

**PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
MAY 6, 2013  
6:30 P.M.**

**AGENDA**

- I. CALL TO ORDER
- II. CONSENT AGENDA
  - A. Minutes (page 1)
- III. NEW BUSINESS
  - A. Land Use Planning & Zoning Workshops (page 3)
  - B. Valley Industries Screening/Fencing Between Industrial & Residential Zones (page 5)
  - C. Variance Request – City of Paynesville – Water Treatment Facility (page 6)
- IV. OLD BUSINESS
  - A. Preliminary Plat - Opportunity Park 2<sup>nd</sup> Addition (page 17)
- V. INFORMATIONAL
  - A. Next Meeting – Monday, May 20, 2013 at 6:30 p.m.; if necessary
  - B. Building Inspection Services Invoice – Not available at the time this agenda was published.
  - C. Building Inspection Report – Not available at the time this agenda was published.
- VI. ADJOURN

**Reminder: 6:35 p.m. Opportunity Park 2<sup>nd</sup> Addition Public Hearing**

**Please contact Renee Eckerly at 320-243-3714 ext. 227 or at [renee@paynesvillemn.com](mailto:renee@paynesvillemn.com) if you can't attend the meeting.**

**Members: Dan Roberts, Darlene Loven, Ron Mehr, Bob McDaniel, and Donavan Mayer. Advisory Member: Renee Eckerly**

This agenda has been prepared to provide information regarding an upcoming meeting of the Paynesville Planning Commission. This document does not claim to be complete and is subject to change.

**BARRIER FREE:** All Paynesville Planning Commission meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall (320) 243-3714 early, so necessary arrangements can be made.

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME: Planning Commission**

Committee/Council Meeting Date: May 6, 2013

Agenda Section: Consent

Originating Department: Administration

Item Number: II - A

**ITEM DESCRIPTION: Minutes**

Prepared by: Staff

**COMMENTS:**

Please review the minutes from the April 8, 2013 Special Planning Commission meeting.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to approve the minutes from the April 8, 2013 Special Planning Commission meeting.

**MINUTES  
SPECIAL PLANNING COMMISSION**

**APRIL 8, 2013**

Chairman Dan Roberts called the meeting to order at 6:30 p.m. Members present were Darlene Loven, Donovan Mayer, Ron Mehr, and Bob McDaniel. Also present were Renee Eckerly, City Administrator; Ashley Alsum, Cable Coordinator; and Bill Fuchs.

**Motion was made by Loven to approve the minutes of the April 1, 2013 Planning Commission Meeting. Seconded by Mayer and unanimously carried.**

**VARIANCE REQUEST – BILL & HANCY FUCHS**

A Variance Application has been submitted by Bill & Hancy Fuchs of 372 Genesee St. They wish to add on to their existing non-conforming structure. Their current detached shed does not meet the side or rear setbacks as the shed is 1.5' off the rear property line and is over the side lot line by 2". They are requesting a 3.5' rear setback variance and a 5' side setback variance. The Building Inspector has reviewed the proposal and will require a fire wall, footings for the new addition, and the existing overhang nearest the side lot line be removed. Mr. Fuchs will meet the height restriction of 16' and will not exceed their lot coverage.

The Commission verified the building setbacks with Mr. Fuchs and being over the lot line. Fuchs explained the layout drawing of his request. The Commission discussed the one-hour fire wall and footings. The new structure is not taller than the structure that is already there. The roof line will have the same pitch. Neighbors have been contacted by Mr. Fuchs and they have no issues. The Commission discussed the alley and the other structures that are located so close to the alley in that neighborhood. Fuchs has a racing hobby and that is the purpose of the additional structure. The new structure will not be stucco and will have a one hour fire wall. The Commission discussed future uses of the property and not being able to run a home occupation out of this structure. The Commission discussed adding a condition, that no home occupation would be done on the property, to the variance. A future owner could come forward and ask to have it removed. Fuchs would like to make sure that the condition doesn't reduce his property value. The Commission discussed water run-off. Fuchs would like to have gutters and the Commission would like to have gutters, but the Building Inspector has said no.

**Motion was made by McDaniel to approve the Report & Recommendation Of The Planning Commission On Application For Variance without a condition.**

There was no second to the motion; therefore, McDaniel withdrew his motion.

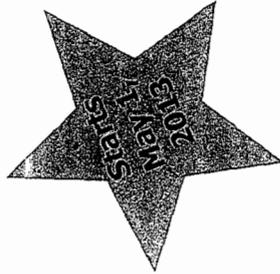
**Motion was made by Mayer to approve the Report & Recommendation Of The Planning Commission On Application For Variance with the addition of the condition that they can't have a home occupation. Seconded by Mehr and unanimously carried.**

There being no further business the meeting was adjourned at 7:00 p.m.

