

**MINUTES OF A PUBLIC HEARING CONDUCTED BY THE ST. LOUIS COUNTY PLANNING COMMISSION HELD THURSDAY, JUNE 13, 2019, ST. LOUIS COUNTY PUBLIC WORKS, LOWER-LEVEL TRAINING ROOM, VIRGINIA, MN.**

9:00 A.M. – 10:17 A.M.

Planning Commission members in attendance:      David Anderson  
Steve Filipovich  
Daniel Manick  
Commissioner Keith Nelson  
Sonya Pineo, Chair  
Dave Pollock  
Roger Skraba  
Ray Svatos  
Diana Werschay

Planning Commission members absent:      None

**Decision/Minutes for the following public hearing matters are attached:**

**NEW BUSINESS:**

- A. Vermilion Dam Lodge (Ed Tausk) – a conditional use permit for a resort expansion as a Planned Development-Class II.
- B. Michael J. Koskovich – a conditional use permit for a General Purpose Borrow Pit as an Extractive Use-Class II and a waiver from St. Louis County Zoning Ordinance 62, Article VI, Section 6.22, G.9.b. to allow the haul road to be located within the 50 foot no disturbance setback from the north property line.
- C. Mark Shermer – a conditional use permit for a mini-storage business as a Commercial, Retail and Service Establishment-Class II.

**OTHER BUSINESS:**

**Motion by Skraba/Manick** to approve the minutes of the May 9, 2019 meeting.

**In Favor:** Anderson, Filipovich, Manick, Pollock, Skraba, Svatos, Werschay - 7

**Opposed:** None – 0

**Abstained:** Nelson, Pineo - 2

**Motion carried 7-0-2**

*Jenny Bourbonais*, Acting Secretary, handed out a letter from Canosia Township regarding hazardous buildings and asking the Planning Commission to consider adding regulations to the Zoning Ordinance. The Zoning Ordinance currently does not address blight. Commissioner *Nelson* stated that there is a blight program in place and funding is available for all property owners. The funding is available through the blight fund which is available to landowners both within and outside of communities. It was advised for Canosia Township to contact their commissioners in order to discuss the blight program.

*Jenny Bourbonais*, Acting Secretary, handed out the court opinion for the Chase and Chelsey Meadows appeal. She advised the Planning Commission that this case will be returning to the Planning Commission in order to consider all haul road options.

*Jenny Bourbonais*, Acting Secretary, stated the Burris borrow pit that was approved on June 26, 2019, will be entering the revocation process. There have been a number of issues regarding this pit and it had recently been considered by the Planning Commission to allow crushing for a road project.

*Jenny Bourbonais*, Acting Secretary, gave an update on the Vacation Home Rentals timeline. This business meeting was to discuss public outreach on draft standards. Open house informational meetings to solicit public opinions will be held in June/July 2019, one in the Duluth area and one in the Virginia area. In August there will be a PC workshop and an opportunity to set the public hearing date. A public hearing for the standards may be heard in September 2019 and could be adopted into the Zoning Ordinance as early as January 2020.

## **NEW BUSINESS:**

### **Vermilion Dam Lodge (Ed Tausk)**

The first hearing item is for Vermilion Dam Lodge (Ed Tausk), a conditional use permit for a resort expansion as a Planned Development-Class II, located in S11, T63N, R17W (Unorganized).

*Jared Ecklund*, St. Louis County Planner, reviewed the staff report as follows:

- A. The request is for a resort expansion. The resort is currently a Planned Development-Class II use.
- B. There are two new cabins proposed. The cabins will be 1,170 square feet each in size.
- C. The resort currently consists of 21 cabins, a larger lodge and several other accessory structures.
- D. The two new cabins are proposed on an adjacent parcel to the resort property that was recently acquired by the resort. The parcel contained an old dwelling that was recently removed.
- E. The resort received a conditional use permit for a five-year resort expansion plan in 2008. This expansion goes beyond what was included in the plan and is located on an adjoining parcel.
- F. The resort is located in a lakeshore commercial overlay district.

