

**Detroit Lakes Planning Commission**  
**Agenda**  
**January 7, 2020**  
**6:30pm**  
**Via Web Conference**  
**City Administration Building**

**I. Call to Order**

**II. Minutes**

- A. Approval of the [minutes](#) of the regular meeting held on November 17, 2020

**III. Public Hearings**

- A. Public hearing to give consideration to a [conditional use permit](#) to allow the operation of a State licensed substance use disorder treatment facility serving up to 15 individuals at 921 8<sup>th</sup> Street SE (The Refuge)

**IV. Business**

- A. Consideration to [final plat](#) approval of Lakeview on Englewood
- B. Variance/Conditional Use Status [Report](#)

**V. Adjournment**

Minutes  
Detroit Lakes Planning Commission  
Via Zoom Meeting  
Tuesday, November 17, 2020

Chairman Bruce Imholte Begin the meeting with a roll call with the following members present: Commissioner Liz Foster- Anderson – yea; Commissioner Bob Louiseau – absent; Commissioner Chris Nord – absent; Commissioner Dan Wenner – yea; Commissioner Don Maristuen – yea; Commissioner Eric Lundmark – yea; Commissioner Nancy Haggart – yea; Commissioner Bruce Imholte – yea; Commissioner Marcus Lacher - yea

Others Present: Larry Remmen, Community Development Director; Kelcey Klemm, City Administrator; Jennifer Beck, Community Development Secretary

### **CALL TO ORDER**

Pursuant to Minnesota Statute 13D.021, it is hereby found necessary that in-person meetings of the Planning Commission are not practical or prudent due to the COVID-19 health pandemic and the peacetime emergency declared by Governor Walz.

Therefore, today’s meeting is being held through telephone and other electronic means without members of the public or City officials present at the regular physical location. These proceedings are being live streamed through YouTube to meet the requirements of Minnesota Statute 13D.021.

I will ask City Administrator Kelcey Klemm to review the protocols of using the Zoom conference call.

- Explain the functions of Zoom – where the mute button is, shared screen, messaging function, streaming to YouTube.
- Ask each person to identify themselves each time they speak. (Remind the Commission Members and staff to mute themselves when not speaking)
- In addition, ask each commission member to state their name when he/she makes a motion and when he/she seconds a motion.
- All votes require a roll call vote for each action item.
- Those wishing to speak to an issue should “raise their hand” for the issue they wish to speak to. We will then move you as a participant so you can make your comments.

Chairman Bruce Imholte called the Planning Commission to order at 5:15pm on Tuesday, November 17, 2020, via virtual meeting (Zoom). All members of the Planning Commission having been duly notified of the meeting and business to be transacted.

Note: Chairman Bruce Imholte informed the Commission and those in attendance that items considered at today’s meeting would also be addressed at the Monday, December 7, 2020, Community Development meeting, followed by the City Council meeting on Tuesday, December 8, 2020.

## MINUTES

A motion was made by Commissioner Liz Foster-Anderson, seconded by Commissioner Nancy Haggart, and carried unanimously to approve the minutes for Thursday, October 22, 2020.

Roll Call: Commissioner Liz Foster-Anderson – yea; Commissioner Dan Wenner – yea; Commissioner Don Maristuen – yea; Commissioner Eric Lundmark – yea; Commissioner Nancy Haggart – yea; Commissioner Bruce Imholte – yea; Commissioner Marcus Lacher - yea

## PUBLIC HEARINGS

Public hearing to give consideration to a conditional use permit to allow a short term rental of a two bedroom home and one bedroom guest cottage at 907 North Shore Drive (Melissa Watson)

Commissioner Bruce Imholte opened the public hearing.

Larry Remmen reported in the matter of consideration to a conditional use permit to allow a short term rental at 907 North Shore Drive (Melissa Watson). Larry Remmen stated Melissa Watson has requested a conditional use permit to allow a short term rental at 907 North Shore Drive. The zoning ordinance allows short term rentals as a conditional use in residential districts subject to the following conditions: 1) The building be of residential design. 2) The owner of the establishment obtain all required state and local licenses. 3) The owner comply with all requirements of the City Code 612, Rental Unit Registration. Also all short term rentals must pass their rental inspection prior to rentals taking place. 4) The owners pay the required lodging tax and any other required sales tax. The owner/operator must provide the City with their state and local sales tax numbers. 5) No cooking facilities be permitted in any guest bedroom. 6) At least two off street parking spaces be provided plus one space for each bedroom. The parking area shall be screened from adjacent residential property as provided in Section 3 of the zoning ordinance. 7) Signage is limited to one sign, single or double faced, that is non-illuminated and does not exceed four (4) square feet per sign face. The content of such sign is limited to the name and address of the facility. 8) A maximum of two (2) guest are allowed per bedroom. A maximum of 6 guests would be allowed per short term rental of this 2 bedroom home and 1 bedroom guest cottage. 9) The operator shall provide evidence of rental liability insurance. 10) The owner/operator shall maintain a log of all short term rental activity and provide it to the City upon request. 11) The owner/operator shall notify guests of all short term rental rules and regulations and provide contact information for the property manager, and emergency services. 12) The owner/operator shall maintain a safe environment by complying with building and life safety codes, prohibiting rental of accessory structures, providing smoke detectors, CO detectors, and fire extinguishers and posting the location of fire exits and escape routes. 13) Additional occupancy by use of recreational vehicles, tents, or other structures is not permitted. 14) No more than 4 boat slips are allowed for this short term rental.

Larry Remmen reported staff recommends approval of a conditional use permit to allow the 2 bedroom home at 907 North Shore Drive to be used as a short term rental subject to the conditions listed in the zoning ordinance. Larry Remmen noted the following: 1) The use is

defined in the zoning district as a conditional use. 2) The use does or can meet the regulations of the zoning district and other applicable ordinances. 3) The use meets the integrity of the zoning district. 4) The use is not injurious to abutting property owners. 5) Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.

Kelcey Klemm questioned difference with four boat slips for 907 North Shore Drive and two boat slips for 1162 South Shore Drive. Larry Remmen stated the ordinance allows each unit to be granted two slips. Larry Remmen stated there are two units which would allow four slips at 907 North Shore Drive. Larry Remmen stated 907 North Shore Drive has a house and guest cottage where 1162 South Shore Drive is only a house which would allow for only two slips.

Melissa Watson, applicant, has reviewed all of the conditions and stated the property meets all of the criteria. Melissa Watson stated she has other rental properties in the City and is aware of the safety of the properties such as smoke detectors, parking, exit signs, and safety rails. Melissa Watson stated she has worked with Priscilla Gurath over the past three years. Melissa Watson stated this property is a little different having two structures on one property. Melissa Watson stated this property is a great location for a family to come and enjoy the lake outside of the City and enjoy all of the amenities of the City. Melissa Watson stated with COVID, families will be able to enjoy being together but safely distance with the patio area.

Commissioner Nancy Haggart questioned the recommendation for a two bedroom home but nothing for the one bedroom guest home. Larry Remmen stated it was an oversight on the staff report but should include the two bedroom home and one bedroom guest cottage. Commissioner Bruce Imholte questioned when the Council reviews will there be a revised staff report. Larry Remmen stated the Council will have a resolution which will include a two bedroom home and a one bedroom guest cottage.

Commissioner Marcus Lacher stated four boat slips seems to be a large number of slips considering the rental is only allowed six guests. Commissioner Marcus Lacher questioned the total number of boats slips in relation to the two structures on the property. Larry Remmen stated the Planning Commission decided that two boat slips per unit for a short term rental would be adequate. Larry Remmen stated the boat slip requirement minimizes the amount of boat slips on the lake. Larry Remmen stated a family could come with a jet ski, fishing boat, pontoon, along with another boat. Larry Remmen stated four boat slips is reasonable.

Commissioner Bruce Imholte questioned the current total number of boat slips. Melissa Watson stated there is currently one dock located on the property. Commissioner Bruce Imholte questioned the total number of boat slips on the dock. Kelcey Klemm stated there are two lifts on the one dock. Kelcey Klemm stated the property is two units but the lots is very narrow.

Commissioner Bruce Imholte stated with the history of slips on Jay Schurman the number of slips that was granted was higher. Commissioner Bruce Imholte stated if the boat slips are currently on the property then they shouldn't reducing the amount of slips but if there isn't more slips on the property we shouldn't increase the amount of slips. Commissioner Bruce Imholte expressed that he is in favor of only granting two boat slips.

There being no further public comment, the public hearing was closed.

