

**CHISAGO COUNTY
PLANNING COMMISSION
OFFICIAL PROCEEDINGS
September 5, 2024**

The Chisago County Planning Commission met in regular session at 7:00 p.m. on Thursday, September 5, 2024, at the Chisago County Government Center.

Staff Present: Beth Gervais, Land Services Coordinator; Kurt Schneider, Environmental Services Director; and Sarah Scheunemann, Office Support Specialist – Land Services.

Chair Wille called the meeting to order and led the assembly in the Pledge of Allegiance. A roll call of Commission members was taken. Commission members present: Dave Whitney, Eric Leivian, Chip Yeager, John Sutcliffe, Chris DuBose, and Jolene Wille. Absent: Jim McCarthy (excused). A quorum was established. Also present: Ex Officio County Commissioners Rick Greene and Dan Dahlberg.

Approval of Agenda – Motion by Sutcliffe to approve the agenda as presented; second by Yeager. The **motion passed** 6-0.

Approval of Minutes – Yeager noted a typo on page 2 of the August 1, 2024, regular meeting minutes near the bottom in the Technical / Plat Review Committee paragraph, commenting that “and immediate concerns” should read “any immediate concerns”. **Motion** by Sutcliffe to approve the August 1, 2024, regular meeting minutes as amended; second by Leivian. The **motion passed** 6-0.

Receive all Materials and Submittals into Record – Motion by Sutcliffe to accept all materials and submittals into the record; second Yeager. The **motion passed** 6-0. Materials distributed to the Planning Commission in advance of the meeting for their review included the full meeting packet with staff reports and attachments. Copies of all materials were made available to the public.

Public Hearings

Joseph Winberg – Property owner Joseph Winberg requested approval of the Preliminary Plat of Winberg Addition involving the creation of two 5± acre lots, with frontage on Wilcox Road, from a combined 80± acre tract of land located in the Agricultural (AG) District. The plat request included two subject properties, with one located at 11290 Wilcox Road and the other generally located north and northwest of 11290 Willcox Road in Sunrise Township, S18 and 7, T35, R20 (PIDs 09.00189.00 and 09.00078.00).

Coordinator Gervais reviewed details of the subject site, sharing that it consisted of two parcels, including a 39.6± acre parcel at 11290 Wilcox Road (PID 09.00189.00) and a 41.3± acre parcel north and northwest of 11290 Wilcox Road (PID 09.00078.00). Gervais mentioned that the parcel identified as PID 09.00078.00 was uniquely configured in that it featured an approximate 40-acre tract of land northwest of 11290 Wilcox Road / PID 09.00189.00 as well as a completely separated 1-acre tract directly north of 11290 Wilcox Road / PID 09.00189.00. Gervais reviewed topography of the two proposed lots and shared that the northerly proposed lot was developed with a dwelling and at least four detached accessory structures, whereas the southerly proposed parcel was vacant and appeared to be used for agricultural purposes. Gervais noted that the subject site and all surrounding properties were located within the AG District and surrounding properties ranged in size from five acres to 80 acres. Gervais stated that both proposed lots complied with the County's minimum dimensional requirements for the AG District.

The Technical / Plat Review Committee met with property owner Joseph Winberg on August 14, 2024. Land

Services Coordinator Gervais addressed the issue of the 1-acre "sliver" portion of PID 09.00078.00, explaining that the eastern portion of the sliver would be made part of Lot 1 through the platting process, but the western portion would remain as a smaller sliver until the property owner requested and was granted a Lot Reconfiguration and Tie Together to make it part of the remainder of PID 09.00189.00. Sanitarian Davidsavor and Wetland Specialist Fertig noted that the soils report and wetland delineation had been verified and found to be accurate. The Committee did not identify any other immediate concerns. The Sunrise Town Board reviewed the proposed Preliminary Plat as its August 15, 2024 meeting and recommended approval "with the understanding that the orphan strip that [was] to the east and part of parcel number 09.00078.00 [would] be combined with Lot 1 of the new plat and the westerly portion of said orphan strip [would] be combined with the remainder 30 acre parcel". Gervais noted that, having been identified by both staff and the Sunrise Town Board, the issue of the sliver / orphan strip had been addressed with a recommended condition of approval. The ordinance prescribed 120-day review period was scheduled to expire on November 22, 2024.

Coordinator Gervais concluded by offering a recommendation of approval with conditions and reviewed options available to the Planning Commission.

Chair Wille invited the applicant to address the Planning Commission. Property owner Joseph Winberg approached the Commission and provided additional background information, explaining that he had purchased the subject site for agricultural purposes and that he intended to construct a dwelling for himself on the southern proposed parcel. DuBose questioned the proposed 66' wide easement on proposed Lot 2, commenting that it was located within the middle of the lot and not adjacent to a property boundary. Winberg responded that the easement was located in that particular spot to avoid removal of pine trees.

Chair Wille opened the public hearing and sought comment. With no members of the audience wishing to speak, **motion** by Yeager to close the public hearing; second by DuBose. The **motion passed** 6-0.

Motion by Yeager to adopt Resolution NO. PC2024-0901, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of the Preliminary Plat of Winberg Addition as presented; second by DuBose. The **motion passed** 6-0.

Conditions:

1. The Preliminary Plat of Winberg Addition is approved per plat drawing dated signed July 16, 2024. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.
4. Following completion of the Final Plat process, the property owner shall submit complete applications for Lot Reconfiguration and Tie Together in order to split the westerly 569.5± of the easternmost portion of PID 09.00078.00 (that portion which has frontage on Lowden Avenue) and combine it with the 29±-acre remainder / exception area of PID 09.00189.00.

Kale Wolff and Federated Co-ops, Inc. – Property owner Kale Wolff and applicant Federated Co-ops, Inc. petitioned for the Rezoning of two parcels from Rural Village Center (RVC) District to Commercial / Limited

Industrial (CLI) District. The subject properties, totaling 2.95± acres, were located at 18397 St. Croix Trail / TH 95 in Shafer Township, S9, T34, R19 (PIDs 08.00099.00 and 08.00095.00).

Coordinator Gervais reviewed details of the subject site, sharing that it consisted of two parcels with the north parcel, identified as PID 08.00099.00, being 1.60± acres in size and the south parcel, identified as PID 08.00095.00, being 1.35± acres in size for a combined total of 2.95± acres. Gervais noted that the two subject parcels accounted for two of the four parcels in this particular RVC District and that the district was otherwise surrounded by the Agricultural (AG) District. Gervais mentioned that the two subject parcels were vacant and the other two parcels within the district were developed with legal non-conforming dwellings and related detached accessory structures. Gervais explained that historical zoning maps showed that there had been some amount of RVC District – or Highway Business District, as it was called in 1987 – in this general area since at least 1987, adding that the earliest Zoning Map available to staff was 1987. The exact configuration or boundary of the RVC District varied slightly between the 1987 Zoning Map, the 1997 Zoning Map, and the current Zoning Map; however, it was generally the same. Gervais noted that staff couldn't be certain of how this RVC District originated, but one possibility was that it was created to accommodate an existing commercial business which was located on one of the subject parcels at the time that the County adopted official land use controls.

