



Norwood Young America Planning Commission
Tuesday, March 6, 2018
Norwood Young America City Council Chambers, 310 Elm St. W.
6:00 p.m.

AGENDA

**Bill
Grundahl**

**JR
Hoernemann**

**Mark
Lagergren**

**Mike
Eggers**

**Craig
Heher**
Council
Liaison

1. Call to Order
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of February 6, 2018 meeting
4. Public Hearing
5. Old Business
 - A. Subdivision Code Standards: Design Standards and Fee In Lieu of Parkland Dedication Requirement
 - B. Vickerman Debrief and Reflection
6. New Business
 - A. CUP Audit
7. Miscellaneous
 - A. February Building Permit Report
8. Commissioner's Reports
9. Adjourn

UPCOMING MEETINGS

- | | |
|------------------------|---|
| March 12 th | City Council meeting 6:00 p.m. |
| March 14 th | Joint Meeting - Planning Commission, City Council, EDC, and Chamber of Commerce 6:30 p.m. |
| March 20 th | Parks & Recreation Commission meeting 5:30 p.m. |
| March 21 st | Economic Development Commission 6:00 p.m. |
| March 26 th | City Council Work Session/EDA/Regular meeting 6:00 p.m. |
| April 3 rd | Planning Commission meeting 6:00 p.m. |
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***Norwood Young America
Planning Commission Minutes
February 6, 2018***

Present: Commissioners Mike Eggers, Craig Heher, Bill Grundahl, Mark Lagergren, and JR Hoernemann.

Absent: Commissioner Bill Grundahl

Staff: City Attorney Jay Squires, City Administrator Steve Helget, and Planning Consultant Cynthia Smith Strack.

Public: Mike Yeager Yeager Machine Inc., Randy Schuster Vickerman Companies, Nick Jeurissen Greystone Construction, Eric Bender Greystone Construction, Megan Tasca Sunde Engineering, Loren Monschen Limner Morschen Architects, Ryan and Nick Molnau from Molnau Trucking.

1. Call to Order.

The meeting was called to order by Chair Heher at 6:00 pm. All present stood for the Pledge of Allegiance.

2. Adoption of Agenda.

Chairperson Heher introduced the agenda.

Motion – Lagergren, second Eggers to approve the agenda as proposed. The agenda was approved 4-0.

3. Approval of Minutes from the Regular Meeting January 3, 2018 and the Work Session of January 3, 2018.

Heher introduced the minutes from the January 3, 2018 regular and work session meetings.

Motion – Eggers to approve the January 3, 2018 regular and work session meeting minutes. Second by Hoernemann. With all in favor the minutes were approved 4-0.

4. Public Hearings.

A. Tacoma West Industrial Park 3rd Addition Preliminary Plat.

Chairperson Heher introduced the agenda topic pertaining to the preliminary plat for Tacoma West Industrial Park 3rd Addition. Heher explained the public hearing process for the preliminary plat and the next hearing pertaining to variance requests would follow the same process. Heher noted that after he opened the public hearing he would request staff provide background information, he would then allow the Applicant and/or Applicant's Representatives an opportunity to speak. He would then allow Commissioners to seek clarification of the request. Heher stated he would then ask for public comments for or against the proposed action. The hearing would then be closed and additional Commissioner questions/comments would be addressed. Heher noted action on the items would be taken during the business portion of the meeting. Heher opened the public hearing pertaining to the preliminary plat at 6:03 p.m.

Strack stated the City of Norwood Young America and PAR Real Estate LLC, Vickerman Company,

were the applicants. The City of Norwood Young America was fee owner of the property being platted. The property was zoned I-1 Light Industrial and proposed to remain I-1.

Strack stated Vickerman Company proposes purchase of three current, improved lots and construction of an 118,698 square foot warehouse facility on said lots. In order to accommodate the development, the City proposes resubdivision of the improved lots into one lot. Specifically the City proposes combining Lot 3, Block 1 Tacoma West Industrial Park 2nd Addition and Lots 4 and 5, Block 2 Tacoma West Industrial Park as Lot 1, Block 1 Tacoma West Industrial Park 3rd Addition. Vacation of existing drainage and utility easements has been initiated by the City Council. Dedication of new drainage and utility easements on lot perimeters and a proposed easement for the potential relocation of a storm sewer main are illustrated on the final plat.

Strack stated she had requested the plat be forwarded to the Carver County Surveyor's Office and taxation for review/comment. She noted the preliminary and final plats had also been forwarded to the City Engineer and City Attorney for review. Strack stated the proposed use is consistent with the 2030 Comprehensive Plan relating to planned land use. She noted lot performance standards for the I-1 Light Industrial District were achieved. No changes to existing infrastructure is proposed at this time.

Heher asked if Commissioners had any questions. Lagergren confirmed three lots were being combined into one lot under the proposed preliminary plat. Strack confirmed. Heher inquired as to whether or not City Administrator Steve Helget had questions or comments. Helget did not have questions or comments.

Heher invited the public to comment on the preliminary plat. No members of the public spoke for or against the preliminary plat. No previous oral or written comments were received.

Heher inquired as to whether or not City Attorney Squires had comments or questions. Squires did not have comments or questions.

Motion – Lagergren to close the public hearing. Second by Eggers. With all in favor the hearing was closed at 6:09 p.m.

B. Par Real Estate Variances

Chairperson Heher introduced the agenda topic pertaining to maximum structure height, interior side yard setback, and landscape tree planting variances. Heher opened the public hearing at 6:09 p.m.

Strack stated PAR Real Estate LLC, Vickerman Company, was the Applicant and proposed property owner.

Strack stated the Applicant proposed variances to: Section 1230.12, Subd. 5(D) pertaining to maximum building height in the I-1 Light Industrial District; Section 1230.12, Subd. 5(E) pertaining to interior side yard setback and Section 1255.04(A) pertaining to tree planting at a rate of one tree per 1,000 gross building area. Strack noted the variances were to be acted on in the business portion of the agenda followed by consideration of a site plan.

Strack noted representatives from Vickerman Company, Randy Schuster and Greystone Construction, Nick Jeurissen were in attendance and able to comment on the request. Strack referenced items included in the meeting packet including: the application, plans, a site map, exterior (north) elevation, turning

radius for maneuvers in the loading dock area, a memo from the City Engineer dated January 25, 2018, a memo from the Fire Chief dated January 25, 2018, and email correspondence from Public Services Director Tony Voigt.

Strack stated the Applicant proposes a building height of 42 feet. The maximum height allowed under Section 1230.12, Subd. 5(D) is 40 feet.

The Applicant proposes a zero interior yard setback to accommodate a ground-level link to an existing structure on an adjacent lot. The minimum interior side yard setback prescribed under Section 1230.12, Subd. 5(E) is 15 feet.

The Applicant proposes a reduction of the number of tree plantings required under Section 1255.04(A) of the City Code. The Applicant proposes installation of foundation plantings and ten (10) trees; the Code requires tree planting at a rate of one tree per 1,000 gross building area, or in this case planting of 119 trees.

Strack referenced a letter from an attorney for Mike Yeager as written correspondence received.

Heher asked Strack how long the maximum height of 40 feet was included in the zoning code. Strack noted last wholesale update of zoning code followed 2030 Comprehensive Plan update in 2008. Heher asked Strack for rationale for maximum building height. Strack noted she did not assist with the zoning code update following the 2008 Comprehensive Plan update. She opined fire apparatus availability was formerly a partial rationale for limiting height. She opined code standards requiring fire suppression were later instituted. The proposed building required sprinkling.

Heher invited Jeurissen with Greystone Construction to speak. Heher asked Jeurissen how much of the structure would exceed the maximum height. Jeurissen noted only a small portion of the roof ridgeline would exceed the maximum height. The base height was less than the required maximum and the roof pitch was ¼:12's resulting in a roof line just under 42 feet.

Lagergren inquired as to where trees would be planted. Jeurissen noted along the east side of the building and adjacent to Tacoma Boulevard.

Heher referenced the proposed ground-level link between buildings. Heher inquired as to whether or not the link could or would be removed upon sale of the property. Jeurissen noted the link would be removed if the buildings were sold separately. In the event the buildings were sold as a campus the link could possibly stay in place.

Heher inquired as to where downspouts for the sizable roof would be discharged. Jeurissen noted shed from the roof would be routed into central downspouts which discharged into underground drain tile.

Lagergren inquired as to stormwater routing. Jeurissen noted a portion of the site discharge would be discharged into a drainage ditch south of the building. Additional discharge would be routed to a stormwater retention pond east of the building constructed in conjunction with the initial property subdivision. Most of the discharge would be to the existing pond east of the proposed facility.

Heher asked Strack to comment on landscaping at other existing facilities in the industrial park. Strack stated she was not able to answer the question as she didn't specifically investigate. She noted she visited the park earlier in the day and noticed Mr. Yeager had several trees on his lot.

Heher asked Jeurissen how large the existing campus buildings were and how that related to tree plantings. Jeurissen noted the existing campus is approximately 140,000 square feet. A variance was issued to reduce required trees in conjunction with the previous expansion.

Heher invited the public to comment.

Mike Yeager, Yeager Machine, Inc. read a prepared statement in opposition to all three proposed variances. Yeager in his statement opined the variances were created by the property owner and were not unique or impacted by physical conditions of the lot or circumstances unique to the property. Yeager also opined the large building mass and bulk and connections between buildings combined with a proposed lessening of landscape standards specifically impacted the scale of development in the park. Yeager opined the proposed variances were not sympathetic to neighborhood character. Yeager requested the Commission deny all three variances.

Heher referenced a letter from Mr. Yeager's Attorney, Peter J. Coyle, Larkin Hoffman. The letter was in opposition to the requested variances.

Heher asked for additional public comments. No additional comments were received.

Motion – Lagergren to close the public hearing. Second by Eggers. With all in favor the hearing was closed at 6:30 p.m.

5. Old Business.

None.

6. New Business.

A. Preliminary and Final Plat Approval: Tacoma West Industrial Park 3rd Addition.

Heher introduced the agenda item for discussion.

Strack noted preliminary and final plats were included in the meeting packet. The plats illustrate resubdivision of three improved lots into one lot. Vacation of existing drainage and utility easements has been initiated by the City Council. Dedication of new drainage and utility easements on lot perimeters and a proposed easement for the potential relocation of a storm sewer main are illustrated on the final plat. The plat was to be forwarded to the Carver County Surveyor's Office and taxation for review/comment. The preliminary and final plats had been forwarded to the City Engineer for comment.

In a memo dated January 25, 2018 the City Engineer noted a need to provide a minimum 20-foot wide drainage and utility easement over all City owned facilities, including the existing and future 48-inch storm sewer, the hydrant lead along Tacoma Boulevard, and the hydrant lead to the southwest corner of the building. Strack noted Fire Chief Steve Zumberge was requiring a third hydrant southeast of the fire land which would necessitate an additional hydrant lead which would require a d/u easement. The City Engineer also recommends an easement over the fire lane.

Strack stated staff's recommend was to recommend approval of the preliminary and final plats to the City Council with several conditions including: title review by the City Attorney, incorporation of comments contained in a staff memo dated January 25, 2018 from John Swanson, Bolton-Menk, incorporation of any/all comments from Carver County Surveyor's Office and taxation, certification all

taxes were paid, and recording of the final plat at the Carver County Recorder's Office within 120 days of the date of approval by the City Council.

Motion – Lagergren to recommend the City Council approve the preliminary and final plat for Tacoma West Industrial Park 3rd Addition based on recommended conditions. Second Hoernemann. Motion carried 4:0.

B. Variances and Site Plan Approval Vickerman Company.

Heher introduced the agenda item for discussion.

Strack noted the variances should be acted upon prior to consideration of approval of the site plan. She requested action on each individual variance as a point of order. Strack alluded to Code standards pertaining to variance review including: consistency with the comprehensive plan, a 'practical difficulties test', and consistency with existing built environments.

Strack stated the Applicant proposes a building height of 42 feet. The maximum height allowed under Section 1230.12, Subd. 5(D) is 40 feet. She noted the Applicant proposes a building height of 42 feet to allow for full use of standard sized warehouse racking units and the ability to accommodate a required three-foot clear zone for fire suppression system use. Strack referenced sample findings of fact for and against the variance.

For the request: The proposed use is consistent with planned land use in the Comprehensive Plan and development in the adjacent locale; the proposed variance is not for the use of property; the proposed structure is part of warehouse campus with each building physically connected through an at-grade link. Previously existing campus structures are sympathetic in height to the 42' proposed; the additional two feet of building height allows for full use of standard sized warehouse racking units and can accommodate a clear zone needed for a required fire suppression system; the proposed variance is minimal in scope and scale; the proposed variance provides for more efficient development and consumption of land as required under the 2030 Comprehensive Plan; the proposed building height variance makes development more cost-effective by building up as opposed to building a larger footprint; the lot is irregularly shaped and is bounded by two roadways; and, the proposed structure is consistent in size and scale to other industrial structures in the adjacent locale and will not negatively impact the essential character of the industrial district.

Against the request: Several parcels within the adjacent locale have irregular shapes, the parcel shape is not unique; building height is a factor solely under the control of the Applicant and therefore not unique to any given parcel; and, the proposed variance could be avoided if the building size was increased.

Heher asked Attorney Squires if the 42-foot variance was warranted. Squires reviewed statutory requirements for variance consideration. Squires reviewed language pertaining to practical difficulties. He also alluded to a standard pertaining to economic hardship alone not being a reason for granting variance approval. Squires opined the specific statutory language alluded to the potential for the City to consider economic consequences of a request, provided such reasons were not the sole rationale for variance consideration. For example, if storage space could be increased by ten percent simply by issuing a small variance allowance such cost efficiency could be relative to variance consideration.

Squires further suggested the scale or significance of the variance could also be a factor for the Commission to consider. The height variance proposed applies to a limited portion of the building height.

Squires also noted that zoning code allows for up to 80 percent site coverage as an essential component of the industrial area. The proposed site coverage was less than that allowed. Squires suggested the Commission consider performance standard allowances included in the zoning classification when contemplating whether or not the proposed development was consistent with neighborhood character.

Heher asked for input from Commissioners. Heher noted the two foot variance which was applicable to a portion of the roof ridgeline did not seem extreme. Heher noted it would allow for use of more storage space and be largely unnoticeable. Lagergren concurred. Hoernemann concurred.

Motion – Lagergren to recommend the City Council approve the two-foot maximum height variance based on aforementioned findings. Second Eggers. Motion carried 4:0.

Strack stated the Applicant proposes a zero interior yard setback applicable to a 32-foot section of the side yard as a means of accommodating a ground-level link to an existing structure on an adjacent lot. The minimum interior side yard setback prescribed under Section 1230.12, Subd. 5(E) is 15 feet.

Strack referenced sample findings of fact for and against the variance included in the packet and provided for discussion purposes.

