

**CITY OF PARK RAPIDS
REGULAR MEETING
PLANNING COMMISSION
JANUARY 27, 2020, 6:00 p.m.
Park Rapids City Hall, 212 Second Street West
Park Rapids, Minnesota**

1. CALL TO ORDER: The January 27, 2020, Regular Meeting of the Park Rapids Planning Commission was called to order at 6:00 p.m. by Chair Bradow.

2. ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON: A motion was made by Stone, seconded by Johnson and unanimously carried to nominate and elect Dick Bradow as Chairperson and Swanson as Vice Chairperson.

3. ROLL CALL: Present: Commissioners Dick Bradow, Robb Swanson, Nancy Newman, Bruce Johnson and City Council Member Liz Stone. Absent: None. Staff Present: City Planner Andrew Mack and Planning/Administrative Assistant Carmen L. Lockhart. Others Present: Administrator Dawn Veit and Deputy Clerk Dawn Rouse of the City of Nevis.

4. APPROVAL OF AGENDA: A motion was made by Johnson, seconded by Swanson, and unanimously carried to approve the agenda as presented.

5. APPROVAL OF SPECIAL MEETING PLANNING COMMISSION MINUTES OF DECEMBER 16, 2019: A motion was made by Stone, seconded by Bradow and unanimously carried to approve the December 16, 2019 Special Meeting Minutes as presented.

6. PUBLIC HEARINGS:

6A. Request for a Comprehensive Plan and Future Land Use Map Revision from the City of Park Rapids from Residential to Public for two parcels, consisting of .36 acres, located on 5th St. E. PID#32.40.05700 and 32.40.05800:

Mack provided the Comprehensive Plan Future Land Use Map which shows the subject parcels guided for single family. Mack explained the properties were donated to the City of Park Rapids which will become an expansion of Depot Park for public use so we are processing the zoning request in tandem with the change to the Future Land Use Map. The appropriate district for a park is Public and Quasi-Public Zone District and staff is recommending a change in the zoning district from R-2 Single, 2-Family and Townhouse Residential District. Mack stated he recommended findings and will draft a resolution.

The Public Hearing was opened at 6:05 p.m. No comments.

The Public Hearing was closed at 6:05 p.m.

A motion was made by Bradow, seconded by Newman, to recommend to the City Council approval of a Comprehensive Plan and Future Land Use Map Revision from the City of Park Rapids from Residential to Public for two parcels, consisting of .36 acres, located on 5th St. E. PID#32.40.05700 and 32.40.05800.

6B. Request for Zoning District Boundary Amendment from City of Park Rapids from R-2 Single, 2 Family and Townhouse Residential District to P Public and Quasi-Public Zone District, for two parcels consisting of .36 acres, located on 5th St. E. PID#32.40.05700 and 32.40.05800:

Mack presented this with the above item 6A.

The Public Hearing was opened at 6:08 p.m. No comments.

The Public Hearing was closed at 6:08 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.*
- 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 Stone, seconded by Swanson, to recommend to the City Council approval of a Zoning District Boundary Amendment request from City of Park Rapids, to rezone two parcels located on 5th St. E, consisting of approximately .36 acres from R-2 Single, 2 Family and Townhouse Residential District to P Public and Quasi-Public Zone District, PID#32.40.05700 and 32.40.05800.

6C. Request for Zoning District Boundary Amendment from L. Stephen Larson from B-2 General Business District to R-B Residential Business Transitional Zone District, for one parcel consisting of .23, located at 205 Pleasant Ave. PID#32.37.03400:

Mack provided a zoning map showing B-2 and the R-B and the present use of the property is a dental office along with 11 apartment units. The dental office is moving across the street and the owner has expressed interest in potentially converting that space for additional six dwelling units. This is affordable housing in the downtown area. However, the present use of the property conforms to the B-2 District but the proposed use does not so Mr. Larson is requesting the change to R-B which according to the ordinance would permit by CUP the increase in apartment units above 12 units and that is the reason for the rezoning request. The decision to make the remodel has not been decided for sure yet but the R-B District also allows for the combined use which is the current use. Mack advised other properties in this block have recently been rezoned to R-B and given the surrounding land uses the trend here is not towards downtown

development but some transitional adjoining uses to the downtown. Mack stated he recommends approval of the rezoning.

