



AGENDA
CLEARWATER PLANNING COMMISSION MEETING
MONDAY, SEPTEMBER 15, 2025

Call to Order: 7:00 p.m. at Clearwater City Hall

Pledge of Allegiance

Roll Call

- 1. Approval of Agenda**
- 2. Approval of Minutes from August 18, 2025 Regular Meeting**
- 3. City Code Text Amendment for Portable Storage Units**
 - a. Staff Overview**
 - b. Public Hearing**
 - c. Commissioner Discussion**
 - d. Consider Recommendation on Ordinance 2025-05**
- 4. City Code Text Amendment for Financial Guarantee**
 - a. Staff Overview**
 - b. Public Hearing**
 - c. Commissioner Discussion**
 - d. Consider Recommendation on Ordinance 2025-06**
- 5. Text Amendment for Mobile Food Units and Food Carts**
 - a. Staff Overview**
 - b. Commissioner Discussion**
 - c. Consider Recommendation on Ordinance 2025-07**
- 6. Next Meeting Date – Monday, October 20, 2025 at 7:00 p.m.**
- 7. Adjournment**

**CLEARWATER PLANNING COMMISSION
REGULAR MEETING MINUTES
AUGUST 18, 2025**

1. Call to Order and Pledge of Allegiance: 7:00 p.m.

- Chair Schindele called the Clearwater Planning Commission meeting to order Monday, August 18, 2025, at 7:00 p.m. in the Council Chambers. The Pledge of Allegiance was recited. Members present were Schindele, Scott, Schwinghammer and Thomes. Member Mol arrived at 7:06 p.m. A quorum was present. Other attendees included City Administrator Annita Smythe, Community Development Specialist Kimberlie Gramsey, City Planner Kendra Lindahl and other members from the public.

2. Approval of Agenda

- **MOTION** by Scott to approve Agenda as presented, seconded by Schwinghammer, all voted aye. **MOTION CARRIED 4-0.**

3. Approval of Minutes from July 21, 2025 Regular Meeting

- **MOTION** by Schwinghammer to approve Minutes from July 21, 2025 as presented, seconded by Thomes, all voted aye. **MOTION CARRIED 4-0.**

Member Mol arrived at 7:06 p.m. and joined the meeting in progress.

4. Site Plan and Variance - JCubed

a. Site Plan and Variance – City Planner

- City Planner Kendra Lindahl outlined the project. Jeff Johnson, the applicant, is requesting approval of site plan to construct a liquor store on a 1.3-acre site located on Lot 1, Block 2 of the JCubed Addition on County Road 7 and a variance to provide 35 parking stalls and proof of parking for five additional parking stalls where 52 parking stalls are required.
 - Lindahl presented the site plan evaluation.
 - Noted the applicant's plan does not show compliance with the following:
 - The loading area encroaches into the required snow storage area and fire turnaround area.
 - Turning radius for fire/large vehicles conflicts with snow storage area.
 - The ground mounted mechanical equipment reduces the drive aisle on the east side of the building to 14 feet, which is less than the required 20-foot width.
 - Informed Planning Commission of Options
 - Recommend Approval: If the Planning Commission finds that all three parts of the practical difficulties test have been met by the applicant, the Planning Commission may recommend approval of the variance and site plan request for the property. A draft resolution with findings of fact and conditions of approval has been included in the packet.
 - Recommend Denial: Based on the applicant's submission, the contents of City Staff report, received public testimony and other evidence available to the Planning Commission, the Planning Commission could recommend denial of the variance request based on the finding that the applicant has not met the three-part practical difficulties test for the variance. If the variance is denied, the site plan must be denied. A draft resolution with findings of fact has been included in the packet.

- Table the Item: Additional information is required from the applicant to ensure compliance with a number of site plan conditions. The Planning Commission could table this item to the next meeting to allow the applicant to revise the plans to address the issues identified in the staff report.

b. Public Hearing

- No one from the public was present and no concerns were raised prior to the meeting.
- Schindele noted semi-trucks would not be able to maneuver in the lot for deliveries.
- Lindahl stated the recommendation is to revise plans to show how a semi-truck can safely maneuver in the lot.
- Discussion was had on whether a second driveway would be a solution.
- Lindahl stated there are different options to resolve issues.

c. Comments from Developer

- No comments from the Developer

d. Board Discussion

e. Consider Resolution RZ25-02 – Recommending Approval of Site Plan and Variance for Construction of Liquor Store on Lot 1, Block 2 of the JCubed Addition (#104-043-000010)