Commissioner Bruce Imholte suggested keeping the 13 conditions and changing the boat slips to only two boat slips. Larry Remmen stated that is a reasonable amendment. Commissioner Nancy Haggart expressed support with the two boat slips.

A motion was made by Commissioner Nancy Haggart, seconded by Commissioner Eric Lundmark, and carried unanimously to approve the conditional use permit to allow a short term rental of a two bedroom home and one bedroom guest cottage at 907 North Shore Drive (Melissa Watson) subject to the following conditions: 1) The building be of residential design. 2) The owner of the establishment obtain all required state and local licenses. 3) The owner comply with all requirements of the City Code 612, Rental Unit Registration. Also all short term rentals must pass their rental inspection prior to rentals taking place. 4) The owners pay the required lodging tax and any other required sales tax. The owner/operator must provide the City with their state and local sales tax numbers. 5) No cooking facilities be permitted in any guest bedroom. 6) At least two off street parking spaces be provided plus one space for each bedroom for a total of 5 parking spaces. The parking area shall be screened from adjacent residential property as provided in Section 3 of the zoning ordinance. 7) Signage is limited to one sign single or double faced that is non-illuminated and does not exceed four (4) square feet per sign face. The content of such sign is limited to the name and address of the facility. 8) A maximum of two (2) guest are allowed per bedroom. A maximum of six (6) guests are allowed per short term rental of this two (2) bedroom home and one bedroom guest house. 9) The operator shall provide evidence of rental liability insurance. 10) The owner/operator shall maintain a log of all short term rental activity and provide it to the City upon request. 11) The owner/operator shall notify guests of all short term rental rules and regulations and provide contact information for the property manager, and emergency services. 12) The owner/operator shall maintain a safe environment by complying with building and life safety codes, prohibiting rental of accessory structures, providing smoke detectors, CO detectors, and fire extinguishers and posting the location of fire exits and escape routes. 13) Additional occupancy by use of recreational vehicles, tents, or other structures is not permitted. 14) That the short term rental be limited to two boat slips.

Roll Call: Commissioner Liz Foster-Anderson – yea; Commissioner Dan Wenner – yea; Commissioner Don Maristuen – yea; Commissioner Eric Lundmark – yea; Commissioner Nancy Haggart – yea; Commissioner Bruce Imholte – yea; Commissioner Marcus Lacher - yea

Public hearing to give consideration to a conditional use permit to allow a short term rental of a four bedroom home at 1162 South Shore Drive (Jay Alsop)

Commissioner Bruce Imholte opened the public hearing.

Larry Remmen reported in the matter of consideration to a conditional use permit to allow a short term rental at 1162 South Shore Drive (Jay Alsop). Larry Remmen stated Jay Alsop has requested a conditional use permit to allow a short term rental at 1162 South Shore Drive. The zoning ordinance allows short term rentals as a conditional use in residential districts subject to the following conditions: 1) The building be of residential design. 2) The owner of the establishment obtain all required state and local licenses. 3) The owner comply with all

requirements of the City Code 612, Rental Unit Registration. Also all short term rentals must pass their rental inspection prior to rentals taking place. 4) The owners pay the required lodging tax and any other required sales tax. The owner/operator must provide the City with their state and local sales tax numbers. 5) No cooking facilities be permitted in any guest bedroom. 6) At least two off street parking spaces be provided plus one space for each bedroom. The parking area shall be screened from adjacent residential property as provided in Section 3 of the zoning ordinance. 7) Signage is limited to one sign, single or double faced, that is non-illuminated and does not exceed four (4) square feet per sign face. The content of such sign is limited to the name and address of the facility. 8) A maximum of two (2) guest are allowed per bedroom. A maximum of 8 guests would be allowed per short term rental of this 4 bedroom home. 9) The operator shall provide evidence of rental liability insurance. 10) The owner/operator shall maintain a log of all short term rental activity and provide it to the City upon request. 11) The owner/operator shall notify guests of all short term rental rules and regulations and provide contact information for the property manager, and emergency services. 12) The owner/operator shall maintain a safe environment by complying with building and life safety codes, prohibiting rental of accessory structures, providing smoke detectors, CO detectors, and fire extinguishers and posting the location of fire exits and escape routes. 13) Additional occupancy by use of recreational vehicles, tents, or other structures is not permitted. 14) No more than 2 boat slips are allowed for this short term rental. Larry Remmen stated staff recommends approval of a conditional use permit to allow the 4 bedroom home at 1162 South Shore Drive to be used as a short term rental subject to the conditions listed in the zoning ordinance. Larry Remmen noted the following: 1) The use is defined in the zoning district as a conditional use. 2) The use does or can meet the regulations of the zoning district and other applicable ordinances. 3) The use meets the integrity of the zoning district. 4) The use is not injurious to abutting property owners. 5) Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.

Jay Alsop, applicant, stated he was going to try the short term rental for the winter.

Commissioner Bruce Imholte questioned Jay Alsop if he understood all the conditions. Jay Alsop stated he understands the conditions.

Larry Remmen received an email from Brad Onsgard, 1151 South Shore Drive, on November 17, 2020, which stated: I'm new to neighborhood so don't know them, but I am sure they are good folks. Only concern would be keeping the neighborhood peaceful and quiet. As long as that remains the case should be no problem. That would include higher traffic and multiple cars in whats already a way to busy road with speeding cars and way to many large trucks. Thats not the Alsop's problem but maybe the City of Detroit Lakes could look into that at another time. Respectfully. Brad

Larry Remmen received an email from Mr. and Mrs. Bares, 1149 South Shore Drive, on November 11, 2020, which stated: Mr. and Mrs. Bares at 1149 S.Shore Dr. don't have any objection to a conditional use permit being issued for short-term rental of the above referenced property if: Noise, parking issues, litter, all night parties, etc. don't become an issue. I would like to know also, if this permit has an expiration date or can be revoked for the above problems.

There being no further public comments, the public hearing was closed.

Commissioner Liz Foster-Anderson questioned the parking requirements for a four bedroom home. Larry Remmen stated the parking requirement is two spaces plus one for each bedroom. Commissioner Liz Foster-Anderson stated there was an incident on South Shore Drive in the location of a short term rental that was approved where there was off street parking, there was a car that was rear ended. Commissioner Liz Foster-Anderson stated Jay Alsop's property looks to have adequate off street parking. Commissioner Bruce Imholte stated during the weekend there is more parking on the street at the South Shore Drive location, but someone would have to complain about the issue.

Commissioner Bruce Imholte questioned if there are any parking issue or other issues relative to short term rental that have granted in the past. Larry Remmen reported receiving complaints for individuals that have not obtained a conditional use permit for a short term rental and being in compliance with the zoning ordinance. Larry Remmen noted he has not had any complaints for individuals that have obtained a conditional use permit.

Commissioner Nancy Haggart questioned if there was any follow up on the individual who are not in compliance with the short term rental regulations. Larry Remmen stated the staff is contacting the individuals and the short term rentals are discontinued or are coming in to get in compliance with a conditional use permit.

A motion was made by Commissioner Liz Foster-Anderson, seconded by Commissioner Don Maristuen, and carried unanimously to approve the conditional use permit to allow a short term rental of a four bedroom home at 1162 South Shore Drive (Jay Alsop) subject to the following conditions: 1) The building be of residential design. 2) The owner of the establishment obtain all required state and local licenses. 3) The owner comply with all requirements of the City Code 612, Rental Unit Registration. Also all short term rentals must pass their rental inspection prior to rentals taking place. 4) The owners pay the required lodging tax and any other required sales tax. The owner/operator must provide the City with their state and local sales tax numbers. 5) No cooking facilities be permitted in any guest bedroom. 6) At least two off street parking spaces be provided plus one space for each bedroom for a total of 6 parking spaces. The parking area shall be screened from adjacent residential property as provided in Section 3 of the zoning ordinance. 7) Signage is limited to one sign single or double faced sign that is non-illuminated and does not exceed four (4) square feet per sign face. The content of such sign is limited to the name and address of the facility. 8) A maximum of two (2) guest are allowed per bedroom. A maximum of eight (8) guests are allowed per short term rental of this four (4) bedroom home. 9) The operator shall provide evidence of rental liability insurance. 10) The owner/operator shall maintain a log of all short term rental activity and provide it to the City upon request. 11) The owner/operator shall notify guests of all short term rental rules and regulations and provide contact information for the property manager, and emergency services. 12) The owner/operator shall maintain a safe environment by complying with building and life safety codes, prohibiting rental of accessory structures, providing smoke detectors, CO detectors, and fire extinguishers and posting the location of fire exits and escape routes. 13) Additional occupancy by use of recreational vehicles, tents, or other structures is not permitted. 14) That the short term rental be limited to two boat slips.

