

## **NOTE CITY COUNCIL MINUTES**

The City Council minutes were noted.

## **PUBLIC HEARINGS/COMMISSION BUSINESS**

**Case #1: Public Hearing – Request for an Interim Use Permit for an Online School at 7550 Highway 10 NW; Case of 2-OI, LLC**

### **Public Hearing**

Chairperson Levine called the public hearing to order at 7:02 p.m.

### **Presentation**

Associate Planner/Environmental Coordinator Anderson presented the staff report.

### **Citizen Input**

Matt Kuker, representative for 2-OI, LLC stated they purchased the property with the intent to lease to the PACT Charter School. He stated it is a good use of the property, the ball fields will be utilized, there is ample parking and he thinks it will make a good campus.

Commissioner Bauer stated the current interim use permit does not allow the use of a public address system and asked if that would be an issue.

David Gustafson, PACT Charter School Facilities Coordinator, stated that it would be a concern of theirs. He will share that with the school board and administrator.

Commissioner Bauer asked if the interim use permit could be modified to allow a public address system.

Associate Planner/Environmental Coordinator Anderson stated that if the commission chose, they could make a recommendation that a term be added to the interim use permit to allow for a PA system. It would need to be subject to review by the City Attorney to verify that there are no legal issues and then be brought forward to City Council.

Senior Planner Gladhill stated that it would need to be reviewed by the City Attorney and the other option is the special events permit. He added that part of the reason the term came up in the existing interim use permit was the concern from the neighborhood and the City would need to reach out to them.

Discussion ensued regarding whether the parcel should be rezoned to allow for this use rather than issuing an interim use permit.

Motion by Commissioner Van Scoy, seconded by Commissioner Schiller, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Van Scoy, Schiller, Bauer, and Field. Voting No: None. Absent: Commissioners Brauer and Dunaway.

Chairperson Levine closed the public hearing at 7:22 p.m.

### **Commission Business**

Commissioner Field stated that it might be worthwhile to urge in the findings to extend the Interim Use Permit for another five year period to coincide with the lease.

Motion by Commissioner Van Scoy, seconded by Commissioner Field to recommend that the City Council adopt the findings of fact relating to the request for an Interim Use Permit to allow for the operation of an online school in the B-2 Business District with the addition to recommend that the Interim Use Permit be extended for another five year period to coincide with the lease and that the current Conditional Use Permit be modified to allow for use of a PA system for athletic events.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Van Scoy, Field, Bauer, and Schiller. Voting No: None. Absent: Commissioners Brauer and Dunaway.

Motion by Commissioner Bauer, seconded by Commissioner Field to recommend that City Council adopt the resolution approving the request for an Interim Use Permit and recommend that City Council pursue rezoning the parcel of land to Public/Quasi-Public.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Field, Schiller, and Van Scoy. Voting No: None. Absent: Commissioners Brauer and Dunaway.

### **Case #2: Review Closed Landfill Program's Land Use Plan**

#### **Presentation**

Senior Planner Gladhill presented the Staff Report and PowerPoint presentation from the Minnesota Pollution Control Agency (MPCA).

### **Commission Business**

Discussion ensued regarding uses that could be utilized on the parcel, and the concerns of water and methane gas.