

**PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
JULY 21, 2014
6:30 P.M.**

AGENDA

- I. CALL TO ORDER
- II. CONSENT AGENDA
- III. NEW BUSINESS
- IV. OLD BUSINESS
 - A. Conditional Use Permit Request – Kallevig & Christinsen (page 1)
- V. INFORMATIONAL
 - A. Building Permit Report (page 11)
 - B. Next Meeting – August 4, 2014 at 6:30 p.m.
- VI. ADJOURN

Reminder: 6:45 p.m. Kallevig & Christinsen Conditional Use Permit Public Hearing

Please contact Renee Eckerly at 320-243-3714 ext. 227 or at renee@paynesvillemn.com if you can't attend the meeting.

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

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: July 21, 2014

Agenda Section: Old Business

Originating Department: Administration

Item Number: IV - A

ITEM DESCRIPTION: Conditional Use Permit – Kallevig & Christinsen

Prepared by: Staff

COMMENTS:

A Conditional Use Permit application has been submitted by Daniel & Renee Kallevig and Catherine & Rodney Christinsen. Regarding the lots they own at 914 Business 23 W and 902 Business 23 W respectively. These parcels are currently zoned "C-2" Highway Commercial District. The application is for two parcels and their respective owners due to the fact that ultimately this parcel will be purchased by a retail business, the lots will be combined, and the Conditional Use is really for their facility. They need the Conditional Use Permit according to City Code Chapter 11, Section 11.60, Subd. 5B. The proposed grading and filling is to be done in connection with the construction of a retail store, driveway, and parking areas, and portions of which are within the shoreland overlay, being within 300 feet of the river or stream or the landward extent of the flood plain on such river or stream.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve the Report & Recommendation Of Planning Commission On Application For Conditional Use Permit.

**CITY OF PAYNESVILLE
CONDITIONAL USE PERMIT APPLICATION**

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

List All Property Owners: Daniel & Renee Kallevig / Catherine Christinsen

Contact Person: Daniel & Renee Kallevig / Catherine Christinsen

Address: 25048 CR34, Paynesville MN 56362 / 309 Mini St., Paynesville, MN 56362

Telephone No.: 320-434-0618/320-309-6188 Parcel No.: 70.39475.0000/70.39476.0001

Legal Description: Lot: 3-10 Block: 45 Addition:

see attached legal description

ZONE: C-2

EXISTING USE OF PROPERTY:
auto dealership / residential home

Application Fee: \$225.00
(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.

WILL THIS CONDITIONAL USE REQUIRE A VARIANCE ALSO? No

DESCRIPTION OF REQUEST: (use separate sheet if needed)

Per city ordinance, a conditional use permit is required for this project because the slope of the land is toward a public watercourse.

DRAWING OF PROPOSED CONDITIONAL USE: (use separate sheet)

- Application Must Include:
 Legal description from abstract.
 Any written or graphic data required by the City Administrator.

Catherine J. Christinsen

6/4/14

Renee Kallevig

6/4/14

All Property Owners Must Sign This Application

Date

Renee Kallevig

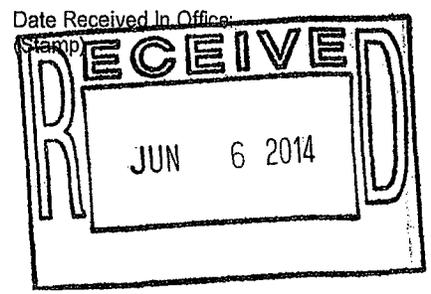
6-10-14

For office use only:

Application Fee: \$225.00 (non-refundable)
For office use only: Cash _____ Check No. 2384 Date Paid 6.6.14

Present To Planning Commission Date: 6.23.14 6:30pm Planning Set Public Hearing Date: 6.23.14 6:30 pm
Planning Public Hearing Date: 7.21.14 6:45pm Council Makes Determination Date: 7.28.14 6 pm

PLANNING COMMISSION ACTION:
Recommended to Council Approved _____ Denied _____ Date: _____
CITY COUNCIL ACTION:
Approved _____ Denied _____ Date: _____



