

**CITY OF EAST GULL LAKE
MEETING MINUTES
PLANNING AND ZONING COMMISSION
JANUARY 25, 2005 – 6:30 PM**

1. Call to Order – 6:30 PM
2. Roll Call

Commission: Dennis Lang, Ken Anakkala, Rob Mason (Chairman), Kevin Lee, Peter Dunphy

Staff: Charles Marohn (Planning and Zoning Administrator), Maureen Cirks (Clerk/Treasurer)

3. Election of a Chairman

Nomination of Dennis Lang by Chairman Mason, seconded by Commissioner Dunphy. Passed 4-0 (Chairman Mason abstain)

4. Public Hearings

Variance to Reconstruct a Non-conforming Accessory Structure, Application 04-102, Jane Johanos & Jane Hampton

Administrator Marohn reads the notice.

Jane Hampton, present, states that they wanted to reside the building and found that it was not structurally sound. Now are looking to rebuild the exact same size structure. The end result will be that it will be resided.

Chairman Mason asks if there were any letters or comments received.

Administrator Marohn stated that there was not.

Chairman Mason calls for public comments. None. Chairman Mason calls for Commission comments.

Commissioner Anakkala states that there is something wrong that they started out with siding and now have to go through a variance process.

Hampton states that the entire lot is non-conforming and therefore anything that they do needs to come before here.

Chairman Mason states that they have done everything right. We apologize for the inconvenience but appreciate their doing this.

Commissioner Anakkala states that we should rectify this so that we do not put people through this process.

Administrator Marohn talks about an ordinance change that would allow rebuilding without a variance.

Commissioner Anakkala states that like for like should be allowed.

Motion by Commissioner Dunphy to approve based on staff findings and conditions.

1. The strict interpretation of the Ordinance would create undue hardship because there is no other reasonable place to build an accessory structure on their lot without a variance. The new garage would replace the existing garage with the same dimensions and size.
2. The proposed reconstruction would meet the spirit and intent of the Ordinance.
3. The proposed accessory structure is a permitted use in the R-3 Zoning district.
4. The proposed accessory structure will not change the essential character of the neighborhood. The new garage would be rebuilt in place of the old, deteriorated garage. The old garage is likely to become unstable and unusable in the near future. The new garage will match the siding of the residential structure on the lot.
5. Moving the garage anywhere else on the property would bring it as close or closer to the side setback on the either side of the lot or the road setback. Moving the garage to the other side of the road would force the removal vegetation and place the garage close to the drainfield and an existing shed. The variance is not for economic reasons alone.
6. The lot would have a total of 620 square feet of accessory structures, which is less than the 1,280 cumulative square feet allowed.
7. The lot would remain at the 20 percent impervious surface limit.
8. The new garage would continue to encroach approximately 2.5 feet on the side setback.
9. The new garage would continue to maintain all other setback requirements.
10. The lot is slightly less than the required lot size at 19,976 square feet and 98 feet of lakeshore. However, the lot is considered conforming for purposes of construction because the size and lakeshore width meet at least 80 percent of the requirement. However, a variance is still required for all setback encroachments.
11. The proposed reconstruction will not alter the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the City and will in fact improve it.
12. The proposed reconstruction will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property and will upgrade the appearance of the property.
13. The proposed reconstruction will not impede the normal and orderly development and improvement of surrounding properties for uses predominant in the area as it is already developed with residential uses.
14. The proposed reconstruction will not be detrimental to the economic welfare of the community in that it will not require additional City services and may contribute to the tax base.
15. The vehicular approaches and off-street parking on the property will not change, nor will the proposed reconstruction create traffic congestion on surrounding public thoroughfares.
16. There will be no offensive odor, fumes, dust, noise, or vibration associated with the proposed reconstruction.
17. The proposed reconstruction will not result in the destruction, loss or damage of Gull Lake, which is a significant regional resource.

Conditions

1. The rebuilt garage shall be no larger, in terms of floor area or height, than the existing garage and shall be built in the exact same location.
2. The rebuilt garage shall match the siding of the existing residential structure.
3. No trees shall be removed as part of the reconstruction process.
4. Best management practices shall be used during construction of the addition to eliminate the flow of sediment onto adjacent parcels and/or Gull Lake. Disturbed groundcover shall be reestablished as soon as construction is complete.

Motion Seconded by Commissioner Lang. Passed unanimously.