*Jared Ecklund* reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
  1. This property falls within the Forest and Agriculture (FA) land use category of the Comprehensive Land Use Plan.
    - a. The FA land use category is typically not intended for future rural or urban development; however, this is an established resort that has been in operation on the property for many years.
    - b. This property falls in the FA category because it is a remote area on Lake Vermilion and the majority of the parcels in the area are fairly large in size.

2. The Comprehensive Land Use Plan recognizes that the lodging industry is foundational to county tourism and recreation and that the quality of lodging can influence tourists' decisions to visit the county.
3. The property falls within the Shoreland Multiple Use (SMU) zone district with a Lakeshore Commercial Overlay (LCO). A Planned Development Use-Class II is an allowed use in both the SMU and LCO districts with a Conditional Use Permit.
4. A conditional use permit was granted for the resort's five year plan in 2003. The five-year expansion plan has been completed and the proposed expansion goes beyond that plan.
  - a. The applicant has acquired additional property adjacent to the resort and plans the expansion on the new property.
5. The additional two cabins that are proposed are within the density allowance on the property.

B. Neighborhood Compatibility:

1. There are a few residential parcels in this area but the development density is low.
2. There is a good amount of state land and federal national forest in this area.
  - a. This area of the lake is remote.
3. Some of the residential parcels in this area access from Randa Road while others are boat access only.
4. The uses in this area are both residential (cabins) and commercial (resort).
  - a. Many of the residential properties in this area were developed after the resort was developed.
5. The Shoreland Multiple Use zone district is intended for a variety of uses associated with lakeshore development. The LCO district allows the continuation and expansion of existing commercial businesses.
  - a. The newly acquired parcel is also located within the LCO district.

C. Orderly Development:

1. The majority of the development in this area is on the resort property.
2. There is a Common Interest Community (CIC) approximately 500 feet to the southwest of this property that consists of eight units.
  - a. This property was the Vermilion Beach Resort that was converted into a CIC in 2001.
3. There are a few other smaller parcels developed along the lakeshore in this area, but the majority of the parcels in the area are larger and the area is not consistent with other lakeshore development areas of the lake. The density in this area is much lower than other areas of the lake, due in part to access.
4. Most of the developed parcels in this area also access from Randa Road.
  - a. A minimal increase in traffic caused by the resort expansion would have very little impact on the road or access for neighboring properties.
5. The proposed resort expansion would have little impact on the existing development in the area.
6. The newly acquired parcel had an old dilapidated dwelling on it that has recently been removed.
  - a. This new parcel is currently undeveloped.

D. Desired Pattern of Development:

1. Due to several factors such as wetlands, steep slopes and remoteness of the area, it is unlikely that there will be a significant increase in development in the area.
  - a. There may be some parcels in the area where development could be increased, but the majority of the area that is suitable for development has already been developed.
2. The property falls within the FA land use category of the future land use map because the development in this area is limited.
  - a. The majority of the parcels in the area are large with limited development potential. There is a lot of public land in the area which limits future development, and future lakeshore development in this area is also anticipated to be limited.
3. The proposal may allow additional opportunities for visitors of the area to utilize existing businesses in the area and enjoy the lake resource.

E. Other Factor

1. The applicant has worked with the Planning and Community Development Department over the years to develop the property within the ordinance requirements.

*Jared Ecklund* noted one item of correspondence from Jim Peterson in support of the proposal.

**STAFF RECOMMENDATION**

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a resort expansion as a Planned Development-Class II, the following conditions shall apply:

1. The structures shall be earth-toned colors, including siding, trim and roof.
2. Lighting shall be directed downward in accordance with dark sky standards.
3. Vegetation between the proposed cabins and shore shall be retained.
4. St. Louis County on-site sewage treatment regulations shall be followed.
5. The applicant shall comply with Minnesota Accessibility Code.
6. The applicant shall comply with all county, state and federal regulations.

*Ed Tausk*, the applicant, stated that one cabin will be built this year and one will be built later.

No audience members spoke.

The *Planning Commission* discussed the following:

- A. Inquired about the five-year plan. *Jenny Bourbonais*, Acting Secretary, stated that the previous Planning Commission in 2008 had requested a five-year development plan. A lot of resorts adhered to the plan in the past. This way staff can see what is being proposed. This request is expansion beyond what was originally laid out in the five-year plan.
- B. Inquired if the comprehensive land use plan would trump the lakeshore commercial overlay zone district. The future land use category would be if all the development was gone in this area. The lakeshore commercial overlay is for the current development.
- C. Inquired if the commercial overlay was already present. *Jared Ecklund* stated the lakeshore commercial overlay already exists likely because of the resorts.

