

MINUTES OF A PUBLIC HEARING CONDUCTED BY THE ST. LOUIS COUNTY PLANNING COMMISSION HELD VIRTUALLY VIA WEBEX AND IN-PERSON AT THE ST. LOUIS COUNTY GOVERNMENT SERVICES CENTER, LIZ PREBICH ROOM, VIRGINIA, MN ON THURSDAY, SEPTEMBER 14, 2023.

9:00 AM –10:52 AM

Planning Commission members in attendance: Tom Coombe
Steve Filipovich
Pat McKenzie, Chair
Commissioner Keith Nelson
Ross Petersen
Dave Pollock
Ray Svatos
Diana Werschay

Planning Commission members absent: Dan Manick - 1

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

NEW BUSINESS:

- A. Northeast Itasca Rescue, a conditional use permit for an Emergency Medical Services First Responder's Facility as a Public/Semi-Public use.
- B. GWE LLC, Gregg Hennum, a conditional use permit for a mini-storage business as a Commercial, Retail, and Service Establishment Use - Class II.

OTHER BUSINESS:

Motion by Petersen/Werschay to approve the minutes of the August 10, 2023 meeting.

In Favor: Coombe, Filipovich, McKenzie, Nelson, Petersen, Pollock, Svatos, Werschay - 8

Opposed: None - 0

Motion carried 8-0

NEW BUSINESS:

Northeast Itasca Rescue

The first hearing item is for Northeast Itasca Rescue, a conditional use permit for an Emergency Medical Services First Responder's Facility as a Public/Semi-Public use. The property is located in S7, T61N, R21W (Morcom). *Skylar Webb*, St. Louis County Planner, reviewed the staff report as follows:

- A. The applicant is proposing an Emergency Medical Services First Responder's Facility to be located within a Forest Agricultural Management zone district.
- B. The proposal will include a 2,400 square foot EMS facility with security lighting.
- C. The facility will be available for use 24 hours per day, seven days per week, 365 days per year.

Skyler Webb reviewed staff facts and findings as follows:

A. Plans and Official Controls:

1. St. Louis County Zoning Ordinance 62, Article V, Section 5.6B allows a Public/Semi-Public use within a Forest Agricultural Management zone district with a conditional use permit.
2. St. Louis County Comprehensive Land Use Plan Objective PS-1.1 is to ensure that new development and redevelopment maintains or improves upon the planning area's emergency response capabilities.

B. Neighborhood Compatibility:

1. The property is accessed by Itasca Road but also abuts Highway 22.
2. The general area consists of larger parcels that are zoned Forest Agricultural Management (FAM)-3.
3. The property is in a Forest Agricultural Management zone district which allows for a public/semi-public use with a conditional use permit. Forest Agricultural Management zone districts tend to have a low development density.

C. Orderly Development:

1. The development in the area is fairly low and consists mostly of residential and forested properties.
2. The proposed use may provide the benefit of additional emergency medical services for residents in surrounding areas.

D. Desired Pattern of Development:

1. The desired pattern of development is mainly agricultural, but a variety of different uses may be allowed with a Land Use, Performance Standard or Conditional Use Permit. The area consists mainly of residential and forested properties.
2. The proposed use fits the desired pattern of development.

E. Other Factors:

1. St. Louis County authorized a free conveyance of the parcel to Morcom Township for the purpose of public safety.
2. The parcel is owned by Morcom Township and leased to the Northeast Itasca Rescue group with the intent of establishing a facility for emergency response and public safety.
3. There is currently no septic system included in the proposal.
 - a. Per St. Louis County On-Site Wastewater Division, it is recommended that a bathroom and sink facility be installed.

Skyler Webb noted no items of correspondence.

RECOMMENDED CONDITIONS

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow an Emergency Medical Services First Responder's Facility as a Public/Semi-Public Use, the following conditions shall apply:

1. The applicant shall obtain approval from the appropriate road authority.
2. Lighting shall be directed downward in accordance with dark sky standards.
3. All St. Louis County On-Site Wastewater SSTS standards shall be followed.
4. The use shall comply with all local, county, state and federal regulations.

