

**MINNETONKA PLANNING COMMISSION  
MINUTES**

**OCTOBER 11, 2007**

**1. CALL TO ORDER**

Chair Hart called the meeting to order at 6:30 p.m.

**2. ROLL CALL**

Commissioners Adams, Brandt, Cheleen, Dahl, Lehman, Schmitz, and Hart were present.

Staff members present: Community Development Director Ron Rankin, City Planner Julie Wischnack, Principal Planner Susan Thomas, Planner Josh Metzger, Natural Resource Manager Jo Colleran, and Planning Technician Jeff Thomson.

**3. APPROVAL OF AGENDA:** The agenda was approved as submitted with modifications provided in the change memo dated October 11, 2007.

**4. APPROVAL OF MINUTES:** September 13, 2007

*Lehman moved, second by Schmitz, to approve the September 13, 2007 meeting minutes as submitted.*

*Adams, Cheleen, Lehman, Schmitz, and Hart voted yes. Brandt and Dahl abstained. Motion carried.*

**5. REPORT FROM STAFF**

Wischnack briefed the commission on land use applications considered by the city council at its meeting of October 8, 2007:

- Adopted a resolution approving the extension of the preliminary plat approval of Stratford Woods.
- Introduced an ordinance rezoning 15407 Lake Shore Avenue from an R-1 zoning to a planned unit development.
- Held a public hearing for an easement right-of-way vacation and adopted a resolution approving the final plat concerning Opus Corporate Center expansion project.

Wischnack announced that the planning commission has one meeting in November on November 8, 2007. A comprehensive guide plan joint meeting is

tentatively scheduled November 28, 2007 for planning commissioners, city council members, and economic development authority members.

**6. REPORT FROM PLANNING COMMISSION MEMBERS:** None

**7. PUBLIC HEARINGS: CONSENT AGENDA:** None

**8. PUBLIC HEARINGS**

**A. Floodplain setback variance for a porch addition at 2830 Mayflower Avenue for Denzil and Terri Brossard (Project 07049.07a).**

Chair Hart introduced the proposal and called for the staff report.

Metzer reported. He recommended denial of the application based on the findings listed in the staff report.

Adams noted that the reason for denial would be to prevent setting a precedent. He asked if a floodplain variance had ever been approved. Thomas explained that floodplain setback variances had been granted for residences on very small lots, specifically for numerous homes located on Gray's Bay Boulevard where there was no alternative than to require a floodplain setback variance to locate a structure on the property. There are other options available for the current application.

Denzil and Terri Brossard, 2830 Mayflower Avenue, applicants, felt a post would be needed for a deck as well as a three-season porch. Wischnack explained that a deck is less of an investment than a structural addition. One purpose of the ordinance is to protect property value. Usually an addition is much more substantial than the proposal.

Chair Hart confirmed with Wischnack that both a deck and three-season porch would be elevated.

Schmitz asked if an enclosed deck would require a 20-foot setback. Wischnack answered affirmatively. Any structural component over a deck would require the deck to have a 20-foot setback rather than a 10-foot setback.

Mr. Brossard said that storm sewer was installed fifteen years ago to alleviate the flood problem. Wischnack agreed. The problem is that the storm sewer would still not protect the flood plain area for a 100-year flood.

Mr. Brossard felt a post would not interfere with the floodplain. Wischnack understood the applicant's concern. The ordinance refers to altering the flow of floodplain by adding structures. Staff did not feel the hardship standard was met.

Brandt asked why the applicant opposed trading the locations of the covered porch and deck. Mr. Brossard said that the locations of the atrium door and window would not make it feasible.

Steve Coliar, Champion Patio manager, 5100 Highway 169, New Hope, contractor for the applicant, stated that he understood the initial issue was elevation. Then he learned it needed to meet a 20-foot setback. The lot has been surveyed and costs have already incurred. The trees are larger in diameter than the post. One corner post would be the only floodplain intrusion. The room would be elevated 9 feet above grade. The storm sewer was installed in 1992 to alleviate the flooding problems. A storm grate is located 20 feet from the corner of the house. Neighbors supported the proposal.

Cheleen understood the situation. There is room to build a covered porch further to the south, but it would not work with the location of the door and windows. The ordinance refers to normal footings where a house is on the ground. The proposed addition would be elevated. He understood staff's concern to follow the ordinance, but it seemed reasonable to allow one post. He was concerned with setting a precedent, but every case is individual so a precedent would not be set.

