



**AGENDA**  
**City of Fergus Falls Planning Commission Meeting**  
**Monday August 25, 2025**  
**5:15 PM in City Council Chambers**

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1. Call to Order
  2. Approval of Minutes from June 23, 2025 & July 28, 2025
  3. Approval of Agenda
  4. Old Business
    - a. Ordinance No 69, Eighth Series, amending City Code Section 154.031, Subcommittee Recommendations
  5. New Business
    - a. Battery Energy Storage System (BESS) Zoning
  6. Adjourn

If you have special needs for accommodations, please call 332-5436 or TDD 1-800-627-3529 (Minnesota Relay Service).

## PLANNING COMMISSION MINUTES

June 23, 2025

The Fergus Falls Planning Commission held a regular meeting on May 27, 2025, in the Council Chambers of City Hall. The meeting was called to order at 5:15 PM. Present were Sarah Duffy, Ryan Fullerton, Paul Vukonich, Wayne Schuett, Mike Walls, and Ala Lysyk. Nate Kunde was absent.

Staff present: Klara Beck, Jill Hanson, and Josiah Rostad (Moore Engineering)

Applicants: Noah Reinertson, David Carland (Venture Pass), Joe Radach (Contour Civil), Shari Ahrens & Camden Webb (Westwood)

Public: John Klinnert, Sharon Stevens

### **APPROVAL OF MINUTES**

Motion to approve the minutes from May 27, 2025, was made by Commissioner Fullerton and seconded by Commissioner Lysyk. Passed unanimously.

### **APPROVAL OF AGENDA**

Motion to approve the agenda was made by Commissioner Schuett and seconded by Commissioner Fullerton. Passed unanimously.

### **NEW BUSINESS**

#### **4a. REQUEST BY WESTWOOD PS (LES SCHWAB TIRE CENTER) TO OBTAIN A CONDITIONAL USE PERMIT TO OPERATE A CAR/TRUCK SERVICE & REPAIR SHOP IN A B-2, SERVICE BUSINESS DISTRICT LOCATED AT 1701 WEST LINCOLN AVENUE**

Community Development Director Klara Beck presented the staff report for a conditional use permit to operate a car/truck service and repair shop in a B-2 zone at 1701 West Lincoln Avenue, noting that this case was related to a plat request the commission would review next on the agenda. Les Schwab Tire Centers proposes to redevelop 1701 W Lincoln Ave by demolishing the existing building and constructing a new auto service and repair shop, a conditional use in the B-2 district.

Staff recommends approval of a Conditional Use Permit for a service station/ repair shop in a B- 2 district at 1701 Lincoln Avenue West subject to the following condition:

- 1) Upon recording of the Centerpointe Addition plat, the applicant must provide the new legal description and parcel ID for the lot on which the Les Schwab building is located. The CUP approval will apply to the newly created lot consistent with the submitted site plan.

Chair Duffy opened the public hearing at **5:21 PM**.

John Klinnert, 1801 West Lincoln Avenue, expressed concerns about whether electricity to his business would be disrupted during construction and about the condition of the frontage road. Klara responded that if power were affected, Otter Tail Power would likely notify customers, though that process is not within city control. She added that frontage road concerns would likely be addressed during the upcoming plat review. Chair Duffy clarified that the Planning Commission is only reviewing the Conditional Use Permit at this stage.

Chair Duffy closed the public hearing at **5:25 PM**.

Commissioner Lysyk made a motion to recommend approval of the CUP request with the condition presented by staff. Seconded by Commissioner Fullerton. Motion passed.

**4b. REQUEST BY HOUSTON ENGINEERING (LES SCHWAB TIRE CENTER) FOR A COMBINED PRELIMINARY AND FINAL PLAT OF “CENTERPOINTE ADDITION” AT 1701 WEST LINCOLN AVENUE**

Community Development Director Klara Beck introduced the combined preliminary and final plat of “Centerpointe Addition” at 1701 West Lincoln Avenue. The applicant proposes to subdivide the property from one lot into two to support future redevelopment, including a proposed Les Schwab Tire Center, which is also seeking a Conditional Use Permit.

Although the site is primarily zoned B-2, Service Business District, a portion is currently zoned R-4, Multiple-Family Residence District, likely due to a clerical error stemming from a previous platting process. The city plans to correct this through a formal rezoning action to ensure consistent B-2 zoning. Moore Engineering has reviewed and approved the plat, with a few items remaining to be addressed. Josiah Rostad presented his review. It was noted that the requirement that the applicant update and resubmit the SWPPP had already been addressed.

