

**PLANNING COMMISSION
PAYNESVILLE CITY HALL COUNCIL CHAMBERS
DECEMBER 5 2016
6:00 P.M.**

AGENDA

- I. CALL TO ORDER
- II. CONSENT AGENDA
 - A. Minutes (page 1)
- III. NEW BUSINESS
 - A. Concept Plan - Airport View Plat (page 7)
 - B. Preliminary Plat - Airport View Plat (page 17)
 - C. 2017 Commission Membership (page 26)
- IV. OLD BUSINESS
 - A. Conditional Use Permit – Bill & Hancy Fuchs (page 27)
- V. INFORMATIONAL
 - A. Building Inspector Report (page 38)
 - B. Next Meeting – **Tuesday, January 10, 2017 at 6:00 p.m.**
- VI. ADJOURN

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

**Members: Randy Christman, Carly Brockner, Ron Mehr, Bob McDaniel, and Neil Herzberg.
Advisory Members: Renee Eckerly, City Administrator and Brad Mehlhop, Building Official**

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: December 5, 2016

Agenda Section: Consent

Originating Department: Administration

Item Number: II - A

ITEM DESCRIPTION: Minutes

Prepared by: Staff

COMMENTS:

Please review the minutes from the October 17, 2016 and November 7, 2016 Planning Commission meetings.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve the minutes from the October 17, 2016 and November 7, 2016 Planning Commission meetings.

**MINUTES
PLANNING COMMISSION**

OCTOBER 17, 2016

Chairperson, Ron Mehr called the meeting to order at 6:01 p.m. Other members present were Randy Christman, Carly Brockner, and Neil Herzberg. Bob McDaniel & Renee Eckerly, City Administrator were absent. Also present was Jennifer Welling, Administrative Assistant/Zoning Specialist; JoLyn Lindquist, Social Media Specialist, Brad Mehlhop, Building Official; Jim Freilinger, GUM Church; Bill Fuchs, Robert Meyer, Steve Meyer, Eric Putzke, Daniel Chupp, Terry Fredricks, Doreen Miller; and Eric Glenz, Spooner & Glenz.

Motion was made by Herzberg to approve the minutes of the September 19, 2016 Planning Commission meeting. Seconded by Christman and unanimously carried.

INFORMATIONAL

Mehr acknowledged the CCLD Review Newsletter.

Mehlhop reported that the number of 2016 permits are light and is wrapping up a number of 2015 open permits.

NEXT MEETING

The next meeting will be November 7, 2016 at 6:00 p.m.

Mehr recessed the Regular Planning Commission meeting at 6:05 p.m. and opened the Fuchs Re-Zoning Public Hearing.

A Re-Zoning Application was submitted by Bill & Hancy Fuchs, owners of the property located at 201 Minnie St. (former Credit Union) Lots 1, 2, 3, 4 of Gales Addition; Parcel Numbers 70.38752.0000 and 70.38751.0000 from C-1 Central Business District to I-1 Light Industrial to conduct an auto repair shop – machine shop which is a conditional use permit in C-1, but a permitted use in I-1.

Items to note and think about if Re-zoned:

- Would make existing conforming structure non-conforming; would not meet the front set back of 25' in I1
- Is re-zoning consistent with the City's Comprehensive Plan and a good location for industrial use
- Does the City want an industrial lot sandwiched between residential to the east and west
- 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

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- Future Comprehensive Plan map shows this area to remain Commercial – see attached map

Items to think about if it was permitted by a Conditional Use Permit:

- Existing structure would remain conforming and meet setbacks
- Complies with the City's Comprehensive Plan
- City would have some control over outside storage, how much, and for how long, etc. that could be outlined in a conditional use permit

Mr. Fuchs presented his facts that were included in his application. Logically the re-zoning fits the location. If the lot should be C1 the Credit Union would still be there. Regardless of what happens tonight he wants to be a good neighbor and taxpayer in the City of Paynesville and is looking for the City's support.

Robert Meyer stated that if the property is re-zoned I1 it will become an eye sore with junk sitting outside. Meyer's parent purchased their property 59 years ago and he and others don't feel that this is a place to conduct an I1 business. He will not put up with a junk yard of small engines and lawn mowers.

Mehr recessed the Fuchs Re-Zoning Public Hearing and opened the GUM Church Conditional Use Permit Public hearing at 6:16 p.m.

A Conditional Use Permit Application was submitted by MN Annual Conf. UTD Methodist (GUM Church) at 500 Business 23 W, Paynesville, MN. Lot 10, Block 1, Gilberts Addition; Parcel Number 70.38994.0000. The property in question is zoned "R-1" – Single Family Residential District, and the actual use of the property is a church which is a conditional use allowed under City Code, Chapter 11, Section 11.30, Subd. 4e, within a residential district. They are seeking permission for a changeable copy sign to be in excess of 32 square feet per surface with no more than two (2) surfaces, the proposed sign to have two (2) surfaces with total sign area of 127.2 square feet, which may be allowed under a Conditional Use Permit under the provisions of City Code, Chapter 11, Section 11.14(l) (ii).

They meet the 50' setback from the property line of the adjoining residence. They are willing to turn off the changeable copy sign between 10:00 p.m. and 7:00 a.m. They meet the 30' setback from the intersection of Oak Park Ave. and Business 23 W.

There being no further comments or questions, the public hearing was closed at 6:19 p.m.

Mehr re-opened the Fuchs Re-Zoning Public Hearing at 6:19 p.m.

Eric Putzke expressed frustration with Mr. Fuchs not getting along, not waving, trespassing, cutting wood illegally, tearing up the road with an ATV, has had his dogs chase him, and shingles are on Lake Avenue from Mr. Fuchs' shingle project, and the encounter they had on public property.

Steve Meyer stated that he moved away 40 years ago; a good resident and taxpayer of Paynesville. He does not want I1 there as it will become a junk pile.

Doreen Miller expressed her issues with the mess that is accumulating. Mayor Thompson must see this as he drives by every day to work. Miller wanted to know what is allowed in I1. Welling read the I1 permitted uses.

Miller further expressed concern with the safety of the children living there; no place to play. In addition the speed around the new corner (at Lake Ave./Minnie St.) needs to be monitored. There is a need for street lights on Lake and in front of Mr. Fuchs' business.

Daniel Chupp had concerns with the junk sitting around, the parking lot full of vehicles, a bus, and it's only getting worse. Mr. Chupp works on the ambulance and the railroad tracks are not an issue. He had visited with Renee Eckerly on continuing this a commercial business and not industrial.

Mehr read the letter from Star Putzke regarding the noise and phone ringing.

Fuchs stated that the phone is not his, it's the grainery. The other noise is from the trains and AMPI whistle. Safety and speed is why he requested Darby Lane to be moved and he agreed that the new road is too fast.

Putzke further expressed his concern with Mr. Fuchs' renter/employee and private property (lots back to the river).

Fuchs stated that his residence is on Genesee Street and he has never had a complaint regarding any junk and is purely speculation. Fuchs commented on the existing and past vehicles that are or have been on the property.

Meyer stated that Mr. Fuchs feels he is such a good neighbor, but all his neighbors have had problems with him. Meyer stated that Ron Mergen had told him that a residence is not allowed in I1. Welling read the section of ordinance regarding a residence.

Miller asked if the property is re-zoned I1 will conditions be put on it. Glenz stated that if the zoning is changed the City will lose its controls. If the business is run as a Conditional Use Permit the City can impose some conditions.

Miller questioned the beautification efforts for that side of town.

There being no further comments or questions, Mehr closed the public hearing at 6:39 p.m. and re-opened the Regular Planning Commission Meeting.

FUCHS - RE-ZONE

Fuchs stated that nobody likes change and sometimes it's viewed as scary and negative. This is not a junk yard. This property sat empty for 21/2 years. The re-zone makes perfect sense and encouraged persons to drive by and look at it. Terry Fredrick is also his neighbor and he has to put more things on her side of his property because Mr. Meyer's view is more important than Ms. Fredrick's. Mr. Fuchs encouraged Commission members to drive by Mr. Putzke's property (not in the City) filled with garbage, a bus, lumber, etc.

Putzke wanted on record the Mr. Fuchs is making up lies.