- D. Inquired if private property owners reside within the lakeshore commercial overlay. *Jared Ecklund* stated there are some private residences.
- E. Inquired about the vegetation condition. The vegetation should be retained as much as possible, but there should be some latitude.

## **DECISION**

**Motion by Skraba/Pollock** to approve a conditional use permit to allow a resort expansion as a Planned Development-Class II, based on the following facts and findings:

### **A. Plans and Official Controls:**

1. This property falls within the Forest and Agriculture (FA) land use category of the Comprehensive Land Use Plan.
  - a. The FA land use category is typically not intended for future rural or urban development; however, this is an established resort that has been in operation on the property for many years.
  - b. This property falls in the FA category because it is a remote area on Lake Vermilion and the majority of the parcels in the area are fairly large in size.
2. The Comprehensive Land Use Plan recognizes that the lodging industry is foundational to county tourism and recreation and that the quality of lodging can influence tourists' decisions to visit the county.
3. The property falls within the Shoreland Multiple Use (SMU) zone district with a Lakeshore Commercial Overlay (LCO). A Planned Development Use-Class II is an allowed use in both the SMU and LCO districts with a Conditional Use Permit.
4. A conditional use permit was granted for the resort's five year plan in 2003. The five-year expansion plan has been completed and the proposed expansion goes beyond that plan.
  - a. The applicant has acquired additional property adjacent to the resort and plans the expansion on the new property.
5. The additional two cabins that are proposed are within the density allowance on the property.

### **B. Neighborhood Compatibility:**

1. There are a few residential parcels in this area but the development density is low.
2. There is a good amount of state land and federal national forest in this area.
  - a. This area of the lake is remote.
3. Some of the residential parcels in this area access from Randa Road while others are boat access only.
4. The uses in this area are both residential (cabins) and commercial (resort).
  - a. Many of the residential properties in this area were developed after the resort was developed.
5. The Shoreland Multiple Use zone district is intended for a variety of uses associated with lakeshore development. The LCO district allows the continuation and expansion of existing commercial businesses.
  - a. The newly acquired parcel is also located within the LCO district.

### **C. Orderly Development:**

1. The majority of the development in this area is on the resort property.

2. There is a Common Interest Community (CIC) approximately 500 feet to the southwest of this property that consists of eight units.
  - a. This property was the Vermilion Beach Resort that was converted into a CIC in 2001.
3. There are a few other smaller parcels developed along the lakeshore in this area, but the majority of the parcels in the area are larger and the area is not consistent with other lakeshore development areas of the lake. The density in this area is much lower than other areas of the lake, due in part to access.
4. Most of the developed parcels in this area also access from Randa Road.
  - a. A minimal increase in traffic caused by the resort expansion would have very little impact on the road or access for neighboring properties.
5. The proposed resort expansion would have little impact on the existing development in the area.
6. The newly acquired parcel had an old dilapidated dwelling on it that has recently been removed.
  - a. This new parcel is currently undeveloped.

D. Desired Pattern of Development:

1. Due to several factors such as wetlands, steep slopes and remoteness of the area, it is unlikely that there will be a significant increase in development in the area.
  - a. There may be some parcels in the area where development could be increased, but the majority of the area that is suitable for development has already been developed.
2. The property falls within the FA land use category of the future land use map because the development in this area is limited.
  - a. The majority of the parcels in the area are large with limited development potential. There is a lot of public land in the area which limits future development, and future lakeshore development in this area is also anticipated to be limited.
3. The proposal may allow additional opportunities for visitors of the area to utilize existing businesses in the area and enjoy the lake resource.

E. Other Factor

1. The applicant has worked with the Planning and Community Development Department over the years to develop the property within the ordinance requirements.

The following conditions shall apply:

1. The structures shall be earth-toned colors, including siding, trim and roof.
2. Lighting shall be directed downward in accordance with dark sky standards.
3. St. Louis County on-site sewage treatment regulations shall be followed.
4. The applicant shall comply with Minnesota Accessibility Code.
5. The applicant shall comply with all county, state and federal regulations.

