

**CITY OF MADISON LAKE
PLANNING COMMISSION MINUTES
May 28, 2013**

Roll Call:

Upon roll call the following members were present: Mike Klassen, Ann Austad, Ron Voth, Ryan Sanders, and Rick Anderson

Members Absent: Annette McBeth

Staff Present: Kelly Steele

Others Present: Dave Stoufer of 68 Balsam Circle; Frank Tiemann of 1020 Park Road; Mary Robin, Melissa Farniok and Stephanie Arndt of Pitter Patter Early Learning Center, LLC; Liz Blascho of All Saints School; and four other people.

Call to Order:

Chair Klassen called the regular meeting to order at 7:08 p.m.

Consent Agenda:

A Motion by Anderson seconded by Voth, to approve the May 28, 2013 agenda, the April 22, 2013 regular minutes, and April 22, 2013 work session minutes.

Roll Call- Ayes: Klassen, Austad, Voth, Sanders, and Anderson
 Nays: None
 Motion Carried

Public Hearing:

4A) Conditional Use Permit Request for a Duplex at 53 Balsam Lane

- Mr. Tiemann has submitted an application for a duplex at 53 Balsam Lane.
- Some residents in attendance expressed concerns with the number of duplex units in the Pines Subdivision.
- Some residents did not know a duplex could exist in a single family zoning district.
- The Planning Commission discussed limiting the number of rental units in a given area.
- Mr. Tiemann explained he tried to build a property that would complement the neighborhood.
- The Planning Commission discussed the timing of when a conditional use permit is required.

4B) Conditional Use Permit Request for a Daycare Center at 608 Walnut Avenue

- Ms. Robin explained she is leasing the Technical Solutions building.
- The daycare will be licensed for 8 babies, 14 toddlers, and 30 preschoolers.
- Ms. Robin will need to add a bathroom stall and sink to the building.
- Ms. Robin explained which state agencies have oversight on a daycare center.
- The Planning Commission discussed that a daycare center is not an approved use or a conditional use in the B-1 business highway district.
- Ms. Robin will construct a playground on the north side of the building.

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- The Planning Commission identified concerns of child safety due to the proximity to the highway.
- The Planning Commission discussed if there is no intent to add a daycare center to the B-1 district, this application should be denied.
- Denying the conditional use permit request and approving an interim use request will provide the Planning Commission with time to review zoning of daycare centers.
- Garbage will be kept on the north east side of the building.
- Parking on the Highway 60 and 7th Street will be discouraged.
- Ms. Robin explained it takes 90 days for the state to act on an application for a daycare.

Chair Klassen closed the public hearing at 8:18 pm

Public Open Forum:

Unfinished Business:

New Business:

7A) Conditional Use Permit Request for a Duplex at 53 Balsam Lane

- The conditions prepared by staff are the same conditions that were placed on the previous conditional use permit requests for a duplex.

A Motion to propose the conditional use permit request to the Council as a duplex, as presented, similar to the duplex located across the street, including the conditions prepared by staff for the council to approve was made by Anderson seconded by Sanders.

Roll Call- Ayes: Klassen, Austad, Voth, Sanders, and Anderson
 Nays: None
 Motion Carried

7B) Conditional Use Permit Request for a Daycare Center at 608 Walnut Avenue

- The Planning Commission discussed balls rolling in the street could be a safety hazard to traffic.
- Bumper curbs could be used to stop vehicles from parking on the sidewalk.
- The Planning Commission would like to see the south side of the building fenced.

A Motion to recommend the city council issue an interim use permit to Pitter Patter Early Learning Center, LLC, with the following conditions:

1. All pick-up and drop-off and parking for the child care facility shall occur on-site and off the adjacent public streets. Safe walking areas in front of vehicle parking shall be identified.
2. All children must be accompanied into and out of the center by an adult.

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3. All necessary State and local licenses shall be properly obtained and maintained.
4. Food service facilities are subject to approval by the State of MN Environmental Health Department.
5. No increase in license capacity during the permit period without the review and approval by the Fire Marshal.
6. The proposed daycare center must conform to all applicable City of Madison Lake Ordinances and State of Minnesota Statutes, Rules and Regulations.
7. Outside garbage must be screened from residential areas.
8. The property must be fenced as showed on the map submitted with the application, in addition to a fence between the front of the building and highway 60.
9. This interim use Permit shall expire on June 3, 2014.
10. The City reserves the right to terminate the Permit at any time if Pitter Patter's violates or fails to meet any of the terms and conditions set out in this Permit.
11. Nothing contained herein shall be construed as prohibiting Pitter Patter's from applying for an additional permit upon the expiration of the current Permit, nor shall it be construed as a presumption the City will issue an additional permit upon the expiration of the current Permit.
12. The interim use permit is issued to Pitter Patters Early Learning Center, LLC and cannot be assigned.

was made by Austad seconded by Voth.

Roll Call- Ayes: Klassen, Austad, Voth, Sanders, and Anderson
 Nays: None
 Motion Carried

Updates:

Adjourn:

A Motion to adjourn at 9:11 p.m. was made by Voth seconded by Anderson.

Roll Call- Ayes: Klassen, Austad, Voth, Sanders, and Anderson
 Nays: None
 Motion Carried

Attest:

Kelly Steele, City Administrator-Clerk