



more than a place, it's home.

**Norwood Young America Planning Commission
6:00 p.m., Tuesday, August 4, 2020
310 Elm Street W., Norwood Young America**

AGENDA

1. Call to Order
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of July 7, 2020 meeting
4. 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.)
5. Public Hearings
5.1 Conditional Use Permit Audit
6. Old Business
 - A. Approve Resolution 2020-01, Certifying Findings of a Conditional and Interim Use Permit Audit
 - B. Adopt 2040 Comprehensive Plan
 - C. Language Review of Residential Uses on First Floor in C-3, Downtown District
 - D. Review Definition of a Structure
7. New Business
8. Miscellaneous
 - A. July Building Permit Report
9. Commissioner's Reports
10. Adjourn

**Jerry
Barr**

**Mike
Eggers**

**John
Fahey**

**Bill
Grundahl**

**Paul
Hallquist**

**Bob
Smith**

**Craig
Heher
Council
Liaison**

UPCOMING MEETINGS

August 10 th	City Council 6:00 p.m.
August 12 th	Economic Development Commission 6:00 p.m.
August 18 th	Parks & Recreation Commission 4:45 p.m.
August 24 th	City Council Work Session/EDA/Regular meeting 6:00 p.m. (Joint Work Session – Expansion of Non-Conforming Uses)
September 1 st	Planning Commission 6:00 p.m.
TBD	Joint Meeting – City Council, PC, EDC, Parks & Recreation Commission & Chamber of Commerce Board 6:30 p.m.

*Norwood Young America
Planning Commission Minutes
July 7, 2020*

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

Absent: None.

Staff: City of Norwood Young America City Administrator Steve Helget and Planning Consultant Cynthia Smith Strack.

Public: Ronald Blum, Melchert Hubert Sjodin.

1. Call to Order.

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

2. Adoption of Agenda.

Chairperson Heher introduced the agenda.

Motion – Eggers, seconded Barr to approve the agenda. The agenda was approved 7-0.

3. Approval of Minutes from the Regular Meeting June 2, 2020.

Heher introduced the minutes from the June 2, 2020 regular meeting.

Motion – Fahey to approve the June 7, 2020 regular meeting. Seconded by Smith. With all in favor the regular meeting minutes were approved 7-0.

4. Public Comment.

None.

5. Public Hearings.

None.

6. Old Business.

A. 2020 CUP Audit.

Heher introduced the agenda topic.

Strack noted at the Planning Commission was currently auditing compliance with conditional/interim use permits previously issued. She stated she had reviewed Molnau Trucking and found the use compliant. Heher noted he was still exchanging phone calls with one property owner.

Strack noted in years past although not required the Planning Commission has held a public hearing pertaining to CUP audit findings.

Motion – Smith call for a public hearing on conditional/interim use permit 2020 audit findings at August 4, 2020 regular Planning Commission meeting. Seconded by Grundahl and unanimously approved 7-0.

B. Review Zoning Code Definitions.

Chairperson Heher introduced the agenda item.

Strack reviewed proposed definition changes as follows:

Suggested deleting the definition of “boarding house” as it is not otherwise referenced in the zoning code uses.

Deleting the definition of ‘cellar’.

Removing a minimum height standard included in the definition of ‘deck’. The revised definition would be as follows: Deck: A horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site. ~~and at any point extending more than three feet above ground.~~

Strack summarized input from City Attorney Squires pertaining to the definition of family. The Commission could recommend deleting the definition in its entirety or increasing the number of specified non-related individuals which constitute a family.

Removing the definition of ‘hardship’.

Holding future discussion on potential to provide for nonconformance expansion permits. This discussion is also on the agenda.

Having additional discussion on the definition of ‘structure’.

The Commission discussed the definition of family and reached consensus to remove the definition from the zoning code.

The Commission will further discuss the definition of structure at a future meeting.

7. New Business.

A. JAM Real Estate Annexation Application.

Heher introduced the agenda item.