**GTS Educational Events**  
2233 University Avenue W., Suite 150  
St. Paul, MN 55114  
[www.mngts.org](http://www.mngts.org)

Return Service Requested

FIRST CLASS MAIL  
U.S. Postage  
**PAID**  
Twin Cities, MN  
Permit No. 3137



Renee Eckerty Admin  
City of Paynesville  
221 Washburn Ave  
Paynesville MN 56362



For updates plus information on other workshops and conferences, visit our website at [www.willhngts.org](http://www.willhngts.org)

# LAND USE PLANNING WORKSHOPS



FOR LOCAL GOVERNMENT OFFICIALS  
— Appointed, Elected, Staff —  
AND INTERESTED CITIZENS

## PROGRAM FEATURES

- ◆ Accomplished faculty with extensive backgrounds in both planning and instruction
- ◆ Focus on current issues and timely information
- ◆ Practical content designed by a committee of planning experts and local officials
- ◆ Opportunities for in-depth study and hands-on application
- ◆ Extensive handouts and reference materials assembled to make your job easier

Complete workshop information available at:  
[www.mngts.org/LandUse](http://www.mngts.org/LandUse)

## Sponsored by GTS Educational Events

- Co-sponsors: ◆ APA Minnesota ◆ Association of Minnesota Counties  
◆ Initiative Foundation ◆ League of Minnesota Cities  
◆ Metropolitan Council ◆ Minnesota Association of Townships

May 1, 2013  
1:00-5:00 PM  
**A Practical Guide to Variances  
in Shorelands & Floodplains**  
Initiative Foundation, Little Falls  
Fee: \$70

June 5, 2013  
8:30 AM -12:30 PM  
**Emerging Issues in Planning &  
Zoning for Professional Planners**  
League of Minnesota Cities, St. Paul  
Fee: \$70  
*In cooperation with APA Minnesota*

May 2, 2013  
1:00-5:00 PM  
**Your Role As a Planning  
Commission Member**  
Initiative Foundation, Little Falls  
Fee: \$70

**SPECIAL PROGRAM**  
May 22, 2013  
9:00 AM -12:30 PM  
**Living on the Edge:  
The Mt. Simon Aquifer Recharge Area**  
Cabela's, Rogers  
For communities and counties in the aquifer area.  
*Sponsored by MN Dept of Natural Resources,  
MN Dept of Health & Metropolitan Council*

September 18, 2013  
8:00-12:00 NOON  
**Spotlight on Variances for  
Citizen Planners**  
Civic Center, Rochester  
Fee: \$70  
*In conjunction with Upper Midwest  
Planning Conference*

May 15, 2013  
9:30 AM - 4:30 PM  
**Basics of Planning & Zoning**  
Community Center, Shoreview  
Fee: \$135 (includes lunch)

September 18, 2013  
8:00-12:00 NOON  
**Basics of Planning & Zoning**  
Civic Center, Rochester  
Fee: \$70  
*In conjunction with Upper Midwest  
Planning Conference*

**WHO SHOULD ATTEND?**

Members of planning commissions, boards of adjustment and appeals, and governing bodies in Minnesota cities, counties and townships. Also valuable for members of other advisory commissions, housing and redevelopment authorities, staff, real estate professionals, and others working in areas related to specialized workshop topics.

**Questions?**

Call Carol Schoeneck at 651-222-7409 (Minnesota toll free 800-569-6880) ext. 205



GTS is a non-profit organization dedicated to helping those who provide services to Minnesota citizens and communities meet current needs for knowledge and skills, plus anticipate and prepare for changes to come. We have worked with policymakers, staff and appointed officials from all levels of government and all types of nonprofit agencies—and their collaborators in associations, business, higher education and community groups—since 1977.

from all street right-of-way lines. Accessory buildings are further limited not to exceed over one (1) story or sixteen (16) feet in height.

**B.** All garages shall, if the vehicle entrance backs upon a public alley, be set back at least twenty (20) feet from the public alley right-of-way.

**C.** In no case shall the door of any structure, building, or improvement, except a fence, be erected or constructed so as to extend beyond any lot line.

**D.** In business and manufacturing districts, accessory buildings and uses may occupy any of the ground area which the principal building is permitted to occupy. Accessory buildings such as buildings for parking attendants, guard shelters, gate houses and transformer buildings, may be located in front or side yard in the Industrial District. Parking of automobiles and other motor vehicles is permitted in the front and side yards in Industrial Districts if screened by a greenbelt five (5) feet in width.

**Subd. 4. General Fencing, Screening, Landscaping and Storage.**

**A.** All materials and equipment, except as provided in the district provisions of this Chapter, shall be stored within a building or structure or screened so as not to be visible from adjoining properties, except the following:

1. Usable laundry equipment (clothes lines).
2. Recreational equipment and vehicles.
3. Construction and landscaping material currently being used on the premises.

**B.** No fence, wall, structure, coniferous trees or obstruction, other than chain link fences with openings of 1-5/8" to 2" not exceeding 48" in height, shall be erected, established or maintained on a corner lot with a triangular area bounded by the lot lines and a line connecting points on each lot line twenty (20) feet from the intersection of such lot lines. An object within this area not exceeding thirty (30) inches in height as measured from the centerline elevation of the street shall not be considered as an obstruction to vision. This provision does not apply to the "C-1" District.