Mr. Coliar stated that the elevation requirement would be met.

The public hearing was opened. No testimony was submitted and the hearing was closed.

Chair Hart reviewed the primary issues.

Schmitz understood the patio door problem. She considered the proposal as a point intrusion. She had difficulty seeing why granting a variance would not be reasonable. The post would cause the same amount of uninterrupted water flow. The proposal is unique because there is no ground-floor building. A lower level deck could be built that would impede water more than the proposal would. She supported the request for a variance due to the unique circumstances of the proposed project with the location of doors and windows on the residence limiting the possible location for the three-season porch.

Chair Hart asked Colleran to comment. Colleran explained that the ordinance refers to any new principle structure, attached garage, or addition to an existing

structure. A covered, enclosed porch is considered an addition. The ordinance does not address if the addition would be elevated. She agreed that a post footing would not impede the flow of drainage. If a deck would flood, it would not harm the value of the property. Staff made its recommendation in accordance with the ordinance.

Chair Hart stated that the internal flow of a residence can be considered in determining if a hardship exists.

Lehman concurred with Schmitz. Windows can be changed into doors and doors can be changed into windows, but the need to make structural changes seems unreasonable considering the minimal post-point intrusion. He understood that the three-season porch would have the potential for greater property damage if the post washed out. He was not convinced that warranted denying the variance.

Wischnack recited the planning commission's policy that states that variances may be considered in light of providing rooms with functional size and adequate internal circulation.

Chair Hart asked how trading the locations of the deck and three-season porch would impact the internal circulation. Mr. Coliar explained that a patio room is not considered a room addition for a number of reasons including air flow. There would have to be a thermal break between the residence and the room. Heating and air conditioning would not be included in the room. The room would be recreational. It would not have vented heat. It would be located off of the living room. The deck is currently adjacent to the living room.

Chair Hart stated that if commissioners wished to approve the application, reasons must be provided.

Lehman asked when the time deadline is to act on the application. Wischnack stated that the decision deadline is October 28, 2007. Wischnack stated that findings for approval could be stated in the record and would be documented in the resolution.

Rankin clarified that the term "room addition" provided a different definition for staff than the definition provided by Mr. Coliar. That may be included as a finding.

Chair Hart reviewed the three factors related to granting a variance: character of the neighborhood, hardship, and uniqueness.

***Cheleen moved, second by Adams, to approve a floodplain setback variance from 20 feet to 14 feet for a porch addition at 2830 Mayflower Avenue. This approval is based on the following findings:***

- 1) The room addition is unique because it will be elevated 9 feet and be constructed on a post similar to a deck.
- 2) The only intrusion into the floodplain setback will be a post. The post will meet grade requirements, two feet above the floodplain.
- 3) The property is unique because it has a storm drain to decrease the need for a 20-foot setback.
- 4) The proposal would not change the character of the neighborhood. It would not be visible from the front and similar additions are common.
- 5) Strict enforcement would cause undue hardship because of the following circumstances:
  - a. The hardship is not self-created as the variance results from the layout of the residence and an inherent hardship on the lot.
  - b. The proposed porch addition could not be constructed on the property to meet floodplain setback requirements without impeding the internal circulation of the residence.

Approval is subject to the following conditions:

- 1) The resolution must be recorded with the county prior to issuance of the building permit.
- 2) The site plan, as presented in the packet of October 11, 2007, shall be followed.
- 3) The property owner must enter into a hold harmless agreement with the city prior to issuance of a building permit.
- 4) This variance will end on December 31, 2008, unless the city has issued a building permit for the project covered by this variance or approved a time extension.

***Adams, Brandt, Cheleen, Dahl, Lehman, Schmitz, and Hart voted yes.  
Motion carried.***

***Lehman moved, Adams seconded, to incorporate staff's conditions of approval into the original motion.***

***Adams, Brandt, Cheleen, Dahl, Lehman, Schmitz, and Hart voted yes. Motion carried.***

Chair Hart stated that an appeal of the planning commission's decision must be made in writing to the planning director within 10 days.