For the request: The proposed use is consistent with planned land use in the Comprehensive Plan and development in the adjacent locale; the proposed variance is not for the use of property; the proposed structure is part of warehouse campus with each building physically connected through an at-grade links; the setback variance is applicable only to a 32-foot segment of the structure, the vast majority of the building will exceed the required setback; the proposed variance is minimal in scope and scale; the proposed variance provides for more efficient development and consumption of land as required under the 2030 Comprehensive Plan; the proposed building link makes development more cost-effective by eliminating external trips between separate buildings; the lot is irregularly shaped and is bounded by two roadways; the proposed structure is consistent in size and scale to other industrial structures in the adjacent locale and will not negatively impact the essential character of the industrial district.

Against the request: Several parcels within the adjacent locale have irregular shapes, the parcel shape is not unique; a building link is a factor solely under the control of the Applicant and therefore not unique to any given parcel; and, the proposed variance could be avoided if operations between buildings were conducted externally.

Helget noted the City's Building Official had been present at a pre-project meeting to address issues associated with the proposed building link. Helget stated the Metro West Inspection Services approved of the link construction which mirrored an existing link between two buildings elsewhere on the Vickerman campus.

Lagergren asked Strack to expound on a finding the variance could be avoided if operations between buildings were constructed externally. Strack stated forklifts could exit one building on the campus, travel down Tacoma Boulevard and/or through parking areas and access a second structure, thereby rendering a link a convenience and not an operational necessity.

Heher inquired as to whether or not the link could be removed at the time of property sale. Strack opined Jeurissen testified to that effect earlier. Heher inquired as to whether or not a condition requiring link removal at the time of property sale could be added to the variance. Strack opined the variance approval ran with 'the land' as opposed to the property owner.

Squires noted Vickerman Company was a large campus and it could be sold as a campus unit. However, if economic conditions didn't support sale of the entire campus as a single entity, the buildings could be sold independently and the link(s) could be removed.

Lagergren requested clarification of whether or not the City would be forcing Vickerman Company to sell the entire campus as a single entity. Squires opined that recommending variance approval would not be forcing Vickerman to sell all the buildings as a single campus unit.

Motion – Eggers to recommend the City Council approve a zero interior side yard setback for a 32' portion of the side yard to accommodate at-grade building link pursuant to aforementioned findings. Second Hoernemann. Motion carried 4:0.

Site Plan Approval Vickerman Company.

Strack stated the Applicant proposes a reduction of the number of tree plantings required under Section 1255.04(A) of the City Code. The Applicant proposes installation of foundation plantings and ten (10) trees; the Code requires tree planting at a rate of one tree per 1,000 gross building area, or in this case planting of 119 trees.

Strack referenced sample findings of fact for and against the variance included in the packet and provided for discussion purposes.

For the request: The proposed use is consistent with the planned land use contained in the Comprehensive Plan and development in the adjacent locale; the proposed variance is not for the use of property; the proposed structure is part of warehouse campus with each building physically connected through an at-grade links; the Light Industrial District allows for maximum impervious surface coverage of 80% of the lot. Under maximum intensity twenty (20) percent of the lot is available for plantings, research indicates mature overstory trees such as maple and oak can have canopies of up to 1,800 square feet in area, therefore, minimum planting distances of 25-40 feet are encouraged, however, the pervious acreage available is unable to accommodate 119 trees; the 2030 Comprehensive Plan includes policies supporting efficient development and consumption of land and is based on a build out at up to 80 percent impervious surface; the lot is irregularly shaped and is bounded by two roadways which require increased front and corner yard setbacks; and, the proposed development is consistent in size and scale to other industrial structures in the adjacent locale and will not negatively impact the essential character of the industrial district.

Against the request: Several parcels within the adjacent locale have irregular shapes, the parcel shape is not unique; the building could be reduced in size to make room for the required number of trees; and, the planting of trees is not unique to the shape of a parcel but rather the proposed intensity of development on the subject parcel.

Heher asked Jeurissen to review where the ten trees are proposed to be planted. Jeurissen stated the trees would be planted adjacent to Tacoma Boulevard and along the northeast portion of the property. Heher confirmed the width of the building was 400 feet. Jeurissen concurred. Heher inquired as to how Jeurissen determined ten trees would fit on the property. Jeurissen stated the ten trees was identified as a

starting point for tree plantings that could reasonably be accommodated on the site.

Eggers inquired if the number of trees required could be doubled, to twenty versus ten. He inquired as to whether or not a fee could be paid which could, in turn, be used to purchase trees for planting in public places. Strack noted the Commission could find additional tree plantings on site were needed. She cautioned enabling language related to a fee in lieu of tree planting was not included in the code.

Randy Schuster opined 30 trees should be able to fit on the lot and that he would commit to installing 30 trees. The Commission discussed potential location of tree plantings. Squires recommended the Commission require a landscape plan illustrating the installation of 30 trees be presented to the City Council prior to their taking action on the requested variance.

Lagergren opined the planting of 30 trees in the area provided, especially adjacent to Yeager Machine was reasonable. Heher concurred opening ten trees was not sufficient but thirty trees seemed reasonable given the performance standards of the zoning district and the allowable space. Heher suggested the Commission review the tree planting standard in the near future so as to create a standard that is scalable for large building footprints.

Motion – Hoernemann to recommend the City Council approve installation of 30 trees (119 code standard) on the site providing a landscape plan was submitted to the Council illustrating the tree plantings prior to consideration of the variance request pursuant to aforementioned findings. Second Lagergren. Motion carried 4:0.

Strack noted the Code requires Planning Commission consideration and Council action to approve all site plans contemplating new building square footage. Strack referenced plans included in the packet pertaining to Vickerman's proposed 118,698 square foot warehouse.

Strack noted with the exception of interior yard setback and building height standards the proposed 118,698 square foot structure appears to meet lot performance standards as proposed. The maximum impervious surface coverage is limited by previous design/grading to 72%, under the 80% maximum under Code.

Access to the proposed structure is from Tacoma Boulevard which is classified as a 'local' street and which has been designed to accommodate truck traffic. The site plan illustrates nine loading bays in the proposed facility. The Applicant represents that the estimated volume of semi-truck traffic is ten trucks per day. The volume of truck traffic as represented by the Applicant appears to be of minimal impact on the transportation system. In the event larger volumes of truck traffic are generated at a point in the future, additional study may be required of the Applicant and/or Property Owner to determine impact on the transportation system. Under Code larger access throat widths may be approved by the City Engineer. The proposed access width exceeds 100 feet. The City Engineer in a review memo dated January 25, 2018 approves of the proposed width. Evidence that all truck traffic maneuvers can be accommodated on site without interfering with employee parking and pedestrian movements has been submitted. Primary points of employee ingress/egress are located in the building front and interior (northwest) side yard. Proposed points of ingress/egress are adjacent to employee parking. Strack recommended further consideration of pedestrian movement through employee parking to ingress/egress points, consideration of additional signage, striping, and/or installation of sidewalk was recommended.

The plans illustrate a total of 60 parking spaces. Parking areas are proposed to be surfaced with bituminous, surrounded by B-612 curb, and setback a minimum of ten feet from the property line. The volume of parking spaces is consistent with Code requirements. Strack recommended revised plans

illustrate stall and drive aisle dimensions, She noted the concept plan illustrated said dimensions and that those dimensions were consistent with the code.

Strack stated the applicant is proposing minimal facade improvements for the building with a little over two-feet of wainscot concrete masonry units along the base of the front building wall adjacent to Tacoma Boulevard. This is consistent with the baseline facade improvements on existing buildings. The remainder of the building will be pre-finished steel wall panels. Colors and materials are intended to compliment the current building and are evident on the north elevation rendering submitted with the plan set.

Building lighting is proposed to be limited to wall-mounted luminaries. Under code, wall mounted luminaries should not be intended to be used to illuminate parking lots; instead pole lights shall be used in order to minimize off-site glare. The height of wall-mounted luminaries shall not exceed 18 feet above ground level at the building line. The attached elevation rendering illustrates intended location and height of wall mounted luminaries.

Handicap and no-parking signs are included in the application materials. In the event any additional signage is contemplated, Strack noted a separate permit is required and the standards contained in Section 1260 (Signs) of the City Code shall apply.

The use shall be required to meet all performance standards set forth in Section 1245.01 of the City Code. In particular, garbage /refuse area shall be kept in an enclosed building or otherwise hidden from public view by a privacy fenced area.

Strack noted the plans were forwarded to the Public Service Director Tony Voigt for review and comment. An email dated January 26, 2018 from Public Service Director Tony Voigt was included in the packet.

The plans were forwarded to the Fire Chief Steve Zumberge for review and comment. Comments contained in a review memo dated January 25, 2018 are incorporated in the record by reference.

The plans were forwarded to the City Engineer for review and comment. Comments contained in a review memo dated January 25, 2018 are incorporated in the record by reference.

Strack opined if the Commission considers a recommendation approving the site plan, certain conditions were recommended including: The "Use" of the property be defined as an 118,698 square foot warehousing facility. All application materials and plan sets be incorporated by reference and accepted in good faith by the City as the Applicant's intended development. Approval of variance requests relating to building height, interior side yard minimum setback, and required tree plantings. Submittal of a revised set of plans illustrating compliance with required conditions of approval. Compliance with all standards required and as set forth within the memo from Consulting Planner, Cynthia Smith Strack, dated February 6, 2018. Compliance with all recommendations as set forth within the memo from John Swanson, Bolton-Menk (City Engineer) dated January 25, 2018. Compliance with all recommendations as set forth within a memo from Fire Chief Steve Zumberge dated January 25, 2018. Submittal of a landscape plan to the City Council review illustrating foundation plantings and the installation of thirty (30) overstory trees on site. Revised plans illustrating pedestrian movement through employee parking to ingress/egress points and proposed signage, striping, and/or installation of sidewalk. Illustration of stall and drive aisle dimensions on the revised plan set, confirming consistency with code requirements for drive aisle dimension and stall dimension. The height of wall-mounted luminaries shall not exceed 18 feet above ground level at the building line. The use shall continuously meet all performance

standards set forth in Section 1245.01 of the City Code, as may be amended. Garbage /refuse area shall be kept in an enclosed building or otherwise hidden from public view by a privacy fenced area. All signage shall require submittal of a sign permit application and approval by the Zoning Administrator and/or Building Official. Building permits shall be required prior to any building construction or improvements on the property. This approval is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation. This approval shall expire one year after date of approval unless the Applicants have commenced construction of the Use on the Property. Approval of this site plan does not approve any future expansion or associated improvements on-site. Any modifications not defined as “minor” pursuant to Section 1210.08, Subd. 4, shall require separate site plan approval.

Motion – Lagergren to recommend the City Council approve the site plan based on aforementioned conditions. Second Eggers. Motion carried 4:0.

7. Miscellaneous.

A. January Building Permit Report.

The commission reviewed the January building permit report.

8. Commissioner Reports.

Hoernemann, Lagergren, and Eggers did not have comments.

Heher noted the Council tabled a hearing to revoke a conditional use permit for Southwest Paving. The Commission placed a comprehensive plan amendment into effect for rezoning/plan amendment relating to ISD 108 property. The Council will be considering new community entrance signs..

9. Adjourn

Motion – Lagergren, Second Eggers, with all in favor the meeting adjourned at 7:38 p.m.

Respectfully submitted,

Steven Helget
Zoning Administrator



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 6, 2018

Re: Subdivision Code Standards: Design Standards and Fee In Lieu of Parkland Dedication Requirement

BACKGROUND

The PC has been reviewing the Subdivision Code over the previous few months. The Commission suggested follow up for design standards and standards associated with a fee in lieu of parkland dedication.

Design Standards:

City Administrator Helget requested the City Engineer's Office comment on design standards. The following comments were received:

1. Cul-de-sac radii: the 60' and 50' shown are large radii. For example the Preserve 5th has a cul-de-sac with a ROW radii of 55' and a street radii of 45' which do not meet these minimum dimensions. This minimums should be reduced to 50/40 or 45/35.
2. Private Streets: Private streets have been approved in the past (*code prohibits*).
3. Topography and Arrangement: Reference to grid pattern may need clarification. Does this mean development should look like the original town site (i.e. no curvilinear streets) or does this mean the street naming grid should be followed.
4. Pedestrian Ways/Widths: The minimum trail width in town has been 8' for city projects and for developments (*code requires 10'*).
5. Stormwater or ROW: The snow melt numbers have become more common and have been used on recent developments. What is shown is fine (1, 10, 100-year storm events), but City Engineer recommends adding "10-day snow melt event" as well.

Park Fee in Lieu of Land Dedication

Current code language relating to a calculable fee in lieu of park land dedication is open ended and appears to be adequate. However, the fee schedule assigns a fee per lot, unit, or acre requirement depending on the future use of the property. This appears to be inconsistent with Mn. Statutes which are attached hereto. The following table illustrates current fees. Staff recommends the City consider a simple fee in lieu of park dedication equal to ten (10) percent of the estimated market value of the land at the time of platting.

PARK DEDICATION		
Single Family	Per Lot	2500.00
Two Family	Per Unit	2500.00
Townhome	Per Unit	2500.00
Multi-Family	Per Unit	2000.00
Commercial/Industrial	Per Acre	5000.00
Basin Connection		Actual Cost
<i>If City Council determines land shall be dedicated, the following requirements shall be met:</i>		
Residential Subdivisions		10% of total property area
Non-Residential Subdivisions		5% of total property area

ACTION

This item is for discussion.

Section 1130 – Design Standards

1130.01 Conformity with the Comprehensive Plan. The proposed subdivision shall conform to the policies and standards of the comprehensive plan.

1130.02 Streets. The arrangement, character, extent, width, grade, and location of all streets shall conform to the Comprehensive Plan and to these regulations, and shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical conditions, to run-off of storm water, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

Subd. 1 Street Width. All right-of-way widths and pavement widths shall conform to the following minimum dimensions:

<u>Comprehensive Plan Designation</u>	<u>ROW</u>	<u>Roadway</u>
Arterials	100-200'	52'
Collectors	80'	40'
Local Streets	50-66'	28'
Cul-de-Sac Radius	60'	50'
Service Roads	40'	24'

Greater or lesser widths may be required depending upon anticipated traffic volumes, planned function of the street, and character of planned abutting land uses.

Subd. 2 Street Continuation and Extension. The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new subdivisions where this is desirable.

Subd. 3 Deflections. When connecting street lines deflect from each other at any one point by more than 10 degrees, they shall be connected by a curve with a radius of not less than 100 feet.

Subd. 4 Grades. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. All center line gradients shall be at least .5% and shall not exceed the following:

Arterial and Collector Streets	4% Gradient
Local Streets	8% Gradient

Subd. 5 Cul-de-Sacs. Maximum length of cul-de-sac streets shall be 500 feet measured along the center line from the intersection of origin to end of right-of-way.

Subd. 6 Half Streets. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations; and except where it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever there is a half street adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract prior to the granting of access. The probable length of time elapsing before dedication of the full right-of-way shall be considered in this decision.

Subd. 7 Stub Streets. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall be extended to the boundary line of the tract to make provision for the future projection of streets into adjacent areas.

Subd. 8 Private Streets. Private streets shall not be approved, nor shall public improvements be approved for any private right-of-way.