The property owner of record for Parcel Number 110130410 an approximate 60.69 acre parcel adjacent to Highway 212 and Barnes Lake has petitioned the City for annexation. The subject property is currently in Young America Township and proposed to be annexed into the city of Norwood Young America for future mixed use development.

For Commission reference, a copy of the Orderly Annexation Agreement between the City and Young America Township was included in the meeting packet along with a site survey, sketched use plan, and petition of annexation.

The Applicant proposes commercial uses adjacent to Highway 212, mixed commercial/residential use as a transition area, and low density residential. Under the zoning code, property annexed to the city is zoned as T/A Transitional Agriculture unless otherwise classified. Annexation of the parcel doesn't constitute development or plat approval.

The subject parcel is within Transition Area 1 of the Orderly Annexation Agreement. The City received zoning control in this area upon execution of the agreement in 2008. Section 4 of the same agreement allows the City to annex any property subject to the agreement upon the receipt of a Petition requesting annexation signed by 100% of the owners of property to be annexed. The City has received a Petition from the current owner of the property.

The Planning Commission is asked to provide a recommendation to the City Council concerning annexation of the property. The Commission is not required to recommend approval of the annexation but may do so from a land use perspective.

Robert Blum, Attorney representing JAM Properties (Applicant) was present in the audience.

Heher inquired as to whether JAM Properties was aware of plans for expansion of Highway 212 and potential impact on access to property, if any.

Blum stated the Applicants were aware of the potential expansion and viewed the change as potentially helping development.

Smith inquired about the development timeline and whether or not the subdivision would be phased. Attorney Blum indicated he could not address the question with any specificity at this time.

Smith alluded to the concept sketch included in the Commission's information packet. He asked if shapes/sizes of the conceptual uses were related to planned densities for the parcel and whether they had been determined. Blum noted the sketch is purely conceptual and did not include a reference to density.

Fahey stated access due to MnDOT requirements would likely not be available from Highway 212, but from Tacoma Avenue and whether the Applicant had considered access. Blum stated he could not comment on behalf of the Applicant pertaining to access to any potential development.

Fahey inquired as to whether the Commission was simply acting on concept of annexation at this time. Strack confirmed suggesting review of consistency with the 2008 and 2040 comprehensive plans. She noted the proposed development from a land use perspective was consistent with both.

Smith stated calculations should be run on water and wastewater system capacities to accommodate proposed densities. Strack noted adequate capacity would appear to exist at this time, if not, there is an opportunity within the subdivision review process to find the subdivision is premature due to lack of treatment or production capacity. Helget noted adequate capacity would appear to exist.

Strack inquired as to whether Blum approached Young America Township. Blum confirmed he presented annexation information to the township earlier this year. No objections were expressed.

Motion – Smith, Seconded by Eggers to recommend the City Council approve of the annexation request. Fahey clarified the motion pertained only to annexation and did not relate to subdivision or development approval. Smith and Eggers confirmed. Motion was unanimously approved 7-0.

B. Non-conforming Use Expansion.

Heher introduced the agenda subject.

Strack stated that in June the Commission agreed to discuss the potential to allow limited forms of expansion of non-conformance. Strack referenced sample language from the Waconia and Belle Plaine codes included in the information packet. The City did not currently define the term ‘expansion’ but could consider language defining the expansion. Strack noted the sample language from the City of Waconia provides for certain expansion as a right. The Belle Plaine language requires a formal review process for non-conformance expansions.

Strack summarized a conversation with City Attorney Jay Squires relating to providing for expansion. Squires has had experience with other communities on similar actions and will provide input.

Strack requested discussion from the Commission pertaining to their interest in moving forward with defining expansion, perhaps after work session discussion with the City Council.

After discussion Chairperson Heher suggested the concept of providing for limited expansion of non-conforming uses be sent to the Council for work session discussion. Commissioners Barr and Hallquist concurred.

C. Language Review of Residential Uses on First Floor in C-3 Downtown District.

Heher introduced the agenda subject.

