

ROCK CREEK PLANNING COMMISSION
APPROVED MINUTES
March 18, 2024

Chair Curt Kubesh called the Public Hearing for a Text Amendment to allow Storage Units in C-2 Highway Commercial Scenic Byway District to order at 7:00PM.

Ashley Rauschnot:

Notice is hereby given that the Rock Creek Planning Commission will conduct a public hearing Monday March 18, 2024 at 7PM at the Rock Creek City Center.

The purpose of this public hearing is to review a Text Amendment application to allow Storage Units in the C-2 Highway Commercial Scenic Byway District.

Interested persons are encouraged to offer testimony by:

Email at: arauschnot@cityofrockcreek.org

Mail at: City of Rock Creek
7000 State Hwy 70
Pine City, MN 55063

The Planning Commission shall hold their regular meeting immediately following the public hearings.

Ashley Rauschnot
Deputy Clerk
City of Rock Creek

- Brian Stuckey: I guess if the city does decide to go ahead with this, what kind of, um, conditions are we going to put on the... operation, size, lot size, setbacks, all of that kind of stuff. Have we crossed that bridge yet, or
- Curt Kubesh: He's already got to follow setbacks off of county roads and I believe it's 75 feet or 100 feet.
- Brian Stuckey: OK
- Curt Kubesh: So that's already in place
- Brian Stuckey: Sure, um, lot size, I guess I'm wondering too. I know when, uh, Danny Rydberg was going to do his storage unit, um, the city wanted 15 acres.
- Curt Kubesh: That was in agricultural
- Brian Stuckey: Ok, so that was listed on the Public Notices as R-1
- Ashley Rauschnot: It was Residential
- Curt Kubesh: Or Residential, yes, but this is commercial
- Dan Saumer: This is actually commercial 2 district

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Brian Stuckey: Yeah, scenic byway C-2

Dan Saumer: Mmm hmmm

Brian Stuckey: Um, hours of operation, lighting, sizes, ingress/egress, all that kind of stuff

Curt Kubesh: That's all stuff we got to discuss yet

Brian Stuckey: Sure, I guess that's just what I'm kind of wondering, so

Curt Kubesh: Yep, nope, that's all stuff we have to talk about yet, so

Brian Stuckey: Kind of wondering why we're, why we're doing this meeting and his CUP when nothing's been discussed? Why are we doing it the same night?

Curt Kubesh; Because we've done it this way before. We've did it for Rydberg's just to open it up

Brian Stuckey: Sure, K, I guess like I said I've got, I've got some concerns there, especially on that particular corner. Not necessarily, that I'm, I'm not necessarily against having storage facilities, you know, in the district or whatever, but that particular corner seems a little not ideal.

Stefon Boleen: Is that because of traffic, or?

Brian Stuckey: Yeah, well, there's already a ton of accidents on that corner. I mean I'm basically on that corner. I'm like 100 yards north of there. Um, there's a ton of accidents there. I mean, basically you've got the turn lane come out right where his driveway's gonna be.

Curt Kubesh: Well the county allowed the driveway so we have no control on that for where that was put.

Brian Stuckey: Sure, but it, as of right now, there's no, no traffic using that driveway. So I guess I'm a little concerned that you're going to have moving trucks in and out of there and it's a pretty accident prone spot there already.

Donnie Peterman III: Is there a driveway currently there?

Curt Kubesh Yeah the county permitted a driveway

Oliver Rauschnot: On 61

Brian Stuckey: Yeah

Curt Kubesh: The county has the say on that one.

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Donnie Peterman III: I would think if anything it would have made a lot more sense to put the driveway on 570th rather than 61. Just for a lack of, you know, less traffic

Curt Kubesh: Well the turn lane is right there on 570th.

Donnie Peterman III: Right

Curt Kubesh: So you can't put a driveway in a turn lane

Brian Stuckey: Right, and then so you've got the turn lane basically coming out into his driveway not, so that's one of my concerns I guess.

Donnie Peterman III: Keep in mind too, just for your own, like, reassurance too is like we kind of give like the recommendation.