Dirk Davis, 12263 Highway 22, Morcom Town Supervisor, stated they gained this property through St. Louis County to lease it to the first responders. Because money is short, things will be done in increments. Grants have been obtained for the construction of the building. The town board in August voted unanimously to support this project and this conditional use permit. The township wants to see this project go forward. It is the intention of the town board to increase the public safety capabilities because this is a very rural area that is far from other public safety capabilities. This will also make the area more attractive to area residents. They did a short lease that will be extended into a longer lease as this project goes forward. When the township acquired this property, it was covered in junk they had since cleaned up.

Dustin Nelson, 13049 Highway 22, the applicant, stated he is a first responder and is an equipment training officer. They started this process in 2018 and worked with the township. It was originally a long-term goal that became a short-term goal when things started moving. This facility will store their first response vehicles and will better serve their community. They cover 321 square miles, and this facility will be in a central area. They cover areas in St. Louis, Itasca, and Koochiching Counties. They would love to add septic right away, but that may not be feasible yet. They do have area for a future septic system.

No audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Filipovich* asked if there was a lease on this property. *Skyler Webb* stated that the intention for the lease was this proposed facility.
- B. Commission member *Petersen* asked if the applicant intends to have a septic or if they will add septic after the structure is built. *Skyler Webb* stated at this time there is no septic proposal. The proposal is for a storage structure for equipment and a meeting area. The applicant is not required to have a septic permit on file. Staff will work one on one with the applicant to work on the septic proposal.
- C. Commissioner *Nelson* asked if Morcom Township is aware that as the conveyance came from St. Louis County, the land has to remain in a public purpose. *Dirk Davis* stated he is aware of this. Commissioner *Nelson* stated when any township acquires free county land, that land is set aside for a public purpose. If that use were to ever change, the township would need to purchase the land from the county or state tax-forfeiture. That would change the conditional use permit at that time.
- D. Commission member *McKenzie* asked about the construction. *Dustin Nelson* stated this will be a slab on grade frame construction. They are still negotiating what type of slab to use. If they get conditional use permit approval, they can finalize their plans. They want to have the building up this fall.
- E. Commission member *McKenzie* asked how many townships Northeast Itasca Rescue covers. *Dustin Nelson* stated they cover three organized townships and nine unorganized townships.

- F. Commission member *McKenzie* asked how the agency is funded. *Dustin Nelson* stated they are funded through donations (primarily) and fundraisers.
- G. Commission member *McKenzie* asked if there are any other close fire departments in St. Louis County. *Dustin Nelson* stated there are not. In the future, there could be a space for fire equipment to provide additional coverage to Morcom Township. The primary focus for now is EMS.

DECISION

Motion by Svatos/Coombe to approve a conditional use permit to allow an Emergency Medical Services First Responder's Facility as a Public/Semi-Public Use, based on the following staff facts and findings:

- A. Plans and Official Controls:
 - 1. St. Louis County Zoning Ordinance 62, Article V, Section 5.6B., allows a Public/Semi-Public use within a Forest Agricultural Management zone district with a conditional use permit.
 - 2. St. Louis County Comprehensive Land Use Plan Objective PS-1.1, is to ensure that new development and redevelopment maintains or improves upon the planning area's emergency response capabilities.
 - 3. The use conforms to the land use plan.
- B. Neighborhood Compatibility:
 - 1. The property is accessed by Itasca Road but also abuts Highway 22.
 - 2. The general area consists of larger parcels that are zoned Forest Agricultural Management (FAM)-3.
 - 3. The property is in a Forest Agricultural Management zone district which allows for a public/semi-public use with a conditional use permit. Forest Agricultural Management zone districts tend to have a low development density.
 - 4. This type of use is needed in this rural area.
 - 5. The use is compatible with the existing neighborhood.
- C. Orderly Development:
 - 1. The development in the area is fairly low and consists mostly of residential and forested properties.
 - 2. The proposed use may provide the benefit of additional emergency medical services for residents in surrounding areas.
 - 3. The use will not impede the normal and orderly development and improvement of the surrounding area.
- D. Desired Pattern of Development:
 - 1. The desired pattern of development is mainly agricultural, but a variety of different uses may be allowed with a Land Use, Performance Standard or Conditional Use Permit. The area consists mainly of residential and forested properties.
 - 2. The proposed use fits the desired pattern of development.
 - 3. The location and character of the proposed use is considered consistent with a desirable pattern of development.

