLL CALL:** Present: Commissioners Dick Bradow, Thomas Petschl, Nancy
13 Newman and City Council Member Liz Stone. Absent: Bruce Johnson. Staff Present:
14 City Planner Andrew Mack and Planning/Administrative Assistant Carmen L. Lockhart.
15 Others Present: Robin Fish of Park Rapids Enterprise. (Fish left at 6:30 p.m.)
16

17 **4. APPROVAL OF AGENDA:** A motion was made by Petschl, seconded by
18 Bradow, and unanimously carried to approve the agenda as presented.
19

20 **5. APPROVAL OF REGULAR MEETING PLANNING COMMISSION MINUTES**
21 **OF NOVEMBER 26, 2018:** A motion was made by Petschl, seconded by Stone and
22 unanimously carried to approve the November 26, 2018 Regular Meeting Minutes
23 as presented.
24

25 **6. GENERAL BUSINESS:**
26

27 **6A. FAIR, STEVENS AND FRONT AVENUES NEIGHBORHOOD LAND USE**
28 **MAP AMENDMENT (Eickman & Paurus):**
29

30 Mack stated Eickman and Paurus requested to amend the Comprehensive Plan
31 for their properties. Mack stated he did a study area containing 101 parcels which is an
32 expanded area from the three parcels owned by the two landowners. Paurus' parcels
33 contain a vacant lot and a single family dwelling on the west lot. Eickman owns a vacant
34 lot in the northwest part of this study area and the City through it's planning agency has
35 the right to, when a Comprehensive Plan Amendment is made, look at a larger area and
36 that is the decision that was made in this case. The question becomes why do they
37 want to change the Comprehensive Plan. Mack said we need to talk about this and
38 since I wasn't here for the adoption of the original Comprehensive Plan, in relation to
39 how we apply that and implement that through the Zoning Ordinance became a little
40 unclear to me in terms of the fact that this area is shown in yellow is guided as a future
41 land use for single family on the adopted Future Land Use Map. When I looked at this
42 originally, it said single family it doesn't mean two or three family nor does it mean four

1 family, it's single family. But as I started reading deeper into the Comprehensive Plan to
2 understand how this request is going to shape out. Given some previous analysis of
3 other studies that have been done around the community, there were some larger
4 discussions about the zoning and land use map and it appeared that some findings had
5 been made by this body in the past that concluded that a two family dwelling use was
6 consistent with the plan as shown for single family future land use. So I was a little
7 confused by that. When you read into the plan, the section dealing with housing talks
8 about single family and multi family and less clear about the single family including multi
9 dwelling units, much more clear about multi-family future guided land use as referred
10 more specifically to apartment building. My sense, on the outset of this discussion is
11 that we're sort of missing a section of the plan talking more about medium density. It's a
12 fairly common practice in a number of communities but apparently not employed here
13 as part of the plan that was done ten years ago. So, therein lies a bit of a question as to
14 whether or not, based on the request being made right now which is essentially to build
15 two family dwelling units on these individuals lots, is whether or not we actually need to
16 consider a very minor amendment to the plan to create a new category in the legend
17 that says medium density. And perhaps consider a short write up, already started to be
18 talked about in the staff report. Or can we just simply handle it through an interpretation
19 of the plan that says no we don't actually need to amend the plan, they can just seek a
20 zoning change.

21
22 My concern about a zoning change is we are guiding this area all to single family
23 and we don't have any other within the immediate study area zoned already for an R-2
24 or R-3 or R-B this begins to look on it's face as spot zoning and that's not a practice that
25 we want to get in the practice of doing. So let's take a closer look at what we have in the
26 area starting with how land is currently used in area. Within the area we have a few
27 parcels that are currently vacant – 5 including the two subject properties, there is some
28 single family use, some two family dwelling uses for duplex and as we look outside the
29 study area to the south there are a number of higher density units on Fair Ave to the
30 south, including a mixture of multi story apartments and some twin homes and possibly
31 some quads. Of course on Highway 34 we've some higher density commercial uses.