Brian Stuckey: Yeah, no I

Donnie Peterman III: So you kind of like know,

Brian Stuckey: Right

Donnie Peterman III: kind of know though like by the time we get done looking at everything, you'll kind of know

Brian Stuckey: Yep

Donnie Peterman III; where our heads at

Brian Stuckey: Yeah

Donnie Peterman III and then at least our recommendation to the City

Brian Stuckey: Yeah

Donnie Peterman III Council at least, you know what I mean,

Brian Stuckey: Right

Donnie Peterman III: then you'll know kind of, at least,

Brian Stuckey: Yeah

Donnie Peterman III: I'm just saying is, it's hard to answer some of the questions because we don't know

Brian Stuckey: Right

Donnie Peterman III: yet, but at least. My point is that if we're not answering your questions right now,

Brian Stuckey; Yeah

Donnie Peterman III keep in mind that once we kind of got our game plan too, you'll definitely know

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Brian Stuckey: Yup

Donnie Peterman III: what things you know, when it goes to the city council.

Brian Stuckey: Another big concern I guess on that particular parcel would be drainage and on the lighting. I mean the lighting would affect me, the drainage not so much,

Donnie Peterman III; Yep

Brian Stuckey: but that lot is usually under water all spring. So where's all that water going to go?

Stefon Boleen: We had the drainage conversation when it first got brought up and as far as the wetland map goes.

Brian Stuckey: Well I don't think it's a designated wetland, but I mean I've lived there for 25 years and it's, that lot is under water every spring.

Stefon Boleen: Welcome to Rock Creek

Brian Stuckey: So that water's gotta go somewhere, Yeah

Stefon Boleen: When the, the State redid that whole area they kind of

Brian Stuckey: Yeah

Stefon Boleen: dictated the water shed a little bit.

Brian Stuckey: Yep, So I don't know if they're thinking of hard topping that or just dirt or what, but I mean

Stefon Boleen: I believe it's gravel

Curt Kubesh: Right now it's gravel

Brian Stuckey: Ok, so I guess those are my questions for right now

Curt Kubesh: Ok, Thank you

Stefon Boleen: Fair enough, Thank you.

Curt Kubesh: Mr. Teeman, Please come up.

Ron Teeman: The only question I have, is reading through the C-2 Commercial Scenic Byway Ordinance. That ordinance is written more to businesses that are open. People there, Not storage facilities that are coming in and out. Was the apparent of the reading of that uh district. So by the way the current ordinance is written, that does not fit, uh that area.

Dan Saumer: And that's why we're reviewing the text part of the ordinance.

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- Ron Teeman: But this is to just add a text amendment to add that into it, but it doesn't if you read the whole ordinance, it does not, everything is related to either a home business or a business that is open set hours. Um, whether we put storage there or not that's up to the Cit. uh, you know that's what you guys are here for to make recommendations to the council and it's the councils final decision, but if it is allowed I think you need to relook at that entire district on rewriting the whole thing because of what's required in there for that and none of that pertains to that, uh, that type of amenity. That's all I have.
- Curt Kubesh: Thank you
- Stefon Boleen: Thank you
- Brian Stuckey: I guess I have one other question
- Curt Kubesh: Come up the table so our microphone cane here ya
- Brian Stuckey: So, the point was brought up basically is that it's not allowed under the current rules. So are we setting a precedent if we allow somebody to, how do I say it, if we're we're rewriting the rules for one person do we set a precedent for the future if somebody wants to say the old whatever, anywhere, um they went to court are they just going to say that oh well they did this for him and they did this for him and they did this for him.
- Curt Kubesh: I guess one question I have for you Brian, is it it doesn't say anything in here about a gun shop. And we allowed a gun shop in there too.
- Brian Stuckey: That was a retail, yep
- Curt Kubesh: But a gun shop, it doesn't say anything about a gun shop
- Brian Stuckey: And that was, that was actually specifically spelled out at the time I got the CUP
- Oliver Rauschnot: On your CUP?
- Curt Kubesh: On your CUP?
- Brian Stuckey: No in the zoning regulations at that time.
- Ashley Rauschnot: Like it was added as a text amendment also at that time?
- Brian Stuckey: No it was actually specifically allowed