Roll Call: Commissioner Liz Foster-Anderson – yea; Commissioner Dan Wenner – yea; Commissioner Don Maristuen – yea; Commissioner Eric Lundmark – yea; Commissioner Nancy Haggart – yea; Commissioner Bruce Imholte – yea; Commissioner Marcus Lacher - yea

Public hearing to give consideration to preliminary and final plat approval of Lakes Toy Storage at Little Detroit – Common Interest Community No. 94

Commissioner Bruce Imholte opened the public hearing.

Commissioner Bruce Imholte noted he would be abstaining from voting or comment on the plat due to a conflict of interest.

Larry Remmen reported previously Lakes Toy Storage at Little Detroit was granted a conditional use permit. Larry Remmen noted the property is adjacent to other existing storage units in the area. Larry Remmen stated there is a six unit building on the north end and a three unit building on the south end. Larry Remmen stated the preliminary and final plat meet the City's requirements for platting. Larry Remmen stated other City staff have reviewed and approved the plat including the City Engineer stating it meets the requirements. Larry Remmen stated the final plat only shows the six unit storage building. Larry Remmen stated there will be a replat at a future date to show the three unit building upon construction. Larry Remmen stated the building must have the walls up so they can be located on the plat. Larry Remmen stated he recommend preliminary and final plat approval.

Larry Remmen received an email from James and Nancy Stensgard, 1847 Kemberidge Road, on November 17, 2020, which stated: November 16, 2020 TO: Becker Co Planning Commission and/or Detroit Lakes Planning & Zoning RE: Lakes Toy Storage; Applicant-Strive Properties LLC - We have lived at 1847 Kemberidge Road in the Chesterfield neighborhood since April 2013. Our home faces the project named above. When we received the May 8, 2020 notice for Conditional Use Permit we did not respond because we did not grasp the scope and significance of the completed project. The legend provided in May did not show the buildings would consume so much of the green space. Those of you who pass by on County 22 toward We Fest, Bleachers, or other lakes area destinations know that our property aligned with County 22 has had cedar and various trees to soften the view of Lakeview Self Storage. We bought this home knowing they were not the most attractive view, but the massive trees and green space south of those units provided a softened view and the pleasure of watching the changing seasons. To say we were disheartened when ALL the trees came down and the digging commenced for Lakes Toy Storage is a gross understatement. We must have been foolish to assume the planning and permitting process would require that some trees would be salvaged. The first 6 unit building is in progress and although we appreciate the quality of it, the size dramatically dwarfs the Lakeview units. To anticipate the second, 3 unit building in the second phase is no less concerning because it will be the same height and visual presence. Lakes Toy Storage also dwarfs the former Lakeview General Store, now Strive. Our home has three large picture windows, a patio door, and a deck, **all of which overlook the property being discussed for final plat approval.** Imagine if you owned this property and every time you looked out any of the windows described above, you no longer had any scenery, just an oversized commercial property



so near a residential neighborhood. **You are welcome to come stand in our yard which runs parallel to County 22 and see what we now see.** Residents in this neighborhood and others driving by have actually stopped by our house to express their dismay at the consuming commercial size of this new project and its impact on our own surroundings. Obviously we don't want to stop the project, but feel the overwhelming size interferes with our enjoyment of the views from our home and yard, as well as potential negative effect on our property values. **We are requesting that final approval include a requirement to plant some reasonably mature trees and greenery as final landscaping, especially on the side of the buildings that face County 22.** If you cannot require it, we appeal to the applicant to include some. Thanks for your consideration of this request. James and Nancy Stensgard

Larry Remmen noted James and Nancy Stensgard's concern is relative to plantings and screenings. Larry Remmen stated the project is required to provide screening along the east and west side of their property where they are across the street from residential districts. Larry Remmen stated they will have to plant six foot high plantings. Larry Remmen stated the plants will be done before the project is completed.

There being no public comments, the public hearing was closed.

Commissioner Liz Foster-Anderson commented that landscaping and vegetation would be completed. Commissioners Bruce Imholte questioned if there was regulations in the zoning ordinance for screening. Larry Remmen stated there are landscaping requirements in the zoning ordinance.

A motion was made by Commissioner Liz Foster-Anderson, seconded by Commissioner Eric Lundmark, and carried to approve the preliminary and final plat approval of Lakes Toy Storage at Little Detroit – Common Interest Community No. 94.

Roll Call: Commissioner Liz Foster-Anderson – yea; Commissioner Dan Wenner – yea; Commissioner Don Maristuen – yea; Commissioner Eric Lundmark – yea; Commissioner Nancy Haggart – yea; Commissioner Bruce Imholte – abstained; Commissioner Marcus Lacher - yea

## **BUSINESS**

### Consideration to final plat approval of Benny and Iola Peterson Place

Larry Remmen reported Benny and Iola Peterson Place is requesting approval of the final plat. Larry Remmen stated the plat has been reviewed by City staff and meets all the subdivision requirements. Larry Remmen stated he recommends final plat approval.

There were no public comments.

A motion was made by Commission Dan Wenner, seconded by Commissioner Nancy Haggart, and carried unanimously to approve the final plat of Benny and Iola Peterson Place.

Roll Call: Commissioner Liz Foster-Anderson – yea; Commissioner Dan Wenner – yea; Commissioner Don Maristuen – yea; Commissioner Eric Lundmark – yea; Commissioner Nancy Haggart – yea; Commissioner Bruce Imholte – yea; Commissioner Marcus Lacher - yea

Consideration to a resolution of the Detroit Lakes Planning Commission concerning certain redevelopment project and Tax Increment Financing proposal of the City of Detroit Lakes and the Detroit Lakes Development Authority (TIF District 41-1)

Larry Remmen stated a requirement for approval of a Tax Increment Financing District is the Planning Commission has to make a determination if the project is consistent with the Comprehensive Plan. Larry Remmen stated TIF District 41-1 is a housing district located at Stony Road and County Road 131. Larry Remmen noted the project will consist of 42 single family units and two 24 unit apartments buildings. Larry Remmen stated the area is consistent with the Comprehensive Plan as it is currently shown as a high density residential.

There were no comments from the public.

Commissioner Bruce Imholte questioned the amount of Tax Increment Financing. Larry Remmen stated the Tax Increment Financing hasn't been approved. Larry Remmen noted the request is for \$1.6 million.

Commissioner Bruce Imholte questioned if the Planning Commission would be showing support of the TIF but the Development Authority would be given the dollar amount. Larry Remmen stated the Development Authority and City Council would approve the dollar amount.

Commissioner Don Maristuen questioned if the TIF was in tax relief. Larry Remmen stated they would get Tax Increment Financing.

Commissioner Bruce Imholte questioned if the project was low income housing or redevelopment area. Larry Remmen stated the TIF is a housing district. Larry Remmen noted the parcel is bare. Commissioner Bruce Imholte questioned if TIF was given to fair market housing. Larry Remmen stated this project is not all fair market housing. Larry Remmen reported the single family homes have to be sold to 95% of families who meet certain low income housing guidelines.

Commissioner Nancy Haggart questioned the location for the TIF. Larry Remmen stated it is located on County Road 131 and Stony Road.

Commissioner Bruce Imholte noted the property has been identified in the Comprehensive Plan as a high density residential area. Commissioner Bruce Imholte questioned if the property was annexed into the City. Larry Remmen stated the property was annexed into the City.

Commissioner Liz Foster-Anderson questioned where the guidance for TIF districting is located. Larry Remmen stated the Planning Commissions role is make sure that the project is consistent with the Comprehensive Plan. Larry Remmen noted if a project wasn't consistent with the Comprehensive Plan then an objection could be raised toward the project. Commissioner Liz

Foster-Anderson questioned whether the Planning Commission is only approving the Tax Increment Financing is zoned properly with the Comprehensive Plan and not the actual Tax Increment Financing amount. Larry Remmen stated the Planning Commission is just noting that the project is consistent with the Comprehensive Plan.

Commissioner Bruce Imholte expressed the project is a great location and is consistent with the Comprehensive Plan but is not in support of the dollar amount which the Development Authority and Council will have to review.

Larry Remmen noted there are two apartment buildings and 40% of the units are allocated to individual at 60% or less of the median income which meets the income based housing requirements.

Commissioner Bruce Imholte questioned if the Housing Study reflected this type of housing. Larry Remmen stated the housing is needed according to the Housing Study.

