

Becker County Planning Commission
August 30th, 2023

Members Present: Chairman Dave Blomseth, Tom Disse, Kohl Skalin, Tommy Ailie, County Commissioner Erica Jepson, Harvey Aho, Nick Bowers, Steve Lindow, Jeff Moritz, Kim Mattson, Commissioner John Okeson, Craig Hall, Mary Seaberg, and Zoning Director Kyle Vareberg. **Members Absent:** none

Chairman Dave Blomseth called the Planning Commission meeting to order at 6:00 pm. Introductions were given. Becker County Zoning Technician Nicole Bradbury recorded the minutes.

Harvey Aho made a motion to approve the minutes from the June 28th, 2023, meeting. Skalin second. All members in favor. Motion carried.

Chairman Dave Blomseth explained the protocol for the meeting and stated that the recommendations of the Planning Commission would be forwarded to the County Board of Commissioners for final action. Applicant one (1) will be forwarded to Lake Eunice Township for final action. Applicant two (2) will be forwarded to Detroit Township for final action.

New Business:

- 1. APPLICANT: AJR BCL Storage LLC** 13996 Deerpoint Rd Audubon, MN 56511
Project Location: 14201 Tradewinds Rd Audubon, MN 56511 **LEGAL LAND DESCRIPTION:** Tax ID Number: **17.0079.001** Section 07 Township 138 Range 042; 7-138-42 PT GOVT LOT 7: COM S QTR COR SEC 7, E 326.23' TO POB; E 921.77', N 1319.04', W 858.1', S 22.6', W 33.79' TO CTR RD, S AL CTR RD 473.85', W 33.06', S 788.51' TO POB. TRACT B. LESS PLAT (6.41AC)
APPLICATION AND DESCRIPTION OF PROJECT: Request a first Supplemental Plat for units thirteen (13) through twenty-one (21) of TRADE WINDS NEIGHBOR'S STORAGE.

As there was no one present to present the application and no one to speak for or against the application testimony was closed.

Moritz stated that the Cormorant Lakes Watershed District (CLWD) had no issues with the project.

MOTION: Moritz motioned to approve the application as presented; Bowers second. Roll Call; All in favor. Motion carried.

2. **APPLICANT: Michael D Anderson** 213 Willow St E Detroit Lakes, MN 56501
Project Location: 25641 Brolin Beach Rd Detroit Lakes, MN 56501 **LEGAL**
LAND DESCRIPTION: Tax ID Number: **08.0292.003** Section 16 Township 139
Range 041; 16-139-041 PT GOVT LOTS 2 & 3: BEG SWLY COR LOT 1
GRAVELLE AC TH S 456.82', E 329.79', N 419.07' TO SLY LN GRAVELLE AC,
NWLY 332.58 TO POB AKA TRACT A 2015 REF : 1.96 AC MOVED TO
BROLIN BCH CONDOS **APPLICATION AND DESCRIPTION OF PROJECT:**
Request a first Supplemental Plat for units nine (9) through sixteen (16) of BROLIN
BEACH CONDOS.

There was no one present to present the application.

Clayton Schott, condo owner, asked how the applicant was able to construct the building before doing the final plat. He also shared his concerns that there weren't more notifications give in the preliminary stages of the project.

Vareberg explained that they constructed the building first and then spotted the common walls for the plat. He also explained that the preliminary plat was approved by the City of Detroit Lakes in 2014, and everyone would have been notified at that time.

Testimony closed.

MOTION: Aho motioned to approve this application as presented. Seaberg second.
Roll Call; All in favor. Motion carried.

3. **APPLICANT: Jill L Mohn & Kevin J Mohn** 34172 Camp Cherith Rd Frazee, MN
56544 **Project Location:** 23899 Co Rd 104 & 23938 Highview Oaks Rd Detroit
Lakes, MN 56501 **LEGAL LAND DESCRIPTION:** Tax ID Numbers: **24.0236.001**
& **24.0237.000** Section 31 Township 140 Range 041; 31-140-41 NE1/4 NE1/4 W OF
TH 59, LESS S 720' W OF TH 59. LESS 2.82AC (24-236-0, TRACT B). TRACT A.
&S 720' OF NE1/4 OF NE1/4 W OF HWY #59 EX .21 AC FOR HWY
APPLICATION AND DESCRIPTION OF PROJECT: Request a Change of Zone
from Agricultural to Residential.

Kevin Mohn presented the application and explained his desire to develop the land for residential use.

Ailie asked about the north parcel and the proposed land locked split and asked if there would be an easement.

93 Mohn said yes. He will work with Meadowland on driveway locations.

94
95 Skalin commented on the fact that most of the county was blanket zoned Agricultural.

96
97 Ailie mentioned the fact that there is a residential neighborhood in that area.

98
99 As there was no one to speak for or against the application testimony was closed.

100
101
102
103 **MOTION: Disse motioned to approve this application as presented. Seaberg second.**
104 **Roll Call; All in favor. Motion carried.**
105

106
107
108 **5. APPLICANT: Daniel J Lake** 51080 Co Hwy 40 Menahga, MN 56464 **Project**
109 **Location:** TBD Co Hwy 40 Menahga, MN 56464 **LEGAL LAND DESCRIPTION:**
110 Tax ID Number: **37.0148.001** Section 34 Township 139 Range 037; 34-139-037
111 SE1/4 SE1/4 & S1/2 NE1/4 SE1/4 LESS 11.60 AC. **APPLICATION AND**
112 **DESCRIPTION OF PROJECT:** Request a Conditional Use Permit to operate a
113 commercial building with retail sales and services.
114

115
116 Daniel lake presented the application and explained that he would like an office space where he
117 can meet and work with clients to plan projects.
118

119 Hall asked if he was planning to use it just as an office space or to store stuff as well.

120
121 Lake said he would like to keep parts on hand. He commented that irrigators typically go straight
122 to the farm, but if it would get busier there could be the occasional truck or two there waiting to
123 deliver to a field.
124

125 Lindow asked about the swamp and marsh on the property and what precautions will be taken to
126 protect those.
127

128 Vareberg said he will need to have a silt fence in place during the excavation period.

129
130 Vareberg said that Lake has worked extensively with the Becker County Soil and Water
131 Conservation District (SWCD).
132

133 As there was no one to speak for or against the application testimony was closed.

134
135
136 **MOTION: Hall motioned to approve this application as presented. Aho second. Roll**
137 **Call; All in favor. Motion carried.**
138

- 139
140 **6. APPLICANT: Nicholas G Lewis & Betsy J Lewis** 19898 330th Ave Rochert, MN
141 56578 **Project Location:** 19898 330th Ave Rochert, MN 56578 **LEGAL LAND**
142 **DESCRIPTION:** Tax ID Number: **10.0279.001** Section 15 Township 139 Range
143 040; PT GOVT LOT 1; BEG 679.92' S OF NE COR TH S 404.28', TH W 556.70', S
144 165', W 227.69' TO LK, TH NLY TO PNT SW OF POB & NELY 978.78' TO BEG.
145 **APPLICATION AND DESCRIPTION OF PROJECT:** Request a Conditional Use
146 Permit for a retaining wall.

