

**MAHTOMEDI PLANNING COMMISSION  
MEETING MINUTES  
APRIL 14, 2021**

Chairperson Rogosheske convened the regular Planning Commission meeting electronically at 6:30 p.m. with the following members in attendance: Dan Soler, Chantell Knauss, Peter Frank, Lacey Smieja and Tony Chesak. Greg Maples joined the meeting at 6:40. Also in attendance were City Planner Hannah Rybak, Mayor Jud Marshall and Office Assistant Luann Tembreull.

Chair Rogosheske welcomed new Commission Member Lacey Smieja to the meeting.

**ORGANIZATIONAL BUSINESS**

Following Planning Commission appointments each year, the Commission acts on organizational items. The Commission elects a Chair to work with staff in preparing the monthly agenda, facilitate the Commission meetings and act as a spokesperson for the Commission at appropriate times. The Commission also elects a Vice Chair to perform the same duties in the absence of the Chair. Over the past year, Alex Rogosheske served as Chair and Dan Soler served as Vice Chair.

Commissioner Soler moved, and Commissioner Chesak seconded the motion to appoint Alex Rogosheske to serve as Chair and Commissioner Knauss moved, and Commissioner Smieja seconded the motion to appoint Dan Soler as Vice Chair of the Planning Commission through April 2022. The motion was unanimously approved by roll call vote: Yea: Soler, Knauss, Smieja, Chesak, Frank and Rogosheske Nay: None

**APPROVAL OF THE AGENDA**

Commissioner Knauss moved, and Commissioner Frank seconded the motion to approve the agenda as presented. The motion was unanimously approved by roll call vote: Yea: Knauss, Smieja, Chesak, Frank, Soler and Rogosheske Nay: None.

**APPROVAL OF THE March 10, 2021 REGULAR PLANNING COMMISSION MEETING MINUTES**

Commissioner Soler moved, and Commissioner Chesak seconded the motion to approve the minutes of the March 10, 2021 regular Planning Commission meeting as written. The motion was unanimously approved by roll call vote: Yea: Knauss, Chesak, Maples and Soler Nay: None.

**4a. CONSIDER APPROVAL – Request from Eric and Melinda Berg for a variance in order to increase the size of the existing home at 1010 Hallam Avenue North and described at PID 20.030.21.41.0008.**

Planner Rybak introduced the item and provided a power point presentation.

**4a. (Continued)**

She said the applicant is requesting approval for a side yard setback variance for the purpose of constructing an addition on to the existing home located at 1010 Hallam Avenue North. The property is located on the corner of Hallam Avenue North to the west, and Juniper Street to the south, which results in the lot being classified as a “corner lot”. Per zoning ordinance definitions, the home’s front yard is along the west property line, with the corner side yard running along the south property line. The south property line curves inward, resulting in an irregular shaped parcel. The existing home meets setback requirements, and in order to construct an addition to the rear of their home (east), they would need variance approval for a 1.75 foot encroachment into the required corner side yard, which is ultimately due to the curvature of the parcel. The addition is proposed to match the existing principle structures height and width, and will replace the location of the existing deck.

The property is located within the R1-D Zoning District and guided in the Comprehensive Plan as Single Family Residential.

Criteria met for approving the variance are:

- Practical difficulties as opposed to mere inconvenience.
- Conditions unique to the land.
- Purpose is not solely financial.
- Difficulties are posed by the Ordinance, not the property owner.
- Granting the variance is not detrimental and it does not alter the essential character of the locality.
- Variance is in keeping with the spirit and intent of the Ordinance.
- Variance will not impair adequate light and air or result in additional congestion, fire danger or harm to public safety.
- Consistency with the Comprehensive Plan.

Engineer Sachi has reviewed the application and has no comments.

An email in support of the variance came from the home owner of 303 Juniper Street.

Planner Rybak stated that based on the facts and submitted plans, staff recommends approval of the requested variance at 1010 Hallam Avenue North.

Upon a question from Commissioner Frank, Planner Rybak stated that the addition will be in the same vicinity as the existing deck, but isn’t sure about the exact size of the addition at this time.

Vice Chair Soler noted that if this wasn’t a corner lot, the side yard setback would only be eight (8) feet off the side yard property line.

**4a. (Continued)**

Applicant, Mr. Eric Berg, stated that Planner Rybak did a great presentation. Mrs. Berg noted that the main reason for the addition is to make more room for their four children and that they plan on living in this house.