**C.** No fence shall exceed eight (8) feet in height and in the case of grade separation, the height shall be determined on the basis of measurement from the average point between the highest and lowest grade.



**D.** In all Commercial and Industrial Districts adjacent to Residential Districts and not divided by streets there shall be provided along the property line, a twenty (20) foot wide planting strip composed of grass, trees and shrubs. A screening fence may be utilized when approved by the Planning Commission. Such fence shall not exceed eight (8) feet in height nor be less than six (6) feet in height and shall screen up to eighty (80) percent per square yard of area.

## REQUEST FOR COMMITTEE/COUNCIL ACTION

**COMMITTEE/COUNCIL NAME:** Planning Commission

Committee/Council Meeting Date: May 6, 2013

Agenda Section: New Business

Originating Department: Administration

Item Number: III - A

**ITEM DESCRIPTION:** Variance Request – City of Paynesville

Prepared by: Staff

### **COMMENTS:**

Please review the attached Variance Application submitted by the City of Paynesville for the property located at 271 Ampe Drive. The City of Paynesville is modifying and rehabilitating the existing Water Treatment Facility on Ampe Drive. In an effort to meet the water needs of the community, including addressing the low pressures in the water distribution system due to activities at the water treatment plant site, the City has designed a 460,000 gallon concrete reservoir on the northeast portion of the water treatment plant site. It is necessary to have this tank be above ground due to Minnesota Department of Health rules for tanks holding treated drinking water. The dimensions and location of the tank are designed to make the site workable given existing conditions and comply with as many ordinances and rules as possible. The request is to encroach on the backyard setback requirement of 25' by approximately 12.11' leaving a setback of 12.89'. This encroachment is on the T.H. 23 side of the lot and is due to the double frontage of this lot.

The Report & Recommendation Of The Planning Commission On Application For Variance is also attached for your consideration.

### **ADMINISTRATOR COMMENTS:**

### **COMMITTEE/COUNCIL ACTION:**

Motion to approve the Report & Recommendation Of The Planning Commission On Application For Variance and recommend such to the City Council.

**CITY OF PAYNESVILLE  
VARIANCE APPLICATION**

221 Washburne Ave. ~ Paynesville, MN 56362  
Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: City of Paynesville

Contact Person: Renee Eckel, City Administrator

Address: 271, Ampe Dr, Paynesville MN 56362

Telephone No.: 320-243-3714 ext 227 Parcel No.: 70.39242.0045

Legal Description: Lot: 6 Block: 4 Addition: Pay Del Co

ZONE: C-2 Hwy Commercial

**Application Fee: \$250.00**  
(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$46.00 (actual), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$250.00.

EXISTING USE OF PROPERTY:  
Water Treatment Plant

IS THE VARIANCE NEEDED TO REPLACE AN EXISTING STRUCTURE OR ADD AN ADDITIONAL STRUCTURE? Addition that will have an attachment

IF REPLACING, IS THE EXISTING STRUCTURE NON-CONFORMING? NO

DESCRIPTION OF REQUEST: (use separate sheet if needed)  
See attached

DRAWING OF PROPOSED VARIANCE: (use separate sheet)

**Application Must include:**

- A site plan showing existing lot lines and dimensions as well as lot area, all easements, all public streets, and private right of ways bordering and adjacent to the site, the use and location of all adjacent property.
- The specific feature or features of the proposed use, construction, or development that requires a variance.
- Specific provisions of Ordinance from which a variance is sought and the precise variance there from being sought.
- Statement of characteristics of the property that prevent compliance with the provisions of the Ordinance.
- Legal description from abstract.
- Any written or graphic data required by the City Administrator.

Renee Eckel, City Administrator  
All Property Owners Must Sign This Application

4-26-13  
Date

For office use only:  
Application Fee: \$250.00 (non-refundable)

For office use only: Cash \_\_\_\_\_ Check No. 08613 Date Paid 5.2.13

Present To Planning Commission Date: 5.10.13 Board of Adjustment Set Public Hearing Date: 5.8.13  
Board of Adjustment Public Hearing Date: 6.10.13 Board of Adjustment Makes Determination Date: 6.10.13

PLANNING COMMISSION ACTION:	Approved	Denied
Recommended to Board of Adjustment	Approved	Denied
BOARD OF ADJUSTMENT ACTION:	Approved	Denied



CITY OF PAYNEVILLE

RECH: 00029303 5/02/2013 8:43 AM  
OPER: FRONT TERM: 001  
REFN: 086130

TRAN: 10.0100 VARIANCE FEE  
city of payneville variance  
water treatment plant expansion  
VARIANCE FEES 250.00CR

