

February 09, 2009

PLANNING COMMISSION AGENDA

Friday, February 20, 2009
Broadway

7:00 a.m.

Council Chambers, 315 N.

1. Call to Order
2. Agenda Additions or Deletions
3. Appoint Officers
4. Meeting Time and Dates
5. Approve Minutes 11-07-08

CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES 02-20-09

The Planning Commission of Pelican Rapids met at 7:00 a.m., on Friday, 02-20-09, in Council Chambers, City Hall. Commissioners Judy Marko, Jamie Stromberg, Mel Zierke and John Gorton were present. Commissioners Doug Bruggeman and Richard Peterson were absent. Administrator Don Solga and Secretary Glenys Ehlert were also present.

Meeting called to order at 7:10 a.m.

No items were added to or deleted from the agenda.

Motion by Stromberg, seconded by Gorton to appoint Judy Marko as chairman and Mel Zierke as vice chairman. Motion passed unanimously.

Motion by Gorton, seconded by Zierke to set meetings for first Friday of month at 7:00 a.m., Council Chambers, City Hall. Motion passed unanimously.

Motion by Zierke, seconded by Gorton to approve minutes of 11-07-08 as presented.
Motion passed unanimously.

Administrator Don Solga discussed items that the Planning Commission will be considering in the future: property maintenance ordinance, number of small buildings on a property, impervious surface restrictions and metal roofing requirements. There is the possibility of some small development projects in the next year. Next meeting the Planning Commission will consider setting a process and date for the Spring Tour.

Meeting adjourned at 7:25 a.m.

Glenys Ehlert, CMC
Secretary to the Planning Commission

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**CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES 04-03-09**

The Planning Commission of Pelican Rapids met at 7:00 a.m., on Friday, 04-03-09, in Council Chambers, City Hall. Commissioners Judy Marko, Mel Zierke, Doug Bruggeman and John Gorton were present. Commissioners Richard Peterson and Jamie Stromberg were absent. Administrator Don Solga and Secretary Glenys Ehlert were also present.

Meeting called to order at 7:00 a.m. by Chairman Judy Marko.

No items were added or deleted to the agenda.

Motion by Zierke, seconded by Gorton to approve minutes of 02-20-09 as presented.
Motion passed unanimously.

Administrator Don Solga reviewed an existing home business located in a detached garage in a residential zone. Commissioners reviewed the District Regulations, 905.04, General Requirements, 905.05 and Administration 905.06.

Commissioners discussed the findings required to permit conditional use and concerns about setting a precedent.

Motion by Gorton, seconded by Bruggeman to consider establishing criteria to permit an existing business in a detached garage to apply for a conditional use permit, subject to the City Attorney's review that state statute and city ordinance allow the process.
Motion passed unanimously.

Administrator Don Solga and Commissioners discussed the process for the Spring Tour. Commissioners selected areas of City for each commissioner to review.

Commissioner Bruggeman asked if there was a process so the City could turn a problem area downtown into a green space. It would be nice to have picnic tables, benches and grass instead of a problem area. He suggested service groups could be contacted about adopting a green space to maintain.

Motion by Zierke, seconded by Marko to conduct the Spring Tour the last week of May and report findings to City Administrator by 05-31-09. Motion passed unanimously.

Motion by Gorton, seconded by Zierke to adjourn at 7:50 a.m. Motion passed unanimously.

Glenys Ehlert, CMC
Secretary to the Planning Commission

April 22, 2009

PLANNING COMMISSION AGENDA

Friday, May 1, 2009 7:00 a.m. Council Chambers, 315 N. Broadway

1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes 4-3-09
4. Update Special Use/Conditional Use Permit for Home Business
5. Ham Radio Tower Request
6. Spring Tour – Complete by 05-31-09

**CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES
05-01-09**

The Planning Commission of Pelican Rapids met at 7:00 a.m., on Friday, 05-01-09, in Council Chambers, City Hall. Vice Chair Mel Zierke and Commissioners Doug Bruggeman, Jaime Stromberg and Richard Peterson were present. Chairman Judy Marko and Commissioner John Gorton were absent. Administrator Don Solga and Secretary Glenys Ehlert were also present.

Meeting called to order at 7:18 a.m.

Rezone on 1st St. SW consideration was added to the agenda.

Motion by Peterson, seconded by Bruggeman to approve minutes of 04-03-09 as presented. Motion passed unanimously.

Administrator Don Solga reviewed the existing home business located in a detached garage in a residential zone. At the April Planning Commission meeting the Commissioners directed Administrator Solga to check city code requiring conditional or special use permits. Administrator Solga said he checked with the League of Minnesota Cities. An attorney with the League said the City Council could not permit the conditional use unless the City Code stated that conditional uses would be permitted.

Curt Markgraf read a statement regarding his business at 217 3rd Ave. N.E. Markgraf discussed that five years ago he obtained his building permit for the business and Administrator Richard Jenson reviewed the location of his home business in the detached garage and mentioned sign restrictions for the business.