32
33 Mack stated he visited with Bradow before undertaking and did research and
34 found out this area was looked at before some zoning changes were made however the
35 changes were made outside the study area to the east and closer to the courthouse.
36 They were zoned R-1 in response to the types of uses that may be occurring within a
37 single family dwellings so as not to increase that usage. There were also changes made
38 to the east side of town to accommodate those uses and two family dwellings and some
39 districts changed to R-2 and there are some twin homes built there. That particular use
40 is not something that is proposed at this point in time but they did express interest and
41 want to build two family dwellings and set it up as a newer structure and provide newer
42 homes for rental properties. Mack stated as part of the study he wanted to look at how
43 this area is actually used. As you can see on the shaded yellow sites, there are a total
44 of 28 rental units located in the study area which accounts for about 28% of all of the
45 dwelling units and the other 72% are owner occupied. This is still a fairly strong single
46 family condition of the neighborhood and has not completely gone rental. Albeit older
47 houses are between 50 to 70 years old in this neighborhood which is pretty typical for
48 the urban core of small rural towns in Minnesota as you will see the oldest homes are
49 built closest to the downtown. This is about 3% of the community's rental inventory
50 which is not a huge volume in this area as compared to city wide 900 rental units, but it
51 is a fairly significant number for this immediate study area, particularly in terms of the
52 percentage of rental homes which is over a fourth of the area for the parcels in the study
53 area.

1
2 Mack said what he would suggest to the commission is somewhat characteristic of
3 a transition or a change in the characteristic of the area itself. It really begs a question
4 about whether we want to look at ways to encourage new construction to go into an
5 area that feedback wise what I'm receiving from at least a few folks that I've talked to as
6 applicants indicate that's not the type of investment they are moving to make in this
7 area in terms of putting a lot more money into fixing up older homes. Rather it would
8 appear that the interest is more in removing them and creating new structures that have
9 the ability to provide for a higher return on investment from the private sector
10 standpoint. Obviously not our only concern as a community, but it is certainly a
11 consideration that we need to take into account with regard to the private marketplace
12 when it comes to finding decent, affordable, reasonable housing. I think the other point
13 that we also may want to consider as we begin to perhaps look for areas closer to the
14 urban core. We have the opportunity to promote higher densities which have existing
15 infrastructure in place and less investment is required to extend those types of services
16 to areas like near Wal*Mart that has received a grant through the state. I know this
17 commission discussed that subject and there was some discussion about the
18 opportunities to look for areas to help promote higher densities closer in to make more
19 wise economic use of the infrastructure that is already in place.
20

21 Also I would say that there may be opportunities through redevelopment to some
22 extent in this area and perhaps also through city policy to begin looking at the
23 opportunities to provide better quality sidewalks. Especially as we start to get more
24 younger families in this area, in particular in close proximity to the school, that we build
25 more sidewalks and connections for safe crossings across Hwy 34. In particular
26 because of the proximity here this is a walkable, bikeable neighborhood to the school.
27 We should continue to promote to the extent possible, healthy practices for our young
28 folks to be able to walk, hopefully under the proper supervision, to school given the fact
29 that this is close enough proximity to allow something like that. So there can be a policy
30 put in place and changes made to the ordinance that would potentially require sidewalk
31 improvements to be made or paid for as an upfront assessment as an agreement or as
32 condition of building permit in order to begin redeveloping or building on parcels in the
33 community where there is a plan in place to improve sidewalks. That is something that
34 we would have to look closer at but it's one of the things that is part of the long range
35 plan that we should be thinking about as a community.
36

37 Mack said the only other thing I wanted us to do is to review beginning on page 18
38 some of the excerpts of the Comprehensive Plan that I think do relate more specifically,
39 directly or to some extent to the study that is before us tonight. There are some general
40 goals and it says that we should be looking at the Comprehensive Plan as necessary to
41 make sure that it's practical, it's still current and related for future development and that
42 it's helping us to make good decisions when it comes to zoning. This is the exact case
43 before us because the request initially here is for rezoning of the property and so we
44 certainly want to rely on our plan to help us guide us in make those types of zoning
45 decisions. Also, that we want to actively encourage and utilize resident participation in
46 the local decision-making process. If we send out notices to 101 parcels owners and
47 those folks within 350 feet of this area that we're looking at updating the plan for this
48 area, it would be likely that we would receive some participation from folks that live in
49 the area to assist the Planning Commission in doing its work.
50