Staff recommends approval of the Preliminary and Final Plat of Centerpointe Addition, subject to the following conditions:

- 1) Applicant shall update utility easements along internal lot lines, the west property line, and along road rights-of-way prior to plat recording.
- 2) Applicant shall update and resubmit the SWPPP for staff review prior to issuance of a building permit.
- 3) Applicant shall dedicate the existing frontage road as public right-of-way, as recommended by the City Engineer.

Chair Duffy opened the public hearing at **5:31 PM**. Hearing none, Chair Duffy closed the public hearing at **5:32 PM**.

Commissioner Fullerton made a motion to recommend approval of the preliminary and final plats for “Centerpointe Addition” with the proposed findings and conditions as presented. Seconded by Commissioner Schuett. Motion passed.

**4c. REQUEST BY NOAH REINERTSON TO OBTAIN A VARIANCE TO ADD A 6-FOOT COVERED FRONT PORCH IN THE FRONT YARD OF A R-2 ONE- AND TWO-FAMILY RESIDENCE DISTRICT LOCATED AT 1222 NORTH LAKE STREET**

Klara Beck presented the staff report for a variance request at 1222 North Lake Street in the R-2 zone. Mr. Reinertson proposes to reorient the home’s entrance toward the street with a 6-foot covered porch. While the code requires a 30-foot front setback, it allows adjustments when 30% of nearby homes are closer to the street. Most homes on this block appear to have reduced front yard setbacks due to the age of the neighborhood. The porch exceeds the dimensions allowed for standard projections like canopies or eaves and would slightly extend beyond neighboring front facades but remain in character with the block.

Staff recommends approval of a variance to allow a 6-foot covered front porch projecting into the required front yard setback at 1222 N Lake Street.

Chair Duffy opened the public hearing at **5:35 PM**. Hearing none, Chair Duffy closed the public hearing at **5:36 PM**.

Commissioner Lysyk motioned to recommend approval of the variance request, seconded by Commissioner Walls. Motion passed.

**4d. REQUEST BY DIVISION 25 LLC TO OBTAIN A VARIANCE TO REDUCE 10-FOOT PARKING SETBACKS TO 5 FEET ALONG PROPERTY LINE AND TO 0 FEET BETWEEN PARCEL ID 7103500195015 AND PROPOSED NEW PARCEL LOCATED AT 528 WESTERN AVENUE**

Klara Beck presented the staff report for a variance request in the B-2 Service Business district at 528 Western Avenue. The applicant proposes to redevelop the former Burger King site into a multi-tenant site with two co-located businesses consisting of a fast-casual restaurant and a coffee shop with pickup lanes. The proposed site plan places the fast-casual restaurant on the west side of the property and reserves the east side for a future user.

Traffic circulation requirements have led to a request for a 5-foot reduction in the required parking setback. The applicant is requesting a 5-foot reduction of the parking setback along the perimeters of the two lots and a 0-foot setback between lots to enable shared parking and traffic flow. The remainder of the site meets zoning standards without variance.

Staff recommend approval of a variance to allow a 0-foot parking setback and reduce the required 10-foot parking setback from side property lines by 5 feet for newly platted lots at 528 Western Avenue subject to the following condition:

- 1) Upon recording of the FF Ventures Addition plat, the applicant must provide the new legal descriptions and parcel IDs for the lots created.

Chair Duffy opened the public hearing at **5:40 PM**. Hearing none, Chair Duffy closed the public hearing at **5:41 PM**. Commissioners asked to have the setback lines indicated on the diagrams projected on the screens.

Commissioner Vukonich motioned to recommend approval of the variance request with the proposed findings and conditions as presented. Seconded by Commissioner Lysyk. Commissioner Fullerton abstained, citing his status as legal representative for a party in the case. Motion passed.

#### **4e. REQUEST BY DIVISION 25 LLC FOR A COMBINED PRELIMINARY AND FINAL PLAT OF “FF VENTURES ADDITION” AT 1701 WEST LINCOLN AVENUE**

Klara Beck introduced the combined preliminary and final plat of “FF Ventures Addition” at 528 Western Avenue. The applicant submitted a request to subdivide the former Burger King site into two commercial lots for redevelopment into a multi-tenant site, requesting the subdivision for taxing purposes. A variance is also requested to allow shared parking between the two lots, as permitted under city code.

Josiah Rostad, Moore Engineering, explained the plats, and noting the application will need to do a SWPPP application. David Carland and Joe Radach, applicant representatives, explained that the site would be developed as two lots with shared parking and requested removal of the requirement for a utility easement between the newly created lots. They noted that the lots will be co-located and developed as a unified site, making a midline utility easement through the shared parking area unnecessary. Josiah Rostad had no objection on behalf of the city, and the commissioners agreed to remove the requirement.

