



**THE MEETING FOR THE PLANNING C OMISSION HELD ON SEPTEMBER 21, 2020 AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

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The meeting was called to order at 7:00 P.M., by Dan Erickson. Members present were Eldon Johnson, Scott Moller, Jeff Reynolds, and Gene Stoeckel (Princeton Township Representative). Staff present were Robert Barbian (City Administrator) and Mary Lou DeWitt (Comm. Dev. Zoning Specialist).

Absent was Victoria Hallin.

**APPROVAL OF MINUTES OF THE REGULAR MEETING ON AUGUST 17, 2020**

REYNOLDS MOVED, SECOND BY JOHNSON, TO APPROVE THE MINUTES OF AUGUST 17, 2020. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**AGENDA ADDITIONS / DELETIONS:**

DeWitt added under Communication and Reports: Verbal Report, Item 4, Kruse, Sandberg, and Powell Administrative Lot Line Adjustment.

JOHNSON MOVED, SECOND BY MOLLER, TO APPROVE THE ADDITION UNDER COMMUNICATION AND REPORT: VERBAL REPORT, ITEM 4, KRUSE, SANDBERG, AND POWELL ADMINISTRATIVE LOT LINE ADJUSTMENT. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

Barbian said that Kevin Gerrad request has been sent to the City Attorney. This will not be on the Planning Commission meeting tonight.

**PUBLIC HEARING:**

**A. Interim Use Permit for Chickens at 1412 16<sup>th</sup> Avenue North**

Mary Lou DeWitt, Comm. Dev. Zoning Specialist Memo:

**BACKGROUND**

Julia & Daniel Knapp have submitted an Interim Use Permit application for the raising and keeping of chickens on their property located at 1412 16<sup>th</sup> Avenue North. The property is zoned R-1, Residential District.

The public hearing notice has been sent to the property owners 350 feet from the site. Late this afternoon three letters from neighbors were dropped off at City Hall for non-support of the Interim Use Permit.

**ANALYSIS**

The housing and keeping of chickens in the R-1 District requires an Interim Use Permit. Chapter VI.BB lists the review criteria for the housing of chickens:

*No person shall own, keep, harbor, or have custody of any live chickens without first obtaining an Interim Use Permit in writing from the City, in accordance with the provisions of Section IV.6*

*of the Zoning Ordinance and subject to the following conditions:*

*a. The keeping of any poultry besides chickens is prohibited.*

Comment: This shall be a condition of approval.

*b. Roosters are prohibited.*

Comment: This shall be a condition of approval.

*c. No more than four (4) chickens shall be housed or kept on any one residential lot in any area of the city zoned R-1, R-2, and R-3.*

Comment: The applicant is requesting to have (4) chickens and understands this is the allowed limit, and will be a condition of approval.

*d. Chickens shall only be allowed on single family home lots.*

Comment: This condition is met, still will be a condition of approval.

*e. Outdoor slaughtering of chickens in city limits is prohibited.*

Comment: This shall be a condition of approval.

*f. Chicken fighting shall not be allowed within city limits.*

Comment: This shall be a condition of approval.

*g. Leg banding of all chickens is required. This bands must identify the owner's name, address, and telephone number.*

Comment: This shall be a condition of approval.

*h. Chickens shall not be housed in a residential house or an attached or detached garage.*

Comment: The applicant has provided a layout of a chicken coop and run area that will be installed, still will be a condition of approval.

i. A separate coop is required to house the chickens. Coops must be constructed and maintained to meet the following minimum standards:

1) *Located in the side or rear yard.*

Comment: The applicant will have the coop located in the fenced area of the rear yard.

2) *Meet the accessory structure setback requirements.*

Comment: The proposed location meets the setback requirements.

3) *Construction shall be adequate to prevent access by rodents.*

Comment: Per the proposed coop design, it will be made out of plywood with 6' foot walls and a depth of 10' feet, totaling 60' square feet. The wire run will have a roof where the chickens are contained and will be 7' feet long.

