



Planning Commission

Regular Meeting

~ Minutes ~

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

Dawn Bugge, C.D. Admin Assistant

Wednesday, May 24, 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	Absent	
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

No comments on the agenda.

Motion to: Approve the Agenda as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Kubal
SECONDER:	Commissioner Brink
AYES:	6
NAYS:	0
ABSTAIN:	
ABSENT:	

5. Consent Agenda Considerations (Action Items)*

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

No comments on the consent agenda.

Motion to: Approve Consent Agenda Item 5. a.



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RESULT:	ADOPTED [5-0]
MOVER:	Commissioner Brink
SECONDER:	Commissioner Kubal
AYES:	5
NAYS:	0
ABSTAIN:	Commissioner Miller
ABSENT:	

6. Regular Agenda (Action Items)

a. Public Hearing: Resolution 05-24-23-01 – Conditional Use Permit and Planned Unit Development – Forest Hills United Methodist Church – 1790 11th St SE

City Planner, Ken Roberts, provided a background on the request for a Conditional Use Permit and Planned Unit Development (PUD) to allow for an accessory storage building and pavilion for outdoor activities at Forest Hills United Methodist Church. Roberts described building details for the proposed structures. Staff noted that a neighborhood meeting was held for this item with no neighbors in attendance and the city has received no comments on the public hearing.

Commissioner Stehler asked about structural review of the proposed accessory building. Staff confirmed that a building permit for the accessory structure would be required, which would include both engineering and architectural plan review.

Chair Girard asked about the existing small shed located on the property. Roberts responded that it is allowed and it can be included in the Planned Unit Development for the site.

Duane Dittberner, representative of Forest Hills United Methodist Church, commented that engineering plans have been completed for the proposed structure. Mr. Dittberner noted that in addition to church activities, the pavilion will be offered up to the community for public use, as well.

Commissioner Kubal stated concern about potential dust and noise during construction. Mr. Dittberner has been informed that construction time will be minimal and the entire project is likely to be completed in approximately one week.

Public Hearing was opened at 7:17 p.m.

No comments.

Public Hearing was closed at 7:18 p.m.



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Motion to: Approve Resolution No. 05-24-23-01, Conditional Use Permit at 1790 11st St SE, subject to conditions of approval as listed in the staff report.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Brink
SECONDER:	Commissioner Kubal
AYES:	6
NAYS:	0
ABSTAIN:	
ABSENT:	

The Commission preferred to see the existing storage shed removed with the addition of the new storage garage. Mr. Dittberner explained that construction of the new garage may be delayed until next year. The Commission agreed to add language to the PUD that would allow for the shed to remain on site until the new storage building is completed.

Motion to: Recommend Approval to the City Council the Planned Unit Development at 1790 11th St SE., with additional language in the resolution to state that the existing shed will be removed upon completion of the new accessory structure.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Miller
SECONDER:	Commissioner Larson
AYES:	6
NAYS:	0
ABSTAIN:	
ABSENT:	

b. Continued: Wetland Banking Ordinance

Community Development Director, Abbi Wittman, provided a background of the request. Staff noted that a Public Hearing was held at the April 26, 2023 Planning Commission meeting for the city-initiated zoning ordinance text amendment affecting wetland banking within the city. Wittman reminded the commission that the item was tabled to allow for city staff to work with community and state agencies/partners to explore alternatives to the proposed ordinance. Following discussions with multiple agencies, staff had prepared an alternate ordinance for the commission to consider. The Commission was asked to make a recommendation to the City Council on one of the two proposed ordinances. One ordinance would allow for wetland banking within the city in certain



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circumstances and with limitations. A second ordinance would prohibit wetland banking. Staff has maintained concern of the potential impact of wetland banking for monetary gain. Staff pointed out that neither ordinance would prohibit a property owner from creating, enhancing, preserving, or restoring wetlands on their property, however there would be limited areas and no allowance for banking. Wittman added that neither ordinance would prohibit a developer from mitigating wetland impacts in the community. Both proposed ordinances are consistent with the city’s comprehensive plan and zoning code, and are intended for the public good.

The Commissioners asked for specific descriptions of the allowances between the two ordinances. Staff gave detailed scenarios of what could be allowed and prohibited with the ordinances.