Staff recommend approval of the Preliminary and Final Plat of FF Ventures Addition, subject to the following condition:

- 1) Owner information and plat details west of the proposed subdivision must be included on the final drawing.

Chair Duffy opened the public hearing at **5:50 PM**. Hearing none, Chair Duffy closed the public hearing at **5:51 PM**.

Commissioner Vukonich made a motion to recommend approval of the preliminary and final plats for “FF Ventures Addition” with the proposed findings and condition. It was seconded by Commissioner Schuett. Commissioner Fullerton abstained. Motion passed.

#### **LAND USE AUDIT AND SHORELAND MANAGEMENT CODE UPDATES**

Klara Beck presented two proposals for Planning Commission consideration. Due to limited staff capacity and lack of in-house planning expertise, she recommended contracting with WSB to assist with updates to the Shoreland Management Code. WSB has experience with shoreland updates to DNR standards and proposed a scope of work not to exceed \$5,000, which includes a matrix comparing current and required standards, final edits based on DNR feedback, and an adoption-ready draft.

After some discussion, Commissioner Fullerton moved to recommend approval of the WSB proposal. Seconded by Commissioner Vukonich. Motion passed.

Klara also introduced a proposal from the Greater Minnesota Housing Fund (GMHF) to conduct a housing-focused land use audit. The audit would identify barriers in the city's zoning code to housing development. GMHF would cover the \$5,000 cost of the audit.

Commissioner Fullerton made a motion to recommend staff move forward with the GMHF proposal. Seconded by Commissioner Vukonich. Passed unanimously.

#### **COUNCIL UPDATE**

Klara Beck informed PC that contrary to the PC's recommendation, City Council has decided to allow stand-alone garages in residential districts. She noted that council has directed the City Attorney to draft ordinance language to bring back to council, choosing not to send language back to the PC. Commissioners discussed the relationship of the PC to the council and how best to handle future requests for ordinance review directed to them by council.

Special PC Meeting on Thursday, July 10 at 5:15 PM.

The meeting adjourned at **6:30 PM**.

*Jill M. Hanson*

## PLANNING COMMISSION MINUTES

July 28, 2025

The Fergus Falls Planning Commission held a regular meeting on July 28, 2025, in the Council Chambers of City Hall. The meeting was called to order at 5:15 PM. Present were Nate Kunde, Ryan Fullerton, Wayne Schuett, Mike Walls, Ala Lysyk, and Paul Vukonich. Sarah Duffy was absent. Staff present: Klara Beck, Jill Hanson

### **APPROVAL OF MINUTES**

Motion to table approval of the June 23, 2025 minutes was made by Commissioner Fullerton in order to verify his abstention from a vote. Seconded by Commissioner Lysyk. Motion carried.

Commissioner Schuett also requested a correction be noted: His statement at the previous meeting that Jason Burns had received approval for a stand-alone garage was inaccurate.

### **APPROVAL OF AGENDA**

Motion to approve the agenda was made by Commissioner Schuett and seconded by Commissioner Fullerton. Motion passed.

### **NEW BUSINESS**

#### **4a. REQUEST BY VTDO LLC, DBA SERENTIY DISPENSARY (PROPERTY OWNER: DUTCHMEN ENTERPRISES LLC) TO OBTAIN AN INTERIM USE PERMIT TO OPERATE A RETAIL CANNABIS DISPENSARY IN AN B-3 BUSINESS ZONE LOCATED AT 112 EAST WASHINGTON AVENUE**

Community Development Director Klara Beck presented the staff report. The Planning Commission and City Council had previously approved an IUP for cannabis retail at this address, which was later rescinded when the original applicant relocated. Beck clarified that approval of an IUP in the B-3 Zone is a land use determination only and does not grant registration or licensure for cannabis retail operations.

The property is a two-story commercial building, formerly a dry cleaner on the main level, with apartments upstairs. Only interior renovations are proposed. Staff noted the Council previously determined that the property's location in relation to a public park does not preclude issuance of an IUP. The property owner has already collected written acknowledgments from residential tenants confirming awareness of the proposed use.

Staff recommended approval of the IUP for a period not to exceed five years with the following conditions:

1. Five-year timeframe for the Interim Use Permit.
2. Business hours are limited to 10 am- 8 pm.
3. No consumption on site, including samples.
4. Property owner must obtain and retain written acknowledgement from each residential tenant stating they have been informed of the business use permitted under this Use Permit. Copies of acknowledgement must be made available to the city upon request.

Acting Chair Kunde opened the public hearing at **5:27 PM**.