**B. Items concerning the proposed Lake Rose Highlands development at 15407 Lake Shore Avenue for Clark Kent Homes LLC (Project 07046.07a):**

- 1) Rezoning from R-1, low density residential district, to PUD, planned unit development; and**
- 2) Preliminary plat.**

Chair Hart introduced the proposal and called for the staff report.

Thomas reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Chair Hart asked if the figure for the cash escrow had been determined. Thomas explained that it would be determined after meeting with natural resources and environmental health staff. Requiring the cash escrow has been an effective tool so far.

In response to Lehman's question, Thomas explained that rezoning the property to a planned unit development was the trigger to allow staff to require tree mitigation and a conservation easement. The current ordinance states that any trees removed within two years prior to subdivision are viewed as still existing when the request is reviewed. This ordinance strives to prevent property owners from clear-cutting property prior to applying for a subdivision. The ordinance applies to property owners developing property and performing reconstruction.

Adams confirmed with Thomas that the mcmanion policy does not apply because a variance is not needed. Thomas explained that the property and buildable areas would be quite large.

Jim Clark, Clark Kent Homes, Bluebird Lane, Mound, applicant, had no intent of mowing down the trees. He tries to plan ahead and make sites as

environmentally friendly as possible. He hoped to negotiate items related to tree mitigation and the conservation easement. The recommended tree mitigation is excessive since there would be no tree mitigation required without the moratorium. There are a lot of trees on the lots. Chair Hart explained that once the moratorium expires, the new tree ordinance will be in place and it will require tree mitigation.

Mr. Clark questioned how the boundary for the conservation easement was determined. He wanted to move the lot line of Lot One 15 feet. Thomas explained the intent was to protect 2 large oak trees.

Mr. Clark stated that the homes would be around 3,600 square feet in size. The houses would be stacked which would give more height to the structures. He favored saving the trees and natural beauty.

Adams asked Mr. Clark to address neighbors' concerns regarding debris on the site. Mr. Clark stated that more attention will be paid to clean up debris, but most construction sites get messy at times. He did clean up the site after being requested to do so by staff.

The public hearing was opened.

Dennis and Jeanine Shesterkin, 15407 Lake Shore Avenue, stated that they paid for two water and sewer connections for the property. Ms. Shesterkin stated that she has difficulty using stairs. She has seen many trees removed in order to build beautiful homes. Trees grow back. She hoped the decision would be expedited as soon as possible. They enjoyed living in Minnetonka.

Mr. Shesterkin thanked staff for covering the issues and finding solutions that will work for everyone.

Mr. Clark asked if Lot One could have a pool if proper erosion control would be provided and not interfere with the conservation easement. Chair Hart stated that the lot is very steep. It would be a huge grading problem. She suggested he talk to planning staff.

Brent Holm, 15327 Lake Shore Avenue, provided a power point presentation. His photographs illustrated conditions of a construction site at Oric Avenue and Whited Avenue that showed untidiness of the site; a fence moved away from trees; inadequate silt fence and lots of erosion; and the large size of nearby homes. He requested the developer take better care of the proposed site. He

appreciated the proposed residences' 3,600 square foot sizes. He favored a holistic decision.

Chair Hart pointed out that if not for the rezoning to a planned unit development and the moratorium, the city would be legally obligated to approve the subdivision. Staff is making a lot of demands.

Grace Sheeley, 14325 Grenier Road, stated that she was not allowed to subdivide her lot. She stated that:

- She had 3.8 acres and was allowed to divide it in half. It did not seem consistent to allow the proposal.
- Staff recommended nice conditions to mitigate putting as many houses as possible on the proposed site.
- She was puzzled if there would be enough access to the road.
- She wanted provisions in place to address if the steep slopes eroded or if trees were removed that should not have been.
- Surrounding residences are close together.
- She wanted to know why she could not subdivide her 2-acre lots.

Chair Hart suggested she create a plan and submit it to staff.

Thomas explained that ordinances require each property to have at least 80 feet of frontage on public, dedicated right-of-way. The proposal meets the requirement.

Ms. Sheeley and Chair Hart discussed that the paved road ends in the circle, but the right-of-way continues.

Ms. Sheeley stated that it would be difficult for any of the proposed residences to have a party with more than four people. There would be parking and access issues.