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- Dan Saumer: It probably fell underneath the general retail sales and services, that portion of it and that's that's my guess is what they let it go in under.
- Brian Stuckey: Sure, like I said I'm not I'm not against anybody, you know, having a business and doing what they want to do. I just think that that's there's a lot more questions than answers at this point.
- Donnie Peterman III: It, it doesn't really set a precedence unless it was another storage unit, in the same district with the same type of situations and with a conditional use permit each, that's what its for, is each individual case is different. So somebody somebody might not have the same conditions in their CUP going forward.
- Brian Stuckey: Right, but what I'm saying right now is that's not even allowed as a conditional use. You're actually going and changing the law for one specific business.
- Stefon Boleen: Well everything that's a conditional use wasn't, most of these things weren't in here at some point.
- Brian Stuckey: Sure
- Stefon Boleen: As our community grows, you gotta take peoples needs into consideration.
- Brian Stuckey: Yup, Nope, like I said, I'm not against it at all I'm just
- Stefon Boleen: No, we're, don't feel like you need to defend yourself. We're here for you guys. You know
- Brian Stuckey: Sure, Yep, just looking for answers
- Stefon Boleen: Absolutely. I think our best interest is obviously what's right for the community. And I live here, we all live here. Um, I mean we all live pretty close to here. We appreciate the feedback for sure.
- Chelsy Lindman: I have just a quick. Um, I do also have intersection concerns. I live right by Brian. Um, it is a very tumultuous intersection. So I think we just need to look at a lit stop sign there or anything we can do to not block visibility from that inter intersection, making sure you know anything is set back far enough so there's still, you know maintains proper visibility for people to see. So that coming across that intersection can be a little less tumultuous.

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Oliver Rauschnot: I totally, I totally agree with you, the problem that we run into

Curt Kubesh: That's State

Chelsy Lindman: Yea, but I don't want to hear that because

Ashley Rauschnot: State and County

Chelsy Lindman: it is bad

Ashley Rauschnot: I know but we can't touch their corner, that's either that State (Hwy 70) or

Curt Kubesh: County

Ashley Rauschnot: County (61)

Curt Kubesh: We can't touch their road.

Chelsy Lindman: So who do I have to talk to

Ashley Rauschnot: Either MnDOT or Pine County

Curt Kubesh: Pine County or MnDOT

Chelsy Lindman: Ok

Dan Saumer: They would probably

Oliver Rauschnot: Whether this

Chelsy Lindman: I mean, can we send letters, like what can we do.

Oliver Rauschnot: Whether the storage unit thing goes through or not. I totally agree that there should be, that's a a totally separate issue and I think that

Chelsy Lindman: I just think it's something too that we need to keep in mind though, because of that so when we're thinking about positioning of things. Fencing. Privacy

Ashley Rauschnot: I watched somebody blow that stop sign right at night

Chelsy Lindman: I mean I can see it from my house sometimes, the bottom of the cars, So I'm just saying, It is it's bad

Stefon Boleen: I mean even the bridge right here is terrible, getting on and off. There's no

Oliver Rauschnot: And I wish when they would have gave the driveway permit, they would have thrown it on the other road,

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Dan Saumer: But it is, it does bring up a good point, I mean when they redone the bridge down here on the county road, I asked for additional signage and I asked for a lighted stop sign and stuff and when I approached the state, they said well it's a good thing you're asking this far in advance, we'll take a look at it

Chelsy Lindman: Okay

Dan Saumer: and they did look at it and they did do bigger stop signs on both sides of the road, but they didn't put up lights

Chelsy Lindman: lights

Dan Saumer: they didn't put up lighted ones

Chelsy Lindman: Well I mean if there's just any, any information that I can get to make it happen or I mean to help make happen, just let me know, I mean it's not great

mumbles from audience and several people speaking over one another

Dan Saumer: And Um,

Oliver Rauschnot: What did he say?

Chelsy Lindman: The more voices the better, he said

Stefon Boleen: Absolutely

Dan Saumer: I do have, I do have a state point of contact that I can try and talk with. And it might be a good idea.

Stefon Boleen: Yeah

Chelsy Lindman: And then, yeah just thinking, privacy wise too, knowing that bike path that's going to go in there, there's going to be potentially more foot traffic, you know to keep everybody's belongings safe in the storage unit, does there need to be fencing? Or anything like that around it and what can we do privacy wise just to make it look a little nicer. Maybe

Stefon Boleen: Definitely

Chelsy Lindman: Yep

Oliver Rauschnot: Thank you

Chelsy Lindman: Yep

Stefon Boleen: Thank you

Curt Kubesh: Anyone else

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Chair Curt Kubesh closed the Public Hearing for a Text Amendment to allow Storage Units in C-2 Highway Commercial Scenic Byway District at 7:13PM.