Subd. 9 Service Streets. Where a subdivision abuts or contains an existing or planned major arterial or a railroad right-of-way, a street approximately parallel to and on each side of such right-of-way for adequate protection of residential properties and to afford separation of through and local traffic may be required. Such service streets shall be located at a distance from the major arterial or railroad right-of-way suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

Subd. 10 Topography and Arrangement. The grid street pattern shall be followed except in instances where topography or other physical conditions will prevent the strict application of the basic grid pattern.

Subd. 11 Street Trees. Street trees shall be placed within 6 feet of the right-of-way of the road or roads within and abutting the subdivision. One tree shall be planted for every forty (40) feet of frontage along the road, unless the City Council grants a waiver. Such waiver shall be granted only if there are trees growing along such right-of-way or on the abutting property which in the opinion of the City Council comply with this Chapter. The following types of trees shall not be planted as a street tree as herein defined: Boxelder, Silver Maple, Birch, Catalpa, Black Walnut, Mulberry, Poplars, Black Locust, Willows and the Elm species. This prohibition will be prospective in effect. Planting of a prohibited type will be a misdemeanor.

Subd. 12 Street Names. Names of new streets shall not duplicate existing or platted street names unless a new street is a continuation of or in alignment with the existing or platted street, in which event it shall bear the same name as the existing or platted street so in alignment.

1130.03 Alleys.

Subd. 1 Locational Requirements. Except in the case of a planned unit development, either a public or private alley shall be provided in a block where commercially zoned property abuts a major arterial or a major street.

Subd. 2 Widths. An alley right-of-way and pavement widths shall conform to the following minimum standards:

<u>Classification</u>	<u>ROW</u>	<u>Pavement</u>
Residential (two way)	20 ft	16 ft
Residential (one way)	16 ft	12 ft
Commercial/Industrial	24 ft	20 ft

Subd. 3 Grades. All center line gradients shall be at least .5% and shall not exceed 8%.

1130.04 Intersections.

Subd. 1 Angle of Intersection. The angle formed by the intersection of streets shall be 90 degrees unless natural features such as topography and trees are to be protected wherein, an intersection shall not be less than 75 degrees.

Subd. 2 Size of Intersection. Intersections of more than four corners shall be prohibited.

Subd. 3 Offset Intersections. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with center-line offsets of less than 150 feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection. Where streets intersect major streets, their alignment shall be continuous. Intersections of major streets shall be at least eight hundred (800) feet apart.

Subd. 4 Vertical Alignment at Intersections. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two percent (2%) rate at a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street.

Subd. 5 Sight Triangles. Minimum clear sight distance shall be established for all intersections in which no building, pole, or other visual obstruction higher than two feet would be permitted. Vehicles should be visible to the driver of another vehicle when each is 75 feet from the center of the intersection for local streets. The standards of Carver County shall apply on other streets.

1130.05 Pedestrian Ways. Where sidewalks are proposed, they shall meet the following standards:

Subd. 1 Widths. Sidewalks shall be five (5) feet in width. Recreational trails shall be ten (10) feet in width.

Subd. 2 Grades. Sidewalks shall slope ¼ inch per foot away from the property line and the profile grade shall not exceed 5%.

1130.06 Utility Easements.

Subd. 1 Easements. Easements shall be provided along rear and side lot lines as necessary for utility lines. The total width shall not be less than 10 feet. The easements should be centered on rear lot lines resulting in a 5-foot easement on one lot and 5-feet on the adjacent lot.

Subd. 2 Storm Water or Right-of-Way. Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, a storm water easement or drainage right-of-way shall be provided which conforms substantially with the lines of such watercourse or right-of-way.

1130.07 Drainage. The post-development runoff rate shall not exceed the pre-development runoff rate for the 1 year, 10 year, and 100 year storm events.

1130.08 Blocks.

Subd. 1 Arrangement. A block shall be so designed as to provide two tiers of lots wherever possible unless it adjoins a railroad, major Arterial, river or park where it may have a single tier of lots.

Subd. 2 Length. Block lengths shall not exceed 1,300 feet nor be less than 500 feet.

1130.09 Lots.

Subd. 1 Conformance to Zoning. The lot width, depth, and area shall not be less than the particular district requirements of the zoning ordinance.

Subd. 2 Lot Frontage. All lots shall front upon a publicly dedicated street.

Subd. 3 Width Related to Length. To prevent narrow deep lots, the depth of a lot shall not exceed 2 ½ times the width.

Subd. 4 Corner Lots. Corner lots shall have extra width as identified in Chapter 12 to permit appropriate building setbacks from both streets or orientation to both streets. Lots abutting a pedestrian mid-block crosswalk shall be treated as corner lots.

Subd. 5 Butt Lots. Butt lots shall be platted at least five feet wider than the average width of interior lots in the block; their use shall be avoided whenever possible.

Subd. 6 Side Lot Lines. Side lot lines shall essentially be at right angles to straight streets and radial to curved streets.

Subd. 7 Back-up Lots. Lots shall back, wherever possible, rather than face, onto such features as freeways and arterial streets, shopping centers, or industrial properties. Such lots should contain a landscape easement along the rear at least 20 feet wide to restrict access to the arterial street, to minimize noise and to protect outdoor living areas. Lots extending through a block and having frontage on two local streets should be prohibited.

Subd. 8 Lot Remnants. All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, or a plan shown as to future use rather than allowed to remain as unusable parcels.

Subd. 9 Double Frontage/Through Lots. Such lots shall not be permitted except where such lots back onto an arterial or major highway; such lots shall have additional depth of ten feet for screen planting along the rear lot line.

1130.10 Planting Strips. Planting strips shall be placed next to undesirable features such as highways, railroads, or industrial uses to screen the view from residential properties. Such screens should be a minimum of 20 feet wide.

1130.11 Erosion and Sediment Control.

- A. The development shall conform to the topography and soils to create the least potential for soil erosion.
- B. The smallest practical increment of land shall be exposed at any one time during development.
- C. Detailed requirements for each plat shall be set forth in the development agreement.

Section 1140 – Dedication Requirements

1140.01 Park Land Dedication Requirements.

Subd. 1. Purpose and Findings

- A. Minnesota Statutes Section 462.358. Subd. 2b provides that municipal subdivision regulations may require that a reasonable portion of any proposed subdivision be dedicated to the public or preserved for conservation purposes or for public use as parks, playgrounds, trails, wetlands, or open space, and that the municipality may alternatively accept an equivalent amount in cash. *(Amended by Ord. 165, 2/14/2005)*
- B. The City Council finds that:
 - 1. The preservation and development of parks, playgrounds, and open space areas within the City are essential to maintaining a healthy and desirable environment for residents and employees within the City. Further, the value and attractiveness of residential and commercial/industrial developments is enhanced by the presence of parks and open space amenities.
 - 2. New developments place a burden upon the City's parks and open space system. New facilities must be developed to maintain the current level of service and the quality of the environment for all. Therefore, new developments shall be required to contribute toward the City's park system in rough proportion to the relative burden they will place upon the park system. *(Amended by Ord. 165, 2/14/2005)*

Subd. 2. Dedication Required

- A. At the time of subdivision, the developer shall dedicate land for public open space and public use as parks, playgrounds, recreation facilities, trails, in an amount equal to the development's proportional share of the City park system, as determined by this ordinance. *(Amended by Ord. 165, 2/14/2005)*
- B. Any land dedicated shall be in a location and of a character consistent with and suitable for meeting the needs identified by the City's Comprehensive Plan. In order to be accepted for

the required dedication, land must be suitable for public uses. Land located within wetlands, areas subject to flooding, and land used for ponding or infiltration areas will not be accepted to meet the land dedication requirements. The City may consider accepting ownership of these lands without giving credit for park dedication. *(Amended by Ord. 165, 2/14/2005)*

- C. Existing natural features which enhance the attractiveness of the community, such as trees, watercourses, historical places, and similar irreplaceable assets such be preserved, insofar as possible, in the design of the subdivision and in meeting park land dedication requirements. *(Amended by Ord. 165, 2/14/2005)*
- D. If the City Council determines that land is not needed in the area of the proposed subdivision, the City requires payment of an equivalent amount in cash. Any money paid to the city for this purpose shall be placed in a special fund and used only for the acquisition of land for parks, open space, playgrounds, and recreational facilities, and for the development of new and existing park and playground sites. *(Amended by Ord. 165, 2/14/2005)*
- E. If the City Council determines that land is needed with a subdivision, but in a lesser amount than what is required, the Council may require payment of cash in lieu of land dedication based on a proportional share of the land dedication that would otherwise be required. *(Amended by Ord. 165, 2/14/2005)*
- F. The undeveloped land value shall be used to determine the cash payment required in lieu of land dedication. The amount required for payment is evaluated annually and is listed in the City of Norwood Young America Fee Schedule. *(Amended by Ord. 165, 2/14/2005)*
- G. The City Council may waive the park dedication fee under special circumstances, such as economic development projects, where public funding and subsidies are utilized for project feasibility. *(Amended by Ord. 165, 2/14/2005)*

Subd. 3. Land Dedication/Payment of Fees. Dedication of land and/or payment of park dedication fees shall be as follows:

A. Calculation of Dedication.

- 1. For residential subdivisions, a minimum of 10% of the total area of the property is deemed a reasonable portion to meet dedication requirements. The land must be suitable for public use and the City is not required to accept land which will not be usable for park purposes or which would require extensive expenditures on the part of the public to make them usable. *(Amended by Ord. 165, 2/14/2005)*
- 2. For non-residential subdivisions, such as commercial or industrial plats, the city requires a minimum cash park dedication on a per acre basis, as specified in the Fee Schedule. However, where the City Council deems it in the public interest, it may require a minimum land dedication of five percent of the commercial or industrial land to be subdivided in lieu of a cash dedication. The lands must be indicated on the City's Comprehensive Plan or must be designated on specific area plans for parks, trails, and public open space. *(Amended by Ord. 165, 2/14/2005)*

B. Land Dedication.

- 1. When land is to be dedicated to satisfy the park dedication requirement, separate lots or outlots shall be indicated on the plat drawings for the area(s) to be dedicated. *(Amended by Ord. 165, 2/14/2005)*

2. Signed deeds for the lots or outlots shall be given to the City prior to the City's release of the final plat for filing. No building permits shall be issued for the development until the required deeds are received by the City. *(Amended by Ord. 165, 2/14/2005)*
3. The developer shall be responsible for finished grading and ground cover and construction of trails in all lands to be dedicated to the City. No credit toward the required dedication shall be given for this work, except that credit for the cost of improvements to trails included in the City's adopted trail plan may be reimbursed by the City.*(Amended by Ord. 165, 2/14/2005)*

C. Cash Fee. When a cash fee is to be paid in lieu of land dedication, the payment of such fee shall be required as follows:

1. For all residential developments, park dedication fees shall be paid prior to the City releasing the signed final plat for recording. An exception may be granted by the City Council for multiple-family structures, including multi-unit townhomes, condos and apartments, to allow payment of the fee prior to the issuance of building permits. Payment shall be made for all units within each building prior to issuance of any building permits for that structure. *(Amended by Ord. 165, 2/14/2005)*
2. For commercial and industrial developments, the total fee shall be paid prior to issuance of any building permits for the development. The City Council may grant deferral of a portion of the fees if the subdivider proposes to construct significantly less square footage than the site supports. The remaining fees shall be paid at the time of building permit application for additional square footage to be constructed on the site. *(Amended by Ord. 165, 2/14/2005)*
3. In plats that include outlots for future development, the subdivider shall pay to the City the required dedication fee for each phase at the time such outlots are replatted for development, according to the park dedication policy and fees in affect at the time of final plat for each phase. *(Amended by Ord. 165, 2/14/2005)*

Subd. 2b.Dedication.

(a) The regulations may require that a reasonable portion of the buildable land, as defined by municipal ordinance, of any proposed subdivision be dedicated to the public or preserved for public use as streets, roads, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds and similar utilities and improvements, parks, recreational facilities as defined in section 471.191, playgrounds, trails, wetlands, or open space. The requirement must be imposed by ordinance or under the procedures established in section 462.353, subdivision 4a.

(b) If a municipality adopts the ordinance or proceeds under section 462.353, subdivision 4a, as required by paragraph (a), the municipality must adopt a capital improvement budget and have a parks and open space plan or have a parks, trails, and open space component in its comprehensive plan subject to the terms and conditions in this paragraph and paragraphs (c) to (i).

(c) The municipality may choose to accept a cash fee as set by ordinance from the applicant for some or all of the new lots created in the subdivision, based on the average fair market value of the unplatted land for which park fees have not already been paid that is, no later than at the time of final approval or under the city's adopted comprehensive plan, to be served by municipal sanitary sewer and water service or community septic and private well as authorized by state law. For purposes of redevelopment on developed land, the municipality may choose to accept a cash fee based on fair market value of the land no later than the time of final approval. "Fair market value" means the value of the land as determined by the municipality annually based on tax valuation or other relevant data. If the municipality's calculation of valuation is objected to by the applicant, then the value shall be as negotiated between the municipality and the applicant, or based on the market value as determined by the municipality based on an independent appraisal of land in a same or similar land use category.

(d) In establishing the portion to be dedicated or preserved or the cash fee, the regulations shall give due consideration to the open space, recreational, or common areas and facilities open to the public that the applicant proposes to reserve for the subdivision.

(e) The municipality must reasonably determine that it will need to acquire that portion of land for the purposes stated in this subdivision as a result of approval of the subdivision.

(f) Cash payments received must be placed by the municipality in a special fund to be used only for the purposes for which the money was obtained.

(g) Cash payments received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space based on the approved park systems plan. Cash payments must not be used for ongoing operation or maintenance of parks, recreational facilities, playgrounds, trails, wetlands, or open space.

(h) The municipality must not deny the approval of a subdivision based solely on an inadequate supply of parks, open spaces, trails, or recreational facilities within the municipality.

(i) Previously subdivided property from which a park dedication has been received, being resubdivided with the same number of lots, is exempt from park dedication requirements. If, as a result of resubdividing the property, the number of lots is increased, then the park dedication or per-lot cash fee must apply only to the net increase of lots.

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Subd. 2c.Nexus.

(a) There must be an essential nexus between the fees or dedication imposed under subdivision 2b and the municipal purpose sought to be achieved by the fee or dedication. The fee or dedication must bear a rough proportionality to the need created by the proposed subdivision or development.

(b) If a municipality is given written notice of a dispute over a proposed fee in lieu of dedication before the municipality's final decision on an application, a municipality must not condition the approval of any proposed subdivision or development on an agreement to waive the right to challenge the validity of a fee in lieu of dedication.

(c) An application may proceed as if the fee had been paid, pending a decision on the appeal of a dispute over a proposed fee in lieu of dedication, if (1) the person aggrieved by the fee puts the municipality on written notice of a dispute over a proposed fee in lieu of dedication, (2) prior to the municipality's final decision on the application, the fee in lieu of dedication is deposited in escrow, and (3) the person aggrieved by the fee appeals under section 462.361, within 60 days of the approval of the application. If such an appeal is not filed by the deadline, or if the person aggrieved by the fee does not prevail on the appeal, then the funds paid into escrow must be transferred to the municipality.