Herzberg confirmed that if the re-zone request is denied; Mr. Fuchs could still conduct his business through a Conditional Use Permit.

Fuchs stated that the grainery is I1 and AMPI is I2. This property will not look like Windy Hill.

Glenz stated that Conditional Use Permit would allow Mr. Fuchs to conduct his business with conditions.

Motion was made by Christman to deny the Bill and Hancy Fuchs Report & Recommendation Of Planning Commission Regarding Request For Re-Zoning and recommend such to the City Council. Seconded by Herzberg and passed (Brockner abstained).

CONDITIONAL USE PERMIT – SIGN - MN ANNUAL CONF. UTD METHODIST (GUM

A Conditional Use Permit Application was submitted by MN Annual Conf. UTD Methodist (GUM Church) at 500 Business 23 W, Paynesville, MN. Lot 10, Block 1, Gilberts Addition; Parcel Number 70.38994.0000. The property in question is zoned "R-1" – Single Family Residential District, and the actual use of the property is a church which is a conditional use allowed under City Code, Chapter 11, Section 11.30, Subd. 4e, within a residential district. They are seeking permission for a changeable copy sign to be in excess of 32 square feet per surface with no more than two (2) surfaces, the proposed sign to have two (2) surfaces with total sign area of 127.2 square feet, which may be allowed under a Conditional Use Permit under the provisions of City Code, Chapter 11, Section 11.14(I) (ii).

They meet the 50' setback from the property line of the adjoining residence. They are willing to turn off the changeable copy sign between 10:00 p.m. and 7:00 a.m. They meet the 30' setback from the intersection of Oak Park Ave. and Business 23 W.

Freilinger reviewed the height, changeable copy sign, and the addition of ambient lighting. Freilinger further addressed the number of signs on the property. The other signs were purchased with memorial funds so it is difficult without working with the people; they may come down in the future, but can't guarantee it at this time. If the sign is set back the 5' it would overhang into the parking lot drive lane.

Motion was made by Brockner to approve the MN Annual Conf. UTD Methodist (GUM Church) Report & Recommendation Of Planning Commission On Application For Conditional Use Permit and recommend such to the City Council. Seconded by Christman and passed (Herzberg abstained).

There being no further business, the meeting was adjourned at 7:08 p.m.

**MINUTES
PLANNING COMMISSION**

NOVEMBER 7, 2016

Chairperson, Ron Mehr called the meeting to order at 6:00 p.m. Other members present were Randy Christman, Carly Brockner, and Neil Herzberg. Bob McDaniel was absent. Also present was Renee Eckerly, City Administrator; and Brad Mehlhop, Building Official.

There were no minutes for approval.

JANUARY MEETING DATE

Motion was made by Herzberg to set the January meeting date for Tuesday, January 10, 2017 at 6:00 p.m. Seconded by Christman and unanimously carried.

CONDITIONAL USE PERMIT – BILL & HANCY FUCHS

A Conditional Use Permit (CUP) application was submitted by Bill & Hancy Fuchs, owners of the property located at 201 Minnie St. (former Credit Union) Lots 1, 2, 3, 4 of Gales Addition; Parcel Numbers 70.38752.0000 and 70.38751.0000. The property is zoned C1 - Central Business District which requires a CUP to conduct an auto repair shop – machine shop.
Items to think about if it was permitted by a Conditional Use Permit:

- 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
- Existing structure would remain conforming and meet setbacks
- Complies with the City's Comprehensive Plan
- City would have some control over outside storage, how much, and for how long, etc.

Motion was made by Christman to set the Bill & Hancy Fuchs Conditional Use Permit Public Hearing for Monday, December 5, 2016 at 6:05 p.m. Seconded by Brockner and unanimously carried.

INFORMATIONAL

Mehlhop reported that he continues to move forward on open permits. The number of new permits are slow.

NEXT MEETING

The next meeting will be December 5, 2016 at 6:00 p.m.

LOT SPLIT - MEYER

Eckerly reported on the administrative lot split that the City is doing with Robert Meyer.

There being no further business, the meeting was adjourned at 6:05 p.m.

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REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: December 5, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: III - A

ITEM DESCRIPTION: Concept Plan – Airport View Plat

Prepared by: Staff

COMMENTS:

Renee Eckerly will give a verbal report. Please review the attached proposed Airport View Plat – Concept Plan.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve the Airport View Plat – Concept Plan and recommend such to the City Council.

CITY OF PAYNESVILLE
CONCEPT PLAN APPLICATION
221 Washburne Ave. ~ Paynesville, MN 56362
Phone: 320-243-3714 ~ Fax: 320-243-3713

Name of Subdivision: Airport View Plat

List All Property Owners: City of Paynesville

Contact Person: Renee Eckerly

Address: 221 Washburne Avenue

Telephone No.: 320-243-3714 ext 227 Parcel No.: 70.38646.0525

Legal Description: Lot: _____ Block: _____ Addition: _____

See attached metes and bounds description

Number of Lots: <u>9</u>	Proposed Zone: <u>C-2 Highway Commercial</u>
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Concept Plan Must Include:

- Concept Plan shall contain all information found in Section 12.06 Concept Plan Review, Subdivision 1, and Subdivision 2 found in the attached Ordinance No. 86, 2nd Series.
- Submit application with one (1) reproducible 11"x17" copy of the Concept Plan at least ten (10) business days prior to the Regular Planning Commission meeting.

Renee Eckerly

City Administrator
Signature of Applicant(s)

11-29-16
Date

For Office Use Only.

Date Application Received In Office:
(Stamp) **NOV 30 2016**

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CITY OF PAYNESVILLE

PARCEL WEST OF HIGHWAY 23

That part of the East Half of the Southwest Quarter of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the west quarter corner of said Section 17; thence South 00 degrees 32 minutes 32 seconds East, assumed bearing, along the west line of said Southwest Quarter of Section 17, a distance 1289.42 feet; thence South 74 degrees 23 minutes 57 seconds East, 1235.53 feet to the east line of a parcel of land described in Document 769128 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 0 degrees 15 minutes 53 seconds West, along said east line, 403.15 feet to the north line of a parcel of land described in Document 478797 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 88 degrees 51 minutes 39 seconds East, along said north line, 812.31 feet to the northeast corner of said Document 478797; thence South 45 degrees 55 minutes 03 seconds East, along the northeasterly line of said Document 478797, a distance of 309.27 feet to a westerly line of Parcel 403B of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota and the point of beginning of the land to be described; thence South 82 degrees 45 minutes 07 seconds East, along a westerly line of said Parcel 403B, a distance of 49.79 feet to point B4 of said plat; thence southeasterly continuing along a westerly line of said Parcel 403B and along a tangential curve concave to the southwest having a radius of 225.00 feet and a central angle of 33 degrees 14 minutes 29 seconds a distance of 130.54 feet to point B3 of said plat; thence southeasterly, continuing along a westerly line of said Parcel 403B and along a compound curve, concave to the southwest having a radius of 410.00 feet and a central angle of 22 degrees 28 minutes 44 seconds a distance of 160.86 feet to point B2 of said plat; thence southeasterly, continuing along a westerly line of said Parcel 403B and along a compound curve, concave to the southwest having a radius 995.42 feet and a central angle of 07 degrees 52 minutes 46 seconds a distance of 136.89 feet to the northeasterly line of said Document 478797; thence North 45 degrees 55 minutes 03 seconds West, along said northeasterly line, 445.11 feet to the point of beginning.

CITY OF PAYNESVILLE

PARCEL EAST OF HIGHWAY 23

That part of the Southwest Quarter of the Southeast Quarter of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the southwest corner of said Southeast Quarter; thence North 89 degrees 48 minutes 34 seconds East, assumed bearing, along the south line of said Southeast Quarter, 221.16 feet to Point B104106 on the easterly line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota and the point of beginning; thence North 21 degrees 41 minutes 18 seconds East, along said easterly line, 383.73 feet to Point B26 of said plat and the south line of DIEKMANN BUSINESS PARK PLAT THREE, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 89 degrees 43 minutes 13 seconds East, along said south line, 368.40 feet to the southeast corner of said DIEKMANN BUSINESS PARK PLAT THREE and the west line of Diekmann Drive, as dedicated on the plat of DIEKMANN BUSINESS PARK, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence South 00 degrees 59 minutes 03 seconds East, along said west line, 63.86 feet; thence southwesterly, continuing along said westerly line and along a tangential curve concave to the west having a radius of 1801.86 feet and a central angle of 09 degrees 20 minutes 33 seconds a distance of 293.81 feet to the south line of said Southeast; thence South 89 degrees 48 minutes 34 seconds West, not tangent to said curve, along said south line, 492.43 feet to the point of beginning.

