

**Planning Commission Minutes**  
**Monday, August 5, 2019**  
**5:00 p.m. Council Chambers**

Council Liaison Wilson called the Cokato Planning & Zoning Commission to order at 5:01 p.m. on Monday, August 5, 2019 in the Council Chambers. Members present were Wilson, Lhotka, and Jones. Member Erickson arrived at 5:10 p.m. Member Nelson was absent. Also present were City Administrator Annita Smythe and members of the public. The Pledge of Allegiance was recited.

**Oath of Office**

Member Lhotka took the Oath of Office for Planning & Zoning Commissioner.

**Selection of Officers**

Due to the absence of two members, the selection of officers was tabled until the next meeting. **MOTION** by Jones to have Wilson preside over today's meeting, seconded by Lhotka, all voted aye. **Motion carried.**

**Public Hearing for Variance – 175 & 177 1<sup>st</sup> St SW**

Public hearing was opened at 5:05 p.m.

Property owner Perry Siltala described his plans to build a new storage facility on the existing foundation of the property identified as parcel 1, 175 1<sup>st</sup> St SW, along with a six-foot addition on to the north of the existing foundation. He also plans to expand the existing storage facility on property identified as parcel 3, 177 1<sup>st</sup> St SW, which is currently non-conforming.

Administrator Smythe explained the dimensions of the properties and the necessity of the variance. There was also a description given of the road vacations in the area, and the fact that Mr. Siltala has ingress/egress easements for road access to his properties.

Adjacent property owner Matthew Laisy from 150 Broadway Ave S had concerns about development on parcel 2, which is directly east of parcel 3 and west of Mr. Laisy's property. Mr. Siltala indicated that he had no plans to build on parcel 2. Smythe noted that the variance requested for parcel 3 would allow expansion only to the south or west, not to the east or north.

There were no written comments submitted.

Public hearing was closed at 5:15 p.m.

Member Erickson arrived during the public hearing. After the public hearing was closed, Member Erickson took the Oath of Office for Planning & Zoning Commissioner.

**Discussion & Recommendation – Variance – 175 & 177 1<sup>st</sup> St SW**

Member Lhotka noted that the proposed plans would appear to clean up an area of town in need of some improvements.

Members discussed concerns about the fact that 1<sup>st</sup> St SW dead-ends, but that some members of the public continue to use it as though it was a public roadway. The suggestion was made that the city place signage highlighting the dead-end and posting that it is private property beyond the end of the road. Also, there was a suggestion that this be referred to Police Advisory Commission for further discussion, as there have been issues with people cutting through the private properties in order to avoid school bus stop-arms on Broadway Ave S. In addition, area residents have indicated motorists cut through the area as a short-cut to the Dairy Queen or Dollar Store, sometimes at high rates of speed.

**MOTION** by Jones to recommend approval of the variance for 175 1<sup>st</sup> St SW, seconded by Wilson, all voted aye. **Motion carried.**

**MOTION** by Lhotka to recommend approval of a variance for expansion of the building at 177 1<sup>st</sup> St SW to the west or south only, seconded Jones, all voted aye. **Motion carried.**

**Public Hearing for Interim Use Permit – Evangelical Lutheran Church**

Public Hearing was opened at 5:25 p.m.

Debra Wilking and Marge Holm from the church's sign committee gave an overview of the proposed project. The sign will be the same materials as was used for the new Fire Hall sign. It will be slightly larger than their existing sign and will not have any lighting other than existing.

Smythe explained that, because the church is in a residential neighborhood, the signage rules are very prohibitive on size. However, the church has had an existing sign for a very long time, with no known issues. The city attorney suggested an Interim Use Permit for so long as the property is used as a church facility.

There were no comments from the public, and no written comments were submitted.

Public hearing was closed at 5:28 p.m.

**Discussion & Recommendation – Interim Use Permit – Evangelical Lutheran Church**

**MOTION** by Jones to recommend approval of the Interim Use Permit, seconded by Erickson, all voted aye. **Motion carried.**

### **Public Hearing for Conditional Use Permit – 205 Broadway Ave N**

Public Hearing was opened at 5:28 p.m.

Property owner Matt Schaefer was not able to attend.

Smythe gave an overview of the request. Per the city's fence ordinance, any commercial fencing in the front yard of a commercial property requires a Conditional Use Permit. Mr. Schaefer proposed to extend a seven-foot chain-link fence into the front yard on the south side of his office building, which is currently under construction. This would leave the new fence about 30+ feet back from Broadway Ave N. One purpose is for security of his business equipment, as the area is somewhat open, with a lot of vacant land around his property.

There were no comments from the public, and no written comments were received.

Public hearing was closed at 5:33 p.m.

### **Discussion & Recommendation – Conditional Use Permit – 205 Broadway Ave N**

Members noted that the proposed fence will still be far enough back from the roadway so that it won't cause any traffic issues on CSAH 3 (Broadway Ave N).

**MOTION** by Lhotka to recommend approval of the Conditional Use Permit, seconded by Jones, all voted aye. **Motion carried.**

### **Discussion – Group Homes in R1 Zoning District**

Smythe explained that a request had come in from a new resident, who was interested in establishing a group home in the R1 Zoning District. A review of the ordinance indicated this was not a permitted use in that district. The resident questioned this, as there are apparently several already existing. A review of our utility records found evidence that this is true.

The question for consideration is whether group homes should be an allowed use in the R1 Zoning District. If not, enforcement becomes an issue, as the city does not always get advance notice, and several already exist. If so, the ordinance should be amended to make this an allowed use.

Members requested additional information about the state's licensing requirements for group homes to determine what, if any, notice the city receives or should receive when a group home is established. Members will revisit the issue at the next meeting.

### **Other Business**

Residents Matthew and Janessa Laisy, 150 Broadway Ave S, had code enforcement questions about the area behind their property. They indicated that the neighbor's fence was badly leaning onto their property, had several areas where fencing was missing, and that the area behind it had trash and other debris that had blown in from businesses on Highway 12.

It was explained that code enforcement issues could be referred to city hall for action. Members suggested that, since the neighboring property was recently purchased by a new owner, the

residents may want to speak with him first and try to come to a consensus plan among neighbors to address the issues. They were receptive to this proposal. If they are not satisfied after that discussion, they may still refer the matter to city hall.

**Approval of Minutes from May 6, 2019 Meeting**

**MOTION** by Jones to approve the minutes as presented, seconded by Lhotka, all voted aye.  
**Motion carried.**

**Next Meeting Date**

Smythe noted that the next meeting will be September 9, 2019 at 5:00 p.m., preceding the City Council meeting.

**Adjournment**

**MOTION** to adjourn was made by Erickson, seconded by Jones, all voted aye. **Motion carried.**  
Meeting adjourned at 6:03 p.m.

Attest:

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Annita M. Smythe, City Administrator