

Approved



**REGULAR MEETING
PLANNING COMMISSION
May 1, 2025**

Present: Chairperson Dresel, Commissioners: Peterfeso, Trivette and Meyer

Absent: Commissioner Carlson, Weidell-LaBathe and Hawkinson

Staff: Administrator Pechman and Associate Planner Nelson

1a. Roll Call

1b. Pledge of Allegiance

Chairperson Dresel proceeded to open the meeting at 6:30 p.m. The Pledge of Allegiance was recited.

AGENDA

Chairperson Dresel asked if there were any changes or additions to the agenda.

Commissioner Peterfeso made the motion to approve the agenda, Commissioner Trivette seconded, all in favor, all ayes, motion carried.

CONSENT AGENDA

3a. Minutes of April 3, 2025

Action

Chairperson Dresel asked the commission if there were any changes or corrections to the minutes.

Commissioner Peterfeso stated the minutes are ok but he was not present.

Commissioner Meyer made the motion to approve the minutes for April 3, 2025 with the changes, Commissioner Peterfeso seconded, all in favor, all ayes, motion carried.

COUNCIL LIAISON REPORT

Commissioner Meyer stated the council had one meeting on April 22, 2025 they had approved the variances for Allways Automotive, seen a water study, change order for a project approved and the annual audit.

COMMUNICATION

PUBLIC HEARINGS: 6:35 P.M.

6a. Interim Use Permit Application – 29800 Habel Lane – Lakes Area Golf Cart Action

Associate Planner Nelson stated Sean Johnson, owner, and president of Lakes Area Golf Carts LLC is applying for an interim use permit at 49800 Habel Lane, PIN 13.00006.01 to conduct minor repairs to golf carts and low speed vehicles and to park golf carts and low speed vehicles for sales and display purposes outside along Highway 8. He is also proposing to store golf carts, low speed vehicles and trailers outside on PIN 13.00006.02. The business activities proposed include outside display of merchandise, sales, repairs, rentals and customizations of golf carts and low speed vehicles. The property is zoned Highway Commercial (HC). Retail businesses are permitted within the zoning district. Outside sales areas and minor repair work, are permitted as a conditional use. An IUP may be considered to conditional uses in the respective zoning district. The property is guided Highway Commercial (HC). The purpose of this district is to provide commercial uses conveniently located and of a quality design for use by residents and travelers on major highways and the broader community. The owner has indicated the use of the property will be for outdoor display and sales, inside will conduct repairs of golf carts and low speed vehicles. The business narrative, storing/displaying items outside and minor repairs are not permitted uses but are conditionally permitted uses in the HC district. The City Council may grant an IUP if they feel it is in the same general character as another use in that district. Section 3.2 of the City's Zoning Code states that interim use permits are governed by the same standards and procedures as conditional use permits. Staff has listed the findings of fact that apply to the IUP. If the Planning Commission wishes to consider the IUP, staff is recommending that the following standards be addressed as part of the approval. Staff recommends approval of the proposed IUP with the 8 conditions. Recommend approval or denial of the proposed IUP to allow minor repair work to golf carts and low speed vehicles and the outdoor storage, display and sales of golf carts and low speed vehicles at 29800 Habel Lane, PIN 13.00006.01 along Highway 8. Also, to allow outdoor storage of golf carts, low speed vehicles and trailers at PIN 13.00006.02.

Commissioner Peterfeso made the motion to open the public hearing, Commissioner Trivette seconded, all in favor, all ayes, motion carried.

Chairperson Dresel asked if anyone has any concerns or questions.

Mr. Johnson stated the only change having been made since the concept review is that he has now acquired the additional property next to the original one.

Commissioner Meyer made the motion to close the public hearing, Commissioner Peterfeso seconded, all in favor, all ayes, motion carried.

Chairperson Dresel asked for any discussion.

The Planning Commission member thought it was a good fit for the area and were in favor of the business.

Chairperson Dresel asked Mr. Johnson if he had reviewed the 8 conditions.

Mr. Johnson stated he has not and reviewed them. The only one he sees an issue is the number of vehicles because the inventory will be constantly moving. He is fine with all the conditions.

Commissioner Peterfeso made the motion to approve the IUP for 29800 Habel Lane along with the 8 conditions, Commissioner Meyer seconded, all in favor, all ayes, motion carried.

Chairperson Dresel stated this will move to the city council meeting on May 27, 2025.

6b. Variance Application – 27930 Kent Ave.