**In Favor:** Anderson, Filipovich, Manick, Nelson, Pineo, Pollock, Skraba, Svatos, Werschay - 9

**Opposed:** None – 0

**Motion carries 9-0**

**Michael Koskovich**

The second hearing item is for Michael J. Koskovich – a conditional use permit for a General Purpose Borrow Pit as an Extractive Use-Class II and a waiver from St. Louis County Zoning Ordinance 62, Article VI, Section 6.22, G.9.b. to allow the haul road to be located within the 50 foot no disturbance setback from the north property line, located in S14, T61N, R19W (Alango).

*Jared Ecklund*, St. Louis County Planner, reviewed the staff report as follows:

- A. The request is for a general purpose borrow pit to include crushing and screening.
- B. The proposed hours of operation are from 7:00 a.m. until 3:00 p.m. Monday through Saturday.
- C. Access to the gravel pit is off of Savage Road.
- D. The applicant is also requesting a waiver from the no disturbance property line setback of 50 feet for the proposed haul road.
- E. A portion of the haul road is proposed to be within 50 feet of the north property line. The reason for the reduced setback is because of the Public Works approved road access onto Savage Road.
- F. For safety reasons, the access from Savage Road needs to be as far north as possible on the applicant's property. This puts a portion of the road within the 50 foot setback.
- G. The applicant also has a written agreement with the neighboring landowner to the north to allow the haul road to be located within the setback.
- H. There are no wetlands located on the property.
- I. St. Louis County Public Works Department has stated that Mikkula Road was not built to the same standards as Savage Road, which is why Public Works approved the access onto Savage Road. Commercial access should be limited to Savage Road.
- J. There is a residential property located south of the proposed gravel site. There is some vegetative screening, but most is regeneration following timber harvest.

*Jared Ecklund* reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
  - 1. The property is located within the Forest and Agriculture (FA) category of the Future Land Use Map in the Comprehensive Land Use Plan.
    - a. Goal LU-4.5 of the Comp Plan is to direct the development of new commercial/general purpose extractive use/borrow pits to areas designated as FA on the Future Land Use Map.
  - 2. The property is located in a Multiple Use (MU) zone district which is intended for a variety of uses.
    - a. An Extractive Use-Class II is an allowed use in a MU zone district with a Conditional Use Permit.
  - 3. Zoning Ordinance 62 allows the no disturbance setback to contain the haul road if it is for safety reasons, wetland avoidance, or there is an agreement with the adjacent property owner.
    - a. The request for the no disturbance setback to contain the haul road is for safety reasons for the public road access. In addition, the applicant has a written agreement with the neighbor to the north to allow the haul road to be located within the 50 foot setback. As there are no wetlands on the property, wetland avoidance is not a factor in the location of the haul road.

B. Neighborhood Compatibility:

1. This area consists of a variety of uses and is consistent with the zoning.
  - a. Many of the parcels in this area are large, undeveloped parcels.
  - b. There are also a few rural residences in the area, but the closest residence (excluding the applicant's residence) is located approximately 400-600 feet from the proposed pit. The next closest residence is approximately 1,100 feet from the proposed pit.
2. There is an existing permitted extractive use located approximately 1,600 feet to the south of the proposed pit.
3. There are approximately 15 authorized borrow pits within five miles of the proposed pit.

C. Orderly Development:

1. The majority of the parcels along Savage Road are large undeveloped parcels. There are a few smaller residential properties closer to Highway 22 that are over 200 feet north of the proposed pit.
2. The dwelling that is located approximately 400-600 feet south of the proposed pit appears to be unoccupied at this time.
3. The proposed use of Savage Road would likely impact few residences.

D. Desired Pattern of Development:

1. The current development pattern consists of large undeveloped forested parcels with a few smaller residential properties.
2. The desired pattern of development is not anticipated to change significantly in the near future.
3. The parcels in the FA category are not intended for future rural or urban development other than some farm dwellings.
  - a. Residential uses are allowed in these areas, but it is not anticipated that the number of residences in these areas will increase significantly.
4. The proposed use may allow more landowners in the area access to a gravel resource.