Dorothy Brown, 5701 Lake Rose Drive, wished her neighbors well and hoped their plans materialize. The lot is beautiful. Lake Shore Avenue enhances the whole neighborhood. She was concerned with the builder's past record working in the neighborhood. The builder acted dismissively and disrespectfully toward the neighbors. She felt that was the situation all along with the trash on the property. Chair Hart asked her and all the neighbors to keep a careful eye on the site. Ms. Brown did not want to have to act as his parent.

Ruthie Block, 5741 Lake Rose Drive, was relieved to hear the residences would be smaller than those indicated on the drawing. She was concerned that the large residences would be squished onto a small portion of the lot. She understood change and loved her neighbors, but did not want huge residences next to hers. Large residences would not fit with the characteristic of the neighborhood. The road is not as large as half of a cul-de-sac. She was concerned with the tree loss and space between homes.

No additional testimony was submitted and the hearing was closed.

Chair Hart reviewed the primary issues. She reviewed R-1 ordinance requirements. The subdivision met all requirements of an R-1 district and would be allowed automatically if it was not for the rezoning to a planned unit development. The planned unit development allowed conditions to be added to the subdivision. Trees would be replaced on an inch-by-inch basis. She supported the conservation easement due to the very nature of steep slopes and the lake. The conservation easement would cover more than half of each lot. Chair Hart supported the conditions.

Brandt and Adams echoed Chair Hart's comments. The conditions are fair given the nature of the lots. Adams noted a lot of buckthorn on the property. He suggested it be removed.

Lehman concurred, but added his concern that the conditions may over reach a bit since the conditions would not have been added if not for the moratorium. He was comfortable enough to support staff's recommendation.

Cheleen agreed with the conditions. He encouraged that the cash escrow be a decent size to ensure site clean up.

Dahl concurred.

Thomas explained the cash escrow to ensure site cleanliness process. It would be separate from the letter of credit for tree mitigation.

***Schmitz moved, second by Adams, to approve items concerning the proposed Lake Rose Highlands development at 15407 Lake Shore Avenue for Clark Kent Homes LLC (Project 07046.07a):***

**REZONING**

- 1) *Recommend that the city council adopt the ordinance on pages A8–A11 of the staff report, which approves the proposed rezoning. This ordinance is based on the following findings:*
  - a. The rezoning would be consistent with the city’s guide plan; and
  - b. The rezoning would be consistent with the public health, safety, and welfare.

**PRELIMINARY PLAT**

- 2) *Recommend that the city council give preliminary approval to Lake Rose Highlands, date stamped October 3, 2007. Approval is based on the finding that the plat meets the required standards and ordinances. Approval is subject to the following conditions:*
  - a. Complete the following before final plat approval:
    - (1) Show the following on the final plat:
      - (a) Dedication of 10-feet of additional right-of-way behind the existing bituminous cul-de-sac.
      - (b) 10-foot–wide drainage and utility easements adjacent to public right-of-way and 7-foot–wide drainage and utility easements along all other lot lines.
      - (b) Utility easements over existing or proposed public utilities, as determined by the city engineer.
      - (c) Drainage and utility easements over the 928.3 elevation.
    - (2) Pay the city a park dedication fee of \$5,000.
  - b. The following items must be submitted to the city before the city releases the final plat:
    - (1) An electronic CAD file of the final plat in microstation or DXF on a CD disk.
    - (2) The following documents for the city attorney’s approval:

- (a) Title evidence that is current within thirty days before release of the final plat.
- (b) Conservation easements over the area as drawn by staff on page A7 of this report and a drawing of the easement. The easement may allow removal of hazard, diseased, or invasive species. The easement may also allow access and water-oriented structures as permitted in the draft shoreland ordinance. The easement and drawing must be recorded with the final plat.
- (c) A private driveway easement between the street right-of-way and Lot 2. The easement must state the maintenance responsibilities of each owner. The easement must be 20-feet wide. The minimum driveway width must be as required by the fire marshal.
- (d) Private utility easement between public right-of-way and Lot 2.
- (e) Restrictive covenants to be recorded against the individual lots with the plat. The covenants must include a provision restricting construction of swimming pools, sport courts, or other large accessory buildings. The covenants must also include the conditions that have not been met as of the release of the plat. These covenants must first be submitted for the city attorney's approval.

These documents must be recorded with the final plat, and a drawing of any easement must be attached to the easement deed.