A motion was made by Commissioner Nancy Haggart, seconded by Commissioner Liz Foster-Anderson, and carried unanimously to approved the resolution of the Detroit Lakes Planning Commission concerning certain redevelopment project and Tax Increment Financing proposal of the City of Detroit Lakes and the Detroit Lakes Development Authority (TIF District 41-1).  
Roll Call: Commissioner Liz Foster-Anderson – yea; Commissioner Dan Wenner – yea; Commissioner Don Maristuen – yea; Commissioner Eric Lundmark – yea; Commissioner Nancy Haggart – yea; Commissioner Bruce Imholte – yea; Commissioner Marcus Lacher - yea

#### Variance/Conditional Use Status Report

Variance and Conditional Use Status Report was for information only.

Larry Remmen stated he has reviewed the Variance and Conditional Use Status report and there are quite a few projects that have been on the report for a long time, however, some of the project are long term project and some of them are not necessarily moving forward. Larry Remmen noted there are not any on the report that can be removed.

Commissioner Bruce Imholte requested an update on the Bob Spilman project. Larry Remmen stated there is nothing at this time.

Commissioner Bruce Imholte stated the next Planning Commission is set for the fourth Thursday in January unless there is a need for a meeting soon which is tentatively set for January 7, 2021.

#### **ADJOURNMENT**

Respectfully submitted,  
Jennifer Beck  
Community Development Secretary

**HEARING NOTICE**

IN THE MATTER OF CONSIDERATION TO A CONDITIONAL USE PERMIT TO ALLOW  
THE OPERATION OF A STATE LICENSED SUBSTANCE USE DISORDER TREATMENT  
FACILITY SERVING UP TO 15 INDIVIDUALS  
AT 921 8<sup>TH</sup> STREET SE  
(THE REFUGE OF DETROIT LAKES)

**APPLICANT:** The Refuge of Detroit Lakes  
921 8<sup>th</sup> Street SE  
Detroit Lakes, MN 56501

**PROPERTY AFFECTED: 921 8<sup>th</sup> Street SE (PID #49-1477-001)**

**NOTICE IS HEREBY GIVEN** that due to the COVID-19 Emergency the Detroit Lakes Planning Commission will meet via zoom on **Tuesday, January 7, 2021, at 6:30pm** to give consideration to a conditional use permit to allow the operation of a State licensed substance use disorder treatment facility serving up to 15 individuals at 921 8<sup>th</sup> Street SE (The Refuge of Detroit Lakes). All persons who desire to comment on the above matter are asked to provide comments at the following email address: [comments@cityofdetroitlakes.com](mailto:comments@cityofdetroitlakes.com). Comments will be accepted until 11:00am on Thursday, January 7, 2021.

The public hearing will be held at 6:30pm on Thursday, January 7, 2021, and can be viewed at <https://www.youtube.com/channel/UC0GpCMakDfLSGX5At0thJTA>.

Legal Description available upon request.

The Planning Commission will proceed on this matter pursuant to the Zoning Regulations of the City of Detroit Lakes. All persons who desire to be heard with reference to the above matter will be heard at this meeting or replies may be addressed to:

Larry Remmen, Community Development Director City of Detroit Lakes  
PO Box 647  
Detroit Lakes, MN 56502  
[lremmen@cityofdetroitlakes.com](mailto:lremmen@cityofdetroitlakes.com)  
218-846-7125

DATED at Detroit Lakes, Minnesota this 14<sup>th</sup> day of December 2020.



Larry Remmen, AICP  
Community Development Director
























# Detroit Lakes, MN






## Legend

### Churches

-  1. Berean Baptist
-  2. Christian Fellowship
-  3. Community Alliance
-  4. Congregational United
-  5. Faith Lutheran
-  6. First Baptist
-  7. First Lutheran
-  8. Grace Lutheran
-  9. Jesus Christ of Latter-Day Saints
-  10. Jesus is Real Outreach Center
-  11. Jevovah's Witnesses
-  12. Lakes Area Vineyard
-  13. Mt. Olive Lutheran
-  14. Refuge
-  15. St. Luke's Episcopal
-  16. St. Mary's Catholic
-  17. Seventh Day Adventist
-  18. Trinity Lutheran
-  19. True Life Assembly of God
-  20. United Methodist
-  21. Zion Lutheran - Child Care Sup

### Hotels

-  1. American Inn
-  2. American Best Value Inn
-  3. Budget Host

## Notes

49-1477-001  
 THE REFUGE OF DETROIT LAKES  
 921 8TH ST SE

1 in. = 50ft.



100.0 0 50.00 100.0 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.



# City of Detroit Lakes

1025 Roosevelt Ave., P.O. Box 647 Detroit Lakes, MN 56502

Date & Time Submitted  
11/30/2020

## APPLICATION FOR REZONING, CONDITIONAL USE PERMIT, OR VARIANCE

Name of Applicant:	The Refuge of Detroit Lakes	Contact Number:	218-844-5782
Mailing Address:	921 8th Street SE	Email Address:	andersons.compassionhouse@gmail.com
City, State, Zip:	Detroit Lakes, MN 56501	Project Address:	921 8th Street SE
Parcel Number:	49-1477-001	City, State, Zip:	Detroit Lakes, MN 56501

### ACTION REQUESTED

<input checked="" type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Variance (page 2 Required) <input type="checkbox"/> Subdivision	<input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Non-conforming Use Expansion Permit
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Size of Property (Dimensions)	100x297
Current Zoning of Property	<del>MN</del> B-2
Zoning District Requested	<del>MN</del>
Current Use of Property	Non-profit office/facility
Number of Lots for Subdivision	1

Description of Project: Plan is to provide substance use disorder treatment for men. We will be a state licensed facility to offer substance use disorder services. Licensing will be through the dept of health and Dept of Human Services

To serve up to 15 individuals

Explain how you wish to vary from the provision of the Ordinance: Our plan is to provide substance use disorder treatment for men

### Submit following items with application

1. Copy of Legal Description of Property – Abstract or Deed
2. Submit applicable maps or drawing
3. \$330.00 Application Fee (Does not apply to Subdivisions)
4. Subdivision Application Fee: \$75.00 per Lot, \$500 Minimum

The undersigned certifies that they are familiar with the application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.

Print Name:	Anderson & George		
Signature:	Anderson & George	Date:	11/25/2020

**VARIANCE**

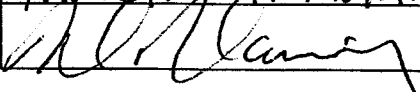
**Complete page only if requesting a variance.**

**EXPLANATION FOR EACH QUESTION REQUIRED**

In your opinion, is the variance in harmony with the purpose and intent of the ordinance?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
In your opinion, is the variance consistent with the Comprehensive Plan?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
In your opinion, does the proposal put property to use in a reasonable manner?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
In your opinion, are there circumstances unique to the property?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
In your opinion, will the variance maintain the essential character of the locality?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Planning Commission must make an affirmative finding on all of the five criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.

Print Name:	MELVIN MANNING		
Signature:		Date:	11/26/2020

December 3, 2020

**Staff Report**

Relative to a Conditional Use Permit to allow the operation of a  
State licensed substance use disorder treatment facility  
At 921 8<sup>th</sup> Street SE  
(The Refuge)

The Refuge has requested approval of a Conditional Use Permit to allow a State licensed substance use disorder treatment facility at 921 8<sup>th</sup> Street SE. The facility will provide residential inpatient services for up to 15 individuals.

Licensing of the substance use disorder treatment facility will be through the Minnesota Department of Human Services and the Minnesota Department of Health. The Refuge/Compassion House currently runs a men's residential treatment facility at 811 8<sup>th</sup> Street SE serving 15 clients.

The following conditions should be considered relative to this request:

- 1) That the facility house no more than 15 individuals;
- 2) That the owner obtain the appropriate State license to operate a substance use disorder treatment facility;
- 3) That the owner meet all of the on-site parking requirements for the facility;
- 4) That all of the design, operating and licensing requirements of appropriate Federal, State, and local agencies are met.

A letter from Compassion House is attached which outlines their proposed substance use disorder treatment facility plans. They currently plan to serve men at this facility.





*Compassion House*  
"The Light that entered into the Darkness"

**Proposal for:  
Recovery Community Organization and Primary Substance Use Disorder  
Treatment for Men**

**Introduction:**

We have a drug problem in the United States. We have a drug problem in Becker County. The goal of the State of Minnesota Behavioral Health Division is to move toward a long range treatment plan in assisting substance use disordered individuals rather than the current episodic model. The goal is to provide a continuum of services to clients with substance use disorder in the Becker County area.