E. Other Factors:

1. The landowner has a second access to the property off of Mikkula Road.
2. It is important to limit the commercial access to the pit to one access in order to limit the impact to neighboring landowners who use the roads.
  - a. Access to the pit should be limited to Savage Road since it has been approved by the road authority.
  - b. Personal use of the access off of Mikkula Road may be allowed.

*Jared Ecklund* noted two items of correspondence from Carl and Carly Antus and Craig and Paula Stoddard with concerns about the request, but neither was for nor against.

**STAFF RECOMMENDATION**

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a General Purpose Borrow Pit as an Extractive Use-Class II and a waiver from St. Louis County Zoning Ordinance 62, Article VI, Section 6.22, G.9.b.



to allow the haul road to be located within the 50 foot no disturbance setback from the north property line, the following conditions shall apply:

1. There shall be one commercial access to the pit from Savage Road and not Mikkula Road.
2. All minimum extractive use standards shall be followed with the exception of the waived standard above.
3. The 50 foot no disturbance buffer shall be maintained relative to PIN 200-0010-01865 and the haul road shall not be placed in the no disturbance buffer unless a written agreement with the property owner of PIN 200-0010-01865 is filed with the Department.

*Michael Koskovich*, the applicant, stated that he wants to mix rock and sand for walking trails. This is not a high volume of material, but it is good quality product. The county already uses chloride on Savage Road for dust mitigation. The haul road is about 200 feet long.

No other audience members spoke.

The *Planning Commission* discussed the following:

- A. Inquired about dust mitigation on the haul road. *Jenny Bourbonais*, Acting Secretary, stated there are ordinance requirements to follow concerning dust control.
- B. Inquired if there will be crushing. *Jared Ecklund* stated that crushing is an allowed use in a general purpose borrow pit. It is not known if the applicant attends to do so, but it would be an allowed use. *Michael Koskovich* stated that there is no crushing planned at this time. There is also nothing coming back on-site to be crushed. This will be kept a clean pit.

## **DECISION**

**Motion by Svatos/Skraba** to approve a conditional use permit to allow a general purpose borrow pit as an Extractive Use-Class II and a waiver from St. Louis County Zoning Ordinance 62, Article VI, Section 6.22, G.9.b. to allow the haul road to be located within the 50 foot no disturbance setback from the north property line, based on the following facts and findings:

- A. Plans and Official Controls:
  1. The property is located within the Forest and Agriculture (FA) category of the Future Land Use Map in the Comprehensive Land Use Plan.
    - a. Goal LU-4.5 of the Comp Plan is to direct the development of new commercial/general purpose extractive use/borrow pits to areas designated as FA on the Future Land Use Map.
  2. The property is located in a Multiple Use (MU) zone district which is intended for a variety of uses.
    - a. An Extractive Use-Class II is an allowed use in a MU zone district with a Conditional Use Permit.
  3. Zoning Ordinance 62 allows the no disturbance setback to contain the haul road if it is for safety reasons, wetland avoidance, or there is an agreement with the adjacent property owner.
    - a. The request for the no disturbance setback to contain the haul road is for safety reasons for the public road access. In addition, the applicant has a written agreement with the neighbor to the north to allow the haul road to be located within the 50 foot setback. As there are no wetlands on the property, wetland avoidance is not a factor in the location of the haul road.

B. Neighborhood Compatibility:

1. This area consists of a variety of uses and is consistent with the zoning.
  - a. Many of the parcels in this area are large, undeveloped parcels.
  - b. There are also a few rural residences in the area, but the closest residence (excluding the applicant's residence) is located approximately 400-600 feet from the proposed pit. The next closest residence is approximately 1,100 feet from the proposed pit.
2. There is an existing permitted extractive use located approximately 1,600 feet to the south of the proposed pit.
3. There are approximately 15 authorized borrow pits within five miles of the proposed pit.

C. Orderly Development:

1. The majority of the parcels along Savage Road are large undeveloped parcels. There are a few smaller residential properties closer to Highway 22 that are over 200 feet north of the proposed pit.
2. The dwelling that is located approximately 400-600 feet south of the proposed pit appears to be unoccupied at this time.
3. The proposed use of Savage Road would likely impact few residences.