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 6, 2018

Re: Vickerman Debrief and Reflection

BACKGROUND

At the two previous meetings the PC has processed a great deal of material relating to Vickerman Company's planned expansion.

General discussion and reflection on processing of the requests for: easement vacation, preliminary plat, final plat, building height variance, setback variance, tree planting variance, and site plan approval is requested.

Specifically methods to improve review quality and process are requested.



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 6, 2018

Re: CUP Audit

BACKGROUND

The PC has a goal of auditing CUP/IUP in 2018 for compliance with approved standards. Attached please find a matrix of existing CUP/IUP for review.

Pertinent documentation of CUP/IUP approved subsequent to the previous CUP audit is also attached.

ACTION

For review and discussion. Assignment of audit points to Commissioners.

CUP Review/Audit

	Address	Description	Comments/Notes	Action Directed	Status
1	410 Faxon Rd N	McDonalds	CUP issued for drive-thru window in the 90's. No conditions placed on CUP	PC finds existing, valid CUP. No conditions exist.	Audited, compliant.
2	112 Poplar Ridge Dr	Existing Apartment Complex	CUP issued in 1997. No additional information available.	PC finds existing, valid CUP. No conditions exist.	Audited, compliant.
3	421 Railroad St W	Carver Co. Recycling Center	CUP approved in late 1990's. Reso approving not immediately located.	Conditions were placed on the use according to minutes.	Audited, compliant.
4	308 5th Ave NE	CUP issued for this address in 2000-01.	Reso 2000-18 is a CUP allowing a cemetery based on several conditions.	Reso 2000-18 suitable for audit.	Audited, compliant.
5	250 Industrial Blvd	Current site of Expert construction.	Reso 2002-11 is a CUP allowing for an industrial building with outdoor storage. The applicant was Expert Construction. CUP is contingent upon several requirements. Reso 2002-21 amended CUP issued in 2002-11 included additional conditions relating to storm water and landscaping. Reso 2003-19 is a second amendment of the CUP to allow additional outdoor storage. Several additional conditions attached.	Reso's 2002-11, 2002-21, and 2003-19; Suitable for audit	Continue to monitor.
6	220 Industrial Blvd	Statewide Gas	Reso. 2002-64 is a CUP allowing for an industrial use at this address. Several conditions attached, most related to non-zoning items. Only one with zoning ramifications was landscaping 'should be' consistent with surrounding businesses.	Existing, valid CUP	Audited, compliant.

CUP Review/Audit

	Address	Description	Comments/Notes	Action Directed	Status
7	426 East St N	Owned by Roger Kleman. Used car dealership.	A Reso was approved July 28, 2003. Many conditions attached, mostly applicable to site plan standards.	Suitable for audit.	Audited, compliant.
8	124 Union St N	Lance Ford. Ford Construction.	Reso 2003-43 is a CUP allowing an industrial use in the CBD. Several conditions apply. Reso 2009-24 amended Rso 2003-43 allowing expanded outdoor storage. Approved with several conditions attached.	Reso 2003-43 and 2009-24 are suitable for audit.	Audited, compliant.
9	700 Railroad St W	Southwest Paving.	Reso 2006-33 is a CUP providing for Southwest Paving. Several conditions are attached.	Non compliant at of 11/2017.	Audit underway
10	211 Railroad St W	Xtreme Electric.	Reso 2011-14 is a CUP for a contractor operation at the subject address. Several conditions apply to the permit.	Suitable for audit.	Audited, compliant.
11	325 Elm St W	Pour House Pub	Reso 2011-33 is a CUP allowing a smoking deck at the Pour House. Several conditions apply.	Suitable for audit.	Audited, compliant.
12	27 1st St NW	St. John's Lutheran School.	Reso 2013-05 is a CUP allowing expansion of the existing school.	Auditing in future years is suitable.	Audited, compliant.

CUP Review/Audit

	Address	Description	Comments/Notes	Action Directed	Status
13	105 Main St E	Unkle Thirsty's	Reso 2013-35 is a CUP allowing outdoor dining at Unkle Thirsty's. Several conditions apply.	Auditing in future years is suitable.	Audited, compliant.
14	520 Reform St N	Kwik Trip	Reso 2013-20 Approved convenience store.	Suitable for audit.	To be audited.
15	301 Industrial Blvd	Hydro Engineering	Reso 2013-__ (Sept 9th??) Approved IUP for outdoor storage.	Suitable for audit.	To be audited.
16	321 Elm St W	RCC Woodworks	Reso 2014-22 Approved woodworking shop in C-3	Suitable for audit.	To be audited.
17	13050 Stewart Ave	Nick Molnau	Reso 2014-11 Approved outdoor storage	Suitable for audit.	To be audited.
18	250 Industrial Blvd	Expert Construction	Reso 2014-__ CUP amendment - outdoor storage - Denied	Denied	Denied
19	700 Railroad St W	Southwest Paving.	Reso 2015-13 Approved landscaping plan in lieu of perimeter fencing	Non compliant at of 11/2017.	Audit underway
20	300 Industrial Blvd	Rogomobiles	Reso 2015-19 Approved outdoor storage and display autos.	Use has ceased	Declare CUP expired.
21	115 Main St E & 15 2nd Ave SE	Waconia Dodge	Reso 2016-14 Auto sales and display and accessory auto repair.	Suitable for audit.	To be audited.
22	127 Elm St W	Andris	Reso 2016-21 Approve personal auto storage in C-3	Suitable for audit.	To be audited.

CUP Review/Audit

	Address	Description	Comments/Notes	Action Directed	Status
23	117 Railroad St W	Loomis	Reso 2016-22 Approve CUP for contractor operation in C-3	Suitable for audit.	To be audited.
24	180 Industrial Blvd	Todd Miller & Adam Glander	Reso 2017-08 Approve outdoor auto sales and display in B-1 District	Suitable for audit.	To be audited.
25	508 Merger Street	Cedar Direct	Reso 2017-09 IUP outdoor storage	Suitable for audit.	To be audited.
26	600 Railroad St W	Curfman Trucking	Reso 2017-15 CUP for outdoor storage	Suitable for audit.	To be audited.
27	170 Industrial Blvd	Paul Juerissen	Reso 2017-18 CUP outdoor storage marine recreational equipment	Suitable for audit.	To be audited.

RESOLUTION NO. 2014-11

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW LIMITED OUTDOOR STORAGE AT 13050 STEWART AVENUE

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, the City of Norwood Young America requires a conditional use permit for outdoor storage, a proposed subordinate accessory use, in the I-1, Light Industrial District; and

WHEREAS, Molnau Trucking, (the "Applicant") has applied for a conditional use permit to allow limited outdoor storage (the "Use") at 13050 Stewart Avenue, in Norwood Young America (the "Property") in conjunction with use of the property for a Trucking operation; and

WHEREAS, the City of Norwood Young America Planning Commission held a public hearing to consider the Applicants' request for the conditional use permit during the regular meeting on February 18, 2014; and

WHEREAS, the Planning Commission considered public input and reviewed the request during the regular meeting on March 18, 2014; and

WHEREAS, the Planning Commission recommended the City Council approve the request contingent on several limiting conditions; and,

WHEREAS, the City Council reviewed the request during the March 24 regular City Council meeting,

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The Applicant has requested a Conditional Use Permit for limited outdoor storage at 13050 Stewart Avenue in the I-1 Light Industrial District.
2. Contractor operations are a permitted use in the I-1 District, accessory outdoor storage is a conditional use in the same district.
3. The use is consistent with goals, policies and objectives of the Comprehensive Plan and the future land use map and urban growth boundary contained in the 2008 NYA Comprehensive Plan.
4. The outdoor storage accessory use will not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements, subject to certain conditions listed below.
5. The outdoor storage accessory use will not have an undue impact on the public health safety or welfare, subject to certain conditions listed below.
6. The outdoor storage accessory use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
7. The outdoor storage accessory use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
8. The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves the Applicants' request for a conditional use permit to allow limited outdoor storage, on the subject property, subject to the following conditions:

1. Approval of a VARIANCE from 1210.06 Conditional Use Permits, Subd. 3(B)11(b) which requires: *"All raw materials, supplies, finished or semi-finished products and equipment shall be stored within a completely enclosed building, provided, however, that motor vehicles necessary to the operation of the principal use and of not more than three-quarter ton capacity may be stored within the permitted parking lot space"*.
2. Annexation of the Property into the City, and zoning of the Property to I-1, Light Industrial.
3. Connection to municipal services within one (1) year of when they are extended to and become available to the Property.
4. Maintenance of perimeter lot screening reasonably similar to that existing as of the date of approval and as illustrated in a memo from the Consulting Planner dated February 3, 2014. Vegetation on the berming shall be replaced as needed or directed by the City. At a minimum vegetation replacement species shall be substantially similar to species currently existing. Replacement vegetation shall be a minimum of ten (10) feet in height.
5. The approval specifically authorizes accessory outdoor storage at the subject property. Said outdoor storage is strictly limited to the following:
 - A. The combined maximum combined area for outdoor storage consists of approximately two acres and is illustrated in Exhibit A attached hereto.
 - B. The only items that may be stored outdoors are identified in Exhibit B. No junk vehicles, engine parts, or equipment not being utilized as part of the business shall be parked outdoors at the site.
 - C. The entire area where outdoor storage is allowed shall be continuously surfaced with a minimum of four inches of Class 5 gravel or red rock.
 - D. The entire area where outdoor storage is allowed shall be maintained free of grass, weeds, trees, etc. at all times. The intent of this condition is to completely eradicate any potential the growth of weeds, grass, or other vegetative materials under, around, or between items stored on the site.
 - E. The entire area where outdoor storage is allowed shall be maintained in a dust-free state at all times.
 - F. The property owner shall provide the City, upon written request, an inventoried list of the items stored out of doors at the site. The inventoried list may include but is not limited to information regarding: the license plate numbers for all dump trucks, semi-trucks, and snow trucks; type of equipment; the purpose for which it is used; whether or not the item is fully operational; and whether or not the item is currently licensed. In the event of a disagreement over the definition of equipment allowed to be stored on-site, the CUP holder shall physically appear before the Planning Commission to address said disagreement or remove the item/debris in question from the site within

seven (7) days of the mailing of a written notice. The Planning Commission shall determine whether or not the item/debris in question may be stored on site.

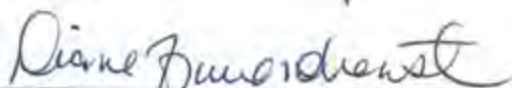
- G. Items such as personal property, personal equipment, other persons property, miscellaneous equipment parts, tires, barrels, batteries, other containers, culverts, pipes, contractor trailers, brush, tree parts, horse, stock, or travel trailers, boats, campers, unlicensed passenger vehicles, buses, agricultural equipment, portions of heavy construction equipment, heavy construction equipment exceeding its normal lifecycle, or similar items are expressly prohibited from being stored out of doors at the site.
- H. All equipment stored on site shall be owned and/or leased by the property owner and related to the contractor operation conducted at the site.
- I. Construction equipment stored on the site shall be in operable condition or undergoing minor repair.
- J. One fuel dispensing and containment system may be installed out of doors, on site provided a maximum of four tanks are allowed (i.e. one of each of the following capacities: 10,000 gallons, 2,000 gallons, 1,000 gallons, and 500 gallons). A building permit is required prior to establishment of the containment system. Prior to building permit issuance the Applicant shall submit evidence of review/approval by the Minnesota Pollution Control Agency, and the containment system shall be approved by the NYA Fire Chief. Tanks are limited to storage of various grades of diesel fuel.
- K. Storage of used oil, petroleum products, or hazardous material is prohibited except as approved by the City Building Official. If permitted by the Building Official storage of used oil, other petroleum products, or hazardous material shall only be allowed indoors.
- L. A maximum of eleven (11) concrete bunkers for storage of retail landscape materials e.g. rock material, wood chips, concrete sand, etc. are allowed on site at one time. Landscape material stored on site shall be limited to processed materials such as washed products, treated products, crushed and sized concrete or bituminous aggregate, sorted organic aggregate material, washed and sized rocks, boulders, pulverized top soil, and chipped wood/organic mulch. Materials shall be processed at a different location and delivered to the site as a finished, processed product. Outdoor storage of non-processed materials including, but not limited to, concrete masses or portions thereof exceeding three (3) inches in diameter, unsorted or unsifted top soil, top soil containing roots, rocks, or grass, sod, leaves, logs, bituminous masses or portions thereof exceeding three (3) inches in diameter, and non-washed/sorted rock is specifically and strictly prohibited.
- M. Red rock may be stored on-site outdoors independent of the aforementioned bunkers provided the total volume does not exceed one-thousand (1,000) cubic yards and that the storage pile is not in any way visible from any point within the Minnesota Highway 212 right of way.
- N. Salt/sand may be stored on site temporarily between the period of November 1 and April 30 provided it is stored within the aforementioned bunkers and is covered at all times.

6. This approval is applicable only to the property at 13050 Stewart Avenue.
7. This approval shall expire one year after date of approval unless the Applicants have commenced operation of the Use on-site.
8. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
9. The permit shall be subject to annual inspection and audit by the City. The owner shall provide the City with reasonable access to the property for inspection.
10. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
11. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.
12. The Use permitted under this Resolution may change to a permitted use in the I-1 District without further action by the City Council; however the Use may not change to another conditional use without a new application and approval by the City Council.
13. An increase in the area used for outdoor storage; an increase in the number, size, or volume of items stored outdoors, or a change in the type of outdoor storage shall require amendment of this conditional use permit.
14. The Property Owner grants a right of reasonable access to the property for purposes of inspection and/or Conditional Use Permit auditing.
15. Conformance to recommendations from the Minnesota Department of Transportation and the City Engineer relative to ingress and egress to TH212 and other transportation and access issues.

Adopted by the City Council this 24th day of March 2014.


Mayor

ATTEST:


Diane Fraundienst, City Clerk/Treasurer

Attached to NYA City Council Resolution 2014-11 Entitled 'A Resolution Approving a Conditional Use Permit to allow Limited Outdoor Storage at 13050 Steward Avenue.

Outdoor storage area limited to confines of this yellow polygon.

This area is approximately two (2) acres. Employee and public passenger automobile parking is exempt from this storage area and shall be established near the principal structure. Any change which increases this storage area to greater than two (2) acres or results in the storage of any item beyond the confines of this outdoor storage area shall require an amendment of the conditional use permit.

EXHIBIT A (NYA RESOLUTION NO. 2014-11)

March 13, 2014

MOLNAU TRUCKING LLC EQUIPMENT LIST FOR CUP AND VARIANCE

LOCATED AT 13050 STEWART AVE, NYA, MN 55368

All items on said property will pertain to operations of MT LLC. This list has been prepared to help clarify any questions pertaining to CUP / Variance applications for NYA Planning a Zoning Board, City Council and any parties pertaining to this matter.