51 Mack explained that as we begin looking at some of the land use goals making
52 sure that we have orderly growth for residential development and that we can be
53 effectively served by public improvements and that the character and quality of the

1 existing neighborhoods can be maintained and enhanced. My point to you on that in my
2 report is that I think that is a prime example of the request that we have before us. As
3 we look at this larger area, if we were to make a decision consciously that we want to
4 guide this area and allow for it to make slight increases in density towards more of a
5 medium density. That can be done on a case by case basis where we look at each
6 individual property to make those decisions to determine what type of plan would be put
7 forward for the site as part of the zoning change. Is it suitable, is the size large enough
8 to accommodate that type of use and if not, how close is it to being to able to
9 accommodate the intended use they are requesting? In particular in this case where we
10 know they have existing utilities and streets and so forth in place already. Also, not
11 knowing exactly what the CIP is for this area, I know some of these areas are more of a
12 rural section of street, there not your typical more modern curb, gutter, stormwater,
13 drainage improvements, sidewalks, this area is lacking some of that. By the ability to
14 begin redevelopment of some of these lots increasing value, those types of
15 considerations then become more economically viable by the fact that let's say you did
16 have a two family dwelling there is a higher value to the property, the ability based on
17 income property to help pay for an assessment might be more viable in that situation
18 than it might be for someone who has an older single family home is limited in size and
19 maybe have limited resources. Especially if it's a situation where it might be fixed
20 income and those types of concerns do come up – street assessments are considered
21 and again I don't know if that is part of the future CIP over the next ten years or not. But
22 in terms of the viability of that, increasing the value over time of an area can make that
23 an easier sell to the neighborhood. We certainly want to continue to encourage the
24 construction of multi family in areas that are suitable for this type of development and
25 that's a discussion that's before the commission with this request for this area.
26

27 Land Use Goal #4 for promoting cluster development the policy says we should
28 review the zoning ordinance to promote cluster developments through the use of PUDs.
29 Planned Unit Development can be a good technique say where we had a situation
30 perhaps where we had accumulation of multiple parcels at one time we have the ability
31 to come in and maybe do a more creative style to development becomes a possibility
32 under the use of that tool, which is a flexibility tool for helping to promote some open
33 space as well as higher density within the amount of land area available for
34 development.
35

36 Some of our Housing Goals on page 24 promoting availability through affordable
37 housing throughout the community is clearly stated as a goal. Of course, we want to
38 keep in mind we not only want to promote affordable housing but want to promote
39 housing choices of a full range of housing choices as a part of our housing goals
40 throughout the community. This situation also directly relates to encouraging private
41 development for resources and investments in promoting more housing opportunities
42 within the community. Goals 4 and 5 encouraging dispersion housing of all types we
43 mentioned already. Through first time home buyer programs, I do want to say that can
44 be a viable method for someone to come in and own a new home and live in half of it
45 and use the other half to support their first time home buyer efforts by having maybe
46 less resources at an earlier stage in a family or individual's life and might help promote
47 in their home ownership they might have the other half they could rent out to be able to
48 make payments on their mortgage.
49

50 Moving into Housing Goal #2, Continue to maintain a high quality living
51 environment by supporting improvements when necessary. So encouraging
52 rehabilitation or redevelopment of substandard housing we clearly have examples in
53 this study area that relate to this allowing for some increases in density clearly would

1 help to support this policy statement by encouraging infill housing in areas of the city
2 that are already served with infrastructure which we've already touched on. This would
3 serve as a prime example to that and also to allow construction on nonconforming lots
4 where appropriate. Well again we would take on a case by case basis as a zoning
5 change request would come before you. Because again, looking at amending the plan
6 does not mean that the zoning automatically changes. We would allow that to occur as
7 a timing control for this and the city still has at its disposal ability to amend the plan to
8 allow the zoning changes to occur but yet to allow the zoning changes to occur on an
9 incremental case by case basis allowing greater control by this body.