CITY OF PAYNESVILLE

PARCEL NORTH OF VETERANS DRIVE

That part of the North Half of the Southwest Quarter of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the west quarter corner of said Section 17; thence South 00 degrees 32 minutes 32 seconds East, assumed bearing, along the west line of said Southwest Quarter of Section 17, a distance 1289.42 feet; thence South 74 degrees 23 minutes 57 seconds East, 1235.53 feet to the east line of a parcel of land described in Document 769128 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 0 degrees 15 minutes 53 seconds West, along said east line, 749.30 feet to point B-1 as delineated on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-106, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 84 degrees 04 minutes 39 seconds East, along a south line of Parcel 403B on said plat, 122.91 feet to point B10510 as delineated on said plat; thence North 00 degrees 29 minutes 35 seconds West, along an east line of Parcel 403B of said plat, 66.00 feet to Point B10511 of said plat and the point of beginning of the land to be described; thence South 89 degrees 56 minutes 07 seconds West, along a north line of said Parcel 403B, a distance of 38.17 feet to point B14 of said plat; thence South 89 degrees 44 minutes 44 seconds West along a north line of said Parcel 403B, a distance of 17.88 feet to point B13 of said plat; thence North 00 degrees 15 degrees 53 seconds West, along an east line of said Parcel 403B, a distance of 500.15 feet to the southerly line of a parcel of land described in Document 1445879 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 65 degrees 54 minutes 15 seconds East, along said southerly line, 108.02 feet; thence North 36 degrees 14 minutes 05 seconds East, continuing on said southerly line, 319.64 feet to the north line of said Southwest Quarter; thence North 89 degrees 41 minutes 22 seconds East, along said north line, 346.49 feet to point B10516 as delineated on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence southeasterly along a west line of Parcel 403B, as delineated on said plat, and along a nontangential curve, concave to the east, having a radius of 3458.04 feet and a central angle of 12 degrees 47 minutes 53 seconds 772.42 feet to point B15 of said plat, the chord of said curve bears South 17 degrees 59 minutes 56 seconds East, distant 770.81 feet; thence South 75 degrees 54 minutes 46 seconds West, along a north line of said Parcel 403B, a distance of 330.00 feet to point B14 of said plat; thence westerly along a north line of said Parcel 403B and along a nontangential curve, concave to the north, having a radius of 5696.58 feet and a central angle of 01 degree 00 minutes 21 seconds 100.00 feet to point B13 of said plat, the chord of said curve bears North 89 degrees 07 minutes 51 seconds West distant 100.00 feet; thence North 88 degrees 37 minutes 41 seconds West, along a north line of said Parcel 403B, a distance of 268.45 to point B12 of said plat; thence westerly continuing along a north line of said Parcel 403B and along a tangential curve, concave to the south, having a radius of 5762.58 feet and a central angle of 1 degree 14 minutes 50 seconds a distance of 125.43 feet to the point of beginning.

CITY OF PAYNESVILLE

PARCEL SOUTH OF VETERANS DRIVE

That part of the North Half of the Southwest Quarter of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the west quarter corner of said Section 17; thence South 00 degrees 32 minutes 32 seconds East, assumed bearing, along the west line of said Southwest Quarter of Section 17, a distance 1289.42 feet; thence South 74 degrees 23 minutes 57 seconds East, 1235.53 feet to the east line of a parcel of land described in Document 769128 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 0 degrees 15 minutes 53 seconds West, along said east line, 403.16 feet to the north line of a parcel of land described in Document 478797 on file and of record in the Office of the County Recorder, Stearns County, Minnesota and the point of beginning of the land to be described; thence North 00 degrees 15 minutes 53 seconds West, along said east line, 346.14 feet to Point B1 as delineated on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-106, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 84 degrees 04 minutes 39 second East, along a south line of Parcel 403B of said plat, 122.91 feet to Point B10510 of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence easterly along a south line of Parcel 403B of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105 and along a nontangential curve concave to the south, having a radius of 5696.58 feet and a central angle of 01 degree 14 minutes 24 seconds 123.28 feet to Point B9 of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, the chord of said curve bears South 89 degrees 14 minutes 52 seconds East, distant 123.28 feet; thence South 88 degrees 37 minutes 41 seconds East, continuing along said south line, tangent to said curve, 268.45 feet to Point B8 of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105; thence easterly, continuing along said south line along a tangential curve, concave to the north, having a radius of 5762.68 feet and a central angle of 01 degree 00 minutes 14 seconds 100.96 feet to Point B7 of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105; thence South 00 degrees 03 minutes 38 seconds East, along a westerly line of said Parcel 403B, a distance of 195.59 feet to Point B6 of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105; thence southeasterly 145.26 feet, along a westerly line of said Parcel 403B on a tangential curve concave to the northeast, having a radius of 340.00 feet, a central angle of 24 degrees 28 minutes 43 seconds, to the north line of said Document 478797; thence South 88 degrees 51 minutes 39 seconds West, not tangent to last described curve, 644.29 feet to the point of beginning.

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- [Layers](#)
- [Draw/Measure](#)
- [Legend](#)

Login

By PID #

By Owner

By Address

1 result is available, use up and down arrow keys to navigate.

Results

70.38646.0525 - 1500 AIRPORT RD

- 70.38646.0525 - 1500 AIRPORT RD

Property Information

Photos

Pin: 70.38646.0525

Address: 1500 AIRPORT RD

City: PAYNESVILLE

Zip: 56362

Addition:

Owner Name: CITY OF PAYNESVILLE

Owner Address: 221 WASHBURNE AVE

City: PAYNESVILLE MN 56362-1642

Deeded Acres: 20.29

Sec/Twp/Rng: 17/122/032

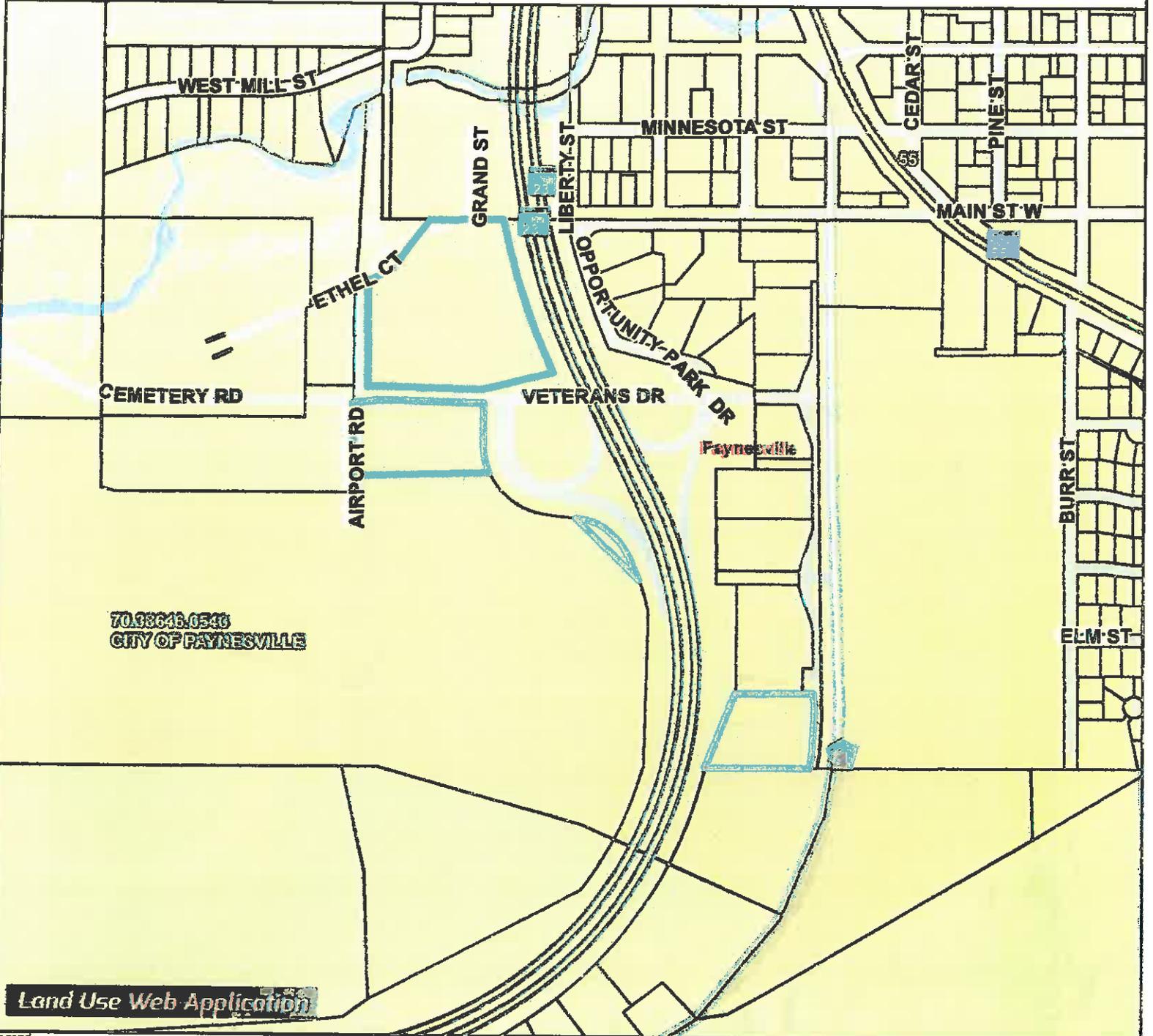
Legal Plat

Legal Description:

Tax Districts

 **School District:** ISD 0741 PAYNESVILLE

Title



70.38645.0543
CITY OF PAYNESVILLE

Land Use Web Application

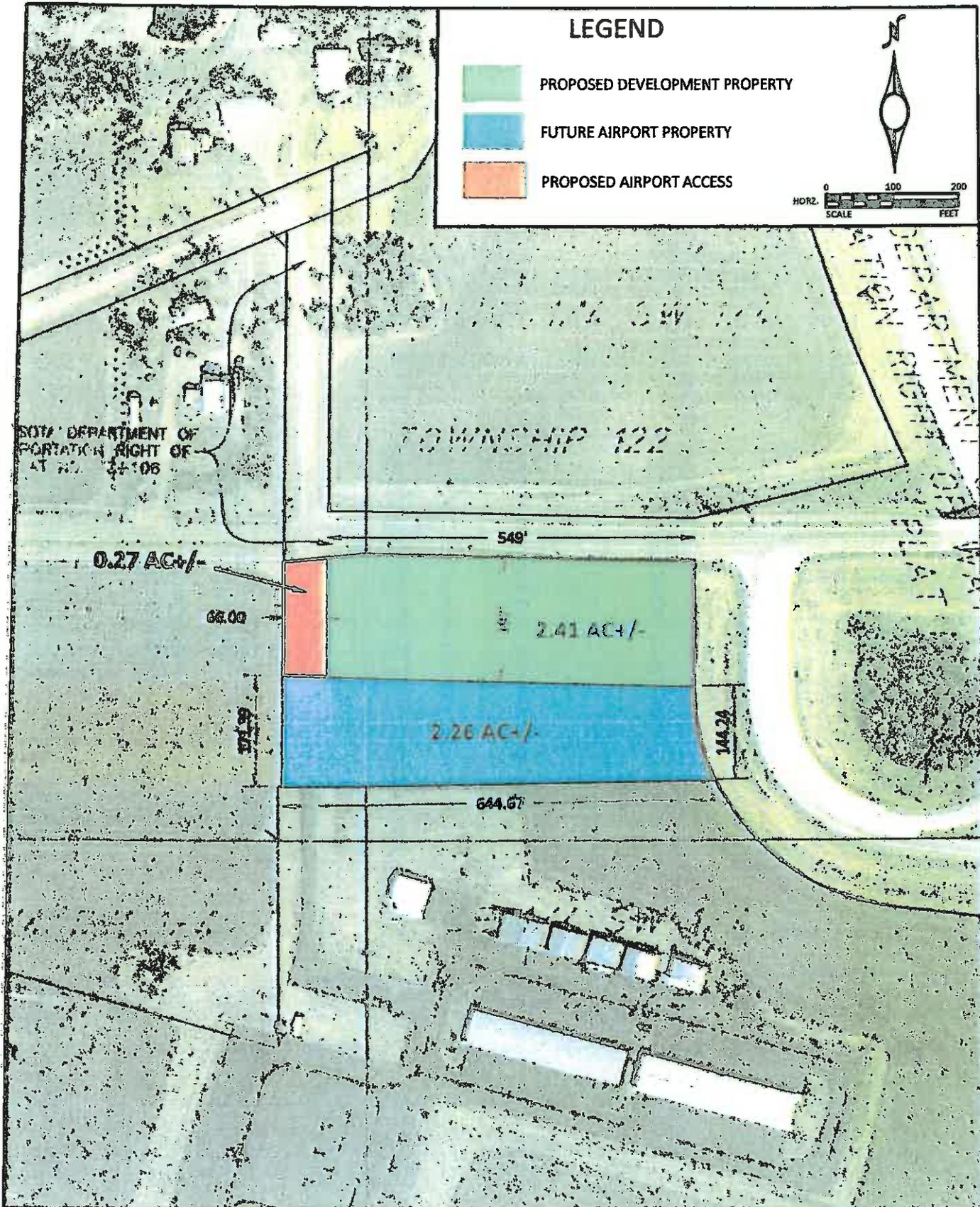
Legend
Parcels



Data is as represented in Stearns County Databases. It is NOT Intended for Locational Use and Stearns County

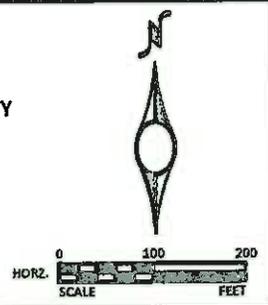
Auditor/Treasurer
Division of Land Management
October 25, 2016





LEGEND

- PROPOSED DEVELOPMENT PROPERTY
- FUTURE AIRPORT PROPERTY
- PROPOSED AIRPORT ACCESS



SOFT DEPARTMENT OF
TRANSPORTATION RIGHT OF
WAY AT NO. 11-106

TOWNSHIP 122

DEPARTMENT OF
TRANSPORTATION
RIGHT OF
WAY
PLAT

0.27 AC +/-

66.00

549'

2.41 AC +/-

2.26 AC +/-

144.24

644.67



2040 HIGHWAY 12 EAST
WILLMAR, MINNESOTA 56201
Phone: (320) 281-8956
Email: Willmar@bolton-menk.com
www.bolton-menk.com

CITY OF PAYNESVILLE, MINNESOTA
PAYNESVILLE AIRPORT
CITY PROPERTY

16

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: December 5, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: III - B

ITEM DESCRIPTION: Preliminary Plat – Airport View - Plat

Prepared by: Staff

COMMENTS:

Renee Eckerly will give a verbal report. Please review the attached Preliminary Plat Application.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to set the Airport View Preliminary Plat Public Hearing for Tuesday, January 10, 2017 at 6:05 p.m.

