

**CITY OF PARK RAPIDS
REGULAR MEETING
PLANNING COMMISSION
FEBRUARY 24, 2020, 6:00 p.m.
Park Rapids City Hall, 212 Second Street West
Park Rapids, Minnesota**

1. CALL TO ORDER: The February 24, 2020, 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, Nancy Newman and Bruce Johnson via telephone. Absent: Robb Swanson and City Council Member Liz Stone. Staff Present: City Planner Andrew Mack and Planning/Administrative Assistant Carmen L. Lockhart. Others Present: Jay and Nicole Roepke and John Peterson and Shirley McCaslin of River Edge Commons Townhome Association..

3. APPROVAL OF AGENDA: A motion was made by Newman, seconded by Bradow, to approve the agenda as presented.

The vote was called.

The following Commissioners voted in favor: Newman, Bradow and Johnson

The following Commissioners voted nay: None

The following Commissioners were absent: Swanson, Stone

The motion passed.

4. APPROVAL OF REGULAR PLANNING COMMISSION MEETING MINUTES OF JANUARY 27, 2020: A motion was made by Bradow, seconded by Johnson to approve the January 27, 2020 Regular Meeting Minutes as presented.

The vote was called.

The following Commissioners voted in favor: Bradow, Johnson and Newman

The following Commissioners voted nay: None

The following Commissioners were absent: Swanson, Stone

The motion passed.

5. PUBLIC HEARING:

5A. Request for Zoning District Boundary Amendment from Bemidji Management Co. LLC from R-2 Single, 2 Family and Townhouse Residential District to B-1 Highway Business District for two parcels consisting of approximately .48 acres, located at 109 and 115 Park Ave N, PID#32.45.00200 and 32.45.00300:

Mack stated Arch Simonson of Bemidji Management Company to rezone two residential parcels as shown on the aerial map. The subject properties are located along the west side of Park Ave N at 109 and 115 Park Ave N. Current zoning is R-2 and the properties were recently acquired by Simonson and will be incorporated into the

development. The application is for a rezoning from R-2 to B-1 in order to accommodate additional parking and onsite circulation of the site plan for development. This is consistent with the Comprehensive Land Use Plan and Future Land Use Map. The property to the west has been rezoned to B-1. The structure at 109 Park Ave N will be demolished and the other at 115 Park Ave N will remain a rental property which will become nonconforming but can continue to be used as a rental property.

The Public Hearing was opened at 6:06 p.m.

Gerald Roepke II (Jay) introduced himself and his wife Nicole. Gerald stated they own the property north of there, 32.45.00100, 117 Park Ave N. We are here tonight for two or three different reasons. The first of which is that these two residential zones are going to business zones. Our's isn't. So far, we've had an offer from Arch Simonson. We haven't accepted it yet but my main concern is they are going to close off the alley for 100 feet as I recall and there's an issue of snow removal because on 115 and 117, we both rely on that alley to get out of our place. Will there be a spot for a plow to turn around? Cause we're not going to pay for our own snow removal and I know Swanson's are not. The second is if you're changing a residence that is currently rented out and I know that Arch has already bought, but you're changing it to a business so at some point in the future he can tear it down. What are our options here? As far as pollution control, sound barriers and things like that? Is there anything else you wanted to say Nicole? Nicole said well I mean we will be the only noncommercial. Gerald said we will be the only noncommercial on the block other than the law office across the alley from us. Nicole said they are commercial. Gerald said oh they are already commercial. We will be the only residence on the block. That's the only thing I have to say.

Bradow asked Mack to address the questions but didn't know what the third question was? Nicole said well like in five years do you foresee it ever? Gerald said you said construction will start in May? Bradow said we will address your first and second questions but the third question we would need a crystal ball and mine quit working so I don't know.

Mack said the first question has to do with the alley? Gerald said right. Mack said there is request before the City Council for March 10th. Gerald said he got another letter for that one, yes. Mack said that will be taken up at that point. Specifically, what's at question if you look at the aerial map on the screen. At this point where the Simonson Addition Plat line is currently to the north boundary. Gerald said right. Mack said what's requested for rezoning are these two parcels, but what's requested for vacation in the subsequent application is only 100 feet south of this line. So, there will still be all of this alley north of this distance that will still remain in place with city snow removal and maintenance and the utility lines that are in there, sewer and gas and cable and electrical. Gerald said okay, that would be good.

Mack said the second question had to do with will we be the only residence left on the block and the answer is you would be one of two remaining residences. Gerald said that one's a rental. Mack said the property located at 115 Park Ave N next door to you to the south, will still remain in place for the foreseeable future. This house at 109 is

slated to be demolished to make room for the redevelopment of the site for the proposed gas station, convenience and car wash. The plat line here will actually not be the entire parcel, it will be the south portion of it so the new plat that will come through before this body if the alley is vacated by the City Council would be a subsequent plat request and would even up this line so a portion of the parcel at 115 would be taken out and that plat boundary would come out next to the south of the house and still have room for the house on the remaining lot.