There were no questions of the Planning Commissioners for the applicant.

Chair Rogosheske opened the Public Hearing at 6:43 p.m.

Hearing no comments, the Public Hearing was closed at 6:44 p.m.

Commissioner Chesak moved, and Commissioner Soler seconded the motion to recommend the City Council approve a resolution approving a variance for the property located at 1010 Hallam Avenue North as outlined in Exhibit C. The motion was unanimously approved by a roll call vote: Yea: Chesak, Soler, Maples, Frank, Smieja, Knauss and Rogosheske    Nay: None.

**CITY OF MAHTOMEDI  
WASHINGTON COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A VARIANCE TO ALLOW FOR A REDUCTION IN THE  
REQUIRED CORNER SIDE YARD SETBACK REQUIREMENT FOR THE PURPOSE  
OF CONSTRUCTING AN ADDITION TO THE HOME AT THE PROPERTY  
LOCATED AT 1010 HALLAM AVENUE NORTH, PID 20.030.21.41.0008**

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**WHEREAS**, the City of Mahtomedi received a request from the Applicant Eric Hansen on behalf of Property Owners, Eric and Melinda Berg, for a variance to allow for a reduction in the required corner side yard setback on the property located at 1010 Hallam Avenue North on March 12, 2021, legally described as follows:

Lot 3 Block 1, EAST OAKS ESTATES, Washington County, Minnesota

**WHEREAS**, the Applicant has requested a variance of 1.75 feet from the required corner side yard setback of thirty (30) feet within the R1-D District; and

**WHEREAS**, the Planning Commission reviewed and considered the request based on the related documents shown in the Applicants' Application at their regular meeting on April 14, 2021; and

**WHEREAS**, the Planning Commission recommended approval of the requested variance; and

**WHEREAS**, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented; and

**WHEREAS**, the City Council, acting as the Board of Adjustments and Appeals, can approve a variance if it finds that the standards for granting a variance as described in Chapter 11, Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi City Code have been met.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Mahtomedi approves the Applicants' variance request based on the following findings:

1. The requested variance is consistent with all the standards for granting a variance as described in Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi Zoning Ordinance. More specifically, the City Council finds that the requested variances are justified for the following reasons:
  - a) The Ordinance has created a practical difficulty for the property owner
  - b) There are conditions unique to the land that are not applicable to other parcels in the City
  - c) Granting the variance request is not detrimental and it does not alter the essential character of the locality

- d) The variance will not impair adequate light and air or result in additional congestion, fire danger or harm to public safety

Adopted by the City Council of the City of Mahtomedi on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Judson Marshall, Mayor

Attested:

\_\_\_\_\_  
Jerene Rogers, City Clerk

4b. **Request from David and Elizabeth Thorson for a variance in order to increase the size of the existing home at 5 Birchwood Road and described as PID: 30.030.21.41.0003**

Planner Rybak introduced the item and provided a power point presentation. She said the applicant of 5 Birchwood Road is proposing to remodel the home that was constructed in 1953. The purpose of the project is to upgrade the home to be more energy efficient, repair deficient areas of the structure, and modify for accessibility so that the property owner may age and continue to live in their existing home.

Because the location that the structure was originally constructed is within the required ordinary-high-water-level (OHWL) setback, the home is considered nonconforming and a variance is necessary to enlarge it. The request does not include an addition of any square footage to the home, however the pitch of the roof on the lake side of the home is being modified which will increase the interior area of the home slightly. This qualifies as an expansion of the nonconformity, and thus is required to meet current setback requirements. The remodel project also includes a thirty-three (33) square foot addition on to the existing deck, to increase the accessibility of the home.

The variance requests are to allow an existing nonconforming structure to be expanded with a setback of fourteen (14) feet, eleven (11) inches, where a seventy-five (75) foot setback from the ordinary-high-water-level is required by the Shoreland Overlay District and a thirty (30) foot setback from the front property line is required by the R1-D District.

The variance request will also allow an expansion to the existing deck to be constructed with a setback of eight (8) feet, nine (9) inches, where a seventy-five (75) foot setback from the OHWL is required by the Shoreland Overlay District and a Thirty (30) foot setback from the front property line is required by the R1-D District.