CITY OF PAYNESVILLE CONDITIONAL USE PERMIT APPLICATION

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

List All Property Owners: Daniel & Renee Kallevig / Catherine Christinsen

Contact Person: Daniel & Renee Kallevig / Catherine Christinsen

Address: 25048 CR34, Paynesville MN 56362 / 309 Mini St., Paynesville, MN 56362

Telephone No.: 320-434-0618/320-309-6188 Parcel No.: 70.39475.0000/70.39476.0001

Legal Description: Lot: 3-10 Block: 45 Addition:
see attached legal description

ZONE: C-2

EXISTING USE OF PROPERTY:
auto dealership / residential home

Application Fee: \$225.00
(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$48.00 (actual), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$250.00.

WILL THIS CONDITIONAL USE REQUIRE A VARIANCE ALSO? No

DESCRIPTION OF REQUEST: (use separate sheet if needed)
Per city ordinance, a conditional use permit is required for this project because the slope of the land is toward a public watercourse.

DRAWING OF PROPOSED CONDITIONAL USE: (use separate sheet)

- Application Must Include:
- Legal description from abstract.
 - Any written or graphic data required by the City Administrator.

[Handwritten signature: Renee Kallevig]

6-5-14

All Property Owners Must Sign This Application _____ Date _____

For office use only:
Application Fee: \$225.00 (non-refundable)
For office use only: Cash _____ Check No. _____ Date Paid _____

Present To Planning Commission Date: _____ Planning Set Public Hearing Date: _____
Planning Public Hearing Date: _____ Council Makes Determination Date: _____

PLANNING COMMISSION ACTION:
Recommended to Council Approved _____ Denied _____ Date: _____
CITY COUNCIL ACTION:
Approved _____ Denied _____ Date: _____

12/29/2009

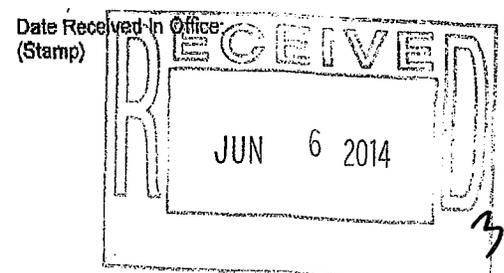


Exhibit A-1

**Survey Description
Paynesville, MN #15509
Dollar General**

PROPERTY BOUNDARY DESCRIPTION FOR PREMISES OF SURVEY:

902 Mill St. W. Paynesville, MN (PID 70.39476.0001)

The East One-half of Lots 6, 8, and 10, Block 45, Townsite, (now Village) of Paynesville, Stearns County, Minnesota.

AND

914 Mill St. W, Paynesville, MN (70.39475.0000)

Lot Three (3), Four (4), Five (5), Seven (7), Nine (9), and the West Half of Lots Six (6), Eight (8) and Ten (10), all in Block Forty-five (45) in the Townsite (now City) of Paynesville, now on file and of record in the office of the Stearns County Recorder, Stearns County, Minnesota.