147
148
149 This application has been tabled by the applicant.
150
151
152

- 153 **4. APPLICANT: Gehrig Properties LLC** PO Box 9923 Fargo, ND 58106 **Project**
154 **Location:** TBD 270th Ave Detroit Lakes, MN 56501 **LEGAL LAND**
155 **DESCRIPTION:** Tax ID Number: **19.0296.000** Section 15 Township 138 Range
156 041; S1/2 OF NE1/4 LESS THE SOUTH 200' OF THE EAST 675' **APPLICATION**
157 **AND DESCRIPTION OF PROJECT:** Request a Conditional Use Permit to operate
158 a convenience store and gas station.
159
160

161 Jon Lowry with Lowry Engineering presented the application. He explained the history of
162 working with the city to determine what may be the best fit for this area. In early discussion a gas
163 station as an amenity that would support the boat launch was discussed. He said they worked
164 with the city on their long-term goals for this area. He said they want to build a nice facility that
165 will fit in with housing. He also commented that they have plenty of property and don't need to
166 access anything across city property.
167

168 Skalin stated that he talked to some of the Planning Commission members from the City of
169 Detroit Lakes, and he wanted to clarify that when the city was voting it wasn't specifically for a
170 gas station, they were voting on zoning to support a gas station.
171

172 Lindow said the letter from the City of Detroit Lakes mentioned access to the property crossing
173 over city property and asked for clarification.
174

175 Lowry stated that the county portion of the property borders property they own that falls with in
176 the City of Detroit Lakes, and the intention was to have some of the parking lot on the annex
177 line, but the building and use would be south of that. He said if the city won't allow that, then
178 they are willing to move it all on the property that falls within the jurisdiction of Becker County.
179

180 Lindow asked how many times the city turned it down.
181

182 Skalin stated that they turned down the zoning request not the gas station.
183

184 Blomseth also commented that they turned down a zoning request for businesses similar to a gas
185 station.
186
187 Skalin commented that a majority of the letters were concerned with safety and asked Lowry if
188 he ever addressed safety with the city.
189
190 Lowry said that convenience stores don't add to existing traffic flow. He stated they are an
191 amenity to existing traffic.
192
193 Skalin asked if a turn lane would be put in.
194
195 Lowry said its not out of the question.
196
197 Jepson said in reading the letter from the City that is seems they are not supportive of this
198 project. And referenced the commented about not allowing sewer and water.
199
200 Skalin said there was discussion of not providing amenities before the annex.
201
202 Lowry said there is no intention of annexing the remaining property at this time. He explained
203 what they could do with wells and septic's if and when homes are built.
204
205 Lindow asked how it won't increase traffic.
206
207 Lowry said the people stopping at the gas station are the people using these roads already.
208
209 Jepson agreed that she doesn't think people will go out of their way to use it.
210
211 Jason Gehrig spoke and said that he wants this to be a nice development.
212
213 Blomseth asked for a show of hands for how many were there to speak for this application and
214 set some rules for consideration and an allowance of three (3) minutes each.
215
216 Blomseth also stated that he would be abstaining from voting due to a conflict of interest. He
217 said he will be running the meeting but will not be voting.
218
219 Nick Bowers said that he also would not be voting as he has neighboring property to the project.
220
221 Mike Beehler, neighbor, spoke and said they would be able to see the gas station from their
222 home and encouraged the board to vote against this.
223
224 Gail Norland, neighbor, shared that the park is great, but a gas station does not appeal to
225 residents. Norland presented a petition signed by eighty-two (82) residents and is entered into
226 record below:
227

82 Residents

TO THE MEMBERS OF THE COMMISSION, WE THE RESIDENTS OF FOREST HILLS, SOUTH SHORE DRIVE AND OTHER NEARBY RESIDENTS STRONGLY OPPOSE THE CONDITIONAL USE PERMIT SUBMITTED BY GEHRIG PROPERTIES TO OPERATE A GAS STATION AND CONVENIENCE STORE AT TBD 270TH AVENUE, DETROIT LAKES MN.

NAME	ADDRESS	PHONE NUMBER	EMAIL
DIANE OLIVER	1443 CABLE CREST LOOP	701-412-6054	dinger@ghn.net
Rebecca Kraljic	1298 South Shore Dr	701-202-7837	sbkraljic@aol.com
Mary Pugas	1452 E Shore Dr	701-566-7266	Mary.Pugas@K5.net
Kristi Krasen	507 1312 St. W. 7th, MN	701-730-5881	kristi.krasen@k5.net
LARRY PERCUT	1314 S. Shore DR	708-88-2870	LPS1@gmail.com
Cheryl Perras	1314 S. Shore Dr.	708-238-5700	sheryl.perras@netnet.com
John Perras	1310 S. Shore Dr	218-234-5715	JohnPerras@netnet.com
John Perras	1310 S. Shore Dr	218-234-5715	JohnPerras@netnet.com
DR. STEVEN KRATZ	1298 South Shore Dr	701-202-7837	JBKRAZ@netnet.com
Rachel Arneson	1448 East Shore Dr.	612-210-4921	rakel14@gmail.com
Bob Arneson	1448 East Shore Dr.	612-214-2567	mbaate71@gmail.com
Patty Mollberg	1048 South Shore Dr.	218-841-1576	NA
Kent Mollberg	1048 S. Shore	218-234-3284	NA
Bruce N. Tans	1042 South Shore Dr	952-334-7440	NA
John Tans	1042 S Shore Dr	952-401-4797	gnat1@aol.com

TO THE MEMBERS OF THE COMMISSION, WE THE RESIDENTS OF FOREST HILLS, SOUTH SHORE DRIVE AND OTHER NEARBY RESIDENTS STRONGLY OPPOSE THE CONDITIONAL USE PERMIT SUBMITTED BY GEHRIG PROPERTIES TO OPERATE A GAS STATION AND CONVENIENCE STORE AT TBD 270TH AVENUE, DETROIT LAKES MN.

NAME	ADDRESS	PHONE NUMBER	EMAIL
John Johnson	917 Lake Forest Circle, D.L.	218-790-0717	
Steve Johnson	917 Lake Forest Circle, D.L.	701-793-1322	
Nickie Johnson	909 Lake Forest Circle	701-740-3341	
John Johnson	910 Lake Forest Circle	218-849-3074	
Bonnie L. Raiten	851 Lake Forest Circle	218-876-7661	
John Johnson	906 Lake Forest Circle	218-371-9316	
John Johnson	801 Lake Forest Circle	218-846-1092	
Cheryl Johnson	845 Lake Forest Circle, D.L.	218-849-2936	
Patti Wertz	841 Lake Forest Circle	701-306-5108	
John Nordstrom	885 Balsam Blvd	218-841-7613	
Bonnie Nordstrom	885 Balsam Blvd	218-850-3823	
John Nordstrom	825 White Tail Ln	218-841-5347	
John Nordstrom	833 White Tail Ln	218-844-0440	
John Nordstrom	833 White Tail Ln	218-844-0440	
John Nordstrom	843 White Tail Ln	218-849-5254	
John Nordstrom	925 Lake Forest Circle	218-234-5794	

NAME	ADDRESS	PHONE NUMBER	EMAIL
Brad G. Rust	924 Lake Forest Circle	701-261-0534	rustbnd@msn.com
Maryjo ERust	924 Lake Forest Cir.	701-261-0502	piutalocsa@msn.com
John Klema	922 Lake Forest Cir	218-344-4908	aklema@arvig.net
Anna Klema	922 Lake Forest Circle	218-844-4909	aklema@arvig.net
Karen Karst	918 Lake Forest Circle	218-371-2879	rkkarst@yahoo.com
Bob Karst	918 Lake Forest Circle	218-371-5377	rkkarst@yahoo.com
Donna Ross	919 Lake Forest Circle	928-587-2244	donna.ross@yahoo.com
Doreen L. Ross	919 Lake Forest Circle	701-238-1835	Joan49@yahoo.com
John Knecht	923 Lake Forest Circle	218-850-7198	aveightr@hotmail.com
Gail Ann Norland	928 Lake Forest Circle	218-526-0541	gailnorland@gmail.com
Mary Maehlen	755 Lake Forest Cir	920-247-2655	marymaehlen@gmail.com
James Beaton	900 Lake Forest Circle, DL 56501	920-366-9107	jb14910@gmail.com
Arnanda Habrat	650 S. Shore Dr. DL	218-234-6525	ajbecher@gmail.com
Mary Becher	617 S. Shore Dr DL	218-234-6299	mebecher@gmail.com
Mike Habrat	650 S. Shore Pr. DL	662-312-6201	mhhabrat@yahoo.com

TO THE MEMBERS OF THE COMMISSION, WE THE RESIDENTS OF FOREST HILLS, SOUTH SHORE DRIVE AND OTHER NEARBY RESIDENTS STRONGLY OPPOSE THE CONDITIONAL USE PERMIT SUBMITTED BY GENIUS PROPERTIES TO OPERATE A GAS STATION AND CONVENIENCE STORE AT TBD 270TH AVENUE, DETROIT LAKES MN.