*j. A run or exercise yard is required to be provided and must be enclosed by a fence.*

Comment: The applicants back yard is fenced and the run area will have its own fencing.

*k. All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surroundings must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property.*

Comment: This shall be a condition of approval.

*l. All food shall be stored in an enclosed, rodent proof container.*

Comment: This shall be a condition of approval.

*m. Dead chickens shall be disposed of according to the Minnesota Board of Animal Health rules, which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 hours to 72 hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration or rendering, or offsite composting.*

Comment: This shall be a condition of approval.

**Interim Use Permit Review Standards:** When reviewing the application for an interim use, the City shall base its judgement on the following factors it may deem appropriate for the specific property.

The interim use may be granted if:

*1. The proposed use is an interim use listed in the districted in which the application is being made.*

Comment: The keeping of chickens is an Interim Use in the R-1 District.

*2. The date or event that will terminate the use can be identified with certainty and continued.*

Comment: The Planning Commission shall recommend to the City Council a date or event that will terminate the keeping of the chickens. Staff would recommend that the keeping of chickens terminate when the current property owners sell the property. The Interim Permit can also be reviewed upon complaints.

*3. The interim use does not result in adverse effects on the public health, safety and welfare nor does it create additional pollution potential for ground and surface waters.*

Comment: If the listed conditions are met, the interim use does not appear that it will result in adverse effects on the public health, safety, and welfare, nor does it create additional pollution potential.

*4. Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.*

Comment: It does not appear the use will impose additional costs on the public if it is necessary for the public to take the property in the future.

**CONCLUSION / RECOMMENDATION**

Based on the findings that the proposed Interim Use appears to meet the standards for the keeping of chickens and the general review standards for an Interim Use Permit, as listed in the Zoning Ordinance. Staff would recommend the Planning Commission forward recommendation for approval to the City Council for their review on September 24, 2020, for the proposed Interim Use Permit to keep chickens at 1412 16<sup>th</sup> Avenue North, subject to the following conditions (as listed in the Ordinance):

1. The keeping of any poultry besides chickens is prohibited.
2. Roosters are prohibited.
3. No more than four (4) chickens shall be housed.
4. Outdoor slaughtering is prohibited.
5. Chicken fighting shall not be allowed.
6. Leg banding of all chickens is required. The bands must identify the owner's name, address, and telephone number.
7. A separate coop is required to house the chickens. Coops must be constructed and maintained to meet the following minimum standards:
  - a) Located in the side or rear yard.
  - b) Meet the accessory structure setback requirements.
  - c) Construction shall be adequate to prevent access by rodents.
  - d) If the coop is 120 SF or larger, a building permit is required.
8. A run or exercise yard is required to be provided and must be enclosed by a fence.
9. All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property.
10. All food shall be stored in an enclosed, rodent proof container.
11. Dead chickens shall be disposed of according to the Minnesota Board of Animal Health rules, which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration or rendering, or offsite composting.
12. The keeping of chickens terminate when the current property owners vacate the property.
13. The Interim Use Permit can be reviewed upon complaints.

The Planning Commission recommendation shall go to the City Council at their September 24, 2020 meeting.

\*\*\*\*\*End of Staff Memo\*\*\*\*\*

DeWitt informed the Planning Commission Board that she received three letters from neighbors of non-support that were dropped off at City Hall today. The Planning Commission Board has a copy of the letters to review.

(Letters received at City Hall on September 21, 2020)

Cherryl Knight:

September 21, 2020

Dear Members of the City Council

I am writing regarding the issue of chickens on 16<sup>th</sup> Avenue. The owners at the address in question already have 3 dogs that bark constantly when I am in my own backyard.

They also have 2 cats that are allow to roam outside around the neighborhood. These cats are always coming over on the deck and around my house and spraying and using my yard and garden as their litter box. It has gotten so bad that the north east corner of my basement has been sprayed so much I am constantly using odo ban to get rid of the smell and it is now starting to permeate into my basement.

