



Planning Commission

Regular Meeting

~ Minutes ~

1408 Lake Street South
Forest Lake, MN 55025
www.ci.forest-lake.mn.us

Dawn Bugge, C.D. Amin Assistant

Wednesday, April 26, 2023

7:00 PM

City Center - Council Chamber

[City of Forest Lake - Livestream and Recorded Meetings](#)

1. Call to Order

The meeting was called to order at 7:00 p.m.

2. Roll Call

Attendee Name	Title	Status	Arrived
Paul Girard	Commission Chair	Present	
Susan Young	Commission Vice-Chair	Present	
Kevin Miller	Planning Commissioner	Present	
Justin Brink	Planning Commissioner	Present	
Geneva Kubal	Planning Commissioner	Present	
Don Stehler	Planning Commissioner	Present	
Jeff Larson	Planning Commissioner	Present	

3. Pledge of Allegiance

4. Approve the Agenda

Motion to: Approve the Agenda

RESULT: ADOPTED [UNANIMOUS]
MOVER: Commissioner Brink
SECONDER: Commissioner Kubal
AYES: Commissioners Girard, Young, Miller, Brink, Kubal, Stehler, Larson
NAYS:
ABSTAIN:
ABSENT:

5. Consent Agenda Considerations (Action Items)*

a. Approve Planning Commission Meeting Minutes from March 22, 2023

No comments on the proposed minutes.

Motion to: Approve Consent Agenda Items 5. a., with item 5.b. moved to regular agenda items.



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RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Girard
SECONDER:	Commissioner Larson
AYES:	Commissioners Girard, Young, Miller, Stehler, Larson
NAYS:	
ABSTAIN:	Commissioners Brink, Kubal
ABSENT:	

6. Regular Agenda (Action Items)

Item 5.b. as moved from Consent Agenda – Resolution No. 04-26-23-01 – 1098/1148 Broadway Ave W – Mister Car Wash – Site Plan Review

City Planner, Ken Roberts, provided a background on the request for a site plan review to combine two properties for the construction of a car wash facility. Staff explained the project has been in discussion for some time to determine access points and alternative routing of existing utilities. Staff gave details of the proposed plan for entrances and exits on site, as well as the proposed plan for the movement of vehicles.

Staff noted that the proposed signage plan for the development includes a large monument sign near Broadway Avenue.

Staff added that due to concerns of the city's fire chief, the applicant will include additional access doors on the building for emergency purposes.

Staff recommended approval of the site plan with the conditions as listed in the staff report.

Commissioner Young asked if there will be shared access with the property to the south. Staff confirmed that a shared access agreement has been secured.

Young commented on a large portion of the site being left undeveloped, with concern for future use of the area. Staff does not predict any additional uses on the property.

Young stated concern for the number of proposed signs. Staff pointed out the signs conform to the City Code.

Commissioner Kubal questioned whether people would be able to make a left turn from Broadway Ave. into the site and expressed concern for people making u-turns. It was staff's understanding that an existing median will prevent that from happening.

Commissioner Miller asked about a limit for signage on the proposed building itself. Staff responded the proposed building signage is within the city's allowable limits.



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Miller commented that the proposed monument sign seems tall for the neighboring area and would prefer the height of the sign to be lowered.

Young wondered if the signage height is for functional or decorative purposes.

Sam Glennen, Representative of Mister Car Wash, responded that the proposed monument sign is the national prototype for their business across the country, which includes 444 stores. He pointed out that the city's proposal is one of their newest stores to open, and designed around the city's sign code. Mr. Glennen stated that they would be willing to discuss reducing the height of the proposed monument sign with staff.

Young stated that the city has worked very hard to be friendly to businesses and welcomed the new business to the city. She complimented the applicant on the ability to design the project on such a challenging site.

Upon further discussion, the commission recommended an amendment to Condition #16 to include that the applicant will work with city staff to determine the final height of the monument sign, not to exceed 15 feet.

Motion to: Approve Resolution No. 04-26-23-01, Site Plan Review for Mister Car Wash at 1098/1148 Broadway Ave W, subject to the conditions of approval as listed in the staff report and an amended condition #16 in reference to the size of the monument sign.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Miller
SECONDER:	Commissioner Young
AYES:	Commissioners Girard, Young, Miller, Brink, Kubal, Stehler, Larson
NAYS:	
ABSTAIN:	
ABSENT:	

a. Public Hearing - Resolution No. 04-26-23-03 – 23850 Inwood Ct N – Setback Variances

City Planner, Ken Roberts, provided a background of the request for a front yard and side yard setback variance at 23850 Inwood Court N. to allow for the construction of a 26 ft. x 42 ft. detached garage on the NW corner of the property. Staff explained that the city has been working to determine an allowable location for a secondary septic system, as required by Washington County, while determining practical difficulties of the site.

