



**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  
SEPTEMBER 15, 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
T. Sawatzky	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

**Others Present:** Jesse Moxness, Michele McClane, Samantha Brewer, and James Paulson. Present via Webex: Liz and Dan Vierling

**Agenda**

**Additions to the Agenda:**

- NorthStar Insulation – Building Design
- All Mac Inc.
- City Park Use
- Therapeutic Massage

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
T. Sawatzky	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

**Approval of Minutes**

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

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
T. Sawatzy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

**New Business**

**Peddler Permit – City Code**

Discussion regarding issuing permits for vendors at Stacy Daze, and other organized events such as the Rib Fest.

An organized event is different than a peddler, someone who goes door to door; a food truck is considered a peddler as they go from street to street.

The commission determined that the event organizer is responsible to gather data on the vendors (at a minimum their name, type of business, and contact information); this information is then to be presented to the city.

Anything on public property would require a vendor’s permit; with the exception of organized events.

To clarify a food truck is considered a transient merchant; an ice cream truck is a peddler (they go street to street).

The clerk will prepare a draft revision of the code.

**Tattoo Shop – 30140 Forest Boulevard, Conditional Use Permit**

Tattoo shops are currently not allowed in any zoning district of the city. The commission discussed where is the appropriate location for this type of shop; and if a conditional use permit should be necessary.

The commission decided to add Tattoo Shop as an allowed use in the Central Business District.

The clerk will prepare the draft revision of the city code. The public hearing was set for October 20, 2020.

**Variance – Garage, 5850 307<sup>th</sup> Street**

This item handled out of order by motion of M. Ness. 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

Planning Commission

T. Olivolo     Yes     No  
T. Sawatzy    Yes     No

Chair M. Ness declared the motion carried.

Samantha Brewer was present to discuss the location of a garage in her front yard. The commission said that the criteria appear to meet the application for a variance.

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**Outside Storage – 31442  
Genesis Avenue, Conditional  
Use Permit**

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

Roll Call Vote:

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

Chair M. Ness declared the motion carried.

Mr. Paulson received a letter from the building inspector regarding his trailer's and ATV's on his property. Mr. Paulson said he needs these trailers for his business.

The commission discussed §153.12 of the zoning code with Mr. Paulson, Mr. Paulson said that maybe the language could be changed to say they are allowed if they cannot be viewed by the public.

**§ 153.121 PARKING IN RESIDENTIAL DISTRICTS.**

(A) The purpose of this section is to reduce the visual clutter, surface soil runoff, facilitate stormwater infiltration, promote the general safety and welfare, and protect the property values of adjoining properties by controlling the number of vehicles that may be parked on a residentially zoned lot, and the impervious surface created by driveways.

(B) Parking in all residential districts shall be subject to the following requirements:

(1) Required off-street parking in the residential districts shall be on the same lot as the principal building unless otherwise approved by the City Council;

(2) Non-passenger vehicles larger than 16,000 pounds gross vehicle weight shall not be parked or stored in a residential district except when loading, unloading or rendering a service. Under no circumstances shall parking facilities accessory to residential structures be used for open air storage of non-passenger vehicles larger than 16,000 pounds gross vehicle weight. The weight restriction in this division shall not apply to parcels that have permitted direct vehicular access to a county road or county state aid highway.

(3) No person shall cause, undertake, permit or allow the outside parking and storage of vehicles on residentially zoned property unless it complies with the following requirements:

(a) A property located in the R-1, R-2, and R-3A zoning districts, or planned unit development districts where the primary use is single-family dwellings may have a maximum of 4 passenger vehicles, in addition to any permitted motorcycles, recreational vehicles or trailers, parked or stored outside of an enclosed garage on the property of the primary residence for the occupants of that property, provided all passenger vehicles are parked or stored on the lot as regulated by the City Code. A permitted accessory unit dwelling shall not be entitled to park additional vehicles than are otherwise allowed for the primary dwelling unit.

(b) The city may approve an annual on-site parking permit for parking outside of an enclosed garage on the property of more than 4 but not to exceed 6 passenger vehicles, on an R-1, R-2, and R-3A zoned property, or planned unit development districts where the primary use is single-family dwellings, provided it meets the following standards:

1. The owner shall pay a permit fee as in the current city fee schedule in Chapter 34;
2. No passenger vehicles shall encroach into or otherwise block a sidewalk, trail, path or roadway; or within the area between any sidewalk and roadway;
3. All passenger vehicles must be operational and properly licensed; and
4. All motorized vehicles shall be parked at least 10 feet from the primary structure located on an adjacent property.

