

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
August 19, 2024**

Chair Curt Kubesh called the Planning Commission meeting to order at 7:00PM.

Members present:

Dan Saumer, Curt Kubesh, Dillon Barton, Josh Froelich, Chad Pasch, Donnie Peterman III

Members Absent:

Oliver Rauschnot

Others present:

Ashley Rauschnot, Don Burger, Ron Teeman, Vanessa Sebring, Josh Sebring, Craig Saari, Nancy Rys, Clarice Rennick, John Rennick, Don Ramberg

Pledge of Allegiance

Public Forum

Donnie Peterman III motioned seconded by Chad Pasch to approve the July 15, 2024 minutes as sent. Motion passed with all ayes.

IUP-24-002: Vanessa Sebring – Equipment Rental Business

- Vanessa Sebring asked for clarification on why this was an IUP and not a CUP. It was explained that the CUP would go with the property and the IUP would follow the person. Vanessa would like to run a business out of her home located in R-1 District, Work and Play Rentals LLC. They have attachments for skid steers, one skid loader, a couple of go carts, some ATVs, different walk behind equipment, weed whips, etc. to rent out to residents. Curt Kubesh brought up that this business type is not listed as an allowed Conditional/Interim Use, even under special home occupations in R-1 District. Members asked for a site plan and how this was all going to be laid out on a Residential Property.
- ***Chair Curt Kubesh called the Public Hearing to Order: IUP-24-002: Vanessa Sebring – Equipment Rental Business at 7:08PM***
 - Curt Kubesh: “Yep, Ron Teeman, you can come forward.”
 - Ron Teeman: “Uh, just to verify the zoning, they are located in R-1 not R-2. Um, I’m not against it, but you also have ordinance to follow. Uh, to which it’s not a permitted use in any of the residential R-1 Districts. Uh, I was told that they also went through using the Special Home Occupation

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
August 19, 2024**

and if you look at your ordinance of 1000.20: Subd. 6 Paragraph E. you can not have equipment in the open, it needs to be enclosed in a building. Um, that being said, can I ask them? Have you applied for a sales tax permit”

- Josh Sebring: “Yeah we’re all done with the state”
- Ron Teeman: “You’re all done with the State? Um, something else that should be addressed is 560th Street is a busy street. Your site plan would probably answer that question. But it has happened before with the gun shop where he was getting UPS no backing off of or backing onto 560th. 560th is a lot busier, not as busy as 61, but there’s no shoulders and I’m assuming that, you know, people would be picking up delivering or picking up equipment as needed.”
- Vanessa Sebring: “Sure”
- Ron Teeman: “Ok, that they should have a spot in order for someone to come in and turnaround whatever reasonably. That’s all I have.”
- Curt Kubesh: “Any other public comment?”

- ***Chair Curt Kubesh closed the Public Hearing for: IUP-24-002: Vanessa Sebring – Equipment Rental Business at 7:10PM***

- Curt Kubesh confirmed that this is not allowed, as is, in the R-1 District. Josh Froelich also agreed with the turnaround being a necessary factor to consider. Curt Kubesh said if this goes further, it will need a text amendment. Donnie Peterman III asked that it be submitted to John Anderson for his input. Members asked Vanessa to submit a site plan to the office ASAP this week so that it can be submitted to John along with the information already submitted.

Donnie Peterman III motioned seconded by Dillon Barton to table this topic until the next meeting after we get John Anderson’s input. Motion passed with all ayes.

TA-24-002: Text Amendments for Resorts

- 1. Add/Combine Resorts with Campground Ordinance #77
- 2. Add a definition for resort in the Zoning Ordinance 60
 - Resort: “Resort” means a building, structure, enclosure, or any part thereof located on, or on property neighboring, any lake, stream, skiing or hunting area, or any recreational area for purposes of providing convenient access thereto, kept, used, maintained, or advertised as, or held out to the public to be a place where sleeping accommodations are furnished to the public, and primarily to those

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
August 19, 2024**

seeing recreation for periods of one day, one week, or longer (but not more than 30 days), and having for rent 2 or more cottages, rooms, or enclosures.