NAME	ADDRESS	PHONE NUMBER	EMAIL
Susan Rinderson	663 Lake Forest Circle Detroit Lakes, MN 56501	218-280-8678	bejow@qnet.com
Michael Rinderson	"	218-280-8679	"
David W. Rinderson	749 Lake Forest Circle, DL 56501	218-770-0661	drh@detrolakes.com
Steve Rinderson	715 Lake Forest Cir DL 56501	320-292-4032	"
Phyllis Rinderson	749 Lake Forest Cir. DL, 56501	218-770-4241	phyllisr@detrolakes.com
Karen Jones	684 Lake Forest Circle DL 56501	218-841-0291	kmjones@earthlink.net
Anna Beaton	900 Lake Forest Circle, DL 56501	920-993-9319	"

NAME	ADDRESS	PHONE NUMBER	EMAIL
Candice Meeks	30697 Cty HWY 34 Detroit Lakes, MN 56501	218-264-0815	meeksbaby@yahoo.com
Kay Nulph	769 Lake Forest Circle	218-849-1629	knulph@arvig.net
Dary Nulph	769 Lake Forest Circle	218-849-3354	"
John Carr	729 Lake Forest Circle	218-841-5401	JOHNCARR@ARVIG.NET

NAME	ADDRESS	PHONE NUMBER	EMAIL
Karen Dwyer	679 Lake Forest Circle	218-850-0238	"
Mike Dwyer	" " " "	218-849-8180	deldadwyer@yahoo.com

TO THE MEMBERS OF THE COMMISSION, WE THE RESIDENTS OF FOREST HILLS, SOUTH SHORE DRIVE AND OTHER NEARBY RESIDENTS STRONGLY OPPOSE THE CONDITIONAL USE PERMIT SUBMITTED BY GEHNS PROPERTIES TO OPERATE A GAS STATION AND CONVENIENCE STORE AT TBD 270TH AVENUE, DETROIT LAKES MI.

NAME	ADDRESS	PHONE NUMBER	EMAIL
Amber Abraham	641 South Shore	218-841-3716	
Lucas Abraham	641 South Shore	218-841-7748	
Cole Abraham	641 South Shore	218-841-6228	
Aiden Ashman	641 South Shore	531-207-8082	
Anni Bug	633 South Shore Dr	763-354-8524	anni.bugerson@gmail.com
Larry Bug	633 South Shore Dr	763-354-8524	Larry.Bugerson@gmail.com
Colleen Kerman	1917 Bridgeway Blvd		
Karen Burgeson	1913 Bridgeway Blvd	218-842-5126	
Om Sharma	649 South Shore Dr	218-849-5111	
Jay Harrison	2111 270th Ave.	218-849-9635	
Angelo Harrison	2111 270th Ave	218-849-4107	
John Winter	Detroit Lakes	218-849-6702	
Brian Winter	Detroit Lakes	218-849-6702	

TO THE MEMBERS OF THE COMMISSION, WE THE RESIDENTS OF FOREST HILLS, SOUTH SHORE DRIVE AND OTHER NEARBY RESIDENTS STRONGLY OPPOSE THE CONDITIONAL USE PERMIT SUBMITTED BY GEHNS PROPERTIES TO OPERATE A GAS STATION AND CONVENIENCE STORE AT TBD 270TH AVENUE, DETROIT LAKES MI.

NAME	ADDRESS	PHONE NUMBER	EMAIL
Brenda Burley	671 Lake Forest Circle DL 56501	406-598-8788	burley-980@hotmail.com
Rose Burley	671 Lake Forest Circle 56501	406-670-2366	bisunfaniann6703@aol.com
John Lettner	674 Lake Forest Circle Shore	218-305-0913	mike.lettner@att.net
Michael Lettner	" " " "	218-205-0353	"

Norland commented on the amount of traffic and pedestrians, as well as the abundance of vehicles parking on the road as well as the number of trailers along the road due to the landing being full and is concerned that this will increase traffic. She stated that insurance rates will increase for those living within a certain distance of a gas station and home values will depreciate. She commented that lights will be a burden and shared her concerns regarding gas station fires.

Amanda Beehler spoke and said she's not against development, but not in favor of a gas station. She shared concerns regarding all night pay at the pump services and wants their voices heard because they are invested in the neighborhood.

Jepson asked Beehler why she is okay with other businesses and not a gas station.

249 Beehler said because a gas station has lights on all the time, the signage is unappealing, pay at
250 the pump will bring all night traffic shining lights, and the risks of loitering.

251
252 Lindow asked if the gas station was the concern and not the convenient store.

253
254 Beehler said a convenience store has set business hours and 24-hour pay at the pump is all night
255 long.

256
257 Ron Schultz, neighbor spoke and asked if a traffic count had been done to determine if there is
258 enough traffic to justify a gas station. He asked the investors to consider whether or not they
259 would want to live across from a gas station.

260
261 Delta Dagget, neighbor, spoke and said he likes living in a semi-rural area and that if he wanted
262 to be close to businesses he would move into town.

263
264 Ken Brill, neighbor, spoke and urged the board to reject the application. He stated there is not a
265 big demand for gas in the area, and people don't want it out there. Brill spoke on health
266 considerations and the risk of pollution from gas stations.

267
268 Joel Olson, neighbor, spoke and said he was present at the city meetings. He commented on the
269 already heavy traffic on both sides of the road and asked why put up a nice park and then a gas
270 station.

271
272 All letters received regarding this application are entered into the record below:
273

This email is in response to the conditional use permit of the above.


I know there are many people opposed to this, and in fact there is a petition against it. However, I can see the benefit of allowing a gas station and convenience store to be built at this site.

This section of town does not have a gas station close by. With the So. Shore Park and the Public Access in close proximity, it would be beneficial to the area.

There may be drawbacks, but I believe the benefits outweigh the negatives. This is a somewhat busy road, but I can't imagine that a gas station would increase traffic, as to be a detriment. Traffic is already increased due to the park and public access. Those using the gas station would for the most part already be using the roadway.

I understand that my viewpoint contrasts with many of my neighbors. Because of this, I ask that my name or initials or address not be used.

Thank you,


Detroit Lakes, MN 56501

Attn: Becker County Planning Commission members.

My name is Jay Hanson. I live at 2111 270th Ave, 250 yards South of Gehrig Properties proposed gas station.

For many months Gehrig Properties has worked to have their 67 acre plat ANNEXED INTO DETROIT LAKES CITY LIMITS, developing the majority of it into residential parcels. I HAVE NO REASON TO BELIEVE THIS PLAN HAS CHANGED.

The proposed gas station site borders current city limits on 2 sides. It's obvious the parcel and the entirety of the plat will soon be within city limits. For this reason, I ask the Becker County Planning Commision to please defer to Detroit Lakes City Neighborhood Commercial Zoning Ordinances when determining construct of the business.

Should the County approve this gas station as submitted, which would be non-conforming to Detroit Lakes city code, I would ask the city to NOT GRANT FAVOR to Gehrig Properties "offer" to utilize city utilities. Gehrig Properties should not be rewarded for constructing a non-conforming business.

Thank you for allowing my input.

Jay Hanson

276
277

August 25, 2023

Becker County Planning and Zoning
915 Lake Avenue
Detroit Lakes, MN 56501

RE: Conditional Use Permit Application for Gehrig Properties LLC
(August 30th Public Hearing)

Becker County Planning Commission:

The City of Detroit Lakes received a notice of an upcoming public hearing to take place on Wednesday, August 30, 2023, at 6:00 p.m. relative to a conditional use permit (CUP) for a convenience store and gas station at the intersection of South Shore Drive and 270th Avenue by Gehrig Properties LLC (Gehrig). The City of Detroit Lakes submits the following information and comments regarding the application.

Based upon the CUP application that was submitted by Gehrig, a portion of the proposed parking lot and driveway access to South Shore Drive sits on property located within the City limits. The proposed business site spans across two parcels, the northern most parcel is within the City limits. The parcel within City limits is zoned Agriculture Residence (R-A), in which convenient stores and gas stations are not allowed. The applicant proposes to utilize land that is partially located in the City, for a purpose that is not allowed by City ordinance.

