

**CITY OF PARK RAPIDS
REGULAR MEETING
PLANNING COMMISSION
FEBRUARY 23, 2015, 6:00 p.m.
Park Rapids Library, 210 First Street West – Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: The February 23, 2015, Regular Meeting of the Park Rapids Planning Commission was called to order at 6:02 p.m.

2. OATH OF OFFICE – DICK RUTHERFORD: Bradow administered the Oath of Office to Dick Rutherford whose term expires 12-31-18.

3. ROLL CALL: Present: Commissioners Dick Bradow, Janice Tidrick, Nels Peterson, Joel Vorhes, Dick Rutherford and City Councilmember Paul Utke. Absent: None. Staff Present: City Planner Ryan Mathisrud and Planning Secretary Carmen L. Lockhart. Others Present: Don and Lynette Guida and John and Bonnie Farrington.

4. APPROVAL OF AGENDA: A motion was made by Tidrick, seconded by Vorhes, and unanimously carried to approve the following agenda revisions: Move #2 to #3; #3 to #5; 4 to #2; #5 to #6 and #6 to #4.

5. ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON: A motion was made by Peterson to nominate and elect Dick Bradow as Chairperson seconded by Vorhes, and unanimously carried.

A motion was made by Bradow to nominate and elect Nels Peterson as Vice Chairperson, seconded by Vorhes, and unanimously carried.

6. AMENDMENT TO BYLAWS-RESOLUTION 2015-30: This was provided as informational as the City Council changed the voting privileges of the ex-officio Councilmember to a voting member. Peterson inquired why the change. Utke explained the City Council reviewed the list of committees where Council Member were non-voting and they changed them to voting status to make them more uniform and also to help with making a quorum.

7. APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF NOVEMBER 24, 2014: A motion was made by Vorhes, seconded by Tidrick, and unanimously carried to approve the November 24, 2014 Regular Meeting Minutes as presented.

8. PUBLIC HEARING:

8A. CONDITIONAL USE PERMIT REQUEST FROM JOHN & BONNIE FARRINGTON TO CONSTRUCT AND OPERATE A DIESEL REPAIR CENTER

INCLUDING PARTS AND EQUIPMENT SALES AT 17255 STATE HWY 34 EAST IN THE B-1 HIGHWAY BUSINESS DISTRICT ON 11.39 ACRES, PID #13.20.01420:

Mathisrud explained the applicant is John and Bonnie Farrington, who own Farrington Trucking, and the project is to construct a diesel repair facility where they will operate their own trucks and then repair their vehicles and in the future open a small dealership at that location. They currently have six to twelve trucks that they operate as a fleet. Their intent is to open an office at this location as well as the repair bays and then offer equipment sales out front.

Mathisrud provided an aerial of the parcel which is located on the east side of the city on Highway 34 outside of the city limits but falls within the zoning jurisdiction of the City of Park Rapids as we currently intend to annex this area in 2017 under our Orderly Annexation Agreement. Mathisrud explained the Planning Commission over the last few years has done some planning in this area as I understand we have identified this area in our Future Land Use Map as being an area for commercial development. We've even gone so far as to do the zoning at this location as B-1 Highway Business District. The intent of this district is of course to establish an area suitable for auto oriented development so offices, commercial and things that generate some traffic and accommodate that in this type of district, so it also comes with design standards appropriate to that. Under the types of uses, this use would be listed as a Conditional Use so we're here today to review this as a Conditional Use Permit which fits under the category of #14 auto, boat, farm machinery and recreational vehicles repairs, service and sales and accompanying uses.

Mathisrud directed the commissioners to the site plan in the packet and stated as you can see in the northeast corner is where the proposed entrance is to be. This site is 11.39 acres and is mostly wooded by two-thirds of the site is covered in pine trees. The applicant intends to leave most of those pine trees on the site and develop the western third of the site. If you focus in on the site access, this property was at one time landlocked and was offered an easement at this northeast corner which crosses private property which is currently an office at that location but that is their only deeded site access at this time. If you look at that location there is a dedicated right turn lane and there is a center turn lane as well and this is their proposed access. Mathisrud advised that after reviewing this, staff feels that this southwest side would probably be the most ideal access location primarily due to the reduced traffic. But that would be a difficulty for the applicant at this time to secure that easement, but that would likely be a preferred location due to the lower trip counts. If we focus in on the site plan where they intend to develop in the southwest corner, staff discussed this project with the applicant to hash out some of the details here. The driveway and parking area is proposed to be crushed bituminous material so like ground up asphalt where they lay that out and compact it and it makes a hard surface. They are proposing 21 parking spaces to meet the code requirements for parking. Storm water retention area is to be located to the east to capture the run off from the site. They've also added 13 deciduous trees, the leafy trees and 7 conifers to help screen the site for the area and helps the design fit in better. They've added a pole sign in the northwest corner and they're proposing to use private water and sewer as the city doesn't intend to extend infrastructure to that location for a number of years so it's not on our CIP yet. They've also added some screening for the dumpster in the rear.

