

April 8, 2016

## PLANNING COMMISSION AGENDA

**Thursday, April 21, 2016**

**6:00 p.m.**

**Council Chambers, 315 N. Broadway**

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1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 10/26/15 PC Minutes
4. Approval of Public Hearing Minutes from 3/2/16
5. 6:00 p.m. Public Hearing – SUP Nidal Omar
6. 6:30 p.m. Public Hearing – Bruce Fuhrman
7. Nuisance Ordinance – Roger Schleske
8. Fence Moratorium Consideration
9. Set Spring Tour Date

The Planning Commission of Pelican Rapids met at 6:00 p.m. on Thursday, 4-21-16, in Council Chambers, City Hall. Chairman Ben Woessner, Commissioners CJ Holl, John Gorton, Jamie Stromberg, Phil Stotesbery and Richard Peterson were present. Administrator Don Solga, Secretary Danielle Heaton, Nidal Omar, Danny Salazar, George Gorton, LouAnn Schleske, Dion Scleske, Roger Schleske, John Ohman, Joan Ellison, Mark Goettel and Paul Evenson were also present.

Chairman Woessner called meeting to order at 6:00 p.m.

Motion by Holl, seconded by Gorton to approve the agenda with the addition of No. 10 Next Meeting Date: April 28, 2016 and deletion of No. 6 6:30 p.m. Public Hearing – Bruce Fuhrman. Motion carried.

Motion by Peterson, seconded by Stromberg to approve the minutes of 10-26-15 as presented. Motion carried.

Motion by Holl, seconded by Stromberg to approve the Public Hearing minutes of 3-2-16 as presented. Motion carried.

Chairman Woessner called the Public Hearing to order.

The purpose of the public hearing was to consider the application of Nidal Omar on behalf of the Islamic Society of Fargo/Moorhead for a Special Use Permit to allow a place of worship/event center in a commercial zone.

Administrator Solga reviewed the 5 criteria that must be met in order to allow the Special Use Permit. After reviewing the application, the Commissioners agreed that the Islamic Society of Fargo/Moorhead worship/event center would meet all the necessary criteria.

Mr. Omar explained the purpose of the place of worship/event center that he is hoping to open. He answered questions from the Commissioners. Administrator Solga asked if he will have any speakers used for call to prayer. He is not going to have any speakers outside the building.

Chairman Woessner closed the hearing at 6:23 p.m.

Motion by Stotesbery, seconded by Holl to recommend City Council approve the Special Use Permit for the Islamic Society of Fargo/Moorhead to use as a place of worship/event center with the condition that they will educate, members and guests related to safe walking routes to the facility. Motion carried.

Roger Schleske would like the Planning Commission to consider an ordinance change. He would like to have residential and commercial property treated differently concerning what is and is not allowed under the nuisance ordinance. Mr. Schleske would like to see vehicle repair shops treated differently. Right now the ordinance states that a vehicle must have current tabs and be operable. Danny Salazar explained that sometimes it is hard for him if he has a vehicle on which a customer is making payments. Sometimes those vehicles may have expired tabs. Mark Goettel owns MGK Welding Shop he doesn't feel that the current ordinance is fair to his vehicle restoration shop. He is sometimes restoring a few different vehicles at a time that don't have current tabs and are inoperable. Commissioner Gorton stated that it is about the appearance of the repair shops. If it looks nice and organized and mowed around, that is one thing, but if it is just thrown or shoved wherever, then it looks like junk or debris. After much discussion, the Planning Commissioners agreed to consider a change in ordinance. The repair shop owners were asked to help come up with some ideas to discuss at a future meeting.

Administrator Solga asked the commissioners to consider a fence moratorium. Right now, the City Attorney interprets City code allowing fences in front yards. The commissioners agreed

that changes should be made to the ordinance but Commissioners Stromberg and Holl were concerned about the time of year. Right now people want to put up fences. Commissioner Peterson said that he doesn't want any fence in front yards. Administrator Solga is asking for a moratorium Motion by Peterson, seconded by Gorton to request that city council implement a four month moratorium on all fences. Motion carried. Opposed : Holl

The Spring Tour Date will be May 12 at City Hall at 5:00 p.m.

The next meeting is April 28, 2016.

Motion by Gorton, seconded by Stromberg to adjourn the meeting at 7:56 p.m. Motion carried. Opposed : Holl



Danielle Heaton  
Secretary to the Planning Commission

April 25, 2016

### **PLANNING COMMISSION AGENDA**

**Thursday, April 28, 2016                      6:00 p.m.                      Council Chambers, 315 N. Broadway**

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1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 4/21/16 PC Minutes
4. 6:00 p.m. Public Hearing – Bruce Fuhrman
5. Fence Moratorium Consideration
6. Skateboard Prohibition
7. Next Meeting Date/Time

\* This is primarily a Planning Commission meeting, but a City Council quorum may be present.\*

The Planning Commission of Pelican Rapids met at 6:00 p.m. on Thursday, 4-28-16, in Council Chambers, City Hall. Chairman Ben Woessner, Commissioners CJ Holl, John Gorton, Phil Stotesbery and Richard Peterson were present. Commissioner Jamie Stomberg was absent. Administrator Don Solga, Secretary Danielle Heaton, City Attorney Greg Larson, Steve Strand, Chet Nettetstad, Dion Schleske, Roger Schleske, Harold Nelson, Rob Strand, Judy Tabut, John Ohman and Bruce Fuhrman were also present.