Noting that the entire RVC District was 5.5 acres in size, Gervais commented that the proposed Rezoning would reduce the district's land area by nearly 54%. Gervais reviewed the applicant's written narrative which stated that Federated Co-ops, Inc. intended to purchase the two subject parcels, if the Rezoning was approved, and utilize them for purposes of propane storage and distribution. Gervais noted that propane storage on its own, without a principal commercial building / business, was considered by staff to be an "Open Storage Yard" which was prohibited in the RVC District but allowed as a Conditional Use in the proposed CLI District. Gervais cautioned the Planning Commission against basing its recommendation on the stated intended use as the recommendation should instead be based on specific factors identified within Zoning Ordinance Section 8.08. Gervais further explained that, if the Rezoning was approved by the County Board, the County could not require that the property be developed by the applicant or for the specific use cited by the applicant. Instead, if Rezoned, the subject parcels could be developed by any current or future property owner(s) with any use allowed in the CLI District. Gervais urged the Planning Commission to consider the compatibility and impact of allowable CLI District uses on the surrounding area. Gervais commented that Zoning Ordinance Section 8.08 (Amendments and Rezonings) discussed compatibility of proposed Amendments and Rezonings with the Chisago County Comprehensive Plan and that this compatibility – or incompatibility – should be considered by the Planning Commission and County Board, adding that the Comprehensive Plan included a chapter specific to Land Use and Growth Management. Being that much of this chapter combined goals for commercial and industrial development together, it was difficult for staff to apply established goals and policies specific to and only to industrial development.

Gervais referenced the "Pyramid of Discretion", explaining that the County had the greatest amount of discretion when creating local laws and the least amount of discretion when administering those laws. In regard to the petitioned Rezoning, Gervais noted that the Planning Commission had the broadest discretion to consider how the request moved forward.

Gervais stated that staff had concerns with the proposed Rezoning, including that it could potentially constitute spot zoning, which was generally prohibited, and that the County must consider that any allowable CLI District use could be located on the two subject parcels and that these uses could have a significant impact on the remaining RVC District, which included two dwellings, and the surrounding AG District.

The Technical Review Committee met with Mark Grave of Federated Co-ops, Inc. on August 14, 2024. Staff

explained to Grave that the County's focus for the request was a change in zoning rather than the specific intended use of the property and the Committee also spoke about concerns with spot zoning. Following a conversation about septic system related issues, Grave indicated that Federated Co-ops, Inc. had no intention of building a structure on the subject site. The Shafer Town Board considered the proposed Rezoning at its August 1, 2024 meeting and recommended approval with the recommended condition that downcast security lighting be utilized. Staff noted that the current petition was for Rezoning and not for a specific use of the property; therefore, the recommended condition could not be incorporated into a resolution for the Rezoning.

Gervais concluded by expressing concerns related to spot zoning, the drastic decrease in size of any already small RVC District and the potential negative impacts / compatibility issues by allowing industrial uses adjacent to low-density residential uses. Gervais explained that staff had prepared draft Findings of Fact to support either approval or denial, for further review and development by the Planning Commission, and reviewed options available to the Commission.

Chair Wille invited the property owner and / or applicant to address the Planning Commission. Mark Grave, Director of Energy for Federated Co-ops, Inc., approached the Commission and added that Federated Co-ops, Inc. had been in Chisago County for over 70 years with more than 2,000 customers. Grave acknowledged that the request was for a zoning change and not for a specific intended use and suggested that the primary issue was the existing RVC District which only allowed retail development. Grave opined that the site likely would not develop with retail. Grave concluded by stating that Federated Co-ops, Inc. would like to stay in town and that they intended to clean-up the subject site, adding that the intended use was as close to retail as he could imagine without having a store front.

Chair Wille opened the public hearing and sought comment.

Trisha Schmidt of 18309 350th Street, Shafer Township explained that she grew up in Palmdale (site of proposed Rezoning) and provided the Planning Commission with historical detail about the entire subject RVC District. Schmidt stated that she and her sister, who both owned dwellings within the RVC District, supported the two subject parcels being developed for commercial use. Schmidt acknowledged that development of the two parcels may generate impacts such as noise, but that it would be good to see the properties developed and used again. Schmidt shared that she was unaware of the RVC District classification for her property and the surrounding parcels, adding that her father, former owner of CJ's Bar & Grill, was also unaware of the zoning classification. Schmidt concluded by offering support for Federated Co-ops, Inc.'s intended use and the petition for Rezoning.

With no additional members of the audience wishing to speak, **motion** by Sutcliffe to close the public hearing; second by Leivian. The **motion passed** 6-0.

DuBose questioned if there was a need to Rezone the parcels as Chisago County Zoning Ordinance Section 5.11 (Rural Village Center District), B. allowed Essential Services as a Permitted Use in accordance with Section 4.05, and Section 4.05 (Essential Services), C. stated that bulk gas or fuel facilities were allowed as Conditional Uses in all zoning districts. DuBose stated that he didn't believe a Rezoning was needed and that the proposed use only required a Conditional Use Permit within the existing RVC District. While waiting for staff to locate and review the Zoning Ordinance references, Yeager questioned the wisdom of the proposed Rezoning, commenting that he believed it to be spot zoning. DuBose noted that there was already an existing Federated Co-ops, Inc. tank located in Almelund in an RVC District, suggesting that Federated was already providing essential services within an RVC District. DuBose again suggested that a Conditional Use Permit was appropriate for the proposed use on the subject site. Gervais stated, through discussion with Director Schneider, that the existing propane tank was considered to be accessory to a Permitted Use within the RVC District and was therefore allowed,

adding that, on its own, it would not be allowed in the RVC District.

Audience member Becky Strand addressed the Planning Commission, indicating that she was Chair of the Chisago County Board of Adjustment & Appeals and a resident of Shafer Township for several years. Strand clarified that the existing propane tank located in Almelund was located within the CLI District and not the RVC District. *Clerk's note: The Almelund property in question was PID 01.00322.00.*

After having reviewed the adopted Zoning Ordinance and the draft Zoning Ordinance, Gervais confirmed that both showed that bulk gas or fuel facilities were allowed as a Conditional Use in all zoning districts. DuBose reiterated his belief that the proposed Rezoning was unnecessary and that the proposed use only required issuance of a Conditional Use Permit. Whitney commented that he didn't support the Rezoning.