**Issue:**

One pressing issue for the rural Minnesota is access to treatment, prevention, and support when suffering with a substance use problem. In Becker County, there are currently 3 treatment providers of substance use disorder treatment: two outpatient (serving males and females) and one inpatient (residential- serving men). Due to the stresses exacerbated by Covid 19, we have witnessed an increase of drug use among men in the area, hence the reason why we are looking into increasing our bed capacity.

**Solution:**

We have availability of a building to offer Substance Use Disorder Treatment Services. The building located at 921 8<sup>th</sup> St SE, know as the Refuge. The building is large enough (39x150 feet) to house both a Recovery Community Organization and a Substance Use Disorder Treatment Facility - residential for Men. The Recovery Community Organization (RCO) would allow individuals who are contemplating treatment, seeking support if in recovery to access needed services. The Substance Use Disorder Treatment Center would be a residential center allowing access to up to 15 Men to receive services closer to home. This is critical to assist client in making connections in the community for health, wellness, family, and jobs.

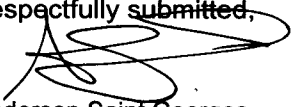
**Qualifications:**

We would be requesting a license to operate these services through the Minnesota Department of Human Services and the Minnesota Department of Health. These would be in addition to a license currently held by the Refuge of Detroit Lakes d.b.a. Compassion House, a men's residential treatment facility. Compassion House has been in operation since January 2016. Services are provided at this facility by professional staff consisting of Director - Masters level Counselor and Drug and Alcohol Counselor, four Licensed Alcohol and Drug Counselors, Registered Nurse, and one Chaplains. Compassion House has served 127 clients since opening in

2016. Many of whom remain in the community after receiving services to work, attend school, and raise families

**Conclusion:**

As a community we are responsible to provided needed services to our residents. We have a drug problem in this and surrounding communities we have a responsibility to address. By providing an organization to assist client with accessing services and maintain recovery, we will take a step in meeting this goal. By offering primary (residential treatment) for Men, we provide a necessary component of the continuum of care for Substance Use Disorder Treatment.

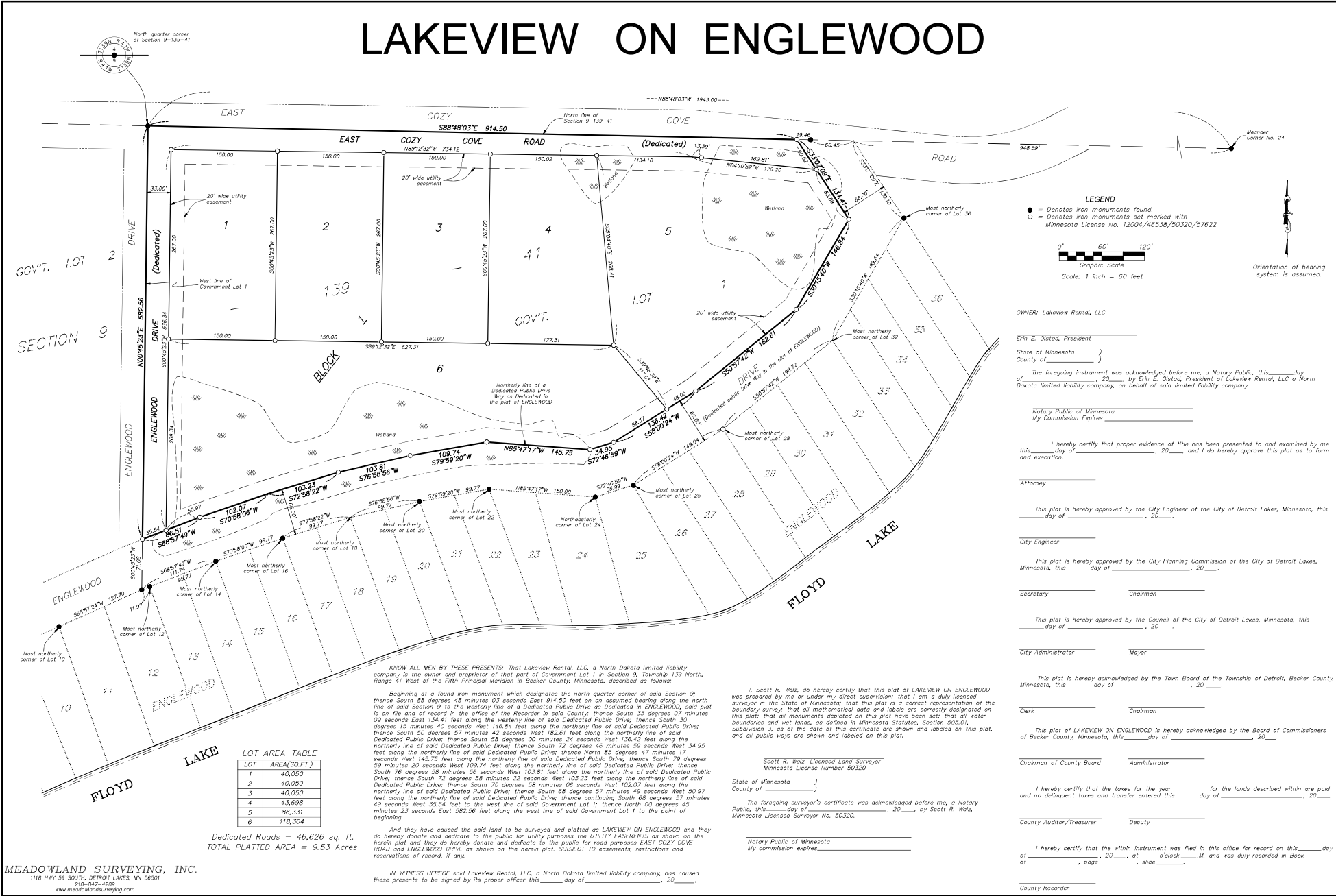
Respectfully submitted,  


Anderson Saint Georges  
Director, Compassion House  
811 8<sup>th</sup> Street SE  
Detroit Lakes, MN 56501  
P: 218-844-5782  
F: 218-844-5799



Mel Manning, CEO  
The Refuge of Detroit Lakes  
921 8<sup>th</sup> Street SE  
Detroit Lakes, MN 56501  
C: 218-841-3758

# LAKEVIEW ON ENGLEWOOD



**LEGEND**  
 ● = Denotes iron monuments found.  
 ○ = Denotes iron monuments set marked with Minnesota License No. 12004/46538/50320/57622.

0' 60' 120'  
 Graphic Scale  
 Scale: 1 inch = 60 feet

Orientation of bearing system is assumed.

OWNER: Lakeview Rental, LLC

Erin E. Ostad, President  
 State of Minnesota )  
 County of )

The foregoing instrument was acknowledged before me, a Notary Public, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Erin E. Ostad, President of Lakeview Rental, LLC a North Dakota limited liability company, on behalf of said limited liability company.

Notary Public of Minnesota  
 My Commission Expires \_\_\_\_\_

I hereby certify that proper evidence of title has been presented to and examined by me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and I do hereby approve this plat as to form and execution.

Attorney

This plat is hereby approved by the City Engineer of the City of Detroit Lakes, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City Engineer

This plat is hereby approved by the City Planning Commission of the City of Detroit Lakes, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Secretary

This plat is hereby approved by the Council of the City of Detroit Lakes, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City Administrator

This plat is hereby acknowledged by the Town Board of the Township of Detroit, Becker County, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chairman

This plat of LAKEVIEW ON ENGLEWOOD is hereby acknowledged by the Board of Commissioners of Becker County, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chairman of County Board

Administrator

I hereby certify that the taxes for the year \_\_\_\_\_ for the lands described within are paid and no delinquent taxes and transfer entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

County Auditor/Treasurer

Deputy

I hereby certify that the within instrument was filed in this office for record on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, of \_\_\_\_\_ o'clock \_\_\_\_\_ M. and was duly recorded in Book \_\_\_\_\_ of \_\_\_\_\_ page \_\_\_\_\_ of \_\_\_\_\_

County Recorder

LOT	AREA(SQ.FT.)
1	40,050
2	40,050
3	40,050
4	43,698
5	86,337
6	118,304

Dedicated Roads = 46,626 sq. ft.  
 TOTAL PLATTED AREA = 9.53 Acres

KNOW ALL MEN BY THESE PRESENTS: That Lakeview Rental, LLC, a North Dakota limited liability company is the owner and proprietor of that part of Government Lot 1 in Section 9, Township 139 North, Range 41 West of the Fifth Principal Meridian in Becker County, Minnesota, described as follows:

Beginning at a found iron monument which designates the north quarter corner of said Section 9; thence South 88 degrees 48 minutes 03 seconds East 914.50 feet on an assumed bearing along the north line of said Section 9 to the westerly line of a Dedicated Public Drive as Dedicated in ENGLEWOOD, said plat is on file and of record in the office of the Recorder in said County; thence South 33 degrees 07 minutes 09 seconds East 134.41 feet along the westerly line of said Dedicated Public Drive; thence South 30 degrees 15 minutes 40 seconds West 146.84 feet along the northerly line of said Dedicated Public Drive; thence South 50 degrees 57 minutes 42 seconds West 182.61 feet along the northerly line of said Dedicated Public Drive; thence South 58 degrees 00 minutes 24 seconds West 136.42 feet along the northerly line of said Dedicated Public Drive; thence South 72 degrees 46 minutes 39 seconds West 34.95 feet along the northerly line of said Dedicated Public Drive; thence North 85 degrees 47 minutes 14 seconds West 145.75 feet along the northerly line of said Dedicated Public Drive; thence South 79 degrees 39 minutes 30 seconds West 109.74 feet along the northerly line of said Dedicated Public Drive; thence South 76 degrees 28 minutes 56 seconds West 103.81 feet along the northerly line of said Dedicated Public Drive; thence South 73 degrees 58 minutes 22 seconds West 103.23 feet along the northerly line of said Dedicated Public Drive; thence South 70 degrees 28 minutes 06 seconds West 102.07 feet along the northerly line of said Dedicated Public Drive; thence South 68 degrees 57 minutes 49 seconds West 50.97 feet along the northerly line of said Dedicated Public Drive; thence contributing South 68 degrees 57 minutes 49 seconds West 35.54 feet to the west line of said Government Lot 1; thence North 00 degrees 45 minutes 23 seconds East 582.56 feet along the west line of said Government Lot 1 to the point of beginning.

And they have caused the said land to be surveyed and platted as LAKEVIEW ON ENGLEWOOD and they do hereby donate and dedicate to the public for utility purposes the UTILITY EASEMENTS as shown on the herein plat and they do hereby donate and dedicate to the public for road purposes EAST COZY COVE ROAD and ENGLEWOOD DRIVE as shown on the herein plat. SUBJECT TO easements, restrictions and reservations of record, if any.

IN WITNESS WHEREOF said Lakeview Rental, LLC, a North Dakota limited liability company, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

I, Scott R. Wala, do hereby certify that this plat of LAKEVIEW ON ENGLEWOOD was prepared by me or under my direct supervision; that I am a duly licensed surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been set; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 509.01, Subdivision 3, as of the date of this certificate are shown and labeled on this plat, and all public ways are shown and labeled on this plat.

Scott R. Wala, Licensed Land Surveyor  
 Minnesota License Number 50320  
 State of Minnesota )  
 County of )

The foregoing surveyor's certificate was acknowledged before me, a Notary Public, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Scott R. Wala, Minnesota Licensed Surveyor No. 50320.

Notary Public of Minnesota  
 My Commission Expires \_\_\_\_\_

MEADOWLAND SURVEYING, INC.  
 1118 HWY 59 SOUTH, DETROIT LAKES, MN 56501  
 218-897-1038  
 www.meadowlandsurveying.com

**VARIANCE/CONDITIONAL USE PERMIT  
LAND DISTURBANCE PERMIT  
STORMWATER MITIGATION PERMIT  
STATUS REPORT  
DECEMBER 8, 2020**

• **B & W Properties of DL, LLC – 1048 West Lake Drive 6-13-17**

Request: Conditional Use Permit to allow a planned unit development with six single family homes at 1048 West Lake Drive

Status: Conditional Use Permit granted with the following conditions:

1. That the project not exceed 6 single family homes;
2. That the property be platted to show the proposed lot layout and provide for dedication of utility easements and the West Lake Drive road right of way;
3. That the owner pay for a preliminary engineering report for water sewer and petition the City of installation of this infrastructure;
4. That the Developer apply for a Land Disturbance Permit from the City and sign a Stormwater Facilities Maintenance Agreement prior to issuance of a building permit;
5. That the Developer obtain any permits required from the Pelican River Watershed District or the Minnesota Pollution Control Agency;
6. That the owner provide a development schedule for the project;
7. That the property owner association documents or deed restrictions provide that 50% of the land area be preserved as open space and 20% of the land area be preserved as useable open space;
8. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking;
9. That a Property Owner's Association documents requiring mandatory membership be approved by the City prior to issuance of a building permit;
10. That all buildings be setback at least 25 feet from the private drive;
11. That the distance between buildings be a minimum of 10 feet;
12. That one centrally located dock with 6 slips be allowed;
13. That the drives shall be approved by the City Engineer and the Fire Chief prior to issuance of a building permit;
14. That the impervious surface coverage not exceed 25%

• **Boys and Girls Club of Detroit Lakes: 150 Richwood Road 12-12-17**

Request: Request for a variance to build a 40 foot high building and a parking variance to allow 53 parking spaces to meet the parking requirement

Status: The City Council hereby approves the requested variance, subject to the following conditions:

1. That the facility be constructed as shown on the approved site plan;
2. That the building be setback 30 feet from all lot lines;
3. That a landscape buffer at least 6 feet high be provided between the North and East lot lines and the building;
4. That the developer obtain a Land Disturbance Permit from the City prior issuance of a building permit.

- **Tomlinson Schultz Partners, LLC: 839 South Shore Drive 1-9-18**

Request: Request for a Conditional Use Permit to allow a Planned Unit Development of 15 Twin Homes (30 Units Total)

Status: The City Council hereby approved the requested Conditional Use Permit, subject to the following conditions:

1. That the project not exceed 15 Twin Homes or 30 units total;
2. That the property be platted to show the proposed lot layout and provide for dedication of utility easements;
3. That the Developer apply for a Land Disturbance Permit from the City and sign a Stormwater Facilities Maintenance Agreement prior to issuance of a building permit;
4. That the Developer obtain any permits required from the Pelican River Watershed District or the Minnesota Pollution Control Agency;
5. That the owner provide a development schedule for the project;
6. That the property owner association documents or deed restrictions provide that 50% of the land area preserved as open space of 20% of the land area be preserved as useable open space as required by the Shoreland Ordinance;
7. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking;
8. That a Property Owner’s Association documents requiring mandatory membership be approved by the City prior to issuance of a building permit;
9. That all buildings be setback at least 25 feet from the private drive;
10. That the private drive be not less than a 22 foot wide paved surface and off-street parking is constructed as shown on the site plan;
11. That the project be constructed generally as shown on the approved site plan except as noted in condition #14;
12. That connection to City sewer and water is required;
13. That the impervious surface coverage in the Shoreland District not exceed 25%;
14. All units must not exceed a height of 25 feet;
15. No other accessory structures shall be added to the property that are in addition to the approved site plan.

- **Spitfire Bar and Grill: 1100 North Shore Drive 7-10-18**

Request: Request for a variance to allow an existing covered patio to be moved 18 feet to the east, the addition of a 1720 square foot patio, 70.5 percent impervious surface coverage, and to allow 111 parking spaces

Status: The City Council hereby approved the requested variance, subject to the following conditions:

1. That the building not be enlarged;
2. That the project be constructed as shown on the approved site plan;
3. That the owner obtain a Pelican River Watershed District Permit prior to issuance of a building permit;
4. That the impervious surface coverage not exceed 70.5%;
5. That the patio area not exceed 1720 square feet;
6. That the owner provide 111 parking spaces;
7. That the owners provide the City with a road and utility easement of approximately 1700 square feet as defined by the City Engineer;

8. That the owner install and maintain a 6 foot high vegetative screening between the parking lot and North Shore Drive;
9. That the owners install and maintain 5% of the interior of the parking lot in landscaping.

- **Midtown Development, LLP: 1210-1218 and 1240 Washington Avenue 11-13-2018**

Request: Request for a variance to allow 86 parking spaces, allow parking spaces that back directly to and from the public alley, and not provide landscape screening between a commercial and residential district

Status: The City Council hereby approved the request variance, subject to the following conditions:

1. That the project be constructed as shown on the approved site plan.
2. That the owner obtain a Land Disturbance permit prior to issuance of a building permit.
3. That the owner obtain a Pelican River Watershed District prior to issuance of a building permit.
4. If requested by adjacent landowners, on Lake Avenue, the owner will provide fencing or landscape screening within the bounds of the City's screening requirements. Such requests must be made prior to November 13, 2019.

