



Norwood Young America Planning Commission

Tuesday, January 8, 2019

Norwood Young America City Council Chambers, 310 Elm St. W.

6:00 p.m.

AGENDA

1. Call to Order
Pledge of Allegiance
2. Adoption of Agenda
3. Appointment of Officers and representatives to Commissions
4. Approve Minutes of December 4, 2018 meetings
5. Introductions, Presentations, and Public Comment
(Citizens may address the Planning Commission about any non-agenda item of concern. Speakers must state their name, address, and limit their remarks to three minutes. The Planning Commission will take no official action on these items, but may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting.)
6. Public Hearings
 - A. Conditional Use Permit – 232 Main Street East
7. Old Business
 - A. Resolution No. 2019-01, a resolution certifying findings of conditional and interim use permit audit by the Norwood Young America Planning Commission
8. New Business
 - A. Conditional Use Permit – 232 Main Street East
 - B. Discuss Auto Repair Uses
9. Miscellaneous
 - A. December Building Permit Report
10. Commissioner's Reports
11. Adjourn

**Jerry
Barr**

**Mike
Eggers**

**John
Fahey**

**Bill
Grundahl**

**Paul
Hallquist**

**Craig
Heher
Council
Liaison**

UPCOMING MEETINGS

January 9th Economic Development Commission 6:00 p.m.
January 14th City Council meeting 6:00 p.m.
January 15th Parks & Recreation Commission meeting 4:45 p.m.
January 28th City Council Work Session/EDA/Regular meeting 6:00 p.m.
February 5th Planning Commission meeting 6:00 p.m.
March (TBA) Joint Meeting – City Council, PC, EDC, & Chamber Board 6:00 p.m.



TO: Planning Commission

FROM: Steven Helget, City Administrator

DATE: January 8, 2019

SUBJECT: Appointment of Officers and representatives to Commissions

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In accordance with City Code, the Planning Commission at its first meeting of the year is to appoint a chairperson who is to serve a one year term. The Commission may also appoint other officers as it deems appropriate such as a vice-chairperson. In addition, City Code states the Commission shall appoint a secretary from its members. In the past staff has performed the duties of secretary such as taking meeting minutes and can continue to perform those duties but a secretary should be appointed from the Commission members.

Also in accordance with City Code, the Planning Commission is to annually appoint a representative to serve on the Parks and Recreation Commission and the Economic Development Commission.

Suggested Motions:

Motion to appoint _____ as Chairperson.

Motion to appoint _____ as Vice-Chairperson.

Motion to appoint _____ as Secretary.

Motion to appoint _____ to serve on the Parks & Recreation Commission.

Motion to appoint _____ to serve on the Economic Development Commission.

Norwood Young America

*Norwood Young America
Planning Commission Minutes
December 4, 2018*

Present: Commissioners Jerry Barr, Mike Eggers, Bill Grundahl, Paul Hallquist, and Craig Heher.

Absent: Commissioner John Fahey.

Staff: City Administrator Steve Helget and Planning Consultant Cynthia Smith Strack.

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 – Eggers, second Barr to approve the agenda as presented. The agenda was approved 5-0.

3. Approval of Minutes from the Regular Meeting November 7, 2018.

Heher introduced the minutes from the November 7, 2018 regular meeting.

Motion – Grundahl to approve the November 7, 2018 meeting minutes. Second by Hallquist. With all in favor the minutes were approved 5-0.

4. Public Comment.

No one spoke during the public comment agenda item.

5. Public Hearings.

A. Floodplain Code Amendment.

Chairperson Heher introduced the public hearing and explained the public hearing process. The hearing was opened at 6:03.

Strack noted a recent floodplain mapping update identified existing floodplain in the City of Norwood Young America. The floodplains are illustrated on a flood insurance rate map. Mapped floodplain zones include areas near Young America, Barnes, and Brand Lakes along with floodplain adjacent to a wetland complex in Young America Township that is located partially within the area subject to orderly annexation agreement. Mapped floodplain zones are also located west of the corporate limits adjacent to the South Fork of the Crow River. It appears there are no dwellings within the mapped floodplain in the corporate limits at this time.