Conditional Use Application for a Planned Unit Development, Application 04-107, Cedar Resort Properties, LLC

Administrator Marohn reads the notice.

John Kavanaugh present, Managing General Partner of Kavanaugh's Resort. Presents the development concept.

Chairman Mason asks him to explain the existing individual ownership properties to the west and how that relates to the remainder of the resort.

Kavanaugh states that they began on the properties next door, Galway Bay Townhomes, which has 10 units all owned with a rental contract.

Fred Heidmann, Heidmann Builders in Pequot Lakes, working with Kavaughns on this project. A significant feature of the land is to store all of the stormwater. Part of the plan that has been assembled is to take the stormwater from the units near the lake and to pipe it back to the center of the property. This improves the stormwater from what it is right now, which is a positive feature. So many developments that happen, it is not given consideration or is impossible. It is a great benefit to the lake that they can do that.

Commissioner Anakkala asks John to address boat traffic. He wants to know what they have now and what they are permitted.

John states that they are allowed 26 but are proposing 22. Estimate that 25 percent of the resort guests will have boats, and this is during peak weeks. Even adding in Galway Bay, it comes to 19.5 slips. There are no boat lifts allowed in the development and no designated dock spaces.

Chairman Mason indicates that two letters have been received. Directs Administrator Marohn to note them in the record.

Al Ravine, states that he owns a Galway Bay Townhome. He has two questions. First is access to the property. Second, how the beach is to be treated if the associations are not merged?

John Kavanaugh states that there is no plan to merge the associations.

Mr. Ravine asks about vacating the street.

Kavanaugh states that when this is done there will be a permanent easement given to the owners of Galway Bay, the same size as the existing street, for access and utilities. The street is in the wrong spot and this would clear that up.

Mr. Ravine asks if they would lose access during reconstruction.

Kavanaugh states that when they are building the bridge it might be closed for a short period.

Mr. Ravine asks if there is access from the other side.

Kavanaugh states that access is only from Kavanaugh Drive. There is no other access.

Mr. Ravine asks about utilities and whether they will get separate bills.

Kavanaugh states that they will.

John Hillen states that he owns the cabin to the west on the other side of the lagoon. Is concerned with the increase in boat traffic. Has been here five summers now and there has been a lot of boat traffic. He does not think they have a full 22 slips now. The lake narrows in this area with Camp Confidence. There has been high traffic on the weekends. The pressure on the lake and boating traffic will increase the danger. Asks if they will offer jet ski rental like they have in the past.

Kavanaugh states that they have never rented jet skis. Sometimes guests bring them, but they are not rented.

Hillen asks if they will have a more qualified boater now that they are owned.

Kavanaugh states that the users will be renters. The property is a resort now and will stay as a resort. It is totally rental.

Hillen asks if there is anything that can be done to spread out the boat traffic or make it safer.

Kavanaugh states that they could even out the dock system, but that would probably not make much difference. It would still be the same number of boats.

Hillen asks if there is a thought of the Kavanaugh association joining the Sylvan Lakes association.

Kavanaugh states no. The concept of the property is to channel the resort traffic into the amenities on the resort. That is why they are building the pool and tearing down the lodge to provide more area in the center of the resort. We are trying to keep the traffic in the center of the resort.

Hillen states that his main objection is the boat traffic.

Kavanaugh states that there will be 20 more units so there will be some increase in traffic.

Hillen asks how many dock spots they currently have.

Kavanaugh states 16 to 18 plus the common dock with rental.

Heidmann states that resorts have changed a lot in 30 years. Vacationers are bringing fewer boats than usual and even swimming is changing. The demand for pools has increased. Although these vacationers enjoy looking at the water, the boat intensity has not gone up.

Kavanaugh states that lots of their guests keep their boats on trailers and lake hop.

Dutch Cragun. States that renting jet skis was a major mistake. Cragun has stopped renting them and has made a statement that they will not be even serviced at Cragun's. We are so tough that the jet ski problem has gone away. Also, although there is an increase in boat ownership, people keep them on the trailer. People are using larger fiberglass boats for sleeping and cruising the lake. Boats are no longer just for fishing, they are for the family. Also, those of us that own golf courses are hoping Kavanaughs are making such deals that people do not bother going on the lake but instead go golfing.

Chairman Mason states that he testified in front of the Crow Wing County Planning Commission that he cannot remember ever seeing more than 25 boats on the docks at once. They rent boats all the time at Maddens, but not have people bringing them. This development should not increase boat traffic.