The CUP application fails to provide adequate information regarding the project that is required for the application to be considered under the Becker County Zoning Ordinance. Specifically, Chapter 7, Section 4 has requirements for landscaping, noise, lighting and commercial uses near residential areas that should be addressed in a CUP application, but are not. As you know, this proposed development sits across 270th Avenue from the Lake Forest Addition, a large residential area within the City. Chapter 7, Section 10 of the Ordinance has standards for non-residential uses that should be addressed in a CUP application, and none of the parking standards including buffering and screening requirements of Section 11 of that Chapter are addressed either. Finally, the proposal for signs does not comply with the requirements of Chapter 7, Section 14.

Gehrig applied to the City for annexation and rezoning of this same property to General Business (B-2) in November 2022. The B-2 zoning does allow convenience stores and gas stations as a permitted use. The Detroit Lakes Planning Commission held a public hearing on the proposed rezoning on November 16, 2022 (minutes attached), in which the Planning Commission

unanimously recommended denial of the rezoning to B-2. The annexation and rezoning was then brought to the City Council on December 13th and was denied (minutes attached).

The City's Comprehensive Plan identifies the future use of the property owned by Gehrig Properties LLC (Parcel ID 49.0124.707 and 19.096.000) as a mixed use of "low density residential", "high density residential" and "neighborhood commercial" (see attached Comprehensive Plan map). Subsequent to the rezoning denial, the Detroit Lakes City Council and Planning Commission proceeded with a number of public meetings to create a new "Neighborhood Commercial" (NC) district (see attached Neighborhood Commercial ordinance). Based upon public input, the City Council decided that convenience stores and gas stations would not be allowed either as a permitted or conditional use in the NC district.

Ultimately, the City Council has determined that gas stations and convenience stores are not a compatible use in or near Residential zoning districts. These types of uses come with inherent disruptions such as increased traffic, late night disturbances, light pollution, litter, delivery truck traffic, noise, and odor.

As stated in the application, the City already has water/sewer utility connections stubbed to this property. The City has a significant investment in water/sewer infrastructure on South Shore Drive and 270th Street that should be utilized for any development of this property. Allowing a well and septic system for a commercial use within the shoreland district of Detroit Lake would be a mistake when municipal services are already available to the property.

The County should consider the City's Comprehensive Plan and Zoning Ordinance when reviewing a CUP application that is straddling the City's border. The City Council and Planning Commission has weighed in on this issue twice: once by determining not to rezone this property to B-2, and secondly, by not including gas stations and convenience stores in the newly adopted NC zoning district.

Sincerely,



Kelcey Klemm
City Administrator

Attachments: City of Detroit Lakes Planning Commission minutes, November 16, 2022
City of Detroit Lakes City Council minutes, December 13, 2022
City of Detroit Lakes Comprehensive Plan, Planning District #7
City of Detroit Lakes Zoning Ordinance, Neighborhood Commercial District

Attachments are on file with the Becker County Zoning office and are available to view upon request.

Dear Commissioners:

My wife, Kari, and I own a lake home at 568 South Shore Drive on the South Shore of Big Detroit. Our home is located across the street from the property, west side of 270th Avenue, being developed by Gehrig, who has, over the past several months, requested approval of this gas station and commercial development. We are opposed to commercial development and/or gas stations near this location. Reasons of opposition are as follows.

- 1) Request has been denied by the City of Detroit Lakes several times.
- 2) Residents/ Neighbors of this location are OVERWHELMINGLY opposed to commercial development of our neighborhood.
- 3) As part of a planning commission, the very word PLANNING dictates the future...well this property is being considered for annexation, therefore leaving the county, and becoming city.
- 4) Gas Stations are becoming fewer and fewer.
- 5) Mission statement of Becker Statement is attached, and attention should be given to the last sentence. Commercial development and/or a gas station in this area, does not support this statement.
- 6) This area has been developed for parks/recreation and residential use.

This matter is set for Hearing on August 30, 2023. I will be out of town on that date. Please use this email to serve as our objection to the Permit Application. This email is being sent to the Commissioners and I request that it be emailed to the Planning Commission members before the Hearing, read aloud at the Hearing, and made a part of the permanent records of the Hearing.

Thanks all for representing Becker County and its residents of City and County.

Chuck

Chuck Collins
Regional Sales Mgr. Upper Midwest ND/SD/MT/WY
ccollins@seeclearfield.com
218-341-3579



The Becker County Planning and Zoning Department is responsible for planning and managing programs to protect health and the environment. This department is involved in enforcing a variety of ordinances, guiding future development, and providing educational information to the citizens.

Our Mission is to promote the judicious use of our vast resources while protecting and preserving "Our" environment. Our staff is dedicated to serving our citizens and protecting the environment and resources.

285

I received notice of a hearing to build a convenience store and gas station at the corner of South Shore Drive and 270th Street by Gehring Properties. I would like my opinion to be known that I oppose this permit. This location is across the street from a newly built city park that is enjoyed by many area children. The location is also in a residential area. The building of this structure would create unwanted traffic along a lake road that already needs to have a lower speed enforced. There are many children playing, residents walking and biking and the structure would be detrimental to our lake and residential life.

Again, I very much oppose the approval of this permit for the reasons listed above.

Sincerely,

Gail Erlendson
689 Lake Forest Circle

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To the Becker County Planning & Zoning Department; I am writing as a concerned citizen of Detroit Lakes regarding the proposal by Gehrig Properties to build a convenience store & gas station in the area of 270th Avenue off South Shore Drive.

This is a beautiful area that includes a nicely planned residential neighborhood & a park with a playground, pickle ball, tennis & basketball courts. My concern is that a convenience store & gas station is unnecessary & will add more traffic & congestion to an area where a lot of families with children come to enjoy the playground. Also, people walk & bike to enjoy the pickle ball courts & other recreation opportunities there. It is also an area where families gather at the sheltered picnic tables & enjoy enjoy time together outdoors in a lovely area.

It is a beautiful area that I feel does not need & should be protected from convenience stores & gas stations just as I think it is not an appropriate area for Dollar General Stores, storage units & similar money making opportunities for companies such as Gehrig Properties. There are existing gas stations & convenience stores not far away. It is not as if the residents & visitors who enjoy this area are in desperate need of a gas station & store.

It will be an eyesore & a hub for potential problems in my opinion.

I urge you to say "no" to Gehrig Property's proposal. If allowed, this project will have a very negative effect. We need to have enough foresight to protect the beauty & safety of the area.

Sincerely yours,
Elizabeth Gibb

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Planning and Zoning Department
915 Lake Avenue
Detroit Lakes, MN 56501

*Please read this into the record at the public hearing, August 30, regarding the Gehrig Properties application to permit a gas station. Thank you.

This letter is from John and Margaret Gunderson, residents at 564 South Shore Drive, Detroit Lakes. After spending much of last winter and spring fighting this issue at the City level, we are surprised and disappointed to see it reappear at the County level.

We were thankful City leadership saw the wisdom of rejecting gas stations from the Neighborhood Commercial Ordinance. So it's disappointing to learn that apparently Gehrig Properties is unwilling to take "No" for an answer on their planned gas station. It appears they are now sneaking it in the backdoor by seeking permission from County leadership.

If Gehrig Properties still hopes to annex its remaining land into the City to continue its development plan, and then "grandfather" the gas station into the City, that's not only amazingly presumptuous, but it also puts City leadership in the awkward position of needing to either defend or ignore its own Neighborhood Commercial Ordinance.

As taxpayers and voters, we're surprised how much of our time and energy needs to be spent reminding our local elected and unelected officials of their promise to represent local citizens. Our neighborhood citizens have already clearly objected to the proposed gas station.

John and Margaret Gunderson

Becker County Planning Commission Members
Becker County Commissioners
August 28, 2023

We respectfully request that you deny the request for a conditional use permit to operate a gas station and convenience store located on 270th Avenue in Lakeview Township of Becker County.