Chairman Woessner called meeting to order at 6:00 p.m.

Motion by Holl, seconded by Gorton to approve the agenda as presented. Motion carried.

Motion by Holl, seconded by Stotesbery to approve the planning commission minutes of 04-21-2016 as presented. Motion carried.

Chairman Woessner called the Public Hearing to order.

The purpose of the public hearing was to consider the application of Bruce Fuhrman to allow residential use in a commercial zone.

Administrator Solga and Bruce Fuhrman explained the existing floor plan and the proposed use.

Administrator Solga reviewed the five criteria that must be met in order to allow the Special Use Permit for Bruce Fuhrman at 57 N Broadway.

Bruce Fuhrman introduced himself to the Commissioners. He would like to use the back 40% of the building as a dormitory style rental. He has already been approached by a group that would be interested in renting the rental. He owns other rentals and has a lot of experience with tenants. He is aware of concerns about loitering and parking. He would provide a fenced in patio area for the tenants on the south side of the building in the empty lots. He would also put in one and one-half parking spaces for each tenant as the City ordinance requires.

Administrator Solga reviewed concerns about using commercial space for residential, especially in the central business district. The amount of retail space that is available downtown is limited. The commissioners have to consider the precedence that this could potentially set. City Attorney informed the commissioners that they could consider putting restrictions on a SUP if they wanted too.

Chairman Woessner asked the public that attended their feelings. Many spoke in favor of Mr. Fuhrman's plan.

Commissioner Peterson said that he is not in favor because he felt it should stay commercial. Commissioners Stotesbery and Gorton said they would consider it. Commissioner Holl

suggested taking some time to put all the information together and consider what restrictions the commissioners would like attached to the SUP.

Chairman Woessner closed the public hearing at 8:03 p.m.

Administrator Solga handed out information for the Commissioners to consider for the fence moratorium.

Steve Strand asked the Commissioners to consider deleting Chapter 7, Part 4 of the City Code concerning skateboarding. He feels that the current ordinance is very restrictive. Motion by Peterson, seconded by Holl to recommend to City Council to delete the above mentioned section of code pertaining to skateboarding. Motion carried. Opposed: Stotesbery

The next meeting is May 9 at 6:00 pm.

Motion by Peterson, seconded by Stotesbery to adjourn the meeting at 8:22 p.m. Motion carried. Opposed: Holl



Danielle Heaton  
Secretary to the Planning Commission

May 2, 2016

### **PLANNING COMMISSION AGENDA**

**Monday, May 9, 2016                      6:00 p.m.                      Council Chambers, 315 N. Broadway**

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1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 4/28/16 PC Minutes
4. Special Use Permit – Bruce Fuhrman
5. Nuisance Ordinance Change Consideration – Roger Schleske

6. Fence Ordinance Discussion

7. Next Meeting Date/Time

The Planning Commission of Pelican Rapids met at 6:00 p.m. on Thursday, 05-09-16, in Council Chambers, City Hall. Chairman Ben Woessner, Commissioners CJ Holl, John Gorton, Phil Stotesbery and Richard Peterson were present. Commissioner Jamie Stromberg was absent. Administrator Don Solga, Secretary Danielle Heaton, Police Chief Jeff Stadum, City Attorney Greg Larson, Andrew Johnson, Brent E. Frazier, Scott Richardson, Roger Schleske, Bruce Fuhrman and Steve Strand were also present.

Chairman Woessner called meeting to order at 6:00 p.m.

Motion by Holl, seconded by Stotesbery to approve the agenda as presented. Motion carried.

Motion by Holl, seconded by Gorton to approve the Planning Commission minutes of 04-28-2016 as presented. Motion carried.

Administrator Solga and City Attorney Greg Larson reviewed a draft resolution with the restrictions for the Planning Commission to consider on Mr. Fuhrman's Special Use Permit application. Administrator Solga reviewed the five conditions or criteria, which must be met in order to consider approving. The commissioners then reviewed public input they received about the requested Special Use Permit (SUP). Andrew Johnson voiced his concerns as a business owner, about availability of commercial space downtown and shortage of parking. Commissioner Holl encouraged everyone to give reasons on which they are basing their decisions. He also thanked Mr. Fuhrman for being open and honest with the Planning Commission about his intentions. Commissioner Gorton said he talked to people and received unfavorable feedback. Commissioner Stotesbery said people seem to be concerned about having a dormitory in the community. Mr. Fuhrman explained that in order to afford this building; multiple income resources are necessary, such as residential and commercial rental income. Commissioner Peterson asked for clarification on a few points from Mr. Fuhrman. Commissioner Holl asked if Mr. Fuhrman could put in apartments instead of dormitories; he said it would be cost prohibitive. He wants to stick with the dormitory style that he requested on the SUP application.