E. Other Factors:

1. St. Louis County authorized a free conveyance of the parcel to Morcom Township for the purpose of public safety.
2. The parcel is owned by Morcom township and leased to the Northeast Itasca Rescue group with the intent of establishing a facility for emergency response and public safety.
3. There is currently no septic system included in the proposal.
 - a. Per St. Louis County On-Site Wastewater Division, it is recommended that a bathroom and sink facility be installed.

The following conditions shall apply:

1. The applicant shall obtain approval from the appropriate road authority.
2. Lighting shall be directed downward in accordance with dark sky standards.
3. All St. Louis County On-Site Wastewater SSTS standards shall be followed.
4. The use shall comply with all local, county, state and federal regulations.

In Favor: Coombe, Filipovich, McKenzie, Nelson, Petersen, Pollock, Svatos, Werschay - 8

Opposed: None - 0

Motion carried 8-0

GWE LLC

The second hearing item is for GWE LLC, Gregg Hennum, a conditional use permit for a mini-storage business as a Commercial, Retail, and Service Establishment Use - Class II. The property is located in S10, T61N, R16W (Vermilion Lake). *Mark Lindhorst*, St. Louis County Senior Planner, reviewed the staff report as follows:

- A. The applicant is proposing a mini-storage business for up to five 40 foot by 292 foot storage buildings.
- B. Each unit is proposed to have a bathroom.
- C. The business will operate 24 hours per day, seven days per week, 365 days per year. There is sufficient vegetative screening from the roadway and neighboring properties.
- D. Areas of shrub swamp wetlands are located on the property. A wetland delineation is recommended to ensure all development is contained on upland.
- E. The applicant is currently working with Lake Country Power to get an easement to gain road access to the property from Highway 169 entrance.
- F. The applicant is working to obtain an easement to access their property from the electrical substation.

Mark Lindhorst reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
 1. St. Louis County Zoning Ordinance 62, Article V, Section 5.6B allows a mini-storage business as a Commercial, Retail and Service Establishments Use - Class II, with a conditional use permit.
 2. The applicant's parcel is within the Multiple Use (MU) zoning district which is intended to accommodate a wide range of uses.

3. St. Louis County Comprehensive Land Use Plan Goal LU-7 is to provide opportunities for commercial development to serve local and regional markets throughout the county.

B. Neighborhood Compatibility:

1. The general area consists of larger parcels that are zoned Multiple Use (MU)-4.
2. The proposed mini-storage business would likely be compatible with the neighborhood because it is unlikely that it would generate much noise or much more additional traffic. Highway 169 is an arterial road that already has a substantial amount of regular traffic.
3. The property is in a multiple use zone district which allows for a variety of uses, including commercial uses with a conditional use permit. A bulk tank business is located across the highway and a convenience/gas station known as the Y-Store is located on the parcel to the north of the proposed development.

C. Orderly Development:

1. There is potential for future development along the road corridor in this area.
2. The proposed use may provide the benefit of additional storage options for residents in surrounding areas.

D. Desired Pattern of Development:

1. The pattern of development in this area is a mix of commercial and industrial uses.
2. The proposed use fits the desired pattern of development.

E. Other Factor:

1. The applicant has reached out to the county to discuss septic permitting requirements. No application has been received and no permit has been issued.

Mark Lindhorst noted one resolution from the town of Vermilion Lake with concerns. This item was provided to the Planning Commission prior to the hearing.

RECOMMENDED CONDITIONS

If 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 Establishments Use - Class II, the following conditions shall apply:

1. Units are for storage only. No commercial or residential use is allowed.
2. The applicant shall obtain approval from the appropriate road authority.
3. St. Louis County On-Site Wastewater SSTS standards shall be followed.
4. Lighting shall be directed downward in accordance with dark sky standards.
5. Signs shall be in accordance with St. Louis County Zoning Ordinance 62.
6. The use shall comply with all local, county, state and federal regulations.
7. Wetland Conservation Act requirements shall be followed.

