



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
OCTOBER 20, 2020, 7:00p.m.
MEETING HELD VIA TELECONFERENCE DUE TO COVID-19, ALSO HELD IN PERSON AT 30955 FOREST BOULEVARD, STACY MN**

Call to Order

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

Roll Call

The following members were present at City Hall:

Roll Call:

M. Ness	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
J. Ness	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
T. Olivolo	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
S. Kveton	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent, see below - resigned
T. Sawatzky	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent

Others Present: Tessie Glazek, Kevin Glazek, and Dennis Thieling

Webex: Nancy Hoffman

Agenda

Additions to the Agenda:

- All Mac Update
- Membership of the Commission

Motion by J. Ness to approve the agenda as amended. Second by T. Olivolo.

Roll Call Vote:

M. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
J. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
T. Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

Public Hearings 7:02-7:35p.m.

Conditional Use Permit – Dog Training Business

The purpose of the public hearing is to gather public input on an application for a Conditional Use Permit to operate a dog training business in the Central Business District for property located at 31065 Forest Boulevard, Property ID 19.00144.00.

Ms. Glazek, and Kevin Glazek were present to discuss their application to operate a dog training business in CBD.

There were no comments from the public.

The commission members discussed the location of a dog training business in CBD, the following comments were made:

- Will all the training be inside?
Yes, until Spring when a fence can be installed.
- What will be the hours of operation?
Mid-day to evening hours and Saturday

Ms. Glazek said that dogs are never left unattended, her training is one-on-one as well as group classes.

Variance – Garage in Front Yard

The purpose of the public hearing is to gather public input on an application for a Variance to build a garage in the front yard in the Residential Zoning District for property located at 5850 307th Street, Property ID, 19.00144.00

The applicant was not present at the hearing, and there were no public comments from the public.

The commission supported the variance contingent upon setbacks being met.

Amendments to the Comprehensive Plan

The purpose of the public hearing is to gather public input on amending the City's Comprehensive Plan.

Correct Typographical Error §153.999

The purpose of the public hearing is to gather public input on correcting a typographical error in City Code §153.999.

Amendment to CBD to allow Tattoo Shop, and Massage Therapy as Allowed Uses

The purpose of the public hearing is to gather public input on amending the Central Business District to add allowed uses: Tattoo Shop, and Massage Therapy.

The commission noted that tattoo shop should state licensed tattoo shop.

Amendment to Chapter 153 Public Hearing Requirement

The purpose of the public hearing is to gather public input on amending Chapter 153 to change public hearing requirement from 200 feet to 350 feet.

City Code Amendments

The purpose of the public hearing is to gather public input on several City Code amendments:

- 90.01 and establishing Section 90.02 to permit certain activities in City parks with Council approval.
- 92.01 pertaining to the definition of non-domestic animals.

- 92.01 to add definitions of service dogs, emotional support animal, and therapy dog.
- 92.02(B)(3) pertaining to duration of dog licenses.
- 92.13 pertaining to care of animals by owners and keepers.
- 50.07 pertaining to sewer availability charges.
- 51.10 pertaining to point of sale well compliance.
- 52.56 (16)D pertaining to point of sale subsurface sewage treatment system compliance; 91.25-91.98.
- Pertaining to burning of leaves.
- 92.01 pertaining to the definitions of breeding moratorium and release permit.
- 92.16 pertaining to designation of a pound where animals are taken.
- 92.18 prohibiting animals in City parks.

Approval of Minutes

Motion by J. Ness to approve the minutes as presented. Second by T. Olivolo.

Roll Call Vote:

M. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
J. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
T. Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

New Business

Action on Public Hearings

Variance to Build a Garage in the Front Yard

Motion by J. Ness to recommend that the council approve the variance request to build a garage in the front yard for property located at 5850 307th Street, as long as they meet the setback requirements in the R1 Zoning District. Second by T. Olivolo.

Roll Call Vote:

M. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
J. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
T. Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

Conditional Use Permit – Dog Training Business

This item handled out of order by Motion of J. Ness. Second by M. Ness.

Roll Call Vote:

M. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
J. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
T. Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

Planning Commission

Motion by J. Ness to recommend that the council approve the CUP for property located at 31065 Forest Boulevard with the following conditions:

- a) Dogs will not be left unattended
- b) Training hours will be 8a.m.-10:00p.m. Monday-Saturday
- c) No training in the backyard until the fence is installed

Second by T. Olivolo.

Roll Call Vote:

M. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
J. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
T. Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

Comprehensive Plan Amendments

Motion by J. Ness to recommend that the council approve the updates to the Comprehensive Plan as presented. Second by T. Olivolo.

Roll Call Vote:

M. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
J. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
T. Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

Ordinance Correcting Typographical Error

Motion by M. Ness to recommend that the council approve the Ordinance Amending Chapter 153, Correcting Typographical Error §153.999 Enforcement; as presented. Second by T. Olivolo.

Roll Call Vote:

M. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
J. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
T. Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

Ordinance Regarding Tattoo Shops and Massage Therapy

Motion by J. Ness to recommend that the council approve the Ordinance Amending Chapter 153 of the City Code Regarding Tattoo Shops and Therapeutic Massage Businesses, as amended. Second by T. Olivolo.