- (3) Any other requirements included with final plat approval.
- c. The following must be completed before the city issues a building permit for Lot 1 and Lot 2:

- (1) Verify the sanitary sewer depth prior to setting the basement elevation. This verification must be provided for the city engineer's review and approval.
- (2) Submit the additional items for staff review and approval:
  - (a) A construction management plan. This plan must be in a city approved format and outlined minimum site management practices and penalties for non-compliance.
  - (b) Final grading and tree preservation plan for the lot. The plan must:
    - (i) comply with the preliminary grading plan as depicted on the preliminary plat;
    - (ii) include French drains or other infiltration techniques as approved by the city engineer.
    - (ii) must preserve trees designated for preservation at the time of preliminary plat approval;
    - (iii) show sewer and water services to minimize impact to any significant trees. No trees may be removed for installation of services. One set of new services must be installed.
  - (c) A tree mitigation plan. The plan must meet minimum mitigation requirements as outlined in the draft tree ordinance. However, at the discretion of natural resources staff, mitigation inches may be decreased based on: the health of trees removed; the ability to appropriately install trees on the steep slope; and/or installation of under-story shrubbery.
  - (d) Submit cash escrow in the amount to be determined by city staff. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document the builder and property owner will

acknowledge: (1) the property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and (2) if compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.

- (3) Submit the following documents:
    - (a) A recorded copy of the rezoning ordinance, preliminary plat, conservation easement, and restrictive covenants.
    - (b) A letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance.
    - (c) A letter of credit or cash escrow in the amount of 150% of an estimated cost or 125% of a bid cost to complete required tree mitigation. Individual letters of credit are required for each lot.
  - (4) Schedule and hold a preconstruction meeting with engineering, planning, and natural resources staff.
  - (5) Install a temporary rock driveway, erosion control, tree protection and wetland protection fencing for each lot. These items must be maintained throughout the course of construction.
  - (6) Install heavy-duty fencing, which may include chain-link fencing, at the conservation easement. This fencing must be maintained throughout the course of construction.
  - (7) Pay a hookup fee for sanitary sewer and water.
- d. Minimum rear yard setback for the principal structure on Lot 1 is 220 feet as measured perpendicular from the rear line of the plat. This setback may be reduced at the discretion of staff, if the reduction has no negative impact on trees or slope.

- e. Minimum rear yard setback for the principal structure on Lot 2 is 190 feet as measured perpendicular from the rear line of the plat. This setback may be reduce at the discretion of staff, if the reduction has no negative impact on trees or slope.
- f. Minimum floor elevation for both properties is 930.3.
- g. All portions of first story walls as measured by an approved route around the exterior of the house must be within 150 feet of the street. If access requirements cannot be met, the house must be protected with 13D automatic fire sprinklers.
- h. During construction, the streets must be kept free of debris and sediment.
- i. The city must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.

***Adams, Brandt, Cheleen, Dahl, Lehman, Schmitz, and Hart voted yes.  
Motion carried.***

**C. Items concerning a restaurant at 17523 Minnetonka Boulevard for C&R Partners LLC (Project 93011.07b):**

- 1) **An amendment to an existing conditional use permit to increase seating within the restaurant; and**
- 2) **A conditional use permit, with variance, for outdoor seating.**

Chair Hart introduced the proposal and called for the staff report.

Thomas reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Lehman asked if the city council always has the ability to change a condition of a conditional use permit. Thomas answered positively.

Lehman noted an error in the report. "Item f" referred to a condition that changed its outlining from a letter to a number. Thomas will correct the report and resolution.

In response to Dahl's question, Thomas explained the location of proof of parking.

Chris Erickson, 1225 Orono Oaks Drive, Orono, applicant, thanked the commissioners. He asked if the proof of parking was eliminated because the loading area was not needed. Thomas clarified that the loading entrance was eliminated, but the proof of parking still indicates the area where parking would be located if additional parking stalls would be needed.

Cheleen questioned if seasonal uses were considered in the parking study. Thomas answered affirmatively.

Mr. Erickson addressed the need for 200 seats for dinner. The seats were necessary for economic viability and proper location of a lounge area to separate sound. He explained the layout of the tables. Only 106 tables would be used for lunch. He was excited to get the project going. Patio seating would be in addition to the indoor 200 seats.