The reasons for our request are as follows:

- 1) Virtually the same request made to the City of Detroit Lakes was denied, in part because of an overwhelming response by neighbors living in proximity who did not want a gas station in a residential neighborhood. The wishes of a majority of neighbors should be honored, particularly when it involves a significantly trafficked business, with lengthy hours of activity that markedly alters the character of the existing residential neighborhood.
- 2) We feel that fuel pumps and large underground tanks should not be considered in close proximity (shoreland zone) to the area's foremost lake, already threatened by ever increasing surrounding development.
- 3) This area deserves better than the same old worn-out convenience store/gas station combination that is noisy, light polluting and contributes inordinately to plastic, aluminum, cigarette packages and a host of other trash in our roadways. A similar convenience store/gas station in a nearby area failed some years ago.
- 4) The presence of this combination business and the increased traffic associated with it, is of concern in its proposed location just across the street from South Shore Park.
- 5) While our final concern is not likely to resonate in Becker County, it should. The last thing we should be building in our county, known for its natural beauty, is another "fossil fuel" station! Climate change resulting from human activities including burning fossil fuels is a real threat to our planet. Our world is suffering from devastating storm events, drought, and wildfires. We are increasingly putting our water resources at risk. Becker County is not immune and shares responsibility with everywhere else.

We have more than enough gas stations/ convenience stores servicing our community in our highway corridors and business districts. The last place we need one more of these is in a residential neighborhood, close to a park, and in proximity to Detroit Lake.

William and Nancy Henke
962 South Shore Drive, Detroit Lakes

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To Whom it May Concern,

We are property owners located at 640 South Shore Drive and are deeply concerned about the application for a conditional use permit for the specific purpose of allowing a gas station on this property. We support a 1 to 4 family residential development. This is a wonderful area to provide additional housing for the Detroit Lakes community, however, it is not an acceptable location for a gas station. Please accept this email as our formal opposition to the convenience store and gas station on this property.

Sincerely,

Brad and Carrie Jacobson

To: Planning Commission

RE: Request by Gehrig Properties LLC (Gehrig) for a Conditional Use Permit to Operate a Convenience Store and Gas Station

Dear Commissioners:

My wife, Mary, and I own a lake home at 560 South Shore Drive on the South Shore of Big Detroit. We have owned the property since 2012. Our home is located across the street from the property being developed by Gehrig, sometimes referred to as 557 South Shore Drive. Gehrig has, over the past several months, requested that the City of Detroit Lakes permit Gehrig to, among other things, build a convenience store and gas station (gas station) on the property being developed (presumably in conjunction with a request that the property be annexed by the City). On each occasion, that request was denied. Now, after being denied by the City on various occasions, Gehrig is proceeding with yet another request to build the gas station. This time from Becker County. We continue to object to Gehrig receiving any form of approval for the construction of a gas station on the subject property.

This matter is set for Hearing on August 30, 2023. Unfortunately, we will be out of town on that date and desire this email to serve as our objection to the Permit Application. This email is being sent to Nicole Bradbury and a request is made that it be emailed to the Planning Commission members before the Hearing, read aloud at the Hearing, and made a part of the permanent records of the Hearing.

Our Objections:

1. NO SHORTAGE OF GAS STATIONS. There is no shortage of gas stations in the City of Detroit Lakes or the surrounding area. For residents who live in the South Shore Drive area, there is a gas station at County Road 6 and Highway 59 and additional gas stations at the junction of Highways 10 and 59 and the on the NE corner of Big Detroit on Highway 10. It is hard to imagine that anyone living in that area is more than 10-15 minutes away from a gas station.
2. GAS STATION NUMBERS ARE RAPIDLY DECLINING. In 1994 there were approximately 202,800 gas stations in the United States. By 2012 that number had dropped to 156,000 and by 2020, to about 115,000. Market Watch www.marketwatch.com/statista.com/statistics/525107/number-of-gasoline-stations-in-the-united-states.

www.convenience.org/Topics/Fuels. Fewer smokers, more fuel efficient vehicles (including electric vehicles) and GPS on smart phones have made it less likely for people to stop at gas stations. Online CNBC: Stock Market & Business March 20, 2020. By 2050, it is estimated that 43% of the remaining gas stations will no longer exist. www.ibisworlds.com-gas stations, January 13, 2022. That will leave approximately 65,550 gas stations in the entire country! The need for new gas stations is definitely decreasing.

3. FUTURE ZONING AND LIABILITY CONSIDERATIONS. Post Pump provides research and resources to help City/County/State officials prepare zoning codes for an electric vehicle future. It suggests gas stations will become fewer as "electric vehicles remove the need for these businesses." www.postpump.org Gas Station Land Use & Zoning for the EV Future. Post Pump warns that taxpayers can end up being on the hook for substantial amounts due to environmental issues (such as leaking tanks causing damage to property or waterways). Special service station zones should be "chosen for their distance from wetlands, parks, residences, schools, or other environmentally sensitive areas." Id.
4. HEALTH CONCERNS. Gas station fuel tank filling and underground storage tanks release benzene, toluene, ethyl benzene, and xylene. The World Health Organization Guidelines for Indoor Air Quality (www.ncbi.nlm.nih.gov/books/NBK138708) suggests that benzene is the most harmful of those chemicals, there is no safe level for benzene exposure, and that it is harmful to human health. Exposure to gasoline and fumes can cause nose and throat irritation, breathing difficulties, headaches, and dizziness and, with more extensive exposure, serious health problems such as lung, brain, and kidney damage. Id. Taking health risks into consideration, Post Pump suggests that special service zones in commercial/industrial type areas, and not residential areas, be set up for the construction of any new gas stations. Not only would the Gehrig gas station be in a residential area, it would be directly across the street from a City Park where children (and adults) enjoy leisure activities and less than 1000 feet from the waters of Big Detroit. It is unclear whether the Gehrig application takes into consideration the City of Detroit Lakes' Shoreline Regulations which are arguably applicable to this Application since it will be less than 1000 feet from the water.
5. GAS STORAGE TANKS LEAK. Underground storage tanks are known to leak (especially as they age or are abandoned). Leaks are expensive to clean up and can cause damage to surrounding property.
6. PEACEFUL, QUIET ENJOYMENT. A gas station at 507 South Shore Drive will create more traffic, noise, vapor releases from filling vehicles and tankers filling storage tanks, night time activity and lights, and loss of the peaceful enjoyment of our residential properties.

We respectfully request that the Gehrig Permit Application be denied.

David and Mary Maring

Dear Sir/ Madam,

I live on south shore drive. Bringing a gas station and convenience store to a busy residential area is not good and few reasons are as below;

- not safe to have gas station in residential area as it will increase the traffic. We already had one casualty of cyclist this year.
- not safe for children playing on the streets and new park. Park has attracted lot of crowd to the area. Increase traffic will can be detrimental and dangerous to local children.
- having a gas station near a lake may be potential for contamination of lake water in future .

Om

669 S Shore Dr

August 29, 2023

To whom it may concern,

The Abraham family home is located at 641 South Shore Drive. Three homes east of the proposed gas station. We moved to the family neighborhood two years ago from the north side of Detroit Lakes where we lived in close proximity to commercial development. We invested \$430,000 to live in a quiet family neighborhood.

This gas station has been voted down by the City of Detroit Lakes twice. First in December of 2022 and second time after months of back and forth with City zoning and City Council by concerned citizens, gas stations were removed from the new "neighborhood commercial" ordinance. The new "neighborhood commercial" ordinance process started after Gehrig was denied a gas station at this location. After gas stations were voted out of the "neighborhood commercial" ordinance Gehrig would not annex his property into City limits and Gehrig decided to file with the County.

We are not in support of gas stations in established residential areas. It is known that gas stations are not appealing for neighborhood aesthetics, littering issues, light pollution, added noise to the neighborhood due to late and early hours of operation and 24 hour pumps. This will decrease the value of the homes in this neighborhood.

We have 2 options of convenience stores 6 minutes from our home. We will continue to support the established local businesses.

South Shore is a multimodal street. Adding commercial development specifically gas stations to this area will be a safety issue. Vehicles park on the sides of the road forcing walkers, bikers etc. to move into active traffic. There are side by sides, electric bikes, vintage cars etc. that "cruise" the lake at slow speeds. Adding additional traffic, gas tankers and freight will increase the odds of a tragic accident.

Winter months on South Shore are quiet. Cabins are closed up, snowbirds leave, tourism slows drastically and our population plummets. We do not have the neighborhood population required to keep a gas station or any commercial business open. Detroit Lakes has tried this before and the establishments are no longer in existence.

We support the petition that will be presented against the gas station. I will not reiterate all the valid points made on the petition. South Shore does not need a gas station or any commercial business. If Becker County sees a need for commercial development on the south side of town the County should review the option of completing a planning study with local residential input. There are other areas on the south side of Detroit Lakes that could support the commercial development without interfering with established residential properties and can support the traffic safely with current in place infrastructure.