D. Desired Pattern of Development:

1. The current development pattern consists of large undeveloped forested parcels with a few smaller residential properties.
2. The desired pattern of development is not anticipated to change significantly in the near future.
3. The parcels in the FA category are not intended for future rural or urban development other than some farm dwellings.
  - a. Residential uses are allowed in these areas, but it is not anticipated that the number of residences in these areas will increase significantly.
4. The proposed use may allow more landowners in the area access to a gravel resource.

E. Other Factors:

1. The landowner has a second access to the property off of Mikkula Road.
2. It is important to limit the commercial access to the pit to one access in order to limit the impact to neighboring landowners who use the roads.
  - a. Access to the pit should be limited to Savage Road since it has been approved by the road authority.
  - b. Personal use of the access off of Mikkula Road may be allowed.

The following conditions shall apply:

1. There shall be one commercial access to the pit from Savage Road and not Mikkula Road.
2. All minimum extractive use standards shall be followed with the exception of the waived standard above.

3. The 50 foot no disturbance buffer shall be maintained relative to PIN 200-0010-01865 and the haul road shall not be placed in the no disturbance buffer unless a written agreement with the property owner of PIN 200-0010-01865 is filed with the Department.

**In Favor:** Anderson, Filipovich, Manick, Nelson, Pineo, Pollock, Skraba, Svatos, Werschay - 9

**Opposed:** None – 0

**Motion carries 9-0**

**Mark Shermer**

The third hearing item is for Mark Shermer, a conditional use permit for a mini-storage business as a Commercial, Retail and Service Establishment-Class II, located in S29, T61N, R18W (Angora). *Stephen Erickson*, St. Louis County Planner, reviewed the staff report as follows:

- A. The request is for a mini-storage business.
- B. The existing structure shall be removed. A 140 foot by 30 foot structure will be located in its place.
- C. Access will be off of the Highway 53 frontage road.
- D. There is an estimate of less than 10 vehicles per day.
- E. There will be an 8 foot by 4 foot sign attached to the building facing the highway.
- F. Security lighting will be available on the premises.
- G. There will be 24 hours a day/7 days per week access.

*Stephen Erickson* reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
  1. Zoning Ordinance 62, Article V, Section 5.6 B., indicates mini-storage facilities are an allowed use with a conditional use permit.
  2. The property falls within the Forest and Agriculture land use category of the Comprehensive Land Use Plan.
    - a. Goal LU-7 of the Plan is to provide sufficient opportunities for commercial development to serve local and regional markets throughout the county.
    - b. Objective LU 7.1 - Encourage expansion of regional commercial opportunities in existing corridors along collector or arterial routes and at nodes where infrastructure and traffic volumes can support economic growth.
- B. Neighborhood Compatibility:
  1. The general area consists of parcels between 5 and 40 acres in size.
  2. There is one residence approximately 500 feet from the proposed use on an adjoining parcel.
  3. The proposed mini-storage business would likely be a compatible use with the neighborhood because it is unlikely that it would generate much noise or additional traffic. Highway 53 is an arterial road that already has a substantial amount of regular traffic. The proposed mini-storage would be located on Highway 53 Frontage Road. The frontage road will provide access to the mini-storage.

C. Orderly Development:

1. The proposed use is bordered by rural vacant land to the south and a residence to the north.
2. The development along Highway 53, in this area, is a mixture of residential and commercial uses.
3. There is a bar approximately 500 feet to the north of the parcel.
4. The applicant has an existing meat market business approximately a quarter mile south of the proposed mini-storage. The existing business was approved a CUP in 1986.

D. Desired Pattern of Development:

1. The subject parcel, as well as a majority of the surrounding area, is zoned Multiple Use.
  - a. Multiple Use zone districts allow a wide range of uses.
  - b. Mini-storage facilities are an allowed use in a Multiple Use zone district with a conditional use permit.
2. The proposal would fit into the area as there are existing commercial businesses nearby. The applicant owns a meat market south of the proposed mini-storage and the subject parcel has previously been used commercially.

E. Other Factors:

1. This existing structure on site has previously been used as a church, a restaurant and a gift shop.
2. The location of the wetlands on the property may limit the development potential on the property.