No one was present to speak at the public hearing.

***Schmitz moved, second by Cheleen, to recommend that the city council adopt the following items concerning a restaurant at 17523 Minnetonka Boulevard for C&R Partners, LLC with the changes provided in the change memo dated October 11, 2007:***

**AMENDMENT TO AN  
EXISTING CONDITIONAL USE PERMIT  
RESOLUTION**

- 1) *Recommend that the city council adopt the resolution on pages A19–A23 of the staff report, which amends the existing conditional use permit for a restaurant at 17523 Minnetonka Boulevard. This resolution is based on the following findings:*
  - a. The proposed increase in seats would not increase the number of parking spaces required by city code. As such, it would not necessitate a parking variance beyond that which was already approved.
  - b. Since the previous approval, the applicant has obtained a parking agreement with Lakewinds Natural Foods. This agreement increases the number of available shared parking spaces.

- c. A parking study conducted for the proposal concludes that the number of seats may be increased to 200 if the restaurant is open in the evening hours only.

Approval is subject to the following conditions:

- a. Prior to release of this resolution, submit parking and access agreements/easements for review and approval of the city attorney.
- b. The city council may reasonably add or revise conditions to address any future unforeseen problems. This includes, but is not limited to, applying further seating restrictions on the restaurant.
- c. Any change to the approved use that results in a significant increase in traffic or parking, or a significant change in character would require a revised conditional use permit.
- d. The restaurant, bar area, and lounge must be limited to 106 seats from daily open until 4:30 p.m.
- e. The restaurant, bar area, and lounge must be limited to 200 seats from 4:30 p.m. to daily close.
- f. Spaces shown as proof-of-parking may not be paved, unless approved by the city upon showing a demonstrated need for these spaces.
- g. Before the city issues a building permit, the applicant must agree to the above conditions in writing and record this resolution with the county.
- h. Violation of any condition of this resolution will result in revocation of the conditional use permit.

**CONDITIONAL USE PERMIT, WITH VARIANCES  
RESOLUTION**

- 2) *Recommend that the city council adopt the resolution on pages A24–A28 of the staff report, which approves a conditional use permit for an outdoor seating area, with a property line setback variance from 50 feet to 30 feet*

*and a residential property setback variance from 200 feet to 120 feet. This resolution is based on the following findings:*

- a. The proposal meets conditional use permit standards.
- b. The proposal meets variance standards:
  - (1) The discrepancy between code required setbacks and the city's development goals for the County Road 101/Minnetonka Boulevard corner present a practical difficulty.
  - (2) The proposed setbacks would meet the intent of the ordinance:
    - (a) Intent of the setback from property lines is to ensure adequate separation between customers and the traveling public. The proposal meets this intent. The outdoor seating area would be set back 30 feet, several feet more than the required setback for parking areas and sidewalks. The area would be further separated from the street by a landscaped area and decorative fence.
    - (b) The intent of the setback requirement from residential properties to minimize the potential negative visual and noise impacts an outdoor seating area may have on surrounding areas. The proposal would meet this intent. Though 120 feet from the closest residential property, that seating area would be separated from the property by both the restaurant building itself and a paved alleyway.
  - (3) The proposed setbacks would not negatively impact the surrounding neighborhood.

Approval is subject to the following conditions:

- a. The proposed enclosure must meet all minimum requirements of the community development and the fire departments.

- b. Refuse containers must be located within the outdoor patio and periodically patrolled for litter pick-up.
- c. Any audio equipment must not be audible from adjacent properties. In the event that the equipment is audible, the property owner must resolve the issue immediately upon the request of city staff.
- d. The city council may reasonably add or revise conditions to address any future unforeseen problems, including but not limited to noise and parking issues.
- e. Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.
- f. Before the city issues a building permit, the applicant must agree to the above conditions in writing and record this resolution with the county.
- g. Violation of any condition of this resolution will result in revocation of the permit.

***Adams, Brandt, Cheleen, Dahl, Lehman, Schmitz, and Hart voted yes.  
Motion carried.***

**9. ADJOURNMENT**

***Adams moved, second by Lehman, to adjourn the meeting at 8:32 p.m.  
Motion carried unanimously.***

By: \_\_\_\_\_  
Lois T. Mason  
Planning Secretary