



**Approved
09/26/23**

**MEETING MINUTES
CITY COUNCIL
August 22, 2023**

Present: Mayor Gustafson, Council Member Rivers, Battles, and Meyers, Dresel

Absent: None

Staff: City Administrator Pechman, City Attorney Doran, Associate Planner Nelson, City Engineer Goodman and Harry Planning Consultant, Chief Police Schlumbohm

Public Attendance: Leilani Freeman, Ben Elfelt, Daniel Miller, Jacqueline & Jerome Waltman, Frank Brodeen

REGULAR MEETING-CALL TO ORDER 6:30

Mayor Gustafson called the meeting to order at 6:30 p.m.

1a. "Pledge of Allegiance"

The Pledge of Allegiance was recited.

Action

1b. Roll Call

All members present.

Action

AGENDA

Mayor Gustafson asked for approval.

Council Member Rivers made the motion to approve the agenda, Council Member Dresel seconded, all in favor, all ayes, motion carried.

CONSENT AGENDA

3a. Minutes of July 25, 2023

Action

3b. Payment of Bills/Finance Information

Action

3c. Committee Reports

Discussion

Council Member Dresel stated the Sewer Commission had discussed approximately 40 acres of land available there to put in a disk golf course. They will start building that up in the next few years.

Council Member Meyer stated the Fire Department have started working on their next Fire Truck which will be a single axle.

CITY COUNCIL MINUTES

August 22, 2023

Page 2 of 4

Council Member Rivers made the motion to approve the consent agenda, Council Member Dresel seconded, all in favor, all ayes, motion carried.

PUBLIC COMMENT/AGENDA PLACEMENT

Mayor Gustafson asked if anyone had any comments or concerns on anything which was not on the agenda.

Daniel Miller 11845 302nd Street had some more questions on the development which is going in down there. The construction is not up to standards, and it should be shut down and fined. The road is moved over for the drainage ditch is smaller.

Ryan Goodman City Engineer stated it is under construction and it has been reviewed by all the departments and it was approved. What Mr. Miller is referring to Goodman would have to look at.

PETITIONS, REQUESTS, COMMUNICATION

5a. LID – Introduction & Presentation – Benjamin Elfelt

Mr. Elfelt introduced himself as the new representative for LID administrator and he also works for the Lakes Improvement Board. Jerry Spetzman was the LID Administrator and retired about one year ago. Mr. Elfelt stated they are getting a lot done for the lakes; the mission is to enhance, preserve and protect the waters of the lakes. We receive a lot of lake traffic on the weekends. They take water samples to make sure it is monitored and check for invasive species. They are maintaining the channels for the lakes and removing bogs. They would like to work with the cities and maintaining our lakes and asked if anyone had any questions. Mr. Elfelt thanked the council for letting him present tonight.

NEW BUSINESS

7a. Accept Resignation of Mark Nielsen from Planning Commission

Action

Associate Planner Nelson stated that Planning Commissioner Mark Nielsen has submitted a letter of resignation on July 31, 2023. Accept resignation. The new Chapter 30 of the municipal code was recently approved by the City Council. Former Council Liaison Meyers will now be a member and fill Mr. Nielsen’s vacancy.

Council Member Dresel made the motion to approve the letter of resignation, Council Member Rivers seconded, all in favor, all ayes, motion carried.

7b. 27355 Jonquil Drive – Variance

Action

Associate Planner Nelson stated Jacqueline & Jerome Waltman, owners of 27355 Jonquil Drive, PID 13.10996.00, have submitted a variance application for a proposed breezeway to connect their house to a proposed garage. A variance is required for the proposed breezeway and proposed attached garage as the house is non-conforming due to not meeting side yard setback requirements. The proposed breezeway and proposed attached garage would not encroach further into the side yard setbacks. The non-conforming garage that was previously existing on the property burned in a fire earlier this year. They had submitted the variance application on July 7, the Planning Commission voted to recommend denial of the application in a 3 to 1 vote. The application was withdrawn prior to the next City Council meeting. The property owners chose to adjust the proposed plans in order to accommodate feedback from the Planning Commission and submitted a new variance application. The new proposal was presented to the Planning Commission on August 3, 2023 at a public hearing, and included the height increase request for the garage and a breezeway to attach the garage to the house so that the garage would be considered part of the primary structure. The property is approximately 0.29 acres on Jonquil Drive.

It is a nonconforming lot, per current ordinances it should be 20,000 square feet, it is about 13,000 square feet. It should also be 100 feet wide but is about 95 feet wide at the ordinary high water mark. The impervious surface area permitted is 25% maximum, the proposed impervious surface is 21%. The house currently does not meet side yard setbacks, it measures at 3'6" at the most encroaching point.

