

MILACA PLANNING COMMISSION

A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MILACA WAS DULY HELD ON THE 14th DAY OF MAY 2019, AT 255 1st ST. E. FOR THE PURPOSE OF PUBLIC HEARING AND REGULAR MEETINGS.

UPON ROLL CALL, THE FOLLOWING MEMBERS WERE PRESENT:

Scott Harlicker X Joel Millam X Sherie BillingsX Arla Johnson X
Pam Novak X

EX-OFFICIO MEMBERS:

Marshall Lind, Building Official/ Zoning Administrator X

Cory Pederson, City Council Liaison X

Others Present:

Carvin Buzzell

Chairman Harlicker opened the public hearing for the request from Carvin Buzzell for a conditional use to have an outside patio in the B-2 General Business Zoning District.

With no comments, Chairman Harlicker closed the public hearing for the conditional use.

The Regular Planning Commission was called to order and roll call was taken.

Motion was made by Commissioner Johnson to approve the minutes of the March 11, 2019 planning commission meeting. Motion was second by Commissioner Billings.

Motion **passed** unanimously

Commissioner Millam made the motion to approve the conditional use request from Carvin Buzzell to have an outside patio located in the B-2 General Business District with the following conditions:

1. The outside patio area shall be reflected on the owners liability insurance
2. Patio must be on the premises
3. Patio must be connected to their main building
4. Patio must be compact and contiguous
5. Patio must have a fence around it
6. Maximum size of the patio is 25 ft. by 90 ft.
7. Any use of the East sidewalk would need to meet the MN State Building Code
8. The construction of the mezzanine/patio must meet MN State Building Code
9. Must meet City of Milaca Zoning Ordinance for required setbacks
10. If there is debris from the patio area to surrounding properties, the passing of alcohol over the fence or noise concerns, the City may require the fence to be extended to 8ft. high or the City Council may revoke the Conditional Use
11. Any complaints or police calls to the establishment are grounds for revoking the Conditional Use

Commissioner Johnson seconded the motion.

Discussion:

Lind stated that Mr. Buzzell is asking for a 25' by 90' patio located on the North side of his building, he is also asking for seating to be located on the sidewalk of his building on the East side of the building and in the future, to have a mezzanine to be above the patio on the North side of the building. Commissioner Hallicker asked about how many parking spaces he had and would there be enough for the added seating space? Mr. Buzzell was not sure how many spaces he has but he does have a verbal agreement with the property to the South of his to be able to use parking on this property.

Commissioner Harlicker stated that it would be good to get something in writing stating that he can use the property of parking.

Commissioner Billings asked how many tables would be added to the outside patio? Mr. Buzzell stated he wasn't sure at this time.

There were questions about the type of fence, Mr. Buzzell stated that he wanted to put up a split rail type of fence around the patio.

Commissioner Harlicker asked about outside speakers or music, Mr. Buzzell stated that he would like too. There were questions about the noise ordinance and Lind stated that the noise ordinance goes into effect at 10:00pm. Consensus with commission is that the City noise ordinance would take care of any problems with noise.

There was more discussion about the added parking that would be required by City Parking Ordinance, the consensus of the Commission was that the patio would be a seasonal use and only used when the weather would allow, they felt that the existing parking on the property would be suffice.

Motion **passed** unanimously.

Planning Commission then reviewed and discussed changes to the Zoning Ordinance Land Uses Chapter 156. There will be a public hearing and recommendation to City Council on the changes at the next months meeting.

With no other business a motion to adjourn was made by Commissioner Novak, second by Commissioner Millam.

Motion **passed** unanimously

Minutes respectfully submitted by,

Marshall Lind

Marshall Lind
Zoning Administrator

Full minutes can be heard on tape on file