(C) Recreational vehicles and trailers.

(1) On a residential lot 1 acre or larger, not more than 4 of any combination of recreational vehicles or trailers of any class may be parked or stored outside, provided at least 2 are completely screened from view from public roads or adjacent properties.

(2) On residential lots smaller than 1 acre, a resident may park or store the following outside: either 1 Class I recreational vehicle or trailer and either 1 Class II recreational vehicle or trailer; or not more than 2 Class I recreational vehicles or trailers. Under no circumstances, shall there be more than 1 Class II recreational vehicle or trailer parked or stored outside on residential lots smaller than 1 acre at any one point in time.

(3) Motorized recreational vehicles or recreational equipment on trailers and Class II trailers shall be parked or stored entirely on the vehicle owner's property. If parked in the front of the primary residence, all recreational vehicles and trailers regardless of classification shall be located on the established driveway. If stored in the rear yard, Class II recreational vehicles and Class II trailers shall be 10 feet from the rear lot line, or 20 feet from any street-side lot line. When parked or stored outside, trailers shall be emptied of all refuse, debris, junk, or other materials.

(4) Recreational vehicles are not to be occupied or used for living, sleeping or housekeeping purposes while parked or stored on any lot; except nonpaying guests of the owner of the property may occupy 1 recreational vehicle in addition to those permitted herein. This vehicle shall be parked subject to the provisions of this section and used for sleeping purposes for a period not to exceed 7 consecutive days at one time or more than 14 days total in one calendar year.

The commission would like the council to provide direction; is this a code they would like to amend?

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**Dog Training Business –  
31065 Forest Boulevard**

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The commission determined that this use is similar to pet grooming and that an application for a Conditional Use Permit would be appropriate.

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**NorthStar Insulation –  
Building Design Review**

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This item handled out of order by Motion of M. Ness. 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
T. Sawatzy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

The commission reviewed the building design with Mr. Moxness; the West side of the building may need to have more brick as it faces the road. This will be discussed by the Council and Planning Commission at the September 29, 2020, joint meeting.

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**All Mac Inc.**

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This item handled out of order by motion of M. Ness. Second by J. 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
T. Sawatzy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Chair M. Ness declared the motion carried.

Michele McLane discussed her proposed use of the Old BP Property (5580 Stacy Trail). The company is All Mac Inc., they are a trailer repair business and also a U-Haul provider.

The commission said that a CUP would be appropriate; and thinks the business would be a great fit for Stacy.

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**Therapeutic Massage**

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Therapeutic Massage businesses are currently not allowed in any zoning district of the city. The commission discussed where is the appropriate location for this type of business; and if a conditional use permit should be necessary.

The commission decided to add Therapeutic Massage as an allowed use in the Central Business District. The code will be updated to state Licensed Massage Therapy from 7am-9pm.

The clerk will prepare the draft revision of the city code. The public hearing was set for October 20, 2020. As an allowed use in CBD, licensed massage therapy business hours from 7am-9pm.

**Old Business**

**Accessory Buildings in the Business District**

This item will be discussed at the next meeting.

**Can a CUP Application be Changed to an IUP Application**

The city attorney reported that an application for a Conditional Use Permit cannot be changed to an application for an Interim Use Permit.

**Continue Review of the City Code**

This item will be discussed at the next meeting.

**Comprehensive Plan**

Public Hearing set for October 20, 2020.

**Change Typographical Error in §153.999**

**From:**

§ 153.999 ENFORCEMENT.

(A) This chapter shall be administered and enforced by the city. It shall be unlawful to violate a provision of this chapter. The city may institute in the name of the City of Center City any appropriate actions or proceedings against a violator.

**To:**

§ 153.999 ENFORCEMENT.

(A) This chapter shall be administered and enforced by the city. It shall be unlawful to violate a provision of this chapter. The city may institute in the name of the City of ~~Center City~~ Stacy any appropriate actions or proceedings against a violator.

Public Hearing October 20, 2020.

**Adjourned at 9:24p.m.**

Chair M. Ness declared the meeting adjourned at 9:24p.m.

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Sharon MT Payne