Dump trucks, semi tractors, semi trailers, motor graders, company owned autos and construction equip attachments

Single axle plow trucks, wheel loaders, bobcats and all corresponding attachments for snow removal operations

All equipment will pertain to the operations of MT LLC and no personal property will be stored at location

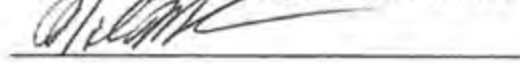
Processed material ie: sand/gravel/mulch/pulverized black dirt/salt-sand and washed rock products that would be used on instillation of new landscaping

MT LLC would like to inform parties we do not process material at this location ie: no concrete piles

Our goal is to confine all equip and material stored outside to designated screened area to minimize visual pollution of surrounding areas

In conclusion MT LLC employees and personnel hope this letter will clarify questions about our operations and our plans for this property. If you have any questions re this matter or re our company policies, please feel free to contact any of us.

Nick Molnau, Pres., CEO, CFO 952-240-0689



Ryan Molnau, VP, Fleet Maintenance 952-836-5414



Anna Molnau, VP, Treasure 952-240-0688



EXHIBIT B: NYA RESOLUTION 2014-11

Exhibit B is hereby attached to NYA City Council Resolution 2014-11 which is Entitled 'A Resolution Approving a Conditional Use Permit to Allow Limited Outdoor Storage at 13050 Stewart Avenue'.

RESOLUTION 2014-22

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A CONTRACTED MILLWORK OPERATION AT 321 ELM STREET WEST

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, a conditional use permit is required under §1230.10, Subd. 4(A) of the City Code which provides for contractor operations in the C-3 District; and

WHEREAS, Mike Campbell, d.b.a. RCC Woodworks (the "Applicant") has applied for a conditional use permit to conduct a contracted millwork operation (the "Use") at the property located at 321 Elm Street West (the "Property"); and

WHEREAS, the Applicant makes the following representations which the City accepts as a good faith representation of the proposed operation:

1. Operations will produce a minimum amount of 'negative impacts' including noise and vibration.
2. The majority of operations will be confined to the inside of the facility.
3. Hours of operation are to be 7 a.m. to 6 p.m. on weekdays but may expand as consumer demand necessitates.
4. On a weekly basis approximately five to ten trucks will be loaded/unloaded at the site. The Applicant states the rear loading area (alley access) is not available for his use. He therefore envisions loading and unloading in the front of the building using CSAH 31 right-of-way.
5. The Applicant will be the only full-time worker at the site. In addition one or two part time employees may be added over time as demand warrants.
6. The Applicant will spend the majority of his time on site crafting custom millwork, he will spend time occasionally off site for bidding and installation.
7. No outdoor storage is proposed.

WHEREAS, the City of Norwood Young America Planning Commission on June 17, 2014 held a public hearing regarding the request after the hearing notice was posted, published, and distributed as required under law; and

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and

WHEREAS, at a regularly meeting on June 23, 2014, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The subject property is zoned C-3, Downtown District.
2. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Ordinance for properties with the C-3 District.
3. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the C-3 District.
4. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements because the proposed use shall occupy and existing structure which is currently served by a full array of urban services. The proposed use will not overly burden existing utilities in terms of volume used/capacity required or type of waste produced.
5. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
6. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. The Council finds adjacent uses are commercial/mixed use in nature and the use as provided for in the City Code appears to blend in with the uses within the general locale.
7. The use, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. The subject site is an interior lot within a nearly fully developed part of the original townsite. A vacant lot adjacent to the subject site is a 'buildable lot' under current zoning standards provided setbacks are met. Setback requirements allow buildings forward on lots with zero side yard setbacks when abutting other commercial uses. As such the proposed use appears to be consistent with this standard.
8. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided. The subject parcel is an existing, improved lot with a full complement of urban services provided. Carver County has jurisdiction over Elm Street. Loading and unloading shall therefore occur to the rear of the lot which is serviced by an alley.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a conditional use permit authorizing a contractor millwork operation at 321 Elm Street West, subject to the following conditions:

1. No outdoor storage of any kind, including but not limited to garbage, refuse, materials, equipment or machinery shall be permitted.
2. All business vehicles stored at the site shall be accommodated by off-street parking.
3. An office area shall be maintained at the front (street-facing) side of the building to the greatest extent possible.
4. All loading/unloading at the subject site shall occur separate and independent from the Elm Street – County Road 31 right-of-way unless specifically authorized in writing by Carver County Public Works Department.
5. The use shall at all times meet the requirements of Section 1245.01 of the City Code relating to noise, vibration, smoke, particulate matter, odor, and connection to municipal utilities.
6. The City Council shall release the Property Owner from employee and customer parking requirements for this conditional use, except that any company vehicles (i.e. commercial vehicles, vehicles owned by the company, and/or vehicles advertising the company) shall be parked off the street or at a different.
7. The Property Owner shall not discharge industrial waste into the sanitary sewer system.
8. The approval specifically authorizes a contractor operation (i.e. custom millwork) at the subject property. No other use shall be allowed under this Conditional Use Permit.
9. Any proposed signage will require the issuance of a sign/building permit.
10. This approval is applicable only to the property at 321 Elm Street West.
11. This approval shall expire one year after date of approval unless the Applicant has commenced operation of the Use on-site.
12. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
13. The permit shall be subject to annual inspection and audit by the City.
14. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
15. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.

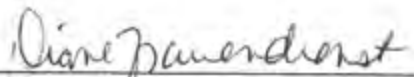
16. The Use permitted under this Resolution may change to a permitted use in the C-3 District without further action by the City Council; however the Use may not change to another conditional use without a new application and approval by the City Council.

Adopted by the City Council this 23rd day of June 2014.



Mayor

ATTEST:



Diane Frauendienst
City Clerk/Treasurer

RESOLUTION 2015-13

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR PROPERTY AT 700 RAILROAD STREET WEST

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, a conditional use permit is required under § 1210.06, *Conditional Use Permits*, Subd. 3(B)(18) for outdoor storage in industrial districts; and

WHEREAS, Greg Brakefield, d.b.a. Southwest Paving (the “Applicant”) had previously applied for and was granted a conditional use permit to allow outdoor storage on industrial property (the “Use”) at 700 Railroad Street West (the “Property”); and

WHEREAS, the terms of the conditional use permit approval were specified in City of Norwood Young America Resolution 2006-33 which is hereby incorporated by reference; and,

WHEREAS, said Resolution 2006-33 provides for storage of equipment and materials as identified in the permit application materials and a description of the use received by the City on February 13, 2006, which is hereby incorporated by reference; and,

WHEREAS, the Applicant makes the following representations which the City accepts as a good faith representation of the proposed operation:

1. Perimeter fencing will interfere with the day to day operations at the site and limit efficiency of site usage.
2. If the requirement for a complete perimeter fence is removed the Applicant will provide landscaping with trees and a berm for screening around the subject property.
3. The Applicant has submitted a landscape plan with the application illustrating:
 - a. A total of 19 Black Hills Spruce trees will be placed along the berm adjacent to Highway 212 (north property line). There are seven existing, so 12 will be added. New trees will have an initial size of six feet.
 - b. A total of five Black Hills Spruce trees will be planted along the east property line. Initial size six feet.

- c. A total of eleven Norway Pine trees will be planted along the west property line. Initial size four feet.
 - d. The following will be inserted in the front yard of the property adjacent to Railroad Street:
 - 14 Black Hills Spruce. Initial size six feet.
 - Five Norway Pine. Initial size four feet.
 - Six Swiss Stone Pine. Initial size four feet.
 - Three Amur Maacki. Initial size 15 inches.
 - 48 flame grass. Initial size 18 inches.
 - 59 boxwood or low bush honeysuckle. Initial size 24 inches.
4. All plantings as represented in a landscape plan submitted with the application shall be installed at 700 Railroad Street West as illustrated in said landscape plan no later than October 31, 2015.

WHEREAS, the City of Norwood Young America Planning Commission on May 19, 2015 held a public hearing regarding the request after the hearing notice was posted, published, and distributed as required under law; and,

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and,

WHEREAS, at a regular meeting on May 26, 2015, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The subject property is zoned I-1, Light Industrial.
2. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Ordinance for properties with the I-1 District.
3. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the I-1 District.
4. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements because the use is already established and the proposed amendment does not appear to materially alter pre-existing conditions.
5. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
6. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the

neighborhood as the use is already established and the proposed amendment does not appear to materially alter preexisting conditions.

7. The use, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district as the use has been previously established and the proposed amendment does not appear to materially alter preexisting conditions.
8. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a conditional use permit amendment for the property at 700 Railroad Street West, subject to the following conditions:

1. All conditions contained in NYA Resolution 2006-33 relating to the subject property remain in effect, except that the requirement for a perimeter fence specified in correspondence dated February 13, 2006 under condition number eleven shall be released.
2. The exact vegetation type, size, and volume proposed in a landscape plan submitted by the Applicant in conjunction with the CUP by October 31, 2015.
3. The Applicant shall maintain said vegetation at all times. In the event any of the vegetation represented in the landscape plan does not survive at the site it shall be replaced as represented in the landscape plan within ninety (90) days of showing signs of distress.
4. This approval is applicable only to the property at 700 Railroad Street West.
5. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
6. The permit shall be subject to annual inspection and audit by the City.
7. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
8. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.

Adopted by the City Council this 26th day of May, 2015.

Tina Diedrick, Mayor

ATTEST:

Diane Frauendienst
City Clerk/Treasurer

RESOLUTION 2016-14

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW AUTO SALES, DISPLAY, AND STORAGE WITH ACCESSORY AUTO REPAIR AND SERVICE AT 115 MAIN STREET EAST AND 15 2ND AVE SE

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, a conditional use permit is required under §1230.10, Subd. 4(E) of the City Code which provides for auto sales, display, and storage with or without ancillary minor auto repair and service in the C-3 District; and

WHEREAS, Hydro Real Estate, LLC (the "Property Owner") and Waconia Dodge (the "Applicant") have applied for a conditional use permit to conduct an indoor auto storage, display, and sales operation with ancillary minor auto repair and service operation (the "Use") at the property located at 115 Main Street East and 15 2nd Avenue SE (the "Property"); and

WHEREAS, the City of Norwood Young America Planning Commission on June 21, 2016 held a public hearing regarding the request after the hearing notice was posted, published, and distributed as required under law; and

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and

WHEREAS, at a regularly meeting on June 27, 2016, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The subject property is zoned C-3, Downtown District.
2. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Ordinance for properties within the C-3 District.
3. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the C-3 District.
4. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements because the proposed use shall occupy the existing structure which is currently served by a full array of urban services. The proposed use will not overly

- burden existing utilities in terms of volume use/capacity required or type of waste produced.
5. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
 6. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose is already permitted, nor substantially diminish and impair property values within the neighborhood. The Council finds adjacent uses are commercial/mixed use in nature and the use as provided for in the City Code appears to blend in with the uses within the general locale.
 7. The use, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
 8. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided. The subject parcel is an existing, improved lot with a full complement of urban services provided.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a conditional use permit authorizing an indoor auto storage, display, and sales operation with ancillary minor auto repair and service operation (the "Use") at the property located at 115 Main Street East and 15 2nd Avenue SE (the "Property");, subject to the following conditions:

1. The "Use" is defined as auto sales, display, and storage with ancillary minor repair and service at the subject property. No other use shall be allowed under this Conditional Use Permit. The Use is subject to the following standards:
 - A. Sales, display, and storage are limited to new and used passenger automobiles.
 - B. A valid dealership license is maintained.
 - C. Office space devoted to perform transactions in conjunction with the business is provided on site.
 - D. Service and repair, if provided, are clearly secondary and subordinate to the use of the property for auto dealer sales, display, and storage.
 - E. Auto service and repair, if provided, shall be conducted indoors and all automobiles undergoing service or repair shall be stored off-street.
 - F. Auto repair shall not include vehicle painting or auto body work.
2. No outdoor storage of any kind, including but not limited to garbage, refuse, materials, equipment or machinery shall be permitted.
3. All business vehicles stored at the site shall be accommodated by off-street parking.
4. An office area shall be maintained at the front (street-facing) side of the building to the greatest extent possible.

5. All loading/unloading at the subject site shall occur separate and independent from CSAH 34 right-of-way unless specifically authorized in writing by Carver County Public Works Department.
6. The use shall at all times meet the requirements of Section 1245.01 of the City Code relating to noise, vibration, smoke, particulate matter, odor, and connection to municipal utilities.
7. The Property Owner shall not discharge industrial waste into the sanitary sewer system.
8. Any proposed signage will require the issuance of a sign/building permit.
9. This approval is applicable only to the property at 115 Main Street East and 15 2nd Ave SE.
10. This approval shall expire one year after date of approval unless the Applicant has commenced operation of the use on-site.
11. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
12. The permit shall be subject to annual inspection and audit by the City.
13. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
14. The conditional use permitted under this Resolution shall be revoked if the use ceases for more than 12 consecutive months.

Resolution 2016-14 is hereby adopted by the City Council this 27th day of June, 2016.

Tina Diedrick, Mayor

ATTEST:

Kelly Hayes, City Clerk/Treasurer

RESOLUTION 2016-21

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW PERSONAL AUTO STORAGE AND ACCESSORY PERSONAL AUTO REPAIR AT 127 ELM STREET WEST

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, a conditional use permit is required under §1230.10, Subd. 4(E) of the City Code which provides for auto sales, display, and storage with or without ancillary minor auto repair and service in the C-3 District; and

WHEREAS, Constance Foley, John Foley Jr., and Paul F. Foley (the “Property Owners”) and Daniel Andrs (the “Applicant”) have applied for a conditional use permit to allow indoor storage of personal automobiles and accessory personal automotive repair (the “Use”) at the property located at 127 Elm Street West; and

WHEREAS, the property is legally described as: Lot 5, Block 2, City Lots of Norwood, and identified as parcel number 580500110; and

WHEREAS, the City of Norwood Young America Planning Commission on October 18, 2016 held a public hearing regarding the request after the hearing notice was posted, published, and distributed as required under law; and

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and

WHEREAS, at a regularly meeting on October 24, 2016, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The subject property is zoned C-3, Downtown District.
2. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Ordinance for properties with the C-3 District.
3. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the C-3 District.
4. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements because the proposed use shall occupy and existing structure which is currently served by a full array of urban services. The proposed use will not overly burden existing utilities in terms of volume used/capacity required or type of waste produced.

5. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
6. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. The Council finds adjacent uses are commercial/mixed use in nature and the use as provided for in the City Code appears to blend in with the uses within the general locale.
7. The use, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
8. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided. The subject parcel is an existing, improved lot with a full complement of urban services provided.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a conditional use permit authorizing the storage of personal automobiles with ancillary repair of automobiles owned and operated by the fee owner of the property (the "Use") at the property located at 127 Elm Street West (the "Property"), subject to the following conditions:

1. The "Use" is defined as personal auto storage at 127 Elm Street West. No other use, including providing services to the public shall be allowed under this Conditional Use Permit. The Use is subject to the following standards:
 - A. Storage is limited to new and used passenger automobiles which are the licensed and personal possessions of the individual private person(s) owning the property. No retail sales/service is allowed. No storage of vehicles or vehicle parts not owned by the applicant is allowed.
 - B. Private service and repair of personal passenger automobiles owned by the property owner is allowed provided it is clearly secondary and subordinate to the use of the property for storage of personal autos. Spray painting of automobiles shall not be permitted.
 - C. Auto service and repair of personal vehicles shall be conducted indoors.
2. No outdoor storage of any kind, including but not limited to garbage, refuse, materials, equipment or machinery shall be permitted.
3. All loading/unloading at the site shall occur separate and independent from CSAH 33/Elm Street right-of-way unless specifically authorized in writing by Carver County Public Works Department.
4. The use shall at all times meet the requirements of Section 1245.01 of the City Code relating to noise, vibration, smoke, particulate matter, odor, and connection to municipal utilities.
5. The Property Owner shall not discharge industrial waste into the sanitary sewer system.
6. This approval is applicable only to the property at 127 Elm Street West.
7. This approval shall expire one year after date of approval unless the Applicant has commenced operation of the Use on-site.
8. This permit is subject to all applicable codes, regulations and ordinances, to include any requirements imposed by the City's Building Official and Fire Chief, and violation thereof shall be grounds for revocation.
9. The permit may be subject to annual inspection and audit by the City.

10. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Chapter 12, Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the City Code.
11. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.
12. Review and approval by the Fire Chief and Building Official is required.

Adopted by the City Council this 24th day of October, 2016.

Tina Diedrick, Mayor

ATTEST:

Kelly Hayes, City Clerk/Treasurer

RESOLUTION 2016-22

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A CONTRACTOR OPERATION (HOME BUILDING CONTRACTOR SHOP) AT 117 RAILROAD STREET WEST

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, a conditional use permit is required under §1230.10, Subd. 4(A) of the City Code which provides for contractor operations in the C-3 District; and

WHEREAS, Scott Loomis, d.b.a. Loomis Homes (the "Applicant") has applied for a conditional use permit to operate a home building contractor shop (the "Use") at the property located at 117 Railroad Street West (the "Property"); and

WHEREAS, the Property is identified as parcel number 589990030 and legally defined as P/O SW1/4 NW1/4 BOUNDED AS FOLLOWS: ON TH N BY TH S LINE OF RAILROAD ST-ON E BY THE W LINE OF FRANKLIN ST- ON THE W BY THE E LINE OF MORSE ST & ON S BY A LINE 50' NLY OF CENTERLINE OF RR OLD # 60.9990112; and

WHEREAS, the Applicant makes the following representations which the City accepts as a good faith representation of the proposed operation:

1. No outdoor storage is proposed.
2. The facility will be a wood frame with engineered siding and asphalt shingles.
3. The structure will be 1,944 square feet; 36' by 54'.

WHEREAS, the City of Norwood Young America Planning Commission on October 18, 2016 held a public hearing regarding the request after the hearing notice was posted, published, and distributed as required under law; and

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and

WHEREAS, at a regularly meeting on October 24, 2016, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The subject property is zoned C-3, Downtown District.

2. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Ordinance for properties with the C-3 District.
3. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the C-3 District.
4. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements because the proposed use will be established on an existing base lot which is currently served by a full array of urban services. The proposed use will not overly burden existing utilities in terms of volume used/capacity required or type of waste produced.
5. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
6. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. The Council finds adjacent uses are commercial/mixed use in nature and the use as provided for in the City Code appears to blend in with the uses within the general locale.
7. The use, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. The subject site is an interior lot within a nearly fully developed part of the original townsite. A vacant lot adjacent to the subject site is a 'buildable lot' under current zoning standards. As such the proposed use appears to be consistent with this standard.
8. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a conditional use permit authorizing a contractor operation (home building contractor shop) at 117 Railroad Street W, subject to the following conditions:

1. The approval specifically authorizes a contractor operation (home builder contractor shop) at the subject property. No other use shall be allowed under this Conditional Use Permit.
2. This approval is applicable only to the property at 117 Railroad Street West.
3. Review and approval of the site plan is required by the Zoning Administrator and the City Engineer.
4. Review and approval is required by the Carver County Watershed Management Organization.
5. No outdoor storage of any kind, including but not limited to garbage, refuse, materials, equipment or machinery shall be permitted.
6. All business vehicles stored at the site shall be accommodated by off-street parking.
7. An office area shall be maintained within the structure.
8. The use shall at all times meet the requirements of Section 1245.01 of the City Code relating to noise, vibration, smoke, particulate matter, odor, and connection to municipal utilities.

9. The City Council shall release the Property Owner from employee and customer parking requirements for this conditional use, except that any company vehicles (i.e. commercial vehicles, vehicles owned by the company, and/or vehicles advertising the company) shall be parked off the street.
10. The Property Owner shall not discharge industrial waste into the sanitary sewer system.
11. Any proposed signage will require the issuance of a City sign/building permit.
12. This approval shall expire one year after date of approval unless the Applicant has commenced operation of the Use on-site.
13. This permit is subject to all applicable codes, regulations and ordinances, to include any requirements imposed by the City's Building Official and Fire Chief, and violation thereof shall be grounds for revocation.
14. The permit shall be subject to annual inspection and audit by the City.
15. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Chapter 12, Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the City Code, as may be amended from time to time.
16. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.
17. The Use permitted under this Resolution may change to a permitted use in the C-3 District without further action by the City Council; however the Use may not change to another conditional use without a new application and approval by the City Council.

Adopted by the City Council this 24th day of October, 2016.

Tina Diedrick, Mayor

ATTEST:

Kelly Hayes, City Clerk/Treasurer

RESOLUTION 2017-08

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ACCESSORY AUTO SALES/DISPLAY AT 180 INDUSTRIAL BOULEVARD

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, a conditional use permit is required under §1230.11, Subd. 4 of the City Code which provides for accessory auto sales/display in the B-1 Business Industrial District; and

WHEREAS, Citizens State Bank, Norwood Young America (Property Owner) and Todd Miller/Adam Glander (Property Lessees) (the "Applicants") have applied for a conditional use permit to conduct accessory auto sales and display at 180 Industrial Boulevard, (the "Property"); and

WHEREAS, the Applicants make the following representations which the City accepts as a good faith representation of the proposed operation:

1. The principal use of the property is auto repair and will remain auto repair.
2. The proposed accessory use is outdoor sales/display of used automobiles.
3. The proposed accessory use shall occupy a dedicated auto sales office within the principal structure.
4. No structural changes to the principal structure are proposed.
5. Used vehicles for sale are to occupy a portion of the parking lot in the front of the building. Additional overflow parking for used vehicle display sales may be stored in the rear (gravel) parking area.

WHEREAS, the City of Norwood Young America Planning Commission on March 21, 2017 held a public hearing regarding the request after the hearing notice was posted, published, and distributed as required under law; and

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and

WHEREAS, at a regular meeting on March 27, 2017, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

NOW THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The subject property is zoned B-I, Business Industrial District.
2. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Ordinance for properties with the B-I District.
3. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the B-I District.
4. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements because the proposed use is accessory and the existing structure which is currently served by a full array of urban services. The proposed use will not overly burden existing utilities in terms of volume used/capacity required or type of waste produced.
5. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
6. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. The Council finds adjacent uses are business/industrial in nature and the use as provided for in the City Code appears to blend in with the uses within the general locale.
7. The use, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. The subject site is within a fully developed business/industrial district.
8. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided. The subject parcel is an existing, improved lot with a full complement of urban services provided.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a conditional use permit authorizing accessory auto sales and display at 180 Industrial Boulevard, subject to the following conditions:

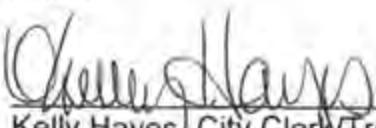
1. The approved accessory use for outdoor automobile sales/display is applicable to the property at 180 Industrial Boulevard.
2. A maximum of forty (40) vehicles may be stored outdoors on the site at one time, including those being repaired and those for sale. At least seven (7) parking spaces in the parking lot in front of the building shall be reserved for customer parking.
3. All used vehicles associated with the used automobile sales/display shall comply with the following standards:
 - i. Shall be in an operable condition.

- ii. Shall not be extensively damaged, with the damage including such things as broken or missing tires and wheels, motor, body parts, windows, drive train or transmission.
 - iii. Shall have a fair market value greater than the approximate value of the scrap in it
4. Used automobiles on sale and display are limited to passenger automobiles. Commercial weight vehicles, agricultural equipment, trailers, recreational vehicles, sport utility vehicles, non-motorized items and the like are prohibited.
5. All parking for the principal and accessory use shall occur off-street. Additional overflow parking for used vehicle display sales may occur in the rear. Existing vegetative screening and partial berming is found to be sufficient.
6. The Applicant or Property Owner shall supply the City evidence of an auto dealer's license.
7. Any signage shall require issuance of a sign permit.
8. Any changes to outdoor lighting shall require approval from the City.
9. This approval shall expire one year after date of approval unless the Applicants have commenced operation of the Use on-site.
10. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
11. The permit shall be subject to annual inspection and audit by the City.
12. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
13. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.

Adopted by the City Council this 27th day of March 2017.


Mayor

Attest:


Kelly Hayes, City Clerk/Treasurer

RESOLUTION 2017-15

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW ACCESSORY OUTDOOR STORAGE AT 600 RAILROAD STREET WEST

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, a conditional use permit is required under §1230.12, Subd. 4 of the City Code which provides outdoor storage which is accessory to an approved principal use in the I-1 Light Industrial District; and

WHEREAS, Steve Curfman (Property Owner) doing business as Curfman Trucking has applied for a conditional use permit to allow accessory outdoor storage at 600 Railroad Street West, (the "Property"); and

WHEREAS, the property is legally described in Exhibit A, attached hereto, and assigned parcel number 580150700; and,

WHEREAS, the Applicant makes the following representations which the City accepts as a good faith representation of the proposed operation:

1. Curfman Trucking & Repair, Inc. is proposed to be relocated to this site.
2. Curfman Trucking & Repair is a commercial trucking company that performs its own service, repair, and maintenance on its fleet of tractors, trucks, and trailers and offers truck repair and service to the public.
3. The Applicant proposes a new 120' X 80' (9,600 sf) truck maintenance facility to be located on an existing foundation. The truck maintenance facility will have four (4) bays for semi repair or eight bays for straight truck repair, a truck wash bay, office, restrooms, storage, and showroom area. The building will be wood frame with steel siding, roofing, and trim.
4. The site plan illustrates a future option to add a 24' X 80' addition to the west side of the building for truck repair.
5. The Applicant proposes the four bays (also defined as eight bays) are to be used for repair, maintenance, and service of Curfman Trucking's own fleet and for the public business of repair/maintenance/service of other commercial trucks.

6. Curfman's private truck fleet consists of seventeen (17) trucks and seven (7) trailers.
7. The Applicant proposes a maximum of four (4) commercial trucks not owned by Curfman Trucking will be repaired on site on any day.
8. The proposed wash bay will be used for Curfman Trucking's own fleet. The Applicant projects two (2) fleet vehicles will be washed at the site each day.
9. The Applicant employs fifteen (15) truck drivers who drive to the site in personal vehicles and depart the site in a Curfman Trucking fleet vehicles. Fleet drivers work off-site throughout the day and return to the site at the close of the work day.
10. The Applicant employs an additional eight (8) persons on site, including office staff.
11. A water service line is present at the site of the existing foundation/proposed new structure.
12. A sanitary sewer service line will be extended from an existing service near the eastern property boundary.
13. The Applicant proposes three aggregate storage piles.
 - A. The two southernmost aggregate storage piles will be contained on three sides by a bunker wall a minimum of five (5) feet in height. The third aggregate storage pile (northernmost) will be contained on two sides by a bunker wall a minimum of five (5) feet in height.
 - B. Full capacity of each of the three bunkers will be 3,500 yards of material. An estimated 3,500 yards of red rock, 3,500 yards of unrecycled aggregate material, and 3,500 yards of recycled aggregate material.
 - C. Maximum estimated height of the outdoor storage piles is twenty-five (25) feet.
 - D. The Applicant estimates fifteen (15) loads of aggregate materials will pass in or out of the facility each day during the construction season (six to seven months of the year) and seven (7) in or outbound trucks loads of aggregate material will pass in or out of the facility each day during the off-season (five to six months of the year).
14. The Applicant proposes outdoor storage of tires, mulch, boulders, pallets, stones, and rocks in ten (10) bunkers each sized 20' by 20' and no greater than five feet in height if constructed of wood or eight feet in height if constructed of concrete. Tires stored outdoors will be covered to prohibit water from pooling in said tires.

15. The existing truck scale and truck scale building will be used privately by Curfman Trucking for the scaling of aggregate material.
16. Proposed parking will accommodate parking of Curfman Trucking's fleet of tractors, trailers, and trucks. Employee parking and spaces for trucks not owned by Curfman Trucking which are being repaired are also proposed.
17. A three foot driveway apron extended from the existing roadway surface is proposed.

WHEREAS, the City of Norwood Young America Planning Commission on June 6, 2017 held a public hearing regarding the conditional use permit request after the hearing notice was posted, published, and distributed as required under law; and,

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and,

WHEREAS, at a regularly meeting on June 26, 2017, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission,

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The subject property is zoned I-1 Light Industrial District.
2. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Code for properties with the I-1 District.
3. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the I-1 District.
4. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements because the proposed use is accessory and the existing structure which is currently served by a full array of urban services. The proposed use will not overly burden existing utilities in terms of volume used/capacity required or type of waste produced.
5. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
6. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. The Council finds adjacent uses are industrial in nature and the use as provided for in the City Code appears to blend in with the uses within the general locale.
7. The use, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. The subject site is within an area developed for industrial use.

8. Adequate utilities, access roads, drainage and necessary facilities are provided. The subject parcel is an existing, improved lot with a full complement of urban services provided.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a conditional use permit authorizing accessory outdoor storage, subject to the following conditions:

1. The conditional use permit is applicable only to the property at 600 Railroad Street West.
2. Approval of Resolution 2017-14, granting a variance to a required rear yard setback at 600 Railroad Street West.
3. Approval of Resolution 2017-14, relating to a site plan for a commercial trucking operation at 600 Railroad Street West.
4. The approval specifically authorizes ancillary outdoor storage at the subject site. Said outdoor storage is directly and specifically limited to that represented in the site plan dated July 17, 2017, attached hereto as Exhibit B.
 - a. A maximum of forty-three (43) vehicles may be stored on site at one time. Vehicles are limited to Curfman Trucking commercial fleet vehicles or commercial vehicles with a minimum of three axels. Fleet vehicles must be related to the contractor operation and under licensed ownership of the contractor operation.
 - b. Vehicles as defined above stored on site:
 - i. Must be in an operable condition;
 - ii. Must not be extensively damaged. "Extensively damaged" shall mean damage including such things as broken or missing tires and wheels, missing or non-operable motors, missing body parts, missing or broken windows, non-functioning drive train or transmission; and,
 - iii. Shall have a fair market value greater than the approximate value of the scrap in them.
 - c. A maximum of three (3) stockpiles of aggregate material are allowed on site provided:
 - i. The aggregate materials being stored near the southern property boundary shall be contained on three (3) sides by solid, continuous bunker walls with a minimum height of five feet constructed and maintained in a manner that aggregate materials are dependably contained within the walls at all times.
 - ii. The aggregate materials being stored near the northern property boundary shall be contained on two (2) sides by solid, continuous bunker walls with a minimum height of five feet constructed and maintained in a manner that aggregate materials are dependably contained within the walls at all times.