Strack noted the Commission wanted to revisit language previously approved for the C-3, Downtown Districts which provides for blended commercial and residential first floor uses in the Downtowns. The language envisioned was to allow residential uses behind storefronts which were to occupy the front of buildings. Discussion at the time included desire for storefront windows, shops, activities to continue in the building wall of downtown to promote interest and allow people outside to see in providing for a greater sense of safety. It was noted residential uses often have residents who don’t want people on the street to invade their privacy and therefore windows are reduces/eliminated or covered/obscured.

Chairperson Heher provided further history of the request, including alluding to a potential scenario where a building owner could piecemeal a required percentage of commercial space in an arrangement that was not continuous as opposed to retaining the front of the building for commercial purposes.

Grundahl further explained the mixing of uses.

Discussion about adding specific language requiring the entire front half, at a minimum, of a building be reserved for commercial purposes.

Eggers questioned how entryways for residents living in back of the commercial uses, if front the street front would be treated.

The Commissioners also discussed whether or not there was a need to provide for first floor residential uses in the Downtown.

Helget reviewed a situation that lead to the approval of the current code language, including wanting to assist property owners with vacant buildings in generating some return on their investment.

Hallquist suggested adopting revised language that was specific and processing a variance for the specific performance standard if needed. Barr concurred.

Grundahl commented on the purpose of the existing language when it was placed into effect.

Strack suggested the Commission could look at processing a variance to a specific performance standard or moving the use from a 'permitted' to a 'conditional use' if formal review was the intent. Eggers noted a CUP could be helpful.

Hallquist noted the City Council seemed to favor more actions as a right versus requiring formal review.

Heher agreed with the current City Council seemed to prefer more uses as a right.

The Commission directed Strack to bring back sample language for review.

8. Miscellaneous.

A. June Building Permit Report.

The June building permit report was reviewed. It was noted permit issuance continues at a brisk pace.

9. Commissioner Reports.

Commissioners Barr, Fahey, Grundahl, Hallquist and Smith did not have updates.

Eggers suggested future developments require seeding/sodding by June 1st rather than July 1st. He noted establishing turf in July and August is difficult and sometimes developers wait until July 1st to comply.

Heher provided updates from City Council meetings, including noting: budget planning, authorizing advertising of clerk/treasurer position, refunding bond issuance, and painting of a mural. Highway 212 is to be closed June 12-19th. The pool is open but at half capacity and no swimming lessons are being given.

10. Adjourn

Motion – Hallquist, Second Eggers to adjourn the meeting. With all in favor the meeting adjourned at 7:14 p.m.

Respectfully submitted,

Steve Helget
Zoning Administrator



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Strack Consulting

Date: August 4, 2020

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. 180 Industrial Blvd: City of Norwood Young America Resolution 2017-08 approved March 27, 2017 provided for outdoor auto sales and display in B-1 District. The Use has ceased for over one year.
2. 232 Main Street East: City of Norwood Young America Resolution 2019-02 approved January 28, 2019 allowed personal auto storage and repair. The Use has not been established.
3. City of Norwood Young America Resolution 2019-12 approved April 22, 2019 provided for outdoor storage in conjunction with an air processing use. The Use has not been established.
4. City of Norwood Young America Resolution 2019-13 approved April 22, 2019 provided for commercial fence exceeding eight feet in height with barbed wire for security purposes. The fence was accessory to a proposed air processing use. The Use has not been established.

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 01-2020.

CUP Review/Audit

Address	Description	Comments/Notes	2018 Action Directed	2018 Audit Status	2020 Status
1 410 Faxon Rd N	McDonalds	CUP issued for drive-thru window in the 90's. No conditions placed on CUP	Existing, valid CUP. No conditions exist.	Audited, compliant.	Audited, compliant.
2 112 Poplar Ridge Dr	Existing Apartment Complex	CUP issued in 1997. No additional information available.	Existing, valid CUP. No conditions exist.	Audited, compliant.	Audited, compliant.
3 421 Railroad St W	City property	CUP approved in late 1990's. Reso approving not immediately located.	Conditions were placed on the use according to minutes.	Audited, compliant.	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 conditions met.	Audited, compliant.	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; conditions met. Franck's no longer subleases.	Audited, compliant.	Audited, compliant.
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.	Audited, compliant.
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.	Audited, the PC accepted screening that existed under previous audit.	Audited, compliant.	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 Reso 2003-43 allowing expanded outdoor storage. Approved with several conditions attached.	Reso 2003-43 and 2009-24 appear compliant.	Audited, compliant.	Follow up planned