Action

Associate Planner Nelson stated Tim Libertini & Rachel Lukasik, owners of 27930 Kent Avenue have submitted a variance application for a proposed new house on the property. The variance application applies to the required setback to bluff. The applicant is proposing to remove an existing house and build a new house. The required setback to the top of bluff is 30' the applicant is proposing a 0' setback to the top of bluff. The variance application is for a 0' top of bluff setback and encroachment into the bluff impact zone. The property is zoned Low/Medium Density Residential (R-2) and is in the Shoreland Overlay District (SLOD). The property is being used for residential purposes. Residential use is permitted in the R-2 district. The property is guided R-2. Use of property for residential purposes is consistent with the Comprehensive Plan. The property measures roughly 0.58 acres and has an existing house and garage. Zoning Code Chapter 4.7.3.3 & 4 outlines the setback requirements for the top of bluff and the restriction of structures in the bluff impact zone. The proposed house does not meet the 30' setback requirement to the top of bluff as it is proposed to have a 0' setback to the top of bluff with both the house and deck encroaching into the bluff impact zone. Impervious surface area maximum is 25%, the applicant is proposing 25%. City Administrator Pechman, Associate Planner Nelson, sent to DNR Hydrologist Craig Wills via email. Wills suggested it be moved back a little but was not suggesting it to be denied. Staff is recommending approval of the variance with conditions: Applicant to record resolution of City Council's determination and provide an attested copy of the recorded resolution to city staff. Recommend approval or denial of the variance application to construct a house and deck at 27930 Kent Avenue, as depicted in the attached survey, to have a 0' setback from the top of bluff and bluff impact zone.

Commissioner Peterfeso made the motion to open the public hearing, Commissioner Trivette seconded, all in favor, all ayes, motion carried.

Chairperson Dresel asked for any concerns or comments.

Commissioner Meyer made the motion to close the public hearing, Commissioner Peterfeso seconded, all in favor, all ayes, motion carried.

Pete Lukasik 27950 Kent Avenue stated both he and the other neighbor are in favor of the variance and they feel it will not impact them at all. Mr. Lukasik stated the bluff line was changed some 50 years ago but it was not by them. It appears the houses would line up and it would be fine.

Commissioner Trivette stated since there are no objections from either neighbor he is in agreement.

Commissioner Peterfeso made the motion to approve the variance for 27930 Kent Avenue with the one city recommendation, Commissioner Meyer seconded, all in favor, all ayes, motion carried.

6c. Variance Application – 8925 Parkview Circle

Action

Associate Planner Nelson stated Tim & Anita Whalen, owners of 8925 Parkview Circle have submitted a variance application for a proposed new deck on the property. The variance application applies to the required setback to the rear yard and encroachment into the drainage and utility easement in the rear yard. The variance application is for a 2' rear yard setback and encroachment into the drainage and utility easement. The property is zoned Low/Medium Density Residential (R-2). The property is being used for residential purposes. Residential use is permitted in the R-2 district. The property is guided R-2. Use of property for residential purposes is consistent with the Comprehensive Plan. The property measures roughly 0.13 acres and has an existing house, attached garage and patio. The required setback to the rear property line is 10' the applicant is proposing a 2' setback to the rear property line. The applicant is proposing three foundation locations for the deck either in contact with or within the drainage and utility easement. Typically, nothing is permitted to be constructed within a drainage and utility easement. Impervious surface area maximum is 35%, the applicant is not proposing and changes to the impervious surface area. Staff is recommending approval of the variance with conditions: Applicant to record resolution of City Council's determination and provide an attested copy of the recorded resolution to city staff. Obtain building permit prior to construction. Recommend approval or denial of the variance application to construct a deck onto the rear of the house at 8925 Parkview Circle, as depicted in the attached survey, to have a 2' rear yard setback and to encroach into the drainage and utility easement. Recommend approval or denial of the variance application to construct a deck onto the rear of the house at 8925 Parkview Circle, as depicted in the attached survey, to have a 2' rear yard setback and to encroach into the drainage and utility easement. Four comments had been received from the residents all in favor, all the variance.

Commissioner Peterfeso made the motion to open the public hearing, Commissioner Meyer seconded, all in favor, all ayes, motion carried.

Tim Whalen the applicant explained the plan and the purpose of the deck and for overlooking the nature area. They are putting 3 footings in that easement area, but the deck will be over the easement. It will be open not covered, aluminum railing, nothing will change with the drainage area.

Commissioner Trivette made the motion to close the public hearing, Commissioner Peterfeso seconded, all in favor, all ayes, motion carried.

Chairperson Dresel asked for any questions.

Commissioner Meyer asked about the easements in this area.

Administrator Pechman stated the city owns this property for drainage, and that it is a unique piece of property and nothing is planned to be done with this property.

Chairperson Dresel stated putting in this type of footing will be little disturbance to the easement area.

Associate Planner Nelson stated staff is recommending approval of the variance with conditions: Applicant to record resolution of City Council's determination and provide an attested copy of the recorded resolution to city staff and obtain building permit prior to construction.

Commissioner Trivette made the motion to approve the variance 8925 Parkview Circle with the staff recommendations, Commissioner Peterfeso seconded, all in favor, all ayes, motion carried.

NEW BUSINESS

None.

UNFINISHED BUSINESS

None.

ADJOURN

Commissioner Peterfeso made the motion to adjourn, Commissioner Trivette seconded, all in favor, all ayes, motion carried.

Respectively Submitted by:
Paula Oehme, Deputy Clerk