Gerald asked to point something out on the map – if a plow is going to come down the alley, where's it going to turn around? Mack said it would be able to turn around in the same way it does right now. Nicole said it just runs straight through it. Mack said no because that alley has been vacated already down to 34. Gerald asked who's been plowing it then? Mack said the city as far as I know. Nicole said he goes straight through, he doesn't turn around. Gerald said he doesn't turn around, that's my point. Mack said they will still be able to do the same thing they are doing now. Gerald said okay. Lockhart stated the city won't maintain Simonson's lot.

Bradow said we are not addressing that issue right now, that's an issue for another meeting, we are just rezoning and we have no idea what the final plat will look like so we aren't going to speculate and spend time on that. Gerald said trust me I will be there. Bradow said okay, so you need to be at the City Council meeting where they vacate that alley and those are the questions that need to be addressed at that time. Gerald said okay. Mack said we will make sure the public works director can address your questions, specifically how that will be plowed for snow. Gerald asked that's March 10th or 11th, something like that. Nicole said 10th.

Bradow asked do you have any other questions with what we are doing tonight? Gerald said no. Bradow asked if there are any other comments from the public?

John Peterson introduced himself and stated we're in 200 Park Ave N which is the River Edge Commons and I put together a little bit of a letter and sent it off to the rest of our group for comment and they kind of thought it was so good they wanted to sign onto it. We had the opportunity to meet with Mack last week about some of this and had some discussion about some of the things that I'm going to bring up tonight. I kind of thought a little bit to the fact that you know there are always complaints about this. I am a little bit happy that Simonson's is not looking at going way out south on 71 or way north on 71 and contributing to sprawl. I think there are good things about developing this, but this kind of development does affect the type of land use zoning as it abuts residential properties to the northwest and northeast across Park Ave. Even in my mind a little bit, you have kind of a limited set of zoning districts here so there's not like a light commercial or like office, it's just like a business one and so anything can kind of go in a B-1. We feel that while a wide arrange of uses are allowed in a B-1 zoning district the type of neighborhood commercial uses such as a law office or a clinic have vastly different building types and effects on surrounding neighborhoods compared to a large vehicle fueling and convenience store building. Effects are primarily visual impacts and result in livability on adjacent properties. Scale and lighting of a canopy over fueling

islands and impacts of signage and lighting can downgrade of all the residential properties whether single family, multi-family, owner occupied or rented. We ask that the character and location of signage be carefully considered in the development. Locating signage along 1st St. W or Hwy 34 has a minimal impact on adjacent residential areas and I would guess that this would be a prime signage location that Simonson's are going to want to take advantage of. However, we're concerned that size, location and character along Main Ave N and Park Ave N (Hwy 71) could be such that it could negatively impact adjacent residential areas. We are asking that any permits for the project keep large or tall signage to the south of the project. Also, that the lighting type would have a minimal amount of light projected onto adjacent properties or across roadways. I guess here, I'm kind of talking about the lighting of the signage. I'm assuming that the project would use some more recent style and technology of signage that would also be dimmed that going to a lower power rating between sunset and sunrise relative to daytime illumination of the signage display. It is now a common capability of new signage and I think it would greatly lessen the visual impact of signs on the adjacent neighborhoods to the west, north and east. Along with lighting impact of signage is lighting impact of vehicles circulating on the site and entering and exiting the site. Screening as a buffer to this activity from adjacent residential and light offices should be considered. here is always a balance to be considered with screening whether fencing or planting is installed. The project should provide a buffer between it and adjacent properties that are utilized less intensively such as apartments, houses and small scale office buildings. I feel that this is really going to change the character of things here. Also, a great impact on adjacent residential area may come from a canopy over fueling islands. In the past many canopies have had surface mounted high intensity discharge fixtures with clear lenses or diffusers at the sides that allow a horizontal element to the lighting. Those types of fixtures throw light at adjacent properties and even into the eyes of motorists as they are driving along. Installing fully recessed fixtures and photometrics that direct light downward have a sharp cutoff so that minimum lighting of adjacent horizontal surfaces occurs would mitigate a lot of that concern. Required heights of canopies for fueling areas are relatively high which makes the selection of light fixtures all that more important to reduce negative lighting impacts of adjacent properties, both residential as well as a light commercial or small office type of occupancy.

Peterson stated he would also like to express a concern about the changes to the lot coverages and greater associated storm water runoff and what the quality of that runoff will be. Residential lots as they are currently zoned have lot coverages from 30 to 40% of lot coverage. I think those three would all be 30% maximum lot coverage because they are a single-family house right now. B-1 zoning allows an 85% maximum lot coverage so that will greatly increase the runoff from the property and effect the quality of the runoff as well. We would like to encourage the lot development to use the required setbacks that are part of the zoning ordinance to provide what are called rain gardens or bio-retention facilities. Rain gardens are designed landscape amenities reducing flow rate, total quantity of runoff and pollutant load of runoff from impervious areas like roads, driveways, walkways, and parking areas. Those are our comments.