In order for property owners in the City to be eligible for flood insurance, the City has been notified by the Federal Emergency Management Agency (FEMA) that it must provide for floodplain regulations by December

21, 2018. Prior to this time the City did not have identified floodplains, and, therefore did not have floodplain standards in place.

The FEMA deadline for placing standards into effect is firm and non-negotiable. The Minnesota Department of Natural Resources assists local communities with adopting regulations that satisfy the FEMA requirements. The DNR provided a sample ordinance which has been updated to be incorporated in the zoning chapter of the City Code. Staff is working with the DNR to meet the FEMA deadline. Notice of public hearing has been published and posted. At this time no comment for or against the proposed code has been received.

The amendment includes several standards.

A statement of purpose/intent: to regulate development in flood hazard areas, to enable eligibility for flood insurance, and to protect water quality and ecological/environmental benefits of flood plain areas.

General standards, including adoption of flood insurance rate map panels 27019C0165D and 27019C0170: Map ending with 170D includes areas adjacent to Young America, Barnes, and Brand Lakes and a larger wetland complex in Young America Township. Map ending with 165D includes floodplain adjacent to the South Fork of the Crow River west of the corporate limits.

Definitions of various terms pertaining to floodplains.

Creation of the floodway and flood fringe districts and use and development standards for both districts. The floodway is where water typically flows; the flood fringe are areas typically inundated with water following flood event.

Floodway uses including: open spaces uses like boat launches/ramps, swimming areas, park/wildlife preserves, trails, hunting/fishing areas; residential yards, lawns, and gardens; railroads, streets, bridges, transmission lines, and pipelines; subject to conditional use permit: marinas, boat rentals, permanent docks/piers, water control structures and navigational facilities; and certain fences.

Flood fringe uses including: uses allowed in underlying zoning districts – however, these are subject to fill limitations and must have first floor elevation at least one foot above the regulatory flood protection elevation.

Standards applicable to subdivisions of property, railroads, roads, utilities, manufactured homes, and recreational vehicles;

Administrative standards for processing of conditional use permits, variances, and nonconforming uses. The DNR must be notified of any request for a CUP or variance.

The DNR has conditionally approved the City's draft floodplain standards.

Chairperson Heher inquired as to whether or not City Administrator Helget had comment on the draft. Helget did not have any comments and noted he had not received public comment for or against the proposed amendment.

Hallquist noted fill over 1,000 cubic yards requires a conditional use permit, however, raising elevation with less fill is possible. Strack concurred noting any activity in the floodplain must consider the action's impact on the floodplain and elevation. Strack noted the floodplain was often coterminous with shoreland overlay but standards provided under both types the code would apply.

Motion – Grundahl, Second Eggers to close the public hearing. Motion approved 5-0 with the hearing closed at 6:14 p.m.

6. Old Business.

Conditional Use Permit Audit.

Chairperson Heher introduced the agenda topic.

Strack highlighted a CUP report matrix included in the packet. She noted in response to Chairperson Heher's inquiry regarding need for a public hearing at the November meeting she reexamined actions taken by the Commission during the last audit. Strack noted although not required the Commission chose to hold a public hearing to formalize its review. Strack also referenced a resolution included in the packet. The resolution could be acted on at this time in the event the Commission opted not to pursue a public hearing. The resolution was suggested as a simple means to track action on CUP/IUP that had expired.

Strack noted the following appears to have expired: 508 Merger Street: Resolution 2017-09 interim use permit for outdoor storage of racking system. The racking system has been removed from the property and the applicant is no longer occupying the site; 300 Industrial Boulevard: Resolution 2015-19 authorized outdoor storage of automobile for display/sale (Rogomobiles). The Use has ceased for over one year; and 200 Industrial Boulevard: Resolution 2003-19 provided for outdoor storage of garbage trucks and bins. The use has ceased for greater than one year.

Helget provided an update on compliance letters mailed to Molnau Trucking and Curfman Trucking. Molnau noted an issue pertaining to wetlands and unusual fall weather had prohibited spreading of fill authorized by the City earlier in the year. As such it was stockpiled on site. Molnau also represented some trees on the berm were still alive and were not removed.

Helget reported that Steve Curfman represents the unusual fall weather prohibited placement of barriers around material stockpiles. Curfman requested a compliance extension to July 1, 2019. Curfman also requested the City consider authorizing public truck repair in the I-1 District.

