



**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  
MAY 20, 2014, 7:00pm  
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, Tony Olivolo, and Dennis Thieling  
**Absent:** Dan Winberg  
**Absent Alternates:** Cindy Bruss  
**Others Present:** Peter Grundhoefer, Phil Carlson, Dustin Brakemeier, Stacy Jones, Michelle Kok, and Tank Bies

**Additions to the Agenda**

There were no additions to the agenda. Motion by Olivolo to approve the agenda. Second by Thieling. Olivolo, Thieling, Clay, and Ness voted yes. Chair Ness declared the motion carried.

**Approval of Minutes**

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

**Council Update**

The council approved the chicken ordinance as presented by the Planning Commission. They also discussed the expansion of nonconforming uses; the council would like to make the final decisions on nonconforming uses.

**Public Hearing 7:05-  
7:25pm**

Chair Ness closed the Planning Commission meeting and opened the Public Hearing at 7:05p.m.

The purpose of the public hearing is take public comment on an application from Pobuda Enterprises, LLC, for property legally described below they are requesting a subdivision consisting of 11 single family lots; and conditional use permit for a planned unit development (PUD).

The property is legally described as:  
Outlot B Foxtail Woods

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**Public Comment**

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The developer's engineer, Brian Kallio, presented the plat and addressed questions. The plat proposes 11 single family lots, they are looking for a PUD to allow for smaller more narrow lots. The homes will be one floor living on slab.

**Stacy Jones:**

What about green space for our kids? There is no green space in Foxtail Woods; if Doyle is the park then what about safety.

**Michelle Kok:**

Expressed concern regarding traffic in Foxtail Woods and need for speed control.

**Tank Bies:**

Said that the logistics of Foxtail Woods can be a nightmare for the fire department; he would like to have the emergency access maintained.

City Planner, Phil Carlson, said that the emergency access could be paved and maintained with some type of "knock-down" bollards placed.

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**New Business**

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**Foxtail Woods Plat 5**

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Motion by Ness to recommend the City Council approve the Conditional Use Permit application for a Planned Unit Development for Foxtail Woods 5 contingent upon final plat approval. Second by Olivolo. Ness, Olivolo, Clay, and Thieling voted yes. Chair Ness declared the motion carried.

Chair Ness expressed concern with building this size of a development with only one access; and would like to maintain the current emergency access. The other member's concurred with Chair Ness.

Motion by Ness to recommend approval of Foxtail Woods Plat 5 with the easement to the North as discussed for pedestrian and non-motorized vehicles, emergency vehicles only and snow removal; contingent upon all engineering and legal requirements being met; and the developer enters into a Developer's Agreement with the City. Second by Clay. Ness, Clay, Olivolo, and Thieling voted yes. Chair Ness declared the motion carried.

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**Kathy Casiday – Lot Split**

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Ms. Casiday asked what she would have to do to split her lot; the commission determined due to the various issues with the split Ms. Casiday would have to go through the subdivision process.

## Sunrise Mobile Home Park

### Sign Permit:

Mr. Brakemeier applied for sign permit, the building inspector expressed several concerns with the sign:

1. The sign proposed to be constructed in the R-M Manufactured Home Park Zoning District. Signs are not a permitted use in that district.
2. The sign appears to be proposed in the road-right-of-way. That is not permissible by ordinances (setbacks required).
3. The location of the sign may impact traffic visibility due to the proposed location.
4. The sign is designed as two signs constructed into one free standing sign. The lower proposed sign is an LED Tri Color Programmable Message Board. 16' x 118".

The member's reviewed the proposed sign with Mr. Brakemeier and addressed the above as follows:

1. Based upon the City Attorney's interpretation of Section § 153.101 SIGN STANDARDS BY DISTRICT.  
*(A)(3) Apartment buildings, housing developments, or subdivisions are permitted 2 signs at the main entrance as designated by the City Planning Commission, with each sign not to exceed 32 square feet or 8 feet in height. One sign not to exceed 16 square feet shall be allowed at each secondary entrance. If lit, the sign(s) must be externally illuminated with downward focused lighting. All lighting shall be "cut-off" type fixtures with no glare visible to the public. Upon installation, the city will review the lighting to determine if any spill or glare is visible. The city may require the applicant (at the applicant's expense) to provide adequate screening or shielding as determined necessary by the city.*  
the sign is allowed.
2. Mr. Brakemeier was directed to contact the county regarding setback requirement.
3. The setback requirement will address the visibility.
4. The LED sign is not allowed.

Motion by Olivolo to allow the sign per code section 153.01.  
Second by Clay. Olivolo, Clay, Thieling, and Ness voted yes.  
Chair Ness declared the motion carried.

### Garage Access from Fir Trail:

Mr. Brakemeier spoke with Gene Olson regarding access for garages on the lots abutting Fir Trail. Mr. Olson indicated this was a jointly owned road by the Township and the City.

The member's discussed this possibility, setbacks, etc.; Mr. Brakemeier was researching and not requesting action at this time.

**Additional Lots in the Mobile Home Park:**

Mr. Brakemeier asked about adding lots to the end of Brookside Place, the commission was cautious about this – due to access. They would like Mr. Brakemeier to explore bringing Brookside all the way through to Falcon Avenue; this would allow for an emergency exit. They also discussed an exit from the back court onto Falcon. No action just discussion item.

**Bridge:**

Mr. Brakemeier asked what he needs to do to conduct bridge repairs in the park. He was directed to talk with Minnesota Department of Health.

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**Dollar General Signage**

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Motion by Ness to communicate to Dollar General that their pylon sign needs to comply with the city ordinance of a maximum 15 square feet and may not be internally lit. Second by Clay. Ness, Clay, Olivolo, and Thieling voted yes. Chair Ness declared the motion carried.

Motion by Clay to approve the wall sign as presented on the plan contingent that it faces County Road 30 (Forest Boulevard, the West Side of the Building). Second by Olivolo. Clay, Olivolo, Thieling, and Ness voted yes. Chair Ness declared the motion carried.

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**Old Business**

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**Review Central Business District (CBD) Ordinance**

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Change the following section to 10 feet from 30 feet:

§ 153.050 CBD CENTRAL BUSINESS DISTRICT.

(B) General requirements.

(b) Rear yard setback abutting an R District of not less than 30 feet.

Public Hearing set for June 17, 2014, at 7:05pm.

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**Comprehensive Plan**

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The commissioner's reviewed the Comprehensive Plan and found no revisions at this time.

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**Accessory Buildings**

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The city attorney and city engineer expressed concerns regarding the removal of the accessory building size limitation; this may impact the aesthetics of the city.

Public Hearing set for June 17, 2014, following the CBD public hearing.

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**Nonconforming Uses**

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The city has many nonconforming properties; the commission would like the property owners to be able to use their property at its current use, example single family residential – they would be allowed to do what is allowed in single family residential.

Mr. Carlson said the state amended the nonconforming use statute in 2004 and allows expansion of a non-conforming use.

Chair Ness proposes that to increase a nonconformity the property owner would have to apply to the city and a public hearing held; notice to adjoining property owners.

Mr. Carlson will research a nonconforming use ordinance for Stacy.

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

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Mr. Carlson will prepare a draft ordinance.

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**Open Discussion**

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**Adjourn 9:08pm**

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Chair Ness declared the meeting adjourned at 9:08pm.

  
Sharon MT Payne