Josh Froelich recused himself from discussion on the following topics.

- ***Chair Curt Kubesh called the Public Hearing to Order: TA-24-002 Text Amendments for Resorts at 7:17PM***

- Ron Teeman: "I'm just going to speak from here"
- Curt Kubesh: "Ok"
- Ron Teeman: "Your definition is almost word for word for the state of MN until you get to the very end where the state of MN has uh, for where 5 or more cottages, rooms, or enclosures. IS there a reason why the city decided"
- Ashley Rauschnot: "We did two or more because that lines up with the Campground ordinance that says a campground"
- Ron Teeman: "That doesn't line up with the campground ordinance because the campground says you have to have fifteen sites at the campground"
- Ashley Rauschnot: "But the definition of a campground was 2 or more"
- Don Burger: "My comment here is, Don Burger, regarding the definition, my understanding is that it's in the context of the campground ordinance and I think Nancy's comment relative to CUPs in the public comments related to the actual application for the Campground Resort, so, excuse me, the PUD process, so essentially, just to go back to what Nancy was mentioning we want to have the definition for the campground ordinance seeing as it's attached to the campground ordinance that's already been adopted and existing in the ordinance and then we have a PUD process that is already existing, we've also never used that one before. And so, I believe the definition is not for a PUDing process, it's for campground, the campground soon to be resort ordinance so, I just wanted to make a point that the definition isn't amending the Planned Unit Development process."
- Josh Froelich: "Uh, The comment that I've got on this is simply through all the research that I did with the State of MN and the MN Health and Lodging Rules and Campground and all of those pieces, uh

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
August 19, 2024**

the number one difference between campground and resort was, uh, whether or not the cabins had wheels. Right? I mean, plain and simple, if they're a mobile unit, it's a campground if they're on a slab and they're a permanent structure it's a resort. And so, when I'm looking at the campground ordinance it's covering you know, I'm looking through the lodging rules and statues, uh, MN Mobile Home and Recreational Camping with the State of MN, MN Health, and as we go through this, they follow very similar paths and so from an ordinance perspective I'm just going, hey, you know like, the only difference here is that I'm not going to ... (inaudible)... you know so I'm just looking at the resort definition going, well you know like, is there a challenge with permanent structures over trailer units? If there isn't, I suggest you align with the way the MN State and MN Health looks at resorts vs campgrounds. That's all I have on that."

- Curt Kubesh: "Any other comment?"
- Craig Saari: "Where is this property located?"
- Curt Kubesh: "Down on Nature South, in the Rec District."
- ***Chair Curt Kubesh closed the Public Hearing for: TA-24-002 Text Amendments for Resorts at 7:21PM***
- Curt Kubesh highly recommends this goes to John Anderson for review, members agree.

Donnie Peterman III motioned seconded by Dillon Barton to table this topic until the next meeting after we get John Anderson's input. Motion passed with all ayes.

CUP-24-003: Josh Froelich Campground/Resort

- Josh Froelich presented the slideshow with his idea for a Micro Resort. He would like 5-7 cabins along with a handful of off-grid sites. Something very small for the community to enjoy and to bring in people from outside the community to enjoy Rock Creek. Looking at 13 sites including cabins, tents, etc. for high end camping. Tiny house cabin: 400 square feet, 1 bedroom, 1 bathroom, and a small kitchen living area. Josh noted that the original site plan has changed a bit after hiring and Advanced Septic Designer and that they had to move things around a bit to accommodate for those changes with the septic system. Josh says he's taken it as far as he can with the Septic System at this point until he cuts timber. Because they need a direct line of site with the laser. He would prefer to not disrupt beautiful forest without an approval. He has a

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
August 19, 2024**

plan with the Advanced Designer that he has every intention to follow through with after approval. With the average that a person spending on vacation, he's looking at bringing $\frac{3}{4}$ of a Million Dollars of Revenue to the area. Not to mention all of the employment opportunities this will bring. Eco domes, Yurts, etc. will be off-grid. But will also meet the Camping Ordinance Guidelines and the MN Health Department rules. He entertained submitting this as a PUD vs Campground Ordinance, but realized that whatever rules the City comes up with for the Campground Resort, the State has its entire own set of rules and regulations, which are much more strict, that he will have to follow. Josh realizes one of the issues that cities face is enforcement. Josh said that with this type of Campground Resort, the State has annual inspections and visits and they will be the ones enforcing it for the most part. As far as who will be in charge and taking care of the Campground Resort, it will be Josh himself, as he lives right on the neighboring property.