10
11 Policy 4, page 25 of packet, talks about adopt, enforce and evaluate necessary
12 codes, inspections, procedures, ensure continued maintenance of city housing stock
13 including the adoption of a housing code. Well, I checked on that statement there and
14 we have not considered by the council adoption of a housing code. A housing code is
15 something that gives stronger teeth in enforcement like the rental code and inspections
16 and really it's a more appropriate practical approach by community to address things
17 beyond basic life safety things that do help maintain the quality of the neighborhood like
18 looking for chipping, missing paints, broken soffits and screens and windows, and
19 messy yards and this kind of stuff that is actually an international or national code for
20 housing maintenance. This is something that other communities that I've worked in
21 have adopted where they are taking a more proactive vigorous approach of the city's
22 housing stock which potentially apply not only to rental properties but also, owner
23 occupied properties as well. I'm not necessarily advocating for that but just wanted to
24 point it out that it was in the plan. Also, creating policies for upgrading maintenance of
25 older homes to be sure that an adequate amount of affordable housing is maintained.
26 There are programs out there to help with that sort of thing through weatherization
27 programs and through things that the DAC provides here locally including
28 weatherization and insulation and things like windows, improved siding and those types
29 of programs. So, those are all out there but to what extent we are seeing that occur in
30 the study area, I don't have a good handle on. But I know that we had just issued a
31 building permit for replacement of a roof on one of the applicant's housing that's still
32 there, Mr. Paurus. There are some improvements being made but I'm not hearing from
33 them the intent to want to put that amount of fix in as Mr. Paurus actually bought two
34 lots and tore down one of the houses and that probably would have been viewed as an
35 upgrade in the neighborhood creating some green space on a vacant lot until it's time to
36 build again. This is what he's talking about doing which was Housing Goal #4 for
37 increasing residential building sites in the community and looking for renewable or
38 dilapidated lots for removal and hopefully reconstruction at some point, again where
39 infrastructure is in place. Also, #5, identify areas in the community and outside the
40 corporate limits to locate additional single family residential development to increase the
41 ratio of single family residential verses multi family residential. Apparently, this is a
42 policy and we want to encourage more single family development and the question is in
43 this study area is this what we want to promote for this area. Is this something that we
44 can reasonably expect the private sector to step forward to do and the answer is I don't
45 know, but what I'm being told they don't think so and that is a consideration that this
46 body will have to take into account in this discussion.

47
48 Mack remarked a couple things in transportation, we talked a little bit about safe
49 biking potential safe access to the school on page 26 of packet restricting urban
50 development that cannot be served with municipal utilities which is something again if
51 looking at urban core, verses where we may have available elsewhere or not, in this
52 case we know that we do and so I think that certainly applies in this situation. I know in
53 talking with the utilities superintendent there are some areas that he felt needed a little

1 bit of an upgrade or some looping to promote interconnection or redundancy for
2 increasing or maintaining fire flows so there was a small area that needs to be looked at
3 closer. Again with new construction we have the opportunity to address those shortfalls
4 and we can address and get those types of things corrected as infill and new
5 development occurs.
6

7 Page 30 of the packet – Basic Planning Provisions – zone property in accordance
8 with the Comprehensive Plan which is the reason we are here talking about this tonight.
9 And looking at some of our breakdowns of land uses on the next couple of pages and
10 how we go about implementing the plan I thought it was important to look at some of our
11 housing types and pointing out we do have on page 33 a section devoted to talking
12 about single family residential and to allow us to start looking at other growth areas in
13 the community. But then we do go into multi family where it begins talking about
14 apartments so this is where we may want to have a little more discussion about do we
15 need another section in this plan talking more about types of housing units between two
16 and four dwelling units per lot types of uses?
17

18 Mack asked the commissioners for this input and there was lengthy discussions
19 concerning the following topics or points:
20