Mathisrud recommended approval of the Conditional Use Permit to allow development of a truck repair facility and equipment sales and service in the B-1,

Highway Business District located at 17255 Highway 34 East PID#13.20.01420, with the following conditions:

1. Consider moving the driveway entrance to 169th Avenue.
2. Include a site obscuring screening fence or dense vegetative buffer must be installed to screen residential properties to the south.
3. Entire site should be kept free of junk, debris, inoperable vehicles, tall grass and noxious weeds.
4. All permits should be pulled prior to construction.

Peterson inquired about the parking and class v aggregate and crushed bituminous, is that permeable? Mathisrud said no, it is more permeable than traditional asphalt or concrete but it has a relatively similar run off coefficient. Peterson asked that's why there is a holding pond then? Mathisrud stated yes, that's why there is a retention area. Peterson said well that's certainly doing the impermeable surface isn't a requirement though is it, they can spread gravel as they so desire. Mathisrud said I am a little new at the City of Park Rapids but as I read the code I didn't read a requirement for a paved or asphalt service. Peterson said if it was an impermeable surface then you wouldn't need a retaining pond? Mathisrud said yes, if it was permeable the storm water requirement could more easily be met using a surface like that. Vorhes added currently that's not served by city storm sewer either. Mathisrud said that's correct it's a site that falls outside of city services.

Bradow asked about the driveway location coming into the location when we were out there and looked at it there is a state trail right along the side of Highway 34, have you talked about a setback a little bit from that trail? Mathisrud said he has not discussed that with the applicant and in my recommendation we talked about final site plan review to be done at that time and at that point we would get the final details in there and that's where we would put the setback in as far as we can to separate those two distances so there is a 33 foot utility vehicle easement that travels along the Highway 34 Corridor. Vorhes inquired if the State DOT has some say in using that driveway for access as they totally would in a new curb cut or new driveway off the highway. Mathisrud said that is correct and the State DOT does have control over how many accesses are located along state highways so their position is to limit only one access and basically it is where it is and so that is a limiting factor and they are not issuing new ones at this time or would prefer not to issue new ones. Mathisrud indicated he did discuss this with the State DOT and they do not have additional permitting requirements for this type of use in this location.

Rutherford asked who else uses that entrance? Rutherford asked Don Guida if he uses it? Guida replied not too much, just the one east of there. Lynette Guida said there is one to the east and that's what I use too. Don Guida said we put both of them in and asked how tough is it to get in off of 169th?

The Public Hearing was opened at 6:20 p.m.

Lynette Guida asked how soon will that be considered for storm water run off? Mathisrud said that area is in very long range planning and we really don't have anything scheduled for improved city services there until beyond 2019 so that's how far our Capital Improvement Plan extends to so it will be awhile before we get out to that area as far as I'm aware of at this time, but things could change.

Rutherford asked who else uses that entrance? Rutherford asked Don Guida if he uses it? Guida replied not too much, just the one east of there. Lynette Guida said there is one to the east and that's what I use too. Don Guida said we put both of them in and asked how tough is it to get in off of 169th? John Farrington said he spoke with Breitwieser the owner of that piece and I know when State Bank owned it, that's who we bought it from, that was our first choice to try to come in there because it's way less dirt to move and it's easier and I didn't get to talk to him through all that, but evidently it wasn't happening and I asked if I could cross his just to park a trailer out there temporarily and he said yes, go ahead but I don't want to make a habit of it. I said well I understand and thank you for allowing me to do that. I ideally wanted to put an approach just right in off the highway of my own and I spoke with the DOT and he said that they have bought the rights to that area to where they wouldn't allow any more in however, we were talking about directly in the middle there crossing that big hole which is right in the middle of the four lane where traffic is funneling down but maybe they will say no also but it would be better if I could put an approach in just a little bit west of the approach that they have easement to like 50 feet even, we wouldn't have to cross on their property and we wouldn't have the turn radius problems and it would solve a lot and it would be one more approach 50 feet closer to town, it wouldn't be, in my opinion unsafe to the traveling public either. It's something that I want to, I mean we have access now but it's not exactly as ideal as I want it to be but I guess that is my next step.