Thank you for your time,

Lucas and Amber Abraham

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August 29, 2023

Planning Commission Administrator Kyle Vareberg

Re Zoning change request by Gehrig Properties, LLC.

My wife and I live at 679 Lake Forest Circle in Detroit Lakes which is about a half block from the new D L City Park on South Shore Drive. This Park is across the street from the address on the proposed rezoning request.

We notice how well the park is used by many generations of people, especially the playground area for families with young children.

We are very much opposed to any commercial business being authorized in this area. This is a residential area, not conducive to commercial businesses being introduced in our neighborhood. We lived at 500 South Shore Drive for a few months two years ago. I told my wife I did not want to live on South Shore Drive because of the heavy traffic and the noise that it brings.

South Shore Drive is a very heavily traveled roadway of vehicles, bicycles, walkers and parked construction and service vehicles. The speed limit is 35 MPH. Residents need to be very careful when they leave their driveway and many have bushes, trees and parked vehicles which hinder visual eyesight of approaching traffic. We do not need the additional traffic a commercial business would bring.

Each year several houses are built along South Shore Drive. These are often rebuilds on lake property. It seems to take most of a year for these to be completed from the time of tear down to final landscaping. During this time there are construction traffic and construction vehicles parked in the parking lanes on both sides of the roadway with construction workers around them. We have all learned to be very cautious as we pass by these sites.

The 91 acre hayfield property on South Shore Drive was sold in 2022 to be developed into a housing subdivision. I read a study a few years ago, where each new house generated four traffic movements each day, once completed. South Shore Drive and the roads leading off of 270th street will all have increased traffic over the next several years. Let's not exacerbate the situation with commercial developments.

We request the Planning Commission reject the proposed rezoning application. Would the Planning Commission Members want a convenience store/gas station in their neighborhood?

Delta and Karen Daggett

679 Lake Forest Circle

Detroit Lakes, Mn

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To the Members of the Becker County Planning Commission

My name is Brad Erickson, and my wife and I reside at 2103 270th Ave just to the south and east of the proposed gas station and convenience store. We are not able to attend the meeting tonight and want the planning commission to know that we are against the conditional use application for Gehrig Properties to operate a convenience store and gas station at the proposed location. The additional traffic with this type of business will create safety issues for all the kids and families that use the South Shore Park daily and for those who walk and ride bike to the park. We also have concerns about hours of operation and light pollution with the proposed gas station being in a residential area. The proposed location of this business is not a fit for the area or needed when there are two comparable businesses within 2-3 miles of proposed location. This proposal was applied for already through the city of Detroit Lakes and was part of annexation plan proposed and was denied based on all the concerns and feedback from residents in that area. The developer has stated that this is still a planned residential neighborhood and will likely be annexed into the City of Detroit Lakes. If for some reason the planning commission feels that this business is a need, then I ask you refer to the Detroit Lakes City Neighborhood Commercial Zoning Ordinances which determine what type of businesses, and scope and size should be built in a residential area. We are hoping that you take into consideration the concerns of the citizens, safety, and if this a proper location when voting on this application. We are requesting that you not approve the application for conditional use permit.

Thank you,
Brad & Erin Erickson

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Good evening-

I'm writing to put my objection in formally about the conditional use permit for a gas station + convenience store at 270th & South Shore Dr. I live directly in the neighborhood and have been against a gas station from the beginning for many concerns. For one, I do not think a business that can be open 24 hours a day/7 days a week has any place in an already established neighborhood. As long as there are pay-at-the-pump options, there will be business transactions occurring within a neighborhood at all hours of the day. And that means there will be headlights shining into peoples homes. There are already 2 gas stations not far away from us currently and no one is hurting to find a place to fill up their car, truck or boat.

I have been involved from the get-go regarding the proposed zoning by the city and we worked to establish a neighborhood commercial zone that would allow for businesses on that corner - just NOT a gas station. But that is obviously unacceptable to the owner. We are not against development and not even against a small neighborhood friendly business opening next door to us. The people of this neighborhood have spoken up again and again about their concerns in having a gas station at this location and I would appreciate that now our County Officials will take this opportunity as well to listen to their constituents of this neighborhood and deny the conditional use permit for a large gas station in our neighborhood.

Amanda Beehler Habrat
650 S Shore Dr.

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August 30th 2023

Becker County Planning & Zoning
915 Lake Ave
Detroit Lakes MN 56501

Dear Becker County Planning Commission & County Commissioners:

This letter is concerning the Gehrig Properties LLC conditional use permit application to operate a convenience store and gas station located on parcel ID # 19.0296.000 Section 15 Township 138 Range 041; S ½ of NE ¼ less the south 200' of the east 675, Lakeview Township.

The Preserve Owners Association board of directors is totally against having a gas station / convenience store at this location. This is not the right location for any commercial / light commercial / gas station / convenience store. This is a residential neighborhood and in our opinion its best use is residential 1-4 unit homes.

There is a safety factor with the current traffic right now on South Shore Drive and having any commercial businesses at this location will make South Shore Drive even more unsafe for all the residents that drive, run, walk, and bike along the lake. Adding any sort of commercial businesses at this location will add to the current safety issues. If you allow commercial businesses at this location that will bring in semi-trucks and delivery trucks to South Shore Drive and the road is not wide enough to allow for this kind of traffic.

There are very nice homes on South Shore and surrounding area, and a new public park that the City of Detroit Lakes and its residents just built for the enjoyment of the residents. Having a gas station at this location will have a negative impact on the property values and the enjoyment of our properties and the use of the city park.

The City of Detroit Lakes has already denied this application 2 separate times. Please deny this request for the safety, and sanctity of our property values and our right to enjoy our homes, enjoy the beautiful South Shore Park and all its amenities, along with walking, biking, and running in this area.

Respectfully,

The Preserve Owners Association Board of Directors

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Matt Brenk and the Council.

This letter is addressing the new plans for the gas station that is to be built on 270th Ave as I was not able to attend the meeting. Our family spent 3 years trying to find the perfect home and now this gas station would not only put our pets and children at risk, but also make our home less valuable. So my question is, what makes my investment less important than these persons pushing a gas station? Also, I really don't think the roads can handle the traffic. I would like to ask the Council to consider putting this on the table until studies can be done to see if our little road could handle something like this. Every other gas station is off of a major highway.

Thanks for taking the time to read this —

Annie Seaberg

13504 270th Ave Dh
218-239-7423

PETITION TO THE COUNTY OF BECKER, MINNESOTA, THE CITY OF DETROIT LAKES, MINNESOTA and LAKE VIEW TOWNSHIP, MINNESOTA

ATTN: PLANNING AND ZONING

APPLICANT: Gehrig Properties, LLC (Jason and Leah Gehrig)
PO Box 9923
Fargo, North Dakota 58106

Registered Agent: Custom Express Car Wash, owned by Jason Gehrig lists Kyle Freier as his Registered Agent. Kyle is Chief Operation Officer of Property Resources Group. Custom Express Car Wash was renamed Tommy's Express Car Wash and Gehrig's local franchises are operated by Premier Wash Systems, which Jason Gehrig and Kevin Christianson own.

Christianson Companies is a multi-faceted company. It is a development and construction company which specialized in multi-family, apartments, restaurants, twin homes, retail, etc., and also houses a full service brokerage and property management company, known as Property Resources Group (PRG). Christianson Companies also provides an in-house design leg called Design Resource Group (DRG). All of these entities work together and could potentially benefit from the commercialization of this residential area.

PROJECT LOCATION: TBC 270th Avenue, which intersects with South Shore Drive, Detroit Lakes, MN. 56501

LEGAL LAND DESCRIPTION: Tax ID number 19.0296.000 Section 15 Township 138 Range 041; S1/2 of NE ¼ less the South 200' of the East 675'; Lake View Township.