Commissioners discussed an ordinance change to permit home businesses by conditional use in detached garages. Administrator Don Solga said the main stumbling block would be the Comprehensive Plan which calls for a centralized business district.

Commissioner Peterson provided a history of the zoning ordinance and the decision in 1993 to be more restrictive in special uses permitted.

Commissioner Bruggeman said that the fact that the previous Administrative Assistant gave permission for the business to operate in the location would need to be considered.

“I’m not saying that I’m unique in every way, but I fit in my neighborhood,” said Markgraf.

“Maybe the way Pelican Rapids survives is by providing service to citizens,” commented Jaime Stromberg.

“I think Markgraf should be permitted to operate until we get it figured out,” said Commissioner Bruggeman.

Commissioners Stromberg, Bruggeman and Vice Chairman Zierke agreed that the Council needs to review the ordinance and permit this business as a special use permit.

Administrator Don Solga said he believes the Planning Commission needs to establish the criteria for special use permits.

Motion by Stromberg, seconded by Bruggeman to make a motion to request that the City Council to consider a change in the zoning ordinance to permit home businesses in a detached garage by special use permit. Motion passed unanimously.

Administrator Don Solga reviewed a request to install a 100 ft. ham radio tower by special use regarding structures. Commissioners said they would look at the proposed site.

Spring Tour neighborhoods were discussed.

Administrator Don Solga reviewed the zoning along Hwy. 59 which is commercial one block deep between 1st St. S.W. and the highway. Solga recommends that the Planning Commission conduct a public hearing and consider the question. To permit time for hearing notices, a public hearing would need to be scheduled the week of May 18th. Commissioners discussed the probability that homes will be most likely development to occur in this neighborhood and agreed to consider the zone change at a public hearing.

Motion by Stromberg, seconded by Bruggeman to conduct a public hearing on 05-18-09 at 7:00 p.m., Council Chambers, City Hall to consider a zone change from Commercial (C) to Residential (R1). Location of the proposed site is Wilson's Addn Lots 5,6,7,8,9,10, Blk 1 and Blyberg's 3rd Addn west half of Lot 1 through 5 Blk 1. These are adjoining the residential zone west of 1st St. SW and south of 6th Ave SW in the City of Pelican Rapids. Motion passed unanimously.

Motion by Stromberg, seconded by Peterson to adjourn the meeting at 8:20 a.m.

Motion passed unanimously.

Glenys Ehlert, CMC
Secretary to the Planning Commission

CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING MINUTES 05-18-09 - CORRECTED

The Planning Commission of Pelican Rapids met at 7:00 p.m., on Monday, 05-18-09, in Council Chambers, City Hall. Chairman Judy Marko, Commissioners Richard Peterson, Doug Bruggeman, Jaime Stromberg and John Gorton were present. Commissioner Mel Zierke was absent. Administrator Don Solga, Acting Secretary Julie Lammers, Barb Erickson and Bonnie Onnen were also present.

Chairman Judy Marko called meeting to order at 7:00 p.m.

No items were added or deleted from the agenda.

Chairman Judy Marko opened public meeting.

Public Hearing considering the Zone Change from Commercial (C) to Residential

(R1). Location of the proposed site is Wilson's Addn Lots 5, 6, 7, 8, 9, 10 Blk 1

and Blyberg's 3rd Addn west half of Lot 1 through 5 Blk 1. These are adjoining

the residential zone west of 1st St SW and south of 6th Ave SW, City of Pelican Rapids, County of Otter Tail, State of Minnesota.

Barb Erickson explained they would like to add on to their home and are unable to do so because of the commercial zoning. Bonnie explained she would like a home built in the empty lot by her property not a business.

Chairman Judy Marko closed the public hearing.

Administrator Don Solga explained that he has drawn up a highlighted map of area and a sample resolution.

WHEREAS, pursuant to due call and published notice thereof, a public hearing was held to consider the zone change of Wilson's Addition Lots 5, 6, 7, 8, 9, & 10 of Block 1 and Blyberg's Third Addition west half of Lot 1 through 5 of Block 1 from Commercial (C) to Residential (R1).

WHEREAS, the 2005 Comprehensive Plan established revised commercial zoning on either side of Broadway (Highway 59) within the City of Pelican Rapids and;

WHEREAS, the commercial zoning extends one-half (1/2) block on either side of Broadway (Highway 59) in some areas and one (1) block on either side of Broadway (Highway 59) in other areas and;

WHEREAS, whether or not the commercial zone extends one-half (1/2) block or one (1) block had been determined, in part, by the existence of residential uses in the area at the time of planning and;

WHEREAS, residents in the proposed area would like to make improvements or modifications to their existing dwellings beyond what is allowed by City Ordinance and the 2005 zone change and;

WHEREAS, the Planning Commission has considered possible adverse affects of the proposed zone change and;

WHEREAS, the zone change will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted.

Motion by Bruggeman, seconded by Marko to recommend to the City Council that said zone change be approved. Motion passed unanimously.