- **MOTION** by Schwinghammer to approve Resolution RZ25-02 – Recommending Approval of Site Plan and Variance for Construction of Liquor Store on Lot 1, Block 2 of the JCubed Addition (#104-043-000010). Seconded by Mol, all voted aye. **MOTION CARRIED 5-0.**

5. Rezoning and Conditional Use Permit - Telcom

a. City Planner Overview

- Lindahl outlined the project. Robert Muller, MR III, LLC is requesting approval for rezoning the property at 16643 County Road 75 NW from UR (Urban Reserve) to I-1 (Light Industrial) and a Conditional Use Permit to allow outside storage/display, to allow a metal building addition, to allow more than one accessory building and for accessory buildings to exceed 30 percent of the gross floor area of the principal building for TelCom Construction, LLC.
 - o Rezoning Evaluation
 - Rezoning the property was a condition of the Annexation.
 - The applicant meets the requirements for the rezoning request.
 - The rezoning would make the use conforming.
 - o Conditional Use Permit Evaluation
 - The applicant shall meet all conditions from the City Engineer’s memo.
 - The applicant shall provide a survey showing all existing and proposed site improvements.
 - The applicant shall revise plans to show the proposed new metal building addition complies with setback requirements.
 - The applicant shall revise plans to show proposed outside storage areas comply with size, location, surface materials, and screening requirements.
 - The applicant shall revise plans to show proposed parking areas comply with size, location, design, surface materials, and screening requirements.
 - A landscape plan must be provided for City review to ensure compliance with ordinance requirements.
 - If any building or site lighting is proposed, a lighting plan with fixture details must be provided.
 - o Informed Planning Commission of Options
 - Approval of Rezoning and CUP
 - Approval of Rezoning and Table CUP

- Table Both Items

b. Public Hearing

- Mark Muller stated they are planning on adding an addition to the shed. Needing the space for heated storage and classroom space. Will update siding material on the outside of the building to unify the new and existing building.
- Smythe stated the applicant is proposing a gravel driveway which is what is currently on site. Due to the location of the parcel Smythe does not object, however she would suggest a paved approach.
- Scott inquired about the water and sewer on the parcel. Muller verified they have private utilities and a certified septic system.

c. Comments from Developer

- No comments from the Developer

d. Board Discussion

- Schwinghammer stated he would be for Option 1 with the addition to pave the approach.

e. Consider Resolution PZ25-03 – Recommending Approval of Findings of Fact for Rezoning for Property at 16643 County Road 75 NW (PID # 104-500-121400)

- **MOTION** by Schwinghammer to approve Resolution PZ25-03 – Recommending Approval of Findings of Fact for Rezoning for Property at 16643 County Road 75 NW (PID # 104-500-121400) Seconded by Thomes, all voted aye. **MOTION CARRIED 5-0.**

f. Consider Resolution PZ25-04 – Recommending Approval of a Conditional Use Permit for a New Metal Building Additional and Expanded/Modified Outside Storage and Parking Areas at 16643 County Road 75 NW (PID# 104-500-121400)

- **MOTION** by Mol to approve PZ25-04 – Recommending Approval of a Conditional Use Permit for a New Metal Building Additional and Expanded/Modified Outside Storage and Parking Areas at 16643 County Road 75 NW (PID# 104-500-121400) with the requirement to pave the right of way. Seconded by Thomes, all voted aye. **MOTION CARRIED 5-0.**

6. Staff Report

- Minnesota Department of Transportation has public meeting scheduled for September 29th, 2025, from 4-6 p.m. to discuss the T.H. 24 project. Construction scheduled for 2026.
- Minnesota Cold Storage meeting scheduled this week to discuss expansion.

7. Next Meeting Date

a. Monday, September 15, 2025 at 7:00 p.m.

- The board is scheduled to meet Monday, September 15, 2025, at 7:00 p.m.

8. Adjournment

- a. MOTION** to adjourn by Schwinghammer, seconded by Scott, all voted aye. **MOTION CARRIED.** Meeting adjourned at 8:52 p.m.