- iii. No single stockpile shall contain more than 3,500 cubic yards of material.
 - iv. No storage pile shall exceed twenty-five (25) feet in height at any time.
 - v. Aggregate materials allowed to be stored on site are limited to red rock, unrecycled aggregate material, and recycled aggregate material.
- d. Outdoor storage of tires, mulch, boulders, pallets, stones, and rocks is allowed provided items are stored in a designated bunker. A maximum of ten (10) bunkers each sized a maximum of twenty (20) feet by twenty (20) feet with a height no greater than five (5) feet if constructed of wood or eight (8) feet if constructed of concrete shall be allowed. The bunkers shall be located as depicted in the site plan attached hereto as Exhibit B. The storage bunker containing tires shall be covered at all times in a manner suitable to prevent water from pooling in tires. Outdoor storage of all other material or items on site is expressly prohibited, including but not limited to: garbage and refuse material; miscellaneous equipment and/or parts, tires, and fluids; brush and tree parts; horse, stock, or travel trailers, campers, unlicensed passenger vehicles, passenger automobiles not licensed as fleet vehicles, personal property, buses, agricultural equipment, portions of heavy construction equipment, and heavy construction equipment exceeding its normal lifecycle. Storage pods, shipping containers, and the like shall not be stored on the site unless completely enclosed within a principal or accessory structure as defined and approved by the City Council. Outdoor storage of pods, shipping containers, and the like is expressly prohibited under the terms of this conditional use permit, except for the three (3) existing storage containers currently on the site shall be allowed to remain.
- 5. Building permits for principal and accessory structure, including as needed for the bunker walls, shall be secured.
 - 6. Construction of the proposed 9,600 square foot principal structure shall be substantially completed prior to establishment of ancillary outdoor storage. A decision as to whether or not the construction is 'substantially complete' shall be rendered by the Building Official.
 - 7. A certificate of occupancy is issued for the proposed 9,600 square foot principal structure by December 31, 2018.
 - 8. This conditional use permit shall expire one year after date of approval unless the Applicant has commenced construction of the principal structure.
 - 9. This conditional use permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
 - 10. This conditional use permit shall be subject to annual inspection and audit by the City.

11. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of an approving Resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance, as may be amended.
12. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than twelve (12) consecutive months.

Adopted by the City Council this 28th day of August 2017.

Carol Lagergren
Mayor

Attest:

Kelly Hayes
Kelly Hayes, City Clerk/Treasurer

RESOLUTION 2017-15

EXHIBIT A

LEGAL DESCRIPTION

DESCRIPTION OF RECORD

That part of the North Half of Section 15, Township 115, Range 26, Carver County, Minnesota, described as follows:

Bounded on the North by the South right-of-way line of Trunk Highway No. 212;

Bounded on the South by the North right-of-way line of Old State Highway No. 212 now Railroad Street.

Bounded on the East by the following described line:

Commencing at the Southeast corner of Block 14, Village of Norwood, formerly Young America Station, according to the recorded plat thereof on file and of record in the office of the Register of Deeds, Carver County, Minnesota; thence running West along the North line of Railroad Street to the Southwest corner of Vacated Block 12, Village of Norwood, also being the point of beginning of the line to be described; thence Northerly along the Westerly line of said Block 12, the Westerly line of said Block 12 extended, the West line of Block 25, and the Westerly line of said Block 25 extended to the South right-of-way line of Trunk Highway No. 212 and said line there terminating.

Bounded on the West by the following described line:

Commencing at a brass monument in the centerline of the East bound lane of State Highway No. 212 distant 915 feet more or less West of the East line of the Northwest Quarter of Section 15; thence South 88 degrees 55 minutes East along the centerline of said East bound lane 745.0 feet; thence on a bearing of South 75.00 feet more or less to a point on the South right-of-way line of said State Trunk Highway 212, said point being the point of beginning of the line to be described; thence continuing on a bearing of South 468.68 feet to the North right-of-way line of Old State Highway No. 212 now Railroad Street, and said line there terminating.

EXCEPT the West 12 acres thereof.

PROPOSED REVISED DESCRIPTION

Part of the North Half of the Southwest Quarter of the Northeast Quarter and part of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter, all being part of Section 15, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the southeast corner of said Northeast Quarter of Section 15; thence on an assumed bearing of North 69 degrees 35 minutes 52 seconds West along the South line of said Northeast Quarter 1298.84 feet to the East line of the Southwest Quarter of the Northeast Quarter of said Section 15; thence North 00 degrees 24 minutes 32 seconds East along said East line 741.51 feet to a point on the northerly right-of-way line of Old State Highway No. 212, now Railroad Street, said point being the point of beginning of the tract to be described; thence North 83 degrees 58 minutes 29 seconds West along said northerly right-of-way line 427.77 feet to the East line of the East 6.00 acres of the West 12.00 acres as described in Document No. 440294 and recorded at the Carver County Recorder's Office; thence North 00 degrees 38 minutes 55 seconds East along said East line 532.35 feet to the southerly right-of-way line of Trunk Highway No. 212; thence South 88 degrees 50 minutes 50 seconds East along said southerly right-of-way line 6.90 feet; thence easterly along said southerly right-of-way line along a tangential curve that is concave to the North, said curve having a central angle of 04 degrees 26 minutes 26 seconds, a radius length of 5804.58 feet, an arc length of 449.87 feet, a chord bearing of North 88 degrees 49 minutes 39 seconds East and a chord length of 449.76 feet to the West line of vacated Blocks 12 and 25 and its northerly extension in the Village of Norwood, formerly Young America Station; thence South 00 degrees 24 minutes 32 seconds West, not tangent to last described curve, along said West line 585.13 feet to the North line of Railroad Street as platted; thence North 82 degrees 10 minutes 32 seconds West along said North line 33.28 feet to the East line of said Southwest Quarter of the Northeast Quarter; thence South 00 degrees 24 minutes 32 seconds West along said East line 5.69 feet to the point of beginning. This tract contains 5.86 acres of land and is subject to any and all easements of record.

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RESOLUTION 2017-09

A RESOLUTION APPROVING AN INTERIM USE PERMIT TO ALLOW OUTDOOR STORAGE (RACK SYSTEM FOR OFF-LOADING) AT 508 MERGER STREET

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, an interim use permit is required under §1230.09, Subd. 5(A) of the City Code which provides for the proposed outdoor storage in the C-2 General Commercial District; and

WHEREAS, Joel Battenhoff, Faxon RD Investors LLC (Property Owner) and Tim Conyard, d.b.a. Cedar Direct Minnesota (Lessee), together the Applicants, (the "Applicant") have applied for an interim use permit to allow the placement of an outdoor storage rack which will be used for off-loading of product (the "Use") at the property located at 508 Merger Street (the "Property"); and

WHEREAS, the Property is identified as parcel number 588490010 and legally defined as Lot 1, Block 1, YA Addition; and,

WHEREAS, the Applicant makes the following representations which the City accepts as a good faith representation of the proposed operation:

1. A metal racking system will be used to facilitate the transfer of product to/from an established use at the subject address. The racking system is to be twenty-five (25) feet in length, approximately four (4) feet in depth, and sixteen (16) feet in height.
2. No other outdoor storage is proposed in conjunction with the use of the property.
3. The racking system will be made of durable metal.

WHEREAS, the City of Norwood Young America Planning Commission on March 21, 2017 held a public hearing regarding the request after the hearing notice was posted, published, and distributed as required under law; and

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and

WHEREAS, at a regular meeting on March 27, 2017, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

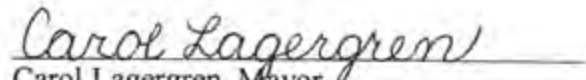
1. The subject property is zoned C-2, General Commercial District.
2. The racking system as proposed is defined as a temporary staging area and not a 'storage yard' as referenced in Section 1210.06 (B) of the Code.
3. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Ordinance for properties with the C-2 District.
4. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the C-2 District.
5. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements as it is one piece of equipment proposed to be stored outdoors at the subject site.
6. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
7. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. No changes to the existing property, structure, or parking facility are proposed.
8. The proposed outdoor storage, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
9. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves an interim use permit authorizing the placement of an outdoor storage rack which will be used for off-loading of product at 508 Merger Street, subject to the following conditions:

1. The approval specifically authorizes the placement of an outdoor storage rack which will be used for off-loading of product (the "Use") at the property located at 508 Merger Street (the "Property"). No other use shall be allowed under this Interim Use Permit.
2. This approval is applicable only to the property at 508 Merger Street.
3. The metal racking system shall have the approximate dimensions of: twenty-five (25) feet in length, approximately four (4) feet in depth, and sixteen (16) feet in height
4. A maximum of one (1) racking system is allowed.
5. This approval shall expire one year after date of approval unless the Applicants have commenced operation of the Use on-site.
6. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
7. The permit shall be subject to annual inspection and audit by the City.

8. The City may revoke the IUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
9. The interim use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.
10. The storage rack shall be appropriately anchored to prevent movement as directed by the Building Official.
11. The term of this interim use permit shall terminate upon cessation of a lease between the Property Owner and Lessee.

Adopted by the City Council this 27th day of March, 2017.


Carol Lagergren, Mayor

ATTEST:


Kelly Hayes, City Clerk/Treasurer

RESOLUTION NO. 2013-46

A RESOLUTION APPROVING AN INTERIM USE PERMIT TO ALLOW OUTDOOR STORAGE AT 301 INDUSTRIAL BOULEVARD

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, the City of Norwood Young America requires an interim use permit for outdoor storage as an accessory use in the B-1 (Business Industrial) Zoning District; and

WHEREAS, Hydro Operating, LLC, d.b.a. Hydro Engineering, (the "Applicant") has applied for an interim use permit to allow outdoor storage as an accessory use (the "Use") at 301 Industrial Boulevard, in Norwood Young America (the "Property"); and

WHEREAS, the City of Norwood Young America Planning Commission held a public hearing to consider the Applicants' request for the interim use permit during the regular meeting on August 20, 2013; and

WHEREAS, the City of Norwood Young America City Council at a regular meeting on September 9, 2013, considered the testimony of the public hearing, the application materials on file with the City, and the recommendation of the Planning Commission.

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The Applicant has requested an Interim Use Permit for the Use at 301 Industrial Boulevard in the B-1 District.
2. Outdoor storage is allowed as an accessory use in the B-1 District, provided an interim use permit is issued and subject to certain conditions listed below.
3. The Use appears to be consistent with the requirements of the Zoning Ordinance and Comprehensive Plan for properties in the B-1 District, subject to certain conditions listed below.
4. The Use does not appear to have an undue adverse impact on the public health, safety or welfare, subject to certain conditions listed below.
5. The use does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood, subject to certain conditions listed below.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves the Applicants' request for an interim use permit to allow outdoor storage at the Property, subject to the following conditions:


1. The outdoor storage shall occur in accordance with the Site Plan and Registered Certificate of Survey attached as Exhibit B to the Planning Consultant Memo to the City Council dated September 5, 2013.

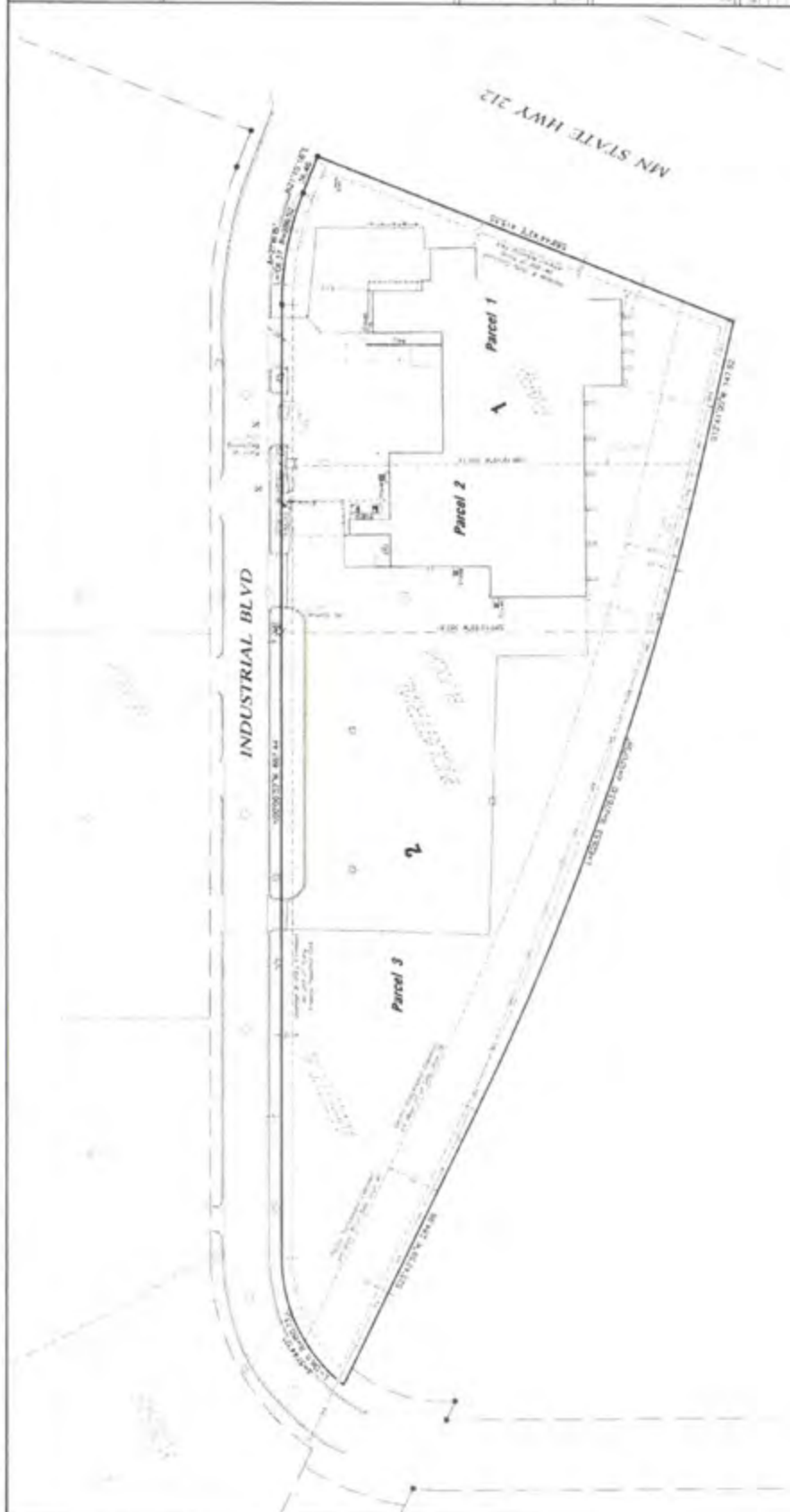
2. All outdoor storage shall be entirely enclosed in a fence as proposed in Exhibit C attached to the Planning Consultant Memo to the City Council dated September 5, 2013
3. The fencing standards of Chapter 1245.05, Subd. 3; Subps. A-H, as included in the Planning Consultant Memo to the City Council dated September 5, 2013 and effective on the date of approval of the IUP shall apply
4. The Property Owner shall control noxious weeds and/or grass height and maintain compliance with City Code standards pertaining thereto, as may be amended.
5. The Interim Use Permit will expire ten (10) years from the date of Council approval and/or upon the sale of the real estate.
6. The Interim Use Permit is subject to an annual compliance audit by the Planning Commission.
7. The City may revoke the IUP upon violation of the interim use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
8. The Use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.
9. The Use is specific to and only applies to the accessory use of outdoor storage. This accessory use allowed under this Resolution may change to a permitted accessory use in the B-1 District without further action by the City Council; however the Use may not change to another conditional or interim use without a new application and approval by the City Council.
10. This resolution does not apply to the Principal Use of the Property as a metal fabrication business.

