

**BOARD OF ADJUSTMENT/PLANNING COMMISSION
CITY OF LAKE SHORE
LAKE SHORE CITY HALL
MINUTES
NOVEMBER 10, 2025
9:00 AM**

Commission Members in attendance: Chair Jim Woll, Sean Weldon, PJ Smith, Alex Kuhn, Dave Riegert; Council Liaison Darcy Peterson; City Engineer Alex Bitter; Sourcewell Nicole Hausmann; City Clerk/Administrator Laura Fussy, and Deputy Clerk Kathy Johansen. There were four people in the audience including Mayor Andy Stewart, Alternates Kevin Egan and TJ Graber, and Brenden Wines. A quorum was present, and the Commission was competent to conduct business

Chair Jim Woll called the meeting to order at 9:00 a.m.

Approval of the October 13, 2025, Regular Meeting Minutes –

Mayor Andy Stewart mentioned the October minutes should be amended to reflect the requirement of receiving a stormwater management plan for the Travis Robert's property prior to issuing a permit.

MOTION BY JIM WOLL AND SECONDED BY SEAN WELDON TO AMEND THE MINUTES FOR THE OCTOBER 13, 2025, BOARD OF ADJUSTMENT/PLANNING COMMISSION TO REFLECT THE STORMWATER PLAN IS NOT A CONDITION OF APPROVAL BUT IS REQUIRED FOR THE PERMIT.

PUBLIC HEARING –

MOTION BY PJ SMITH AND SECONDED BY ALEX KUHN TO OPEN THE PUBLIC HEARING AT 9:06 AM. MOTION PASSED.

Ordinance Amendment 11-25: 02-2025 (#5a) – to adopt the Cannabis Business Ordinance Sections 1 through 6 to implement the provision of Minnesota Statutes Chapter 342, which authorizes the City of Lake Shore to protect the health, safety, and welfare of the City of Lake Shore's residents by regulating cannabis businesses within the legal boundaries of the City of Lake Shore. Applicant: City of Lake Shore.

Ordinance Amendment 11-25: 03-2025 (#5b) – to amend Sections 4 “Definitions”, and 21 “Land Use Matrix” of the City of Lake Shore’s City Code of Ordinances by adding definitions for and including the following uses in the Land Use Matrix: Cannabis Cultivating, Cannabis/Hemp Manufacturer, Cannabis Retail, Cannabis Transportation/Delivery, and Cannabis Wholesale and establishing which districts allow cannabis businesses as conditional or permitted uses. Applicant: City of Lake Shore.

Ordinance Amendment 11-25: 04-2025 (#5c) – to amend the City of Lake Shore Zoning Ordinance to revise the City’s fee regarding application fees. Applicant: City of Lake Shore.

Nicole Hausmann stated that the three Ordinance Amendment items will be discussed as a single Public Hearing to cover the entire Cannabis Ordinance Amendment.

Nicole Hausmann reported the following items will become part of the record: Notice of publication, staff report, Cannabis Ordinance, and attachments. A notification was sent to the City Attorney on October 3rd, and the received comment is in the packet. No additional public comments were received.

Nicole Hausmann referenced the meeting held on September 29th by the Cannabis Committee to discuss the City of Lake Shore's options for a Cannabis Ordinance. Nicole Hausmann stated the Planning Commission will need to make three separate motions to the City Council, with the first being to adopt the Cannabis Ordinance, then to amend the City's ordinance "Definitions" and "Land Use Matrix," and finally, recommending the City adopt the applicable city fee schedule.

Nicole Hausmann requested that the Commission review Section 6 of the Ordinance regarding Lower-Potency Hemp Edibles, as it was added after the Cannabis Committee met. Nicole stated this had been discussed at the Cannabis Committee meeting as something already being utilized at Zorbaz and Cowboy's. Discussed which zone this would pertain to. Reviewed, this would also be an allowed use per the committee's discussion. City Attorney did not have concerns about adding this section to the Cannabis Ordinance, as presented in his comment.

Dave Riegert shared that the Cannabis Committee Meeting was well laid out, and a fair amount of discussion was held on which land areas would apply to the manufacturing, distribution, or retail use, and were the most important components for the City of Lake Shore.

Nicole Hausmann stated the adoption of the Cannabis Ordinance will allow the City of Lake Shore to restrict which zone Cannabis can be licensed. If Cass County has one active cannabis retail business registration for every 12,500 residents, the City of Lake Shore shall not register additional state-licensed cannabis retail businesses.

MOTION BY ALEX KUHN AND SECONDED BY DAVE RIEGERT TO APPROVE THE UPDATED CANNABIS STATUTE TO INCLUDE SECTION 6 TO BE RECOMMENDED TO CITY COUNCIL FOR APPROVAL. MOTION PASSED.

MOTION BY DAVE RIEGERT AND SECONDED BY PJ SMITH TO UPDATE THE CITY CODE OF ORDINANCES LAND USE MATRIX AND DEFINITIONS. MOTION PASSED.

MOTION BY DAVE RIEGERT AND SECONDED BY SEAN WELDON TO AMEND THE CITY OF LAKE SHORE ZONING ORDINANCE REGARDING APPLICATION FEES. MOTION PASSED.

MOTION BY PJ SMITH AND SECONDED BY DAVE RIEGERT TO CLOSE THE PUBLIC HEARING AT 9:22 AM. MOTION PASSED.