- **The Refuge: 921 8<sup>th</sup> Street SE 03-12-2019**

Request: Request for a conditional use permit to allow a state licensed substance use disorder treatment facility

Status: The City Council hereby approved the request conditional use permit, subject to the following conditions:

1. That the facility house no more than 15 women;
2. That the owner obtain the appropriate State license to operate a substance use disorder treatment facility;
3. That the owner meet all of the on-site parking requirements for the facility;
4. That all of the design, operating and licensing requirements of appropriate Federal, State, and local agencies are met.

- **Broadway Welding: 1090 Legion Road 05-14-2019 Extended 1 Year 05-12-2020**

Request: Request for a non-conforming use permit to allow construction of a 35,000 square foot addition to an existing industrial building with a 17 foot side yard setback

Status: The City Council hereby approved the requested non-conforming use permit, subject to the condition:

1. Constructed as shown on the approved site plan.

- **Broadway Welding: 1090 Legion Road 05-14-2019 Extended 1 Year 05-12-2020**

Request: Request for a variance from the Airport Zoning requirement to allow an 110,500 square foot building on a 5.56 acre lot in land use safety zone B of the Airport

Status: The City Council hereby approved the requested variance, subject to the following conditions:

1. That the project be constructed as shown on the approved site plan.
2. That at least 15% of the lot be landscaped.
3. That the number of employees on the largest shift not exceed 83 people.

4. That the owner obtain a Land Disturbance Permit from the City of Detroit Lakes prior to issuance of a building permit.
5. That the owner obtain a Pelican River Watershed District permit prior to issuance of a building permit.
6. That the owner obtain an NPDES permit from the Minnesota Pollution Control Agency prior to issuance of a building permit.
7. That the owner provide the City with a survey of the property prior to issuance of a building permit.
8. That the owner provide the City with any road right of way easements deemed necessary by the City.

- **Broadway Welding: 1090 Legion Road 05-14-2019 Extended 1 Year 05-12-2020**

Request: Request for a variance to allow paving of 71 parking spaces for a 110,500 square foot manufacturing facility

Status: The City Council hereby approved the requested variance, subject to the following conditions:

1. That the project be constructed as shown on the approved site plan.
  2. That at least 15% of the lot be landscaped.
  3. That the number of employees on the largest shift not exceed 83 people.
  4. That the owner obtain a Land Disturbance Permit from the City of Detroit Lakes prior to issuance of a building permit.
  5. That the owner obtain a Pelican River Watershed District permit prior to issuance of a building permit.
  6. That the owner obtain an NPDES permit from the Minnesota Pollution Control Agency prior to issuance of a building permit.
- 
1. Additional occupancy by use of recreational vehicles, tents, or other structures is not permitted.
  2. That the owners provide the road right of way easement for West Lake Drive as required by the City.
  3. That the property be limited to two docks.

- **Oliver Properties, LLC: 256 Shorewood Drive 10-08-2019**

Request: Request for a conditional use permit to allow a short term rental of a three bedroom home

Status: The City Council hereby approved the requested conditional use permit, subject to conditions:

1. The building be of residential design.
2. The owner of the establishment obtain all required state and local licenses.
3. The owner comply with all requirements of the City Code 612, Rental Unit Registration. Also all short term rentals must pass their rental inspection prior to rentals taking place.
4. The owners pay the required lodging tax and any other required sales tax. The owner/operator must provide the City with their state and local sales tax numbers.
5. No cooking facilities be permitted in any guest bedroom.

6. At least two off street parking spaces be provided plus one space for each bedroom for a total of 5 parking spaces. The parking area shall be screened from adjacent residential property as provided in Section 3 of the zoning ordinance.
7. Signage is limited to one sign single or double faced that is non-illuminated and does not exceed four (4) square feet per sign face. The content of such sign is limited to the name and address of the facility.
8. A maximum of two (2) guest are allowed per bedroom. A maximum of 6 guests are allowed per short term rental of this 3 bedroom home.
9. The operator shall provide evidence of rental liability insurance.
10. The owner/operator shall maintain a log of all short term rental activity and provide it to the City upon request.
11. The owner/operator shall notify guests of all short term rental rules and regulations and provide contact information for the property manager, and emergency services.
12. The owner/operator shall maintain a safe environment by complying with building and life safety codes, prohibiting rental of accessory structures, providing smoke detectors, CO detectors, and fire extinguishers and posting the location of fire exits and escape routes.
13. Additional occupancy by use of recreational vehicles, tents, or other structures is not permitted.
14. The property is limited to three boat slips.

- **Robert Spilman: 1502 Randolph Road 10-08-2019**

Request: Request an amended conditional use permit to allow a 29 unit Planned Unit Development in the Shoreland District

Status: The City Council hereby approved the requested amended conditional use permit, subject to the following conditions:

1. That development in the Shoreland District be limited to 29 units, 39 feet high and 28% impervious surface coverage with approval of a mitigation permit;
2. That the property be platted to show the proposed lots and provide for dedication of the new road alignment and utility easements;
3. That a portion of Lemmon Road be vacated;
4. That the owner pay for a preliminary engineering report for water sewer and streets and petition the City of the installation of this infrastructure.
5. That the new road be constructed prior to issuance of a building permit or vacation of the old road right of way.
6. That the Developer obtain a Land Disturbance Permit and a mitigation permit from the City prior to issuance of a building permit;
7. That the Developer obtain any permits required from the Pelican River Watershed District.
8. That the project be constructed as shown on the approved site plan.
9. That the property owners association documents or deed restrictions provide that 50% of the land area preserved as open space and 20% of the land area be preserved as useable open space.
10. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking.



11. That a property owner's association documents requiring mandatory membership be approved by the City prior to issuance of a building permit;
12. That connection to City sewer and water is required.

- **Jay Schurman: 1106 – 1110 West Lake Drive & 1390 County Road 6 03-10-2020**

Request: Request for a conditional use permit to allow the conversion of residential properties to a 10 unit Planned Unit Development in the Shoreland District

Status: The City Council hereby approved the requested conditional use permit, subject to the following conditions:

1. That development in the Shoreland District be limited to 10 units and 30% impervious surface coverage;
2. That the owner provide any utility easements required by the City;
3. That the Developer obtain a Land Disturbance Permit and a mitigation permit from the City prior to issuance of a building permit;
4. That the Developer obtain any permits required from the Pelican River Watershed District;
5. That the project be constructed as shown on the approved site plan with an exception that for utility installation some garage locations may change;
6. That the property owner association documents or deed restrictions provide that 50% of the land area preserved as open space and 20% of the land area be preserved as usable open space;
7. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking;
8. That the drive be at least 22 feet wide and parking be allowed on one side only and one side be signed no parking;
9. That property owners association documents requiring mandatory membership be approved by the City prior to issuance of a building permit;
10. That the project is allowed 10 boat slips on Detroit Lake;
11. That no parking of vehicles is allowed on the property on the lake side of West Lake Drive.

- **Detroit Lakes Public Utilities: 1029 Willow Street 05-12-2020**

Request: Request for a variance to allow construction of a cold storage facility within the Airport Zoning A

Status: The City Council approved the requested variance.

- **Michael Suckert: 845 Longview Drive 05-12-2020**

Request: Request for a non-conforming use permit to allow a 36 x 30 foot addition to a garage on a lot in a residential district

Status: The City Council approved the requested non-conforming use permit.

- **Long Pine Estates: 915 – 1035 Village Lane 05-12-2020**

Request: Request for a conditional use permit to allow a 22 twin home Planned Unit Development

Status: The City Council approved the conditional use permit, subject to the following conditions:

1. That development in the Shoreland District be limited to 22 units and 50% impervious surface coverage;
2. That the owner provide any utility easements required by the City;
3. That the Developer obtain a Land Disturbance Permit and a mitigation permit from the City prior to issuance of a building permit;
4. That the Developer obtain any permits required from the Pelican River Watershed District;
5. That the project be constructed as shown on the approved site plan;
6. That the property owner association documents or deed restrictions provide that 50% of the land area preserved as open space and 20% of the land area be preserved as usable open space;
7. That 2 parking spaces be provided per unit and ½ space per unit be provided for guest parking;
8. That the drive be at least 24 feet wide and units be setback at least 25 feet from the drives;
9. That a property owners association documents requiring mandatory membership be approved by the City prior to issuance of a building permit.

- **Detroit Lakes Public Schools: 1301 Roosevelt Avenue 05-12-2020**

Request: Request for a variance to allow a 2% reduction of the parking lot interior landscaping and a reduction of 23 required parking spaces for the building additions at the High School

Status: The City Council approved the variance.