CUP Review/Audit

	Address	Description	Comments/Notes	2018 Action Directed	2018 Audit Status	2020 Status
9	700 Railroad St W	Southwest Paving.	Reso 2006-33 is a CUP providing for Southwest Paving. Several conditions are attached. Reso 2015-13 Approved landscaping plan in lieu of perimeter fencing. Reso 2018-36 provided for alternate landscaping	Came into compliance in 2019 through CUP amendment by City Council	Audited, compliant.	Audited, compliant.
10	311 (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.	Audited	Audited, compliant.	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.	Audited	Audited, compliant.	Audited, compliant.
12	27 1st St NW	St. John's Lutheran School.	Reso 2013-05 is a CUP allowing expansion of the existing school.	Audit complete	Audited, compliant.	Audited, compliant.
13	105 Main St E	Northside Grill	Reso 2013-35 is a CUP allowing outdoor dining at Northside Grill. Several conditions apply.	Audited.	Audited, compliant.	Audited, compliant.
14	520 Reform St N	Kwik Trip	Reso 2013-20 Approved convenience store.	Suitable for audit.	Audited, compliant.	Audited, compliant.
15	301 Industrial Blvd	Hydro Engineering	Approved IUP for outdoor storage.	Suitable for audit.	Audited, compliant.	Audited, compliant.
16	321 Elm St W	RCC Woodworks	Reso 2014-22 Approved woodworking shop in C-3	Audited	Audited, compliant.	Audited, compliant.
17	13050 Stewart Ave	Nick Molnau	Amended and Replaced by 2018-18	Audited, corrective action taken	Non-compliant material stockpiles.	Letter prepared
18	115 Main St E & 15 2nd Ave SE	Waconia Dodge	Reso 2016-14 Auto sales and display and accessory auto repair.	Audited	Audited, compliant.	Audited, compliant.
19	127 Elm St W	Andris	Reso 2016-21 Approve personal auto storage in C-3	Audited	Audited, compliant.	Audited, compliant.

CUP Review/Audit

Address	Description	Comments/Notes	2018 Action Directed	2018 Audit Status	2020 Status
20 117 Railroad St W	Loomis	Reso 2016-22 Approve CUP for contractor operation in C-3	Audited	Audited, compliant.	Audited, compliant.
21 180 Industrial Blvd	Todd Miller & Adam Glander	Reso 2017-08 Approve outdoor auto sales and display in B-1 District	Audited	Audited, compliant.	Exceeds permit
22 600 Railroad St W	Curfman Trucking	Reso 2017-15 CUP for outdoor storage. Reso 2020-11 amended and restated previous reso to allow for larger stockpile at south side of site.	Audited, violations found	Council recently amended CUP.	Audited, compliant.
23 170 Industrial Blvd	Paul Juerissen	Reso 2017-18 CUP outdoor storage marine recreational equipment	Audited	Audited, compliant.	Audited, compliant.
24 124 Railroad St W	Adam White	Reso 2018-22 CUP allowing limited manufacturing	Suitable for audit.	N/A	Audited, compliant.
25 232 Main St E	Kerber/Clark	Resolution 2019-02 CUP allowing personal auto storage and repair	Suitable for audit.	N/A	Exceeds permit
26 TBD	Air Products	Resolution 2019-12 CUP allowing outdoor storage for Air Products.	Suitable for audit.	N/A	Exceeds permit
27 TBD	Air Products	Resolution 2019-13 CUP allowing commercial fence exceeding eight feet in height with barbed wire security for Air Products	Suitable for audit.	N/A	Exceeds permit
28 717 Faxon Road	Lionshead Specialty Tire & Wheel	Resolution 2019-20 IUP allowing outdoor storage of semi trailers	Suitable for audit.	N/A	Audited, compliant.
29 600 Railroad St W	Curfman Trucking	Resolution 2020-03 CUP allowing truck repair	Suitable for audit.	N/A	Audited, compliant.