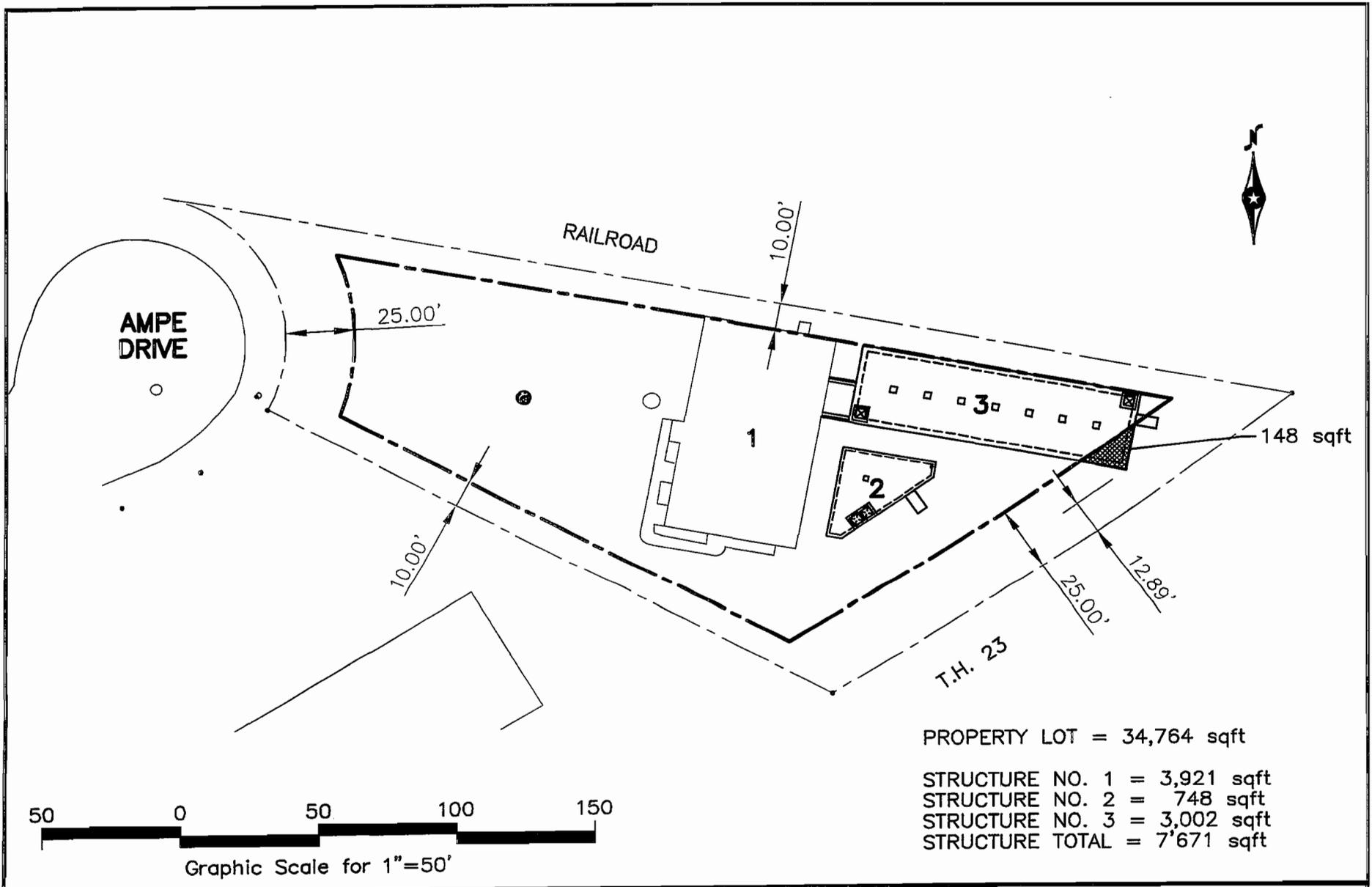
TENDERED: 250.00 CHECK  
APPLIED: 250.00-  
CHANGE: 0.00

8

## Description of the Request

The City of Paynesville is modifying and rehabilitating the existing Water Treatment Facility on Ampe Drive. In an effort to meet the water needs of the community, including addressing the low pressures in the water distribution system due to activities at the water treatment plant site, the City has designed a 460,000 gallon concrete reservoir on the northeast portion of the water treatment plant site. It is necessary to have this tank be above ground due to Minnesota Department of Health rules for tanks holding treated drinking water. The dimensions and location of the tank are designed to make the site workable given existing conditions and comply with as many ordinances and rules as possible.

The request is to encroach on the backyard setback requirement of 25' by approximately 12.11' leaving a setback of 12.89'. This encroachment is on the T.H. 23 side of the lot and is due to the double frontage of this lot.