The next planning commission meeting will be June 4, 2009 at 7:00 p.m. During this meeting there will be a public hearing for zone change of the newly annexed property located on Anne Lane.

Motion by Gorton, seconded by Stromberg to adjourn the meeting at 7:20 p.m. Motion passed unanimously.

Julie Lammers, CMC
Acting Secretary to the Planning Commission

**CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES
06-04-09**

The Planning Commission of Pelican Rapids met at 7:00 p.m., on Thursday, 06-04-09, in Council Chambers, City Hall. Chairman Judy Marko, Commissioners Mel Zierke, Richard Peterson and John Gorton were present. Commissioners Doug Bruggeman and Jamie Stromberg were absent. Administrator Don Solga and Secretary Glenys Ehlert were also present.

Meeting called to order at 7:00 p.m.

Ordinance Relating to Official Zoning Map was added to the agenda.

Motion by Peterson, seconded by Zierke to approve minutes of 05-01-09 and 05-18-09 as presented. Motion passed unanimously.

Pursuant to due call and published notice thereof, the Planning Commission held a public hearing to consider a zone change from Agricultural (A) to Residential (R1). Location of the proposed site is 805 Ann Lane, described as follows: That part of the Northwest 1/4 of Northwest 1/4 of Section 26, Township 136, Range 43, described as follows: Commencing at the northwest corner of said Section 26; thence running on an assumed bearing due South, along the west section line thereof, 409.5 feet; thence East at right angles from said section line 704.4 feet to the point of beginning; thence from said described point of beginning and running East 100 feet; thence North 150 feet; thence West 100 feet; thence South 150 feet to the point of beginning, and containing 0.344 of an acre more or less, together with the right of ingress and egress

by a public road, all of said lands being located in Otter Tail County, Minnesota. This lot is adjacent to Anderson's 1st Addn, Block 1, Lot 6.

No members of public were present.

Motion by Peterson, seconded by Gorton to close public hearing regarding zone change on newly annexed property from Agricultural (A) to Residential (R!). Motion passed unanimously.

Motion by Zierke, seconded by Gorton to recommend rezoning property to residential. Motion passed unanimously.

Administrator Don Solga reviewed the official zoning map for the City of Pelican Rapids which reflects the zoning changes made by the Planning Commission at recent public hearings and meetings. Motion by Zierke, seconded by Peterson to recommend approval of the Official Zoning Map and the Ordinance to Amend City Code Section 905.03, Subdivision 2 Relating to the Official Zoning Map as presented to the City Council. Motion passed unanimously.

Administrator Don Solga reviewed the Planning Commission's recommendation that the City explore possible ways that the City could permit the owner of a taxidermy business which has been in existence for several years to continue operation.

Administrator Solga presented information from City Attorney Greg Larson regarding the possibility of incorporating interim use permits in the City of Pelican Rapids City Code. The purpose and intent of the interim use permit is to allow a use for a specific period of time with such use subject to essentially any restrictions the City would like to place on such use. A public hearing would part of the process to develop a complete record to assist the City with making a reasonable decision under the particular circumstances.

Administrator Don Solga continued that one difference between the interim use permit and a special use permit is that the interim use permit is for a specific period of time with consideration of current circumstances. A special use permit is for an indefinite period of time and is attached to the property and not related to the current owner.

Information from City Attorney Greg Larson indicated that it would be important for the City Planning Commission and Council to determine and record the reasons why the City would like to proceed with the ordinance amendment, due to the fact that such an amendment to the City Code may not be consistent with the City's comprehensive plan. City Attorney Larson provided copies of interim use ordinances from other communities for the City's consideration.

Commissioners discussed requesting that Administrator Don Solga work on drafting a zoning ordinance amendment to permit interim use permits. Motion by Marko, seconded by Gorton to have Administrator Don Solga draft a change to the zoning ordinance to permit interim permits. After discussion Marko amended the motion and Gorton seconded the amendment to recommend to the City Council that they consider making a change to the zoning ordinance to permit interim permits. Amended motion passed unanimously.

Administrator Don Solga reviewed the request to install a ham radio tower.

Commissioners agreed that the proposal and location seemed acceptable and that the person should make a formal request to the Commissioners.

Spring Tour Results – some parts of the city have been toured and letters citing problems are being processed. Commissioners will work on completing review of their assigned areas.

Administrator Solga reviewed changes to the Zoning Ordinance regarding newly annexed property coming in to City zoned as Agricultural property. The Commissioners had discussed changing the ordinance to permit property to be annexed to be zoned the same as neighboring city property. However, Administrator Solga discussed matter with the City's Building Inspector Dave Neisen. Building Inspector Neisen explained that it is better for property to come in as agricultural for the developer who wants to develop property over a period of time. Otherwise the developer will pay taxes on undeveloped property at the higher residential or commercial rate. The Planning Commission agreed that the zoning ordinance regarding newly annexed property should remain the same.