I do not feel chickens would be a good idea as the chicken coops eventually start smelling no matter what you do. I have a sibling that uses the help substance for chicken coops and she has stated to me that it helps for a little bit but the chicken coop will still start stinking. And how does the owner plan on getting rid of such bedding that will be used in coop. That is not something that can be placed in our garbage cans.

Cherryl Knight  
1315 North 15<sup>th</sup> Avenue

\*\*\*\*\*End of Memo\*\*\*\*\*

September 21, 2020

I am writing regarding the issue of raising chickens at 1412 16<sup>th</sup> Avenue North.

We do not feel that chickens are a good idea as they already have 3 dogs and cats as well. Chickens are for areas that have acreage and away from someone else property. How would they control the smell as well.

Thank you, Katey Seve & Tamara Lenhart  
1313 15<sup>th</sup> Avenue North

\*\*\*\*\*End of Memo\*\*\*\*\*

To Whom it May Concern,

Some weeks ago our neighbor approached us about him wanting to raise chickens in his backyard. He live SW of us, my boyfriend and I at first were kind of surprised that he would want to raise chickens in town. We really were not sure how to react but thought because of our location it would not affect us. When he left we talked it over and decided we did not want the smell and he winds would blow from the southwest towards our home. We do not want to be unneighborly but we have to say no to him raising chickens near our home. We feel he couldn't keep the smells at bay. Years ago my boyfriend spoke to him about his cats coming over to our garden and pooping in it. Our neighbor's remark was "it's my wife's cats" and nothing changed. His cats have been peeing on our deck and we have chased them back to our neighbor's home. We keep our distance and try to keep his cats off of the deck and yard. We try to stay friendly but have become bitter over the cats issue. If he can't take care of the cats

or have any regard for us as neighbors we don't think he can care for the chickens. Lorraine Nelson and Donald Behn.

\*\*\*\*\*End of Memo\*\*\*\*\*

Daniel Knapp, applicant address the letters. They would like to have chickens for the eggs, no butchering, and to show their grandchildren how farming works and raise foods for the families. From what they read chickens are excellent pets.

Julia Knapp, applicant said she would like to address the letters regarding to the smell. The poop can be composted. We plan to put sand down and change the sand every month. No smell if they keep up with it. Cats do not pee on decks. Their cats are neutered. The one cat is 12 years old. They do run free so they can go in the neighbor's yards.

MOLLER MOVED, SECOND BY JOHNSON, TO OPEN THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

There was no one present or per Zoom for the public hearing.

MOLLER MOVED, SECOND BY JOHNSON, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

Daniel Knapp said the hen house will be 6' x 3' a total of 18 square feet. What he read is there needs to be so many square feet for each chicken and for the run area also. This design will meet those requirements. They will not use hemp, sand will go in for the poop, and it will be picked up with a scoop just like you do with a kitty litter area. They will put that in the compost area they have. What they read is they say that makes rich soil. Covering will be above the run so it will have sand in it also. Roof line runs the full 10 feet covering the hen house and run.

Moller asked if it is their cats or stray cats going to the neighboring property.

Daniel Knapp said that he is not sure. He never talked to the about that to the neighbors on the cats except once when he yelled at his cat to come back, the neighbor guy commented back to keep his cat in his own yard. Otherwise he has not heard any comments. He said he does have three dogs and two cats.

DeWitt explained the Animal Ordinance. The Ordinance reads that you can have a total of three pets per property. That is a combination such as two dogs and a cat. The City does not have a kennel license to allow more domestic pets per property.

Moller said he would approve this Interim Use Permit to allow chickens, but is concerned on his neighbor's letters and they have too many pets now.

Johnson said two have to go, dogs or cats.



Daniel Knapp has not thought of that.

Moller said they would have to be in compliance with the Animal Ordinance. If they did remove two animals from the house hold he would be okay with approving and forward to the City Council the recommendation for final approval of the Interim Use Permit.