**PAYNESVILLE, MINNESOTA**

**WATER TREATMENT IMPROVEMENTS**

**SITE PLAN SETBACKS**



**BOLTON & MENK, INC.**

**Consulting Engineers & Surveyors**

MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN BURNSVILLE, MN  
 CHASKA, MN RAMSEY, MN MAPLEWOOD, MN BRAINERD, MN AMES, IA

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COUNTY OF STEARNS

RANDY SCHREIFELS, AUDITOR/TREASURER



Agriculture



Community



Environment



Health



Housing



Public Safety



Social Services



Workforce



Youth



Senior Services

Zoom

Paynesville

INDUSTRIA

INDUSTRIA

MINNIE ST

JAMES STE

GARFIELD AVE

AMPE DR  
CLARE AVE

POMEROY AVE

MAYWOOD AVE

SOUTH ST

KIRA CT

SOUTH ST

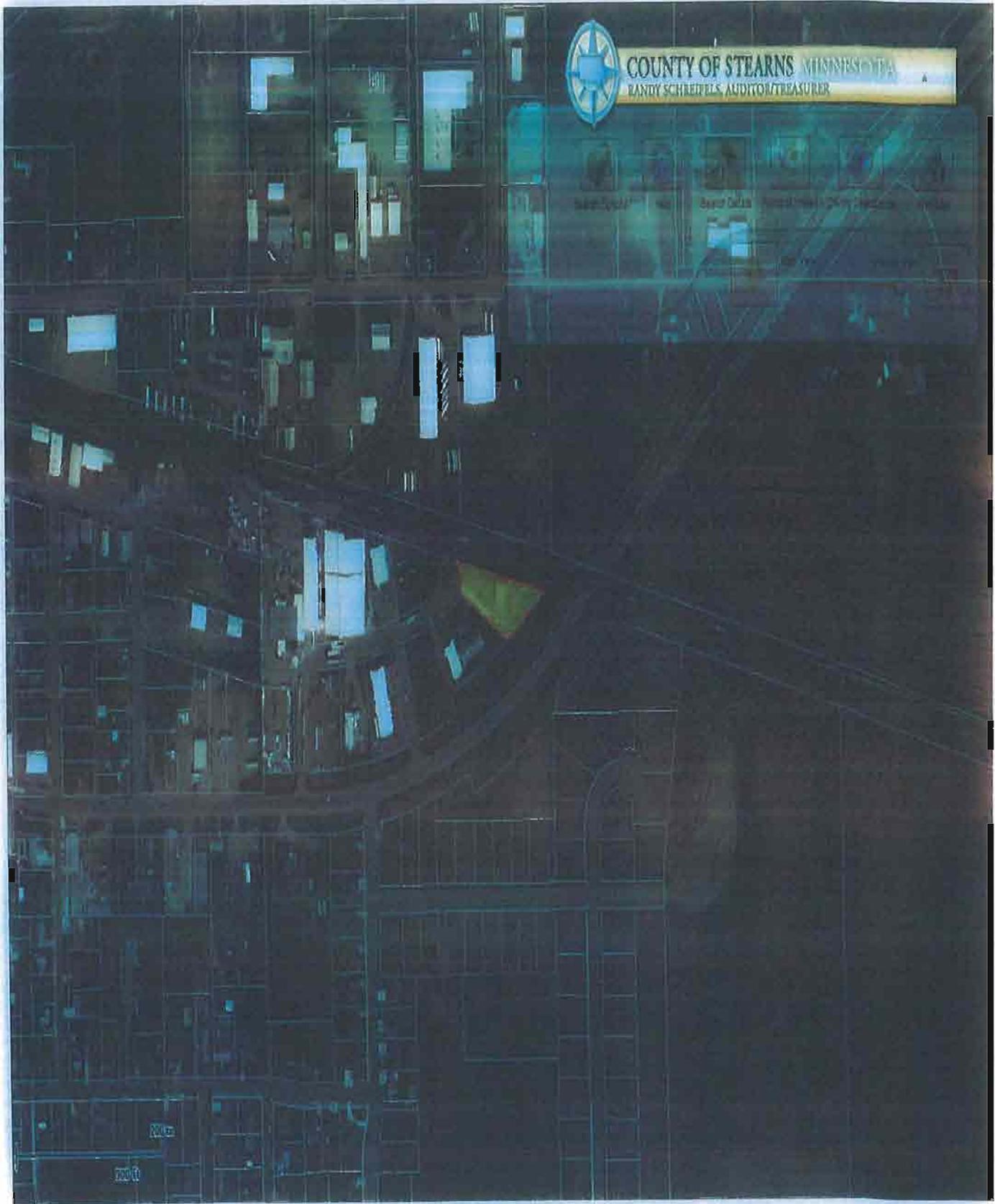
KIRA LN

200 m

500 ft

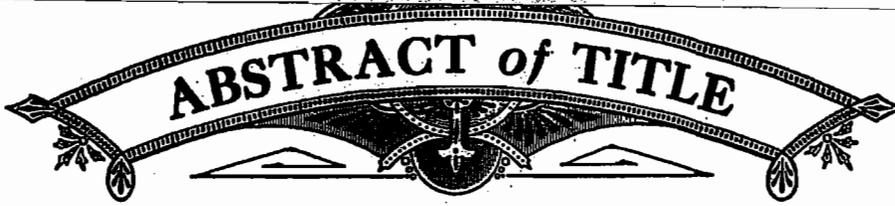


COUNTY OF STEARNS MINNESOTA  
KANDY SCHREIBER, AUDITOR/TREASURER



# Stearns County Abstract Co.

21 Court House Square • Box 1011 • St. Cloud, Minnesota 56302  
Phone (612) 251-5920



TO THE FOLLOWING DESCRIBED REAL PROPERTY IN  
STEARNS COUNTY, MINNESOTA

Lot Six (6), Block Four (4) of Pay-Del-Co., according to the plat  
and survey thereof, now on file and of record in the office of the  
Stearns County Recorder.