ATTEST

APPROVED

Kimberlie Gramsey
Community Development Specialist

William “Bud” Schindele
Planning Commission Chair

**CITY COUNCIL
CITY OF CLEARWATER**

ORDINANCE NO. 2025-05

**AMENDING PART II, CHAPTER 117 – ZONING
ARTICLE I – *DEFINITIONS* and
ARTICLE V – *GENERAL BUILDING AND PERFORMANCE STANDARDS*
OF THE CLEARWATER CITY CODE**

THE CITY OF CLEARWATER, MINNESOTA, HEREBY ORDAINS AS FOLLOWS:

City Code Section 117-1 – *Definitions* is hereby amended to add the following:

Portable Storage Unit: A storage unit or container designed, constructed or reconstructed to be capable of movement via towing, hauling, attachment to a vehicle from one site to another and designed to be used without a permanent foundation for the storage or shipment of household goods, wares, building materials or merchandise. Portable storage units shall include semi-trailers, cargo or shipping containers, and similar units which are used primarily for storage rather than transport.

Temporary Outdoor Storage Container: A portable storage unit that does not have a permanent foundation or footing and which includes cargo containers, portable storage containers, and bulk solid waste containers. Such structures shall not be considered a building. A temporary storage structure may include a self-storage container that is delivered to and retrieved from a home or business for long term off-site or on-site storage. Temporary outdoor storage containers shall be permitted for a maximum of one hundred and twenty (120) days.

City Code Section 117-1037 - *Outside storage/display* is hereby amended to add the following new section (e):

(e) Portable Storage Units.

1. Permitted locations and prohibitions.
 - a. Residential Districts.
 - i. Portable storage units may not be permanently placed, stored or used on any residential property. Units with alterations, such as cosmetic or structural changes made for the container to appear more like an accessory building or structure, are not allowed permanently on residential property.
 - ii. A portable storage unit may be temporarily placed, stored, or used for storage on residential properties for moving purposes for up to one month in a 12-month period.
 - iii. A portable storage unit may be temporarily placed, stored or used for storage on residential properties for construction or renovation purposes provided all required permits are obtained for the project, the project remains in compliance, and the portable storage unit is removed from

Effective Date. This ordinance shall be effective October 13, 2025, following its passage and publication, which is hereby authorized by the City Council.

ADOPTED THIS 13th DAY OF OCTOBER 2025.

ATTEST:

APPROVED BY:

Annita M. Smythe, City Administrator

Andrea Lawrence Wheeler, Mayor

DRAFT

CITY COUNCIL
CITY OF CLEARWATER

ORDINANCE NO. 2025-06

AMENDING PART II, CHAPTER 117 – ZONING, ARTICLE II – *ADMINISTRATION AND ENFORCEMENT* OF THE CLEARWATER CITY CODE

THE CITY OF CLEARWATER, MINNESOTA, HEREBY ORDAINS AS FOLLOWS:

City Code Section 117-172 subdivisions (3), (4), and (5) are repealed in their entirety and replaced with the following:

City Code Section 117-172:

- (3) Any financial guarantee required in accordance with the provisions of this chapter shall be consistent with the financial guarantee set forth in Section 113-249(d) governing subdivisions.

Effective Date. This ordinance shall be effective October 13, 2025, following its passage and publication, which is hereby authorized by the City Council.

ADOPTED THIS 13th DAY OF OCTOBER 2025.

ATTEST:

APPROVED BY:

Annita M. Smythe, City Administrator

Andrea Lawrence Wheeler, Mayor

CITY COUNCIL
CITY OF CLEARWATER

ORDINANCE NO. 2025-07

AMENDING PART I, CHAPTER 18 – BUSINESS REGULATIONS, ARTICLE V – *MOBILE FOOD UNITS
AND FOOD CARTS OF THE CLEARWATER CITY CODE*

THE CITY OF CLEARWATER, MINNESOTA, HEREBY ORDAINS AS FOLLOWS:

City Code Section 18-144 – *Conditions of Licensing*, Subdivision (a) – *Locations* is hereby repealed in its entirety and replaced with the following:

- (a) *Locations*. A mobile food unit or food cart may only operate in the locations set forth in this subdivision.
- i. A mobile food unit or food cart may only operate in commercial or industrial zoning districts with the written consent of the private property owner and must be placed on either concrete or bituminous surfaces unless otherwise approved by the city.
 - ii. A mobile food unit or food cart may only operate in residential zoning districts for catering purposes (such as a private party or wedding) and may not be open for sales to the general public.
 - iii. A mobile food unit or food cart may only operate in a city park or on city property with the prior written approval of the city; additional permits may be required for such operations.

Effective Date. This ordinance shall be effective October 13, 2025, following its passage and publication, which is hereby authorized by the City Council.

ADOPTED THIS 13th DAY OF OCTOBER 2025.

ATTEST:

APPROVED BY:

Annita M. Smythe, City Administrator

Andrea Lawrence Wheeler, Mayor