Gregg Hennum, P.O. Box 352, Warroad, the applicant, stated this proposed project is not a new thing as there are units like this all over the state, but not this far north. His target market is tourists who visit the Lake Vermilion area or have property on the lake. These storage units would allow

them to leave their materials up here instead of dragging them home. They have had interest from contractors who want to leave their materials or equipment. The bathroom part is a new concept. For other owners of like projects across the state, they have customers at these units every day or every other day, utilizing their unit for tinkering. As far as rules go, they will have no overnight stays. There will be no overnight parking outside. He intends to have cameras that show each building. They will have overhead doors that are more secure, which makes it harder to see what is inside each unit. There will be no trash service on the property. They had a wetland delineation done and there will be stormwater management to do. Each building will be over a million dollars. These will be nice looking buildings with a solid driving surface. They are considering their options for a septic system, from having holding tanks they will need to have pumped to a mound system.

Five audience members spoke.

Roxanne Tea, 6197 Pike Bay Drive, stated she is one of the Vermilion Lake supervisors. The township board and the township members shared the concerns brought up in the resolution. She asked the Planning Commission to address their concerns before a conditional use permit is approved. There was contradiction in the number of buildings with the application stating up to five buildings and the site sketch showing there could be up to six buildings. There were concerns about overnight stays and restroom use and the stress that would put on their emergency services. The 72 additional storage units would put stress on their all-volunteer fire department. They are also concerned about enforcement to prevent theft, etc. There are also wetlands in this area, and it is a very wet area in the spring. With all the pavement, there could be issues with runoff. Because of the inconsistencies, the application should be updated before any consideration of approval.

Barb Peyla, 9382 Angus Road, Tower, stated they are concerned about overnight stays and traffic problems which were addressed.

Ryan Alaspa, 6739 Highway 169, Tower, stated his main concern was overnight stays. It would be hard to prevent someone from having an overnight party at one of the units. The mezzanine would also be essentially a loft. These units will be larger than some houses in this area. He is also concerned about wetlands and the stormwater runoff. Where some of the buildings are proposed to be located, there could be runoff issues. He asked where all the snow would be cleared to and not drain into the wetlands. There is a potential for oil and fuel spills, dirt, grime, soap, etc. to be spilled out there. The plan for the septic makes no sense. He asked where a water well would go. The size of the buildings makes it difficult to believe that the topography would not change. He does not know how someone can stop anyone from doing under-the-table work at one of these units. He asked that allowing registered vehicles only to be allowed. There are other mini-storage units being put up in the area. The requested sign is too large for what will be allowed and would not be temporary. There is nothing mini about this proposal. This will be large structures with a potential for living quarters.

Matthew Gouin declined to comment.

Whitney Sims declined to comment.

No other audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Pollock* asked if a hotel/motel would be allowed in this area where commercial uses are allowed. *Mark Lindhorst* stated this is not a commercial zoned area. This is a multiple use zoned area. Anyone could apply for a hotel/motel use.
- B. Commission member *Pollock* asked if there are codes in place for storage units regarding bathrooms and heat. *Mark Lindhorst* stated that St. Louis County does not enforce the state building code. The Planning Commission will need to determine if this is beyond a regular mini-storage.
- C. Commission member *Coombe* asked about the condition that reads: Units are for storage only. No commercial or residential use is allowed. He has seen a number of mini-storage requests through the years and not one has had that condition. *Mark Lindhorst* stated that other mini-storage buildings do not have bathrooms or heated units. Commission member *Coombe* added that if someone wants to have an estate sale out of one of the storage units, that could be a commercial use. *Mark Lindhorst* stated the concern was more for people who use the storage units as a place to stay with living quarters. There is also concern about an additional business run out of the storage unit. The use being requested is a mini-storage use. Any other commercial uses would need to be brought forward. In the covenants for these units, it will state the use should not be commercial or residential. The Planning Commission can determine if this condition should be included or not.
- D. Commission member *Svatos* asked if these proposed structures would be visible from the highway. *Mark Lindhorst* stated these structures should not be visible from the highway.
- E. Commission member *Filipovich* asked about future land use. *Mark Lindhorst* stated the future land use is how zoning is designed. The reason why there is a Commercial zone district at the corner is because it is the Highway 77 corridor. The reason why it does not span out is because the commercial area is a small area. To change the zoning would require a rezoning request. The overlay for the Comprehensive Land Use Plan is different than zoning classification. The multiple use zone district is open enough to allow a variety of uses including a mini-storage. There may not be anything the Comprehensive Land Use Plan is not addressing in this area.
- F. Commission member *McKenzie* asked about the difference between the application, which showed five proposed structures, and the map shown in the presentation, which shows six proposed structures. *Mark Lindhorst* stated the applicant was trying to see how many structures they could fit on this property. There are also lot coverage requirements to meet. There is also the issue of wetlands which may limit how many structures they can have.
- G. Commission member *Werschay* asked if this mini-storage would be like the trend where units are sold like condos. *Mark Lindhorst* stated that would not be allowed because once these units get sold, this would become a Planned Development. There is not enough property for this use. A Planned Development would require one unit per lot size. The intention is for the applicant to rent these units out.
- H. Commission member *Petersen* asked if each structure will be built as there is demand. *Gregg Hennum* stated yes. Commission member *Petersen* asked if there has been interest from area residents. *Gregg Hennum* stated he has not done marketing yet because he has not been approved to do anything. In other areas he has worked on this type of project, the market was tourists.