Because the house does not meet setbacks a variance is required to expand the house, including a breezeway and proposed attached garage. The breezeway would meet required setbacks. The previous garage was setback 5'6". A variance is not required to rebuild the garage but to add onto it because it did not meet side yard setbacks. Staff is recommending approval of the variance with the six conditions listed.

Council Member Meyer made the motion to approve the variance, Council Member Rivers seconded, all in favor, all ayes, motion carried.

7c. Lawrence Final Plat (previously named ABDO)

Action

Associate Planner Nelson stated Abdo Marketing, representing owners of PID 13.0004.00, 13.00044.20 & 13.00045.02, has submitted a final plat application to develop two commercial lots and an out lot at the combined PIDs. The property is in the Highway Commercial (HC) district. The property is currently being used for agricultural purposes. The subject property is guided Highway Commercial (HC) and High Density Residential on the 2021 Comprehensive Plan and the proposed lots would be consistent with zoning.

The Planning Commission held a duly noted public hearing on August 3, 2023. Frank Brodeen, Civil Engineer from Widseth was available to answer any questions. The Commission felt the plat was very straight forward. Planning Commission voted to approve the Final Plat with city staff recommendations. The property is zoned Highway Commercial (HC). The development consists of 9 acres and is proposed to be a three-lot project for commercial and potentially residential use. The proposed development meets the requirements. No buildings are proposed at this time. Properties zoned for commercial use are permitted up to 70% impervious surface area for a site. Abdo has not submitted any building plans for review at this time. Any future building would require that impervious surface area requirements be met and any variation from the requirements must be approved by City Council through proper processes. A sidewalk is along the north and south side of the proposed road that would connect Gateway Ave and Sportsman Drive. Grading, drainage and utilities plans have been submitted. Reviews by the city engineer and public works are taking place. City staff is recommending the approval of the Preliminary Plat with the eight conditions.

Council Member Meyer made the motion to approve the variance, Council Member Dresel seconded, all in favor, Rivers abstained, all ayes, motion carried 4-0.

7d. Zoning

Action

Associate Planner Nelson stated Chisago City will be required to adjust the Comprehensive Plan now that a portion of Lent Township has been annexed into Chisago City. City staff has been working with Planners from Bolton & Menk to review the proposed zoning for new and existing properties within the city. Zoning codes needed to be in line with the Comprehensive Plan. Staff and Bolton & Menk planners have put together an updated Zoning Map and Future Land Use Map for consideration. On August 3rd the Planning Commission held a duly noted public hearing. Discussion centered around what would happen if a property was used for one thing, like Agricultural and was now proposed to be zoned something different say residential. Administrator Pechman explained the use didn't have to change. Other items discussed included, property taxes – Administrator Pechman explained the zoning would not affect taxes but the specifics for each property taxes would be determined by the County Assessor. Nelson stated they are recommending approval the proposed zoning and future land use maps.

Council Member Meyer made the motion to approve the variance, Council Member Rivers seconded.

CITY COUNCIL MINUTES

August 22, 2023

Page 4 of 4

Administrator Pechman asked Harry Davis from Bolten and Menk if he could go through the maps which are updated for Lent Township land which had been annexed and areas within the city that needed to be updated. Open space near Ecuman/Parmly was being questioned why was it being rezoned. Administrator Pechman explained the area was being considered for a regional park prior to the cities' purchase of Ojiketa, which is now the regional park. The property must have a zoning designation; because it is no longer being considered as a park the designation it needed to be adjusted. The other zoning options generally fall into commercial, industrial, agricultural, or residential. Due to size and location of the property it seems best suited to be zoned residential from a planning perspective.

Harry Davis of Bolton & Menk presented the maps to the city council. The future land use map already had zoning for out in this area. The area that changed he pointed out by the Carlos area land and showed the map; some areas are being considered semi-public. The areas which are currently undeveloped will be a agricultural zoning, areas currently developed will be rural residential. Those along Karmel will be low medium residential these areas have utilities. High density areas are close to the downtown area and are typically within walking distance. Harry asked for any questions.

Mayor Gustafson asked for any questions, hearing none he stated there is a motion on the table, all in favor, all ayes, motion carried.

UNFINISHED BUSINESS

None.

ADJOURN

Council Member Meyer made the motion to adjourn, Council Member Rivers seconded, all in favor, all ayes, motion carried.

Respectfully Submitted by:
Paula Oehme,
Deputy City Clerk