**NORWOOD YOUNG AMERICA
PLANNING COMMISSION
RESOLUTION NO. 2020-01**

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

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

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 2020; and

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

NOW 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. 180 Industrial Blvd: City of Norwood Young America Resolution 2017-08 approved March 27, 2017 provided for outdoor auto sales and display in B-1 District. The Use has ceased for over one year.
2. 232 Main Street East: City of Norwood Young America Resolution 2019-02 approved January 28, 2019 allowed personal auto storage and repair. The Use has not been established.
3. City of Norwood Young America Resolution 2019-12 approved April 22, 2019 provided for outdoor storage in conjunction with an air processing use. The Use has not been established.
4. City of Norwood Young America Resolution 2019-13 approved April 22, 2019 provided for commercial fence exceeding eight feet in height with barbed wire for security purposes. The fence was accessory to a proposed air processing use. The Use has not been established.

Adopted by the Planning Commission this 4th day of August 2020.

Craig Heher, Chairperson

ATTEST:

Steven Helget, Zoning Administrator



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Municipal Development Group, Inc.

Date: August 4, 2020

Re: 2040 Comprehensive Plan Review

BACKGROUND

The Planning Commission is to review the final 2040 Comprehensive Plan. The updates reflect comments received from the Metropolitan Council and the final plan has been approved by the same.

A Representative from SRF Consulting Group will be present at the Planning Commission meeting to review the final plan. Commissioner Grundahl serves on the Comp Plan update steering committee.

ACTION

MOTION to recommend the City Council place the 2040 Comprehensive Plan into effect.



To: Norwood Young America Planning Commission
From: Stephanie Falkers, AICP, Senior Associate
Date: July 30, 2020
Subject: Norwood Young America 2040 Comprehensive Plan Adoption

Norwood Young America 2040 Comprehensive Plan Overview

Over the last two years, the City of Norwood Young America has worked with residents, staff, elected and appointed officials, stakeholders, surrounding communities, and other agencies to update the Comprehensive Plan. The plan serves as the guiding document for city decision making across many of the city’s systems. Its goals and policies can be referenced on a regular basis to guide the city towards a vision established from community input.

Comprehensive Plan updates are required every ten years by the Metropolitan Land Planning Act for cities, counties, and townships within the seven-county metro. The update process provides an opportunity for communities to ensure their plans are up to date and align with regional planning and policy. Additionally, it provides the opportunity for the community to examine current demographics and trends, engage with residents and stakeholders, and update long-range policies and visions.

To align with regional planning, the Metropolitan Council defines future population, household, and employment forecasts for each community. These forecasts are used as a planning threshold, allowing communities to ensure they have the proper planning in place to manage and provide services to a changing population and workforce. The 2040 forecasts for the City of Norwood Young America are noted in the table below. While these forecasts may not be met or may be exceeded within each timeframe, they serve as a planning tool for decision making.

	2010	2020	2030	2040
Population	3,549	4,580	7,200	9,200
Households	1,389	1,900	3,030	3,900
Employment	1,165	1,600	1,850	2,100

Norwood Young America 2040 Comprehensive Plan Content

The 2040 Comprehensive Plan highlights many of the city's systems, providing an overview of existing conditions, future needs, tools, resources, and implementation actions that will help guide decision making over the next 20 years. The plan is broken into nine chapters:

- **Chapter 1 – Introduction** – Introduction to the overall plan and the planning process
- **Chapter 2 – Inventory and Analysis** – Reviews historic, current, and forecasted demographic and geographic data within the community
- **Chapter 3 – Goals and Objectives** – Defines the 2040 Vision, Goals and Objectives
- **Chapter 4 – Land Use** – Outlines the city's Future Land Use Plan and policies to be used to guide future development and zoning decisions
- **Chapter 5 – Transportation** – Reviews the current and future needs of the multimodal transportation system
- **Chapter 6 – Natural and Water Resources** – Reviews the city's natural features and infrastructure systems to identify existing and future needs
- **Chapter 7 – Parks and Trails** – Reviews the city's existing parks and trails systems along with regional recreational planning efforts
- **Chapter 8 – Housing** – Reviews the city's existing housing stock and identifies future housing needs and resources
- **Chapter 9 – Implementation** – Defines actions and policies that the city can deploy as it works towards the 2040 Vision