Diane Sorenson, member of the Sylvan Beach Association. States that she has seen a dramatic change in the lake itself and the amount of traffic on the lake since 1975. The biggest concern is the amount of boat traffic and the amount of boat slips. If they are not allowing boat lifts or slips, why don't they complain about the Sylvan Beach boat slips. We are all arguing over this. A proposal was brought to the Association to bring in a long dock and put boats all along it. There has been a dramatic increase in weeds and the boat traffic has multiplied. The plan looks really nice, but she wants some assurance that there will not be a bunch of boat lifts there in the future.

Kavanaugh states that this agreement will be in the covenants.

Chairman Mason states that what happens at the Sylvan Beach Club does not have a lot to do with this development. The City would be happy to meet with the Club and talk with them about this.

Sorenson states that her concern is that the way it is set up would stay. Is worried about what would happen in the future.

Commissioner Dunphy states that there is much more pressure on the lake, but does not believe that this will increase pressure greatly on the lake. His corner of Gull Lake is more peaceful due to the resorts.

Chairman Mason states that between Maddens and Craguns there are over 600 rooms. There is not the proportional resort traffic for 600 rooms.

Kavanaugh states that they will regulate this heavily and not allow boat lifts. The covenants are as strong a legal document as we can draft. They will do everything legally possible to prevent boat lifts.

Tim Ramarath, Westwood Professional Services, states that the resort will be under professional management.

Jim Erickson, resident, has a couple of concerns. In looking at the project it seems to be an asset. Is it possible to find out who the Cedar Resort owners are?

Kavanaugh states that the Kavanaugh brother's own Cedar Resort, LLC, The brothers are Dave, Mark, Tom and John Kavanaugh.

Erickson states that under findings of fact, page 9, number 7 and 8, it discusses vacation.

Administrator Marohn explains the proposed vacation of Kavanaugh Road and Lake View Road.

Erickson refers to the Comprehensive Plan and building code standards.

Administrator Marohn explains how the Comprehensive Plan affects this development. The proposal must meet state building codes.

Erickson asks about the first condition and the creation of non-conformity. Wants to know which way the Commission will go on that.

Dan Collins, neighbor to Kavanaughs'. Has been friends with the Kavanaughs' for many years. Has some questions that he was asked by neighbors. Concern with access coming off of Sylvan Drive. Is there any?

Kavanaugh states that there will be none. The only access point is Kavanaugh Drive except for the two homes currently owned by Dave Kavanaugh and Mark Kavanaugh, where the existing driveways will be maintained.

Collins states that the other question is what does this do to market values of homes in the area.

Kavanaugh states that they would likely increase. Not certain. Thinks the units will fit well with the area.

Commissioner Lang asks what the proposed price range will be.

Kavanaugh states \$250,000 to \$600,000, but it is not firmly decided yet.

Collins states that there is a little bit of confusion with part of the property being in Sylvan Shores and part in Sylvan City.

Mary Kay Redin, asks about phasing over the three year process. How much construction and when? Once the process is completed. are the Kavanaughs' going to stay or leave?

Kavanaugh states that he does not know what they will be doing after the project is completed. The first phase is between Kavanaugh Drive and the lake. They want to work this out on a resort schedule, which is September to May. They want to have it wrapped up in May. It will begin in September of 2005.

Heidmann states that the construction will go between fall 2005 and spring 2006. The idea is to have a minimal impact on the resort and the lake from construction.

Kavanaugh states that the rest will have little disruption, but will have more construction during the summer. They are going to still own the units at this point and they need to have the units rented, which means they can't be too disruptive.

Neal Gaalswick, asks about dredging the wetland. Asks if mitigation needs to be done on site.

Kavanaugh states that they are getting an exemption. They are improving the wetland and therefore do not need to do mitigation. The permits are in process.

Chairman Mason asks for additional comments. None. Closes the public comment period and asks for discussion amongst the Commission members. Administrator Marohn reviews the staff report. Indicates that on the second page, it should actually be noted that there are three pools, not two.

Commissioner Anakkala asks if they are going to add more units later since they have more density allowed.

Kavanaugh states that they are going to be maxed out on impervious coverage and so they will not be able to.

Heidmann states that Kavanaughs has been really concerned about the resort and the neighborhood. They have added trails, which are impervious, instead of adding units.

Commission members review all of the findings of fact and conditions and make edits as they go.

Maureen Cirks asks if the letters that have been submitted need to be addressed.