City Attorney Greg Larson explained to the commissioners how the Planning Commission should address the five criteria stated in the city code with regard to the issuance of a Special Use Permit. ~~must agree or disagree with the proposed use.~~ Motion by Peterson, seconded by Gorton to deny the SUP application for an eight unit dormitory style facility at 57 N Broadway. Commissioner Holl asked Mr. Fuhrman if he would have met the restrictions that had been laid out in the proposed SUP agreement and he answered that he would have agreed to all but the paving because of cost. City Attorney Larson recommended to the commissioners to list specific

findings to support the denial and those specific findings should be tied to the construed intent of the ordinance or the comprehensive plan.

1. The building is in a commercial zone. The intent of the city code and comprehensive plan cannot be construed to fill up the entire commercial zone with residential uses. Nothing similar to this has ever been approved in the City before. Zoning areas R1, R2 and R3 do not contemplate multi-tenant housing. The dormitory style configuration in the back of the building is not harmonious and appropriate in the area.
2. Parking spaces would need to be placed on the commercial lot lying south of the building in question. Filling up commercial space with parking spaces is not consistent with the objectives of the commercial zoning ordinance or comprehensive plan.
3. Traffic would be an issue. Many people use Peterson Park which has two entrances but only one exit. The proposed use would cause more congestion in the area. A dormitory style residence in the back lower half of the building does not fit with the existing use already in the area.
4. It does not meet the objects of the Comprehensive plan. It does not promote or develop business activity supporting programs that maintain viable downtown retail and reducing the amount of retail space as the Comprehensive Plan states.
5. The alley behind is not adequate for two way traffic. With the extra vehicles parked on the back of the commercial lot, it would lead to congestion near the alley.
6. Noise is a concern. No adequate measures have been put in place to prevent or control noise. The City does not want to allow a situation that could easily lend itself to be a noisy situation and then shut it down as a result of violating the noise ordinance.

Motion carried. Opposed: Holl

Roger Schleske and other auto repair shops had previously asked the Planning Commission to consider making a change to the nuisance ordinance. They are asking the commissioners to consider a change making licensed legal commercial repair facilities exempt from unlicensed, unregistered, inoperable vehicles and the amount of vehicles allowed would be based on the square footage of property. Administrator Solga asked the commissioners to consider why the ordinance was written that way in the first place. Commissioner Holl said many cities have restrictions on unlicensed vehicles across all zoning and he doesn't consider putting a license on a vehicle that is currently being worked on as a hardship. The business/property owner has the responsibility of making sure customers have current tabs when they drop off the vehicle. Commissioner Holl would not be in favor of changing the code. The City may have to make a change to the code to make it obvious that salvage yards are not allowed in the City. Motion by Holl, second by Peterson to make no changes to the public nuisance ordinance. Motion carried.

Administrator Solga reviewed the City's procedure on fences. Then a list was compiled of items that may be included in the new fence ordinance. Now the City can establish a draft ordinance from which to work.

Motion by Peterson, seconded by Stotesbery to supplement the Planning Commission's recommendation to City Council that the City Council deny the issuance of the special use permit to Bruce Fuhrman so that the City Council also receives the reasons and factors relied

upon by the Planning Commission when making its recommendation to the City Council to deny the issuance of a Special Use permit said reasons and factors being those at the planning commission hearing that are reflected in the Planning commission meeting minutes. Motion carried.

The next meeting will be on May 23, 2016 at noon.

Motion by Gorton, seconded by Stotesbery to adjourn the meeting at 8:13 p.m. Motion carried.  
Opposed: Holl

Reminder Spring Tour is May 12, 2016 at 5:00 p.m.



Danielle Heaton  
Secretary to the Planning Commission

May 19, 2016

### **PLANNING COMMISSION AGENDA**

**Monday, May 23, 2016                      12:00 noon                      Council Chambers, 315 N. Broadway**

1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 5/9/16 PC Minutes
4. Special Use Permit – Bruce Fuhrman
5. Fence Ordinance Discussion
6. Transient Merchants License
7. Next Meeting Date/Time

The Planning Commission of Pelican Rapids met at 12:00 p.m. on Monday, 05-23-16, in Council Chambers, City Hall. Chairman Ben Woessner, Commissioners CJ Holl, John Gorton, Jamie Stromberg, Phil Stotesbery and Richard Peterson were present. Administrator Don Solga, Secretary Danielle Heaton, City Attorney Greg Larson, Brent E. Frazier, Judy Tabbut, Loren Seifert, Steve Strand and Bruce Fuhrman were also present.

Chairman Woessner called meeting to order at 12:00 p.m.

Motion by Peterson, seconded by Stromberg to approve the agenda as presented. Motion carried.

Motion by Peterson, seconded by Stotesbery to approve the minutes of 05-09-16 as presented. Motion carried.

Administrator Solga explained to the Commissioners the City Council's reasons for sending the Special Use Permit (SUP) Application back to the Planning Commission. At the public hearing, the concept was presented as "dormitory style housing", but at the Council meeting Bruce Fuhrman changed the wording to "extended stay housing" after the Planning Commission denied the application. After much discussion, the City Council decided to send the SUP back to the Planning Commission for clarification.

Administrator Solga supplied the Commissioners with information from the Minnesota State Building Code describing the different use and occupancy clarifications to make it clear and portray what Mr. Fuhrman would like to do with the building. The Council sent it back to the Planning Commission to get clarification on the Special Use Permit, so we can define what the intentions of the space are. Chairman Woessner asked Mr. Fuhrman whether he had anything to add and he stated no. Commissioner Holl asked City Attorney Larson for some clarification on what it should be called according to the Minnesota State Building Code. He replied that it could be called either dormitory or boarding house.

