



**MINUTES OF THE PROCEEDINGS OF THE PLANNING
COMMISSION OF THE CITY OF STACY IN THE COUNTY
OF CHISAGO AND THE STATE OF MINNESOTA
PURSUANT TO DUE CALL AND NOTICE THEREOF**

**REGULAR MEETING
JANUARY 21, 2014, 7:00p.m.
STACY CITY HALL**

Call to Order

The Planning Commission was called to order by Chair Ness at 7:00pm.

Roll Call

Present: Jim Ness, Jim Clay, Dan Winberg, and Tony Olivolo

Absent: None

Others Present: Peter Grundhoefer, Cindi Vogel, Paul Vogel, Scott Tiegen, Mark Utecht, Steve Kveton, Paul Witkowski, Kathy Casiday, Mike Casiday, and Mark Pawlenty

Additions to the Agenda

Addition to the Agenda:

Election of Chair and Co-Chair

Motion by Olivolo to approve the agenda as amended. Second by Clay. Olivolo, Clay, Winberg, and Ness voted yes. Chair Ness declared the motion carried.

Approval of Minutes

Motion by Winberg approve the minutes as presented. Second by Olivolo. Olivolo, Clay, Winberg, and Ness voted yes. Chair Ness declared the motion carried.

Council Update

None

Public Hearings

**Vogel Lot Rezoning 7:05-
7:15pm**

Chair Ness closed the Planning Commission meeting and opened the Public Hearing at 7:05pm regarding an application to rezone property submitted by Cindi and Paul Vogel, 5965 Stacy Trail.

The application requests rezoning of the parcel recently purchased from the City of Stacy from Parks to R2.

**Keeping of Domesticated
Chickens 7:30-8:00pm**

xPublic Comment:

Steve Kveton, 5945 Stacy Trail: would the lot be combined with their lot and become 1? Yes. Was the property surveyed? How does the city know what was actually sold? A legal description was used. Was the land put up for bid? No, not required.

Chair Ness closed the Public Hearing and reopened the Planning Commission meeting at 7:15pm.

Chair Ness closed the Planning Commission meeting and opened the Public Hearing at 7:30pm to gather public input on amending the city code to allow the keeping of domesticated chickens.

Public Comment:

Kathy Casiday, 30931 Finch Avenue: Ms. Casiday owns 5 acres in the City of Stacy and would like to keep chickens. The property is zoned R3b.

Mark Pawlenty, 30504 Forest Boulevard: We live in a rural area not a suburb of the metropolitan area; they allow chickens in the Midway area of St. Paul. We should be allowed to have what we want, we are a small city, why limit the number of chickens allowed.

Steve Kveton, 5945 Stacy Trail: The city should consider lot size in regulating the keeping of chickens.

Mark Utecht, 29768 Forest Boulevard: Zoning is what drives the ordinance not the use; the ordinance that exists does not allow chickens in R1 or R2, which is what is being considered. He would support the keeping of chickens in the residential district as long as it does not create a nuisance and they are kept humanely.

Paul Witkowski, 30562 Fernwood Circle: How did the commission come up with keeping 5 chickens? Chair Ness stated that it was based on what other cities are doing. Mr. Witkowski said we should not place a limit on the number of chickens allowed.

Mike Casiday, 30931 Finch Avenue: The number of chickens allowed should be based on lot size.

Mark Pawlenty asked each Planning Commission member to give their input on the keeping of chickens: Chair Ness said to not allow; Member Clay supports the ordinance as presented; Member Olivolo supports what the people want; Member Winberg was undecided.

Chair Ness closed the Public Hearing and opened the Public Hearing regarding Kwik Trip's application for a variance at 8:00pm.

Kwik Trip Variance 8:00-8:10pm

Kwik Trip, Inc., submitted an application for a variance from the sign ordinance to allow the reuse of the existing highway sign. Mr. Scott Tiegen was present representing Kwik Trip.

Public Comment:

Mr. Tiegen indicated the project start date of May 5th with an opening date of September 5th. The project is a 6.5-7 million dollar project and will create 45 jobs.

The application for a variance to utilize the existing freeway sign provides visibility to the store. The company is putting a lot of money into the project and need every plus to make the project work.

Rick Kramer, Owner A1 Mechanical Building: Mr. Kramer said that he supports the reuse of the highway sign by Kwik Trip; bringing business to Stacy is a plus – freeway traffic needs to know the store is there.

Kathy Casiday, 30931 Finch Avenue: supports the use of the sign.

Mark Utecht, 29768 Forest Boulevard: when considering allowing a variance the considerations cannot be purely financial. Trying to pull business from the freeway is reasonable to consider when granting the variance or not. He supports the reuse of the sign as long as there is no increase in the square footage.

Shirley Anderson: phone call to the clerk indicated support of the reuse of the sign.

Chair Ness closed the public hearing at 8:10pm and reopened the Planning commission meeting.

New Business

Election of Chair and Co-Chair

This item handled out of order by motion of Ness. Second by Olivolo and carried.

Motion by Olivolo to keep the same chair and acting chair for 2014. Second by Winberg. Olivolo, Winberg, Ness, and Clay voted yes. Chair Ness declared the motion carried.

Vogel - Action on Public Hearing

This item handled out of order by motion of Ness. Second by Olivolo and carried.

Motion by Ness to recommend that the council approve the request from the Vogel's for a lot rezoning. Second by Clay. Ness, Clay, Olivolo, and Winberg voted yes. Chair Ness declared the motion carried.

Kwik Trip – Action on Public Hearing

This item handled out of order by motion of Ness. Second by Winberg and carried.

The requested variance utilizes something that is already there, it is a proper use of the property and allows the business to do what they want to do; they need the signage from the freeway.

Motion by Olivolo to recommend the council approve the variance for Kwik Trip. Second by Clay. Olivolo, Clay, Winberg and Ness voted yes. Chair Ness declared the motion carried.

Old Business

Keeping of Chickens

Member Olivolo stated he is favor of having chickens the problem he has is with the number of chickens, if they have enough acreage they should be able to have more chickens

The number of chickens allowed to be based as follows:
Less than 1 acre 5 chickens; over an acre 5 chickens per acre to a maximum of 25 chickens on 5 acres or larger. This does not impact the agricultural area of the city.

Allow use in the residential districts with one principal structure on the property.

Mr. Grundhoefer will prepare revisions to the ordinance for review at the next meeting.

Fire Inspection Program

This item handled out of order by motion of Ness. Second by Clay and carried.

Public Hearing set for February 18, 2014, at 7:05pm. The clerk will place on the reader board and mail to the businesses.

Review Accessory Buildings

After a lengthy discussion the members were directed to review for the next meeting.

Second Water Meter Requirement

This item handled out of order by motion of Ness. Second by Olivolo and carried.

Motion by Ness to take the second water meter off the table. Second by Clay. Ness, Clay, Olivolo, and Winberg voted yes. Chair Ness declared the motion carried.

No further action on the item required.

Nonconforming Uses

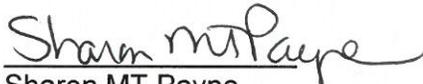
No update.

Open Discussion

None

Adjourn 9:17pm

Chair Ness declared the meeting adjourned at 9:17pm.


Sharon MT Payne