- 21 • The proposed vertical two family home layout plan from developer Eickman and
22 survey of lot and road encroachment into the lot and the need for a possible
23 variance as the lot is substandard in size but may fit under substandard lot
24 provisions in ordinance.
- 25 • More discussion on medium density and two family homes.
- 26 • Addressing less than 100 ft. lot requirements and not having to go through
27 variance process as a code update.
- 28 • The Comprehensive Plan not delineated with respect to single family residential
29 but within our Zoning Ordinance we do have medium level density – R-2, R-3 &
30 R-B but just not designated on Comprehensive Plan as such.
- 31 • The very high cost of updating the Comprehensive Plan was discussed as well as
32 the cost of changing the Zoning Ordinance especially if it only changes a shade
33 of color on a map as we have R-1, R-2, R-3 and R-B in our zoning codes which
34 drives a recommendation to the City Council as to being allowable in a particular
35 zoning district as currently exists now.
- 36 • One alternative is saying this commission believes this area may be suitable for
37 medium density but we don't necessarily need to change the Comprehensive
38 Plan to do that as long as we support that type of zoning change in the study
39 area as then it wouldn't be considered spot zoning it would be incremental zoning
40 to achieve the plan policies or if we want to change the map and write a small
41 paragraph and adopt that and then let applicants proceed with zoning
42 applications.
- 43 • Updating the Comprehensive Plan at a later date for the whole city.
- 44 • Density housing uses concerning state licensing facilities and multiple families or
45 occupants in a single family homes or twin homes.
- 46 • Number of rental landowners in study area.
- 47 • What action or consensus to study area and/or individual requests for zoning
48 requests and Comprehensive Plan changes, the procedures of making the
49 changes.
- 50 • Another option is having a discussion and obtaining the consensus of the
51 commission to not change the plan at this time and do update in the future and
52 allow applicants to proceed with zoning requests;

- How the Planning Commission interprets the Comprehensive Plan as applied to this neighborhood and address the plan now or later?
- Mack explained spot zoning wouldn't be an issue pursuant to saying that if we incrementally make a change in zoning on a case by case basis is okay as it helps to implement the Comprehensive Plan with our housing goals.

Bradow stated in his opinion he is okay with addressing the Comprehensive Plan later because whether it is an R-1 or an R-2 in my opinion it still follows the Comprehensive Plan and just because the Comprehensive Plan doesn't stay medium density in the legend, that's not how I interpret the Comprehensive Plan as we have R-1, R-2 and R-3 in our Zoning Ordinance. Stone stated after more clarification she agreed. Nancy Newman agreed.

The consensus of the Planning Commission is that a change of zoning would not be inconsistent with the Comprehensive Plan as it is currently stated and to allow the applicants to proceed with their zoning applications for a higher density. The Commission agreed that this area warrants a slight increase in density allowing for two family dwellings and to allow zoning changes to be made on a case by case basis.

Bradow asked if we would rezone the whole study area? Mack said no we would not be rezoning the study area, we would only take zoning actions on the applicant's properties. We have interpreted the plan to say that these zoning actions would be consistent with the Comprehensive Plan for medium density. We would take their application and process it as a zoning change.

There were more questions concerning spot zoning? Mack said the zoning is R-1 but the Land Use Map is reads both single and two family and so changing that would be consistent with the Comprehensive Plan. Now if you're going to make a finding on a spot zoning because there is nothing surrounding it in in the individual case, a better example would be this is guided for residential and if somebody wanted to come in the middle and change a lot to commercial, that is a different story. That's probably spot zoning at that point because it's not guided for two family like this would be based on your interpretation of the Comprehensive Plan, this is guided for two family dwellings, so I would not interpret that as spot zoning at that point. Bradow said he had a different view but if that's how it works. Mack responded but this body has to make that finding, staff makes a recommendation to the commission and they make a recommendation to the City Council for their action. You have examples of that elsewhere on the map – pockets of R-2 surrounded by single family.

There was further discussion concerning the zoning map, the amenities close to where the applicant's properties are, looking at a higher density in the area.

There was also discussion concerning variances and making nonconforming lot restriction changes in the zoning ordinance in the future.

Mack reiterated if he understands the direction of the commission, he will tell the applicants the interpretation of the Comprehensive Plan is that zoning actions will not be perceived as inconsistent with the Future Land Use Map and Comprehensive Plan and we will amend their applications to be a zoning change request to R-2 and process it. Updating of the Comprehensive Plan when we address that in the future we will reexamine the neighborhood and address it at that time when the overall plan update is done and allow them to proceed with a zoning change. I will also examine the code to lot size, etc.

1 Mack said the applicants aren't in any rush on this so we have more time so we
2 will delay the zoning change until the March meeting for public hearings. At the next
3 meeting we could examine the substandard lot conditions and what possible changes
4 we might want to entertain as part of the zoning code.