Commissioner Stromberg said "...we have had extensive and in-depth conversations about living on the main level in our business district....it is injurious to the business district as a whole, we have precious little of it." City Attorney Larson stated "whatever you classify it as, you still have to go through the same five elements. At the end of the day, I think the City has been presented with the project and anticipated use. So I would focus on whether the use meets the five elements regardless what it's referred too." Mr. Fuhrman is requesting the same units, that hasn't changed. He was under the impression that Council sent it back to the Planning Commission to discuss the restrictions which hadn't previously been discussed by the Planning Commission. Administrator Solga believed since Mr. Fuhrman changed the term from dormitory to extended stay; the Council was hearing something different than the Planning Commission had. Commissioner Holl said that as a councilmember, he felt the Council was also concerned that the Planning Commission never discussed the restrictions therefore; the City Council did not have the input of the Planning Commission. Commissioner Gorton said "So we are still looking at the exact same? Nothing's changed?" Administrator Solga explained that it

was not clear to the Council why the SUP was denied. Part of the problem was the minutes hadn't been approved at that time so Council was unaware of the reasons. Commissioner Peterson said "There's no reason to send it back to us unless he wants to change his application." Motion by Peterson, seconded by Stromberg to recommend to Council to deny the Special Use Permit for Mr. Fuhrman at 57 N Broadway. Commissioner Peterson stated "The City has four percent of its commercial space available for rent right now. As soon as you take one of those and turn it into residential, it's gone. It's not going back to commercial." Commissioner Holl said "if you like what's there today, that's what will be there tomorrow unless you decide to do something else." Motion carried. Opposed:Holl

Administrator Solga reviewed the rough draft of the fencing ordinance that he put together. This will also include shrubs and hedges. The commissioners went through it line by line and discussed each item. The commissioners decided not to require a survey, because the City doesn't need to get involved in property line issues. The Commissioners discussed whether to allow six or eight foot fences. The decision was not to exceed eight feet measured from ground level. If the fence is over six feet, a building permit will be required. The City would have the absolute right to require homeowners to remove or trim down hedges to forty-two inches. Administrator Solga will make the revisions for the next regular meeting.

The Council asked the Planning Commission to make some changes to the Transient Merchant and Peddlers License. Right now, there have been some concerns about a fee, proof of health department license, time limits and liability insurance. The commissioners will look into this and discuss at the next regularly scheduled meeting.

The next meeting date and time will be on Thursday, May 26 at noon. We will only approve the minutes on Thursday.

Motion by Gorton, seconded by Stromberg to adjourn the meeting at 1:20 p.m. Motion carried. Opposed: Holl



Danielle Heaton  
Secretary to the Planning Commission

## PLANNING COMMISSION AGENDA

**Thursday, May 26, 2016**

**12:00 noon**

**Council Chambers, 315 N. Broadway**

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1. Call to Order
2. Agenda Additions or Deletions

3. Approval of Minutes – 5/23/16 PC Minutes
4. Next Meeting Date/Time

\* This is primarily a Planning Commission meeting, but a City Council quorum may be present.\*

The Planning Commission of Pelican Rapids met at 12:00 p.m. on Thursday, 05-26-16, in Council Chambers, City Hall. Chairman Ben Woessner, Commissioners John Gorton, Phil Stotesbery and Richard Peterson were present. Commissioners Jamie Stromberg and CJ Holl were absent. Administrator Don Solga and Secretary Danielle Heaton.

Chairman Woessner called meeting to order at 12:00 p.m.

Motion by Peterson, seconded by Stotesbery to approve the agenda as presented. Motion carried.

Motion by Peterson, seconded by Gorton to approve the minutes of 05-23-16 as presented. Motion carried.

Administrator Solga informed the commissioners that the City received another Special Use Permit Application shortly before the meeting. The commissioners did review the application and found it to be incomplete. They would like, to know what type of rental property, a floor plan of the use, and, because of the overall state of the building, an inspection report by the city building official as a part of the application. The City will notify the property owner and request the missing information.

The next meeting will be determined at a later date.

Motion by Stotesbery, seconded by Peterson to adjourn the meeting at 12:08 p.m. Motion carried.



Danielle Heaton  
Secretary to the Planning Commission

August 1, 2016

\* This is primarily a Planning Commission meeting, but a City Council quorum may be present.\*

## PLANNING COMMISSION AGENDA

**August 4, 2016**

**7:00 P.M.**

**Council Chambers, 315 N. Broadway**

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- 1) Call to Order
- 2) Agenda Additions or Deletions
- 3) Approval of Minutes — 5/26/16 PC Minutes
- 4) Fences Ordinance
- 5) Transient/Peddler Ordinance
- 6) Review of Resolutions Ordering Repair/Remove
  - a) Prior -
    - i) 114 SW 10<sup>th</sup> Ave
    - ii) 121 NW 1<sup>st</sup> Ave
    - iii) 125 NW 1<sup>st</sup> Ave
    - iv) 200 SW 5<sup>th</sup> Ave
    - v) 704 NE 1<sup>st</sup> ST
  - b) New -
    - i) 25/27 NW 1<sup>st</sup> Ave
    - ii) 101 NE 1<sup>4</sup> St
    - iii) 129 NE 5<sup>th</sup> Ave
    - iv) 309 NE 5<sup>th</sup> Ave
    - v) 627 N Broadway
- 7) "Temporary Housing" Law
- 8) Fishing off the Bridge
- 9) Commercial Storage
- 10) Central Business District zoning
- 11) Next Meeting Date/Time