"To facilitate process," Administrator Solga said, "We need to remember to hold a second public hearing to determine zone immediately after public hearing to annex property." The Annexation Zoning 905.03, Subdivision 3 will remain as it is. Residential Steel Roofing has been considered by the Planning Commission previously. Solga recommended that if the Commissioners want to discuss permitting coated sheet steel roofing in the City, the City should consider a maintenance ordinance. City could require that the steel meet UL2218 Class 4. Commissioner Gorton said he would like to look at prohibiting galvanized steel roofing. Commissioner Peterson said he didn't like any color steel barn style roofs in a residential area.

Motion by Marko, seconded by Zierke to table discussion of steel roofs until a maintenance ordinance is passed. Motion passed unanimously.

Motion by Zierke, seconded by Peterson to recommend that the City Council authorize Administrator Solga to research a maintenance ordinance for the Commissioners to consider. Motion passed unanimously.

Motion by Gorton, seconded by Zierke to adjourn the meeting at 7:45 p.m.

Glenys Ehlert, CMC
Secretary to the Planning Commission

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July 7, 2009

PLANNING COMMISSION AGENDA

Friday, July 10, 2009 7:00 a.m. Council Chambers, 315 N. Broadway

1. Call to Order

2. Agenda Additions or Deletions

3. Approval of Minutes 5-18-09-Corrected and 6-4-09

4. Pole building construction standards

5. Maintenance Ordinance
6. 05-18-09 Resolution Correction
7. Interim Use Permit Ordinance for Home Business
8. Garage/Rummage Sales
9. Backstrom Request for Variance – Set Special Meeting

**CITY OF PELICAN RAPIDS PLANNING COMMISSION MINUTES
07-10-09**

The Planning Commission of Pelican Rapids met at 7:00 a.m., on Monday, 07-10-09 in Council Chambers, City Hall. Chairman Judy Marko, Commissioners John Gorton, Richard Peterson and Mel Zierke were present. Commissioners Doug Bruggeman and Jamie Stromberg were absent. Administrator Don Solga and Secretary Glenys Ehlert were also present.

Meeting called to order at 7:00 a.m.

Spring Tour was added to the agenda.

Motion by Peterson, seconded by Gorton to accept the minutes of 05-18-09 as corrected and 06-04-09 as presented. Motion passed unanimously.

Commissioners considered pole building construction standards. As part of the standards, Commissioners Gorton and Peterson said they would like to require colored steel and designate a specified grade of steel. They would also like to require a boxed-eave on the roof because it looks more finished. Administrator Solga said he would develop a draft ordinance for pole building construction standards.

Administrator Solga discussed a couple of sample maintenance ordinances he provided the Planning Commission. Commissioners discussed the language of both ordinances and preferred the simpler ordinance that addressed all buildings. Commissioners agreed that they would like to see this drafted into ordinance form.

Motion by Peterson, seconded by Gorton to approve corrected resolution regarding Blyberg's Third Addition. Motion passed unanimously.

Commissioners discussed interim use permits and home businesses. A requirement of the interim use permit is that the use is in compliance with the Comprehensive Plan. Commissioners declined to take action on the interim use permit.

Motion by Gorton, seconded by Peterson to table the interim use permit to allow further study. Motion passed unanimously.

Administrator Don Solga said at the present time there are two properties in town where people run rummage sales or garage sales every weekend. They put the material away at end of the weekend and take signs down. City ordinance does not address the commercial nature of continuous garage sales. Planning Commissioners discussed whether they wished to exercise more control on garage sales.

Motion by Zierke, seconded by Peterson to table the rummage sale/garage sale matter to allow further study. Commissioners Gorton, Peterson and Zierke voted yes. Chairman Marko abstained. Motion carried.

Commissioners discussed variance request from Steven and Elroy Backstrom.

Motion by Peterson, seconded by Gorton to hold a special meeting on Monday, 07-27-09, at 5:00 p.m., to conduct a hearing on Steven and Elroy Backstrom's request for a rear yard variance on a corner lot from 25 ft. to 12 ft. Motion passed unanimously.

Administrator Don Solga reviewed the Spring Tour and public nuisance concerns.

Eighty properties will be notified.

Commissioner Peterson discussed the need for property owners to identify their property lines or pins when requesting consideration for variances, special use permits or lot splits.

Meeting adjourned at 8:35 a.m.

Glenys Ehlert
Secretary to the Planning Commission

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July 21, 2009

PLANNING COMMISSION AGENDA

**Monday, July 27, 2009 5:00 p.m. Council Chambers, 315 N.
Broadway**

1. Call to Order

2. Elroy and Steven Backstrom Variance Hearing – 5:00 p.m.

3. Set Date for Next Regular Meeting in August/September

**CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES 07-27-09**

The Planning Commission of Pelican Rapids met at 5:00 p.m., on Monday, 07-27-09, in Council Chambers, City Hall. Chairman Judy Marko and Commissioners Mel Zierke, John Gorton, Jamie Stomberg and Richard Peterson were present.