The Commission discussed the requests and recommended extending both CUP compliance deadlines to July 1, 2019.

Strack is to formulate questions to determine an approach to Mr. Curfman's request for consideration of truck repair in industrial districts.

Grundahl noted Molnau Trucking may be moving from the site. Grundahl inquired as to what happens to the CUP if a move occurs. Strack noted the CUP runs with the land and not the property owner. If an identical use was to be established then the current CUP standards would apply. If a different use was proposed a new CUP may have to be issued. If the property remains vacant for over one year the existing CUP would expire.

The Commission discussed holding a public hearing on the CUP audit findings.

Motion – Hallquist, Second Barr to call for a public hearing on the CUP audit at the January meeting. Motion approved 5-0.

7. New Business.

A. Floodplain Code Amendment.

Chairperson Heher introduced the agenda item.

Strack provided a brief overview of the proposed code amendment and referenced a letter included in the Commission meeting packet from the DNR conditionally approving the code amendment.

Helget inquired whether or not the DNR would need to be notified in the future if the floodplain standards were proposed for amendment. Strack confirmed the DNR would need to be notified of any proposed amendment to the code, any conditional use permit pertaining to land within the floodplain, and of any variance requests pertaining to parcels within a floodplain district. Strack further stated state and federal rules govern what may and may not occur within floodplains. The state and federal standards are minimums meaning the City could be more restrictive but not less restrictive. For example, the City could require three feet of free board above the regulatory flood elevation but not less than one foot.

Motion – Eggers, Second Grundahl to recommend the City Council approve the floodplain code amendment as presented. Motion approved 5-0.

B. 2018 Annual Report and 2019 Planning Commission Goals.

Chairperson Heher introduced the agenda item.

Strack provided an overview of the report noting the Commission met eleven times in 2018 and functioned in planning, regulatory, and legislative capacities. She stated a summary of each meeting actions were included in the annual report. The Commission had processed several requests from the public in an efficient manner and addressed substantial issues impacting the overall growth and redevelopment of the City. Strack congratulated the Commission on their efforts.

Commissioners acknowledged the level of work completed in 2018 and thanked staff for support.

Commissioner Hallquist noted Commissioner Barr's oath of office was not included in the report. Strack apologized for the omission and noted it will be added to the report prior to distribution to the Council.

Proposed goals for 2019 were established as follows:

1. Consider numerous inquiries received regarding auto repair shops in commercial and industrial districts. At this time automobile 'service stations' are allowed under CUP in the C-2 General Commercial District. Automobile "repair, major" is allowed as a permitted use in the B-I Business Industrial District, and auto repair as an accessory use is allowed in the C-3 Downtown District. At this time auto repair (either major or minor) is allowed as a principal use in the C-3, RC-1, or I-1 District. Discussion about where auto repair may fit in alternate zones and under what conditions could be examined.
2. Consideration of accessory dwelling units as allowed uses in certain residential districts as a means of addressing community of a lifetime and active aging issues. In 2016 we opted out of a recently enacted state law requiring "drop homes" be permitted as temporary health care dwellings.
3. Update the zoning map to be consistent with 2040 planned land use.
4. Review the roles/responsibilities of the Planning Commission as included in Chapter Two of the City Code.
5. Review standards pertaining to the number of over-story trees required for new commercial/industrial buildings and building expansions.

Motion – Hallquist, Second Barr to approve the annual report with noted changes and authorize/direct submittal to the City Council for consideration. Motion approved 5-0.

C. January Regular Planning Commission Meeting Date.

Chairperson Heher noted the January meeting night is New Year's Day.

Motion – Grundahl, Second Eggers to change the January Planning Commission meeting date to January 8, 2019.
Motion approved 5-0.

8. Miscellaneous.

A. November Building Permit Report.

The Commission reviewed the November building permit report.

9. Commissioner Reports.

Grundahl , Barr, Hallquist, and Eggers did not have reports to share.

Heher updated the Commission on recent Council actions, including: approval of 2019 planning consultant contract; approval of a CUP amendment for Southwest Paving as recommended by the Commission; approval of variances for Scott and Jean Nelson as recommended by the Planning Commission; and approval of a contract with Marco Business Services for information technology services.