The Planning Commission of Pelican Rapids met at 6:00 p.m. on Thursday, 08-04-16, in Council Chambers, City Hall. Chairman Ben Woessner, Commissioners John Gorton, Phil Stotesbery, Jamie Stromberg, CJ Holl and Richard Peterson were present. Administrator Don Solga, Secretary Danielle Heaton, City Attorney Greg Larson, Steve Strand and Norman Bartells were also present.

Chairman Woessner called meeting to order at 6:00 p.m.

Motion by Holl, seconded by Gorton to approve the agenda with the addition of 6b) 108 NW 2<sup>nd</sup> Street 11) Housing Update, and 12) Next Meeting Date/Time. Motion passed unanimously.

Motion by Stotesbery, seconded by Peterson to approve the minutes of 05-26-16 as presented. Motion passed unanimously.

Administrator Solga reviewed the draft fence ordinance on which the Planning Commission has been working the last few months. The City Attorney has reviewed the ordinance. The Commissioners reviewed the draft and suggested some minor revisions for clarification. Motion by Stotesbery, seconded by Stromberg to approve the fencing ordinance with the suggested minor changes. Motion passed unanimously.

Commissioner Holl presented an updated Transient/Peddler/Solicitor License Application. After much discussion, the item was tabled until the next meeting for further discussion regarding fees and terms.

Administrator Solga updated the Commissioners on five dilapidated buildings that were ordered to be repaired or removed by the Planning Commission in prior years. He updated them on a shed at 114 SW 10<sup>th</sup> Avenue, a house at 121 NW 1<sup>st</sup> Avenue, a house at 125 NW 1<sup>st</sup> Avenue, sheds and a house at 200 SW 5<sup>th</sup> Avenue and a shop at 704 NE 1<sup>st</sup> Street. All of them have been through the County Court system and have been given deadlines. If the deadlines are not met by the property owners, then the City can have them removed.

Administrator Solga said the City has identified six new dilapidated buildings. The City Building Official has visually inspected the exterior of each building and provided a written report to Commissioners.

Building No. 1 is a commercial business with apartments above at 25/27 NW 1<sup>st</sup> Avenue. Motion by Gorton, seconded by Stromberg to accept the Building Official's report of needed repairs or removal and send a recommendation to the city council that the building be classified as a hazardous building. Motion passed unanimously.

Building No. 2 is a house and garage at 101 NE 1<sup>st</sup> Street. Motion by Stromberg, seconded by Stotesbery to accept the Building Official's report of needed repairs or removal and send a recommendation to the city council that the house and garage be classified as hazardous buildings. . Motion passed unanimously.

Building No. 3 is a house and garage at 108 NW 2<sup>nd</sup> Street. Motion by Stotesbery, second by Peterson to accept the Building Official's report of needed repairs or removal and send a recommendation to the city council that the building be classified as a hazardous building. Motion passed unanimously.

Building No. 4 is a house at 129 NE 5<sup>th</sup> Avenue. Motion by Stotesbery, seconded by Gorton to accept the Building Official's report of needed repairs or removal and send a recommendation to the city council that the building be classified as a hazardous building. Motion passed unanimously.

Building No. 5 is a house, garage and shed at 309 NE 5<sup>th</sup> Avenue. Motion by Gorton, second by Peterson to accept the Building Official's report of needed repairs or removal and send a recommendation to the city council that the building be classified as a hazardous building. Motion passed unanimously.

Building No. 6 a shed at 627 N Broadway. Motion by Stromberg, second by Stotesbery to accept the Building Official's report of needed repairs or removal and send a recommendation to the city council that the building be classified as a hazardous building. Motion passed unanimously.

Administrator Solga reviewed a new process for local governments to permit certain types of recreational vehicles as temporary family dwellings. The main motivation behind the new law is to provide transitional housing for seniors. The law provides a provision stating that cities can opt out of the law but must do so by September 1, 2016. Most cities are choosing to opt out, so each city can make sure that it fits their community. Motion by Peterson, seconded by Stotesbery to recommend to Council to approve the resolution opting out of Minnesota Statue, Section 462.3593. Motion passed unanimously.

The Planning Commission reviewed Ordinance 706.01 Fishing from Bridge. After some discussion, they decided the ordinance didn't need any changes unless they are given more direction.

Administrator Solga wanted more direction on how to deal with existing cold storage buildings in a commercial zone. The Commissioners, at an earlier meeting, had decided that cold storage is not allowed in the commercial zone. The Planning Commission asked Administrator Solga to make a list of buildings that have cold storage in a commercial zone to review at the next meeting. Item was tabled until next meeting.

The Comprehensive Plan talks about a Central Business District. The Planning Commission may want to consider some special building standards to help define the more specific zoning for downtown. The commissioners tabled this discussion until the next meeting.