Daniel Knapp said he would remove two animals from the household. It will probably be the cats and they just need to find a home for them.

MOLLER MOVED, JOHNSON SECOND, TO APPROVE THE INTERIM USE PERMIT FOR JULIA AND DANIEL KNAPP TO HAVE CHICKENS AT THEIR PROPERTY LOCATED AT 1412 16<sup>TH</sup> AVENUE NORTH, WITH THE ASSURANCE THE APPLICANTS WILL BE IN COMPLIANCE WITH THE ANIMAL ORDINANCE FOR THE MAXIMUM NUMBER OF DOMESTIC PETS ALLOWED AT A PROPERTY AND FORWARD THE RECOMMENDATION TO THE CITY COUNCIL FOR FINAL APPROVAL WITH THE FOLLOWING CONDITIONS:

1. THE KEEPING OF ANY POULTRY BESIDES CHICKENS IS PROHIBITED.
2. ROOSTERS ARE PROHIBITED.
3. NO MORE THAN FOUR (4) CHICKENS SHALL BE HOUSED.
4. OUTDOOR SLAUGHTERING IS PROHIBITED.
5. CHICKEN FIGHTING SHALL NOT BE ALLOWED.
6. LEG BANDING OF ALL CHICKENS IS REQUIRED. THE BANDS MUST IDENTIFY THE OWNER'S NAME, ADDRESS, AND TELEPHONE NUMBER.
7. A SEPARATE COOP IS REQUIRED TO HOUSE THE CHICKENS. COOPS MUST BE CONSTRUCTED AND MAINTAINED TO MEET THE FOLLOWING MINIMUM STANDARDS:
  - A) LOCATED IN THE SIDE OR REAR YARD.
  - B) MEET THE ACCESSORY STRUCTURE SETBACK REQUIREMENTS.
  - C) CONSTRUCTION SHALL BE ADEQUATE TO PREVENT ACCESS BY RODENTS.
  - D) IF THE COOP IS 120 SF OR LARGER, A BUILDING PERMIT IS REQUIRED.
8. A RUN OR EXERCISE YARD IS REQUIRED TO BE PROVIDED AND MUST BE ENCLOSED BY A FENCE.
9. ALL PREMISES ON WHICH CHICKENS ARE KEPT OR MAINTAINED SHALL BE KEPT CLEAN FROM FILTH, GARBAGE, AND ANY SUBSTANCES WHICH ATTRACT RODENTS. THE COOP AND ITS SURROUNDING MUST BE CLEANED FREQUENTLY ENOUGH TO CONTROL ODOR. MANURE

SHALL NOT BE ALLOWED TO ACCUMULATE IN A WAY THAT CAUSES AN UNSANITARY CONDITION OR CAUSES ODORS DETECTIBLE ON ANOTHER PROPERTY.

10. ALL FOOD SHALL BE STORED IN AN ENCLOSED, RODENT PROOF CONTAINER.

11. DEAD CHICKENS SHALL BE DISPOSED OF ACCORDING TO THE MINNESOTA BOARD OF ANIMAL HEALTH RULES. WHICH REQUIRE CHICKEN CARCASSES TO BE DISPOSED OF AS SOON AS POSSIBLE AFTER DEATH, USUALLY WITHIN 48 TO 72 HOURS. LEGAL FORMS OF CHICKEN CARCASS DISPOSAL INCLUDE OFFSITE BURIAL, OFFSITE INCINERATION OR RENDERING, OR OFFSITE COMPOSTING.

12. THE KEEPING OF CHICKENS TERMINATE WHEN THE CURRENT PROPERTY OWNERS VACATE THE PROPERTY.

13. THE INTERIM USE PERMIT CAN BE REVIEWED UPON COMPLAINTS.

UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**A. KO Storage Pylon Sign**

Mary Lou DeWitt, Comm. Dev. Zoning Specialist Memo:

**REQUEST**

Rose City Inc., on behalf of KO Storage has submitted a pylon sign request for the mini-storage site located at 1800 15<sup>th</sup> Street North.