Heher noted a letter mailed to property owners inviting them to a City Council public hearing pertaining to the 2020 U.S. Highway 212 project which includes a reduced conflict intersection at Tacoma Blvd. and closing of the south intersection of Morse Street.

Helget updated the Commission on landscaping and a soil stockpile left over from the Vickerman Company expansion project.

10. Adjourn

Motion – Eggers, Second Hallquist to adjourn the meeting. With all in favor the meeting was adjourned at 7:01 p.m.

Respectfully submitted,

Steven Helget
Zoning Administrator

***Norwood Young America
Planning Commission Minutes
December 4, 2018
Work Session***

Present: Commissioners Jerry Barr, Mike Eggers, Bill Grundahl, Paul Hallquist, and Craig Heher.

Staff: City Administrator Steve Helget and Planning Consultant Cynthia Smith Strack.

The meeting was convened by Chair Heher at 7:03 pm. Heher noted the purpose of the work session was to receive a presentation pertaining to Planning Commission roles/responsibilities, the open meeting law, data privacy law, and promotion of civility in public meetings.

Strack reviewed a presentation with the Commission and took questions.

The work session adjourned by consensus at 7:39 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: January 8, 2019

Re: Public Hearing Conditional Use Permit: 232 Main Street East

BACKGROUND

Wayne Kerber (Applicant) and Alvera Clark (Property Owner) have applied for a conditional use permit to use 232 Main Street East for storage of personal automobiles. The site has been vacant for over a year and is zoned C-3 Downtown District.

Chapter 1230.10, Subd. 4 of the City Code provides for:

“Auto Dealership Sales, Storage, and Display with or without ancillary minor auto repair and service, provided:

- i. Sales, display, and storage are limited to new and used passenger automobiles.*
- ii. A valid dealership license is maintained.*
- iii. Office space devoted to perform transactions in conjunction with the business is provided on site.*
- iv. Service and repair, if provided, are clearly secondary and subordinate to the use of the property for auto dealer sales, display, and storage.*
- v. Auto service and repair, if provided, shall be conducted indoors and all automobiles undergoing service or repair shall be stored off-street.*
- vi. Auto repair shall not include vehicle painting or auto body work.”*



The use of the property for storage of personal automobiles may be viewed as provided for under Section 1230.10, Subd. 4 as a conditional use. As such, a conditional use permit is in order to define and memorialize the proposed use. Attached please find an application for a CUP. The Applicant proposes no changes to the building footprint.

REVIEW OF REQUEST

The Applicant requests the City consider issuance of a CUP for storage of personal automobiles at 232 Main Street East.

The Applicant proposes, as evidenced by the narrative attached, to use the building for storage of personal vehicles and for working on/repairing personal vehicles. The CUP at this time will be specific to storage and working on personal vehicles.

Hearing Requirements

A public hearing notice has been drafted, published, and distributed to property owners within 350 feet of the subject parcel.

Comments Received

As of the drafting of this memo no comments were received.

Examination of Code Requirements

Norwood Young America code requirements applicable to this Conditional Use Permit Request are itemized below; consulting staff comments are illustrated in ***red bold, italic type face***.

General Criteria for Approval of Conditional Use Permits

The Planning Commission is to examine the request under Section 1210.06 Conditional Use Permits, Subd. 3(A). The City may, as it deems necessary to protect the health, safety, and general welfare of the public, require additional performance standards.

1. The use is consistent with goals, policies and objectives of the Comprehensive Plan.
DISCUSSION: The 2008 NYA Comprehensive Plan guides the subject area to continued commercial use.
2. The use is consistent with the intent of this Ordinance. ***DISCUSSION: The intent of the C-3 District is to provide for uses within traditional downtown areas. No changes to building footprint and/or structure appearance is proposed.***
3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements. ***DISCUSSION: 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.***
4. The use does not have an undue adverse impact on the public health, safety or welfare.
DISCUSSION: The proposed use will be operated within an existing structure.
5. The 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. ***DISCUSSION: Adjacent uses are commercial/mixed use in nature. The less intensive auto use appears to blend in with the uses within the general locale.***
6. The use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. ***DISCUSSION: The subject site lies within a fully developed part of the original townsite and appears to be consistent with adjacent uses.***
7. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.
DISCUSSION: The subject parcel is an existing, improved lot with a full complement of urban services provided.
8. Adequate measures have been or will be taken to provide for vehicular and pedestrian safety and convenience to, from and within the site. ***DISCUSSION: No changes to the structure are proposed. Vehicular and pedestrian circulation patterns are already established.***
9. The use meets all of the performance criteria requirements as established in Section 1245.01 of this chapter. ***DISCUSSION: As a condition of approval, the proposed use shall meet the requirements of Section 1245.01 of the City Code relating to noise, vibration, smoke, particulate matter, odor, and connection to municipal utilities.***