Norwood Young America 2040 Comprehensive Plan Process

The development of the Comprehensive Plan has been a multiple year process of collecting input, defining issues and opportunities, draft plan elements, and refining the plan with local and regional organizations. The plan development was guided by the Comprehensive Plan Advisory Committee who helped to shape and develop the 2040 plan. Overall, the Norwood Young America 2040 Comprehensive Plan process included the following steps:

- Initial Public Engagement and Data Collection
- Plan Element Analysis and Drafting
- Preparation of a Draft 2040 Comprehensive Plan
- Adjacent and Affected Community Review (six-month review)
- Planning Commission Public Hearing to release draft for review – March 2019
- City Council Public Hearing to release draft for review – March 2019
- Submittal to the Metropolitan Council
- Completeness review process to Metropolitan Council staff

- Metropolitan Council Meetings
 - Community Development Committee – July 6, 2020
 - Environmental Committee – July 14, 2020
 - Metropolitan Council Board – July 22, 2020
- Plan Adoption – August 2020

Following the adoption of the 2040 Comprehensive Plan, it will serve as your guiding document for decision making and implementation of the plan can begin. For example, updates to the existing zoning ordinance to best align with the land use chapter will occur over the next few months. Additionally, Chapter 9 provides a list of potential actions that align with the policy direction and 2040 Vision of the Comprehensive Plan. The plan can be amended as needed to respond to changing trends and input.

Plan Updates from Metropolitan Council Review

As noted above, the Comprehensive Plan was submitted to the Metropolitan Council for review in 2019. This began the start of the Met Council's completeness review of the plan, ensuring that the plan met the requirements set forth for Norwood Young America and it aligns with greater regional policies. During this process, comments were provided to the city that required updates to the Comprehensive Plan. These updates included the addition of information to align with Met Council requirements or tweaks to formatting to provide the required information. The changes made throughout this process did not change policy direction set forth in the March 2019 version of the plan. The updates made to the March 2019 version included:

- **Wastewater** – Provide adopted community sewer forecasts in 10-year increments to 2040 for households and employment.
- **Wastewater** – Include the proposed timing and financing of any expanded/new wastewater treatment facilities.
- **Wastewater** – Define the City's goals, policies, and strategies for preventing and reducing inflow and infiltration (I/I) in the local sanitary system.
- **Wastewater** – Include copies of facility planning reports for the upgrading of your local wastewater treatment plant.
- **Wastewater** – Provide copies of the associated NPDES or SDS permits.
- **Forecasts** – Include socio-economic forecasts for transportation analysis zones that align with the 2020, 2030, and 2040 forecasts.
- **Land Use** – Include a map acknowledging the City's Rural Center Community Designation.
- **Land Use** – Ensure consistent land use category names are used through the document.
- **Land Use** – Ensure the correct orderly annexation boundary is utilized.
- **Land Use** – Ensure that the current Agricultural Preserve Areas are shown within the plan.
- **Land Use** – Provide staged growth planning for each 10-year planning period.
- **Land Use** – Ensure that properties currently enrolled in the Agricultural Preserve program are not planned for growth while the property is enrolled in the program.

- **Land Use** – Clarify Density Calculations to verify that the correct percentage of residential development is calculated for the Mixed-Use category.
- **Land Use** – Add further clarification for the use of the Planning Reserve Area as an overlay and land use category.
- **Housing** – Cost burdened households must be shown as numerical values in addition to the percentages shown in Table 35.
- **Housing** – Land guided to address the City’s allocation of affordable housing need for 2021-2030 must be expanded to ensure that enough land is guided to support the City’s allocation.
- **Housing** – Clearly identifying Wayzata future housing needs.
- **Housing** – Identifying which of the housing tools can be used to meet which of the City’s housing needs and identify whether or not the City will consider using the tool.
- **Surface Water Management** – Provide an updated copy of the Local Water Management Plan that is approved by the City and Carver County Water Management Organization.
- **Transportation** – Include the Americans with Disabilities Act (ADA) from the Parks Chapter in the Transportation Chapter.
- **Transportation** – Council staff request clarifying that the Highway 212 expansion project is not currently funded or in the 2040 Transportation Policy Plan.