4

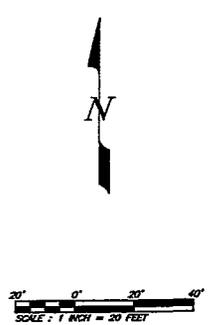
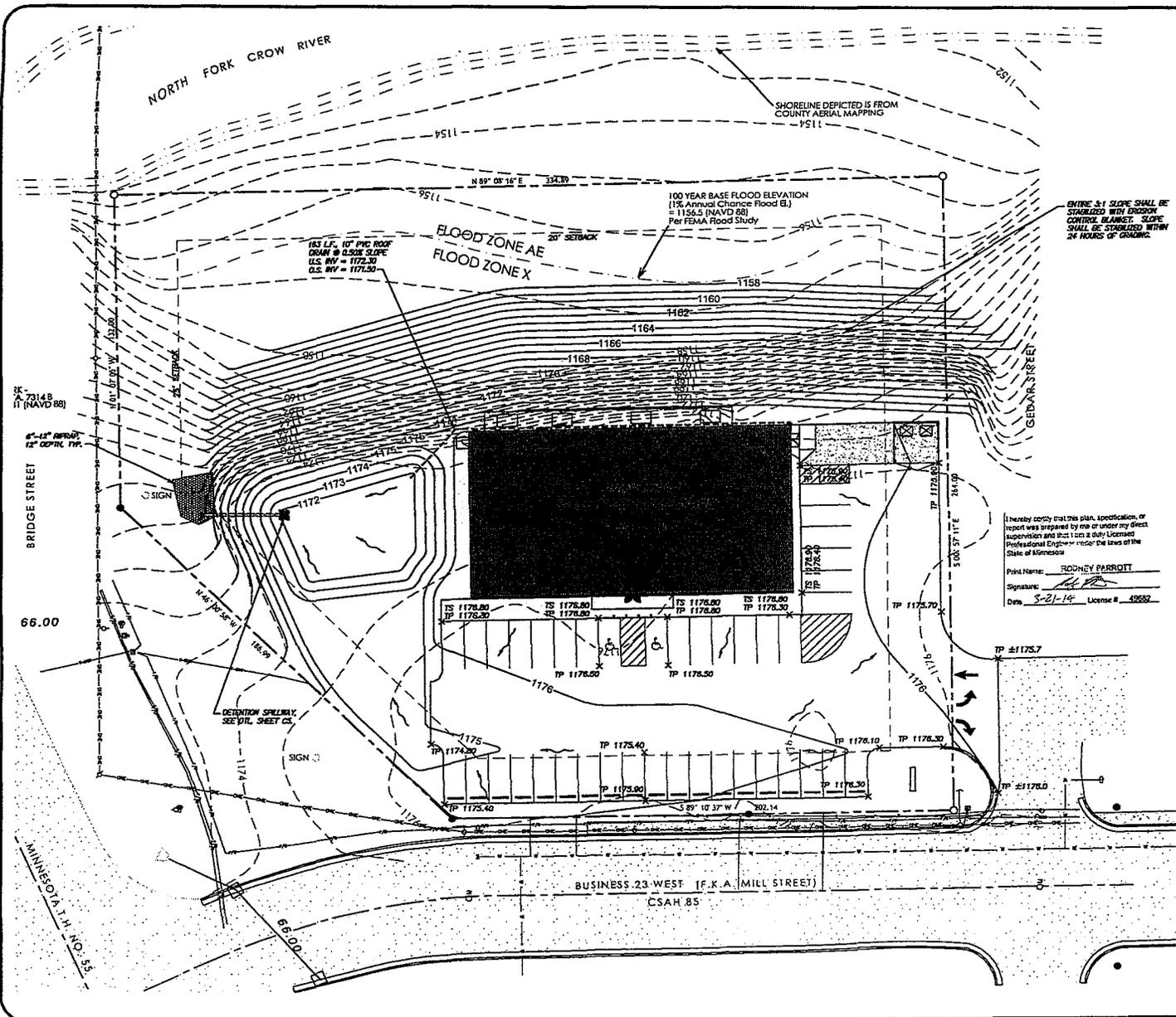
CITY OF PAYNESVILLE

REC#: 00035217 6/12/2014 11:20 AM
OPER: FRONT TERM: 001
REF#: 2384

TRAN: 10.0300 CONDITIONAL USE
KALLEVIG & CHRISTINGEN
CONDITIONAL USE FEE 250.00CR

TENDERED: 250.00 CHECK
APPLIED: 250.00-

CHANGE: 0.00



LEGEND

UTILITY PEDAESTAL	⊕
MANHOLE	⊗
WATER VALVE	X
HYDRANT	⊕
POWER POLE	⊕
UTILITY METER	⊕
BURIED FIBER OPTIC LINE	—○—
OVERHEAD POWER/COM. LINE	—●—
BURIED TELEPHONE LINE	—○—
BURIED GAS LINE	—○—
SANITARY SEWER	—○—
WATER MAIN	—○—
EXISTING CONTOURS	---1091---
PROPERTY LINE	---
BITUMINOUS SURFACE	[Stippled pattern]
CONCRETE SURFACE	[Cross-hatched pattern]
GRAVEL SURFACE	[Dotted pattern]

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Print Name: RODNEY PARROTT
 Signature: *[Signature]*
 Date: 5-21-14 License # 49283

800-252-1166
 www.gopherstateonecall.org

UTILITY DISCLAIMER
 EXISTING UNDERGROUND UTILITIES AND BURIED STRUCTURES IN THE VICINITY OF THE WORK TO BE PERFORMED HEREON ARE INDICATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO OR DISCOVERED BY THE ENGINEER IN THE PREPARATION OF THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR THE COMPLETENESS OF SUCH INFORMATION AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.