10. The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. ***DISCUSSION: The lot is approximately 6,000 sf with a width of approximately 45 feet. The lot is legal, non-conforming relative to minimums of 7,000 sf (lot size) and 50 feet (lot width). The existing structure is lower than the maximum building height. Setbacks are achieved and the architectural standards and guidelines of Section 1245.03 are not applicable as new construction/expansion is not contemplated.***

Conditions of Approval

All conditions pertaining to a specific site are subject to change if the City finds that the general welfare and public betterment can be served as well or better by modifying or expanding use condition. Therefore, the City may impose conditions which are considered reasonably necessary to meet the standards of City Code and to protect the best interests of the surrounding area or the City as a whole. Violation of any such condition of approval is a violation of the Code.

If approval of the conditional use permit is recommended to the City Council, the following conditions are recommended:

1. The "Use" is defined as personal auto storage at 232 Main Street East. No other use, including providing services or storage 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 or wholesale sales, service, or storage 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.
 - 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. The property shall not be used for residential purposes, including by the Property Owner.
4. Prior to occupying the structure with the proposed use the Property Owner and/or Applicant shall request a change in occupancy review by the Building Official. Any requirements specified by the Building Official shall be completed prior to occupancy of the structure.
5. All loading/unloading at the site shall occur separate and independent from CSAH 34/Main Street 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. This approval is applicable only to the property at 232 Main Street East.
9. This approval shall expire one year after date of approval unless the Applicant has 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 may 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.

ACTION

After the Planning Commission's review and discussion is complete, a motion to the Council to approve/deny the conditional use permit is in order.

Re: Application for Conditional Use Permit at 232 Main Street East, Norwood Young America

I am a 68-year-old retired individual looking for a shop to work on various objects in my retirement, most of which are automotive in nature. Indoor space would also be used for storage of personal recreational vehicles. This space would be used for my personal vehicles, and there would no outdoor storage of vehicles or materials.

My intent is to install a 10' x 10' garage door on the back side/north side of the building, pending structural limitations.

Sincerely,

Wayne Kerber
301 2nd St. East
Waconia, MN 55387
952-666-9474



more than a place, it's home.

Planning and Zoning Application

City of Norwood Young America
310 Elm St. W, PO Box 59
Norwood Young America, MN 55368
Phone: (952) 467-1800 Fax: (952) 467-1818

Applicant's Name <u>Wayne Kerber</u>	Telephone <u>952-666-9474</u>
Address (Street, City, State, ZIP) <u>301 2nd St. East, Waconia, MN 55387</u>	
Property Owner's Name (If different from above) <u>Alvera Clark</u>	Telephone <u>952-467-2671</u>
Location of Project <u>232 Main St. East, NYA, MN 55368</u>	
Legal Description <u>Section 11 Twp 115 Range 026 City lots of Young America Block 9 E44.5' of E 1/2 of Lot 4 & Old #95.05 00550</u>	
Description of Request (Attach separate sheet, if necessary) <u>Install an overhead garage door on back side of structure.</u>	