Commissioner Doug Bruggeman was absent. Administrator Don Solga and Secretary Glenys Ehlert were also present. Meeting called to order by Chairman Marko.

Planning Commissioners considered the request of Steven and Elroy Backstrom, 833 Maplewood Dr., for a corner lot rear yard variance from 25 ft. to 12 ft. to permit

construction of a 24 ft. by 22 ft. detached garage in the southeast corner of the property.

Commissioners considered various matters regarding this request, including: A properly constructed detached garage for an existing home is a reasonable expectation, but in this case the strict application of the ordinance would not allow a location for a properly constructed detached garage that is under the control of the property owner, and there are unique circumstances pertaining to the topography and location of trees on the property, and the surrounding area is zoned R-1, Residential, and granting a variance for the location of a properly constructed detached garage will not alter the essential character for the area. Commissioners identified an additional neighboring property owner, Rhoda Johnson, to contact regarding the variance. Commissioners directed Secretary Glenys Ehlert to contact Rhoda Johnson regarding the variance request. The Planning Commission did not receive any objections to the variance request from the six other abutting property owners.

Motion by Peterson, seconded by Zierke to recommend approval of the variance to the City Council, subject to contacting the neighboring property owner, Rhoda Johnson, to hear any concerns she might have. If no objection is received, the motion is to approve the variance and introduce the following resolution, entitled, **A RESOLUTION GRANTING REAR YARD SETBACK VARIANCE FROM 25 FEET TO 12 FEET LOCATED AT 833 MAPLEWOOD DRIVE, PELICAN RAPIDS, MINNESOTA.** Motion passed unanimously and resolution declared duly adopted.

Commissioners discussed various ordinances that are being reviewed and the meeting schedule relevant to next meeting date for August or September. The Planning Commission typically meets on the first Friday of the month at 7:00 a.m. Motion by Peterson, seconded by Gorton to set the next meeting date as 7:00 a.m. on 08-21-09. Motion passed unanimously.

Motion by Gorton, seconded by Marko to adjourn the meeting at 5:31 p.m. Motion passed unanimously.

Glenys Ehlert, CMC
Secretary to the Planning Commission

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August 21, 2009

PLANNING COMMISSION AGENDA

1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes - 7-27-09
4. Steel Roofing
5. Set Date for Next Regular Meeting for 09-04-09, 09-11-09 and/or 10-02-09

**CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES 08-21-09**

The Planning Commission of Pelican Rapids met at 7:00 a.m., on Friday, 08-21-09, in Council Chambers, City Hall. Chairman Judy Marko and Commissioners John Gorton, Doug Bruggeman, Mel Zierke and Richard Peterson were present. Commissioner Jaime Stromberg was absent. Administrator Don Solga and Secretary Glenys Ehlert were also present.

Meeting called to order.

There were no additions or deletions to the agenda.

Motion by Peterson, seconded by Zierke to approve the minutes of 07-27-09 as presented. Motion passed unanimously.

Administrator Don Solga reviewed the UL Certification for steel roof panels, referencing the UL 790 Class A Fire Rating and a UL 2218 Class 4 Impact Resistance rating. He reviewed ordinances from other cities regarding removal of existing shingles and vapor barriers. Commissioner Peterson questioned if the Building Code requires vapor barrier, and Administrator Solga said he would check with Building Official Dave Neisen.

Commissioners discussed whether to require a 26 or 28 gauge metal or thicker.

Commissioner Peterson suggested that the Planning Commission could recommend to Council that steel panels be permitted subject to checking with the building official as to what details are covered in the building code. Commissioners discussed recommending a specific gauge and removing the shingles.

Motion by Zierke, seconded by Bruggeman to table the steel roof matter to next planning commission meeting. Motion passed unanimously.

Motion by Zierke, seconded by Gorton to set the next meeting for Friday, 10-02-09, at 7:00 a.m. Motion passed unanimously.

Motion by Gorton, seconded by Peterson to adjourn the meeting at 7:42 a.m. Motion passed unanimously.

Glenys Ehlert
Secretary to the Planning Commission

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September 22, 2009

PLANNING COMMISSION AGENDA

**Friday, September 25, 2009 7:00 a.m. Council Chambers, 315 N.
Broadway**

3. Call to Order
4. Agenda Additions or Deletions
5. Approval of Minutes – 8-21-09
6. Steel Roofing Ordinance
7. Next Regular Meeting - 10-02-09

**CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES 09-25-09**

The Planning Commission of Pelican Rapids met at 7:00 a.m., on Friday, 09-25-09, in Council Chambers, City Hall. Chairman Judy Marko and Commissioners John Gorton, Mel Zierke, Richard Peterson and Jamie Stromberg were present. Commissioner Doug Bruggeman was absent. Administrator Don Solga and Secretary Glenys Ehlert were also present.

Meeting called to order at 7:05 a.m. by Chairman Judy Marko. There were no additions or deletions to the agenda. Motion by Peterson, seconded by Gorton to approve the agenda. Motion passed unanimously.