Chairman Mason states that they are part of the record. Reviews the letter from Bernadine Delafield. Questions where she lives.

Cirks states that it is a vacant lot.

A property owner points out her property.

Kavanaugh states that there should not be a lot of change from her lot. The buffering there will remain, except on one area, where it will be enhanced.

Chairman Mason states that she expresses concerns over the road usage.

Kavanaugh states that there will be no access off of her road.

Chairman Mason states that he received a letter from Ron Morreim of the DNR.

Kavanaugh states that he spoke with Morreim, along with Heidmann and Dave Kavanaugh, over a month ago.

Cirks states that he called and said that he had not received notice but had received concerns.

Kavanaugh asks that we remind him about the conversation they had with the Kavanaugh's.

Motion by Commissioner Dunphy to approve the Conditional Use Permit for a Planned Unit Development based on the following findings of fact:

On whether or not the parcel is suitable for development as a PUD:

- 1. The proposed resort use is allowed in the Commercial-Waterfront District (CW).**
- 2. The number of resort units will increase from 47 to 67. This will likely cause an increase in surface water usage.**
- 3. The development would be screened from the lake by existing and newly planted vegetation. The lodge, which has an expansive profile as viewed from the lake, is to be removed and vegetation planted in the area. However, the development would likely be visible from the lake.**
- 4. Current development in the areas is a mix of moderate residential density and additional CW Zone. The Sylvan Beach Club is immediately to the west of the proposed PUD.**
- 5. The property is 20.1 acres with approximately 990 feet of shoreline. The development meets the minimum parcel size of 10 acres and lake frontage requirement of 300 feet.**
- 6. The 120 foot section of the vacated Lake View Road closed to the existing Sylvan Lake Road has not been vacated but is included in this development.**
- 7. The PUD would have 24.5 percent of impervious coverage including all structures, parking areas, roadways, trails, and other concrete surfaces. This meets the standard of 25% with a stormwater plan, as provided.**
- 8. The development meets the size, lakeshore, and impervious coverage requirement of the underlying CW District.**
- 9. There is little undeveloped property in the vicinity of the PUD.**

On computing standard density in a PUD:

1. There are approximately 19 usable acres.
2. There are 67 proposed units. Thirty the original 47 units will be kept and remodeled; thirty-seven of the units are new construction.
3. The overall density of the PUD would be 3.4 units per acre.
4. The PUD covers five tiers of developments.
 - a. There is 199,474 square feet in the first tier, and 26 units are proposed in this tier. The average unit size is 1300 square feet. Based on the formula in the Ordinance, 20.26 units are allowed to be built in the first tier. However, the PUD includes a 100-year, 4-hour stormwater management plan and a city sewer connection that allows for a 20 percent and 10 percent density bonus, respectively. That increases the density to 26.38 allowed units.
 - b. There is 228,718 square feet in the second tier, and 17 units are proposed in the second tier. The average building size is 1486 square feet. Based on the formula in the Ordinance, up to 21 units would be allowed.
 - c. There is 283,206 square feet in the third tier, and 22 units are proposed. The average building size is 1488 square feet. Based on the formula in the Ordinance, up to 27 units would be allowed.
5. The PUD meets all density requirements.

On the design criteria for a PUD:

1. The PUD proposes 67 units, which exceed the minimum requirement of three units. Thirty seven of the units are existing and will be remodeled, the other thirty-seven units will be new construction.
2. The required 50-foot vegetative buffer around the development is indicated on the survey. There are some areas where existing structures (Units 1, 65 and 26) and roadway surfaces encroach within this 50-foot buffer. Additional screening is provided in these areas.
3. Based on a visual inspection of the survey, the 25 percent open space requirement has been met, which includes 50 percent of the shore impact zone the 50 foot vegetative buffer.
4. More than 50 percent of the development is common space, which exceeds the requirement. Common space includes the stormwater management ponds, the 50-foot vegetative buffer, the entire shore impact zone, and recreation facilities.
5. At least 50 percent of the shore impact zone is open space or green space.
6. The common spaces are managed by the Association created for the resort development.
7. The PUD includes a 100-year, 24-hour stormwater management plan.
8. The applicant has submitted a professionally prepared stormwater management plan.
9. The development will be connected to the City sewer system. Individual wells will provide water on-site.
10. Note number 10 indicates that all lighting is pointed downward or away from neighboring properties.
11. The resort is allowed up to 26 docking facilities, one for each unit in the first tier, and they are allowed one communal dock for units in the other tiers. The applicant proposes 22 docking facilities and one communal dock.
12. All building colors will be in conformance with the Ordinance. This is set in the deed restrictions.
13. The driveway for lots 58-60 encroaches on the side yard setback.
14. Unit one encroaches on the side yard setback. The structure is existing and not slated for removal. A letter has been received from the adjacent property owner acknowledging the encroachment and indicating support for the proposal.
15. Lots one through seven, twelve through eighteen, and twenty-three through twenty-six are existing structures that will not be removed. Existing structures five through seven,