These updates were addressed with City Staff and provided to the Met Council for review. Following the submittal of updated information, the plan was deemed complete and the updated plan is presented for adoption.

2040 Comprehensive Plan Next Steps

As noted, the adoption of the 2040 Comprehensive Plan is the final step in its development process. While this is a milestone that should be celebrated, it is also the start of the next phase of work, implementation. There are multiple ways that the plan can be implemented. The simplest is using the goals defined within the plan to direct decision making. This should be done on a regular basis as policy or development decisions are made. Additionally, there are specific actions that can be taken to implement the plan, many of which are outlined in Chapter 9. These actions include code amendments, plan development, and policy updates.

While the implementation of the plan will continue over the next 10 years, there are a few items that must be completed within a close proximity to the adoption of the Comprehensive Plan. This primarily includes amendments to regulations and ordinances to align with the Comprehensive Plan and Metropolitan Council policy. Per Met Council policy, the final actions must be completed within nine months to finalize the Comprehensive Plan update:

- Formally adopt the 2040 Comprehensive Plan
- Submit the resolution
- Submit an electronic and hard copy of the complete plan to the Met Council

- Adopt official controls as described within the update and provide updates to the Met Council
- Amend official controls or fiscal devices that conflict with your Comprehensive Plan or which permit activities that conflict with metropolitan system plans.

The first three steps identified are procedural and will be easily completed following City Council action. However, the final two steps require additional activities to be completed. This includes a comprehensive review of existing regulations and ordinances for alignment with the Comprehensive Plan. For example, the zoning ordinance will be reviewed to identify updates needed to support the guiding principles defined within the Comprehensive Plan. Staff have been working to examine the amendments needed to align regulations with the 2040 policy and will be bringing these proposed changes through the approval process in the coming months.



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: August 4, 2020

Re: Language Review Residential Uses on First Floor in C-3 Downtown District

BACKGROUND

At the July meeting the Planning Commission discussed language included in the code pertaining to residential use of a portion of the first floor of commercial buildings in the C-3 Downtown District. The Commission requested Strack prepare updated language to provide clarity.

Following is marked up language for discussion.

- L. Residential uses on the first floor of commercial structures provided:
 1. The residential use does not compose greater than fifty (50) percent of the ground floor area;
 2. **Commercial office, retail, or service space** A storefront is retained in **at a minimum** the front **half** of the building's **first floor abutting** adjacent to public streets;
 3. A separate entry is provided for the residential use, **the entry may be from the front street**;
 4. The residential use is not adversely impacted by the adjoining commercial use in terms of hours of operation prior to 7 a.m. or after 9 p.m., production of odor or noise, or increased traffic generation;
 5. Off-street parking is provided for the residential use.

ACTION

Discussion about potential changes to language to promote clarity.



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: August 4, 2020

Re: Review of Definition of Structure

BACKGROUND

In July the PC reviewed Chapter 1200.04 of the City Code which contains zoning definitions. The Commission approved several updates to definitions and agreed to further discuss the definition of structure.

STRUCTURE:

Current definition: Anything constructed or erected including buildings and streets, the use of which requires permanent location of the ground or attachment to something having a permanent location on the ground

Definition from textbook *The New Illustrated Book Of Development Definitions*: A combination of materials to form a construction for use, occupancy, or ornamentation whether install on, above, or below the surface of land. The textbook contains the following comment: *By this definition, all buildings are structures; however, not all structures are buildings*". The definition included for "Building" is: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind. The City Code has the following definition of building: Any structure used or intended for supporting or the sheltering of any use or occupancy.