Motion by Peterson, seconded by Zierke to approve the minutes of 08-21-09 as presented. Motion passed unanimously.

Administrator Don Solga reviewed the UL Certification for steel roof panels, referencing the UL 790 Class A Fire Rating and a UL 2218 Class 4 Impact Resistance rating. He explained that the G90 rating is in the building code. Building Official Dave Neisen explained that the City will require that someone requesting a building permit for a steel panel roof to present documentation that it meets the building code. "We also want to change the zoning ordinance for commercial and industrial zones to require boxed eaves, but we are going forward with the residential building code change because of request to use steel panels yet this fall," commented Administrator Don Solga. Commissioner Gorton asked about covering old shingles. Administrator Solga said the building codes may be changed to disallow covering old shingles. However, at this time people would be permitted to install steel roofing over a solid base.

Motion by Peterson, seconded by Gorton to recommend to the City Council that they approve an amendment to Ordinance 905.05, Subdivision 8, Residential Construction Requirements, Section C, as follows: All structures, other than approved earth-sheltered homes, shall have at least a 4/12 roof pitch and shall be covered with shingles, tiles, **shakes or panels. If metal materials are used, they must be designed for residential roofing uses, meet a UL 790 Class A Fire Rating, a UL 2218 Class 4 Impact Resistance rating and any thickness standards as specified in the International Residential Code or the International Building Code. No unfinished steel or unfinished aluminum shall be used for exterior building finishes (walls or roofs). Overhangs on steel or metal buildings shall be enclosed.** Motion passed unanimously.

The next meeting will be 10-02-09, at 7:00 a.m. Administrator Don Solga said he has some new information in regard to home businesses. Commissioners discussed home businesses. Motion by Gorton, seconded by Marko to adjourn the meeting at 7:20 a.m. Motion passed unanimously.

Glenys Ehlert, Secretary to the Planning Commission

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September 30, 2009

PLANNING COMMISSION AGENDA

8. Call to Order
9. Agenda Additions or Deletions
10. Approval of Minutes – 9-25-09
11. Garage Sale Ordinance
12. Home Based Business
13. Pelican Valley Health Center
 - Proposed Addition to Sherin Park Walking Path
 - Easement Request
14. Next Regular Meeting – 11-06-09

**CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES 10-02-09**

The Planning Commission of Pelican Rapids met at 7:00 a.m., on Friday, 10-02-09, in Council Chambers, City Hall. Chairman Judy Marko and Commissioners John Gorton, Jaime Stromberg, Mel Zierke, Doug Bruggeman and Richard Peterson were present. No commissioners were absent. Administrator Don Solga and Secretary Glenys Ehlert were also present.

Meeting called to order at 7:19 a.m. by Chairman Marko.

There were no additions or deletions to the agenda.

Motion by Gorton, seconded by Bruggeman to approve the minutes of 09-25-09 as presented. Motion passed unanimously.

Administrator Don Solga reviewed a workshop he attended on home businesses. Cities at that meeting brought up their concerns with garage sales. The City presently has two separate concerns regarding “garage sales.” One is conducted in a commercial zone and one is in a residential zone. The garage sale in the commercial zone is conducting commerce and that is permitted in his zone. The City may regulate concerns such as parking, requiring business to be conducted in a building and that building would be taxed as commercial. Administrator Solga offered the following definitions: the concept of a garage sale is to periodically offer items from your

household and neighbors for sale. When people buy or gather items to sell at a profit every weekend, then that operation is a business. That is not permitted in the residential zone. The Planning Commission could ask Council if they would like the Planning Commission to develop an ordinance to regulate garage sales.

Commissioners Bruggeman and Peterson questioned that without a garage sale ordinance how would we argue that the present two are not conducting garage sales. Motion by Gorton, seconded by Bruggeman to request direction from City Council regarding developing a garage sale ordinance. Commissioners Gorton, Peterson, Zierke, Bruggeman and Stromberg voted yes. No one voted no. Chairman Marko abstained from voting. Motion carried.

Administrator Don Solga reviewed reasons to allow home businesses: better balance of family and work by allowing people to work out of their homes and opportunities for elderly and disabled to earn a living in their home. If allowed, then there are a number of restrictions the City may impose: products that would not be typically found in a residential home, such as bleach in 55 gallon drums; number of employees and amount of space the business occupies. Solga explained that the City of Pelican Rapids does permit home businesses at the present time and sets a number of limits, including limiting the space a home business may occupy to 25% of the home's area including an attached garage. Home businesses in detached garages are not permitted.

Commissioner Zierke questioned the history of the 2004 update of the Comprehensive Plan. Administrator Don Solga said the 2004 update of the Comprehensive Plan may have been driven in part on plans of larger cities. He queried, "Would we attract people to move to Pelican Rapids if they could open a business in a detached garage?" Commissioners discussed history of Planning Commission's decision to strive for zoning that would be consistent and not require too many requests for special use permits. Clerk-Treasurer Glenys Ehlert said that the Planning Commission and City Council have worked to eliminate spot zoning for over 20 years based on city attorney's recommendations and recommendations of the League of Minnesota Cities (LMC) as well as the LMC Insurance Trust as the City's liability insurer.