- **George and Constance Otto: 2214 Wilderness Trail 06-09-2020**

Request: Request for a variance to allow construction of a storage shed in the front yard with a 5 foot side yard setback and a setback of 132 feet from the Ordinary Highwater mark

Status: The City Council approved the variance, subject to the following conditions:

1. The shed not exceed 12 feet by 20 feet.
2. The property not exceed 25% impervious surface coverage.
3. The shed be setback 5 feet from the side lot line and 132 feet from the ordinary Highwater level.

- **Strive Properties, LLC: 1854 Nodaway Drive 06-09-2020**

Request: Request for a conditional use permit to allow a 9 unit storage unit condominium in a “B-3” Auto-Oriented Business District

Status: The City Council approved the conditional use permit, subject to the following:

1. That the owner obtain plat approval for a Common Interest Community;
2. That the property be properly divided from the existing Strive Chiropractic site prior to issuance of a building permit;

3. That Strive Chiropractic obtain a Stormwater Mitigation Permit prior to issuance of a building permit for construction of any storage buildings;
4. That the owner obtain a stormwater mitigation permit prior to issuance of a building permit for this project;
5. That the building not exceed 25 feet in height;
6. That the project be constructed as shown on the approved site plan and that the drive areas be paved;
7. That the owner obtain a Pelican River Watershed District Permit prior to issuance of a building permit.

- **Mary Perrson: 1158 South Shore Drive 08-10-2020**

Request: Request for a variance to allow a 6-foot-high fence in the front yard towards the street

Status: The City Council approved the variance, subject to the following conditions:

1. That the fence be 6 feet high;
2. That the fence be setback 30 feet from the front lot line next to the road right of way.

- **James and Paula Schulz: 1235 Shorewood Drive 08-10-2020**

Request: Request for a variance to allow a 10-foot easterly rear yard setback instead of a 30-foot rear yard setback to expand an existing garage approximately 13 ½ feet southerly and adding an approximately 17-foot-wide garage stall on the easterly side of existing garage

Status: The City Council approved the variance, subject to the following conditions:

1. That the project be constructed as shown on the approved site plan;
2. That the property not exceed the 25% impervious surface coverage.

- **Kevin Cochran: 415 North Shore Drive 08-10-2020**

Request: Request for a nonconforming use permit to increase the height of a garage with a 2-foot 5-inch setback by an additional 2 feet in a residential district at 415 North Shore Drive

Status: The City Council approved the nonconforming use permit

- **Wayne Archer: 101 Washington Avenue 11-10-2020**

Request: Request for a variance to allow a 14 foot front yard setback and a 12 foot side yard setback for construction of a house and garage

Status: The City Council approved the variance, subject to the following conditions:

1. That the project be constructed generally as shown on the approved site plan.

- **Recovery Community Resources: 640 Randolph Road 11-10-2020**

Request: Request for a conditional use permit to allow a facility licensed by the State of Minnesota and serving up to 15 residential clients and 15 to 20 outpatient clients with substance use disorder treatment services

Status: The City Council approved the conditional use permit, subject to the following conditions:

1. That the facility house no more than 15 women as residential clients and another 15 to 20 as outpatients;
2. That the owner obtain the appropriate State licenses to operate a substance use disorder treatment facility;
3. That all of the design, operating and licensing requirements of appropriate Federal, State, and local agencies are met.

• **Midtown Development, LLPL: 1218 and 1234 Washington Avenue 11-10-2020**

Request: Request for a variance to allow 13.61% landscaping

Status: The City Council approved the variance, subject to the following conditions:

1. That the owner bring the property into compliance with the Land Disturbance Permit and maintain all stormwater BMP's and comply with the Stormwater Management Facilities Maintenance Agreement.

• **Boys and Girls Club Thrift Store: 1305 Highway 10 West 11-10-2020**

Request: Request for a variance to allow 343 parking spaces instead of the required 408 parking spaces and a waiver of the payment in lieu of spaces to allow a future lot division

Status: The City Council approved the variance, subject to the following conditions:

1. The lots be split as shown on the approved site plan;
2. That the owners provide a perpetual cross access easement between the Boys and Girls Club site and the 1.51 acre retail site and that this easement be recorded at the same time as the lot division takes place.
3. That the 51 additional parking spaces as shown on the site plan be constructed by November 10, 2021.

• **Aaron Colby: 810 State Street 11-10-2020**

Request: Request for a variance to allow a 6 foot fence in the side yard next to the road

Status: The City Council approved the variance, subject to the following conditions:

1. That the fence height be reduced to 3 feet within 20 feet of the intersection of the northerly and westerly lot lines.
2. That if State Street is ever connected to Holmes Street to create actual intersection the owner will be required to lower the fence to 3 feet high within 20 feet of the lot line at the intersection.

• **Robert Strand: 875 Willow Springs Road 11-10-2020**

Request: Request for a variance to allow construction of a 32 x 40 foot garage in the side yard next to the street with a 3 foot side yard setback

Status: The City Council approved the variance.

## LAND DISTURBANCE PERMITS

- **Land Disturbance Permit** 2014-02 Golden Bay Shores
- **Land Disturbance Permit** 2016-01 Antler Ridge: County Highway 22 Solmon Tract
- **Land Disturbance Permit** 2017-01 Long Lake Business Center
- **Land Disturbance Permit** 2017-02 Becker County Jail
- **Land Disturbance Permit** 2017-05 Airport: Airport Rd
- **Land Disturbance Permit** 2017-06 Hanson Properties of Long Bridge: 2000 Long Bridge Rd
- **Land Disturbance Permit** 2017-07 Stonebrook Apartments: 226 Stone Creek Drive
- **Land Disturbance Permit** 2017-08 B&W Properties of DL, LLC: 1048 West Lake Drive
- **Land Disturbance Permit** 2018-01 839 South Shore
- **Land Disturbance Permit** 2018-02 Boys and Girls Club: 150 Richwood Road
- **Land Disturbance Permit** 2018-03 Long Pine Estates First Addition
- **Land Disturbance Permit** 2018-04 Detroit Lakes Middle School
- **Land Disturbance Permit** 2018-05 Wastewater Treatment Facility
- **Land Disturbance Permit** 2018-06 Lake Forest 7<sup>th</sup> Addition
- **Land Disturbance Permit** 2018-07 Highland Estates
- **Land Disturbance Permit** 2018-08 Apex Townhomes
- **Land Disturbance Permit** 2018-10 Accessories Unlimited
- **Land Disturbance Permit** 2018-11 Midtown Development, LLP: Washington Avenue
- **Land Disturbance Permit** 2019-01 FF Properties: 1389 Cormorant Ave
- **Land Disturbance Permit** 2019-02 Rossman Elementary
- **Land Disturbance Permit** 2019-03 Roosevelt Elementary
- **Land Disturbance Permit** 2019-04 Vineyard Church: 950 Longview Drive
- **Land Disturbance Permit** 2020-01 Detroit Lakes High School: 1301 Roosevelt Ave
- **Land Disturbance Permit** 2020-02 EVCO Petroleum: 1321 11<sup>th</sup> Street SE
- **Land Disturbance Permit** 2020-03 Lakes Area Property Group, LLC (Strive Properties): 1852 and 1854 Nodoway Drive
- **Land Disturbance Permit** 2020-04 Long Pine Estates Phase II: 1798 Brainerd Blvd
- **Land Disturbance Permit** 2020-05 Lakeview on Detroit Development: 1106 West Lake Drive
- **Land Disturbance Permit** 2020-06 Friesen's Inc: 1389 Cormorant Avenue

## STORMWATER MITIGATION PERMIT

- M2019-01 North Shore Travel Plaza: 1121 US Highway 10
- M2019-02 Justin Skarie: 1310 South Shore Drive
- M2019-03 DeWayne and Mona Streyle: 904 South Shore Drive
- M2019-04 Tyler Brandt: 940 South Shore Drive
- M2019-05 Terry and Michelle Maier: 132 Shorewood Drive
- M2019-06 Kevin Cochran: 415 North Shore Drive - Withdrawn
- M2019-07 Bradley Richards: 1085 Villa Lane

- M2020-01 Kevin and Joy Reski: 1558 East Shore Drive
- M2020-02 Timothy and Lori Sayler: 812 South Shore Drive
- M2020-03 Lakes Area Properties, LLC (Strive Properties, LLC): 1852 and 1854 Nodoway Dr.
- M2020-04 Lakeview on Detroit (Jay Schurman): 1106 West Lake Drive
- M2020-05 Chad Weatherman: 911 North Shore Drive
- M2020-06 Duane and Susan Gunderson: 663 Lake Forest Circle
- M2020-07 Dennis Smith: 1346 East Shore Drive
- M2020-08 Cliff and Susan Lake: 916 South Shore Drive