



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

**REGULAR MEETING – MARCH 19, 2024 7:00 p.m.
33155 HEMINGWAY AVE, STACY MN**

Call to Order

Chair J. Ness called the meeting to order at 7:00 p.m.

Attendance

Present: Jim Ness, Dick Stiers, Jim Willeck, Michele McLane, Telise Schroeder, Jeff Johnson (Non-Voting Alternate) and Susie Brooks (Non-Voting Alternate)

Absent: None

Others Present: Council Liaison Tim Sawatsky, Finance Director Michelle Hayes, Accounting Clerk Amber Lozier, Lisa Bauer, Mark Anderson, Seth Wight, Anna and Nick Stephan, John and Julie Cash, John Goshey, and Jeff Barrett.

Agenda

J. Ness proposed the following amendments to the agenda, add the 32022 Floral Ave IUP Request as Item A under New Business, add a discussion regarding sign ordinances as Item C under New Business, and move current Item A under New Business to Item B. Motion by J. Ness to amend the agenda. Second by J. Johnson. Members J. Ness, D. Stiers, J. Willeck, M. McLane, T. Schroeder, J. Johnson and S. Brooks voted yes. Chair Ness declared the motion carried.

Approval of Minutes

Motion by J. Ness to approve the Planning Commission minutes from as presented. Second by M. McLane. Members J. Ness, D. Stiers, J. Willeck, M. McLane, T. Schroeder, J. Johnson, and S. Brooks voted yes. Chair Ness declared the motion carried

City Council Update

City Council Liaison T. Sawatzky provided an update from the City Council meeting, informing them that items sent to the Council from the Planning Commission were approved. Ben Montzka attended and informed Council members that the County had been awarded funds for the first step of replacing the 35 & 19 interchange.

Public Hearing

Chair Ness opened the Public Hearing at 7:05 p.m.

32022 Floral Ave Home Occupation IUP

Nick Stephan presented his idea for a home business, Pure Pressure Diesel Repair. He is currently employed as a mechanic in Lino Lakes and would like to leverage his skills to create a business. He would like to start small, with a home business, repairing diesel vehicles and equipment. He has the intention of expanding to a commercial site, if the opportunity presents itself. J. Ness questioned the current condition of the road; it was confirmed that

the affected roadways are chip-sealed or paved. Members confirmed that Nick was able to satisfy the conditions recommended by the City Planner. Phil Carlson, City Planner, presented his report on the application including a recommendation of five conditions and his Findings of Fact for Approval. J. Johnson referred to Section 4.12 paragraph A, and asked if the vehicles and equipment being repaired would exceed 9,000 lbs gross weight. Nick stated that most of the vehicles and equipment would exceed the weight and time restriction. Members questioned the City Planner as to how they could address that issue. P. Carlson suggested an additional condition to the IUP that would allow for extended parking of vehicles exceeding 9,000 lbs. John Cash presented for public comment and stated that he is Nick's neighbor and has had a conditional use permit for automotive repair for the last 15 years, and has no issue with Nick's business. Chair Ness closed the Public Hearing at 7:33pm.

New Business

**32022 Floral Ave Home Occupation
IUP-Action on Public Hearing**

J. Ness proposed the following condition be added to the IUP as Condition 6:

"Vehicles exceeding 9,000 lbs gross weight shall not be stored outside for longer than 30 days."

Members discussed the remaining five conditions. Motion by J. Ness to recommend to Council to approve the IUP with six conditions, including the Findings of Fact. Second by D. Stiers. Members J. Ness, D. Stiers, J. Willeck, M. McLane, T. Schroeder, J. Johnson and S. Brooks voted yes. Chair Ness declared the motion carried.

32342 Forest Blvd Lot Split Proposal

Lisa Bauer and Mark Anderson, owners of the property at 32342 Forest Blvd presented to discuss their proposed lot split. Anderson explained that they would like to split the lot in a way that results in a 2.5 acre lot that includes the home and detached garage, and a second lot that includes the remaining acreage and pole barn. Bauer and Anderson proposed a shared driveway with an easement for access to both lots.