Dan Saumer asked the question about expansion in in the future.

Josh Froelich replied that this 50 acres is done after these. He says what makes a glamping resort special is "space". And so if you stack too many in there, you eliminate the entire market. So that parcel is done, it will be at max capacity. He said he does own 210 acres over there and that his 100 acres that he lives on is off limits. There is another 60 acres on the other side of him and if this went super crazy and was super successful and they loved the business. He may consider, 5 years from now, starting the process again on a separate parcel. That would be the growth plan.

- ***Chair Curt Kubesh called the Public Hearing to Order: CUP-24-003: Josh Froelich Campground at 7:34PM***
 - Ron Teeman: "Can I ask Josh a question?"
 - Curt Kubesh: "Yeah"
 - Ron Teeman: "You were mentioning that you were going 13 sites?"
 - Josh Froelich: "Uh yeah so 7 cabins and uh 5-6 off grid sites."
 - Ron Teeman: "You realize that the zoning ordinance says a minimum of 15?"
 - Josh Froelich: "For campgrounds?"
 - Ron Teeman: "For campground, well we're looking a combining resort/campground so"

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
August 19, 2024**

- Josh Froelich: “Sure”
- Ron Teeman: “Would that fall under that ruling”
- Josh Froelich: “By the definition, uh yes, because it’s two or more, but by the campground ordinance... good question.”
- Ron Teeman: “That’s all I got. Oh the other one I had, any address for the added traffic fort the people that live on that road? I haven’t looked up the plot itself. Is your parcel the one that uh, Besta was logging off of? Is that that 50?”
- Josh Froelich: “Yup, all the way to the end”
- Ron Teeman: “Right on the corn, right when you make the corner right?”
- Josh Froelich: “Further”
- Ron Teeman: “Oh further? Ok I just seen them logging in the third corner, with the equipment. I didn’t know where all they were logging at. Any address with the neighbors for the”
- Josh Froelich: “Yup, traffic perspective?”
- Ron Teeman: “traffic perspective”
- Josh Froelich: “So, uh, I run another business. Uh, it’s a firearm range down there. And these two businesses sort of go head-to-head. So if I have 40 guests at a glamping resort. Uh, we’re going to be shooting less, right? I can’t go over there and just run 10,000 rounds through the ARs that weekend and so on that side of the business I’m allowed 40 people. And so if we are reducing 40 people on the shooting and bringing in 40 people to the camp. Like, I don’t think that there is a direct, additional camping traffic need here. Because we’re already bringing in that many people on different event weekends.”
- Donnie Peterman III: “Right but on your shooting, you’re doing it during the weekend, camping could be weekend, during the week, they could be there for the week.”
- Josh Froelich: “Yeah, well shooting is too, I’ve got cops that, I bring in whole departments that I train out there. It’s, it really is very similar and when there is more camping, you got to knock the shooting down. Make sure I’ve got happy campers.”
- Curt Kubesh: “Anybody else? Don”
- Don Burger: “These are like now obsolete prepared