13

**REPORT & RECOMMENDATION OF PLANNING COMMISSION  
ON APPLICATION FOR VARIANCE**

WHEREAS, the City Administrator has submitted an application on behalf of the City of Paynesville for a Variance related to the construction of a waste water treatment facility on property owned by the City of Paynesville within a "C-2" – Highway Commercial District, which will include a concrete water reservoir for which the City is seeking a Variance from the 25 foot front yard setback requirement of Chapter 11, Section 11.41, Subd. 5(A); and

WHEREAS, the City of Paynesville is the owner of this parcel of property, which parcel is located at 271 Ampe Drive, Paynesville, MN 56362; and

WHEREAS, the property is more particularly described as Parcel No. 70.39242.0045, and is legally described as follows, to-wit:

*Lot 6, Block 4 of Pay-Del-Co, according to the plat and survey thereof, now on file and of record in the Office of the County Recorder, Stearns County, Minnesota; and*

WHEREAS, the property in question is currently zoned "C-2" – Highway Commercial District; and

WHEREAS, City Code Chapter 11, Section 11.41, Subd. 5(A), requires a 25 foot front yard setback for structures on the property from the front property line; and

WHEREAS, the structure proposed to be built on the above-premises would have a setback from the street right-of-way of Highway 23 of 12.89 feet, thus requiring a Variance from the strict requirement of the 25 foot setback; and

WHEREAS, the Planning Commission believes that the owner's proposed use of the property is reasonable; and

WHEREAS, the land owner's problem is due to circumstances unique to the property, particularly the sharp angle of the boundary of the property, and the fact that this particular parcel of property is a double fronted property fronting on both Minnesota Highway 23 on one (1) end, and fronting on Ampe Drive on the other end; and

WHEREAS, the Planning Commission finds that the Variance, if granted, will not alter the essential character of the locality; and

WHEREAS, the Planning Commission finds that the proposed use of the property is in harmony with the general purpose and intent of the zoning ordinance, and that the Variance as sought will not change the fact that the use of the property is in harmony with the general purpose and intent of the ordinance; and

WHEREAS, the Planning Commission is satisfied that the strict enforcement of the requirements of the zoning ordinance with regard to the front setback on the side of the property fronting on Minnesota Highway 23

would cause the land owner practical difficulties with the use of the property;

NOW, THEREFORE, the Planning Commission recommends granting the requested Variance.

PAYNESVILLE PLANNING COMMISSION

By: \_\_\_\_\_  
Dan Roberts, Chairperson

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME: Planning Commission**

Committee/Council Meeting Date: May 6, 2013

Agenda Section: Old Business

Originating Department: Administration

Item Number: IV – A

**ITEM DESCRIPTION: Opportunity Park 2<sup>nd</sup> Addition – Preliminary Plat**

Prepared by: Staff

**COMMENTS:**

Please review the attached Preliminary Plat Application submitted by the City of Paynesville to plat the Outlot A of Opportunity Park into 5 lots zoned C-2 Hwy Commercial. The Plat has been submitted to Stearns County for their approval.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to approve the Report & Recommendation Of Planning Commission Regarding Application For Approval of Preliminary Plat Of Opportunity Park Second Addition and recommend such to the City Council.

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**CITY OF PAYNESVILLE  
PRELIMINARY PLAT APPLICATION**

221 Washburne Ave. ~ Paynesville, MN 56362  
Phone: 320-243-3714 ~ Fax: 320-243-3713

Name of Subdivision: Opportunity Park 2<sup>nd</sup> Addition

List All Property Owners: City of Paynesville

Contact Person: Renee Eckley, City Administrator

Address: 221 Washburne Ave, Paynesville MN 56362

Telephone No.: 243-3714

Legal Description: Outlot A, Block 1 Opportunity Park Addition

<b>Number of Lots:</b>  5	<b>Proposed Zone:</b>  C-2	<b>Application Fee: \$150.00</b> (non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$204.00.
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**PRELIMINARY PLAT**

- The application must contain all information found in Section 12.07 Preliminary Plat, Subdivision 1, and Subdivision 2 found in the attached Ordinance No. 86, 2<sup>nd</sup> Series.
- Submit application and fee with three (3) large and one (1) reproducible 8.5" x 11" copies of the plat at least ten (10) business days prior to the Regular Planning Commission meeting.