**ZONING PROVISIONS**

The Sign Ordinance requires that the Planning Commission approves the pylon signage. This site is located in the B-3 General Commercial District where the pylon sign regulations requirements are:

1. Total square footage is 150 square feet.
2. The sign cannot be higher than 60 feet.
3. Ten feet of clearance shall exist between grade levels and the bottom of the sign.
4. The sign must be located on the property where the business advertisement is located.
5. The sign cannot extend over public sidewalks or streets.
6. There shall be no more than one pylon sign per lot.

**CONCLUSION**

The sign request is for a sign of approximately 77' total square feet, 24' feet in height, and clearance of 17' feet between grade level and the bottom of the sign. The sign must be 15' feet away from surrounding building or structures and cannot extend over public sidewalk or



streets. This sign is 26' feet from the building and 1' foot from the pavement. The site plan actually shows the pavement area of 28' feet. The Fire Chief reviewed the placement of the sign and is okay with it being a foot off the pavement. The storage facility has 6' foot fencing surrounding the site and the sign will be 13' feet from it. The sign will be illuminated internally. The proposed sign meets the requirements and staff supports the approval of the pylon sign.

If the Planning Commission approves the proposed KO Storage pylon sign, staff recommends the following conditions of approval:

1. Total square footage is 150 square feet.
2. The sign cannot be higher than 60 feet.
3. Ten feet of clearance shall exist between grade levels and the bottom of the sign.
4. The sign must be located on the property where the business advertisement is located.
5. The sign cannot extend over public sidewalks or streets.
6. There shall be no more than one pylon sign per lot.
7. Engineered signed plans for the pylon signage will need to be submitted with a building permit and approved prior to installing.
8. The side must be 1 foot away from the pavement and at least 26 feet from the building.

\*\*\*\*\*End of Staff Memo\*\*\*\*\*

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE PYLON SIGN FOR KO STORAGE LOCATED AT 1800 15<sup>TH</sup> STREET NORTH WITH THE FOLLOWING CONDITIONS:

1. TOTAL SQUARE FOOTAGE IS 150 SQUARE FEET.
2. THE SIGN CANNOT BE HIGHER THAN 60 FEET.
3. TEN FEET OF CLEARANCE SHALL EXIST BETWEEN GRADE LEVELS AND THE BOTTOM OF THE SIGN.
4. THE SIGN MUST BE LOCATED ON THE PROPERTY WHERE THE BUSINESS ADVERTISEMENT IS LOCATED.
5. THE SIGN CANNOT EXTEND OVER PUBLIC SIDEWALKS OR STREETS.
6. THERE SHALL BE NO MORE THAN ONE PYLON SIGN PER LOT.
7. ENGINEERED SIGNED PLANS FOR THE PYLON SIGNAGE WILL NEED TO BE SUBMITTED WITH A BUILDING PERMIT AND APPROVED PRIOR TO INSTALLING.
8. THE SIDE MUST BE 1 FOOT AWAY FROM THE PAVEMENT AND AT LEAST 26 FEET FROM THE BUILDING.

UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**B. TIF District**

Memo from Community Development:

**Background:**

The Developer, Patrick Briggs Properties Inc. is ready to move forward with the development of

two apartment buildings as proposed on the attached map.

The designated site and other lands owned by Briggs Properties were subject to development discussion in the past. A 25-year TIF District has been requested for the project.

At this time the developer has provided the City with a concept plan that is to center on the two apartment buildings shown on the map. It has been presented that building 1 will be along 1<sup>st</sup> Street and the other behind. Building 1 is proposed to start in 2021 with occupancy in 2022 and building 2 proposed to start in 2023 and occupancy in 2024. Each building is to have 49 units.