CITY OF PAYNESVILLE
PRELIMINARY PLAT APPLICATION
 221 Washburne Ave. ~ Paynesville, MN 56362
 Phone: 320-243-3714 ~ Fax: 320-243-3713

Name of Subdivision: Airport View Plat

List All Property Owners: City of Paynesville

Contact Person: Renee Eckerly

Address: 221 Washburne Avenue

Telephone No.: 320-243-3714 ext 227

Legal Description: see attached metes and bounds description

Number of Lots: 9	Proposed Zone: C2 - Hwy Commercial	Application Fee: \$150.00 (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, 2nd 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 Schuly, City Administrator
 Signature of Applicant(s)

11-29-16
 Date

For Office Use Only.
 Application Fee: \$150.00

Cash _____

Check No. 093830

Date Paid 12.1.16

Present To City Administrator & Set Date for Public Hearing.
 Planning Public Hearing Date: 1/10/16 6:05 pm

to Planning to set PH. on 12/15/16 at 6pm
 Council Makes Determination Date: 1/23/16 - 6pm

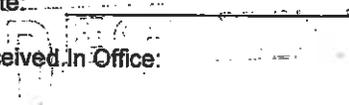
PLANNING COMMISSION ACTION:

Recommended to Council Approved Denied Date: _____

CITY COUNCIL ACTION:

Approved Denied Date: _____

Date Application Received In Office:
 (Stamp)



NOV 30 2016

CITY OF PAYNESVILLE

RECE: 00048579 12/02/2016 1:38 PM
OPER: FRONT TERM: 001
REF#: 093830

TRAN: 10.0500 PLATTING FEES
AIRPORT VIEW PRELIMINARY PLAT
CITY
PLATTING FEES 150.00CR

TENDERED: 150.00 CHECK
APPLIED: 150.00-
CHANGE: 0.00

CITY OF PAYNESVILLE

PARCEL WEST OF HIGHWAY 23

That part of the East Half of the Southwest Quarter of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the west quarter corner of said Section 17; thence South 00 degrees 32 minutes 32 seconds East, assumed bearing, along the west line of said Southwest Quarter of Section 17, a distance 1289.42 feet; thence South 74 degrees 23 minutes 57 seconds East, 1235.53 feet to the east line of a parcel of land described in Document 769128 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 0 degrees 15 minutes 53 seconds West, along said east line, 403.15 feet to the north line of a parcel of land described in Document 478797 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 88 degrees 51 minutes 39 seconds East, along said north line, 812.31 feet to the northeast corner of said Document 478797; thence South 45 degrees 55 minutes 03 seconds East, along the northeasterly line of said Document 478797, a distance of 309.27 feet to a westerly line of Parcel 403B of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota and the point of beginning of the land to be described; thence South 82 degrees 45 minutes 07 seconds East, along a westerly line of said Parcel 403B, a distance of 49.79 feet to point B4 of said plat; thence southeasterly continuing along a westerly line of said Parcel 403B and along a tangential curve concave to the southwest having a radius of 225.00 feet and a central angle of 33 degrees 14 minutes 29 seconds a distance of 130.54 feet to point B3 of said plat; thence southeasterly, continuing along a westerly line of said Parcel 403B and along a compound curve, concave to the southwest having a radius of 410.00 feet and a central angle of 22 degrees 28 minutes 44 seconds a distance of 160.86 feet to point B2 of said plat; thence southeasterly, continuing along a westerly line of said Parcel 403B and along a compound curve, concave to the southwest having a radius 995.42 feet and a central angle of 07 degrees 52 minutes 46 seconds a distance of 136.89 feet to the northeasterly line of said Document 478797; thence North 45 degrees 55 minutes 03 seconds West, along said northeasterly line, 445.11 feet to the point of beginning.

20

CITY OF PAYNESVILLE

PARCEL EAST OF HIGHWAY 23

That part of the Southwest Quarter of the Southeast Quarter of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the southwest corner of said Southeast Quarter; thence North 89 degrees 48 minutes 34 seconds East, assumed bearing, along the south line of said Southeast Quarter, 221.16 feet to Point B104106 on the easterly line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota and the point of beginning; thence North 21 degrees 41 minutes 18 seconds East, along said easterly line, 383.73 feet to Point B26 of said plat and the south line of DIEKMANN BUSINESS PARK PLAT THREE, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 89 degrees 43 minutes 13 seconds East, along said south line, 368.40 feet to the southeast corner of said DIEKMANN BUSINESS PARK PLAT THREE and the west line of Diekmann Drive, as dedicated on the plat of DIEKMANN BUSINESS PARK, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence South 00 degrees 59 minutes 03 seconds East, along said west line, 63.86 feet; thence southwesterly, continuing along said westerly line and along a tangential curve concave to the west having a radius of 1801.86 feet and a central angle of 09 degrees 20 minutes 33 seconds a distance of 293.81 feet to the south line of said Southeast; thence South 89 degrees 48 minutes 34 seconds West, not tangent to said curve, along said south line, 492.43 feet to the point of beginning.