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
August 19, 2024**

comments. Um, I am an enthusiastic supporter of Josh's concept as outlined in his Nature Shores PDF, he um, it checks many of the boxes that will benefit the City in general and has the potential to be quite compatible within the neighborhood. This is the first use of the our new campground ordinance and it's reference to the existing PUD ordinance that also has not been used before. They're interlocking, Uh, like many other parts of our City codes, they are often interconnected. It's important to establish the reasons for any variation from the PUD ordinance process, since it is identified as the administrative procedure to be used in the campground ordinance. There is great flexibility using the PUD toolbox. Please include your reasons for not using the PUD process in your recommendations to the City Council. Um, may I be permitted an add-on comment following discussions heard earlier? Um, I have exchanged some emails with Josh and he's explained his reasons that he explained to you this evening for the approach of pursuing it just as, a let's just call it, a condition... a traditional PUD or CUP, pardon my acronym problems here, so since we have an existing campground ordinance that outlines all these stipulations I don't see necessarily that you can't void a lot of the complexity that might be and add to the length of a planned unit development process. There's just a lot of work that's already been done within that existing ordinance and again I think getting in the habit again of using John at the Municipal Development Group. He never sets our policies, but he helps us guide through procedures and if you have it in the ordinance it's in the way or if there's a restriction, we see that would prohibit Josh from moving forward because of a technicality and the policy of the recommendation of the Planning Commission or the council that says hey you need to modify something in our ordinance to let this happen. You know, he can guide you that way too. So I kind of want to set aside the idea that somehow, you know John is going to make us do something that we don't want to do. Because the City always has the power to change the rules. I mean, John doesn't tell us what the rules are, but he says the way you got the rules set up you know here's the [inaudible]. So I would encourage, I think timeliness is important, I think this opportunity with Josh is something that many Cities that economic development, you know, commissions would be, I mean they'd be working years to get, this is the first development that we've envisioned that Rock Creek has been here to add this sort of activity in that district. It was the old, it was in all the old Comp Plans, it was especially focused in the one that preceded the current one. And so I just think that

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
August 19, 2024**

something that, you know, that we should make sure we get, however you decide to pursue from here, that you essentially give the moral green light to being excited about this project, maybe not as much as the neighbor, but he's been, he's been [inaudible], he lives within his rules and I would say that relative to living within acoustic environment of his existing business. It's, it's noticeable, uh it's intermittent, it isn't. It's a whole order of magnitude different than having your traditional gun range. And it's, it's an appropriate use, it gets people outdoors and this is just something that I think would be just a really great balance. And um, you know, better for the future of our acoustic environment."

- ***Chair Curt Kubesh closed the Public Hearing for: CUP-24-003: Josh Froelich Campground at 7:41PM***
- Curt Kubesh agrees that something like this is needed in the area, but this is the first one. So, it has to be set right the first time. He agrees that Josh has done his research and lots of leg work for his project, but that we should consult with John Anderson to make sure that nothing is missed. Dan Saumer agreed. Dan Saumer also asked for future reference that he would like to see a discussion on a topic/application one month and then have the Public Hearing the following month. Curt Kubesh agreed that this is a big project and everyone seems to be in agreement that it's a good project, but we need to table it until we get guidance from John Anderson.
- Josh Froelich mentioned that he would like to expedite this project, otherwise it will end up costing him 30% more and have to stretch it out over 3 years. Therefore, he is willing to pay for special meetings with Planning Commission and City Council. Planning Commission acknowledged his concerns, but would like to stick with the decision to consult with John Anderson before moving forward.

Dan Saumer motioned seconded by Dillon Barton to table this topic until the next meeting after we get John Anderson's input. Motion passed with all ayes.

Josh Froelich stepped back into discussion for the following topics.

THC

Dan Saumer brought up that the Moratorium for the THC expires on October 5, 2024. The Planning Commission is close to getting an Ordinance completed, but not quite there yet. Members agreed to ask the council for an Extension on the Moratorium for THC until the end of the year. That will give Planning Commission a few months to hold a public hearing and recommend a completed ordinance to

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
August 19, 2024**

Council for approval.

City Council Notes

Dan Saumer asked about the Right of Way Permit. Ashley Rauschnot noted that it's on the agenda for next month for a Public Hearing. Nothing further from Council at this time.

Donnie Peterman III motioned seconded by Dillon Barton to adjourn at 8:10PM. Motion passed with all ayes.

Ashley Rauschnot
Deputy Clerk