



**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  
APRIL 15, 2014, 7:00pm  
STACY CITY HALL**

---

---

**Call to Order**

---

---

The Planning Commission was called to order by Chair Ness at 7:00pm. Chair Ness announced that the alternate to the Planning Commission will be a voting member in absence of a full regular commission.

---

---

**Roll Call**

---

---

**Present:** Jim Ness, Jim Clay, Tony Olivolo, and Dennis Thieling  
**Absent:** Dan Winberg  
**Present Alternates:** Cindy Bruss  
**Present Council:** Mark Utecht, Chuck Lucia, Cindy Bruss, and Jim Ness  
**Absent Council:** Michael Carlson  
**Others Present:** Peter Grundhoefer, Terry Rothenbacher, Mike Lean, and Al Sayouri

---

---

**Additions to the Agenda**

---

---

Addition to the Agenda:

- Dollar General

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

---

---

**Approval of Minutes**

---

---

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

---

---

**Council Update**

---

---

The council approved the fire inspection program as well as the fees included in the ordinance.

The council tabled the chicken ordinance until the next meeting for a full council vote.

---

---

**New Business**

---

---

---

**Tobacco Sign**

---

Owner of the tobacco shop, Al Sayouri was present with the sign installer Mike Lean.

Motion by Olivolo to approve the sign as presented. Second by Clay. Olivolo, Clay, Thieling, Bruss, and Ness voted yes. Chair Ness declared the motion carried.

---

**Foxtail Woods Plat 5**

---

Mr. Rothenbacher presented a new plan for Foxtail Woods 5; he worked with the city's engineer to accommodate their concerns.

The public hearing was set for the plat and the conditional use permit for a planned unit development for May 20, 2014, at 7:05pm.

---

**Dollar General**

---

Dollar General is interested in building on lots 19.00162.60 and 19.00162.61 (Lots North of Tim's Country Cupboard).

Mr. Grundhoefer said that he sees no need to further subdivide the lots as they are already a lot and block description. Section 151.09 of the city code states:

§ 151.09 EXCEPTIONS.

(A) When requesting a subdivision, if either of the 2 following conditions exist, the Zoning Administrator or Clerk shall bring the request to the attention of the Planning Commission, whereupon they shall review the request and may recommend exemption of the subdivision from complying with any procedural requirements of this chapter deemed inappropriate for adequate review of subdivision requests.

(1) In any case in which compliance with § 151.10 will create an unnecessary hardship and failure to comply does not interfere with the intent of this chapter, provided that such conveyance does not necessitate the dedication of a public right-of-way and the newly created parcel will not cause the other remaining portion of the property to be in violation of this chapter or the zoning ordinance.

(2) Where written justification is submitted by an applicant which clearly indicates that the intent of this chapter can be satisfied without enforcing all of the procedural requirements of this chapter.

(B) Upon receiving the recommendation of the Planning Commission, the Council by resolution may exempt the conveyance and the conveyance may then be filed or recorded.

Mr. Grundhoefer said the developer would enter into a site development agreement.

Motion by Clay to recommend that the city council combine the two lots without the subdivision process. Second by Olivolo. Clay, Olivolo, Bruss, Thieling, and Ness voted yes. Chair Ness declared the motion carried.

---

---

**Old Business**

---

---

---

**Central Business District  
Joint Meeting with the City  
Council**

---

The City Council and Planning Commission met jointly to discuss the Central Business District Ordinance (CBD).

The question is how do we see the CBD looking in the future?

Mayor Utecht said that the "old style" downtown is good idea when the street design permits; however, Stacy's do not. Some cities have municipal parking lots.

Member Lucia said that he would like to see how the traffic flows after the road improvements are complete.

Member Ness asked the council if they thought it would be appropriate to change the rear setback for CBD to 10 feet; this would allow for parking in the front.

Does the council have a choice in the no parking areas on County Road 30 and County Road 19? It is not likely that the council has a say as these are County roads.

The Planning Commission will review the CBD ordinance.

The City Council left the meeting, other than those who serve on the Commission.

---

**Comprehensive Plan**

---

The members were encouraged to review for the next meeting; and take special note to Land Use beginning on Page 21.

---

**Accessory Buildings**

---

Chair Ness reviewed the Planning Commission's intent to remove the maximum size of an accessory building as long as the 60/40 rule is followed.

How to describe design standards was discussed; Chair Ness proposed something like "anything 120 square feet or less has to be pre-fabbed or if stick built requires side sheathing/siding and a shingled roof."

The clerk was asked to check with the city attorney to see if the wording above or similar would be appropriate.

---

**Nonconforming Uses**

---

The clerk was directed to see if the City Planner has a sample ordinance.

**Agricultural District – Lot  
Size Minimum**

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

Almost all the lots zoned “agricultural” are under size for the district; it was thought to create a rural residential district – is this best or should we take a close review at the nonconforming use ordinance. Chair Ness said that there are multiple lots that are nonconforming.

The consensus was to leave the “Ag” district as is and work on refining the nonconforming use ordinance.

**Snow Removal Around  
Fire Hydrants**

The question can the city legally require a resident to remove snow around a city owned fire hydrant?

There is not state law that addresses this; the City’s maintenance staff can remove the snow as the hydrant is in the city’s right of way. Another option is to establish an Adopt-A-Hydrant program.

**Review Planned Unit  
Development (PUD)  
Ordinance**

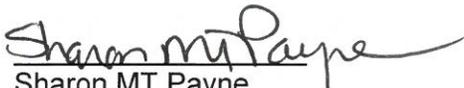
The clerk was directed to have the City Planner prepare a draft ordinance.

**Open Discussion**

None

**Adjourn 8:45pm**

Chair Ness declared the meeting adjourned at 8:45pm.

  
Sharon MT Payne