Whitney asked Gervais if the draft Zoning Ordinance listed dwellings as a Permitted Use within the RVC District. Gervais responded in the affirmative. Whitney asked, for clarification, if this was a change from the adopted Zoning Ordinance. Gervais again responded in the affirmative. Whitney then asked if duplexes were proposed to be allowed within the RVC District. Gervais responded that she believed duplexes were recommended to be added as an allowable use within the RVC District but couldn't recall if they were recommended as a Permitted Use or as a Conditional Use.

Chair Wille noted that some Commissioners had offered support for leaving the two subject parcels zoned RVC District and she sought additional comment from the Planning Commission. DuBose commented that he wanted to support the project but didn't believe it was necessary to spot zone or split the already small RVC District, again explaining that there may be another way to locate the proposed use on the subject site. Yeager concurred with DuBose's statement, adding that he was opposed to the Rezoning but not opposed to the proposed use.

Whitney questioned how to proceed with a Planning Commission determination that the proposed Rezoning was unnecessary and that the proposed use could instead be allowed with issuance of a Conditional Use Permit. DuBose commented that, in his opinion, the determination would be made by the County Board as the Planning Commission only made recommendations. Yeager suggested that Whitney was perhaps asking if the Planning Commission had the ability to make a recommendation that the proposed Rezoning was unnecessary and that the proposed use could instead be allowed with issuance of a Conditional Use Permit. Whitney confirmed that Yeager's understanding was correct. Director Schneider addressed the Planning Commission, stating that there was merit to Commissioner DuBose's interpretation of Zoning Ordinance Section 4.05 (Essential Services) which differed from Section 5.11 (Rural Village Center District). Schneider continued by stating that, as Zoning Administrator, he was responsible for interpreting the Zoning Ordinance for the public and the Planning Commission and, with some reservation, he believed that Zoning Ordinance Section 4.05 would allow the proposed use to be processed as a Conditional Use Permit on the RVC zoned subject site. Schneider added that he would like time outside of the Planning Commission meeting to further review the Zoning Ordinance and make a determination.

Motion by DuBose to table the request to the Planning Commission's October 3, 2024 meeting, pending staff review and County Board determination for the proper course of action; second by Yeager. Whitney stated that he didn't believe the request should be tabled and that, instead, the Planning Commission should make a recommendation and send it to the County Board for a final determination. Yeager stated that the Planning Commission would need to establish recommended conditions of approval for the Conditional Use Permit, if doing what Whitney had suggested, and he added that the Planning Commission didn't yet have the information necessary to make a recommendation. Whitney clarified that he wasn't suggesting making a recommendation on a Conditional Use Permit. Gervais further clarified that, because the property owner and

applicant had not specifically requested a Conditional Use Permit, the Planning Commission could not make a recommendation on a Conditional Use Permit. DuBose stated that, pending further interpretation by staff, discussion with the property owner / applicant and resolution by the County Board, he didn't believe it would be wise to "kill" the request and that tabling the request was the best course of action. Schneider informed the Planning Commission that it wasn't the County Board's role to interpret the Zoning Ordinance and make a determination; it was, instead, his responsibility. Schneider added that, if he determined that a Rezoning was not necessary and that the applicant could instead submit request for Conditional Use Permit, the property owner and applicant could simply withdraw their petition for Rezoning and proceed with the Conditional Use Permit request without County Board intervention or interpretation. Schneider further added that, if for some reason he was unable to determine that the applicant could proceed directly with a request for Conditional Use Permit, by tabling the request for Rezoning, this would allow the Planning Commission to further consider said request on October 3rd. Whitney withdrew his concern. The **motion passed** 6-0.

Planning Commissioner Leivian recused himself and sat in the audience for the Becky Meyer & William Lloyd request for Interim Use Permit Amendment as he was an adjacent landowner and had submitted written comments about the request to the Planning Commission.

Becky Meyer & William Lloyd – Property owners Becky Meyer & William Lloyd were requesting an Amendment to an Interim Use Permit granted in 2023 which allowed a Commercial Kennel on 37.05± acres in the Agricultural (AG) District. The proposed Amendment included, but was not limited to, relocation of a fenced enclosure for animals, different fencing material for the fenced enclosure than originally proposed, and allowance for animals to be boarded within the dwelling. The subject site was located at 12690 St. Croix Trail / TH 95 in Sunrise Township, S16, T35, R20 (PID 09.00168.00).

Coordinator Gervais provided a brief history of the existing IUP, explaining that it was granted by the County Board on July 19, 2023 and allowed for a Commercial Kennel for the boarding and day care of animals with 14 conditions. Gervais highlighted details of the subject site, including detail about property size, location, topography, zoning, and characteristics of the surrounding area. Gervais noted that the subject site was currently developed with a dwelling and multiple detached accessory structures and had large hard surfaced areas for parking.

Gervais stated that the permit holders were seeking approval of an IUP Amendment allowing a change to the location and size of the outdoor fenced enclosure, a change to the type of fencing material used for the outdoor fenced enclosure, allowance for the boarding of dogs within the dwelling, and for the commercial sales of pet boarding related products to customers. Additionally, because the permit holders were proposing a change to the location of the fenced enclosure, staff recommended that one condition specific to landscaping of the fenced enclosure be amended as well. Gervais reviewed details of the specific changes proposed by the permit holders, explaining that the area previously approved to be used as an outdoor fenced enclosure proved to be too wet for use and they believed the proposed location to be better suited for their needs and to provide greater distance from neighboring dwellings. Gervais noted that the approved area was 13,500 sf in size whereas the proposed area was up to 6,556 sf in area. In regard to fencing material, the permit holders were proposing to utilize 12-gauge coated welded wire rather than chain link. In regard to use of the dwelling for the boarding of dogs, the permit holders indicated that their boarding shed was not yet complete and they were seeking approval to house up to 10 dogs within the dwelling. Two rooms within the dwelling would be dedicated to dog kennels / boarding and one additional room would be dedicated as an indoor play area as needed for inclement weather. In regard to the commercial sales of pet boarding related items, the permit holders were proposing to sell items – such as pet food and treats, water, branded apparel, and pet care items – to kennel customers but not the general public. Lastly, because the permit holders were proposing a change of location for the outdoor fenced enclosure, Gervais suggested that the existing condition related to landscaping of the

fenced enclosure be Amended accordingly. Gervais provided images of the site, proposed outdoor fenced enclosure, and proposed indoor kennels for the Planning Commission's reference.