NEW BUSINESS – Metes & Bounds Subdivision Approval – Sheila Joy and Jeffrey Wines; Metes & Bounds Subdivision; PID #90-016-4101.

The applicant is proposing to subdivide "Tract A" & "Tract B" from the subject parcel, PID #90-016-4101, located east of Interlachen Road. The full legal descriptions of the subject property & proposed tracts are located on the Certificate of Survey, dated 10/16/2025, provided within the application.

The subject property is approximately 16.11 acres and is zoned Residential, Low-Density R-1 (Includes Off Lake Shoreland) & Open District - Gull Lake (General Development).

The proposed "Tract A," as shown on the Certificate of Survey, is 2.98 acres with 77,435 square feet of buildable area.

The proposed "Tract B," as shown on the Certificate of Survey, is 13.13 acres with 572,360 square feet of buildable area.

Staff Findings: Staff provides the following findings of fact for consideration:

1. The metes and bounds subdivision request is to split the subject parcel, PID 90-016-4101, into proposed “Tract A” & “Tract B.”
2. The subject parcel is owned by Sheila Joy & Jeffrey Wines, who are the applicants for this Metes & Bounds subdivision.
3. The subject property is approximately 16.11 acres and is zoned Residential, Low-Density R-1 (Includes Off Lake Shoreland) & Open District. The full legal description of the subject property is detailed on the Certificate of Survey submitted with the application.
4. Proposed “Tract A” as shown on the Certificate of Survey is 2.98 acres with 77,435 square feet of buildable area.
5. Proposed “Tract B” as shown on the Certificate of Survey is 13.13 acres with 572,360 square feet of buildable area.
6. The subject parcel is accessed via Interlachen Rd.
7. Proposed “Tract A” contains a proposed easement along the Northern side of the parcel for access to “Tract B”.
8. The subject parcel is described on the COS as “vacant, with no improvements.”
9. The lot widths of the proposed parcels meet the minimum requirements of the Residential, Low-Density R-1.
10. The proposed lot configurations meet the minimum buildable area requirements of the Residential, Low-Density R-1.
11. The property is suitable in its natural state for the intended purpose, and this lot split would not be harmful to the health, safety, or welfare of future residents or of the community.
12. The proposed lot layout meets the requirements of the ordinance.
13. Each of the proposed parcels has a proposed dedicated easement and access to its parcels as described on the Certificate of Survey.
14. The subject property meets the requirements of the code for stormwater management.
15. There are no public streets proposed within the development.
16. The applicants submitted relevant SSTS documentation in the form of a septic compliance inspection for proposed “Tract A” & septic design for “Tract B”.
17. The Certificate of Survey provided with the Metes and Bounds subdivision application was prepared by Terry Strus, PLS #50319 of Lakes Area Surveying, and was submitted to the city on 10/16/2025.
18. This subdivision request is consistent with the Comprehensive Plan for the City of Lake Shore, specifically on page 5, which outlines the “Goals” objectives of the Comprehensive Plan with consideration to “Ensure new residential development/redevelopment is efficient, environmentally sensitive, and offset any increased demand for services through valuation.”

Planning Commission Direction: The Planning Commission may approve the request, deny the request or table the request if additional information is needed. If the motion is for approval or denial, findings of fact should be cited.

Staff Recommendation: The planning commission should discuss and provide input regarding the subdivision request.

If the Planning Commission wishes to approve the subdivision request, staff recommends the following conditions of approval:

1. The New legal descriptions for Tract A and Tract B must be recorded with Cass County within 12 months of this approval.

Nicole Hausmann presented the Metes & Bounds Subdivision.

Brenden Wines, owner of the property, introduced himself.

Chair Woll inquired into how the trail falls onto the property.

Alex Bitter commented he is unsure of how the trail will go through the property.

Brenden Wines stated the trail is proposed to go through the three-acre split off.

Sean Weldon inquired into the plan for the property.

Brenden Wines stated he would build a larger home on the 13-acre lot and plans to keep all the property and is not planning on subdividing the property at this time.

MOTION BY PJ SMITH AND SECONDED BY SEAN WELDON TO APPROVE THE METES AND BOUNDS SUBDIVISION BASED ON STAFF FINDINGS AND SUBJECT TO STAFF CONDITIONS OF APPROVAL. MOTION PASSED.

OLD BUSINESS – There was no old business.

REPORTS

City Engineer – Alex Bitter had nothing to report.

Chair – Jim Woll had nothing to report.

Council Liaison – Darcy Peterson had nothing to report.

Zoning Administrator –

October Permit Report – Nicole Hausmann presented the Permit Summary for review.

Proposed 2026 Fee Schedule – Nicole Hausmann referenced the draft of the fee schedule to be presented to City Council in November with possible adoption in December. Nicole mentioned that the Planning Commission does not need to make a recommendation to City Council.

Discussion followed regarding the structure of the fee schedule.

PUBLIC FORUM –

MOTION BY SEAN WELDON AND SECONDED BY ALEX KUHN TO ADJOURN THE BOARD OF ADJUSTMENT/PLANNING COMMISSION MEETING OF NOVEMBER 10, 2025, AT 9:36 AM. MOTION PASSED.

Transcribed by Kathy Johansen
Lake Shore Deputy Clerk