Don Guida asked if Breitwieser doesn't want to sell that corner? Farrington said he has a sign out there and I spoke with him a couple months ago but as far as a getting a number out of him, I don't know what his exact plan is.

Don Guida stated we have property adjoining to the east plus 20 acres right across the highway and we're certainly not opposed to development, that's for sure. We're curious and just wanted to know what you guys are planning and how it's all going to work out and I don't know if it could happen with the State, we put both those approaches in so I'm aware of what they allow and that's kind of a limit, but with another property owner at the east end of that property we have another approach or half of an approach designated because it was right on the line there so there might be a possibility that there could be some trading because I doubt if we would ever put an approach in with that as well and I think at one point the conversation with the DOT I think you know you could move if you have a permit it's a possibility that could be moved. Farrington said sure, and you're to the east. Don Guida said yes, we come up against the property on the east side then it kind of wraps around there. Farrington said so the Heartland Healing Center, that's your property? Guida said it was at one time, but we are right behind it. Farrington asked where the horses are? Guida said yes. Lynette Guida said we are right up to you guys and then all the way to Jaspers.

Rutherford inquired about signage? Mathisrud said the applicant identified a spot in the northwest corner of the lot for a pole sign. The details of that sign were unknown at the time of the application but that would all have to get reviewed under our normal sign permit application process so we do have some standards that would apply to any pole signs or signs in that location. Utke added you have a combination of two things, you've got the sign ordinance that we work with plus it's the Scenic Byway so the state's pretty much trump anything we work with so that's going to be the ones to give you the go ahead or not.

Lynette Guida asked if there is an up to date with the annexation map because the one I pulled off the website is from 2008 but is that the latest? Utke said no. Mathisrud

said the annexation map was reduced in size fairly recently as I understand it so we are limiting to a couple of small areas now that includes this property and basically ends right there so it's not as aggressive as it is used to be. Don Guida inquired about across the road is that going in or not going in? Mathisrud said on the other side of the road as well. Farrington said he believes his lot is the last lot on the south side of Highway 34 and your lot directly across is also on the list. Don Guida asked to be annexed? Farrington said in 2017, it's been a month since I looked at it. Utke said those that were out in the 2017 time period were just left alone because we had made some adjustments this last year and those that were out that far were just left until 2017 rolled around and see what is really happening at that time. Don Guida asked it just goes up to DelaHunt? Utke said up to the edge I believe, but the current maps would be at City Hall where you could pick up something that is up to date.

Don Guida reiterated that we are not opposed to development out there on the east side and the traffic could be a little bit of a concern with that approach being more of a concern to the folks with property right in front of it, but I think the approach is behind there and you think a 33 foot easement along the front.

The Public Hearing was closed at 6:26 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? 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? *No affirmative answers, but Mathisrud and the Commissioners recommended the following conditions:*

1. The entire site must be kept in an organized and sightly manner and remain free of junk, debris, inoperable vehicles, tall grass, and noxious weeds.
2. A sight obscuring screening fence or dense vegetative buffer must be installed to screen residential properties to the south.
3. A sign permit will be required for any signage on site.
4. Staff approval of final site improvement plan and engineering drawings.

A motion was made by Rutherford, seconded by Vorhes, and unanimously carried to recommend to the City Council approval of the Conditional Use Permit request from John & Bonnie Farrington to construct and operate a diesel repair center including parts and equipment sales at 17255 State Hwy 34 east, in the B-1 Highway Business District on 11.39 acres, PID#13.20.01420, with the following conditions:

1. The entire site must be kept in an organized and slightly manner and remain free of junk, debris, inoperable vehicles, tall grass, and noxious weeds.
2. A sight obscuring screening fence or dense vegetative buffer must be installed to screen residential properties to the south.
3. A sign permit will be required for any signage on site.
4. Staff approval of final site improvement plan and engineering drawings.

Bradow stated the City Council will make a final decision on March 10, 2015.

9. INFORMATIONAL/DISCUSSION:

9A. 2014 YEAR END PLANNING REPORT: Lockhart said this is for your information. Mathisrud inquired if 2014 was a light year or normal? Bradow said it was fairly normal for the past three years.

9B. 2014 YEAR END BUILDING PERMIT REPORT: Mathisrud commented on the years with high volume and value in comparison to the more steady years.

Bradow welcomed Rutherford to the Planning Commission.

There was further discussion concerning bituminous surfacing verses requiring tarring as well as storm water requirements and the recent change in the ordinance.

10. ADJOURNMENT: A motion was made by Vorhes, seconded by Peterson, and unanimously carried to adjourn the meeting at 6:41 p.m.

Chair Dick Bradow

ATTEST:

Carmen L. Lockhart
Planning Secretary