DOLLAR GENERAL
 MULTISTREET & USES PAYNESVILLE, MINNESOTA

NO.	DATE	DESCRIPTION

overland
ENGINEERING, LLC
 1504 MARSHAL AVE. STE. 200 PAYNESVILLE, MN 55970
 PHONE: (507) 242-2330 FAX: (507) 242-8707
 info@overlandeng.com

DOLLAR GENERAL
 PAYNESVILLE, MINNESOTA
 GRADING PLAN

SHEET
C2

**REPORT & RECOMMENDATION OF PLANNING COMMISSION
ON APPLICATION FOR CONDITIONAL USE PERMIT**

WHEREAS, an application for a Conditional Use Permit was submitted to the City of Paynesville and received June 10, 2014; and

WHEREAS, the application for a Conditional Use Permit was presented to the Planning Commission on June 23, 2014, at 6:30 p.m.; and

WHEREAS, the Planning Commission did, on June 23, 2014, set a public hearing on the application for a Conditional Use Permit for July 21, 2014 at 6:45 p.m., at Paynesville City Hall, 221 Washburne Avenue, Paynesville, MN 56362; and

WHEREAS, notice of such hearing was published in the official newspaper of the City of Paynesville, posted and mailed to individual property owners within 350 feet of the parcel in accordance with the requirements of Chapter 11, Section 11.80, Subd. 3B, of the City Code of the City of Paynesville, and the laws of the State of Minnesota; and

WHEREAS, the Planning Commission has considered possible adverse effects of the proposed conditional use and has reviewed the application in accordance with the standards set forth in City Code Chapter 11, Section 11.80, Subd. 4;

NOW, THEREFORE, the Planning Commission makes the following:

REPORT/FINDINGS

- 1) The property in question is located at 902 Business 23 W. and 914 Business 23 W., Paynesville, MN 56362.
- 2) The property in question is zoned "C-2" – Highway Commercial District, and is also located within the Shoreland Overlay District.
- 3) The parcels of land in question are legally described as follows, to-wit:
902 Business 23 W. also known as Property Tax I.D. No. 70.39476.0001:

The East One-half of Lots 6, 8, and 10, Block 45, Townsite of Paynesville, Stearns County, Minnesota.

914 Business 23 W., also known as Property Tax I.D. No. 70.39475.0000:

Lots Three (3), Four (4), Five (5), Seven (7), Nine (9) and the West Half of Lots Six (6), Eight (8) and Ten (10), all in Block Forty-five (45) in the Townsite of Paynesville, Stearns County, Minnesota.

4) Daniel Kallevig and Renee Kallevig are the owners of the property located at 914 Business 23 W., Paynesville, MN 56362.

Rodney Christinsen and Catherine Christinsen are the owners of the property located at 902 Business 23 W.

5) A single Conditional Use Permit application has been filed jointly by the owners of these two (2) parcels and the required fee has been paid.

6) The application for a Conditional Use Permit seeks permission to alter shoreland by grading or filling of a shoreland area or performing alternations where the natural topography of the land slopes toward public water or a water course leading to public water in accordance with the provisions of City Code Chapter 11, Section 11.60, Subd. 5. A prospective purchaser of these properties has a planned development which would require permission for grading and filling within such an area of these properties.

7) At the public hearing on July 21, 2014, the property owners and the prospective purchaser were given an opportunity to describe their plans and the details of the necessary grading and excavation, and members of the public wishing to express their opinion regarding the proposed Conditional Use Permit were given an opportunity to do so.