Proposed Action(s): Check all that apply		
<input type="checkbox"/> Annexation \$300.00	<input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow	<input type="checkbox"/> Storm Water Plan \$250.00
<input type="checkbox"/> Application for Appeal \$150.00	<input type="checkbox"/> Sketch Plat \$200.00 + Escrow	<input type="checkbox"/> Rezoning \$350.00
<input type="checkbox"/> City Code Amendment \$250.00	<input type="checkbox"/> Site Plan \$300.00 + Escrow	<input type="checkbox"/> Street/Alley Vacation \$150.00
<input type="checkbox"/> Parking Reduction \$100.00	<input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow	<input type="checkbox"/> Zoning Text Amendment \$300.00
<input type="checkbox"/> CUP/IUP \$200.00 (Residential)	<input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow	<input checked="" type="checkbox"/> Recording Fee \$46.00
<input checked="" type="checkbox"/> CUP/IUP \$300.00 (Non Residential)	<input type="checkbox"/> PUD Final Plan \$300.00 + Escrow	<input type="checkbox"/> Boundary Line Adjustment \$100.00
<input type="checkbox"/> Variance \$200.00 (Residential)	<input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow	<input type="checkbox"/> Other _____
<input type="checkbox"/> Variance \$300.00 (Non Residential)	<input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow	
<input type="checkbox"/> Lot Split \$200.00	<input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow	
<input checked="" type="checkbox"/> Public Hearing Notice \$75.00	<input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow	

ALL ESCROW MUST BE PAID BY CERTIFIED CHECK

Escrow Deposit \$2,000.00

Escrow Deposit - Site Plan Review: \$15,000 (Tacoma West Industrial Park), \$5,000.00 (All other site plan reviews)

Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00

ALL PLANNING & ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.

APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of Chapter 11 and Chapter 12 of the City Code and other applicable ordinances.

Applicant's Signature: <u>[Signature]</u>	Date <u>Dec 17, 2018</u>
Fee Owner's Signature: <u>Alvera M. Clark</u>	Date <u>12-18-2018</u>

For Office Use Only

Accepted By:	Amount	Date



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 12/19/2018



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Strack Consulting

Date: January 8 2019

Re: CUP Audit

BACKGROUND

The Commission has completed an audit of existing conditional and interim use permits and called for a public hearing on its findings.

The Commission finds the following are to be declared null/void:

1. 508 Merger Street: Resolution 2017-09 interim use permit for outdoor storage of racking system. The racking system has been removed from the property and the applicant is no longer present at the site.
2. 300 Industrial Boulevard: Resolution 2015-19 authorized outdoor storage of automobile for display/sale (Rogomobiles). The Use has ceased for over one year.
3. 200 Industrial Boulevard: Resolution 2003-19 provided for outdoor storage of garbage trucks and bins. The use has ceased for greater than one year.

Please find attached a final matrix of status of CUP/IUP. Please also find attached a RESOLUTION stating audit findings.

ACTION:

Hold the public hearing and consider action on Resolution 01-2019.

NORWOOD YOUNG AMERICA PLANNING COMMISSION RESOLUTION NO. 01-2019

A RESOLUTION CERTIFYING FINDINGS OF A CONDITIONAL AND INTERIM USE PERMIT AUDIT BY THE NORWOOD YOUNG AMERICA PLANNING COMMISSION

WHEREAS, the City of Norwood Young America Planning Commission is created under Chapter Two of the City Code; and

WHEREAS, Section 1210.06 of the Code assigns the Planning Commission a regular task of auditing existing conditional use permits (CUP); and,

WHEREAS, the Interim Use Permits (IUP) are also subject to audit by the Planning Commission; and,

WHEREAS, the Planning Commission initiated a thorough audit of all known or suspected conditional or interim use permits in 2018; and,

WHEREAS, the Planning Commission completed an audit of said known or suspected conditional and interim use permits and developed findings regarding said permits.

THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Norwood Young America, Carver County, Minnesota, certifies the following permits are null and void:

1. 508 Merger Street: Resolution 2017-09 interim use permit for outdoor storage of racking system. The racking system has been removed from the property and the applicant is no longer present at the site.
2. 300 Industrial Boulevard: Resolution 2015-19 authorized outdoor storage of automobile for display/sale (Rogomobiles). The Use has ceased for over one year.
3. 200 Industrial Boulevard: Resolution 2003-19 provided for outdoor storage of garbage trucks and bins. The use has ceased for greater than one year.

Adopted by the Planning Commission this 8th day of January 2019.

Planning Commission Chair

ATTEST:

Zoning Administrator

**Notice of Public Hearing
Conditional Use Permit Audit Findings**

Notice is hereby given that the Norwood Young America Planning Commission will conduct a public hearing on Tuesday, January 8, 2019 at 6:01 PM or soon thereafter, in the Council Chambers at Oak Grove City Center, 310 Elm St. W.