Administrator Solga updated the Commissioners on the housing situation and the work the Housing Committee has done. Both he and the Mayor have met with a couple of housing developers and the Planning Commission will be instrumental in upcoming discussions with the developers.



The Planning Commission of Pelican Rapids met at 6:00 p.m. on Thursday, 08-18-16, in Council Chambers, City Hall. Chairman Ben Woessner, Commissioners John Gorton and CJ Holl were present. Commissioners Phil Stotesbery, Jamie Stromberg and Richard Peterson were absent. Administrator Don Solga and Secretary Danielle Heaton were also present.

Chairman Woessner called the meeting to order at 6:00 p.m.

Motion by Holl, seconded by Gorton to approve the agenda as presented. Motion passed unanimously.

Motion by Gorton, seconded by Holl to approve the minutes of 08-04-16 as presented. Motion passed unanimously.

Commissioner Holl presented a draft Transient/Peddler/Solicitor License Application for discussion. After reviewing the Ordinance, it was decided to not include the peddlers or solicitors on the license application as according to the City Code a transient merchant is the only one required to get a license. The Commissioners also considered requiring transient merchants to only be set-up while operating. Currently, the City does not charge a fee and after some discussion, it was decided to charge \$50.00 for a license. The Commissioners then discussed the term of the license. It should be fourteen consecutive days and no more than two termed licenses will be issued for the same business per calendar year. When the Chamber or other organizations sponsor an event in the City, that organization will have to fill out the Transient Merchant Application and take on the liability. Currently, City code states; 508.06 Duration of the License, Each license shall be valid through December 31 of the year of issuance unless otherwise specified therein. There is no change required to the ordinance because the duration therein refers to the application period. In the future, sponsoring organization such as the Chamber must fill out an application for the event they are sponsoring. Commissioner Holl will make the changes for further discussion at the next meeting.

The Planning Commission reviewed Ordinance 706.01 Fishing from Bridge Prohibited Acts. Police Chief Stadum requested a change to the ordinance to include all bridges and the dam. Commissioner Holl recommended changing the ordinance to: No persons shall fish from any part of a bridge that crosses the Pelican River or the Pelican Pete platform and no bow fishing from the dam. Administrator Solga will revise the current ordinance to discuss further at the next meeting.

The Planning Commission requested Administrator Solga to make a list of buildings that have cold storage in a commercial or industrial zone to include both indoor and outdoor storage. Right now our ordinance doesn't allow for cold storage of any kind in the commercial or industrial zones. Some of these buildings/properties are being used appropriately and some aren't. Right now, the Commissioners need to figure out a way to write it into City Code. Commissioner Woessner suggested that some of the businesses on the list are actually more like a warehouse than cold storage. The business uses the space to hold their product. Some are also providing a service by renting out storage space.

The Comprehensive Plan talks about a Central Business District. The Planning Commission may want to consider some special building standards to differentiate the downtown business district from the rest of the commercial zone. It can be use standards or building standards. First the area should be defined, then it should be decided what is appropriate for that area. It protects the downtown area and how it's used. Right now, all commercially zoned properties are treated the same. Administrator Solga will get some examples for the next meeting for the Commissioners to look over.

Industrial business is not allowed in the commercial zone. The commissioners expressed interest in allowing light-industrial in the commercial zone. Administrator Solga defined industrial as taking raw materials and making it into a product. He suggested adding a clause to the City Code to say that light-industrial may be permitted with a special use permit. Commissioner Holl would like to see light-industrial defined and include nuisances such as smell and noise. Administrator Solga will make the suggested changes and bring to the next meeting.

The next meeting will be on September 1, 2016 at noon.

Motion by Gorton, seconded by Woessner to adjourn the meeting at 8:07 p.m. Motion carried.



Danielle Heaton  
Secretary to the Planning Commission

August 25, 2016

### **PLANNING COMMISSION AGENDA**

**September 1, 2016**                      **12:00 p.m.**                      **Council Chambers, 315 N. Broadway**

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1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 08/18/16 PC Minutes
4. Transient/Peddler License
5. Ordinance 706.01 Fishing from Bridge Prohibited Acts
6. Existing Cold Storage Buildings in Commercial Zone

7. Next Meeting Date/Time

\* This is primarily a Planning Commission meeting, but a City Council quorum may be present.\*

The Planning Commission of Pelican Rapids met at 12:00 p.m. on Thursday, 09-01-16, in Council Chambers, City Hall. Chairman Ben Woessner and Commissioners CJ Holl, Phil Stotesbery, Jamie Stromberg and Richard Peterson were present. Commissioner John Gorton was absent. Administrator Don Solga, Secretary Danielle Heaton, Scott Richardson, Chet Nettestad, Caleb Bradrick, Kevin Ballard and Lou Hoglund of the Pelican Press were also present.

Chairman Woessner called the meeting to order at 12:00 p.m.

Motion by Stromberg, seconded by Peterson to approve the agenda as presented. Motion passed unanimously.

Motion by Peterson, seconded by Stotesbery to approve the minutes of 08-18-16 as presented. Motion passed unanimously.