Council member Mark Leighton inquired about the exterior condition of the building. Chair Kunde clarified that building code compliance is addressed separately. Klara noted that occupancy was in place; concerns had been addressed.

Acting Chair Kunde closed the public hearing at **5:29 PM**.

Commissioner Fullerton motioned to recommend approval of the Interim Use Permit with the conditions and the findings presented in the staff report. It was seconded by Commissioner Vukonich. Motion passed.

Acting Chair Kunde noted that the City Council will make the final approval on the request.

**REVIEW ORDINANCE NO 69, EIGHTH SERIES, AMENDING CITY CODE SECTION 154.031**

Acting Chair Kunde read a memo from Mayor Hicks requesting the Planning Commission review and make a recommendation on draft ordinance language prepared by the City Attorney that would allow for stand-alone garages via CUP. The memo noted that the PC has 60 days to make their decision.

Commissioner Lysyk motioned to recommend the draft of Ordinance No 69, Eighth Series as presented in the PC packet. It was seconded by Commissioner Walls. Acting Chair Kunde opened the motion for discussion, recognizing speakers from the audience. Public comments included:

- Laurie Mullen: opposed, urged PC to look into the issue further, not just rubber stamp what the City Council proposed. She would like to see homes on these lots instead of garages and cited a concern about a garage in her own neighborhood.
- Tom Kingston: opposed.
- DuWayne Cookman: supportive of allowing stand-alone garages.

Commissioners Fullerton and Lysyk felt the Planning Commission should continue working on the ordinance in light of public input. Commissioner Vukonich suggested the Commission could deny the current version and make revisions before returning it to the Council. Acting Chair Kunde noted that a motion and second were already on the floor and the Commission needed to proceed with a vote.

Commissioner Lysyk motioned to recommend the draft of Ordinance No 69, Eighth Series as presented in the PC packet. It was seconded by Commissioner Walls. Voting in favor were Kunde, Walls, and Lysyk. Voting in opposition were Fullerton, Vukonich, and Schuett. Motion failed for lack of a majority.

Following the vote, new motion by Vukonich, seconded by Schuett, to form a subcommittee (Vukonich, Schuett, Lysyk) to review ordinance language, speak to staff who would enforce the ordinance, and present recommendations at the August meeting. Motion carried. Council member Leighton offered to provide input to the subcommittee.

Acting Chair Kunde asked if there was any other business. Klara reminded PC members that there was a letter in their packet regarding the IUP that had been approved earlier in the meeting. The letter was from neighboring property owners (Midwest Printing) opposed to the sale of cannabis. She apologized for forgetting to mention it earlier and noted the letter would also go on to the Council.

The meeting adjourned at **6:10 PM**.

*Jill M. Hanson*

**ORDINANCE NO. 69, EIGHTH SERIES**

**AN ORDINANCE OF THE CITY OF FERGUS FALLS,  
MINNESOTA, AMENDING PARAGRAPH (B) OF CHAPTER  
154.031 R-1, ONE-FAMILY RESIDENCE DISTRICT BY  
ADDING SUBPARAGRAPH (8) TO ALLOW A RESIDENTIAL  
GARAGE FOR RESIDENTIAL STORAGE PURPOSES ON A  
LOT THAT DOES NOT CONTAIN A RESIDENTIAL  
DWELLING IN RESIDENTIAL DISTRICTS.**

**Commented [PV1]:** Planning Commission would like to preface our revisions with the following comments to the Council:  
-There are very few municipalities which allow standalone garages in residential districts. In light of this fact, examples of similar ordinances for the Planning Commission to review for comparison were difficult to find.  
-The Planning Commission recommended against allowing standalone garages in residential districts. The comments and revisions contained in this document should not be taken as approval of the ordinance but rather suggestions to improve a draft ordinance provided to us by the Council.

THE CITY OF FERGUS FALLS DOES ORDAIN:

Section 1. City Code Chapter 154.031 R-1, One Family Residence District, paragraph (B), is hereby amended to add subparagraph (8) as follows:

(8) A residential garage for residential storage purposes on a lot that does not contain a residential dwelling and therefore becomes the primary structure on the lot, provided:

- (a) The lot does not have restrictive covenants, declarations, easements, or conditions that precludes this use or type of structure. The application shall include a title report certified by a licensed abstractor showing whether the lot has any restrictive covenants, declarations, easements, or conditions, and if so, the title report shall include a full copy of each document setting forth the restrictions.
- (b) Building construction and materials shall meet the requirements of the Minnesota State Building Code as a primary residential structure and shall be approved by the Building Official.
- (c) The maximum impervious surface (including structure) shall be 50% of the lot area.