Commissioner Stromberg said people choose to live in small towns because we are a family and we're connected to each other. We take care of each other and show concern for our neighbor's well being. Why not permit people to earn a living based out of their home and garage? Administrator Solga said, "Downtown is the heart of any community. If you permit too much expansion of home businesses, then we will continue to have more vacant businesses downtown." Chairman Marko said when she sees a mix of businesses and homes in a town, it just doesn't look very good. Motion by Peterson, seconded by Stromberg to request that the City Council consider the idea of changes to the Comprehensive Plan and revisions regarding home businesses and provide direction for the Planning Commission on this matter. Motion passed unanimously.

Administrator Don Solga reviewed the proposal from Pelican Valley Health Center to construct a paved path from their north door to a park pathway in Sherin Park. About 40' of the path will be on city park property. Planning Commission needs to review

the proposed pathway and approve that the land lease or easement for the proposed pathway would be consistent with the Comprehensive Plan. Some Park Board members reviewed the proposal on 09-29-09. Park Board did not have a quorum to make a formal recommendation, but suggested the proposal go to the City Council. Council approved pathway contingent on an acceptable lease or easement, an acceptable agreement regarding liability and maintenance and the Planning Commission's review of the proposed path relevant to the Comprehensive Plan. Motion by Bruggeman, seconded by Peterson to recommend approval of the proposed Sherin Park pathway paving project by Pelican Valley Health Center to the City Council, finding that the pathway and land lease or easement is consistent with the Comprehensive Plan. Motion passed unanimously.

Maintenance Ordinance will be considered at the next Planning Commission meeting, 11-06-09.

Motion by Peterson, seconded by Gorton to adjourn the meeting at 8:15 a.m. Motion passed unanimously.

Glenys Ehlert, CMC
Clerk-Treasurer

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October 29, 2009

PLANNING COMMISSION AGENDA

**Friday, November 6, 2009 7:00 a.m. Council Chambers, 315 N.
Broadway**

1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 10-2-09
4. Garage Sale Ordinance
5. Home Based Business Report

6. Notice of Proposed Telecommunication Tower Installation – 43581 Cty Rd 9
7. Next Regular Meeting – TBD

**CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES 11-06-09**

The Planning Commission of Pelican Rapids met at 7:00 a.m., on Friday, 11-06-09, in Council Chambers, City Hall. Chairman Judy Marko and Commissioners John Gorton, Mel Zierke, and Richard Peterson were present. Commissioners Jamie Stromberg and Doug Bruggeman were absent. Administrator Don Solga, Secretary Glenys Ehlert and Council Member John Waller, III were also present.

Meeting called to order at 7:06 a.m. by Chairman Marko.

There were no additions or deletions to the agenda.

Motion by Peterson, seconded by Zierke to approve the minutes of 10-02-09 as presented. Motion passed unanimously.

Administrator Don Solga reviewed the draft version of the Residential Rummage Sales, Garage Sales and Similar Occasional Sales Ordinance. This draft incorporates various concepts previously discussed by the Planning Commission. Commissioners discussed various portions of the ordinance. Motion by Peterson, seconded by Gorton to delete item C. in Subdivision 2. Voting yes: Peterson, Gorton, Zierke. Voting no: none. Chairman Marco abstained. Motion carried.

Administrator Don Solga reviewed the Council's directive to the Planning Commission regarding home businesses. Administrator Solga said he feels that home businesses operating in violation of the ordinance should be notified to discontinue the conduct of business.

Commissioner Zierke commented that time is not an issue to work on changes.

The following items were discussed:

Administrator Don Solga said the Comprehensive Plan states that one goal of the plan is to help the community develop and maintain, sustain a healthy downtown. How does permitting businesses in the detached garage help sustain the downtown? Chairman Judy Marko – Wouldn't it be easier to attract people if the businesses are grouped together? Solga - People coming to town need to see the businesses. Businesses in the residential zone in detached garages are not visible and don't help the downtown.

City Council Member John Waller - Home businesses only have one employee usually; downtown businesses typically have more than one employee. Solga-Does the business's wares make a difference if it is in the business district? If there is a possibility that a fitness center or clothing store could move into a detached garage, why would they stay in the commercial zone? Commissioner and City Council Member Peterson -You can do that now as a home business in an attached garage. Solga - Why are these ordinances written the way they are? They are written this way to keep businesses in the business area. Peterson-You are never going to change Mel's mind. I don't know how John feels. I'm not going to change my mind.