The lot split, as proposed, would necessitate setback variances for both lots. The variances may be difficult to acquire given that the hardship involved would be self-imposed. The split would also create a non-conforming lot because one lot would have an accessory structure without a primary structure on the property. The pole building would also limit where the new home could be built, as City Code dictates that accessory structures are not to be located closer to the roadway than primary structures.

Anderson stated that he would have preferred to meet with someone to discuss the best way to approach the lot split, given the complications, prior to attending the Planning Commission meeting. Chair Ness directed staff to set up a meeting between Bauer, Anderson and City Planner, Phil Carlson to discuss options for the lot split.

Sign Ordinance Review

The City's sign ordinances will need to be reviewed and updated to accommodate changes to zoning due to the annexation. J. Ness suggested

a particular focus on billboards within the I35 corridor. Various aspects to be considered are type of billboard, spacing, and property, access and permitting requirements. Chair Ness directed staff to gather property tax data on properties with billboards.

Old Business

**XCEL Laydown Yard IUP
modification/application**

Motion by J. Ness to take this item out of order. Second by M. McLane. Motion carried. Seth Wight with Xcel Energy was present to discuss Xcel's request to amend their current IUP to include two additional projects. Members asked about the nature of the additional projects, and if the related infrastructure was within the City. T. Schroeder pointed out that the IUP was originally issued for a project that included infrastructure outside of the City. Members discussed the potential traffic impacts of the additional projects. Seth stated that the site would see about 60 vehicle trips per day. Members reviewed the conditions of Xcel's IUP to assess whether those conditions address members' concerns. T. Schroeder asked if Xcel would be requesting an amended timeline, as well. Seth confirmed that the additional projects would be completed within the timeline of the current IUP. Chair Ness directed the City Clerk to inform Chisago County of the possible traffic increase to determine if the County has any concerns regarding wear and tear to County roadways. Chair Ness clarified the next steps for Xcel, which are submitting an application that includes both new projects and paying applicable fees, after which a public hearing will be scheduled for the following Planning Commission meeting.

**DNR Notice to Amend Shoreland
Ordinances**

Member M. McLane compared the City's current Shoreland ordinance to the suggested ordinance provided by the DNR and proposed adopting the model ordinance. It was noted that the title and numbering would be corrected during the final drafting process. J. Ness suggested the following changes:

- Adding a definition for "riparian" to the ordinance.
- Changing the information in Section 6.25 to reflect the City's lot size requirements in other zoning districts.
- Changing Section 5.22 so that it reads, "New animal feedlots are not allowed in shoreland districts."
- Referring to the City's current code in Sections 9 and 10.

**DNR Notice to Amend Floodplain
Ordinances**

The Commission reviewed the DNR Floodplain notice. Member T. Schroeder will compare our current ordinance to the suggested ordinance provided by the DNR and provide an update at the next regular meeting of the Commission.

Cannabis in Public Spaces

J. Johnson presented City Council's proposed ordinance prohibiting use of cannabis within City-owned park and ballfield property. He discussed making changes to the proposed ordinance so that it mirrors prohibited use

in neighboring communities, as well as the City's current alcohol prohibitions. Members discussed whether to include all City-owned and public places in the ordinance. Members also discussed including edibles in the prohibition. J. Ness directed J. Johnson to put together a revised proposed ordinance for Planning Commission at the next regular meeting.

Open Discussion

State Septic System & Plumbing Regulations

City Council Liaison T. Sawatzky provided State regulations regarding plumbing and septic systems. He provided this information to aid in the discussion on sanitary facilities in accessory structures.

Jeff Barrett presented with a question about the City's interpretation of the previous Lent Code. It was determined that the lists of example uses under Section 4.04 Paragraphs B and C caused confusion and need to be reviewed.

Adjourned at 9:43 p.m.

Chair J. Ness declared the meeting adjourned at 9:43 p.m.

Amber Lozier, Accounting Clerk