**4b. (Continued)**

In reviewing this request for variances, the following criteria have been met:

- Practical difficulties as opposed to mere inconvenience.
- Conditions unique to the land.
- Purpose is not solely financial.
- Difficulties are posed by the Ordinance, not the property owner.
- Granting the variance is not detrimental and it does not alter the essential character of the locality.
- Variance is in keeping with the spirit and intent of the Ordinance.
- Variance will not impair adequate light and air or result in additional congestion, fire danger or harm to public safety.
- Consistency with the Comprehensive Plan.

Engineer Sachi has reviewed the application and has no comments.

Planner Rybak stated that based on the criteria in this report, staff recommends approval of the requested variances as submitted.

Upon a question from Vice Chair Soler, Planner Rybak stated that the raised pitch of the roof is what triggered the need for a variance.

Applicant, Elizabeth Thorson, stated that they hope to stay in the home as she and her husband age. The plan is to improve insulation, replace windows, support the foundation and decrease energy usage.

There were no questions of the Commission for the applicant.

Chair Rogosheske opened the Public Hearing for comment at 6:56 p.m.

Hearing no comments, the Public Hearing was closed at 6:57 p.m.

Commissioner Soler stated that he supports this request and that it's important to make these changes to make the home livable.

Commissioner Soler moved, and Commissioner Maples seconded the motion to recommend City Council approve variances to allow a nonconforming structure to be expanded and a deck addition at the property located at 5 Birchwood Road as outlined in Exhibit C. The motion was unanimously approved by a roll call vote: Yea: Soler, Maples, Frank, Smieja, Knauss, Chesak and Rogosheske Nay: None.

CITY OF MAHTOMEDI  
WASHINGTON COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING VARIANCES TO ALLOW A NONCONFORMING  
STRUCTURE TO BE EXPANDED AND A DECK ADDITION AT THE PROPERTY  
LOCATED AT 5 BIRCHWOOD RD. PID 30.030.21.41.0003

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WHEREAS, the City of Mahtomedi received a request from the Applicant, Andrea Hammel Wollak on behalf of Property Owners, David and Elizabeth Thorson, for variances to allow a reduction to the required Ordinary High Water Level (OHWL) and front yard setbacks for the property located at 5 Birchwood Road on March 12, 2021, legally described as follows:

**All that part of Government Lot 1, Section 30, Township 30 North, of Range 21 West of the Fourth Meridian, described as follows:**

Commencing at the Southwest corner of said Government Lot 1, thence Northerly on the West line thereof 463.8 feet; thence North 35 degrees, 29 minutes East, 738.8 feet; thence North 58 degrees, 06 minutes West, 140.12 feet to a point of beginning; thence North 58 degrees 06 minutes West, 103.8 feet; thence North 13 degrees 31 minutes East to the shoreline of White Bear Lake; thence Southeasterly on said shoreline to the intersection of a line extended from the point of beginning at a bearing of North 47 degrees 54 minutes East, thence South 47 degrees 54 minutes West of to the point of beginning, according to the United States Government Survey thereof and situated in Washington County, Minnesota.

Together with an Easement for Ingress and egress over property described as follows:

Commencing at the Southwest corner of Government Lot 1, Section 30, Township 30, Range 21; thence North on the West line of said Government Lot, a distance of 463.8 feet to a point; thence on a bearing of North 35 degrees 29 minutes East a distance of 20.0 feet to a point; thence on a bearing of North 54 degrees 31 minutes West a distance of 10 feet to a point in the middle of Birchwood Road, the point of beginning of a perpetual easement for roadway purposes, being a strip of land 20 feet wide measured 10 feet on each side of the following described centerline; thence on a bearing of North 35 degrees 29 minutes East a distance of 322.95 feet to a point; thence on a curve to the left having a radius of 100 feet a distance of 100.06 feet; thence on a bearing of North 22 degrees 11 minutes West a distance of 52.65 feet to a point; thence on a curve to the right, having a radius of 60 feet a distance of 56.11 feet to a point; thence on a bearing of North 31 degrees 24 minutes East a distance of 227.84 feet to a point in the South line of Lot "A" and 4.5 feet Northwesterly from the Southeasterly corner of said Lot "A".