The Technical Review Committee met with property owners Becky Meyer & William Lloyd on August 14, 2024. The property owners reviewed details of the proposed Amendments, explaining that the proposed commercial sales would be available for kennel customers only and not the general public; that they hoped to complete renovation of the boarding shed by summer 2025; and, that they felt the proposed location of the fenced enclosure was an improvement in that it was farther from neighboring dwellings and at a lower elevation than the previously approved enclosure with mature trees nearby to better mitigate any potential noise related to the kennel. The Committee did not identify any immediate concerns. The Sunrise Town Board considered the request on August 15, 2024 and recommended approval with no comments or conditions. The State mandated review period was scheduled to expire on September 30, 2024.

Gervais concluded by offering a recommendation of approval with draft Findings of Fact and conditions and reviewed options available to the Planning Commission.

Chair Wille invited the applicants to address the Planning Commission. Property owners Becky Meyer & William Lloyd approached the Commission. Meyer reiterated that the previously approved site of the outdoor fenced enclosure was too wet and not well suited for the intended use. Meyer added that the proposed fencing material was safer for dogs than chain link and that they wished to sell supplies and logoed items to customers.

Yeager sought clarification on the proposed fencing material. Meyer explained that the proposed fencing material would be heavy duty coated wire installed in 8' sections, adding that chain link had edges that could be harmful to animals. Yeager questioned whether there were any conflicts with the Zoning Ordinance in regard to the proposed fencing material. Gervais responded that there were no known conflicts with the ordinance. DuBose asked the applicants if the proposed wire was what was installed at the property during the Planning Commission's September 4, 2024 site visit. Meyer responded in the affirmative.

Chair Wille asked the applicants for the dimensions of the rooms within the dwelling which were intended to be used for kennel purposes. Meyer stated that the indoor playroom was 18' x 40' in size and two rooms for kenneling were 12' x 12' or 12' x 14'. DuBose inquired about the sizes of the kennels. Meyer stated that the kennels would be 3' x 5' and 4' x 6'. DuBose also asked if the pictures of the kennels, provided with the application, were representative of the proposed kennels. Meyer responded in the affirmative, adding that they were already installed within the dwelling. DuBose also inquired about the flooring material in the kennel rooms. Meyer and Lloyd responded that it was water resistant vinyl planks with wax coating with linoleum underneath.

Chair Wille opened the public hearing and sought comment. With no members of the audience wishing to speak, **motion** by Yeager to close the public hearing; second by Whitney. The **motion passed** 5-0.

DuBose expressed concern with the strength of the proposed fencing material, speculating, based on his September 4, 2024 observations, that the wire within the coating was thin and had the potential to be chewed through. DuBose suggested a condition requiring that the fence be maintained in good condition and repaired as needed, ensuring the continued integrity of the fence. Lloyd responded by stating that the reason they were building the fence in smaller sections was to allow for individual fence panels to be repaired or replaced as needed.

Motion by Whitney to adopt Resolution No. PC2024-0903, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of an Amendment to an Interim Use Permit allowing a Commercial Kennel on property located at 12690 St. Croix Trail / TH 95 in Sunrise Township, with Findings of Fact and

conditions as presented and with the addition of a condition requiring that the 12-gauge coated welded wire fence be maintained in good repair; Second by Sutcliffe. Sutcliffe asked if the hours of operations would remain the same as originally approved. Gervais responded that the applicants had not proposed different hours of operation thus they would remain the same. The **motion passed** 5-0.

Conditions:

1. This Interim Use Permit (IUP) Amendment supersedes the IUP granted by the Chisago County Board of Commissioners on July 19, 2023 (original IUP) which granted approval for a Commercial Kennel on property located at 12690 St. Croix Trail in Sunrise Township (recorded as Document No. A669246). This Amendment provides modifications to certain aspects of the 2023 approval, including a change to the location and size of the outdoor fenced enclosure and a change to the type of fencing material used for the outdoor fenced enclosure, and allowance for the boarding of dogs within the dwelling and for the commercial sales of pet boarding related products to customers.
2. This Interim Use Permit for Commercial Kennel allows for the boarding and day care of no more than twenty (20) boarded dogs at any given time and no more than thirty (30) boarded animals at any given time, including but not limited to dogs, cats, rabbits and guinea pigs, as specifically described in the application materials dated received May 30, 2023 (original IUP) and July 31, 2024 (IUP Amendment) and kept on file with the Department of Environmental Services.
3. The Commercial Kennel shall be allowed to operate seven days a week with animal drop-off occurring between 7:00 am and 10:00 am and pick-up occurring between 4:00 pm and 7:00 pm, or by appointment only.
4. No commercial activity, apart from the boarding and day care of animals as described above and the sale of pet boarding related items such as pet food and treats, water, branded apparel and items, and pet care items to Commercial Kennel customers, shall be permitted. No sales of pet boarding related items shall be made to the general public. The Commercial Kennel shall not operate as a shelter or rescue facility, and animal breeding is prohibited.
5. All animals shall be housed indoors (boarding shed or dwelling), apart from brief periods of time for waste elimination and outdoor activity in which the animals will be confined to a fenced enclosure or leashed and handled by the permit holder, employee or animal owner. In addition to other animals as described in condition no. 2 above, no more than 10 dogs shall be boarded within the dwelling at any given time. Use of the boarding shed for Commercial Kennel purposes shall not preclude the boarding of dogs within the dwelling.
6. All animal waste shall be collected daily and disposed of in a legal and appropriate manner on the property so as to avoid undue odor or other negative impacts.
7. The permit holder shall control the barking of dogs to the best of their ability while outdoors to avoid undue negative impact to nearby properties. At no time shall any dog barking activity exceed twenty (20) continuous minutes with less than thirty (30) seconds between each dog bark. Any more than twenty (20) minutes of continuous barking shall be silenced immediately by the permit holder or employee. Further, the permit holder or employee shall accompany and provide direct supervision of any animal(s) while outdoors.