fourteen, and eighteen encroach on the 50 foot lake setback. Units fourteen and eighteen encroach on the 37.5 foot shore impact zone.

16. The driveway for proposed units 37 through 41 encroaches on the side yard setback. This would be alleviated with the vacation of Kavanaugh Road.
17. The existing lodge will be removed.
18. The existing two pools will be maintained, and one new pool will be added.
19. An erosion control plan has been submitted.
20. The trail along the northeastern edge of the property covers part of the City's right of way.

On Conditional Use criteria:

1. The proposed PUD is a conditional use in the C-W District.
2. The proposed development does not conflict with the comprehensive plan.
3. The proposed commercial use would be consistent with the nearby commercial zones and nearby residential zones.
4. There is no reason to believe that the proposed development would be injurious to the public health, safety, and welfare.
5. There is no reason to believe that the proposed development would be injurious to the use or diminish the enjoyment of other property nor substantially diminish or impair values in the immediate vicinity of the proposed use.
6. There is no reason to believe that the conditional use will impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
7. The conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. The development would increase income to the City through property taxes. The vacation of Lake View Road decreases the City's liability and increases the land in the tax rolls. The connection to the City sewer system will increase the use of the sewer system; however, it will spread out more of the costs.
8. The proposed development will not hinder development of adjacent parcels by blocking access or create a nuisance situation.
9. At least one parking space is provided for each unit and the recreational facilities.
10. There are no provisions for additional signage. Existing signage will remain.
11. There have been no natural, scenic, or historical features of major significance identified on the site.
12. Through the stormwater management plan, the development will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

Other:

1. The Articles of Incorporation and Bylaws for Kavanaugh's Sylvan Lake Resort unit Owners' Association has been submitted to the City Attorney for review.
2. The Declarations for the Association has submitted to the City Attorney for review.
3. The Rental Management Agreement and the Property Management Agreement for the "rent-back" resort units has been submitted to the City Attorney for review.

With the following conditions included with the recommendation to approve:

1. Deed restrictions shall be placed on lots five, six, seven, fourteen and eighteen requiring that the structures on those properties be maintained in their exact dimensions in perpetuity. If the structures are ever voluntarily or involuntarily removed, the replacement shall be of the exact dimension as the existing structure. Additions to the structures on these lots shall be prohibited.

2. If Option 1c is chosen, the applicants shall present diagrams detailing the exact dimensions of the structures on lots five, six, seven, fourteen and eighteen prior to, or concurrently with, the application for a final plat.
3. The City Attorney shall review the:
 - a. Articles of Incorporation for Kavanaugh's Sylvan Lake Resort unit Owners' Association
 - b. Bylaws for Kavanaugh's Sylvan Lake Resort unit Owners' Association
 - c. Declarations for Kavanaugh's Sylvan Lake Resort unit Owners' Association
 - d. Rental Management Agreement and the Property Management Agreement for the "rent-back" resort units

The review shall only be to determine how the documents administer and enforce the provisions and conditions of this approval. These documents must be deemed acceptable to the City Attorney or revisions shall be made to make them acceptable.