5
6 Bradow asked the commissioners if they agreed and they all said they agreed.
7

8
9 **7. INFORMATIONAL/DISCUSSION:**

10
11 **7A. Discussion of Zoning Ordinance Regulations regarding Cell Towers and**
12 **New FCC laws:** Mack advised the City Council approved this at their last meeting on
13 the basis of the recommendation of the FCC Order that regulates cellular type stuff that
14 has been deregulated and they put into place some requirements that no longer allow
15 cities to be more restrictive than the federal law. When local controls have been
16 preemptive with regard to aesthetics, how long to process applications for 5G type
17 facilities which is instead of big tall cell towers the emphasis is going towards small cell
18 wireless and the packet shows pictures. The City Council adopted guidelines how we
19 want them to look in the public right of way which is regulated at the council level
20 primarily from the standpoint of public works. So if it's our light pole and we allow
21 someone to put their equipment on our equipment, then we have to enter into an
22 agreement for doing that. Mack explained he brought this to the Planning Commission
23 so you would be aware of it and the council had to adopt before April 15th otherwise the
24 FCC order went into effect on January 14th or 15th but come April 15th we can't retro
25 actively after that adopt more stringent aesthetics guidelines or standards as to what it
26 can look like. The city attorney recommended his client communities adopt these
27 standards to get it in place and we may have to work on our right of way ordinance and
28 what the League of MN Cities is doing on standard language for agreements the
29 standard boiler plate ordinance for work in the right of way.
30

31 Mack explained he brought it to the Planning Commission because what if they
32 want to put it on private property and that's where zoning comes into play and we do
33 have to consider whether we want to regulate that or not. Right now based on the way
34 our ordinance reads, that would become a Conditional Use Permit because that would
35 become a communication transmission and reception systems including but not limited
36 to free standing satellite dishes, towers and or antenna provided that any ground case
37 device is located in the rear yard. These small cell wireless would fit within that
38 definition so we are going to make them go through a Conditional Use Permit which in
39 my opinion is something that should easily be handled administratively by the staff by
40 permit. We may want to apply the aesthetic standards for the guidelines for the public
41 right of way over to the private property. Regardless, we need to look at the
42 Zoning Ordinance as it's not provided for right now.
43

44 Mack mentioned the differences of a monopole and lattice structure, small cell
45 wireless, and that would trigger a CUP which to him would be an ominous overly
46 burdensome process to have to go through just to get permission to put it on
47 somebody's building on a small thing like this that is no bigger than a transformer for a
48 power line. This is just an update for you that we have some work to do on this as well.
49

50 Petchl stated a number of concerns and said not enough information has been
51 provided and would like to see exactly how this is laid out, where are they drawing
52 power from, is disconnect in a cabinet, is it locked, wattage used, etc. and suggested
53 prior to April to look at how these are installed at this time because there are a lot of

1 things that could change and effect these. Mack said he hopes to get more info from
2 League of MN Cities. Petschl commented having been in that field he understands what
3 they are trying to do and all the problems that can come from it and I don't think a lot of
4 people do.
5

6 Bradow commented he sees nothing addressed for abandonment if someone puts
7 a pole in my backyard and it becomes obsolete you have to have something for
8 abandonment. Mack said if it is a city agreement, it spells out the terms. Bradow asked
9 what if on private property and Mack said that is an agreement between the property
10 owner and cell provider.
11

12 **7B. Update on Meadow View 28 Unit Workforce Housing Apartment Project**
13 **Grant:** Mack advised the City Council agreed to serve as a pass through entity for a
14 grant application from the state and the HRDC initiated this along with their role as the
15 Hubbard County HRA staff and through an identified need in the housing of this area.
16 Park Rapids put in a grant to the state for a half million dollars and got it approved. It is
17 not funded yet but has been approved for funding by the state. Hubbard County HRA
18 has put together a program grant to get this constructed and have selected a site that
19 has gone into foreclosure and the bank in order get it out of foreclosure and write it off
20 has agreed to donate the property to the county HRA to build this 28 unit complex. The
21 good news is there is a half million dollars from the state for housing for Park Rapids.
22 The council agreed to accept that grant and now the planning stuff will be coming to you
23 pretty quick as they will be working with HRDC and county HRA as they need a
24 Comprehensive Plan Amendment for Future Land Use Map as it is now guided for
25 commercial and they want to see it developed for both commercial and multi family. We
26 will need a zoning change from B-1 to R-3 and a Conditional Use Permit to allow
27 greater than 8 units in an R-3 District.
28