Outdoor activity in the fenced enclosure is limited to no more than 10 dogs at a time in outdoor pen. If more than 10 dogs on site, limited to 50% plus 1 in outdoor pen at a time.
8. Any time an animal is on site for boarding or day care, the permit holder or employee must be present.
9. To mitigate potential adverse impacts related to noise, the permit holder shall implement the following noise mitigation measures:

- a. All portions of the boarding shed which house dogs shall be fully insulated with ROCKWOOL Safe 'n' Sound, or equivalent, soundproofing insulation.
 - b. The permit holder shall not cause any existing landscaping (trees) located between the boarding shed or outdoor play area and the north, east and southeast property boundaries to be removed.
 - c. The permit holder shall plant a mix of viburnum, spruce and deciduous trees adjacent to the south east side of the outdoor play area fenced enclosure as described in the May 30, 2023 application materials. The plantings shall be installed by June 1, 2024 prior to the Commercial Kennel opening for business.
 - d. The required fence shall be installed prior to any boarding of animals. The 12-gauge coated welded wire fence shall be maintained in good repair.
 - e. The permit holder shall implement "quiet hours" in which no animals are allowed outdoors before 7:00 am or after 8:00 pm, aside from brief periods of time for waste elimination.
 - f. The boarding shed shall be both heated and cooled.
10. The permit holder may employ up to two additional employees to be present at any given time.
 11. The permit holder shall comply with all relevant Minnesota Statutes and Rules regarding animal welfare and humane standards.
 12. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Interim Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.
 13. This Interim Use Permit shall expire at such time that the property is no longer owned and occupied by Becky Meyer and/or William (Bill) Lloyd.
 14. Any expansion of the use, including footprint of the boarding shed and/or outdoor play area or the number of animals, shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of an Interim Use Permit Amendment.
 15. Violations of the conditions contained herein shall be cause for the revocation of the Interim Use Permit upon action of the County Board.

Chair Wille invited Commissioner Leivian to rejoin the Planning Commission.

Public Hearings – Continued Hearings

None

Old Business

Zoning Ordinance, Subdivision Ordinance, and Shoreland Management Ordinance Discussion – Gervais informed the Planning Commission that that this item had been added to the agenda to provide an opportunity for the Planning Commission to discuss the draft Zoning, Subdivision, and Shoreland Management Ordinances, if desired. DuBose asked Witney if he was able to send staff the editorial changes they had discussed at the August 1, 2024 meeting. Whitney responded in the affirmative.

Director Schneider informed the Planning Commission that copies of the preliminary versions of the final draft ordinances were provided to the County Board for early review at its September 4, 2024 meeting. Schneider added that staff would be reviewing the draft ordinances and making any necessary editorial changes prior to County Board adoption, including the discrepancy discovered earlier in the meeting related to Essential Services being identified as both a Permitted Use and a Conditional Use within the RVC District. Schneider

explained that the Department of Environmental Services had just received nine land use applications for the next meeting cycles as a means of explaining that staff time was limited.

DuBose asked if the consultant had found any contradicting language within the draft ordinances during the final review which may necessitate a special work session of the Planning Commission. Schneider responded that the Planning Commission could hold a work session; however, staff intended to proceed with minor editorial changes and only call out significant contradictions or policy changes, if any, for County Board consideration and direction. Sutcliffe inquired if the consultant identified any contradictions. Schneider responded that nothing, to his knowledge, had been noted as a contradiction. Whitney commented that the issue came down to taking an actual application and attempting to apply the new ordinances to it and determining if staff was interpreting the new ordinances in the way that the Planning Commission had intended. Whitney also noted that he would like to review the new ordinances more than once a year for at least for the first year.

Chair Wille reviewed the August 1, 2024 meeting minutes and noted that the Planning Commission had reached consensus that the new ordinances would be reviewed on an annual basis. Wille commented that the Planning Commission worked closely with staff and believed that staff would let the Commission know if there were any significant issues with the ordinances. Wille sought feedback from fellow Commissioners. Yeager recalled that the Planning Commission had suggested, at its August 1st meeting, an annual review to take place during slower months, such as January. DuBose concurred with Yeager's recollection. Whitney noted that the County Board would likely be considering other ordinance topics in the near future, such as wedding venues and cannabis. Chair Wille stated that the Planning Commission would proceed as-is until any issues came up.

New Business

Request for Extension for Final Plat of Autumn Woods Cottages – Coordinator Gervais informed the Planning Commission that property owner / subdivider Carol Hauglie had submitted a written request for a one-year extension for the Final Plat of Autumn Woods Cottages, a subdivision located at the northwest corner of Rush Lake Trail and Belle Isle Drive in Nessel Township (PID 06.00235.20).

Gervais explained that Hauglie requested and was granted Preliminary Plat approval in November 2023 and that, per the Chisago County Subdivision Ordinance, the request for Final Plat was required to be submitted within one year of Preliminary Plat approval unless an extension of time was requested by the subdivider and granted by the County Board upon recommendation of the Planning Commission. Gervais reviewed details of the approved Preliminary Plat noting that there were six proposed lots, ranging in size from 2.3 acres to 8.11 acres, from the 28.20± acre tract of land. Gervais stated that Hauglie had submitted a written request for extension on August 14, 2024 and that, if the extension was granted, it would require that the request for Final Plat be submitted by November 15, 2025.

Gervais concluded by offering a recommendation of approval with conditions and reviewed options available to the Planning Commission.

DuBose asked if the draft Subdivision Ordinance, if adopted, would affect the plat. Gervais responded that she didn't believe there would be any impacts.

Motion by Sutcliffe to adopt Resolution No. PC2024-0904, a resolution of the Planning Commission of Chisago County, Minnesota, recommending approval of a request for a one-year extension for submission of the final plat of Autumn Woods Cottages, as presented; second by DuBose. The **motion passed** 6-0.

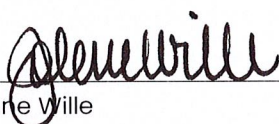
Communications and Reports

County Board Liaison Reports – County Commissioner Greene reported that the County Board received the draft Ordinances during its September 4, 2024 meeting and asked Director Schneider if the drafts included all of the recommended changes. Schneider responded by explaining that the County Board received a clean copy of all three ordinances with no tracked changes. Schneider further explained that the consultant completed all of the formatting and that the documents should be at 95% completion. Schneider stated that staff had just received the documents that same week and wanted to provide the County Board with early copies. In the meantime, staff would review the draft documents and, hopefully, present final draft documents to the County Board for consideration in October. Commissioner Greene expressed concern with the Rural Village Center (RVC) Districts and asked if the draft ordinance would allow them to grow into cities. Schneider stated that any property owner adjacent to the RVC District could petition the County for their property to be Rezoned to RVC District thus growing the RVC District. Commissioner Greene suggested that the RVC District should allow residential, commercial, and light industrial uses. Schneider responded by explaining that the draft ordinance allowed for residential use as a Permitted Use within the RVC District. Commissioner Greene asked if light industrial uses would be allowed within the RVC District. Schneider responded that industrial uses were intended to be located within the Commercial / Limited Industrial (CLI) District. Commissioner Greene reiterated that he would like to see Rural Village Centers grow into cities. Commissioner Greene asked Schneider what he wanted the County Board to do in regard to wedding venues, as it related to adoption of the new Zoning Ordinance. Director Schneider encouraged the County Board to adopt the new Zoning Ordinance and then, if there were further Amendments related to such things as wedding venues or cannabis, the County Board could consider those Amendments separately. Schneider stated that the new ordinances weren't going to be perfect and that they were living documents and periodic review was vital. Commissioner Greene expressed concern about wedding venues and questioned how the County would respond if an application was received prior to considering an Ordinance Amendment. Schneider stated that, if another request for wedding venue was submitted, the County would process it with the current ordinance. Commissioner Greene introduced the idea of a moratorium on wedding venues. Schneider again recommended adoption of the new Zoning Ordinance and addressing other topics, such as wedding venues, at a later time. Commissioner Greene shared that the County Board had been working on the 2025 budget.

