

CITY OF BATTLE LAKE
PLANNING COMMISSION

The Battle Lake Planning Commission met Tuesday, January 2, 2019. Present were Commissioners Chuck Reeve, Dawn Swisher, Gary Dirckx and Don Maslow. Absent were Gene Kelm, Bert Olson, and Greg Maynard. Also present were Val Martin, Clerk/Treasurer/Zoning Officer; Steve Seufert, Public Works Superintendent; and Milt and Jay Paulson.

The meeting was called to order by Dirckx.

Reeve moved to approve the agenda. Maslow seconded. MCU Maslow moved to approve the minutes. Swisher seconded. MCU

Maslow made a motion to keep the same slate of officers for 2019: Gary Dirckx, Chair; Don Maslow, Vice-Chair; and Val Martin, Secretary. Reeve seconded. MCU

The Planning Commission met to review a variance request: *Milton and Linda Paulson request a variance for their property located at 117 Lake Ave. The request is for a variance from the impervious surface requirement of 40% to build a 22' x 42' addition on alley side of existing building.*

Presentation of Application:

Jay and Milt were in attendance to present their application.

- They plan to build a 22 x 42 addition for offices, etc. and Jay would like to have more of a presence in Battle Lake with his business.
- The area they wish to build is currently pervious and with the addition increasing their impervious amount from 35.47% to 48.48%.
- They noted the amount of pervious/grassy area they would keep is still much more than most of the businesses in that area.
- They are willing to work with the City on Stormwater runoff.

Staff Report

I reviewed the request from Milt Paulson for an addition to his property located at 117 Lake Avenue North. The request would increase their impervious from 35.47% to 48.48%. Steve and I did a site visit on 12/26 and I completed an impervious study. I came up with a little different amount from Milt Paulson's application as noted on the layout he provided and a spreadsheet that I completed after the site visit.

The request seems reasonable and my only concern is the additional storm water run-off. There is a small amount of pervious surface on the back-side of the building. It would be a reasonable request to ask them to do what they can to keep that water on the property as long as possible by sloping this area and possibly adding a berm if that would help the situation.

The Planning Commission discussed the drainage and wants to make sure they do not create a water issue in the basement of the drug store. They also wanted them to keep as much off the alley as they can.

Martin stated that she did not compile Findings of Fact as she's done in the past few months. It was one of the recommendations from an attorney/trainer at training she attended a few months ago. Maslow made a request that she discontinue doing this and just let the Planning Commission members do the Findings of Fact.

The Planning Commission reviewed the Findings of Fact:

1. **Is it reasonable?** The Planning Commission members agreed that it is reasonable considering the amount of pervious surface this property owner has in comparison to others in the downtown area. The requirements were changed about 10 years ago. Historically, owners in this area did not have to comply with impervious surface amounts.
2. **Unique Circumstances:** The property is unique as they do have more green space than other business owners in the area and they really don't have another place on their property to build an addition.
3. **Essential Character:** It will not alter the essential character - It will blend in with their current structure and others along Lake Ave. It will also be located in the back of the building and will not be seen from the street.
4. **Is it in harmony with the general purpose of the zoning code?** Yes
5. **Is it consistent with the Comprehensive Plan?** Yes
6. **Will the request request have an adverse impact on government services such as street usage, snow removal, stormwater runoff, emergency services, etc.?** It will not

7. **What portion of the variance request is based upon economic considerations? (economic considerations alone should not be a reason for granting a variance)** None
8. **Does the existing sewer treatment need upgrading?** No
9. **Are there conditions that should be imposed in granting the variance?** Yes

Maslow made a motion to recommend the approval of the variance based on the Findings of Fact and to impose the following conditions:

1. Create a small berm and swale in the grassy area on the southwest side of the property to keep as much water off the alley as possible.
2. Create appropriate drainage on the south side of the building, along the property line such as a swale with landscaping rock to keep the drainage off the neighbor's property.

Swisher seconded. MCU

Adjourn – 7:45 p.m.

Valerie J. Martin, Zoning Officer/Secretary