Motion by Peterson, seconded by Marko to leave the zoning ordinance for home businesses as it is. Marko says the businesses downtown pay commercial taxes. Commissioner Mel Zierke-Is there a date in mind? Solga-Whenever ordinance was put in place. Zierke-I see that whenever we do something special for someone, we really open up a can of worms. We don't look at everything when we change things. Solga-Anytime you change something, you hope that change is for the better. However, someone is always affected in a negative way. It's my job to administer whatever you guys decide. Commissioner John Gorton-Rules were put in effect in 1993; let's play by the rules. Voting on motion: Chairman Marko, Commissioners Peterson and Gorton voted yes. Commissioner Zierke voted no. Motion carried.

Commissioners discussed the location of a proposed telecommunication installation. It doesn't appear that it would be in the flight patterns of the airport. Commissioners discussed the three towers that are already in place and not being used. No action was taken.

Administrator Don Solga – Do Commissioners want to consider meeting another time or different day? Commissioners present suggested asking Jamie and Doug about their schedules and meeting days and times.

Next meeting will be Friday, 12-04-09, at 7:00 a.m.

Motion by Gorton, seconded by Peterson to adjourn the meeting at 8:05 a.m. Motion passed unanimously.

Glenys Ehlert
Secretary to the Planning Commission

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December 1, 2009

PLANNING COMMISSION AGENDA

1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 11-06-09
4. Garage Sale Ordinance Report
5. Home Based Business Report
6. Empty Lots in Residential Zone
7. Next Regular Meeting – 01-08-10

**CITY OF PELICAN RAPIDS PLANNING COMMISSION MEETING
MINUTES 12-04-09**

The Planning Commission of Pelican Rapids met at 7:00 a.m., on Friday, 12-04-09, in Council Chambers, City Hall. Chairman Judy Marko and Commissioners Jamie Stromberg, Mel Zierke and Doug Bruggeman were present. Commissioners Richard Peterson and John Gorton were absent. Administrator Don Solga and Secretary Glenys Ehlert were also present.

Meeting called to order at 7:06 a.m. by Chairman Marko.

There were no additions or deletions to the agenda.

Motion by Zierke, seconded by Stromberg to approve the minutes of 11-06-09 as presented. Motion passed unanimously.

Administrator Don Solga reported on **ORDINANCE 09-05, AN ORDINANCE TO AMEND CITY CODE SECTION 905.08 AND ADD CITY CODE SECTION 905.09 RELATING TO RUMMAGE SALES AND PROVISION SEVERABLE.** One letter was sent to a property owner regarding the ordinance and informing the resident of the rules regarding conducting rummage sales in a residential zone. The garage sale being conducted in a commercial zone is permitted and no changes are required.

Administrator Don Solga reviewed the home based businesses. He reviewed the ordinance in letters to property owners and directed them to discontinue the conduct of business in a detached garage.

Commissioner Stromberg-I think this ordinance was written more towards Fargo Moorhead size communities. It doesn't represent one area of the community of small construction businesses that don't depend on a downtown location.

Administrator Solga - Council's actions were what they felt were for the betterment of the community as a whole.

Administrator Solga reviewed information about empty lots and whether to permit storage buildings on lots without a residence in residential zones.

Stromberg-I think that neighborhoods are important and that development should be livable. It seems like Pelican is withering on the vine. It would be great if we could get a grant and do some urban renewal to replace the junky homes.

Commissioner Bruggeman - I like the development taking place on main roads in other communities so people can see the development. The property around Lake Region Electrical Coop would look great and be noticeable from the highway. Administrator Solga agreed.

Commissioner Bruggeman-I strongly think our community needs to build a community center like Frazee. Right now people spend a lot of money on receptions and other parties out of town. We could build it right downtown.

Commissioners and Solga discussed building a combination City Hall, police station and community event center.

Commissioner Bruggeman-I think a community center should be a priority.

Administrator Solga-The number one issue for me is a city hall, police station and community center. The problem is that state funding has been cut and is going to be cut well into the future.

Commissioner Stromberg -We need to provide incentives for people to fix up their property. Administrator Solga said that the City Council has tasked the Planning Commission to look at a property maintenance ordinance.

Commissioners discussed how improving property helps neighborhoods and the community. Talk with groups to fix up a home. If churches could come together and fund some of the repairs, that would be a help. Commissioner Stromberg-I'd rather help people than strong arm them to do it. Administrator Solga said the property maintenance ordinance would help people see that repairs were needed. Then people could connect with church groups.

Administrator Solga said the Small City Development Program (SCDP) has been a huge help to the community. Commissioners discussed incentives to help replace declining properties with livable homes. Solga said the USDA Rural Development people are going to be meeting with committees in town regarding applying for a grant and establishing a revolving loan pool. He explained, "We have to use the grant money in two years and then as the original funds are paid back the money can be used to finance new loans." Commissioner Stromberg said he would be interested in meeting on this because we have homes that need help.

Commissioners discussed property maintenance and empty lot requirements in residential zone. Next meeting will 02-05-10 at 7:00 a.m.

Motion by Bruggeman, seconded by Stromberg to adjourn the meeting at 8:09 a.m.
Motion passed unanimously.

Glenys Ehlert, CMC
Clerk-Treasurer