CITY OF PAYNESVILLE

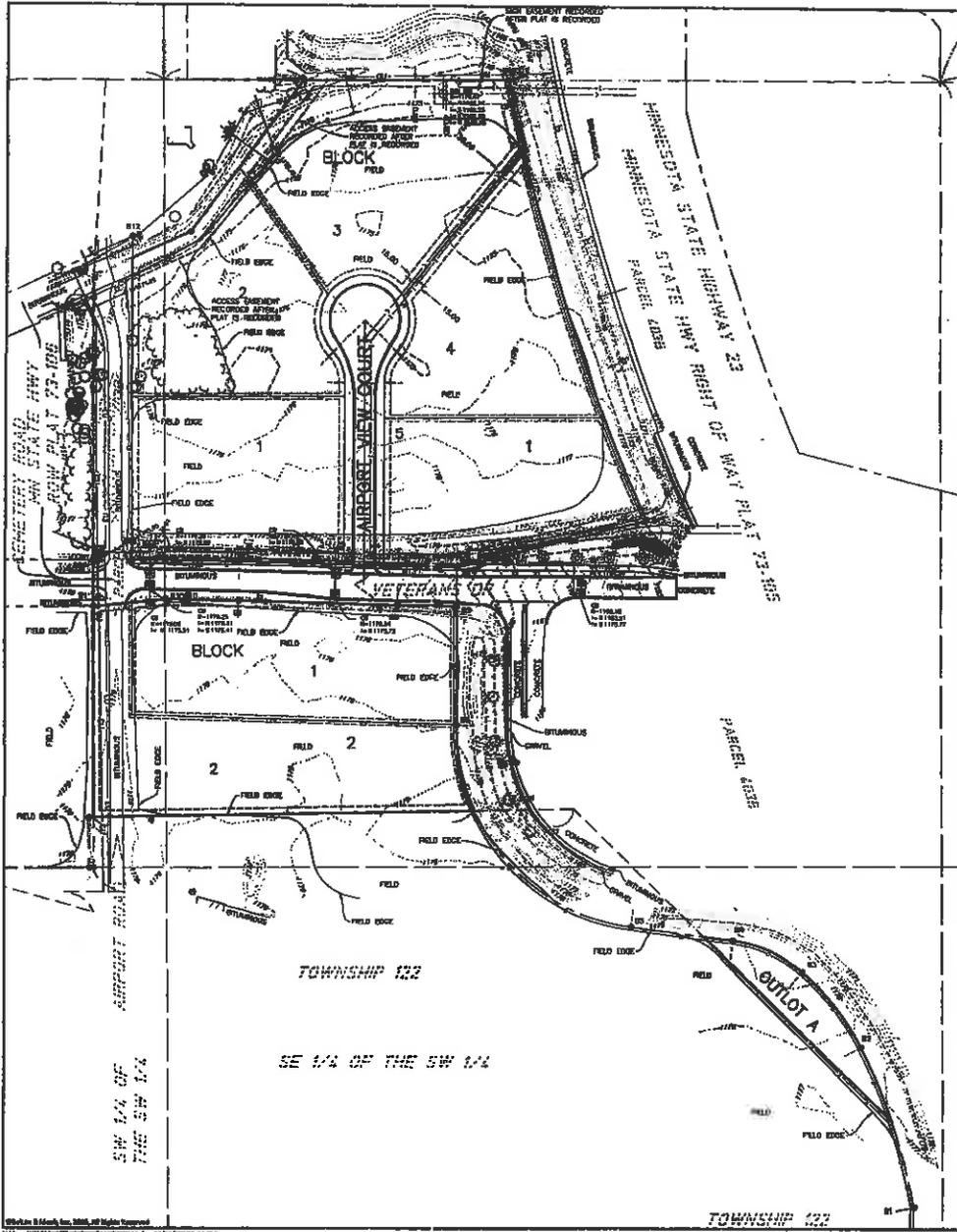
PARCEL NORTH OF VETERANS DRIVE

That part of the North Half of the Southwest Quarter of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the west quarter corner of said Section 17; thence South 00 degrees 32 minutes 32 seconds East, assumed bearing, along the west line of said Southwest Quarter of Section 17, a distance 1289.42 feet; thence South 74 degrees 23 minutes 57 seconds East, 1235.53 feet to the east line of a parcel of land described in Document 769128 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 0 degrees 15 minutes 53 seconds West, along said east line, 749.30 feet to point B-1 as delineated on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-106, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 84 degrees 04 minutes 39 seconds East, along a south line of Parcel 403B on said plat, 122.91 feet to point B10510 as delineated on said plat; thence North 00 degrees 29 minutes 35 seconds West, along an east line of Parcel 403B of said plat, 66.00 feet to Point B10511 of said plat and the point of beginning of the land to be described; thence South 89 degrees 56 minutes 07 seconds West, along a north line of said Parcel 403B, a distance of 38.17 feet to point B14 of said plat; thence South 89 degrees 44 minutes 44 seconds West along a north line of said Parcel 403B, a distance of 17.88 feet to point B13 of said plat; thence North 00 degrees 15 degrees 53 seconds West, along an east line of said Parcel 403B, a distance of 500.15 feet to the southerly line of a parcel of land described in Document 1445879 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 65 degrees 54 minutes 15 seconds East, along said southerly line, 108.02 feet; thence North 36 degrees 14 minutes 05 seconds East, continuing on said southerly line, 319.64 feet to the north line of said Southwest Quarter; thence North 89 degrees 41 minutes 22 seconds East, along said north line, 346.49 feet to point B10516 as delineated on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence southeasterly along a west line of Parcel 403B, as delineated on said plat, and along a nontangential curve, concave to the east, having a radius of 3458.04 feet and a central angle of 12 degrees 47 minutes 53 seconds 772.42 feet to point B15 of said plat, the chord of said curve bears South 17 degrees 59 minutes 56 seconds East, distant 770.81 feet; thence South 75 degrees 54 minutes 46 seconds West, along a north line of said Parcel 403B, a distance of 330.00 feet to point B14 of said plat; thence westerly along a north line of said Parcel 403B and along a nontangential curve, concave to the north, having a radius of 5696.58 feet and a central angle of 01 degree 00 minutes 21 seconds 100.00 feet to point B13 of said plat, the chord of said curve bears North 89 degrees 07 minutes 51 seconds West distant 100.00 feet; thence North 88 degrees 37 minutes 41 seconds West, along a north line of said Parcel 403B, a distance of 268.45 to point B12 of said plat; thence westerly continuing along a north line of said Parcel 403B and along a tangential curve, concave to the south, having a radius of 5762.58 feet and a central angle of 1 degree 14 minutes 50 seconds a distance of 125.43 feet to the point of beginning.

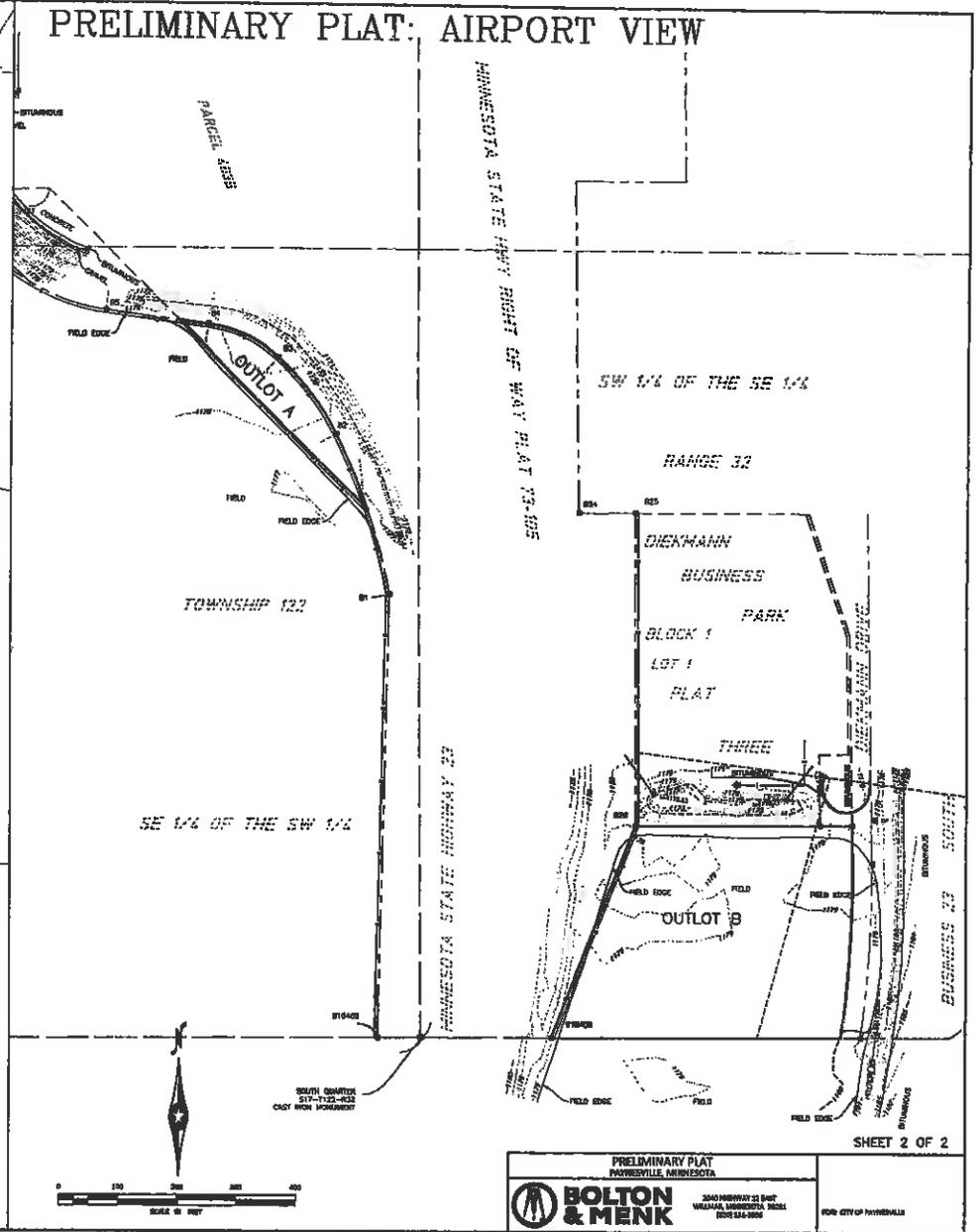
CITY OF PAYNESVILLE

PARCEL SOUTH OF VETERANS DRIVE

That part of the North Half of the Southwest Quarter of Section 17, Township 122 North, Range 32 West, Stearns County, Minnesota described as follows: Commencing at the west quarter corner of said Section 17; thence South 00 degrees 32 minutes 32 seconds East, assumed bearing, along the west line of said Southwest Quarter of Section 17, a distance 1289.42 feet; thence South 74 degrees 23 minutes 57 seconds East, 1235.53 feet to the east line of a parcel of land described in Document 769128 on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 0 degrees 15 minutes 53 seconds West, along said east line, 403.16 feet to the north line of a parcel of land described in Document 478797 on file and of record in the Office of the County Recorder, Stearns County, Minnesota and the point of beginning of the land to be described; thence North 00 degrees 15 minutes 53 seconds West, along said east line, 346.14 feet to Point B1 as delineated on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-106, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence North 84 degrees 04 minutes 39 second East, along a south line of Parcel 403B of said plat, 122.91 feet to Point B10510 of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, according to the plat thereof, on file and of record in the Office of the County Recorder, Stearns County, Minnesota; thence easterly along a south line of Parcel 403B of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105 and along a nontangential curve concave to the south, having a radius of 5696.58 feet and a central angle of 01 degree 14 minutes 24 seconds 123.28 feet to Point B9 of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105, the chord of said curve bears South 89 degrees 14 minutes 52 seconds East, distant 123.28 feet; thence South 88 degrees 37 minutes 41 seconds East, continuing along said south line, tangent to said curve, 268.45 feet to Point B8 of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105; thence easterly, continuing along said south line along a tangential curve, concave to the north, having a radius of 5762.68 feet and a central angle of 01 degree 00 minutes 14 seconds 100.96 feet to Point B7 of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105; thence South 00 degrees 03 minutes 38 seconds East, along a westerly line of said Parcel 403B, a distance of 195.59 feet to Point B6 of said MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-105; thence southeasterly 145.26 feet, along a westerly line of said Parcel 403B on a tangential curve concave to the northeast, having a radius of 340.00 feet, a central angle of 24 degrees 28 minutes 43 seconds, to the north line of said Document 478797; thence South 88 degrees 51 minutes 39 seconds West, not tangent to last described curve, 644.29 feet to the point of beginning.