Based on their revised information, staff recommended approval of the request subject to the conditions listed in the staff report.



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Commissioner Young asked how the applicant will access the garage without driving over the drain field. Staff responded that the overhead garage door will be located on the north side to allow for driving access.

Commissioner Stehler questioned if two driveways are allowed on the site. Staff clarified that multiple driveways are allowed on a property as approved by city staff.

Chair Girard asked if there is an existing structure on the proposed detached garage site. Staff noted that there is no current structure in that location.

The applicant, Joel Doran, 23850 Inwood Court N, stated that he was appreciative of the board's time and was present to answer questions of the board. Mr. Doran confirmed that he previously had a camper parked in the location of the proposed garage that has since been moved.

Commissioner Kubal asked about the reasoning for the proposed garage size. Mr. Doran responded that he is very limited to what could fit on the site within the allowable setbacks, and the proposed garage size is to accommodate vehicles and for storage needs of a growing family.

Stehler asked about the height of the proposed garage. Mr. Doran believed the interior walls to be 10 feet high. Mr. Doran confirmed that the structure will be a garage, not a pole barn.

Young stated concern for snow storage on the newly proposed driveway. Mr. Doran stated commented that the city does a good job to not pile up snow in that location.

The Public Hearing was opened at 7:43 p.m.

Brad Nelson, 8460 235th Street N, owner of the neighboring property to the south, stated that the applicant has always been a good neighbor with a tidy property. He agreed that there is no other location on the applicant's site for an additional garage, and he would not like to see Mr. Doran move in order to have more storage space. Mr. Nelson requested approval of the variance requests.

Staff stated that no additional comments have been submitted to staff regarding this issue.

The Public Hearing was closed at 7:46 p.m.

Motion to: Approve Resolution No. 04-26-23-03, Setback Variances for 23850 Inwood Ct N, subject to the conditions of approval as listed on the staff report.



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RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Kubal
SECONDER:	Commissioner Brink
AYES:	Commissioners Girard, Young, Miller, Brink, Kubal, Stehler, Larson
NAYS:	
ABSTAIN:	
ABSENT:	

Chair Girard pointed out that the Planning Commission has the final decision on a variance, and that the variances would be approved unless an appeal is submitted to the city within seven days. Girard wished the applicant good luck and thanked him for living in the city of Forest Lake.

b. Public Hearing - Resolution No. 04-26-23-02 – 9860/10066 180th St N – Northern Natural Gas – Floodplain Conditional Use Permit

Abbi Wittman, Community Development Director, provided a background on the request for a Conditional Use Permit for Northern Natural Gas. Staff explained that the applicant, in an effort to provide greater capacity to its service area, is proposing to construct a loop to their existing transmission line located in the far southeast corner of the city. Wittman explained that the pipeline area crosses several parcels in the city, including under a body of water, which requires a Conditional Use Permit. Staff added that a proposed valving station would be located on private property at the NE intersection of July Ave and 180th St.

Wittman explained that a condition to require a protective guard rail around the valving station has been included. Staff would like to consider adding a conditional use for fencing around the guard rail area.

Staff noted that work will be regulated by the Federal Energy Regulatory Commission and the City will require the re-establishment of vegetation as deemed necessary.

Staff stated that comments at the neighborhood meeting included concern for monitoring gas flow, safety to the neighborhood, and whether gas services would be offered to the neighboring area. Wittman added that residents could contact her to acquire information about the possibility of service through Xcel Energy.

Staff requested that the Commission consider tabling the request in order to allow additional time for staff to determine appropriate language for additional conditions to the proposed request.



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Steven Martinez, representative of Northern Natural Gas, was in attendance and described the proposed loop line.

The Public Hearing was opened at 7:58 p.m.

Byron Zeeveld, 18257 July Ave N., neighboring property to the north, would have liked additional time to review the proposal and was concerned for decreased property values.

Richard Juelfs, 18150 July Ave N, stated concerns for impact to the beautiful and quiet neighborhood, safety concerns for potential hazards and proximity to neighboring homes, decreased property values and was opposed to the request.

Bruce Bain, 10151 180th Street N, would have liked additional time to review the proposal and stated concerns for location of the proposed valving station in regard to elevation and proximity to the road, and the visual impact to the area. Mr. Bain would like the applicant to consider a more favorable design including vegetation and a potential berm.