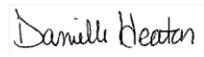
The Commissioners reviewed the updated Transient Merchant License Application. The application has been revised to include a fee, a term and a process to ensure that the merchant is licensed through the state and or insurance if needed. No change to the ordinance is required. The Chamber will have to fill one out for all the events and festivals that they sponsor. Motion by Peterson, seconded by Stromberg to recommend to Council to approve the updated application. Motion passed unanimously.

At this point, there has only been discussion to consider changing Ordinance 706.01 Fishing from Bridge Prohibited Acts. Administrator Solga had a conversation with the City Attorney. The way the ordinance is written, the City could potentially have some liability. By putting a prohibition on it, it could protect the City. After much discussion and comment from the public, the commissioners decided to make no change. Motion by Stromberg, seconded by Peterson recommended Council make no change to Ordinance 706.01 Fishing from Bridge Prohibited Acts. Motion passed unanimously.

The Commissioners reviewed a list and map of cold storage buildings in the commercial zone. The commissioners will review the list and decide what is appropriate or not appropriate storage and/or warehousing. The Planning Commission will discuss further at a future meeting.

The next meeting will be to discuss a potential housing development. City staff will contact the Commissioners when the Developer is ready.

Motion by Stromberg, seconded by Stotesbery to adjourn the meeting at 12:50p.m. Motion passed unanimously.

A handwritten signature in black ink that reads "Danielle Heaton". The signature is written in a cursive style and is contained within a thin black rectangular border.

Danielle Heaton  
Secretary to the Planning Commission

August 25, 2016

**PLANNING COMMISSION AGENDA**

**September 1, 2016**

**12:00 p.m.**

**Council Chambers, 315 N. Broadway**

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1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 08/18/16 PC Minutes
4. Transient/Peddler License
5. Ordinance 706.01 Fishing from Bridge Prohibited Acts
6. Existing Cold Storage Buildings in Commercial Zone
7. Next Meeting Date/Time

\* This is primarily a Planning Commission meeting, but a City Council quorum may be present.\*

The Planning Commission of Pelican Rapids met at 12:00 p.m. on Thursday, 09-01-16, in Council Chambers, City Hall. Chairman Ben Woessner and Commissioners CJ Holl, Phil Stotesbery, Jamie Stromberg and Richard Peterson were present. Commissioner John Gorton was absent. Administrator Don Solga, Secretary Danielle Heaton, Scott Richardson, Chet Nettetstad, Caleb Bradrick, Kevin Ballard and Lou Hoglund of the Pelican Press were also present.

Chairman Woessner called the meeting to order at 12:00 p.m.

Motion by Stromberg, seconded by Peterson to approve the agenda as presented. Motion passed unanimously.

Motion by Peterson, seconded by Stotesbery to approve the minutes of 08-18-16 as presented. Motion passed unanimously.

The Commissioners reviewed the updated Transient Merchant License Application. The application has been revised to include a fee, a term and a process to ensure that the merchant is licensed through the state and or insurance if needed. No change to the ordinance is required. The Chamber will have to fill one out for all the events and festivals that they sponsor. Motion by Peterson, seconded by Stromberg to recommend to Council to approve the updated application. Motion passed unanimously.

At this point, there has only been discussion to consider changing Ordinance 706.01 Fishing from Bridge Prohibited Acts. Administrator Solga had a conversation with the City Attorney. The way the ordinance is written, the City could potentially have some liability. By putting a prohibition on it, it could protect the City. After much discussion and comment from the public, the commissioners decided to make no change. Motion by Stromberg, seconded by Peterson recommended Council make no change to Ordinance 706.01 Fishing from Bridge Prohibited Acts. Motion passed unanimously.

The Commissioners reviewed a list and map of cold storage buildings in the commercial zone. The commissioners will review the list and decide what is appropriate or not appropriate storage and/or warehousing. The Planning Commission will discuss further at a future meeting.

The next meeting will be to discuss a potential housing development. City staff will contact the Commissioners when the Developer is ready.

Motion by Stromberg, seconded by Stotesbery to adjourn the meeting at 12:50p.m. Motion passed unanimously.

*Danielle Heaton*

Danielle Heaton  
Secretary to the Planning Commission

October 13, 2016

**PLANNING COMMISSION AGENDA**

**October 17, 2016**

**5:00 p.m.**

**Council Chambers, 315 N. Broadw**

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1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 09/1/16 PC Minutes
4. Housing Project - Skip Duchesneau, D.W. Jones, Inc.
5. Next Meeting Date/Time

\* This is primarily a Planning Commission meeting, but a City Council quorum may be present.\*

The Planning Commission of Pelican Rapids met at 5:00 p.m. on Monday, 10-17-16, in Council Chambers, City Hall. Chairman Ben Woessner and Commissioners Phil Stotesbery and John Gorton were present. Commissioners CJ Holl, Richard Peterson, and Jamie Stromberg were absent. Administrator Don Solga, Secretary Danielle Heaton, City Attorney Greg Larson, School Superintendent Deb Wanek and School Board Member Jon Karger, Skip and Andrew Duchesneau of D.W. Jones, Inc. were also present.

Chairman Woessner called the meeting to order at 5:00 p.m.

Motion by Gorton, seconded by Stotesbery to approve the agenda as presented. Motion passed unanimously.

Motion by Stotesbery, seconded by Gorton to approve the minutes of 09-01-16 as presented. Motion passed unanimously.