PRELIMINARY PLAT: AIRPORT VIEW



SHEET 2 OF 2

<p>PRELIMINARY PLAT FAIRVIEWVILLE, MINNESOTA</p> <p>BOLTON & MENK</p> <p>3240 HENRY AVENUE S MINNEAPOLIS, MINNESOTA 55414-2000</p>	<p>FOR THE CITY OF FAIRVIEWVILLE</p>
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25

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: December 5, 2016

Agenda Section: New Business

Originating Department: Administration

Item Number: III - C

ITEM DESCRIPTION: 2017 Commission Membership

Prepared by: Staff

COMMENTS:

As the City plans for 2017 we ask Board/Committee/Commission members if they are willing to serve for the next year.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Planning Commission

Committee/Council Meeting Date: December 5, 2016

Agenda Section: Old Business

Originating Department: Administration

Item Number: IV - A

ITEM DESCRIPTION: Conditional Use Permit – Bill & Hancy Fuchs

Prepared by: Staff

COMMENTS:

Please review the attached Conditional Use Permit (CUP) application submitted by Bill & Hancy Fuchs, owners of the property located at 201 Minnie St. (former Credit Union) Lots 1, 2, 3, 4 of Gales Addition; Parcel Numbers 70.38752.0000 and 70.38751.0000. The property is zoned C1 - Central Business District which requires a CUP to conduct an auto repair shop – machine shop.

Items to think about:

- 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
- Existing structure would remain conforming and meet setbacks
- Complies with the City's Comprehensive Plan
- Fencing of outdoor storage
- Will there be the parting out of cars?
- How will the fluids from vehicles be handled?
- How much outdoor storage is needed?
- How much indoor storage is there?

ADMINISTRATOR COMMENTS:

Attached is a Report & Recommendation document that the Commission will need to work through.

COMMITTEE/COUNCIL ACTION:

Motion to APPROVE/DENY the Report & Recommendation Of Planning Commission On Application For Conditional Use Permit For Bill & Hancy Fuchs.

27

CITY OF PAYNESVILLE ~ CONDITIONAL USE APPLICATION

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

List All Property Owners: WILLIAM + HANCY FUCHS

Contact Person: BILL Email Address: BILL@BILLFUCHS MOTORSPORTS CO.

Mailing Address: 372 GENESEE ST.

Telephone No.: 320-237-3510 Parcel No.: 70.38752.0000 + 70.38751.0000

Property Address: 201 MINNIE ST.

Legal Description: Lot: 1234 Block: Addition: GALES ADD.

ZONE: C-1

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.

EXISTING USE OF PROPERTY:
NOV. 1ST REPAIR SHOP

WILL THIS CONDITIONAL USE REQUIRE A VARIANCE ALSO? NO

DESCRIPTION OF REQUEST: (use separate sheet if needed)
CONDITIONAL USE PERMIT TO OPERATE A AUTO REPAIR SHOP.

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.

[Signature]
Hancy C. Fuchs
All Property Owners Must Sign This Application

10-27-16
10/26/2016
Date

For office use only:

Application Fee: \$225.00 (non-refundable)
For office use only: Cash _____ Check No. 9524 Date Paid 10/27/16
Present To Planning Commission Date: 11.7.16 bpm Planning Set Public Hearing Date: 11.7.16
Planning Public Hearing Date: 12.5.16 6:05pm Council Makes Determination Date: 12.12.16 bpm

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

Date Received in Office: Oct 27 2016
(Stamp) [Signature]

CITY OF PAYNESVILLE

RECH: 00048120 10/27/2016 12:57 PM
OPER: FRONT TERM: 001
REF#: 9524

TRAN: 10.0300 CONDITIONAL USE
fuchs
CONDITIONAL USE FEE 225.00CR

TENDERED: 225.00 CHECK
APPLIED: 225.00-

CHANGE: 0.00

Abstract of Title

To the following described Real Estate situated in

STEARNS COUNTY

1

Lots One (1), Two (2), Three (3) and Four (4) of Gale's Addition to the Village (now City) of Paynesville, according to the plat and survey thereof on file and of record with the County Recorder in and for Stearns County, Minnesota.

A & J Abstract & Title

Ross M. Amundson, Licensed Abstractor

David T. Johnson, Licensed Abstractor

217 West James Street

P. O. Box 241

Paynesville, MN 56362

Phone: (320) 243-6020

Fax: (320) 243-1055

Title

26.16149.0000
CROW RIVER TRAIL GUARDS INC

D. 38 757.0000

D. 38 752.0000

D. 38 751.0000

Paynesville

Block 2

lot 1+2

lot 3

lot 4

MINNIE ST.

55

WASHBURNE AV.

DARBY LN

Land Use Web Application

Legend

Parcels

0 10 20 40 Feet



Auditor/Treasurer
Division of Land Management
September 9, 2016



Data is as represented in Stearns County Databases, it is NOT intended for Locational Use and Stearns County waives all liability from this product.

This map is made available on an "as is" basis, without express or implied warranty of any sort including, without limitation, any implied warranties of fitness for a particular purpose, merchantability, or otherwise relating to the accuracy or completeness of the information.

Jennifer Welling

From: Spooner & Glenz <jen@spoonerglenz.com>
Sent: Tuesday, November 01, 2016 2:03 PM
To: Renee Eckerly; Jennifer Welling
Subject: William & Hancy Fuchs - CUP
Attachments: FUCHS.REP.REC.CUP.doc; FUCHS.CUP.doc

Attached please find a draft of a Report & Recommendation from the Planning Commission to Council and a draft of a Conditional Use Permit.

The documents both anticipate that there will be some conditions placed on the issuance of a permit. In that location if no conditions are placed, of course it could just be noted that the following conditions are NONE, but if conditions are placed I think it is going to be critical that they be well defined, measurable and enforceable.

I really have no idea what the discussions are going to be. I wasn't present for the hearings related to the request for modification of zoning, but I have heard some of the discussions following that.

I know that the neighbors are concerned with appearance and so I assume that one possibility would be that there be a requirement for screening in the form of a fence. I know that another concern was that things would be left outdoors overnight and I think that that obviously could be addressed simply by providing that motor vehicles, equipment or machinery being worked on must be stored and/or worked on indoors.

I am not sure if there were concerns about noise, odor or what the other potential issues would be. I do think, however, that it is again very important that if we are going to place conditions that they be well-defined, measurable or observable and enforceable.

William Spooner
SPOONER & GLENZ LAW OFFICES, PLLC
113 Washburne Avenue
Paynesville, MN 56362
Office: (320) 243-3748
Email: office@spoonerglenz.com

**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 October 27, 2016; and

WHEREAS, the application for a Conditional Use Permit was presented to the Planning Commission on November 7, 2016, at 6:00 p.m.; and

WHEREAS, the Planning Commission did, on November 7, 2016, set a public hearing on the application for a Conditional Use Permit for December 5, 2016, at 6:05 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 201 Minnie Street, Paynesville, MN 56362.

2) The property in question is zoned "C-1" – Central Business District.

3) The parcel of land in question is Tax Parcel Nos. 70.38752.000 and 70.38751.0000, the legal description of which is as follows, to-wit:

Lots 1, 2, 3 and 4, Block 1, Gales Addition, according to the plat and survey thereof on file and of record in the Office of the County Recorder, in and for Stearns County, Minnesota.

4) William and Hancy Fuchs, husband and wife, are the owners of these parcels of real estate.

5) A Conditional Use Permit application has been filed and the required fee has been paid.

6) The application for a Conditional Use Permit seeks that Conditional Use Permit to operate an auto repair shop within the Central Business District, which may be allowed under the provisions of City Code, Chapter 11, Section 11.40, Subd. 4(C), which provided in relevant part auto repair garages are conditional uses within the Central Business District.