Emily Juelfs, 18150 July Ave N, new to the neighborhood, stated concerns for impact to the open space and wildlife, her aversion for pipelines, concerns for noise and potential safety issues, and decreased property values.

Ed Worwa, 18200 July Ave N, a 25 year resident, stated his concerns for safety to the neighborhood and a desire to keep the area as pristine as possible.

The Public Hearing was closed at 8:21 p.m.

Commissioner Young stated her understanding of concerns. She acknowledged that a public good with this application needs to be balanced. Her opinion was that slatting and deciduous vegetation were not appropriate for this location.

Staff pointed out that the roadway in this area is not platted, which allows for a closer proximity to the road, and that a berm would likely be unachievable in the area due to drainage. Staff preferred that the applicant determine appropriate screening as not to impede the pipeline.

Motion to: Table Resolution No. 04-26-23-02 – 9860/10066 180th St N – Northern Natural Gas – Floodplain Conditional Use Permit.



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RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Miller
SECONDER:	Commissioner Young
AYES:	Commissioners Girard, Young, Miller, Brink, Kubal, Stehler, Larson
NAYS:	
ABSTAIN:	
ABSENT:	

The commission directed staff to work with the applicant to explore additional screening methods prior to coming before the commission at a future meeting. Chair Girard pointed out that no additional notices would be mailed for upcoming meetings, but that the meeting packet and reports are available on the city website. Staff added that residents are welcome to contact city staff to request meeting information, as well.

c. Public Hearing – Ordinance No. 724 – Amendment to Wetland Banking and Land Usage of Conservancy District

Abbi Wittman provided a background on the consideration of a code amendment to the wetland banking and land usage of conservancy district. Wittman explained that this item is a follow-up from a one-year moratorium enacted by the City Council in June 2022 to determine if the city would like to allow for wetland banking, and if allowed, under what conditions and in which locations.

Staff drafted the proposed ordinance based on discussions with the Planning Commission and the City Council. As written, wetland banking would be allowed only within the conservancy district by wetland enhancement. Wittman described the reasoning behind the proposed allowances and the impact to development.

Wittman pointed out that the proposed ordinance does not prohibit restoration, preservation, or enhancement of wetlands, but would limit the allowances of wetland banking for the purpose of monetary gain.

Staff recommended the Commission approve the ordinance, with the removal of the allowance for wetland banking in the conservancy district. The commission could otherwise direct staff to make revisions to the ordinance before going before the city council.

Commissioner Young preferred an allowance for wetland banking in appropriate agricultural areas to give property owners the ability to use their property to their fullest and best use.

The Public Hearing was opened at 8:45 p.m.



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Steve Schmaltz, 22736 Hayward Ave N, was present to represent the Comfort Lake – Forest Lake Watershed District (CLFLWD). Mr. Schmalz distributed a two-page memo, which will be submitted as part of the public hearing record. Mr. Schmalz noted that this is a very important and complicated topic for the watershed district. He provided a brief background of their organization, stating they have worked closely with the city more than 10 years. He explained the importance of wetlands for flood prevention and water quality.

Mr. Schmalz requested the Planning Commission consider postponing the ordinance in order for the watershed to work closer with city staff, but remain within the city’s proposed timeline.

Staff confirmed that no additional comments had been submitted for this item.

The Public Hearing was closed at 8:57 p.m.

Wittman clarified that the proposed ordinance would not prohibit wetland restoration and that the City will continue to promote the preservation and enhancement of wetlands in the community.

Motion to: Table Ordinance No. 724 – Amendment to Wetland Banking and Land Usage of Conservancy District to allow for futher discussion.

RESULT:	ADOPTED [4-3]
MOVER:	Commissioner Kubal
SECONDER:	Commissioner Larson
AYES:	Commissioners Girard, Kubal, Stehler, Larson
NAYS:	Commissioners Young, Miller, Brink
ABSTAIN:	
ABSENT:	

7. Discussion

City Planner, Ken Roberts, stated that the City is very busy with spring projects picking up.

Abbi Wittman gave an update on current and upcoming city projects. She confirmed that there will be a Planning Commission Meeting on May 10, to include the tabled items from tonight’s meeting along with additional items for review.

8. Other

Commissioner Young commented that wetland restoration is very expensive and some landowners may want to do restoration, but they can’t afford to. She would like to see the opportunity for



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property owners in the agriculture districts the ability to recover some of their costs by wetland banking opportunities.

9. Adjourn

Motion to: Adjourn the meeting at 9:08 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Larson
SECONDER:	Commissioner Stehler
AYES:	Commissioners Girard, Young, Miller, Brink, Kubal, Stehler, Larson