**Analysis:**

City staff have been working with Northland Securities to propose TIF District 9-2. The fees associated with the creation of the TIF District will be paid by the developer. The current real estate taxes on the project site are \$714 annually. The estimated Real Estate Taxes captured after completion are \$7,000,000. Construction start date is planned for April of 2021.

The housing TIF District requires the development to meet low/moderate income standards that will be monitored annually. If at anytime the development does not meet the guidelines the TIF District will terminate.

The total project cost is estimated at \$15,417,130.

**Recommendation:**

There is no recommendation at this time. On approval of TIF District 9-2 the developer will be required to submit a site plan for review, at which time the Planning Commission will analyze for approval.

\*\*\*\*\*End of Staff Memo\*\*\*\*\*

Barbian showed where the location is on a map. The Developer has presented a concept plan. The Developer has to meet certain requirements and meets those and gain the TIF Agreement where the City would provide support to finance part of the project. This will be going to the City Council on September 24<sup>th</sup>. Does the Planning Commission Board feel it would be appropriate to have the City Council pass the tax increment financing and go into negotiating for the financing. Northland Securities has been in discussion with staff on this. This TIF District can go from a 15 year to 25 year period. West Birch Apartments was a 15 year TIF.

Moller asked if they have to meet an annual guideline on low housing standards. What if they are not met.

Barbian said if in five years they were not met then the developer would only get the first five years of the TIF.

Moller asked what if the project goes under.

Barbian said we do not front any money so we are not at a loss. It is a pay as you go tax increment financing.

Johnson asked what happens to the School District. What do they get for taxes.

Barbian said he believes they only get a portion of what they normally would get.

Johnson said this site could have close to 100 units and there could be school kids living there and the School District will not get any additional money.

Moller asked if the School District has to agree on their portion.

Barbian said no.

Moller asked what are they planning on 100% for the TIF financing.

Barbian said up to 90% of the project. They have not decided yet.

Moller asked what percentage is low or moderate housing.

Stoeckel said on page 7 it states 20% or more of the units have to be low income.

Erickson asked if it is per household or a person income.

Barbian said household. 20% of the units has to meet the household income of what is stated.

Erickson said it would be \$725 or less they would have to rent for.

Barbian said he does not think MN has a cap that the units rent for.

Moller asked if staff is in favor of this.

Barbian said yes. There is twin homes proposed also for this development.

Stoeckel asked if they are two levels apartments.

Barbian said it is a three level apartment building.

Moller said private ownership instead of rental he would be in more favor of. It's better to have private ownership.

Barbian agrees private ownership is great, but there does seem to be a sizeable market for

apartments. Zimmerman has it and Princeton needs to meet that also. There is plenty of room in the market for both. For the TIF financing, the City is not advancing funds for the project.

Reynolds said this is a development of mix subsidized and market rate.

Barbian said he has more land that is not included in this development.

Moller said the City needs to be careful on how much subsidized housing we have in the community.

Reynolds said this could be considered workforce housing.

Moller said there is a shortage of rental properties here.

Erickson said the developer understands the timing of this. The Zimmerman apartment site he built is 100% occupied. He supports a nice apartment coming to town.

Johnson said employment needs to increase here also.

Erickson said Crystal Cabinets put up a huge sign in their property for help.

Johnson said he was on the School Board for ten years and they lost money because of the TIF District.

Moller asked who is Northland Securities.

Barbian said they are contracted by the City who helps with legal planning. These apartment complexes around us have received TIF also. We are not providing any City funds.

Erickson commented that people are having children at a later age where there should not be a lot more burden on the School District.

Moller said the city gains a higher real estate tax base in the future.

Barbian said yes. We also have not hit the 5,000 population mark. The Planning Commission is asked to give a recommendation to the City Council.

Moller said do they have to go 25 years for the TIF financing.

Barbian said it will be negotiated and could go to 15 years.