8) The applicants are required to submit a storm water pollution prevention plan to the City related to the proposed excavation and grading within the

shoreland area detailing the manner in which all disturbed areas will be stabilized with an erosion control blanket within 24 hours of grading. All erosion control devices shall be left in place until permanent stabilization has been achieved.

9) The Planning Commission is satisfied that a Conditional Use Permit is appropriate on the following conditions:

a) The property owner is required to submit a storm water pollution prevention plan to the City and receive approval prior to any area within the Shoreland Overlay District being disturbed;

b) The storm water pollution prevention plan proposes procedures that would expose the smallest amount of bare ground for the shortest feasible period of time;

c) Grading within the Shoreland Overlay District be to a 3 to 1 slope;

d) Erosion control devices must be installed prior to any area being disturbed and shall be maintained until final stabilization is complete, and that with that in place the disturbed area will be protected from erosion;

e) The methods proposed to be used to prevent erosion and to trap sediment are appropriate; and

f) The area would ultimately be stabilized to acceptable engineering standards within 24 hours after the grading is completed.

Based on the foregoing Findings of Fact, the Planning Commission makes the following:

RECOMMENDATION

The Planning Commission does hereby recommend the issuance of a Conditional Use Permit to allow grading and excavation within the shoreland area in

accordance with the plans presented. This Conditional Use Permit to allow grading and excavation is granted with the following restrictions:

1) The property owner is required to submit a storm water pollution prevention plan to the City and receive approval prior to any area within the Shoreland Overlay District being disturbed;

2) The storm water pollution prevention plan proposes procedures that would expose the smallest amount of bare ground for the shortest feasible period of time;

3) Grading within the Shoreland Overlay District be to a 3 to 1 slope;

4) Erosion control devices must be installed prior to any area being disturbed and shall be maintained until final stabilization is complete, and that with that in place the disturbed area will be protected from erosion;

5) The methods proposed to be used to prevent erosion and to trap sediment are appropriate; and

6) The area would ultimately be stabilized to acceptable engineering standards within 24 hours after the grading is completed.

PAYNESVILLE PLANNING COMMISSION

Date: _____

By: _____
Daniel Roberts, Chairperson

ATTEST:

Renee Eckerly, City Administrator

THIS INSTRUMENT DRAFTED BY:
William Spooner
Frauenshuh & Spooner, P. A.
113 Washburne Ave.
Paynesville, MN 56362
320-243-3748
Atty. Regn. No. 131088

**City of Paynesville
Pending Inspections Report**

**Order By: Issued Date and Permit#
Issued Date From: 01/01/2012 To: 07/15/2014
Permit Type: All Property Type: All Construction Type: All
Inspection Type: All
Report Detail: Not Completed**

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
11/14/2012	2012-00124	531 INDUSTRIAL LOOP W BRETH-ZENZEN FIRE PROTECTION (320) 363-0900 Fire Suppression System Final	Fire Commercial Fire Suppression
11/27/2013	2013-00156	420 MINNIE ST PAYNESVILLE PARK (320) 360-2630 08/22/2013 GUTS Footing - Soil - Insul Electrical Final Gas Piping HVAC Final Building Final Certificate of Occupancy	Building Residential Manufactured Home
12/09/2013	2013-00161	1105 MINNESOTA ST W OPIE'S ONE HOUR (320) 202-8463 HVAC Rough-In HVAC Final	Mechanical Residential Replacement
12/16/2013	2013-00169	530 MAYWOOD AVE JUMA, EMSON (320) 267-1183 Plumbing Final HVAC Final Electrical Final Building Final	Building Residential Remodel
03/03/2014	2014-00010	714 BUSINESS 23 W MIKE BROCKNER CONSTRUCTION (320) 492-4036 Building Final 03/05/2014 JT Progress 04/09/2014 JT Progress	Building Residential Remodel