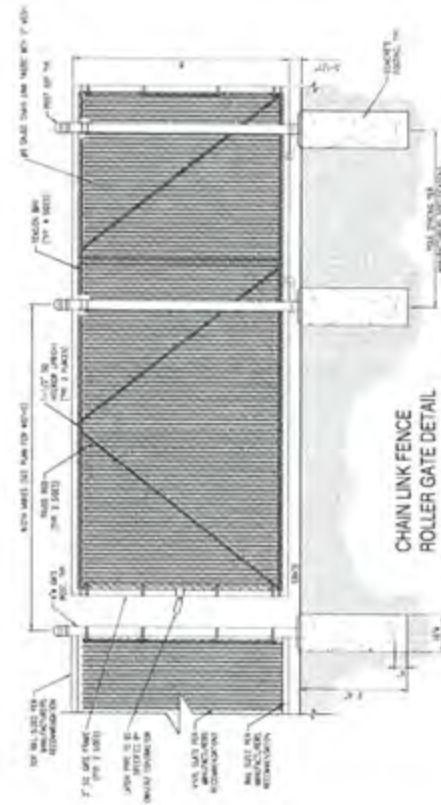
Adopted by the City Council this 9th day of September, 2013.


Mayor

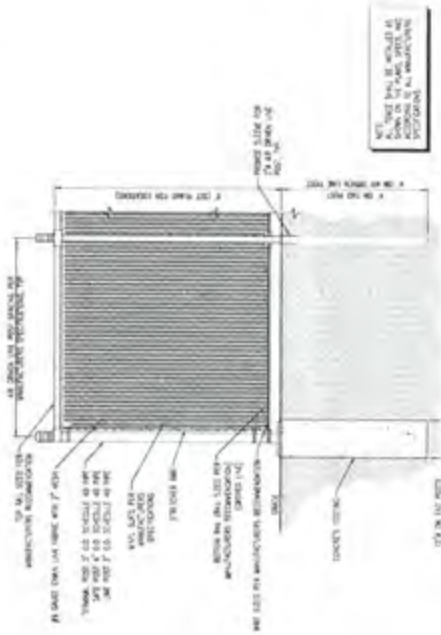
ATTEST:


Diane Fraundienst
City Clerk/Treasurer

[illegible][illegible]



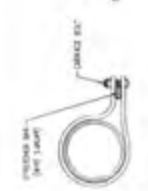
**CHAIN LINK FENCE
 ROLLER GATE DETAIL**
 N.T.S.



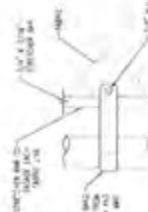
8' CHAIN LINK FENCE W/VINYL SLATS DETAIL
 N.T.S.



**TIE WIRES FOR
 TOP OR BRACE RAIL**
 N.T.S.



**STRETCHER BAR
 BAND DETAIL**
 N.T.S.



END OR GATE POST DETAIL
 N.T.S.



**TYPICAL HORIZONTAL BRACE RAIL
 ATTACHMENT AT CORNER POST**
 N.T.S.



**BAND FOR
 WIRE STRETCHING**
 N.T.S.

RESOLUTION NO. 2013-20

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A CONVENIENCE STORE WITH MOTOR FUEL SALES LOCATED AT 320 HWY 212 W

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, the City of Norwood Young America requires a conditional use permit for Convenience Stores with Motor Fuel Sales in the C-2 (General Commercial) Zoning District; and

WHEREAS, Kwik Trip Inc, (the "Applicant") has applied for a conditional use permit to allow construction of a convenience store with motor and diesel fuels sales (the "Use") at 320 Highway 212 W, in Norwood Young America (the "Property"); and

WHEREAS, the City of Norwood Young America Planning Commission held a public hearing to consider the Applicants' request for the conditional use permit during the regular meeting on March 28, 2013; and

WHEREAS, the City of Norwood Young America City Council at a regular meeting on April 8, 2013, considered the testimony of the public hearing, the application materials on file with the City, and the recommendation of the Planning Commission.

THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The Applicant has requested a Conditional Use Permit for the Use at 320 Hwy 212 W in the C-2 District.
2. Convenience Stores with Motor Fuel Sales may be permitted as conditional use in the C-2 District, subject to certain conditions listed below.
3. The Use appears to be consistent with the requirements of the Zoning Ordinance and Comprehensive Plan for properties in the C-2 District, subject to certain conditions listed below.
4. The Use does not appear to have an undue adverse impact on the public health, safety or welfare, subject to certain conditions listed below.
5. The use does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood, subject to certain conditions listed below.
6. Adequate utilities and road access appear to be provided to the Property, subject to certain conditions listed below.
7. The Property appears to have sufficient off-street parking for vehicles associated with the Use.
8. The use appears to meet all of the performance criteria requirements of Section 1245.01 of the Zoning Ordinance, subject to certain conditions listed below.

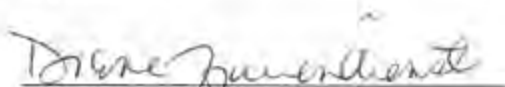
THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves the Applicants' request for a conditional use permit to allow a convenience store with motor fuel sales, on the subject property, subject to the following conditions:

1. Approval of Resolution 2013-19" A Resolution approving a site plan for Kwik Trip on property located at 320 Highway 212 W."
2. Installation of a hydrant north of the car wash
3. The developer shall pay for the cost of installation of a sidewalk or trail, when installed by the City in the future, along County Road 33/Hwy5/25 from Highway 212 to 7th Street, and on 7th Street from County Road 33 to the east edge of the Kwik Trip property.
4. Identification of a car wash sand trap and store grease trap on the plans
5. The applicant shall meet the performance standards established in Section 1245.01 of the Zoning Ordinance.
6. All necessary building permits shall be obtained prior to construction of the Use on the Property.
7. This approval shall expire one year after date of approval unless the Applicants have commenced operation of the Use on-site.
8. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
9. The permit shall be subject to annual inspection and review by the City. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
10. The conditional use permitted under this Resolution 2013- shall be revoked if the Use ceases for more than 12 consecutive months.
11. The Use permitted under this Resolution 2013-20 may change to a permitted use in the C-2 District without further action by the City Council; however the Use may not change to another conditional use without a new application and approval by the City Council.

Adopted by the City Council this 8th day of April, 2013.


Mayor

ATTEST:


Diane Frauendienst
City Clerk/Treasurer

RESOLUTION 2017-18

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW ACCESSORY OUTDOOR STORAGE AT 170 INDUSTRIAL BOULEVARD

BE IT RESOLVED by the City Council of Norwood Young America, Carver County, Minnesota as follows:

WHEREAS, a conditional use permit is required under §1230.11, Subd. 4 of the City Code which provides for accessory outdoor storage in the B-1, Business Industrial District; and

WHEREAS, Citizens State Bank (Property Owner) and Paul Jeurissen (Property Buyer) (the "Applicants") have applied for a conditional use permit to allow accessory outdoor storage of marine recreational products at 170 Industrial Boulevard, (the "Property"); and

WHEREAS, the subject property is identified as parcel 588500110 and legally described as S 220' of Lot 3, Block 003 As Meas At RT Angles To S Line of Lot 3, Young America Industrial Park; and

WHEREAS, the Applicant makes the following representations which the City accepts as a good faith representation of the proposed operation:

1. The principal use of the property is a contractor yard with accessory retail which are permitted uses in the B-1 District.
2. Approximately ten (10) percent totaling of the area of the principal structure, approximately 400 square feet, will be used for retail purposes. The remaining will be used for contractor operations and warehousing.
3. Items stored outdoors at the site will be limited to marine recreational products.
4. A maximum of fifty (50) units of marine recreational products will be stored outdoors on the site at any one time.
5. At least five (5) parking spaces in the parking lot in front of the building will be reserved for customer and employee parking.
6. There will be one to three employees at the site with additional seasonal employees.
7. No structural changes to the principal structure are proposed. The Applicant may at some point in the future remove the existing greenhouse and replace with a permanent structure (will require a building permit).

WHEREAS, the City of Norwood Young America Planning Commission on August 1, 2017 held a public hearing regarding the request after the hearing notice was posted, published, and distributed as required under law; and

WHEREAS, the Planning Commission, after review and discussion, recommended the City Council approve the use permit based on several conditions; and

WHEREAS, at a regularly meeting on August 28, 2017, the City Council considered the application materials on file with the City and the recommendation of the Planning Commission.

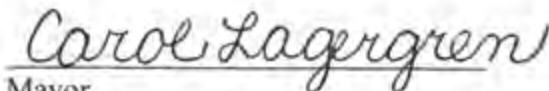
THEREFORE, BE IT RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby makes and adopts the following findings of fact:

1. The subject property is zoned B-I Business Industrial District.
2. The Use, subject to certain conditions listed below, appears to be consistent with the intent of the Zoning Ordinance for properties with the B-I District.
3. The Use, subject to certain conditions listed below, appears to be consistent with the goals and policies set forth in the City of Norwood Young America Comprehensive Plan for properties in the B-I District.
4. The use, subject to certain conditions below, does not appear to have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements because the proposed use is accessory and the existing structure which is currently served by a full array of urban services. The proposed use will not overly burden existing utilities in terms of volume used/capacity required or type of waste produced.
5. The use, subject to certain conditions below, does not appear to pose an undue adverse impact on the public health, safety or welfare.
6. The use, subject to certain conditions below, does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood. The Council finds adjacent uses are business/industrial in nature and the use as provided for in the City Code appears to blend in with the uses within the general locale.
7. The use, subject to certain conditions below, will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. The subject site is within a fully developed business/industrial district.
8. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided. The subject parcel is an existing, improved lot with a full complement of urban services provided.

THEREFORE, BE IT FURTHER RESOLVED, that the City Council of Norwood Young America, Carver County, Minnesota, hereby approves a conditional use permit authorizing accessory outdoor storage of marine related products at 170 Industrial Boulevard, subject to the following conditions:

1. Outdoor storage is approved for the property at 170 Industrial Boulevard, accessory to a contractor operation.
2. Items stored outdoors at the site shall be limited to marine recreational products.
3. A maximum of fifty (50) units of marine recreational products may be stored outdoors on the site at any one time.
4. At least five (5) parking spaces in the parking lot in front of the building shall be reserved for customer and employee parking.
5. Vegetative evergreen screening, envisioned as arborvitae, shall be planted near the north side property line beginning at the northeast corner of the existing principal structure and extending to the berm in the rear yard. Screening shall be placed at approximately ten foot intervals.
6. Any signage shall require issuance of a sign permit.
7. Any changes to outdoor lighting shall require approval from the City.
8. This approval shall expire one year after date of approval unless the Applicants have commenced operation of the use on-site.
9. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
10. The permit shall be subject to annual inspection and audit by the City.
11. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution, subject to the requirements of Section 1210.06, Subd. 5 "Revocation of Conditional Use Permits" of the Zoning Ordinance.
12. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.

Adopted by the City Council this 28th day of August 2017.


Mayor

Attest:

Kelly Hayes, City Clerk/Treasurer

BUILDING PERMIT REPORT - FEBRUARY**PLAN CHECK**

PERMIT #	NAME	ADDRESS	PURPOSE	DATE	PERMIT FEE	FEE	SURCHARGE	VALUE
2018001	Diversified Plumbing	125 Railroad St E	Addition	1/16/2018	\$1,339.60	\$870.74	\$70.00	\$140,000.00
2018002	Tom Worm	7 1st Street NE	Remodel	1/10/2018	\$228.65	\$109.62	\$5.00	\$8,000.00
2018003	Taylor Peters	418 Morse St	Plumbing	1/16/2018	\$60.00	\$0.00	\$1.00	\$0.00
2018004	Felipe Robinson	222 Oak St S	Reside	1/17/2018	\$55.00	\$0.00	\$1.00	\$0.00
2018005	Mark Paulson	915 Barnes Lake Dr	Water heater replace	1/23/2018	\$15.00	\$0.00	\$1.00	\$0.00
2018006	City of NYA	321 South St W	Warming House	1/24/2018	\$153.25	\$99.61	\$3.50	\$6,200.00
2018008	Jean Toenges	385 Emma Street	Replace Furnace	1/24/2018	\$60.00	\$0.00	\$1.00	\$0.00
2018009	Joel Klaustermeier	517 Devonshire Dr	Rewindow	1/29/2018	\$55.00	\$0.00	\$1.00	\$0.00
2018010	Vernon Darland	218 Brush St	Replace Furnace	1/31/2018	\$60.00	\$0.00	\$1.00	\$0.00
2018011	Diversified Plumbing	125 Railroad St E	Plumbing	2/8/2018	\$107.05	\$69.58	\$2.00	\$3,500.00
2018012	Lift Management	604 Shoreview Lane	New Twinhome	2/13/2018	\$15,108.26	\$1,407.28	\$140.00	\$237,150.00
2018013	Lift Management	610 Shoreview Lane	New Twinhome	2/13/2018	\$14,848.46	\$1,287.16	\$124.00	\$243,200.00
2018014	Taylor Peters	418 Morse St	Bath Remodel	2/21/2018	\$147.85	\$89.60	\$4.00	\$6,000.00
2018015	Diversified Plumbing	125 Railroad St E	HVAC		\$199.45	\$129.64	\$5.00	\$10,000.00
2018016	Roland Latzig	514 Devonshire Dr	Replace Furnace & AC	2/26/2018	\$120.00	\$0.00	\$1.00	\$0.00
2018017	Nick Rogosinski	515 Morse St	Foundation Repair	2/28/2018	\$122.45	\$79.59	\$2.50	\$5,000.00
2018018	John Hoklin	880 Lakewood Trail	Finish Basement		\$382.65	\$209.72	\$10.00	\$18,000.00