7) At a public hearing on December 5, 2016, the applicant was given an opportunity to describe their plans, and members of the public wishing to express their opinions regarding the proposed Conditional Use Permit were given an opportunity to do so.

8) The Planning Commission, having reviewed the application for the Conditional Use Permit and having heard the request of the applicant, along with the public comment offered at the public hearing, finds:

1) That:

_____ a) The conditional use will not be injurious to the use and enjoyment of other properties in the immediate vicinity; or

_____ b) The conditional use will be injurious to the use and enjoyment of other properties in the immediate vicinity.

2) That:

_____ a) The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for predominant uses in the area; or

_____ b) The establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding property for predominant uses in the area.

3) That:

_____ a) Adequate utilities, access, drainage and other necessary facilities have been or are being provided for the proposed conditional use; or

_____ b) Adequate utilities, access, drainage and other necessary facilities have not been or are not being provided for the proposed conditional use.

4) That:

_____ a) Adequate measures have been taken to prevent the conditional use from constituting a nuisance and to control the use in such a manner that no disturbance to neighboring properties will result; or

_____ b) Adequate measures have not been taken to prevent the conditional use from constituting a nuisance so that no disturbance to neighboring properties will result.

5) That:

_____ a) The proposed conditional use provides adequate facilities to eliminate any traffic congestion or hazard to traffic which may result from the proposed use; or

_____ b) The proposed conditional use provides inadequate facilities to eliminate any traffic congestion or hazard to traffic which may result from the proposed use.

6) That:

- _____ a) There is a demonstrated need for the proposed use; or
- _____ b) There is not a demonstrated need for the proposed use.

7) That:

- _____ a) The proposed use is in compliance with any land use plan adopted by the City; or
- _____ b) The proposed use is not in compliance with any land use plan adopted by the City.

Based on the foregoing findings of fact, the Planning Commission makes the following:

RECOMMENDATION

The Planning Commission hereby recommends that:

_____ a) That the Conditional Use Permit to allow an automobile repair shop to be operated on Lots 1, 2, 3 and 4, Block 1, Gales Addition, according to the plat and survey thereof on file and of record in the Office of the County Recorder under the provisions of City Code, Chapter 11, Section 11.40, Subd. 4C, be granted provided, however, that the property must comply with the following conditions on the operation of the automobile repair shop, to-wit:

; or

_____ b) That the Conditional Use Permit to allow an automobile repair shop to be operated on Lots 1, 2, 3 and 4, Block 1, Gales Addition, according to the plat and survey thereof on file and of record in the Office of the County Recorder under the provisions of City Code, Chapter 11, Section 11.40, Subd. 4C, be denied.

3/0

PAYNESVILLE PLANNING COMMISSION

By: _____
Ron Mehr, Chairperson

ATTEST:

Renee Eckerly, City Administrator

**City of Paynesville
Pending Inspections Report**

**Order By: Issued Date and Permit#
Issued Date From: 3/28/2013 To: 11/28/2016
Permit Type: All Property Type: All Construction Type: All
Inspection Type: All
Report Detail: None**

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
12/16/2013	2013-00169	530 MAYWOOD AVE JUMA, EMSON (320) 267-1183	Building Residential Remodel
02/12/2015	2015-00014	531 MINNIE ST STANG, BRUCE F & BERNADETTE L	Building Industrial Remodel
07/22/2015	2015-00081	405 BUSINESS 23 E UTSCH, DIANE & TOM (320) 243-3747	Building Multi Family (5+ Units) Remodel
10/19/2015	2015-00136	310 LAKE AVE CROMWELL, TYLER	Building Residential Remodel
11/13/2015	2015-00145	216 RAILROAD ST SERENITY PATH	Building Residential Siding
11/23/2015	2015-00147	314 STEARNS AVE CHANEY, JAMES (320) 980-7522	Building Residential Roofing
12/09/2015	2015-00151	104 BUSINESS 23 W BENSON, DOUGLAS	Building Commercial Remodel
12/31/2015	2015-00163	1030 STEARNS AVE VELYAN, RAYMOND & MARETTA (320) 243-7898	Building Residential Remodel
04/04/2016	2016-00022	125 INDUSTRIAL LOOP W STANG, BRUCE	Building Commercial Remodel
05/03/2016	2016-00027	534 MORNINGSIDE AVE MONDLOCH INC (320) 548-3255	Mechanical Residential Repair/Maintenance
08/08/2016	2016-00041	630 STEARNS AVE PLANTENBERG, ERIC (320) 292-0537	Building Residential Roofing

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
05/09/2016	2016-00043	202 WASHBURNE AVE GILK PLUMBING HEATING AND AC LLC (320) 260-6914	Building Commercial Remodel
05/25/2016	2016-00046	230 AMPE DR John Mor	Building Commercial Commercial Remodel
06/22/2016	2016-00050	200 RAILROAD ST W VOSS PLUMBING & HEATING (320) 243-3644	Building Industrial Addition
06/29/2016	2016-00051	210 AMPE DR AVON PLASTICS INC (320) 260-1675	Building Industrial Siding
09/06/2016	2016-00052	224 JAMES ST W DINGMAN BROTHERS CONSTRUCTION INC (320) 250-1561	Building Commercial Remodel
09/06/2016	2016-00057	302 AUGUSTA AVE DAHL HOUSE RENTALS	Building Residential Siding
07/20/2016	2016-00062	115 MILL ST E GRANITE CITY ROOFING (320) 253-4441	Building Commercial Roofing
09/22/2016	2016-00072	427 KORONIS AVE ARNOLD, MIKE (320) 492-3946	Building Residential Siding
09/22/2016	2016-00073	427 KORONIS AVE ARNOLD, MIKE (320) 492-3946	Building Residential Window/Door Replacement
09/26/2016	2016-00074	417 WENDELL ST W MOHR, JEROME & CAROL (480) 986-8342	Building Residential Roofing
10/03/2016	2016-00076	220 BUSINESS 23 E CASEY'S GENERAL STORE	Building Commercial Addition
08/12/2016	2016-00078	230 AMPE DR MOHR, JOHN	Building Commercial Addition
09/07/2016	2016-00081	271 AMPE DR RICE LAKE CONSTRUCTION GROUP (218) 546-1922	Building Industrial New Construction

39

Date Issued	Permit#	Site Address Applicant, Phone Insp Date - Insp - Inspection Type	Permit Kind
10/19/2016	2016-00082	685 OPPORTUNITY PARK DR SIGNCRAFTERS OUTDOOR (763) 571-2995	Building Commercial Repair/Maintenance
10/03/2016	2016-00085	308 BUSINESS 23 W MATTHEWS, TOMMIE & TERRI (503) 560-7507	Building Residential Roofing
10/17/2016	2016-00090	315 MINNESOTA ST W NIELSEN, TRUDY (320) 260-6214	Building Residential Roofing
09/27/2016	2016-00091	1665 WEST MILL ST KYLJE RODGERS SPECIAL NEEDS TRUST	Building Residential Manufactured Home
10/19/2016	2016-00092	200 1ST ST W PAYNESVILLE AREA HOSPITAL DIST (320) 243-3767	Building Commercial Remodel
10/19/2016	2016-00097	674 PONDEROSA ST TIM BROWN CONSTRUCTION (320) 493-7555	Building Residential Siding
11/10/2016	2016-00100	1057 BURR ST SEVERSON,ROLAND & GENEVIEVE	Building Residential Roofing
10/20/2016	2016-00107	311 MINNIE ST B & JS VALLEY CONSTRUCTION INC (320) 310-3473	Building Residential Accessory Building
10/24/2016	2016-00108	109 WASHBURNE AVE LAMB LABOR SERVICES	Building Commercial Remodel
10/31/2016	2016-00110	500 BUSINESS 23 W MN ANNUAL CONF OF UNITED	Building Residential Accessory Building
11/09/2016	2016-00114	639 WASHBURNE AVE RINDAHL, NATHAN (320) 894-9404	Building Residential Remodel
11/17/2016	2016-00115	319 HIGHWAY 55 J P EVANS CONSTRUCTION LLC (320) 243-3893	Building Commercial Window/Door Replacement