4. The applicant shall apply for an NPDES permit. The City will be copied with this application.
5. The City shall be notified when erosion control measures are in place so that a site inspection can take place.
6. The City Engineer shall review the sewer connection for capacity. Final approval shall be contingent on their being adequate capacity in the sewage treatment system to accommodate the expansion. Connection charges shall be evaluated by the Wastewater Committee and applied as per their direction.
7. The 120 foot section of land in the Lake View right-of-way closest to Sylvan Road shall be vacated.
8. Kavanaugh Road shall be vacated and maintained by the Resort. Kavanaugh Road shall be maintained at a width of bituminous surfacing equal to or greater than the existing surface.
9. The driveway for lots 58-60 shall be moved outside of the side setback or and agreement shall be obtained from the adjacent land owner acknowledging the encroachment and indicating that it is acceptable. (Note: The adjacent property owner is part of the resort ownership structure).
10. The trail that is proposed to be constructed on public right of way to the east of the resort shall be available for public use.
11. Existing vegetation shall be preserved, wherever possible. Additional screening shall be provided as per the proposed plans.
12. All structures shall conform to the City's minimum building standards for a PUD and to the state building code.
13. The units shall not be converted to non-commercial residences at any point in the future. This resort shall remain a commercial use as per the agreements that have been presented. All units within this PUD shall be enrolled in the rental pool program, except for 66 and 67, which may elect to be. Enrollment in the rental program is mandatory for all units except 66 and 67. This restriction shall be implemented by an agreement to be worked out by the City Attorney in a mechanism acceptable to the Planning Commission.
14. At the end of each calendar year, the managers of the resort shall file with the City an annual report indicating the number of weeks each unit is rented for resort purposes. The time of year shall also be indicated. This report is to verify that the units are remaining part of the rental pool and that the resort is continuing to function as a commercial venture.
15. Any future changes to the Association or rent contract shall be submitted to the City for approval as a modification to the Conditional Use Permit.

Motion seconded by Commissioner Lang. Passed unanimously.

Preliminary Plat for Kavanaugh's Sylvan Lake Resort, Application 04-108, Cedar Resort Properties

Administrator Marohn reads the notice.

Chairman Mason asks if there are any letters or comments. None received. Chairman Mason asks for comments or questions from the Commission. None received.

Motion by Commissioner Anakkala to approve the preliminary plat based on the following findings of fact:

- 1. The property is properly zoned for commercial waterfront use.**
- 2. As a PUD, lot size dimensions are not factored in. Instead, overall density and density by tier is considered. This proposal meets the required density, which was approved under the PUD application.**
- 3. The land is suitable for development without significant alteration.**
- 4. All properties will be connected to the City sewer system.**
- 5. There are 30 existing structures that will be remodeled and 37 will be new construction.**
- 6. There are 26 riparian and 41 non-riparian lots.**
- 7. The proposed subdivision includes two private roads. It does not include any new public roads, does not provide access to adjacent parcels, nor facilitates future development of adjacent parcels. Adjacent parcels are already developed and/or have access by other means.**
- 8. The 120 feet nearest to Sylvan road on Lake View Road has not been vacated but is included in this development.**
- 9. The lot lines are at standard angles where possible and contain no unwarranted jogs or bends.**
- 10. Because it is a PUD subdivision, 33 feet of public access for each lot is not necessary as each lot owns part of the common space, which does about the minimum 33 feet of public right of way.**
- 11. Easements for public utilities and drainage are provided for.**
- 12. No lots will require a variance for development based on the conditions of the PUD approval.**
- 13. The proposal includes no increase in City road maintenance costs, yet will increase city tax revenue. A cost-benefit analysis indicates no long-term cost for the East Gull Lake taxpayer from this development. In fact, this development will produce more taxes than the existing development.**
- 14. The development includes a 100-year, 24 hour stormwater management system. A professionally prepared stormwater management plan has been submitted.**
- 15. An erosion control plan has been submitted.**
- 16. The applicant has submitted:**
 - a. The Articles of Incorporation and Bylaws for Kavanaugh's Sylvan Lake Resort unit Owners' Association**
 - b. The Declarations for the Kavanaugh's Sylvan Lake Resort unit Owners' Association**
 - c. The Rental Management Agreement and the Property Management Agreement for Kavanaugh's Sylvan Lake Resort unit Owners' Association**

With consideration given to the following conditions:

- 1. The City Attorney shall review the:**
 - a. Articles of Incorporation for Kavanaugh's Sylvan Lake Resort unit Owners' Association**
 - b. Bylaws for Kavanaugh's Sylvan Lake Resort unit Owners' Association**
 - c. Declarations for Kavanaugh's Sylvan Lake Resort unit Owners' Association**

Chairman Mason states that he would be notified as he would be within 350 feet, which he certainly is.

9. Old Business

- a. Discussion of Waterslides

10. New Business

- a. Review of the Community Growth Institute 2005 Contract Proposal
- b. Review of 2005 Fee Schedule
- c. Stormwater Management Plans

11. Adjournment – 10:02 PM

Respectfully Submitted,

Charles Marohn
Planning and Zoning Administrator