- I. Commission member *Petersen* asked if there will be a fence. *Gregg Hennum* stated he was intending to use a vegetative buffer. He has not planned on a fence or a gate. The tree cover will provide security and the structure will be dark in color.
- J. Commission member *Petersen* asked if there will be showers in the bathrooms. *Gregg Hennum* stated that these bathrooms are designed with showers. The design for these structures was taken from other like mini-storage projects that utilized bathrooms with showers.
- K. Commission member *Petersen* asked what the approximate rent will be for these units. *Gregg Hennum* stated it depends on the cost of these buildings. The rent will be \$900 to \$1300 per month. Commission member *Pollock* asked about the length of rentals. *Gregg Hennum* stated they could be month-to-month or even six months to a year.
- L. Commission member *Pollock* asked if the property will be monitored by camera to make sure there are no overnight stays. *Gregg Hennum* stated he intends to have a part-time employee who lives up here. There could be clearing grass, mechanical issues, cleaning snow, etc. Commission member *Pollock* asked if there will be a time when someone would not be allowed to park there. *Gregg Hennum* stated that time would be between sunset and sunrise. Commission member *Pollock* asked what keeps someone from pulling a car into a unit and spending the night? *Gregg Hennum* stated part of the lease states they will not be able to do that. He would have to do his best to enforce that. Commission member *Pollock* stated this does not sit right because this is a potential problem. There could be 60 short term rentals.
- M. Commission member *Coombe* stated he is grateful the applicant is considering unit bathrooms. *Gregg Hennum* stated these mini-storage units are not this far up north yet. Some are utilized for antique or fancy car storage or to store expensive materials.
- N. Commission member *McKenzie* asked if workshops would be permitted. *Gregg Hennum* stated his lease agreement will not allow any commercial business there. There will be no garage or yard sales, welding cars for other people, car repair, antique shops, storefronts, etc. Commission member *McKenzie* stated someone could also work on their own car. *Gregg Hennum* stated that someone could work on their own car but would not be able to do mechanic work for others' cars.
- O. Commission member *McKenzie* asked if all units would be the same size. *Gregg Hennum* stated they will be either 22 or 26 feet wide and 40 feet deep. The overhead door will be 14 foot by 14 foot. Commission member *McKenzie* asked about a mezzanine. *Gregg Hennum* stated some units may have a mezzanine level. Commission member *McKenzie* asked if the applicant is aware that the township has concerns. *Gregg Hennum* stated he could address some of these concerns. He will have someone on-site that will get to know these people. He wants this to be a complement to tourists in the area, not a hinderance. Fire hazards can be addressed with alarms and CO2 systems. The road will be open for any emergency services as needed. Such little water use and the use of holding tanks could address any septic concerns. The ATV issue is not something he is familiar enough with the area to address.
- P. Commission member *Pollock* asked if the applicant would consider an alteration to the plan to allow one bathroom for all the buildings. *Gregg Hennum* stated they were considering this and with just one bathroom housekeeping staff would be needed. Commission member *Pollock* stated that this would limit anyone wanting to stay there. It

would be nice if there was a separate bathroom building. Or there will be a spot in one building, but not in five different buildings.