Chair Curt Kubesh called the Public Hearing for CUP-24-001 for Jamie Newman building storage units in C-2 to order at 7:13PM.

Ashley Rauschnot:

Notice is hereby given that the Rock Creek Planning Commission will conduct a public hearing Monday March 18, 2024 at 7PM at the Rock Creek City Center.

The purpose of the public hearing is to take comments on Jamie Newman building storage units in the Commercial 2 Highway Commercial Scenic Byway District on property described as R43.0278.009, 2.5 acres, Sect-16 Twp-038 Range-021 That Part Of The South 305 Feet Of The West 1/2 Of Southwest 1/4 Of Southeast 1/4 That Lies West Of East 300 Ft Thereof Micro #437621,494007-008,578311-12,578956,579857-58

Interested persons are encouraged to offer testimony by:

Email at: arauschnot@cityofrockcreek.org

Mail at: City of Rock Creek
7000 State Hwy 70
Pine City, MN 55063

The Planning Commission shall hold their regular meeting immediately following the public hearing.

	Curt Kubesh:	Jamie, you want to come up
	Ashley Rauschnot:	Nope, this is only for Public Hearing Comments
Curt Kubesh:		Oh, only for public hearing comments
Ashley Rauschnot:		sorry
Jamie Newman:		Should I come up or not?
Ashley Rauschnot:		Not yet,
Curt Kubesh:		No Yet
Ashley Rauschnot:		For any more comments
Curt Kubesh:		Any more comments? Concerns
Don Burger:		This is for the actual permit part?
Ashley Rauschnot		The CUP, yeah

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Oliver Rauschnot: Yeah

Don Burger: This is Don Burger, um just this is just a process observation here. So it looks like uh C-2 , I think it's on page 50 and 51, there's an additional requirements it's more.

Stefon Boleen: Other commercial requirements?

Don Burger: Yep, Additional and I'm just curious and for maybe everyone else's benefit you know that it's like there's an administrative process in the ordinance that's laid out that you go through all the different steps, page 50 and 51, Yeah I'm not here to go through all of those things, but where is that particular segment you know because it has to be essentially setting specifications and design parameters that you won't be able to set up tonight and is it going to be a process where that is just done administratively without a vote by planning commission? You know do the permits, whatever you recommend to the council, you're not going to actually have all of your site specifications that are required you know, under this to actually take a formal vote, you know it's similar to what we just did earlier on the other um you know the other storage unit there, where essentially you know the building permit would be issued after these unspecified standards were, were passed. But I just, it would be really good to let us all know kind of where does this plug in. I know you generate a finding of fact and opinion after the case and I presume that's before a vote comes up before council? Is that finding out a planning commission given in front of the council members you know the stipulations are in that that then would generate building, permission for the building permit. So it's just I'm seeking clarification on that process. As it's called out in the ordinance book. That's all I had. Thank you much.

Oliver Rauschnot: Thank You

Stefon Boleen: Thank You. He's referring to C on 50 and then 1-8 after that. No permit shall be issued until...

Curt Kubesh: Mmm hmmm, anyone else?

Chair Curt Kubesh closed the Public Hearing for CUP-24-001 for Jamie Newman building storage units in C-2 at 7:17PM.

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Chair Curt Kubesh called the Planning Commission Meeting to order at 7:17PM.

Members present:

Oliver Rauschnot, Dan Saumer, Curt Kubesh, Donnie Peterman III, Dillon Barton, Stefon Boleen

Members Absent:

Josh Froelich

Others present:

Ashley Rauschnot, Don Burger, Chelsy Lindman, Craig Saari, Ron Teeman, Kevin Newman, Jamie Newman, Dylan Lindman, Nancy Rys

Pledge of Allegiance

Public Forum – N/A

Oliver Rauschnot motioned seconded by Stefon Boleen to approve the February 20, 2024 minutes as sent. Motion passed with all ayes.

New Business

Text Amendment for Storage Units in C-2

Members agreed that this would be suitable for C-2 and that looking at everything else that is allowed in C-2, this would not create any more traffic than the other items listed.