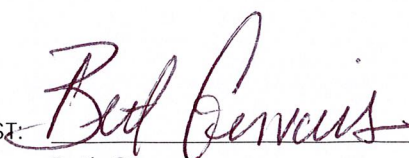
Commissioner Dahlberg shared that the County Board had effectively spent all ARPA money and that 2025 health insurance premiums were down from initial projections which would help with budgeting.

Miscellaneous – Motion by Yeager to cancel the special work session scheduled for September 19, 2024; second by Dubose. The **motion passed** 6-0.

Adjourn Meeting – Motion by DuBose to adjourn the meeting; second by Sutcliffe. The **motion passed** 6-0. The meeting adjourned at 8:18 PM.



Jolene Wille
Chair

ATTEST: 

Beth Gervais
Land Services Coordinator

RESOLUTION NO. PC2024-0901
A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,
RECOMMENDING APPROVAL OF THE PRELIMINARY PLAT OF WINBERG ADDITION

WHEREAS, property owner Joseph Winberg submitted an application dated received July 18, 2024 and considered complete on July 25, 2024 for the Preliminary Plat of Winberg Addition; and

WHEREAS, the property owner wishes to create two 5-acre lots from the combined 80± acre subject site; and

WHEREAS, the subject site includes two separate parcels, with one located at 11290 Wilcox Road and the other generally located north and northwest of 11290 Wilcox Road in Sunrise Township and is zoned Agricultural (AG) District; and

WHEREAS, the subject site is legally described as:

PIDs 09.00189.00 and 09.00078.00

The North half of the Northeast Quarter of the Northeast Quarter and the North half of the Northwest Quarter of the Northeast Quarter of Section 18, Township 35, Range 20, Chisago County, Minnesota.

EXCEPT Parcel 11A described as follows: That part of Parcel 11A Chisago County Highway Right-Of-Way Plat No. 32, Lying northerly of the south line of the North Half of the Northeast Quarter of the Northeast Quarter of Section 18, Township 35, Range 20, Chisago County, Minnesota.

AND

The South 2 rods of the Southeast Quarter of the Southeast Quarter of Section 7, Township 35, Range 20, Chisago County, Minnesota.

AND

The Southeast Quarter of the Southwest Quarter of Section 7, Township 35, Range 20, Chisago County, Minnesota.

WHEREAS, notice was provided and on September 5, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner, and invited members of the public to comment; and

WHEREAS, the Planning Commission found that the Preliminary Plat of Winberg Addition was consistent with the intent of the County's Zoning and Subdivision Ordinances.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, that the request for Preliminary Plat is hereby recommended for approval, subject to the following conditions:

1. The Preliminary Plat of Winberg Addition is approved per plat drawing dated signed July 16, 2024. Any significant deviation from the approved plat drawing, except as noted herein and as determined by the Department of Environmental Services, shall require further review by the Planning Commission and approval by the County Board.
2. The property owner shall obtain all necessary and applicable permits from Federal, State, and County jurisdictions for any wetland impacts prior to commencement of development.
3. Request for Final Plat shall be submitted within one year of Preliminary Plat approval unless an extension of time is requested by the property owner and/or applicant and granted by the County Board upon recommendation of the Planning Commission.
4. Following completion of the Final Plat process, the property owner shall submit complete applications for Lot Reconfiguration and Tie Together in order to split the westerly 569.5'± of the easternmost portion of PID 09.00078.00 (that portion which has frontage on Lowden Avenue) and combine it with the 29±-acre remainder / exception area of PID 09.00189.00.

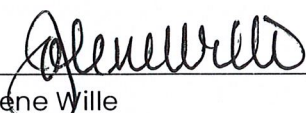
Adopted by the Planning Commission of Chisago County, Minnesota,
this 5th day of September, 2024.

Chris DuBose
Eric Leivian
Jim McCarthy
John Sutcliffe

Aye
Aye
ABSENT
Aye

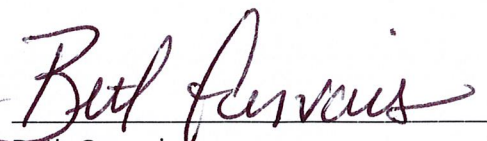
Dave Whitney
Jolene Wille
Chip Yeager

Aye
Aye
Aye



Jolene Wille
Chair

ATTEST:



Beth Gervais
Land Services Coordinator

RESOLUTION NO. PC2024-0903
A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,
RECOMMENDING APPROVAL OF AN AMENDMENT TO AN INTERIM USE PERMIT
ALLOWING A COMMERCIAL KENNEL ON PROPERTY LOCATED AT
12690 ST. CROIX TRAIL / TH 95 IN SUNRISE TOWNSHIP

WHEREAS, property owners Becky Meyer & William Lloyd submitted an application dated received July 31, 2024 and considered complete on August 1, 2024 for an Amendment to an Interim Use Permit allowing a Commercial Kennel on property located at 12690 St. Croix Trail / TH 95 in Sunrise Township; and

WHEREAS, the original Interim Use Permit was granted by the Chisago County Board of Commissioners on July 19, 2023 and the approval was filed by the Chisago County Recorder's Office as Document #A669246; and

WHEREAS, the property owners wish to Amend the 2023 Interim Use Permit in order to change to the location and size of the outdoor fenced enclosure, change the type of fencing material used for the outdoor fenced enclosure, allow for the boarding of dogs within the dwelling, and allow for the commercial sales of pet boarding related products; and

WHEREAS, the 37.05± acre subject site is located in the Agricultural (AG) District and legally described as:

PID 09.00168.00

The Southeast Quarter of the Southwest Quarter of Section 16, Township 35, Range 20, Chisago County, Minnesota EXCEPT that part described as follows:

Beginning at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 49 minutes 51 seconds East, assumed bearing along the East line of said Southeast Quarter of the Southwest Quarter, a distance of 600.42 feet; thence North 89 degrees 50 minutes 58 seconds West, a distance of 146.00 feet; thence South 00 degrees 49 minutes 51 seconds West, a distance of 179.33 feet; thence South 42 degrees 31 minutes 00 seconds West, a distance of 231.55 feet; thence South 00 degrees 49 minutes 51 seconds West, a distance of 250.00 feet to the South line of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 50 minutes 58 seconds East, along said South line, a distance of 300.00 feet to the Point of Beginning.