Roll Call Vote:

M. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
J. Ness	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
T. Olivolo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

Ordinance Amending Chapter 153 Public Hearing Requirements

Motion by J. Ness to recommend that the council approve the Ordinance Correcting Public Hearing Requirement, as presented. Second by T. Olivolo.

Roll Call Vote:

M. Ness Yes No
J. Ness Yes No
T. Olivolo Yes No

Chair M. Ness declared the motion carried.

Ordinance Amending Several City Code Sections

Motion by J. Ness to recommend that the council approve the ordinance amending several city code sections, as presented. Second by T. Olivolo.

Roll Call Vote:

M. Ness Yes No
J. Ness Yes No
T. Olivolo Yes No

Chair M. Ness declared the motion carried.

Ordinance Amending Peddler, Solicitors, and Transient Merchants

Motion by J. Ness to recommend the council approve the Ordinance Amending Chapter 115, Peddlers, Solicitors, and Transient Merchants; as presented. Second by T. Olivolo.

O Roll Call Vote:

M. Ness Yes No
J. Ness Yes No
T. Olivolo Yes No

Chair M. Ness declared the motion carried.

Stacy Ponds Business Park – Apartment Proposal

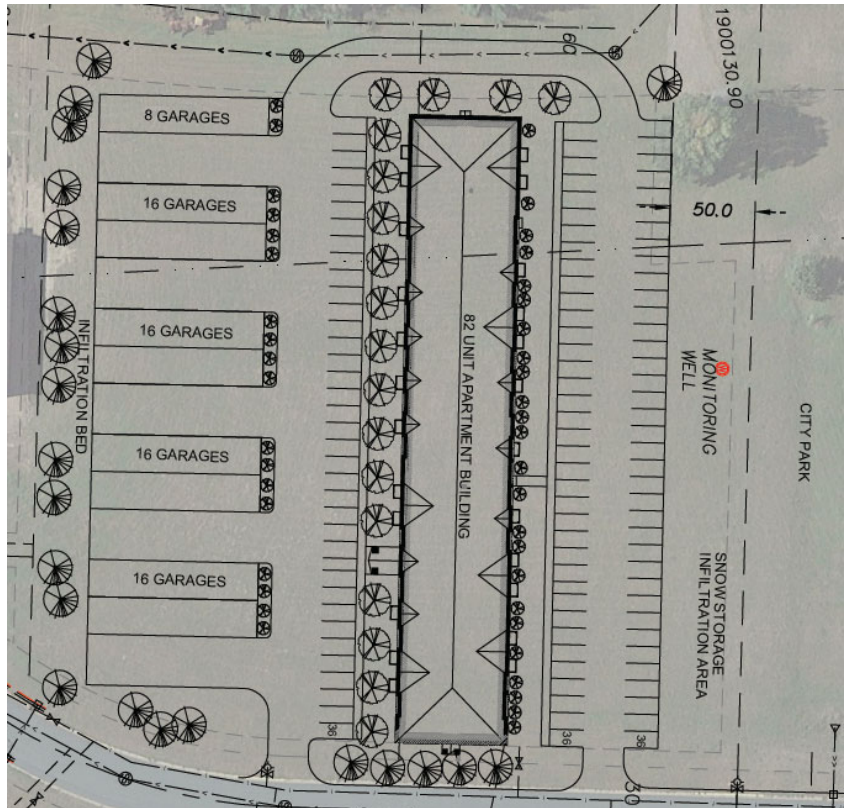
This item handled out of order by motion of J. Ness. Second by T. Olivolo.

Roll Call Vote:

M. Ness Yes No
J. Ness Yes No
T. Olivolo Yes No

Chair M. Ness declared the motion carried.

The city received a proposal for the construction of an 82-unit apartment complex in the Stacy Ponds Business Park. The lots between Revived Iron and the Ball Field.



The following comments were made by the commission:

- Chair M. Ness expressed concern that this would be spot zoning; the project is not a good one for the business park due to possible issues in the future (similar to those experienced by residents regarding Forterra).
- Member J. Ness concurred with the concerns of M. Ness and added in general this is not the intent of the business park. He then said that this type of project could be appropriate in another area of the city.
- Member T. Olivolo said there are pros and cons, he likes the idea of the apartment building of that size, it creates housing. He would like to leave this up to the council.

The commission directed that the proposal be presented to the council for their consideration.

Resignation – Steve Kveton

The clerk spoke with Mr. Kveton and he has chosen to withdraw his membership from the commission. He will follow-up with an email to the clerk.

Old Business

Parking in Residential Districts §153.121

Motion by J. Ness to table until the next meeting. Second by T. Olivolo.

Roll Call Vote:

M. Ness Yes No
J. Ness Yes No
T. Olivolo Yes No

Chair M. Ness declared the motion carried.

**Accessory Buildings in the
Business District**

This item set for a public hearing on November 17, 2020.

**Continue Review of the City
Code**

Motion by M. Ness to table until the November meeting. Second by J. Ness.

Roll Call Vote:

M. Ness Yes No
J. Ness Yes No
T. Olivolo Yes No

Chair M. Ness declared the motion carried.

Adjourned at 8:10p.m.

Chair M. Ness declared the meeting adjourned at 8:10p.m.

Sharon MT Payne