Bradow thanked Peterson for his comments and said we appreciate that but I would ask that you send those comments to Mack as they are above our prevue for what we are trying to do here tonight. Peterson said okay. Bradow advised those would be incorporated by Simonson's in the development of the property.

Mack stated he would like to respond because there is some more information of value. Mack said first of all the canopy lighting, I did discuss that extensively last week in my office and I had an opportunity and again it is separate from the zoning action tonight but by way of information, I will be receiving ahead of any plans for building permit, full canopy lighting details which will address all of the concerns that you have. I think it will help people to have a chance to see those plans in black and white print which Simonson indicated he would bring tonight but obviously he's not here. I will make those available to you and all of the neighbors that might come in. Just get in contact with me after tonight's meeting and you can take a look at them as soon as I have them.

Mack said number two, in reference to the lot coverage we have different standards for different uses in the code currently and it's a zoning related question. From the basic site plan layout that we are working off of right now for the project it indicates that the total lot coverage will be substantially reduced from that previously that had been developed on the site and redevelopment where we will have increases in impervious surface. In terms of the lot coverage for buildings to lot coverage ratio I anticipate that will reduce what was previously on the property.

Mack said the third thing is the setbacks and the setbacks are required to be in conformance with our B-1 standards and the basic site plan layout that we are working off of right now will meet all those setbacks and will not require variances.

Mack said lastly there was reference made to rain gardens and to bio-swales. Our ordinance under the B-1 district requires that parking lots be set back a minimum of eight feet from the front yard or any adjacent roadway. The current site plan again that we are working off of right now will provide those minimum setbacks for the parking areas and there will be landscaping and there is an opportunity to afford for some raingardens, more likely swales. Drainage is being addressed and looked at through the civil and will tie into the MnDOT storm water system so there will be no direct discharge off the site it would be to storm water inlets that on Hwy 34 and Hwy 71. So, there is not expected to be any further impact from that which current higher development had already in place. We don't anticipate there to be an increase in that based on the change in zoning for the use of the land.

Peterson asked obviously there's going to be a lot more lot coverage than there was, but when it goes into catch basins, it will go in storm sewers and be discharged directly into Fish Hook Lake? Mack said Fish Hook River. Peterson said the net effect is there is additional runoff and I was just thinking that it would really a good thing to give that water a chance to percolate through some raingarden type of features and try to

minimize runoff so it has an opportunity to percolate rather than go into a catch basin and go into the storm sewer and go into the Fish Hook River. That's all.

Mack responded our ordinance does have a provision for any discharge of storm water and that plan will be reviewed by the city engineer and MnDOT and developer and some of the reviews have already started. I will certainly make them aware of the interest in attempting to not increase the rate of runoff as typically required as a part of our ordinance and we will assure that will be the case. If some of that can be achieved by bioswales or some rain gardens on the surface, that would be great, otherwise it will be subsurface storage stormwater boxes. Peterson asked a French drain? Mack said no not a French drain, it's actually a subsurface like a tank that's got a filtration system built in for settling sediments out on the property before it discharges from the site into the public system. That will be a requirement, I believe that is already being looked at and planned, I just don't have the final civil plans because the project has not submitted its full plans yet for the purposes of a building permit.

The Public Hearing was closed at 6:28 p.m.

Newman stated she has some concerns about all the changes and she has numerous questions for Simonson but it was determined they were more appropriate for the plat and development of the site. Newman wanted to delay the vote because she didn't know how the absent commissioners felt.

Mack advised Commissioner Swanson had indicated he supports the rezoning request.

Johnson also commented on lighting issues and making sure residences are protected. Bradow agreed the questions brought up by the public need to be addressed but tonight we are just dealing with the rezoning of these two parcels.

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? YES. (After considerable debate and discussion as to how to view this question.)*
- 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 Bradow, seconded by Johnson, to recommend to the City Council approval of a Zoning District Boundary Amendment request from Bemidji Management Co. LLC from R-2 Single, 2 Family and Townhouse Residential District to B-1 Highway Business District for two parcels consisting of approximately .48 acres, located at 109 and 115 Park Ave N, PID#32.45.00200 and 32.45.00300.

The vote was called.

The following Commissioners voted in favor: Bradow, Johnson and Newman

The following Commissioners voted nay: None

The following Commissioners were absent: Swanson, Stone

The motion passed.

6. INFORMATIONAL/DISCUSSION:

6A. Short Term Vacation Rental Standards – Legal Review Comments & Set Hearing: No discussion.

6B. Recruitment – Open Planning Commission Seat: No discussion.

6C. Training: No discussion.

7. ADJOURNMENT: A motion was made by Bradow, seconded by Johnson, to adjourn the meeting at 6:41 p.m.

The vote was called.

The following Commissioners voted in favor: Bradow, Johnson and Newman

The following Commissioners voted nay: None

The following Commissioners were absent: Swanson, Stone

The motion passed.

Chair Richard Bradow

ATTEST:

Carmen L. Lockhart
Planning/Administrative Assistant