John Waller, 14010 Homestead Ave N, Hugo, MN, a lifetime resident in the Forest Lake School District as well as the RCWD District Manager from Washington County, speaking as an individual taxpayer, supports local control and finds the proposed ordinances well written. Mr. Waller agreed with staff’s recommendation to prohibit banking, noting that wetland banking has a lot of costs to it and there are often problems associated with long-term maintenance of wetlands. Mr. Waller was complimentary to Wittman for staff’s explanation of the proposals.

Motion to: Recommend Approval to the City Council an Ordinance to prohibit wetland mitigation banks within the city limits.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Miller
SECONDER:	Kubal
AYES:	6
NAYS:	0
ABSTAIN:	
ABSENT:	

c. Continued: Preliminary Plat, Planned Unit Development, Zoning Map Amendment, Comprehensive Plan Amendment – Shadow Creek Estates – 6150 202nd St N

Community Development Director, Abbi Wittman, provided a background of the request for Shadow Creek Estates, to allow for a multi-use development located at the Northeast corner of County Road 50/202nd Street and Hwy 61. Wittman reminded the commission of the proposal area and details of the request to allow for an existing farm stable site along on the south with a 46-unit townhome development to the north.

Staff noted that comments from the previous meeting included proposed street width, parking, and density. Wittman added that discussions between staff and the developer resulted in the applicant



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agreeing to a full width public road, which would accommodate on-street parking, to be presented with final plat. To accommodate density requirements, the applicant has requested consideration of a density transfer that would acknowledge that future development on the western parcel will accommodate for higher than required density, therefore density units between the two parcels would allow for both properties to conform to Comprehensive Plan requirements. The request to rezone the upper portion of the property to MXR-3 would serve as a transition from the existing single family area to the north, to the future higher density development to the west.

The Commission was asked to make a recommendation to the City Council on each of the requests.

Chair Girard stated concern for visitor parking. Wittman responded that staff has explored multiple options for providing guest parking with the developer.

Todd Christensen, applicant and property owner, stated that extensive work with city staff over the past year has resulted in his best attempt to accommodate concerns of staff, neighbors, and the commission. He noted that he will continue to address parking, wetland, and engineering concerns prior to submittal of final plat. Mr. Christensen considers his plan to be a good plan for the area and that he has worked well with staff throughout the process.

Staff confirmed the specific parking requirements for the development from the City Code, and additional visitor parking would be required and could be added as a condition of approval.

Mr. Christensen commented that the parcel has extensive wetlands, but he will do his best to accommodate satisfactory parking for everyone.

Commissioner Miller asked if there would be an age restriction for this development.

Mr. Christensen replied that he does not intend to place an age restriction on the townhomes.

Motion to: Recommend Approval to the City Council a Preliminary Plat, Planned Unit Development, Zoning Map Amendment, and denial of a Comprehensive Plan Amendment for Shadow Creek Estates at 6150 202nd St N, based on the conditions of approval as outlined in the staff report, to include the addition of Condition No. 13 to require the road to be a 32-foot wide public road, and addition of Condition No. 14. to require parking to be closer in compliance with city requirements.



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AYES:	6
NAYS:	0
ABSTAIN:	
ABSENT:	

7. Other

Abbi Wittman informed the board that appeals were submitted to the city against the commission’s decision for the Conditional Use Permit Approval for Northern Natural Gas at the previous meeting. The proposal will be brought to the City Council for consideration at a June council meeting, which will include a public hearing and vote by the council.

City Planner, Ken Roberts, stated that the city has received no new land use applications in the recent submittal deadline. At this time, staff confirmed that the June 14 meeting will be canceled and the 2nd meeting in June is to be determined.

Chair Girard announced that, due to personal reasons, Commissioner Kubal will be stepping down as a planning commissioner at the end of the meeting. On behalf of the commission, Chair Girard thanked Kubal for her time served on the commission and wished her well.

Commissioner Kubal stated that it has been a privilege to be a part of the planning commission. She commented that she has learned a lot, and acknowledged that she and the other commissioners truly care for the city. She noted that it is not always easy to make difficult decisions that are sometimes required as a commissioner. Kubal looks forward to an opportunity to work with the City again in the future.

8. Adjourn

Motion to: Adjourn the meeting at 8:08 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Commissioner Larson
SECONDER:	Commissioner Brink
AYES:	6