REFER TO BECKER COUNTY ZONING ORDINANCE

REPLIES/COMMENTS: Public testimony regarding this application will only be received by email, in writing, or in-person at the hearing. Interested parties are

invited to submit to the Becker County Department of Planning and Zoning WRITTEN FACTS, ARGUMENTS, OR OBJECTIVES BY 2:00 P.M. THE DATE OF THE HEARING. THESE STATEMENTS SHOULD BEAR UPON THE SUITABILITY OF THE LOCATION AND THE ADEQUACY OF THE PROJECT AND SHOULD SUGGEST ANY APPROPRIATE CHANGES BELIEVED TO BE DESIRABLE.

JURISDICTION: This Project comes under the Regulatory Jurisdiction of the Becker County Zoning Laws.

REGULATORY AUTHORITY: This Application will be reviewed according to the provisions of the Becker County Zoning Ordinance. The decision whether to issue a Permit will be based on the evaluation of the probable impact including cumulative impacts of the proposed activity. That decision will reflect the concern for "both protection and utilization of important resources. All factors which may be relevant to the proposal will be considered including the cumulative effects: LAND USE, SHORELINE PROTECTION, WATER SUPPLY AND CONSERVATION, SAFETY, ECONOMICS, in general, the NEEDS AND WELFARE OF THE PEOPLE."

THE FOLLOWING PETITIONERS ARE RESIDENTS NEAR THE ABOVE LISTED AREA AND WILL BE AFFECTED BY YOUR DECISION. THE SIGNATURES BELOW ARE SOUTH SHORE RESIDENTS AND LAKE FOREST DEVELOPMENT HOMES.

FACTS/ARGUMENTS

1. Multiple gas stations with convenience stores are within six (6) minutes from the proposed gas station, so the proposed gas station would not provide a service that is not found in the area. Also, there is an existing tax paying business within two (2) minutes of the proposed site that sells gas for watercraft. The proposed gas station would take away business from existing tax paying businesses, unnecessarily. (Conditional Use Application #1, #2, and 6D)
2. A proposed gas station at this property was voted down twice by the Detroit Lakes City Council. The first time on December 13, 2022. The request from Gehrig Properties then was for a B-2 General Business/LB lakefront Business zoning designation. The request was denied. The second time it was voted down related to the newly adopted Ordinance 507, which created a Neighborhood Commercial District that was voted in on May 9, 2023. The new Neighborhood Commercial Ordinance passed, but the approval for the gas stations in residential areas was voted down, due to a multitude of concerns by local residents.
3. Proposed access to the requested facility is from 270th Avenue, which junctions with South Shore Drive. 270th Avenue is not a 10-ton road, so the developer would have to gain approval for an entrance on South Shore Drive to support tanker trucks. (see plat.) 270 Avenue is also full of pot holes and will need work. Additional traffic including freight traffic on South Shore would increase noise, safety issues and create additional wear and tear on the road. South Shore Drive has multi-modal traffic ie: walkers, bikers, electric bikes, cars, rangers, etc.

Additional traffic to this area is a safety concern. Presently, there is so much traffic on South Shore that residents have difficulty getting on to South Shore from their homes. This proposed gas station and ultimately what comes after it, will directly impact an area that is already a high traffic area and is presently used by many, many children. The new South Shore Park is beautiful and used by many Detroit Lakes residents. Additional traffic would be a safety issue for the young people who love that park.

4. A gas station will create additional noise, fumes, lighting issues, garbage, traffic, safety and environmental concerns for the neighborhood which is well documented. (Conditional Use Application #5)

5. The developer states that the view from the water will be blocked by existing structures. Those Structures would be the houses on South Shore Drive. Boaters will not have to see and hear the noise from the gas station and all that it brings with it, but tax paying homeowners will and for them it will be 24 hours a day – 7 days a week. (Conditional Use Application 6B)

6. Home values in proximity to a gas station decline because of the noise, lighting, garbage, safety and environmental concerns which are all well documented and understood by real estate agents.

7. The developer is seeking approval for a SIX THOUSAND FIVE HUNDRED (6,500 sq. ft.) Square Foot convenience store plus eight gas pumps, which is similar in scope to the size of the Holiday Gas Station at 303 Frazee Street East, Detroit Lakes, MN. What this applicant is asking for is not a SMALL neighborhood convenience store (Business Plan Review in Conditional Use Application).

OBJECTIVE:

Requesting the City of Detroit Lakes, County of Becker and Township of Lake View, cease commercial development in residential neighborhoods. There are many opportunities for commercial development elsewhere in the city, county and township in non-residential areas. An ordinance requiring one or two acre building sites for new homes would be appropriate also. It would restrict the building of new roads and the wear and tear on the present ones, and perhaps Save the Park.

Statement from the Board notes from Becker County Planning Commission, October 9, 2018, Sentences 55-61. This refers to the Application Requesting a Conditional Use Permit for a Dollar General Store between Cormorant and Pelican Rapids, with a Pelican Rapids address by Kevin Pladson of Fargo. The following are comments against the approval of the Conditional Use Permit from the Gehrig's.

Sentence #55. "Jason and Leah Gehrig spoke against the application. Gehrig explained they are the owner of the land across the street from the proposed Dollar General Store, and are concerned about the safety issues by drawing more people to the area. The Gehrig's also explained that the aesthetics of the project would not be favorable. They do not want to look at the store front. Gehrig mentioned an incident at her home and the Sheriff's response took one hour to get out there. She

stated she was concerned about the Sheriff's response time and extra policing that is needed around the area if the Application is approved."

Quotes from the City of Detroit Lakes Planning Commission, Council Meeting, May 9, 2023.

After several homeowners expressed concerned over the gas station issue and commercial enterprises in a residential neighborhood, the following was quoted from the Notes from the above meeting. "Alderman Dallmann asked if there was anyway we could move on the get rid of the convenience store piece. Alderman Stearns made a motion to amend the ordinance to removed subd3-b regarding gas stations. The motion was seconded by Alderman Zeman." "Mayor Brenk called for a vote for the amendment to the motion. The motion to amend the motion to remove gas stations from the ordinance carried, with dissenting votes from Alderman Carlson, Boeke, and Josephson." This Ordinance is referred to as the Neighborhood Commercial District/Zone.

What is apparent is that Alderman Carlson must never drive on South Shore Drive. The location of the South Shore Park has added traffic, but has been a wonderful addition to this side of Detroit Lake and to residents of Detroit Lakes. There is ample parking for this site and was done well. To put commercial enterprises in this location would not be serving the constituents or your taxpayers.

Alderman Josephson stated that if they were going to "dumb down" the new ordinance, the City Council "should just get rid of the proposed ordinance".

PETITION ATTACHED:

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TO THE MEMBERS OF THE COMMISSION, WE THE RESIDENTS OF FOREST HILLS, SOUTH SHORE DRIVE AND OTHER NEARBY RESIDENTS STRONGLY OPPOSE THE CONDITIONAL USE PERMIT SUBMITTED BY GEHRIG PROPERTIES TO OPERATE A GAS STATION AND CONVENIENCE STORE AT TBD 270TH AVENUE, DETROIT LAKES MN.

NAME	ADDRESS	PHONE NUMBER	EMAIL
Annie Seaberg	13504 270th Ave DL	218-234-7423	seabergannie@gmail.com
Kelly Seyring	18550 Totland Rd D.L	218-371-8688	kelheze@gmail.com
Steve Seaberg	12557 Carow Cir Freeze	218-841-4400	
Pam Cummings	25022 Oakland Beach Ln DL	218-844-0819	KCummings17@gmail.com
Kevin Cummings	25022 Oakland Beach Ln DL	218 850 9417	kevincummings1@gmail.com
Tajohn	13372 270th Ave Detroit Lakes	218-212-9465	tajohn80@hotmail.com
Ch. Sue	13372 270th Ave Detroit Lakes	701-212-9417	Ch.Sue@hotmail.com
Amanda Salber	901 Gabriel Cir DL MN 56501	612-251-0146	amandasalber@gmail.com
Isabelle Salber	901 Gabriel Cir DL MN 56501	218-391-8579	isabelle.salber@gmail.com
Rene Salber	1555 Gabriel Circle MN 56501	701-200-2168	
Erica McDougall	863 White Tail Lane	218-844-9380	mcdougall142@yahoo.com
Erica McDougall	863 White Tail Lane MN 56501	218-844-9341	mcdougall142@yahoo.com
Barbara Rosten	11330 Co. mo. ant Hwy, Albion	701-261-2220	barbararosten@yahoo.com
DL Fine	992 W. Lake Dr.	218-844-9598	DLfine@hotmail.com
N. Genuse	211 Gladys St DL	218 850 4578	n.genuse@me.com
Lynn Dorff	1818 Braithard Blvd DL	218 850 3900	lmedivane@medivane.com

TO THE MEMBERS OF THE COMMISSION, WE THE RESIDENTS OF FOREST HILLS, SOUTH SHORE DRIVE AND OTHER NEARBY RESIDENTS STRONGLY OPPOSE THE CONDITIONAL USE PERMIT SUBMITTED BY GEHRIG PROPERTIES TO OPERATE A GAS STATION AND CONVENIENCE STORE AT TBD 270TH AVENUE, DETROIT LAKES MN.