The purpose of this hearing is to consider findings from an audit of previously issued conditional and interim use permits.

The Planning Commission finds the following conditional use permits may be declared null and void:

1. 508 Merger Street: Resolution 2017-09 interim use permit for outdoor storage of racking system. The racking system has been removed from the property and the applicant is no longer present at the site.
2. 300 Industrial Boulevard: Resolution 2015-19 authorized outdoor storage of automobile for display/sale (Rogomobiles). The Use has ceased for over one year.
3. 200 Industrial Boulevard: Resolution 2003-19 provided for outdoor storage of garbage trucks and bins. The use has ceased for greater than one year.

If you have any questions regarding this matter or wish to make comment prior to the hearing, please contact the City Office at 467-1800 or in writing to: City of Norwood Young America, 310 Elm St. W., PO Box 59, NYA, MN 55368, by no later than noon on Tuesday, January 8th.

BY: Norwood Young America Planning Commission

ATTEST: Steve Helget, City of NYA

Publish in the NYA Times December 27, 2018



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: January 8, 2019

Re: Discussion: Auto Repair Uses

BACKGROUND

The Planning Commission's goals include considering the merits of providing for auto repair uses in commercial and industrial districts.

At this time:

1. Automobile 'service stations' are allowed under CUP in the C-2 General Commercial District.
2. Automobile "repair, major" is allowed as a permitted use in the B-I Business Industrial District.
3. Auto repair as an accessory use is allowed in the C-3 Downtown District.
4. Auto repair (either major or minor) is not an allowable use, either principal or conditional, in the C-3, RC-1, or I-1 District.
5. Curfman Auto is currently operating in the RC-1 District as non-conforming use.
6. Curfman has requested consideration of allowing semi-truck repair in the I-1 District.

Discussion about where auto repair may fit in alternate zones and, if considered, under what conditions is requested.

The following definitions are included in Chapter 12 of the Code:

Automobile repair, major. General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, including body work, frame work and major painting service.

Automobile repair, minor. Incidental repairs, replacement of parts and motor service to automobiles, but not including any operation specified under *Automobile repair, major*.

Automobile service station. Any building or premises used for the dispensing or sale of automobile fuels, lubricating oil or grease, tires, batteries or minor automobile accessories. Services offered may include the installation of tires, batteries or minor accessories; minor automobile repairs; and greasing or washing of individual automobiles. When sales, services and repairs as detailed here are offered to the public, the premises will be classified as a public garage. Automobile service stations shall not include the sale or

storage of vehicles; shall not include premises offering major automobile repairs, automobile wrecking or detached car washes.

A zoning map is attached.

The PC is asked to comment on the following:

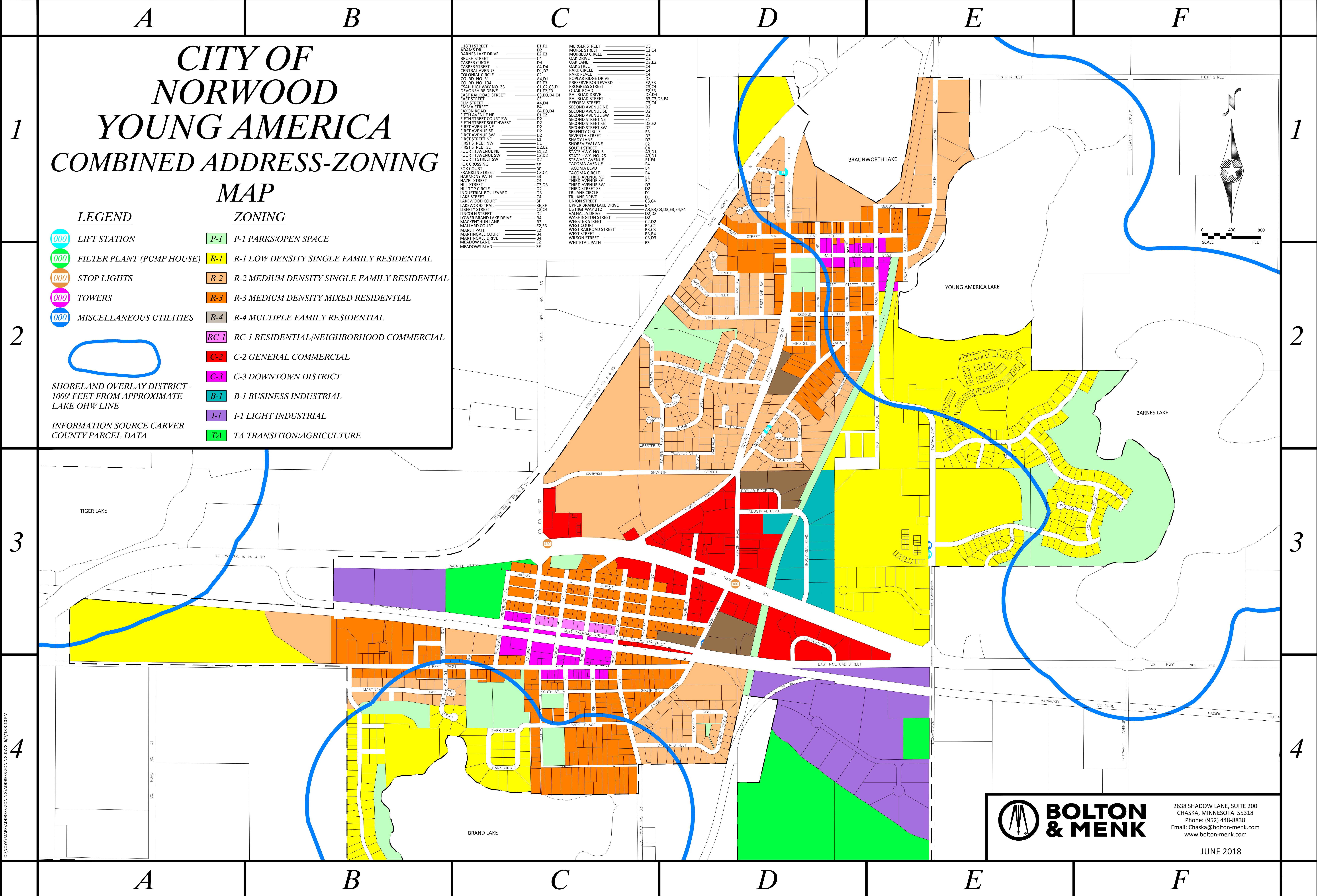
1. Should auto repair (minor or major) be allowed in the C-3 Downtown District? If so as a permitted or conditional use? Please recall such uses are now allowed as accessory uses in the C-3 District
2. Should auto repair (minor or major) be allowed in the RC-1 District? If so as a permitted or conditional use?
3. Should auto repair (minor or major) be allowed in the I-1 Light Industrial District?
4. Should auto repair in the B-1 Business Industrial District continue to be a permitted use or changed to a conditional use?
5. Does the PC recognize a difference between auto repair and repair of semi-trucks/trailers?
6. Following are sample conditional use standards, please note yes/no to standards:
 - a. Fencing and Screening:
 - i. When adjacent to residential property, there shall be a landscaped buffer of not less than ten (10) feet in width consisting of dense, coniferous vegetation and/or a fence six (6) feet in height with vegetative plantings.
 - ii. When adjacent to commercial property, there shall be a fence.
 - b. Vehicles. No vehicles shall be parked on the premises other than those utilized by employees or awaiting service. No vehicle shall be parked or be waiting service longer than fifteen (15) days.
 - c. Junk yards and/or auto salvage is prohibited.
 - d. Exterior Storage. Exterior storage besides vehicles shall be limited to service equipment and incidental, seasonal, and occasional items offered for sale.
 - e. Outdoor Displays. The storage of used tires, batteries and other such items for sale outside the building shall be prohibited.
 - f. Business activities not listed in the definition of auto repair, major or minor may be allowed if a conditional use permit is obtained specifically for such business. Such activities include but are not limited to the following: 1) automatic car and truck wash, 2) rental of vehicles, equipment or trailers, and 3) general retail sales.
7. Any other points of discussion/thoughts?

ACTION:

Discussion is kindly requested

ATTACHMENT:

Official Zoning Map



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