- Q. Commission member *Petersen* stated he looked at this area on the way down. He asked if the applicant has been in contact with Lake Country Power. *Gregg Hennum* stated he has not had contact with them. He has been working with a surveyor on the plan. Commission member *Petersen* stated there might be concern about too much traffic going through this area. There are big power poles there. This would be a bad place to pull in and out of the access road. There have been accidents on Highway 169 and Highway 77 intersection. Commission member *Pollock* stated that there are turnoff lanes to the Y-Store and across to Highway 77. This is just a dangerous area. Commissioner *Nelson* stated one of the conditions states that the applicant should seek approval from the appropriate road authority which should cover any concerns.
- R. Commission member *Filipovich* asked how long the access road will be. *Gregg Hennum* stated he does not have an answer yet. With elevations, stormwater management and wetlands anything could change.
- S. Commission member *McKenzie* asked if the resolution was meant to be a letter of comments and concerns and not approval or disapproval. *Roxanne Tea* stated yes. The town board is not used to making resolutions.
- T. Commission member *Coombe* stated while the site sketch showed six structures, the application did state there would be five structures. There is a possibility that the applicant may only get three structures on this property. Would the applicant need to come back to the Planning Commission if the applicant wanted more structures than what was proposed in the application? *Mark Lindhorst* stated that the Planning Commission can determine the number of structures, which includes allowing the applicant that what applied for. Lot coverage is what normally dictates the number of structures allowed on a property. Commission member *Pollock* clarified that the applicant would not be able to go over the number of structures allowed on a property by lot coverage. If the Planning Commission restricted the applicant to a certain number of structures, the applicant would need to return to the Planning Commission to expand.
- U. Commission member *McKenzie* noted that wetlands are an important factor and will not be ignored here.
- V. Commission member *McKenzie* asked if Ryan Alaspa is constructing a mini-storage building. *Ryan Alaspa* stated he does have a mini-storage business going up. There will be no heat or electricity and there will only be security lighting. He has gotten permits for everything and is trying to be as legal as possible.
- W. Commission member *Petersen* addressed a member of the audience and asked if they were a part of Lake Country Power. The unnamed person stated they are and wanted to see what the building plans were. Commission member *Petersen* asked if Lake Country Power has enough control of the applicant's access to keep their own security. The person stated there would need to be a discussion with the applicant. Commission member *Petersen* asked if Lake Country Power has a substantial right-of-way. The person stated there is the footprint of the substation itself. Minnesota Power and GRE also have substantial right-of-way in the area. Commission member *Petersen* asked what the power line setback would be. The person stated that most transmission lines are 100 foot wide. Commission member *Petersen* asked if Lake Country Power would limit access to the right-of-way. The person stated their easement gives them access to maintain and access the right-of-way.

DISCUSSION AFTER HEARING CLOSED

- A. Commission member *Werschay* stated that the Lake Country Power issue is not the Planning Commission issues. The highway department is not their issue. Security cameras today can monitor better than they used to. There are staff that are more qualified than they are to deal with wetlands. She does not believe that overnight stays would be an issue. Why would someone rent a unit for \$900 to \$1300 a month and risk the chance of being booted out? That does not make sense. If the applicant has someone who violates their lease, he can kick them out. If they do violate the lease and the applicant allows them to stay, the applicant has violated their permit and the Planning Commission can take action. It is not known the number of buildings allowed on this property yet until the wetland delineation is done. With the cost of building, she can understand how the applicant would want to get the most out of this building. In the future, this building may become something else. But for now, why would the applicant not want to get the most out of it? Anything that would help the applicant with their taxes would be win-win. If this project is run right, there should not be a reason why there would be a problem.
- B. Commission member *McKenzie* agreed. If something is as expensive as this project is, the clientele would be less likely to cause problems. Paying that much for a lease would make someone less likely to violate their lease and be evicted. This facility's biggest concern would be security and having a local contact person to monitor this property. There should not be a fence or a gate because the Sheriff's office could swing through the property whenever. The applicant did try and address security. Why would someone spend that kind of money and risk losing? He supports this proposal.
- C. Commission member *Petersen* asked what they can address because there is no guarantee that someone would lose their lease if they stayed in a unit overnight. Does this need to be a condition? Commission member *McKenzie* stated he believes the applicant will safeguard this project. Commission member *Coombe* stated it is the applicant's job to state and enforce conditions. The applicant has rules to follow. The applicant will not risk putting up multimillion dollar structures.
- D. Commission member *Pollock* stated that the applicant will need to enforce condition one that there shall be no commercial or residential use. Commission member *Coombe* stated that the applicant asked for this, and it should not be changed. Commission member *Pollock* stated he would prefer a denial without prejudice be considered in order to get a full plan with the right number of structures laid out and how the enforcement should be done. There may be difficulties because he has seen issues with rules and regulations around Lake Vermilion already. There could be an issue with Lake Country Power that the applicant will need to use the other access. Lake Country Power could just not allow them access. There is a lack of clarity on what this will be, and it feels like a hope and a prayer. That is not to say the applicant will not do a great job. Commission member *Coombe* stated the applicant will need approval from some road authority, if not from Lake Country Power, then from some other authority.
- E. Commissioner *Nelson* added this is a business proposal. The applicant would not be spending money unless they knew this project was a possibility. The applicant has to get to work and figure out the rules laid out here. The idea of putting a bathroom in these units is a great idea. These are high-end units that people can use to work on their private vehicles. Why would they not have a shower before they go home? This is a business plan that was laid out. The township did not oppose this and some of the things in the resolution