WHEREAS, the Applicant has requested the following variances:

1. Variances to allow an existing nonconforming structure to be expanded with a setback of fourteen (14) feet, eleven (11) inches, where a seventy-five (75) foot setback from the OHWL is required by the Shoreland Overlay District and a thirty (30) foot setback from the front property line is required by the R1-D District.
2. Variances to allow an expansion to the existing deck to be constructed with a setback of eight (8) feet, nine (9) inches, where a seventy-five (75) foot setback



from the OHWL is required by the Shoreland Overlay District and a thirty (30) foot setback from the front property line is required by the R1-D District.; and

**WHEREAS**, the Planning Commission reviewed and considered the requests based on the related documents shown in the Applicants' Application at their regular meeting on April 14, 2021; and

**WHEREAS**, the Planning Commission recommended approval of the requested variances; and

**WHEREAS**, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented; and

**WHEREAS**, the City Council, acting as the Board of Adjustments and Appeals, can approve a variance if it finds that the standards for granting a variance as described in Chapter 11, Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi City Code have been met.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Mahtomedi approves the Applicants' variance requests based on the following findings:

1. The requested variance is consistent with all the standards for granting a variance as described in Section 11.01, Subdivision 8.20, C., 1 through 8 of the Mahtomedi Zoning Ordinance. More specifically, the City Council finds that the requested variances are justified for the following reasons:
  - a) The Ordinance has created a practical difficulty for the property owner
  - b) There are conditions unique to the land that are not applicable to other parcels in the City
  - c) Granting the variance requests is not detrimental and it does not alter the essential character of the locality
  - d) The variances will not impair adequate light and air or result in additional congestion, fire danger or harm to public safety
  - e) The variances are in keeping with the spirit and intent of the Ordinance

Adopted by the City Council of the City of Mahtomedi on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Judson Marshall, Mayor

Attested:

\_\_\_\_\_  
Jerene Rogers, City Clerk

4c. **Request from Heather LaValle-Tumbleson, on behalf of Mahtomedi Area Farmers; Market, for an Interim Use Permit to hold a Farmer's Market in the City of Mahtomedi owned portion of Veterans Memorial Park located at 93 Mahtomedi Avenue.**

Planner Rybak introduced the item and provided a power point presentation. She said the Mahtomedi Area Farmer's Market has secured previous interim use permits from the City of Mahtomedi for this location, with the latest being renewed in 2017. This renewal has since expired, as the Farmer's Market was not in operation during 2019 and 2020 due to road construction and Covid-19 pandemic concerns.

Heather LaValle-Tumbleson, on behalf of the Mahtomedi Area Farmer's Market, is requesting the City of Mahtomedi approve an interim use permit to hold a farmer's market in the City of Mahtomedi owned portion of Veterans Memorial Park, previously known as Triangle Park, located at 93 Mahtomedi Avenue. The proposed market will be held every Saturday between the months of June and October, between the hours of 8:00 a.m. and 12:00 p.m. with time allowed for set-up and take-down between the hours of 7:00 a.m. and 8:00 a.m. and 12:00 p.m. and 1:00 p.m. with the exception of the Saturday of Punkinmania, in which the market shall be closed, and the Saturday for the Zephyr Days event in which the market will have extended hours from 8:00 a.m. and 3:00 p.m. with set up between 7:00 a.m. and 8:00 a.m. and take down between 3:00 p.m. and 4:00 p.m. to coincide with the Zephyr Days event.

The requested interim use permit is for a time period of 5 years, which is the maximum time allowed by the City's Zoning Code.

In determining whether to approve, approve with conditions, or deny a request for issuance of an interim use permit, The Planning Commission and the City Council need to consider all relevant factors specified in other applicable subdivisions of the City ordinances, including standards for specific requirements for certain land uses and activities. Therefore, the following criteria have been met:

- The proposed use will not delay permanent development of the site;
- The proposed use will not adversely impact implementation of the Comprehensive Plan;
- The proposed use will not be in conflict with any provisions of the City Code on an ongoing basis;
- The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and welfare; and
- The date or event that will terminate the use has been identified with certainty.

Based on the criteria in this report, staff recommends approval of the requested interim use permit at 93 Mahtomedi Avenue, subject to the following conditions:

**4c. (Continued)**

1. The Farmer's Market Licensee shall enter into a Park Use License Agreement with the City of Mahtomedi that is satisfactory to the City Attorney for the use of Veterans Memorial Park property described above.
2. The Farmer's Market Licensee shall secure the permission/right to utilize the right-of-way under the jurisdiction of the State of Minnesota Department of Transportation from the State if said right-of-way is desired by the Farmer's Market Licensee to be utilized as part of the Farmer's Market.
3. The Farmer's Market use licensed by the City shall only be allowed on Saturday's between the months of June and October between the hours of 8:00 a.m. and 12:00 p.m. with time allowed for set-up and take-down between the hours of 7:00 a.m. – 8:00 a.m. and 12:00 p.m. – 1:00 p.m., with the exception of the Saturday for Punkinmanie, in which the market shall be closed, and with the exception of extended hours during the Zephyr Days Event in which the Mahtomedi Area Farmer's Market may use the City owned portion of Veterans' Memorial Park from 8:00 a.m. to 3:00 p.m. with set-up between 7:00 a.m. – 8 a.m. and take-down between 3:00 p.m. – 4:00 p.m.
4. The interim use permit granted to the City for the City's Veterans' Memorial Park property described above shall automatically expire at the earliest of the following:
  - April 20, 2026;
  - Upon amendment of the City Code that no longer allows the interim use;
  - Until Washington County requires utilization of Veterans' Memorial Park property for right-of-way improvement at the intersection of State Highway 244/Mahtomedi Avenue and County Road 12/Stillwater Road and associated area;
  - Six (6) months after approval this interim use permit if the proposed use has not licensed by the City and commenced by the Farmers' Market Licensee. The Farmers' Market Licensee may apply to the Zoning Administrator for no more than one (1) time extension of up to six (6) months for an unused license of this interim use permit, or
  - If the interim use ceases operation for a continuous period of one (1) year or longer.

Upon a question from Commissioner Knauss, Planner Rybak noted that there is no difference with this usage than that of the past.

Applicant, Heather LaValle-Tumbleson, noted that the Mahtomedi Farmer's Market was started back in 2010. She stated that the board consists of three other members including a High School student.

There were no questions of the commission for the applicant.

**MAHTOMEDI PLANNING COMMISSION MEETING MINUTES**  
**April 14, 2021**

**-8-**

**4c. (Continued)**

Chair Rogosheske opened the Public Hearing at 7:06 p.m.

Hearing none, Chair Rogosheske closed the Public Hearing at 7:07 p.m.

Commissioner Frank noted that “Recommendation” number one (1) “The Farmers’ Market License shall enter into a Park Use License Agreement with the City of Mahtomedi that is satisfactory to the City Attorney for the use of the Veterans Memorial Park property” wording needs to be added to the Resolution.

Planner Rybak stated that she will be sure this addition is made on the Resolution when brought before the City Council.

Commissioner Smieja moved, and Commissioner Maples seconded the motion to recommend City Council approve an Interim Use Permit to allow the City to license a Farmer’s Market on the City owned portion of Veterans’ Memorial Park located at 93 Mahtomedi Avenue as noted in Exhibit C with the addition of recommendation number one (1). The motion was unanimously approved by a roll call vote: Yea: Maples, Frank, Smieja, Knauss, Chesak, Soler and Rogosheske    Nay: None

CITY OF MAHTOMEDI  
WASHINGTON COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING AN INTERIM USE PERMIT TO ALLOW THE CITY TO LICENSE A  
FARMER'S MARKET ON THE CITY OWNED PORTION OF VETERANS MEMORIAL PARK  
LOCATED AT 93 MAHTOMEDI AVENUE, PID: 29.030.31.0002

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**WHEREAS**, the City of Mahtomedi received a request from the Applicant, Heather LaVille-Tumbleson, for an Interim Use Permit for a farmer's market to be licensed by the City and conducted by a licensee on the City owned portion of Veterans Memorial Park located at 93 Mahtomedi Avenue. The City's Veterans Memorial Park property is legally described as follows:

*Part of the Southwest Quarter (SW1/4) of Section Twenty – Nine (29), Township Thirty (30), Range Twenty – One (21); Beginning at a point, said point being the intersection of the southwesterly line of Stillwater Road, now known as Park Avenue, with the Northerly line of Highway 244 to its intersection with the Southerly line of the land acquired by condemnation by the State of Minnesota Department of Highways, for highway purposes, thence Northeasterly on the Southerly line of the aforesaid Right-of-Way acquired by the State, to its intersection with the Southwesterly line of Stillwater Road, thence Southeasterly on the Southwesterly line of Stillwater Road to the point of beginning.*

*(Washington County Property Tax Parcel No. 2903021310002)*

*And,*

*That part of Government Lot Two (2), in Section Twenty-nine (29), in Township Thirty (30) North, Range Twenty – one (21) West, being a strip of land Fifty (50) feet in width described as follows:*

