



# Planning Commission of Pine City, Minnesota

## Minutes of Regular Meeting: 19 November 2019

**Commissioners:** Bombard, Christopherson, D'Aigle, Jahnz, LeMier, Pettie, Rydberg, Scholin, Student Representative Graci Huff  
**City Staff / Officials:** Sauter  
**Absent:** Skluzacek

Christopherson called the meeting to order at 6:30pm, with the Pledge of Allegiance. *Minutes of the October 15<sup>th</sup> meeting were approved as written on a motion by D'Aigle, seconded by Pettie.*

**Public Hearing on Riverview Estates HOA's 1&2 Variance Request:** Dave Mettler, representing the homeowners' associations for the two development phases of Riverview Estates (PIDs 42.5976.000, 42.6024.000, and 42.5898.000) have applied for a variance to allow the development/continuance of 15 mooring slips on the Snake River adjacent to their property. They were allowed 14 slips under a variance from the shorelands regulations, granted in May of 2003, and were later permitted a 15<sup>th</sup> housing unit, but did not request an additional slip. Since eight docks were installed, more mooring slips have been utilized since that time than were allowed under the variance. This situation came to light when the City installed their own docks on the end of Fifth St SE, and the slip space for the City docks was encroached upon by use of a non-permitted Riverview slip space. The current variance request is an attempt to resolve this conflict by slightly reconfiguring the Riverview docks and getting permission for one slip space per dwelling unit.

Staff have prepared a report on this request, including proposed findings of fact, and a draft resolution P19-19 recommending that the Council approve this request. The public hearing was called to order at 6:32pm, to allow public input on this proposal. Sauter explained the situation, and what has happened over the last few months, and the timeline. She reviewed the staff report and her correspondence with the DNR. They are strongly recommending denial, and pointing out lawsuits that back up their position. Phyllis Schlegle, who owns one of the units, stated her position on this, as did Mettler. They both believe that they should have a right to one slip per unit. Dave Schussler stated that his development, the northerly one, has six units and six slips, but they are too narrow to use in high water. Schlegle stated that her taxes would be lower if she didn't have a slip that would fit a pontoon. Mettler asked that the City find a way to solve this problem. John Schumacher said he did not understand why he got a notice of this process, and Sauter said it was likely because of one of the other hearings on the agenda. Rydberg asked for more history on this, and Scholin asked that that wait until after the hearing. Mark Kisslinger stated that he feels the City caused this issue by putting in their docks. Schussler said that the DNR is not forcing us to change the slips, so we shouldn't. Mettler asked about how the tiers are defined, and Sauter explained. There being no further comment from those in attendance, Christopherson closed the hearing at 6:56pm.

**Consideration of Riverview Estates Variance Request:** Scholin explained the history behind this, as he recalls it through memory and searching saved documents. He also suggested that the Commission table this at this time, to attempt an amicable resolution. *Jahnz made a motion to table this until the next meeting, to allow more dialog with the DNR. Pettie seconded the motion, which passed unanimously.*

**Public Hearing on Minnesota Energy Resources Lot Rearrangement Request:** Minnesota Energy Resources has applied for a rearrangement of the lot line separating their property at 155 Main St S (PID 42.5058.000) and that of Riveredge Townhome Homeowners' Association (PID 42.6001.000). The rearrangement would formalize the use of the property that has been ongoing for some time. The City has an easement on a portion of the affected property, to allow its use for a "pocket park". This easement would remain in place, until a formal request to vacate a portion of it is made. Staff have provided proposed findings of fact and a draft resolution P19-20 recommending the approval of this rearrangement.

The public hearing to take input on this matter was called to order by Christopherson at 7:14pm. There were a few questions, and some informal discussion. Marv Peterson, the MER representative, stated that this was an informal agreement from several years ago, which continued until recently. Kyle Roddy of LHB stated that he is present to answer questions about the survey. There being no further comment from the public, Christopherson closed the hearing at 7:20pm.

**Consideration of MER Lot Rearrangement Request:** Scholin stated that he is a bit concerned with the lack of anything written from the townhome association. He suggested a condition that written approval from the townhome association be obtained. Following brief discussion, *Pettie made a motion approving the findings of fact and resolution P19-20, including that condition, and recommending that the Council approve this lot rearrangement. The motion was seconded by D'Aigle, and all voted in favor.*

**Public Hearing on Premier Properties Minor Subdivision Request:** Cole Newman, on behalf of Premier Properties, has applied for a minor subdivision of the former Gail Motel property (PID 42.0016.000), located in a mixed-use zone at 1100 Main St S. This subdivision would create two parcels, both of which meet Ordinance requirements, which would then be available for sale. Staff have provided a report, including proposed findings of fact, and a draft resolution P19-21, recommending approval of this subdivision. This public hearing was called to order by Christopherson at 7:25pm, to allow for public input on this proposal.

Sauter stated that the applicant had confirmed to her that they would clear up the overlap area in favor of the residences to the south. After some initial confusion over identities of the parties, Newman agreed that they would get this cleared up with the neighboring residents. There being no more comment from those in attendance, Christopherson closed the hearing at 7:33pm.

**Consideration of Premier Properties Minor Subdivision Request:** Following brief discussion, *Bombard made a motion, seconded by LeMier, to approve the proposed findings of fact and resolution P19-21, recommending that the Council approve the requested minor subdivision with the prepared conditions. The motion carried unanimously.*

**Planning Commission Resignation and Position Opening for 2020:** Chairman Frank Christopherson stated that he is resigning from the Planning Commission as of the end of this year. The terms of Bombard and Skluzacek are also expiring. The Council has made a few changes to the committee appointment process going forward, and Sauter explained these, and provided the new policy and job description in writing. Scholin asked that all current members try to recruit good candidates.

**City Council Feedback:** Scholin reported that the Council at its last meeting adopted the model shoreland ordinance, as recommended, and made some edits to fencing and retaining wall, accessible parking, and pools and spas sections of the MDO. It also appointed Graci Huff as Student Representative to the Planning Commission, and approved the hiring of a Community Development Intern.

There being no further business, *Christopherson declared the Commission meeting adjourned at 7:44pm.*