

**City of East Gull Lake
Planning and Zoning
Regular Meeting**

Tuesday, August 27, 2019 – 6:30 PM

I. Call to order

Chairman Bruce Buxton called to order the regular meeting of the City of East Gull Lake Planning and Zoning Commission at 6:30 PM on Tuesday, August 27, 2019 at City Hall.

II. Pledge of Allegiance

III. Roll Call

Present: Bruce Buxton (Chair), Commission: Marty Halvorson, Paul Tollefson, Nate Tuomi, Eunice Wiebolt, Rocky Waldin

Staff Present: City Administrator Mason, Administrative Assistant Schack

Council Liaison: Carol Demgen

Audience: Jesse Hopkins, Dion Lybeck, Patience Barnes, Abbey Pieper, Ben Thuringer, Chris Otto

IV. Adoption of Agenda/Additions or Deletions to the Agenda

Motion by Commissioner Halvorson and seconded by Commissioner Tuomi to approve the agenda as presented. All present voted in favor thereof. Motion carried.

V. Approval of Minutes

Motion by Commissioner Wiebolt, second by Commissioner Halvorson to approve the minutes of the Tuesday, July 30, 2019 meeting. All present voted in favor thereof. Motion carried.

VI. Public Hearings

A. CUP 2019-40 – Gregory landscaping moving over 50 cubic yards ground

Chair Buxton requested Administrator Mason to read the Staff Report. Photos of the property were shown. It was noted that a CUP is required due to the amount of fill being moved onto the property and the fact that a gazebo is being requested to be built on the property. It was noted that this is the third parcel Mr. Gregory has purchased and he has a total of 400 feet of shoreline with the combined lots. It was noted that the area was devastated by the 2015 storm and Mr. Gregory is making a great effort to improve the property.

Findings:

1. This is a lot that was purchased recently from the neighbor for additional landscape space to add to his already large project.
2. This new lot was also devastated by the 2015 storm and Mr. Gregory intends to restore a great number of trees and clean it up for his recreational use.
3. A 15-20 foot access was allowed to be cut within the ice ridge to provide a lake view from the new 8x8 gazebo on the new 100 foot lot that is a separate PID.
4. A small 3x3 pump shed is constructed 50 feet from the OHW for the irrigation system.
5. A 4-foot berm with approximately 1,400 cubic yards of dirt will be created and planted with trees similar to what exists on his lot next door to provide privacy and separation.
6. As no primary home exists on this property, a CUP is required for the 8x8 gazebo and the 4-foot berm to be built with more than 50 cubic yards of material.

Conditions

1. No additional buildings shall be built unless a primary home is constructed prior.
2. Additional trees will be randomly planted similar to that which has been done on the neighboring property.
3. Grass or another groundcover will be established on the lot before winter to reduce erosion on the lot.
4. Impervious coverage will not exceed 25% in tiers one and two.

Motion by Commissioner Tuomi and seconded by Commissioner Wiebolt to recommend approval of CUP 2019-40 subject to the findings and conditions as presented by City Staff. All present voted in favor thereof. Motion carried.

B. Variance 2019-42A – Madden’s remove and reconstruct building and pavilion; move tennis courts

Chair Buxton requested Administrator Mason to read the Staff Reports for both the CUP and the Variance. Discussion ensued regarding impervious surface. Staging of construction was discussed. It was noted that Madden’s will be closed during most of the construction. Storm water runoff concern was discussed. The height of the building was discussed noting that it will match the existing structures on the property.

Findings:

1. It would be possible, but not practical, to push the building into the adjoining hill in the back of the building to meet the current height of 30 feet. Doing this would affect entry of staff and supplies going to the kitchen facilities and make the stormwater plan more difficult.
2. Many existing facilities within this resort are currently over the 30-foot height requirement due to construction over the last 90 years prior to this rule being in effect.
3. The design of the new structure is much more attractive than the older building being removed. It also matches the architecture of the older buildings.

Conditions

1. Existing older tree line along Gull Lake outside of the harbor area be maintained to reduce the direct view of the building from the lake.
2. A 20-foot natural vegetation buffer (without mowing) be maintained along the Gull Lake area outside of the harbor.

Motion by Commissioner Wiebolt and seconded by Commissioner Halvorson to recommend approval of Variance 2019-42A subject to the findings and conditions as presented by City Staff. All present voted in favor thereof. Motion carried.

C. CUP 2019-42B – Madden’s remove and reconstruct building and pavilion; move tennis courts

Discussion ensued during the CUP presentation. Commissioner Tuomi added a condition of the requirement for the impervious surface to not exceed 25% in tier one and tier two.

Findings:

1. The resort currently has existing facilities for both tennis and public event uses that must be replaced due to age and deterioration of facilities.
2. Current overall impervious surface within this PID will be improved from 26.5% to 23.7% based on the tennis facilities being eliminated.
3. Tier one impervious coverage will be reduced from existing conditions of 26.8% to proposed conditions of 24.7%. The property will be rearranged and landscaped in a more attractive manner.
4. A stormwater management plan has been submitted based on impervious coverage being over 20% in this PID area.
5. Over Madden’s history in the last 15 years, two (2) tennis courts and a large maintenance building have also been eliminated to improve impervious and create more green space in this area.

Conditions:

1. A licensed engineered stormwater plan will be implemented to direct water away from the lake.
2. The new facility will be hooked up to city wastewater facilities using yet to be determined amount of connection fee credits used out of existing credits remaining based on the city wastewater superintendents’ calculations.
3. Existing garbage, recycling area, wood pile storage, and mulch pile will be relocated within the resort area to another location and will not create more impervious within this PID.

4. A small wood storage area will be added for fire pit areas in this facility.
5. Four (4) old tennis courts will be removed and replaced with grass for outdoor games.
6. All new building and patio areas will be 50 feet away from the OHW of Gull Lake.
7. Impervious coverage does not exceed 25% in tier one and tier two

Motion by Commissioner Tuomi and seconded by Commissioner Halvorson to recommend approval of CUP 2019-42B subject to the findings and conditions as presented by City Staff with an additional condition that the impervious coverage does not exceed 25% in tier one and tier two. All present voted in favor thereof. Motion carried.

VII. Open Forum

None

VIII. Planning and Zoning Administrator’s Report

A. Statistics

New Permits:	5
New Variances:	2
New Conditional Use:	1
Potential Permits:	5
Inspections	49
Completion Letters:	16
New Violations	1
Total 2019 Permits to date:	50

B. 2013 – 2018 Existing Permits Update

- One remaining open 2013 permit: Owen Trout garage
- One remaining open 2014 permit: Thomas Deans shed
- Three (3) remaining open 2016 permits
- One remaining open 2017 permit: Leonard new home with garage
- 20 open out of 84 total 2018 permits

Administrator Mason reviewed the inspections that took place during the last month, showing photos of progress.

IX. Old Business

A. Continuing discussion on Zoning update

Discussion ensued regarding the Public Use and Open zoning districts. It was decided to recommend omitting Public Use. Off-Water Resort Overlay and Recreational zonings were discussed. Discussion ensued regarding a change the resorts for an underlying zoning of the property and using a Resort Overlay to provide the resorts to continue the use of the property as it is currently being used.

X. New Business

None

IX. Adjournment

Motion by Commissioner Tuomi and seconded by Commissioner Halvorson to adjourn the meeting to continue on September 10, 2019 for a work session to discuss the updates in the zoning portion of the City Ordinance. All present voted in favor thereof. Motion carried.

Transcribed by East Gull Lake Administrative Assistant
Kathy Schack

These minutes are paraphrased and are not written word for word.