**Commented [PV2]:** Planning Commission suggests the Council determine whether this is the correct term to use in this context.

~~(d)~~ The maximum allowable lot size shall be 50 feet x 150 feet.

**Commented [PV3]:** Planning Commission recommends adding a maximum allowable lot size for construction of standalone garages to guard against the construction of standalone garages on larger lots where traditional residential development would be preferred.

~~(d)(e)~~ The maximum side-wall height of the structure shall not exceed 19 feet the height of neighboring residential structures and shall be in conformance with the neighborhood.

~~(e)(f)~~ The exterior of the building shall have varied and interesting details and shall conform with the style, construction, and materials used in other dwellings and structures located on lots in the neighborhood and/or that are adjacent thereto. Large walls (30-20 feet or more in length) must be relieved by architectural detailing such as change in materials, change in color, offsets, or other significant visual relief provided in a manner or at intervals consistent with the size, mass, and scale of the wall.

**Commented [PV4]:** Planning Commission recommends 20 feet in length which aligns with other similar ordinances we have reviewed.

~~(f)(g)~~ The building must have an paved apron off to the street which at minimum conforms with the condition of the street. For example, an apron connecting to a

paved curb and gutter street must also be paved with curb and gutter whereas an apron connecting to a gravel street may be gravel.

~~(g) The maximum pitch height shall not exceed 30 feet. Zoning Administrator~~

**Commented [PV5]:** This is now covered in section 8(e)

(h) Outside storage is not allowed in front of the building. Outside storage may be permitted if acceptable screening is provided and approved by the Building Official.

(i) Non-residential uses ~~isare~~ not allowed. Garage shall not be used for a source of rental income.

(j) The building is used for residential storage purposes only.

(k) The application for a conditional use permit must include a drawing accurately depicting the size, style, and location of the building on the lot.

(l) The building does not harbor animals, including pets. For the purposes of this condition, the term harbor is defined as providing food, water, and a place to stay overnight.

(m) If there are outstanding or unpaid special assessments on the lot, they shall be activated for payment according to the special assessment schedule levied by the City Council.

**Commented [PV6]:** I am ignorant on special assessments. Will having standalone garages cause neighbors to 'carry the water' on special assessments? If the assessment are based on valuation of property or utility hookups then I could see this being an issue. If assessments are based on street frontage then this should be OK.

~~(n) Only one (1) garage is allowed per lot~~

**Commented [kl7R6]:** I'll get clarity on the assessment question.

~~(o) Use as living quarters or dwelling is prohibited.~~

**Commented [PV8]:** Conditions (n) and (o) were added based on review of other similar ordinances.

A residential garage for residential storage purposes may, pursuant to a conditional use permit, be placed in other residential districts on a lot that does not contain a residential dwelling, and therefore becomes the primary structure on the lot, provided it complies with each requirement of this section (8) and any other requirements specified by the City Council. A residential garage must be merged with a primary residential dwelling, even if not an adjacent lot, for ownership identification and compliance enforcement. The sale of a residential garage must be sold with the merged primary residence or sold to another owner of a primary residence. They cannot be sold as a residential garage independently.

**Commented [PV9]:** Planning Commission asks the Council to consider whether a degree of connection to the community should be required. We can foresee scenarios where garage properties would be inherited by relatives living in distant areas with little or no connection to the community and little incentive to properly maintain or manage the property. One possible mechanism is included here however it needs to be reviewed for legality and feasibility.

**Section 2. Summary Publication.** Pursuant to Minn. Stat. §412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

**AN ORDINANCE OF THE CITY OF FERGUS FALLS, MINNESOTA, AMENDING PARAGRAPH (B) OF CHAPTER 154.031 R-1, ONE-FAMILY RESIDENCE DISTRICT BY ADDING SUBPARAGRAPH (8) TO ALLOW A RESIDENTIAL**

**GARAGE FOR RESIDENTIAL STORAGE PURPOSES ON A  
LOT THAT DOES NOT CONTAIN A RESIDENTIAL  
DWELLING IN RESIDENTIAL DISTRICTS.**

Section 3. Effective date. The effective date of this ordinance shall be the  
\_\_\_\_\_ day of \_\_\_\_\_, 2025.

THIS ORDINANCE was introduced on the \_\_\_\_\_ day of \_\_\_\_\_  
2025, and adopted by the City Council of the City of Fergus Falls, Minnesota, on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2025, by the following vote:

AYES:

NAYS:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Mayor

Published in the Fergus Falls Daily Journal on \_\_\_\_\_.

barb\cityoffergusfalls\ords\8thseries\Ord69