**JOHNSON MOVED, SECOND BY MOLLER, THAT THE PLANNING COMMISSION BOARD RECOMMENDS THE TIF DISTRICT FOR THIS PROJECT, BUT ENCOURAGES THE CITY COUNCIL TO**

GO 15 YEARS ON THE FINANCING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

**COMMUNICATION AND REPORTS:**

**A. Verbal Report**

**1) B-3 and MN-1 Zoning Ordinance Update**

DeWitt explained that the Zoning Ordinance handouts for the B-3 and MN-1 District are updates that now have the Slaughter House permitted use in them. Please put these replacements in your zoning book.

**2) Transfer Jurisdiction of Septic Systems to Mille Lacs & Sherburne County**

DeWitt explained that staff had met with Aaron Patrick, Environmental Specialist with MN Pollution Control Agency (MPCA). Per our conversation, the City needs to have a program in place for septic systems permits or give the permitting responsibility to Mille Lacs County and Sherburne County.

There are just a few septic systems in the City limits that are not able to hook-up to the City sewer system. Because of this limited number, staff believes it would be in the Cities best interest to turn over the authority for regulating and enforcing Subsurface Sewage Treatment Systems (SSTS) to Mille Lacs County and Sherburne County. The City Council will review Resolution #20-50 and #20-51 for approval at their September 24, 2020 meeting. This is informational only to the Planning Commission.

Stoeckel said that Princeton Township went through this also and has Mille Lacs County do the permitting responsibility. It is about an 80 page document they would have to administer and trying to keep up with the code that is updated all the time.

The Planning Commission Board supported staff decision on giving the permitting responsibility to Mille Lacs County and Sherburne County.

**3) Sewer Collection Study**

Barbian said the Sewer Collection Study is looking at existing sewer and the possibility of land being annexed into the City. It is a Capital Investment for the sewer lines and impacts road investment also.

Reynolds asked if this will be in time for the CIP Budget.

Barbian said no, that would be too soon. We have not gone through that depth of the analysis. Smith System Road was not overburdening the flow system so that is good news. The treatment plant is running at 30% compacity.

Erickson said the sewer is failing by his property and would like the City to come up with a plan that the City start repairing areas that are not working and need to be addressed.

Barbian said there will be a map where most of the aging facilities exist will be interesting to see.

Erickson asked why the City does not have a plan to replace the aging infrastructure.

Barbian is not sure, he is working on it now. We have to prioritize where and when.

Erickson commented that at his house there are roots growing into the sewer by his property the City is not repairing it. The Liquor Store has like 8 million dollars in their funds that could be used to make the repair.

Reynolds said 5 million dollars they have in funds.

Barbian said the new Finance Director will help look at the CIP and longer range prospective. Like roads and sewer pipes. Could be a five or ten year projection to budget.

#### **4) Kruse, Sandberg, and Powell Administrative Lot Line Adjustment**

DeWitt informed the Planning Commission Board that Staff is preparing an Administrative Lot Line Adjustment for Duane Kruse and Sharon Sandberg with Dean Powell where they are exchanging a 5,850 square foot piece of land each to make better use and access of their property. With this Administrator Lot Line Adjustment will need to have a Utility & Drainage Easement Vacation where the exchange of property takes place. There is no utilities in this easement and it will complete an easement that was done in 2005 and 2007. The City Council will review the vacation request at their October 8, 2020 meeting.

Barbian said an Airport Access Agreement from Kruse and Sandberg has to be signed first and then this Administrative Lot Line Adjustment can be recorded.

MOLLER MOVED, SECOND BY JOHNSON, TO APPROVE THE ADMINISTRATIVE LOT LINE ADJUSTMENT RESOLUTION TO BE RECORDED ONCE THE CITY HAS THE SIGNED AIRPORT ACCESS AGREEMENT. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

#### **B. City Council Minutes for August, 2020**

The Planning Commission Board had no comments.

MOLLER MOVED, SECOND BY JOHNSON, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:24 P.M.

ATTEST:

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Dan Erickson, Chair

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Mary Lou DeWitt, Comm. Dev. Zoning Specialist