Renee Eckley  
Signature of Applicant(s)

3/29/13  
Date

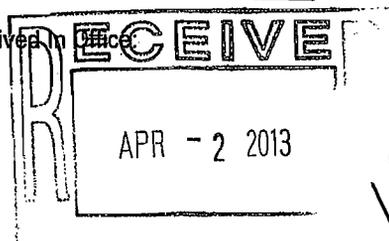
For Office Use Only.  
Application Fee: \$150.00      Cash \_\_\_\_\_      Check No. 085952      Date Paid 4.2.13

Present To City Administrator & Set Date for Public Hearing. to Planning set P.H. - 4/1/13  
Planning Public Hearing Date: 5/6/13 6:35 pm      Council Makes Determination Date: 5/8/13 6pm

PLANNING COMMISSION ACTION:  
Recommended to Council      Approved      Denied      Date: \_\_\_\_\_

CITY COUNCIL ACTION:  
Approved      Denied      Date: \_\_\_\_\_

Date Application Received In Office (Stamp)



# PRELIMINARY PLAT: OPPORTUNITY PARK SECOND ADDITION

**LEGEND**

- 3/4" IRON PIPE MONUMENT SET
- MARKED BY REG. NO. 17367
- MONUMENT FOUND

**OWNER:**  
The City of Paynesville

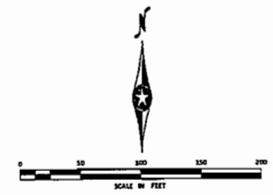
**SURVEYOR/ENGINEER:**  
Bolton & Menk, Inc.  
2040 Hwy 12 E.  
Willmar, MN 56201

**DESCRIPTION:**  
Outlot A, OPPORTUNITY PARK, according to the recorded plat thereof, Stearns County, Minnesota.

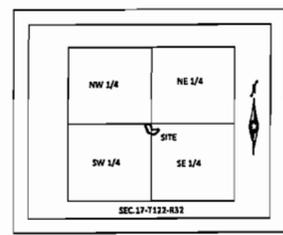
**SURVEYOR'S NOTES:**  
1. Bearings shown on this survey are based on the NAD83(07) Stearns County Coordinate System.  
2. Topographical features are a combination of field survey measurements done in February of 2012 and data taken from planned design information.