29 Lockhart reminded Mack they need to plat the property as well.
30

31 Mack advised the council authorized their city engineer to look at what it will take
32 to put a street in there and give them access and drainage issues that have not been
33 addressed for this part of the city. There was approximately \$150,000 included in the
34 grant for street improvements and costs for up front engineering.
35

36 The apartment building will be market rate so no income guidelines to there will be
37 affordable 1, 2 and 3 bedroom apartments at \$575, \$625 and \$675. There is a concept
38 plan in the packet.
39

40 **7C. Update on HRDC Community-Wide MPCA Brownsfield Phase I**
41 **Environmental Grant:** Mack advised the City Council adopted this resolution and the
42 Mayor signed this letter to authorize HRDC to make a multi community grant and so
43 now it's just a general grant without any specific properties identified and that would be
44 the next subsequent step if the grant is funded. They applied for \$600,000 for a grant for
45 four different communities, Bemidji, Bagley, Park Rapids, and Red Lake Nation. This
46 would help with Phase 1 Environmental Analysis of a site which is sometimes required
47 for bank financing. I put the offer out there for the gas station redevelopment for the
48 Simonson property if that's something they will have to do for their financing. If we get
49 this grant approved that's the ideal candidate situation for that type of analysis. It's not
50 something we would require or force a landowner to do and if the city did it itself on land
51 we own that we knew was contaminated then it would certainly behoove us to want to
52 accept the grant with regard to any future implications to proceed with cleanup of the
53 site once identified. There are different levels of phases and standardized protocol. We

1 may or may not be able to take advantage of it but the council said to make sure it is
2 available to us. Mack asked if anyone is aware of a site please let him know.
3

4 **7D. Discussion of Permitted, Conditional and Prohibited Uses by Zoning**
5 **District:** Mack said this is along the lines of looking at the zoning ordinance and
6 making changes, is this something that might be of interest to the commission? It's just
7 a different way of making it more user friendly of how you apply the zoning ordinance to
8 understand where a use is permitted and where is it conditional and where is it
9 prohibited. This is an example from Bemidji that I started.

10
11 There was discussion concerning the work to change the ordinance to this. There
12 was discussion on discretionary items being pointed out more clearly.
13

14 Bradow inquired what is interim use? Mack explained an interim use is a specific
15 use that terminates upon a specific date or occurrence once approved through the
16 same process as a conditional use permit. A time occurrence might be a permit would
17 be valid for 20 years and then it terminates. An occurrence might be the use runs for a
18 period of time and then the ownership changes – that is an occurrence – that permit
19 automatically terminates without being renewed by the new landowner so you might
20 have a change of ownership which might be a different scenario. Normally it wouldn't be
21 if it is the same exact use but it does give you the rights to do further investigation from
22 the actual owner of the land or the permit holder to make sure they are going to be
23 capable of continuing the manage and operate an interim use on the same conditions of
24 the original approval. It also allows you to review it so that conditions haven't changed
25 or other things like compliance violations, you could revisit the whole permit at that time
26 with the change of ownership. Another example of an occurrence where this is typically
27 used is a gravel pit, the occurrence is that it's been mined down to the permitted level
28 and either been restored or not and upon those occurrences, the permit automatically
29 terminates and the gravel pit right goes away permanently after that point in time.
30 Shooting ranges is a classic one under that type of occurrence as a time permit like a
31 20 year permit unless it is extended through a hearing process again.
32

33 Mack advised interim uses are not in our City Code. There was further discussion
34 concerning interim use permits.
35

36 Commissioners stated they liked the matrix format.
37

38 **8. ADJOURNMENT:** A motion was made by Stone, seconded by Petschl,
39 and unanimously carried to adjourn the meeting at 7:56 p.m.
40
41
42

Chair Richard Bradow

ATTEST:

Carmen L. Lockhart
Planning/Administrative Assistant