Skip Duchesneau of D.W. Jones, Inc. provided some background information for the Commissioners. They build and manage apartment buildings. The concept for Pelican Rapids is to build a thirty-two unit market rate apartment building. They are in the process of applying for a grant through MN DEED. To receive the grant, there must be a 1:2 match which means for every local dollar, DEED will contribute two dollars up to one million dollars. The grant deadline is November 10, 2016 so they are trying to get as many pieces in place before the grant deadline. The grants will be awarded at the end of the year.

Andrew Duchesneau presented the floor plans of the apartment building. There will be nine one-bedroom, seventeen two-bedroom and 6 three-bedroom apartments. There will also be 17 garages available for rent.

D.W. Jones, Inc. is asking the City to donate the land for \$1.00. They will also continue to manage the property after they have built it. They will be asking the City, School and County for tax abatement. The tax abatement will go towards the local match for the DEED grant.

Motion by Stotesbery, seconded by Gorton to recommend to the City Council to approve the subdivision of the land and transfer the property to D.W. Jones, Inc. for \$1.00 for the purpose of the development. Motion passed unanimously.

The Planning Commission is very concerned about the safety of the tenants that will be living in the apartment development because there are no safe walking/biking paths.

Attorney Larson, Administrator Solga and D.W. Jones, Inc. will work to review the draft purchase order before the council meeting to be as ready as possible.

The next meeting will be determined at a later date.

Motion by Gorton, seconded by Stotesbery to adjourn the meeting at 5:56 p.m. Motion passed unanimously.

*Danielle Heaton*

Danielle Heaton  
Secretary to the Planning Commission



**December 14, 2016**

**PLANNING COMMISSION AGENDA**

**Tuesday, December 20, 2016      6:00 p.m.      Council Chambers, 315 N. Broadway**

1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes – 10/17/16
4. Housing Project
5. Rezoning to Agricultural – Austin Leiter
6. Light Industrial in Commercial Zone

The Planning Commission of Pelican Rapids met at 6:00 p.m. on Tuesday, 12-20-16, in Council Chambers, City Hall. Chairman Ben Woessner and Commissioners Phil Stotesbery, CJ Holl, Jamie Stromberg and John Gorton were present. Commissioner Richard Peterson was absent. Administrator Don Solga, Secretary Danielle Heaton, Samuel Herzog, Troy Johnson and Courtney Raines-Leiter were also present.

Chairman Woessner called the meeting to order at 6:00 p.m.

Motion by Holl, seconded by Stromberg to approve the agenda as presented. Motion passed unanimously.

Motion by Holl, seconded by Stromberg to approve the minutes of 10-17-16 as presented. Motion passed unanimously.

Samuel Herzog and Troy Johnson would like to develop a Housing Project on the land at the end of 3<sup>rd</sup> Street NW. Utilities are close by and the land is fairly flat. He is looking at approximately 19 acres of City owned property and he has a 5-10 year Housing Project. They are considering Market Rate Housing using TIF for the project. They have done some surveying in town and have found there is a need for 3-4 bedroom apartments. They presented to the Commissioners their plans for the development, which in the future could include townhomes. He explained to the Commissioners how TIF would work for this project. Their timeline is to break ground May 1<sup>st</sup>. Commissioner Stotesbery commented that the location they are looking at is ideal for this type of project.

This property will have to be rezoned from Industrial to R2. The Commissioners will have to recommend to Council to move forward with the transfer of land. Also, a lot split and survey will have to be completed for this project. Northland Securities will help the City with the paperwork for TIF. The developers are willing to pay for all the costs for the surveying and lot split and then buys the property for \$1. In order to make this work, the land cost needs to be minimal. Commissioner Stromberg felt that he needs feedback from the Community before he can agree to transfer the land at this low rate.

Motion by Stotesbery, seconded by Holl to recommend to City Council to proceed with the rezone, lot split and land transfer for this project. Aye: Holl, Stotesbery, Gorton, Woessner. Nay: Stromberg.

Administrator Solga gave some background information on discussions he had with the Leiter, property owners at 40134 Maplewood Drive, regarding fencing and grazing animals. They are asking the Commissioners to consider a rezone on their property from Residential to Agricultural. When they purchased the property in October 2015, the City allowed large farm animals on parcels of 2 ½ acres or agricultural. Council passed an ordinance removing the 2 ½ acres from the ordinance. The Commissioners explained that they would be reluctant to change an ordinance because of the precedent it could set. The property owners asked if there was anyway to be grandfathered in as they had purchased the property before the ordinance change. Administrator Solga asked the Leiters if they had any proof of when they began grazing animals.

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She had pictures from July 2016 showing she had animals grazing. Administrator Solga will look in to timeline of grazing and the grazing being grandfathered in.

The Commissioners discussed allowing light industrial in a commercial. This is a subject that the Planning Commission has been discussing for a few months. Everyone agreed that the ordinance should not require a special use permit to allow light industrial in a commercial zone. Administrator Solga will create an ordinance defining light-industrial in a commercial zone for Planning Commission to review.

Motion by Gorton, seconded by Stotesbery to adjourn the meeting at 7:57 p.m. Motion passed unanimously.



Danielle Heaton  
Secretary to the Planning Commission