Bradow asked about off street parking? Mack said it will be a tight fit but there is a city lot across the street for city use. Mack stated downtown is exempt from off street parking and the R-B does have parking requirements but we also have some flexibility in the way that the standards are written and in this case we have off street parking available.

The Public Hearing was opened at 6:14 p.m. No comments.

The Public Hearing was closed at 6:15 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.*
- 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 Johnson, seconded by Bradow, to recommend to the City Council approval of a Zoning District Boundary Amendment request from L. Stephen Larson from B-2 General Business District to R-B Residential Business Transitional Zone District, for one parcel consisting of .23, located at 205 Pleasant Ave. PID#32.37.03400.

6D. Request for Zoning District Boundary Amendment from City of Park Rapids from B-2 General Business District to R-B Residential Business Transitional Zone District, for one parcel owned by Julmar Properties LLC, consisting of .21, located at 201 Pleasant Ave. PID#32.37.03200:

Mack stated the reason for this request is it is city initiated by staff given the fact that it would be the last remaining parcel on this block that would not be consistent with the adjoining zoning in the block for R-B. Again, the same rational is this is a transitional area moving away from the downtown area and given the fact that the use would actually be made conforming as it is currently not conforming in a B-2 District and would make the property conforming and eligible for improvement or expansion in the future should they choose to do so. Mack advised he contacted the owner Julmar Properties of the proposed city-initiated request and he was fine with the city initiating change. Mack stated he is recommending this parcel also be rezoned from B-2 to R-B.

The Public Hearing was opened at 6:19 p.m. No comments.

The Public Hearing was closed at 6:19 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.*

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 Stone, seconded by Bradow, to recommend to the City Council approval of a Zoning District Boundary Amendment request from City of Park Rapids from B-2 General Business District to R-B Residential Business Transitional Zone District, for one parcel owned by Julmar Properties, LLC, consisting of .21 acres, located at 201 Pleasant Ave. PID#32.37.03200.

7. INFORMATIONAL/DISCUSSION:

7A. Zoning Ordinance Matrix: Mack provided an updated matrix with track changes.

Page 19 of Packet – page 1 of Matrix:

Multi-family or Townhome 5-29 Units: - Change 29 to 12 units.

Multi-family or Townhomes 30 or Greater Units: - Change 30 to 13 units.

Page 23 of Packet page 5 of Matrix: Bulk Fuel Sales & Storage Retail & Wholesale: Mack had added: > 1,000 Gallons bulk tanks. (Prohibited in B-1).

Page 25 of Packet - page 7 of Matrix: Heavy Manufacturing/Processing: Remove C in I-1 District.

Further Discussion: Draft additional definitions. Draft performance standards. Review LED lighting restriction standards.

7B. Short Term Vacation Rental Standards: Mack provided a draft ordinance.

Mack stated we started off thinking we should make these public hearings and then in November, 2019 the commission felt comfortable following the Two Harbors model where we would handle this as an administrative permit and not require it to go through a public hearing process. Under that direction I took their standards and modified them to fit our code and to fit in tandem for licensing for rental registrations and put the proposed changes under the rental code. The zoning we would look at this under the matrix and then changed it from an interim use to a permitted use allowed by permit. The standards are laid out in the draft ordinance and I have prepared an application form and informational sheet. Following the direction by the Planning Commission this is now where you wanted to go with it from our last conversation.

Bradow asked for discussion, questions and comments from the commissioners.

There was discussion concerning:

- Administration of Lodging Tax forms, website availability and payment tracking procedures.
- Fees for short term rentals.
- Transferring to family member upon death.
- Definition of recreational vehicle.
- Enforcement issues.
- Buffering exceptions, drafting additional language regarding appeals and attorney review.
- Agent availability during rental period and enforcement.
- Placeholder in buffer area – purchasing license but not actually renting it.

It was the consensus of the Planning Commission to move this item to the city attorney for legal opinion and review.

A motion was made by Bradow, seconded by Swanson, and unanimously carried to direct Mack to draft exception provision language under (l) of the proposed short-term rental ordinance and proceed to legal counsel for the short term rental standards as drafted on page 29 through 36 of the January 27, 2020 Planning Commission packet.

8. ADJOURNMENT: A motion was made by Newman, seconded by Bradow, and unanimously carried to adjourn the meeting at 7:32 p.m.

Chair Richard Bradow

ATTEST:

Carmen L. Lockhart
Planning/Administrative Assistant