*Stephen Erickson* noted no items of correspondence.

**STAFF RECOMMENDATION**

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a mini-storage business as a Commercial, Retail and Service Establishment Class II, the following conditions shall apply:

1. The structure shall be unobtrusive (earth-tone) colors, including siding, trim and roof.
2. The Wetland Conservation Act requirements shall be followed.
3. The wetland boundary shall be delineated prior to any land use permits being issued.
4. Any wetland impacts that result from the proposed use shall not exceed the amount allowed per MN Rule 8420.0420. Subp. 8. De minimis.
5. Lighting shall be directed downward in accordance with dark sky standards.
6. Signs shall be in accordance with St. Louis County Zoning Ordinance 62.
7. The applicant shall obtain approval from the appropriate road authority.
8. The applicant shall comply with the Minnesota Accessibility Code.

*Mark Shermer*, the applicant, stated college students will do a controlled burn on the original structure on July 13 for fire training purposes. He had tried to have the building hauled off of the property, but there were no interested parties.

No audience members spoke.

## **DECISION**

**Motion by Nelson/Skraba** to approve a conditional use permit to allow a mini-storage business as a Commercial, Retail and Service Establishment Class II, based on the following facts and findings:

**A. Plans and Official Controls:**

1. Zoning Ordinance 62, Article V, Section 5.6 B., indicates mini-storage facilities are an allowed use with a conditional use permit.
2. The property falls within the Forest and Agriculture land use category of the Comprehensive Land Use Plan.
  - a. Goal LU-7 of the Plan is to provide sufficient opportunities for commercial development to serve local and regional markets throughout the county.
  - b. Objective LU 7.1 - Encourage expansion of regional commercial opportunities in existing corridors along collector or arterial routes and at nodes where infrastructure and traffic volumes can support economic growth.

**B. Neighborhood Compatibility:**

1. The general area consists of parcels between 5 and 40 acres in size.
2. There is one residence approximately 500 feet from the proposed use on an adjoining parcel.
3. The proposed mini-storage business would likely be a compatible use with the neighborhood because it is unlikely that it would generate much noise or additional traffic. Highway 53 is an arterial road that already has a substantial amount of regular traffic. The proposed mini-storage would be located on Highway 53 Frontage Road. The frontage road will provide access to the mini-storage.

**C. Orderly Development:**

1. The proposed use is bordered by rural vacant land to the south and a residence to the north.
2. The development along Highway 53, in this area, is a mixture of residential and commercial uses.
3. There is a bar approximately 500 feet to the north of the parcel.
4. The applicant has an existing meat market business approximately a quarter mile south of the proposed mini-storage. The existing business was approved a CUP in 1986.

**D. Desired Pattern of Development:**

1. The subject parcel, as well as a majority of the surrounding area, is zoned Multiple Use.
  - a. Multiple Use zone districts allow a wide range of uses.
  - b. Mini-storage facilities are an allowed use in a Multiple Use zone district with a conditional use permit.
2. The proposal would fit into the area as there are existing commercial businesses nearby. The applicant owns a meat market south of the proposed mini-storage and the subject parcel has previously been used commercially.

E. Other Factors:

1. The existing structure on site has previously been used as a church, a restaurant and a gift shop.
2. The location of the wetlands on the property may limit the development potential on the property.

The following conditions shall apply:

1. The structure shall be unobtrusive (earth-tone) colors, including siding, trim and roof.
2. The Wetland Conservation Act requirements shall be followed.
3. The wetland boundary shall be delineated prior to any land use permits being issued.
4. Any wetland impacts that result from the proposed use shall not exceed the amount allowed per MN Rule 8420.0420. Subp. 8. De minimis.
5. Lighting shall be directed downward in accordance with dark sky standards.
6. Signs shall be in accordance with St. Louis County Zoning Ordinance 62.
7. The applicant shall obtain approval from the appropriate road authority.
8. The applicant shall comply with the Minnesota Accessibility Code.

**In Favor:** Anderson, Filipovich, Manick, Nelson, Pineo, Pollock, Skraba, Svatos, Werschay - 9

**Opposed:** None – 0

**Motion carries 9-0**

**Motion to adjourn by Skraba. The meeting was adjourned at 10:17 a.m.**