Dillon Barton motioned seconded by Stefon Boleen to recommend for approval to the City Council the Text Amendment to allow Storage Units in C2 as a conditional use. Motion passed with all ayes.

CUP-24-001 Jamie Newman Storage Units in C-2

Oliver Rauschnot motioned seconded by Stefon Boleen to recommend for approval to the City Council CUP-24-001 with the following conditions:

1. Provide proof of insurance on an annual basis.
2. Follow all City Ordinance's for setbacks.
3. Hours of Operation: 8am – 8pm
4. All signs must comply with City Ordinance 1000.23 Subd. 8-2.
 - Permitted uses which are not residential may have one sign which shall not exceed sixty-four (64) square feet in area per surface.
 - Size. The size shall be proportional to the size of the facility, need for signage, frontage on street, location, visibility, and development in the area. The maximum

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size per street frontage shall not exceed sixty-four (64) square feet per sign surface with a maximum area of one hundred and twenty-eight (128) square feet per property.

- Height. No freestanding sign shall exceed fifteen (15) feet in height.
- Lighting.
 - Lighting shall be indirect or it shall be backlighting.
 - Exterior exposed neon lighting, flashing illuminated, and/or rotating illuminated signs shall be prohibited.
- Design. Signs attached to the building shall be integrated with the building design and architecture in terms of materials, colors, lighting and placement; signs not attached to the buildings shall be architecturally treated and coordinated with the principal building by use of compatible materials and design.
- Location. No freestanding sign shall be located less than ten (10) feet from any street right-of-way line.

5. Security

- Security gate will be installed.
- All cameras shall not face the road or neighboring properties.

6. Drainage:

- Drainage will be routed to Jamie's adjoining property as to not impede on any neighboring properties.

7. Lighting

- All security lighting will comply with City Zoning Ordinance and not impede in any way on residential neighbors.
- Light must be installed by the gate.

8. The maximum property coverage of the storage buildings and pavement is 75 percent.

9. Maximum of 3 storage unit buildings per 2.5 acres.

10. Facility layout, design, and exterior building materials and treatment for all structures including, but not limited to, fences, walls, gates,

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buildings, and landscaping shall be of high quality and be aesthetically pleasing when viewed from adjacent properties and the public right-of-way.

11. At least forty feet of clear, unobstructed driveway depth will be provided from the road to the primary access gate or principal entry point of the facility.
12. All conditions of this permit are subject to annual review. Conditions will be enforced by City Staff or Council. Should the conditions not be met the Conditional Use Permit will be terminated.
13. If the Business is discontinued for at least one year, the Conditional Use Permit will be terminated.
14. It is the applicant's responsibility to notify the City if the business is discontinued or if there is a transfer of property of ownership.

Motion passed with all ayes.

Platted Subdivisions within R-1/R-2 District: Text Amendment Discussion for Hooved Animals

After reviewing the ordinance book, members realized that there is nothing in R-2 that says you can have any livestock. So they will leave R-2 alone.

R-1 lists "Agricultural Activities" as an interim use. Members agreed that this is a very vague term. Nancy Rys asked if she could speak to clarify. She said that when she was on the Planning Commission, they defined agricultural activities as something that would need a Schedule F for income taxes.

Council members all agreed that hooved animals should not be allowed in development within R-1, but there were mixed reviews on whether chickens should be allowed.

The final decision is that the "Agricultural Activities" will be left in R-2 but with a bullet point added underneath that says excluding Platted Subdivisions. Dan Saumer will bring this to the City Council to see what their thoughts are. If they agree, we will hold a Public Hearing at the April Planning Commission.

Add Statement to Zoning Ordinance stating if something is not listed as a permitted use, then it is not allowed without an approved Text Amendment.

It is listed under General District Provisions, but members agreed that adding a footer might be a good idea with all of the controversy and confusion lately in regards to zoning ordinances. Members agreed to let Dan Saumer as the Council their thoughts. If they agree, we will hold a Public Hearing at the April Planning Commission meeting

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to add a footer to the zoning ordinance book.

Old Business - N/A

City Council Notes - N/A

Stefon Boleen motioned seconded by Oliver Rauschnot to adjourn 8:38 PM. Motion passed with all ayes.

Ashley Rauschnot

Deputy Clerk