*Bounded on the South by the North line of the South Two (2) acres of said Lot Two (2) conveyed by St. Paul Permanent Loan Co. to Robert M. Grady by deed recorded in Book 51 of Deeds, page 26, in the office of the Register of Deeds of Washington County, Minnesota; bounded on the West by Stillwater Avenue; bounded on the East by Wildwood Avenue, as said Avenues are laid out and travelled in Government Lot Two (2) in said Section Twenty – nine (29); and bounded on the North by a line Fifty (50) feet North of the North line of aforesaid Two (2) acres.*

*According to the United States Government Survey thereof*

*(Washington County Property Tax Parcel No. 2903021310003)*

**WHEREAS**, on April 14, 2021, the Planning Commission reviewed and considered the Interim Use Permit application, reports, documents, testimony, and other materials presented, and made a recommendation to the City Council to approve the requested Interim Use permit; and

**WHEREAS**, the City Council acting as the Board of Adjustments and Appeals, reviewed and considered the reports, documents, testimony, and other materials presented.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Mahtomedi that an Interim Use Permit is hereby granted to the City for the City to license a farmer's market use of the City owned portion of Veterans Memorial Park pursuant to the terms of this Interim Use Permit. The City Council finds that the requested Interim Use Permit satisfies all criteria for approval described in Chapter 11, Section 11.01, Subdivision 8.22, C. More specifically, the Council finds:

1. The proposed use will not delay permanent development of the site;
2. The proposed use will not adversely impact implementation of the Comprehensive Plan;
3. The proposed use will not be in conflict with any provisions of the City Code on an ongoing basis;
4. The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and welfare; and
5. The date or event that will terminate the use has been identified with certainty

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the City Council of the City of Mahtomedi that the approval of the Interim Use Permit described herein is contingent on the following:

1. The Farmers' Market Licensee shall secure the permission/right to utilize the right-of-way under the jurisdiction of the State of Minnesota Department of Transportation from the State if said right-of-way is desired by the Farmers' Market Licensee to be utilized as part of the Farmer's Market.
2. The farmer's market use licensed by the City shall only be allowed on Saturday's between the months of June and October between the hours of 8:00 a.m. and 12:00 p.m. with time allowed for set-up and take-down between the hours of 7:00 a.m. – 8:00 a.m. and 12:00 p.m. – 1:00 p.m., with the exception of the Saturday for Punkinmania, in which the market shall be closed, and with the exception of extended hours during the Zephyr Days Event in which the Mahtomedi Area Farmer's Market may use the City owned portion of Veterans Memorial Park from 8:00 a.m. to 3:00 p.m. with set-up between 7:00 a.m. – 8:00 a.m. and take-down between 3:00 p.m. – 4:00 p.m.
3. The Interim Use Permit granted to the City for the City's Veterans Memorial Park property described above shall automatically expire at the earliest of the following:

- a. April 20, 2026;
- b. Upon amendment of the City Code that no longer allows the interim use;
- c. Until Washington County requires utilization of Veterans Memorial Park property for right-of-way improvement at the intersection of State Highway 244/Mahtomedi Avenue and County Road 12/Stillwater Road and associated areas;
- d. Six (6) months after approval this interim use permit if the proposed use has not licensed by the City and commenced by the Farmers' Market Licensee. The Farmers' Market Licensee may apply to the Zoning Administrator for no more than one (1) time extension of up to six (6) months for an unused license of this interim use permit; or
- e. If the interim use ceases operation for a continuous period of one (1) year or longer.

Adopted by the City Council of the City of Mahtomedi on April 20, 2021.

\_\_\_\_\_  
Judson Marshall, Mayor

Attested:

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Jerene Rogers, City Clerk

5. STAFF REPORT
6. UPDATE - CITY COUNCIL AND OTHER COMMISSION ACTIVITIES AND INFORMATIVE ITEMS.
7. ADJOURNMENT

There being no further discussion, Commissioner Soler moved, and Commissioner Knauss seconded the motion to adjourn the regular Planning Commission meeting at 7:10 p.m. The motion was unanimously approved by roll call vote: Yea: Frank, Smieja, Knauss, Chesak, Soler, Maples and Rogosheske Nay: None.

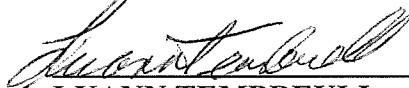
Respectfully submitted by Luann Tembreull, Office Assistant.

**APPROVED:**

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**ALEX ROGOSHESKE**  
**CHAIRPERSON**

**ATTESTED:**



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**LUANN TEMBREULL**  
**OFFICE ASSISTANT**