**SURVEYOR'S CERTIFICATION:**  
I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

*Peter W. Blalock* 3-20-2013  
Peter W. Blalock Date  
License Number 17367

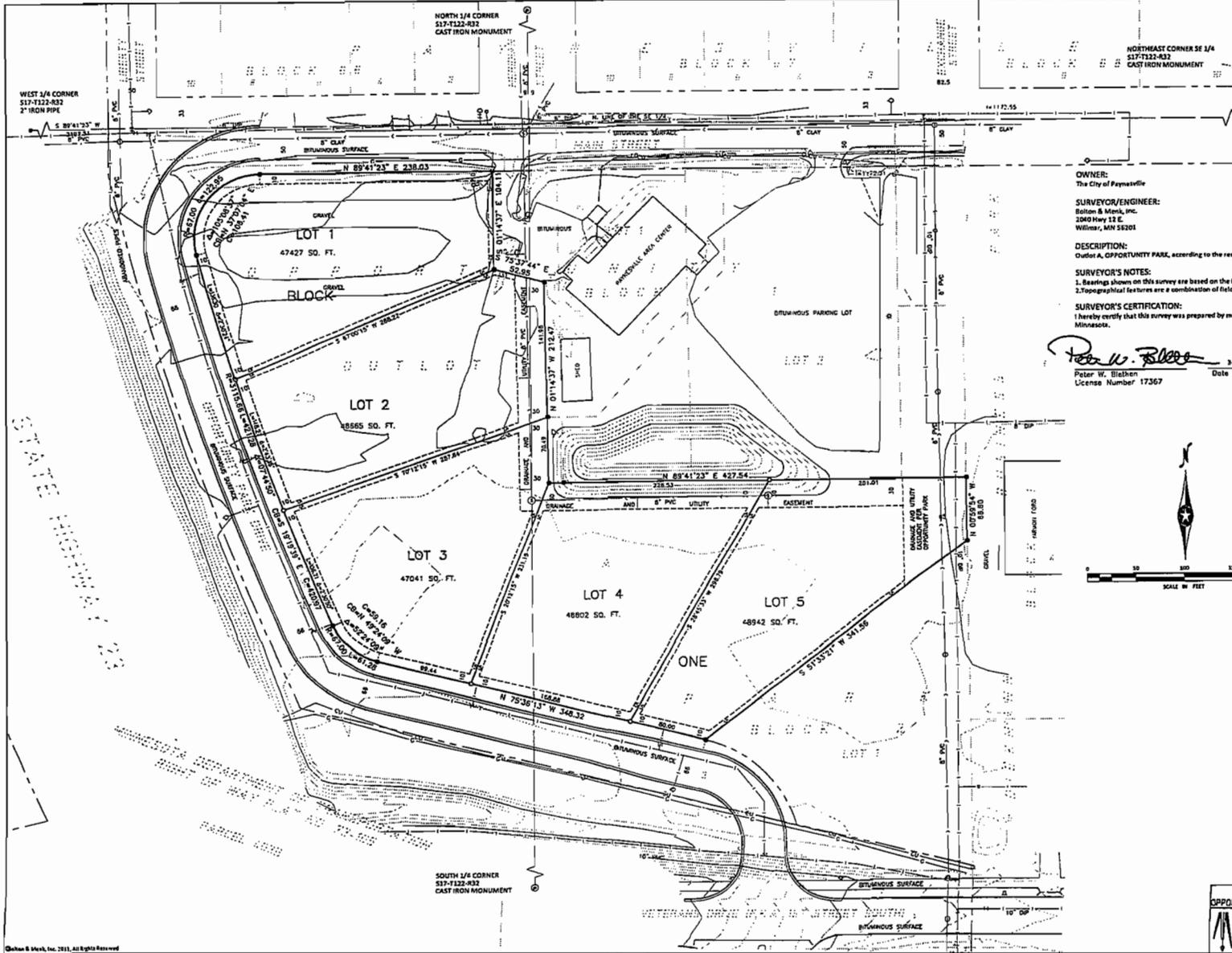


**AREAS:**  
LOT 1: 1.09 ACRES  
LOT 2: 1.12 ACRES  
LOT 3: 1.08 ACRES  
LOT 4: 1.12 ACRES  
LOT 5: 1.12 ACRES  
TOTAL: 5.53 ACRES



**VICINITY MAP**  
NOT TO SCALE

<p><b>PRELIMINARY PLAT</b> OPPORTUNITY PARK SECOND ADDITION, PAYNESVILLE, MINNESOTA</p>		<p><b>DESCRIPTION:</b> OUTLOT A, OPPORTUNITY PARK, STEARNS COUNTY, MINNESOTA</p>
<p><b>BOLTON &amp; MENK, INC.</b> Consulting Engineers &amp; Surveyors 2040 HIGHWAY 12 EAST, WILLMAR, MN 56201 (202) 231-3366 WANKASIA, MN FARBOUT, MN SLEEPY OAK, MN RUDOLPHVILLE, MN WILLMAR, MN CHASKA, MN RAMSEY, MN AMES, IA</p>		
<p>FOR: CITY OF PAYNESVILLE</p>		



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CITY OF PAYNESVILLE

REC#: 00028383 4/02/2013 9:42 AM  
OPER: FRONT TERM: 001  
REF#: 085952

TRAN: 10.0500 PLATTING FEES  
OPPORTUNITY PARK 22ND ADD.  
PRELIMINARY PLAT  
PLATTING FEES 150.00CR

TENDERED: 150.00 CHECK  
APPLIED: 150.00

CHANGE: 0.00

REPORT & RECOMMENDATION OF PLANNING COMMISSION  
REGARDING APPLICATION FOR APPROVAL OF PRELIMINARY PLAT  
OF OPPORTUNITY PARK SECOND ADDITION

REPORT

WHEREAS, an application has been submitted on behalf of the City of Paynesville seeking approval of a Preliminary Plat of that certain parcel of real estate located within the City limits of the City of Paynesville and legally described as follows, to-wit:

*Outlot A, Opportunity Park, according to the recorded plat thereof, Stearns County, Minnesota; and*

WHEREAS, all of the required information and payment of the appropriate application fee were made and submitted more than 15 days in advance of the Planning Commission hearing on the 6th day of May, 2013; and

WHEREAS, the Preliminary Plat has been reviewed by technical staff and appears to properly address issues of water supply, sewage disposal, drainage and flood control; and

WHEREAS, the Preliminary Plat has been prepared by a licensed land surveyor in acceptable form which complies with the requirements of Chapter 12, Section 12.07 of the City Code and the design standards in Chapter 12, Section 12.09 of the City Code; and

WHEREAS, the Planning Commission set a public hearing for consideration of the Preliminary Plat for May 6, 2013, at 6:35 o'clock p.m.,

before the Planning Commission at Council Chambers at Paynesville City Hall, 221 Washburne Avenue, Paynesville, MN 56362; and

WHEREAS, the City Administrator did cause notices of the public hearing to be mailed to all property owners of property located within 350 feet of the proposed subdivision, and further caused notice of the hearing to be published in the Paynesville Press at least 10 days prior to the public hearing in accordance with the requirements of the City Code of the City of Paynesville and the laws of the State of Minnesota; and

WHEREAS, the Planning Commission is satisfied that the proposed Preliminary Plat will not result in the scattered subdivision of land that leaves undeveloped parcels of land lacking urban services between developed parcels; and

WHEREAS, the Planning Commission is satisfied that the proposed subdivision conforms with existing zoning regulations applicable at the time of the proposed Preliminary Plat and is consistent with the long range plan of the City of Paynesville; and

WHEREAS, the Planning Commission is satisfied that the owners and subdividers have taken every effort to mitigate the impact of the proposed subdivision on health, safety and welfare; and

WHEREAS, all members of the public wishing to be heard on approval of this preliminary plat had an opportunity to present their views to the

Planning Commission. There was no objection to approval of the proposed Preliminary Plat.

NOW, THEREFORE, the Planning Commission makes the following:

RECOMMENDATION

The Planning Commission recommends that the City Council approve the Preliminary Plat of Opportunity Park Second Addition.

DATED: \_\_\_\_\_

PAYNESVILLE PLANNING COMMISSION

By: \_\_\_\_\_

Daniel Roberts, Chairperson