NAME	ADDRESS	PHONE NUMBER	EMAIL
Jonh St. Tony	13504 270th Ave DL	218-844-4126	jonhsttony2@yahoo.com
Nancy Old	55116 E Wymer Lake Rd	218-844-6667	
Danika Leitheiser	309 Willow St W DL	218-850-2854	
Ambietin	51116 E Wymer Lake Rd Freeze	218-850-8752	ambietin@gmail.com
Alyssa Halpern	920 Pembina Trail DL, MN 56501	701-306-7984	alysa.halpern@gmail.com
Carmen Schroll	32412 State Hwy 34 DL	218-841-2843	Carmen Schroll
Brenda Bugum	DL		
Tim Blaker	3302 Canyon Blvd	218 850 0100	

TO THE MEMBERS OF THE COMMISSION, WE THE RESIDENTS OF FOREST HILLS, SOUTH SHORE DRIVE AND OTHER NEARBY RESIDENTS STRONGLY OPPOSE THE CONDITIONAL USE PERMIT SUBMITTED BY GEHRIG PROPERTIES TO OPERATE A GAS STATION AND CONVENIENCE STORE AT TBD 270TH AVENUE, DETROIT LAKES MN.

NAME	ADDRESS	PHONE NUMBER	EMAIL
DENNIS GABRIEL	570 S Shore Dr.	701-788-1951	metacasting@gmail.com
Jan Gabriel	510 S Shore Dr.	701-794-1898	jk.gabriel@gmail.com
W. J. Lempe	516 S. Shore Dr.	701-233-7149	jlempa@icloud.com
Joel Olson	524 S. Shore Dr.	701-520-1361	joel7994@yahoo.com
Reggie Olson	524 S. Shore Dr.	701-520-4958	joelreggie@yahoo.com
Chris Friesen	500 S. Shore Dr.	218-234-1071	cfriesen@friesensinc.com
Shawna Friesen	500 S. Shore Dr.	218-849-8867	sgfriesen@frees.k12.mn.us
Terry Lane	446 - 1st St Circle	612-242-3950	terrylane@gmail.com
Charles Owens	6144 " " "	218-846-2779	P.Owens@lakes.com
Robert Gibb	2226 Wilderness Tr.	701-361-9101	Bob@robogibb.com
Joetta Weible	2168 Shady Lane	701-261-6422	Joetta44@gmail.com
JD SW	512 Southshore Dr.	701-261-6744	dox@sinclairmedia.com
Long Sundstrom	512 South Shore Drive S	701-261-1417	Long111@yahoo.com
Karen Blum	404 S. Shore Drive	218-842-3035	Kbdake@gmail.com

319

TO THE MEMBERS OF THE COMMISSION, WE THE RESIDENTS OF FOREST HILLS, SOUTH SHORE DRIVE AND OTHER NEARBY RESIDENTS STRONGLY OPPOSE THE CONDITIONAL USE PERMIT SUBMITTED BY GEHRIG PROPERTIES TO OPERATE A GAS STATION AND CONVENIENCE STORE AT TBD 270TH AVENUE, DETROIT LAKES MN.

NAME	ADDRESS	PHONE NUMBER	EMAIL
Kathy Dickson	1124 South Shore Dr.	218-841-2377	kathy@emck.com
Dan Rye Sundstrom	1111 South Shore Dr.	218-934-1675	Dan@cmck.com
Phil Hansen	1053 South Shore Drive	701-306-8089	phil@hansenproperties.com
Mattson	1535 Cambridge Road	218-234-6739	MATTSON5554@outlook.com
Phil Hansen	648 LAKE FOREST CR	218-234-9695	KHMHF55@Q.com
Chris Melner	" " "	218-234-5588	CRAYM55@yahoo.com
Mark Wegerich	1806 Nodaway Drive	320-243-5331	markwegerich@outlook.com
James Olson	1810 Nodaway Dr	218-820-9571	markwegerich@outlook.com

320

321

322

323 Testimony closed.

324

325 The board asked for Lake View Township's opinion on the project.

326

327 Phil Hansen spoke and said the township does not have any objections to the project.

328

329 Mattson said his main concern is safety with the number of boats and existing traffic.

330
331 Skalin commented that if there was a turn lane, traffic couldn't park in it.
332
333 Jepson asked who would be responsible for putting in the turn lane.
334
335 Skalin said he's not sure how the city works, but it can fall on the developer.
336
337 Aillie stated that it would cut down the amount of time everyone would have to drive to a gas
338 station. He thinks traffic will either be the same or cut down. He said it would be an amenity for
339 the surrounding community and other people wouldn't likely drive out of their way to use it.
340
341 Hall said he does not live there but he knows people who do. He feels this is the direction the
342 city will be growing. He commented on the growth of Fargo to the South and west. He said they
343 put in parks and eventually expanded to convenience stores and gas stations. Hall stated there
344 used to be a gas station where he lives and when it closed it was missed. Now he has to drive ten
345 (10) miles and it's inconvenient. He thinks it will be needed and will happen eventually
346 anyways.
347
348 Lindow thinks a gas station would only be a minor convenience and not worth upsetting the
349 neighbors in the area. He said if it is needed than move it to another part of the property away
350 from neighbors.
351
352 Ailie commented that if you move the gas station it will still be in someone else's back yard.
353
354 Skalin said he understands the light pollution and wonders if there is a way to figure that out.
355
356 Ailie thought if you moved the building south there would be more room to put in a buffer. He
357 also commented that in the present time a gas station is just a want, but once everything is
358 developed it will be a need. He agrees that light pollution is an issue.
359
360 Lindow said he would like to see it tabled and have them come back with a different proposal.
361
362 Skalin said they could rotate the building ninety (90) degrees so the pumps would be on the
363 South.
364
365 Ailie thought then it would make sense to keep the building close to the North and let the lights
366 shine towards the south.
367
368 Blomseth asked the applicant if he would be opposed to turning it.
369
370 Gehrig said he's open to things and that he's just looking for approval at this point.
371
372 Blomseth said they can always add stipulations.
373
374 Lowry said they agree light pollution is a concern.
375

Seaberg said in reference to Chapter 8 of the Becker County ordinance, there is an effect on surrounding properties, there is an effect on development, and it is a nuisance.

MOTION: Lindow motioned to table the application until the next meeting to get more information and to allow time for the applicant to rethink and present a revised plan. Motin died for a lack of second.

MOTION: Skalin motioned to approve this application with the stipulation that the building be turned ninety (90) degrees, that they remove all facilities out of the city limits of Detroit Lakes, and that they schedule a special meeting on September 18th, 2023, to consider findings of fact consistent with the motion. Aho second.

Vareberg asked that it be allowed to not only consider findings at the September 18th meeting, but to also allow anyone on the Board to consider and bring any other conditions they may feel necessary.

Skalin and Aho accepted the changes to the motion. Roll Call; Disse, Skalin, Moritz, Ailie, Hall, and Aho in favor. Lindow, Seaberg, and Mattson opposed. Motion carried.

Other Business:

I) Tentative Date for Next Informational Meeting: September 20th, 2023; 8:00 am; 3rd Floor Meeting Room in the Becker County Courthouse, Detroit Lakes, MN.

Since there was no further business to come before the Board, Ailie made a motion to adjourn. Aho second. All in favor. Motion carried. The meeting adjourned at 7:43 pm.

David Blomseth, Chairman

Jeff Moritz, Secretary

ATTEST

Kyle Vareberg, Zoning Administrator