WHEREAS, notice was provided and on September 5, 2024 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner(s), and invited members of the public to comment; and

WHEREAS, the Planning Commission considered several factors for granting Interim Use Permits and made the following findings per Zoning Ordinance Section 8.04-1, C.:

- | | |
|------------|---|
| Factor #1 | The [proposed action is consistent with the] Comprehensive Plan and development policies of the County; |
| Finding #1 | <i>The Chisago County Comprehensive Plan does not specifically address the proposed use; however, it does identify as an economic development goal that</i> |

"The County should continue to allow agricultural activities and related agricultural businesses in the Agricultural zoning district." The Chisago County Zoning Ordinance provides a number of varied land uses allowable in the Agricultural (AG) District, including the establishment of animal-keeping facilities such as farms with livestock and poultry, and commercial and residential kennels. Therefore, the County finds that the proposed use is consistent with the County's development policies.

Factor #2 The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area;

Finding #2 *The previously approved 2023 Interim Use Permit for Commercial Kennel and the proposed Interim Use Permit Amendment will have no associated use of parks, schools, or other public facilities or utilities, and will not create any appreciable demand on St. Croix Trail / TH 95; therefore, the County finds that the proposed use will not create any increase or demand on these facilities or utilities.*

Factor #3 The proposed use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development does not suffer undue negative impact and there will be no significant deterrence to future development;

Finding #3 *The proposed use – including boarding shed and outdoor play area – is located no closer than approximately 390' from any property boundary and there is well-established landscaping between the boarding shed and outdoor play area and the north, east, and southeast property boundaries (closest property boundaries). The County finds that distance, existing landscaping, required additional landscaping, installation of soundproofing insulation in the boarding shed, and implementation of quiet hours will mitigate potential negative impacts, such as noise, so as to neither cause undue negative impact nor deter future development.*

Factor #4 The proposed use and site will have an appearance that will not have an adverse effect upon adjacent properties;

Finding #4 *The proposed Commercial Kennel will utilize an existing 36' x 80' detached accessory structure for boarding shed purposes and an outdoor fenced enclosure / play area with a combined area of 6,556± sf. After reviewing the application materials and the Planning Commission having conducted a site visit on September 4, 2024, the County finds no evidence to suggest that the proposed use will have an appearance that will have an adverse effect upon adjacent properties. Further, the County finds that the appearance of the boarding shed and outdoor play area will have an appearance consistent with similar uses in the Agricultural (AG) District.*

Factor #5 The proposed use, in the opinion of the County, is reasonably related to the overall land use goals of the County and to the existing land use;

- Finding #5 The Chisago County Zoning Ordinance specifically allows Commercial Kennels as an Interim Use in the Agricultural (AG) District; therefore, the County finds that the proposed use is in compliance with land use goals and regulations established by the County's official land use controls.*
- Factor #6 The proposed use is consistent with the purposes of the Zoning Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use;*
- Finding #6 See Finding #5.*
- Factor #7 The proposed use will not cause traffic hazard or congestion; and*
- Finding #7 Because the previously approved Commercial Kennel / proposed use is located on a property immediately adjacent to a well-established, well-maintained, and highly traveled State Highway (TH 95) with an unobstructed line of site from the end of the driveway to the west and east, the County finds that the proposed use will not cause an appreciable increase in traffic levels or traffic hazards / congestion.*
- Factor #8 The proposed use will not adversely impact existing nearby properties by intrusion of noise, glare or general unsightliness.*
- Finding #8 While there is no indication that the proposed use will adversely impact nearby properties in terms of glare or general unsightliness, the County received public comment during the original 2023 Interim Use Permit process from at least one adjacent property owner expressing concerns about potential noise pollution. The County found in 2023, and continues to find, that noise resulting from the Commercial Kennel can be mitigated with distance, maintenance of existing landscaping, installation of additional landscaping, installation of soundproofing insulation in the boarding shed, and implementation of quiet hours. If these measures are implemented, the County finds that the proposed use will not adversely impact nearby properties by intrusion of noise, glare or general unsightliness.*

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of Chisago County, Minnesota hereby recommends approval of the request for Interim Use Permit Amendment, subject to the following conditions:

1. This Interim Use Permit (IUP) Amendment supersedes the IUP granted by the Chisago County Board of Commissioners on July 19, 2023 (original IUP) which granted approval for a Commercial Kennel on property located at 12690 St. Croix Trail in Sunrise Township (recorded as Document No. A669246). This Amendment provides modifications to certain aspects of the 2023 approval, including a change to the location and size of the outdoor fenced enclosure and a change to the type of fencing material used for the outdoor fenced enclosure, and allowance for the boarding of dogs within the dwelling and for the commercial sales of pet boarding related products to customers.

2. This Interim Use Permit for Commercial Kennel allows for the boarding and day care of no more than twenty (20) boarded dogs at any given time and no more than thirty (30) boarded animals at any given time, including but not limited to dogs, cats, rabbits and guinea pigs, as specifically described in the application materials dated received May 30, 2023 (original IUP) and July 31, 2024 (IUP Amendment) and kept on file with the Department of Environmental Services.
3. The Commercial Kennel shall be allowed to operate seven days a week with animal drop-off occurring between 7:00 am and 10:00 am and pick-up occurring between 4:00 pm and 7:00 pm, or by appointment only.
4. No commercial activity, apart from the boarding and day care of animals as described above and the sale of pet boarding related items such as pet food and treats, water, branded apparel and items, and pet care items to Commercial Kennel customers, shall be permitted. No sales of pet boarding related items shall be made to the general public. The Commercial Kennel shall not operate as a shelter or rescue facility, and animal breeding is prohibited.
5. All animals shall be housed indoors (boarding shed or dwelling), apart from brief periods of time for waste elimination and outdoor activity in which the animals will be confined to a fenced enclosure or leashed and handled by the permit holder, employee or animal owner. In addition to other animals as described in condition no. 2 above, no more than 10 dogs shall be boarded within the dwelling at any given time. Use of the boarding shed for Commercial Kennel purposes shall not preclude the boarding of dogs within the dwelling.
6. All animal waste shall be collected daily and disposed of in a legal and appropriate manner on the property so as to avoid undue odor or other negative impacts.
7. The permit holder shall control the barking of dogs to the best of their ability while outdoors to avoid undue negative impact to nearby properties. At no time shall any dog barking activity exceed twenty (20) continuous minutes with less than thirty (30) seconds between each dog bark. Any more than twenty (20) minutes of continuous barking shall be silenced immediately by the permit holder or employee. Further, the permit holder or employee shall accompany and provide direct supervision of any animal(s) while outdoors.