should fall onto the applicant to carry out. Just because someone could not follow the law does not preclude an applicant coming here to propose this business to run a legitimate business. He understands the concerns of the neighbors, including the one with a mini-storage business. The septic issue should not matter. If people are paying this rent they should have a private bathroom. The Lady Bird Johnson Act of 1968, which allows for signs along a state highway, will limit the size of the sign. People have to believe in these businesses. This applicant will protect this investment. There may be more interest in doing these mini-storage units in the future.

- F. Commission member *McKenzie* agreed and stated there is a high-end nature here and the applicant will want to protect this investment.
- G. Commission member *Pollock* asked if the motion stated the number of structures allowed. Commission member *Coombe* stated the applicant states five structures. The applicant's site sketch has six structures if there is enough room for them to go. *Mark Lindhorst* had stated that the applicant is allowed ten percent lot coverage in a MU zone district. There was no set number of structures put in the motion.

DECISION

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

- A. Plans and Official Controls:
 - 1. St. Louis County Zoning Ordinance 62, Article V, Section 5.6 B., allows a mini-storage business as a Commercial, Retail and Service Establishments Use - Class II, with a conditional use permit.
 - 2. The applicant's parcel is within the Multiple Use (MU) zoning district which is intended to accommodate a wide range of uses.
 - 3. St. Louis County Comprehensive Land Use Plan Goal LU-7 is to provide opportunities for commercial development to serve local and regional markets throughout the county.
 - 4. The use conforms to the land use plan.
- B. Neighborhood Compatibility:
 - 1. The general area consists of larger parcels that are zoned Multiple Use (MU)-4.
 - 2. The proposed mini-storage business would likely be compatible with the neighborhood because it is unlikely that it would generate much noise or much more additional traffic. Highway 169 is an arterial road that already has a substantial amount of regular traffic.
 - 3. The property is in a multiple use zone district which allows for a variety of uses, including commercial uses with a conditional use permit. A bulk tank business is located across the highway and a convenience/gas station known as the Y-Store is located on the parcel to the north of the proposed development.
 - 4. The use is compatible with the existing neighborhood.
- C. Orderly Development:
 - 1. There is potential for future development along the road corridor in this area.

2. The proposed use may provide the benefit of additional storage options for residents in surrounding areas.
3. The use will not impede the normal and orderly development and improvement of the surrounding area.

D. Desired Pattern of Development:

1. The pattern of development in this area is a mix of commercial and industrial uses.
2. The proposed use fits the desired pattern of development.
3. The location and character of the proposed use is considered consistent with a desirable pattern of development.

E. Other Factor:

1. This is a great project and will be a good increase in the tax base.

The following conditions shall apply:

1. Units are for storage only. No commercial or residential use is allowed.
2. The applicant shall obtain approval from the appropriate road authority.
3. St. Louis County On-Site Wastewater SSTS standards shall be followed.
4. Lighting shall be directed downward in accordance with dark sky standards.
5. Signs shall be in accordance with St. Louis County Zoning Ordinance 62.
6. The use shall comply with all local, county, state and federal regulations.
7. Wetland Conservation Act requirements shall be followed.

In Favor: Coombe, Filipovich, McKenzie, Nelson, Petersen, Svatos, Werschay - 7

Opposed: Pollock - 1

Motion carried 7-1

Motion to adjourn by Svatos. The meeting was adjourned at 10:52 AM.