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
05/06/2014	2014-00021	352 AUGUSTA AVE Dolly, Hayla & Trent (320) 340-6057 Progress Building Final	Building Residential Siding
05/27/2014	2014-00032	348 POMEROY AVE THEIS, BRIANNA Electrical Rough-In Framing Electrical Final Building Final	Building Residential Accessory Building
05/06/2014	2014-00035	352 AUGUSTA AVE Dolly, Hayla & Trent (320) 340-6057 Tear-Off Building Final	Building Residential Roofing
05/06/2014	2014-00036	352 AUGUSTA AVE Dolly, Hayla & Trent (320) 340-6057 Building Final	Building Residential Window/Door Replacement
06/04/2014	2014-00044	513 HUDSON ST YOUNKIN,JEFFREY F Tear-Off Building Final	Building Residential Roofing



Date Issued	Permit#	Site Address Applicant, Phone	Permit Kind
		Insp Date - Insp - Inspection Type	
05/19/2014	2014-00045	815 KORONIS AVE MICHAEL WENSMANN CONSTRUCTION INC (320) 243-9569 Plumbing Rough-In HVAC Rough-In Electrical Rough-In House Wrap Framing Underfloor Vapor Barrier Framing - Lower Level Insulation Plumbing Final Gas Piping HVAC Final Electrical Final Tear-Off Re-roof Final Tear-Off Re-siding Final Building Final	Building Residential Addition
06/20/2014	2014-00047	200 STEARNS AVE JACK DAHL REMODELING (320) 492-0374 Building Final 06/26/2014 JD Progress	Building Commercial Com. Accessible Ramp
07/07/2014	2014-00048	200 1ST ST W Breitbach Construction (320) 697-5525 Framing Above Ceiling HVAC Rough-In Damper/Smoke Shelf HVAC Final Building Final	Building Commercial Commercial Remodel

13

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
06/04/2014	2014-00050	305 MILL ST W BECKSTRAND,JAMES W & DENISE A Electrical Rough-In Insulation Electrical Final Building Final	Building Residential Remodel
07/14/2014	2014-00052	700 STEARNS AVE GILK PLUMBING (320) 260-6914 HVAC Final Gas Piping	Mechanical Commercial Replacement
06/03/2014	2014-00053	101 NORTH GRANDE ST LIESER, NATHAN (320) 224-1027 Electrical Rough-In Insulation HVAC Final Electrical Final Building Final	Building Residential Remodel
06/03/2014	2014-00054	500 BUSINESS 23 W MN ANNUAL CONF OF UNITED Building Final	Building Commercial Window/Door Replacement
06/04/2014	2014-00055	200 1ST ST W MCDOWALL COMPANY (320) 251-8640 Building Final	Building Commercial Roofing
06/05/2014	2014-00062	340 POMEROY AVE RON MEHR CONSTRUCTION (320) 492-5313 Building Final	Building Residential Roofing
07/07/2014	2014-00066	208 1ST ST E SAVAGE, TONY Tear-Off Building Final	Building Residential Roofing
06/05/2014	2014-00067	334 KORONIS AVE B & JS VALLEY CONSTRUCTION INC (320) 310-3473 Building Final	Building Residential Roofing

14

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
06/11/2014	2014-00075	902 BUSINESS 23 W CHRISTINSEN, CATHERINE (320) 243-7262 Debris Removal Building Final	Building Residential Demolition
06/18/2014	2014-00077	516 HUDSON ST KOTTKE,LESLIE A Tear-Off Roof Insulation Building Final	Building Commercial Roofing
07/02/2014	2014-00083	305 AUGUSTA AVE PUTZKE,SUE Building Final	Building Commercial Roofing
07/07/2014	2014-00084	711 KORONIS AVE BRUNTLETT CONSTRUCTION (320) 493-3098 Framing Building Final	Building Residential Deck/Porch
07/08/2014	2014-00085	525 LAKE AVE S ST LOUIS CHURCH OF PAYNESVILLE Foundation Wall system Roof System Building Final	Building Commercial New Construction
07/15/2014	2014-00086	795 BUSINESS 23 W ISD 741 (320) 243-3410 Soil, Forms, Steel Placement Cross Bracing and Anchoring Building Final	Building Public Addition
07/14/2014	2014-00087	200 RAILROAD ST W RON MEHR CONSTRUCTION (320) 492-5313 Framing Insulation Building Final	Building Industrial Commercial Remodel

15