Outdoor activity in the fenced enclosure is limited to no more than 10 dogs at a time in outdoor pen. If more than 10 dogs on site, limited to 50% plus 1 in outdoor pen at a time.
8. Any time an animal is on site for boarding or day care, the permit holder or employee must be present.
9. To mitigate potential adverse impacts related to noise, the permit holder shall implement the following noise mitigation measures:
 - a. All portions of the boarding shed which house dogs shall be fully insulated with ROCKWOOL Safe 'n' Sound, or equivalent, soundproofing insulation.
 - b. The permit holder shall not cause any existing landscaping (trees) located between the boarding shed or outdoor play area and the north, east and southeast property boundaries to be removed.

- c. The permit holder shall plant a mix of viburnum, spruce and deciduous trees adjacent to the south east side of the outdoor play area fenced enclosure ~~as described in the May 30, 2023 application materials~~. The plantings shall be installed ~~by June 1, 2024 prior to the Commercial Kennel opening for business~~.
 - d. The required fence shall be installed prior to any boarding of animals. The 12-gauge coated welded wire fence shall be maintained in good repair.
 - e. The permit holder shall implement "quiet hours" in which no animals are allowed outdoors before 7:00 am or after 8:00 pm, aside from brief periods of time for waste elimination.
 - f. The boarding shed shall be both heated and cooled.
10. The permit holder may employ up to two additional employees to be present at any given time.
11. The permit holder shall comply with all relevant Minnesota Statutes and Rules regarding animal welfare and humane standards.
12. Annual certification of the Interim Use Permit is required. The permit holder shall notify the County annually that the activity permitted by the Interim Use Permit is ongoing and the activities being conducted continue to adhere to the conditions of approval. Failure to maintain certification may be a basis to revoke the Interim Use Permit. The property shall be made open and available for regular inspection at any time during reasonable hours by the Chisago County Department of Environmental Services and/or any duly authorized law enforcement agency.
13. This Interim Use Permit shall expire at such time that the property is no longer owned and occupied by Becky Meyer and/or William (Bill) Lloyd.
14. Any expansion of the use, including footprint of the boarding shed and/or outdoor play area or the number of animals, shall only be allowed upon further review by the Planning Commission and approval by the Board of Commissioners by way of an Interim Use Permit Amendment.
15. Violations of the conditions contained herein shall be cause for the revocation of the Interim Use Permit upon action of the County Board.

Adopted by the Planning Commission of Chisago County, Minnesota,
this 5th day of September, 2024.

Chris DuBose

Eric Leivian

Jim McCarthy

John Sutcliffe

Aye
RECUSED
ABSENT
Aye

Dave Whitney

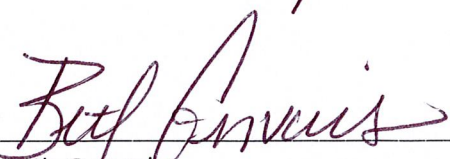
Jolene Wille

Chip Yeager

Aye
Aye
Aye



Jolene Wille
Chair

ATTEST: 

Beth Gervais
Land Services Coordinator

RESOLUTION NO. PC2024-0904
A RESOLUTION OF THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA,
RECOMMENDING APPROVAL OF A REQUEST FOR A ONE-YEAR EXTENSION FOR SUBMISSION OF
THE FINAL PLAT OF AUTUMN WOODS COTTAGES

WHEREAS, property owner Carol Hauglie submitted an application dated received September 27, 2023 and considered complete on October 3, 2023 for the Preliminary Plat of Autumn Woods Cottages; and

WHEREAS, the property owner desires to create six buildable parcels from the 28.20± acre subject site; and

WHEREAS, the subject site is generally located at the northwest corner of Rush Lake Trail / CSAH 1 and Belle Isle Drive in Nessel Township and is zoned Rural Residential II (RRII) District; and

WHEREAS, the subject site is legally described as:

PID 06.00235.20

That part of the Southwest Quarter of the Northeast Quarter, Section 11, Township 37, Range 22, Chisago County, Minnesota lying West of the centerline of Chisago County Road No. 1 as laid out and traveled August 14, 2003.

WHEREAS, notice was provided and on November 2, 2023 the Planning Commission conducted a public hearing regarding this application, at which it heard from the Land Services Coordinator, the property owner, and invited members of the public to comment; and

WHEREAS, the Planning Commission recommended approval of the Preliminary Plat of Autumn Woods Cottages with conditions per Resolution No. PC2023-1102; and

WHEREAS, the Board of Commissioners considered the request for Preliminary Plat of Autumn Woods Cottages and the Planning Commission's recommendation at its November 15, 2023 meeting and determined the plat to be consistent with the intent of the County's Zoning and Subdivision Ordinances; and

WHEREAS, the Board of Commissioners approved the Preliminary Plat of Autumn Woods Cottages with conditions per Resolution No. 23/1115-4; and

WHEREAS, the Chisago County Subdivision Ordinance and Resolution No. 23/1115-4 require that the subdivider submit request for Final Plat of Autumn Woods Cottages within one year of Preliminary Plat approval unless an extension of time is requested by the subdivider and granted by the County Board upon recommendation of the Planning Commission; and

WHEREAS, property owner / subdivider Carol Hauglie submitted a written request dated August 14, 2024 for a one-year extension for submission of the Final Plat of Autumn Woods Cottages; and

WHEREAS, the Planning Commission considered the request for extension at its September 5, 2024 meeting.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF CHISAGO COUNTY, MINNESOTA, that the request for extension is hereby recommended for approval, subject to the following conditions:

1. The subdivider's request for a one-year extension for the submission of the Final Plat of Autumn Woods Cottages is approved, requiring that the request for Final Plat be submitted by November 15, 2025 rather than November 15, 2024.
2. The Final Plat shall be subject to all previously adopted conditions provided in Resolution No. 23/1115-4, with the exception of condition no. 4.

Adopted by the Planning Commission of Chisago County, Minnesota,
this 5th day of September, 2024.

Chris DuBose
Eric Leivian
Jim McCarthy
John Sutcliffe

AYE
AYE
ABSENT
AYE

Dave Whitney
Jolene Wille
Chip Yeager

AYE
AYE
AYE

Jolene Wille
Jolene Wille
Chair

ATTEST: Beth Gervais
Beth Gervais
Land Services Coordinator