Cologne zoning code: Anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground.

Waconia zoning code: Anything built or constructed, an edifice or building of any kind, or any piece of work composed of parts joined together in some definite manner, except parking lots and driveways.

ACTION

Discussion/direction.

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PERMIT #	NAME	ADDRESS	PURPOSE	DATE	PERMIT FEE	PLAN CHECK FEE	SURCHARGE	VALUE
2020001	Tim Schroeder	514 W Elm Street	Residing	1/13/2020	\$60.00	\$0.00	\$1.00	
2020002	Donna Kleman	328 Oak Drive	Furnace	1/16/2020	\$60.00	\$0.00	\$1.00	
2020003	Kwik Trip	520 Reform St N	Ansul System	2/4/2020	\$98.09		\$1.00	\$1,500.00
2020004	Harlan Mackenthun	404 5th St Ct SW	Alterations	1/22/2020	\$532.37		\$9.00	\$18,000.00
2020005	Harlan Mackenthun	404 5th St Ct SW	Plumbing	1/27/2020	\$60.00	\$0.00	\$1.00	
2020006	Tim Fahey	261 Emma Street	Furnace	1/27/2020	\$60.00	\$0.00	\$1.00	
2020007	Andy Wigfield	524 Elm St W	Demo	1/28/2020	\$100.00	\$0.00	\$1.00	
2020008	Kwik Trip	520 Reform St N	Mechanical	2/5/2020	\$353.45	\$229.74	\$10.00	\$20,000.00
2020009	Kwik Trip	520 Reform St N	Refrigeration	2/18/2020	\$199.45	\$129.64	\$5.00	\$10,000.00
2020010	Central School	655 SW 7th	Solar	2/21/2020	\$541.55	\$352.01	\$17.50	\$35,000.00
2020011	Central School	531 Morse Street N	Solar	2/21/2020	\$541.55	\$352.01	\$17.50	\$35,000.00
2020012	Loomis Homes	990 Lakewood Trail	new home	2/26/2020	\$10,843.30	\$1,319.19	\$128.00	\$251,030.00
2020013	Loomis Homes	1095 Barnes Lake Dr	new home	2/27/2020	\$10,814.82	\$1,307.18	\$126.50	\$248,288.00
2020014	Dennis Mohs	1045 Lakewood Cr	finish bsmt	2/27/2020	\$606.00	\$315.90	\$17.00	\$30,000.00
2020015	Loomis Homes	1075 Barnes Lake Dr	new home	2/28/2020	\$11,076.22	\$1,467.34	\$146.50	\$288,125.00
2020016	Loomis Homes	1000 Whitetail Path	new home	3/4/2020	\$10,700.10	\$1,239.11	\$118.00	\$231,992.00
2020017	Citizen's Bank	409 N Faxon Rd	overhang	3/5/2020	\$168.65	\$109.62	\$4.00	\$7,500.00
2020018	Loomis Homes	1115 Barnes Lakd Dr	new home	3/4/2020	\$11,303.70	\$1,579.45	\$161.50	\$317,000.00
2020019	Loomis Homes	940 Lakewood Tr	water soft	3/17/2020	\$60.00	\$0.00	\$1.00	\$500.00
2020020	Larry Panning	324 4th St SW	alterations	3/17/2020	\$197.85	\$89.60	\$4.00	\$5,152.00
2020021	Josh Kroells	430 Emma Street	pool	5/15/2020	\$657.10	\$388.12	\$21.00	\$40,000.00
2020022	Larry Krause	634 Preserve Blvd	ductwork	3/24/2020	\$60.00		\$1.00	\$340,000.00
2020023	Homeland Builders	440 Park Circle	new home	3/26/2020	\$13,866.60	\$1,671.54	\$173.00	
2020024	Loomis Homes	965 Lakewood Tr	water softener	3/27/2020	\$60.00		\$1.00	
2020025	Loomis Homes	955 Lakewood Trail	Finish basement	4/3/2020	\$490.45	\$279.79	\$13.50	\$25,000.00
2020026	Loomis Homes	1025 Lakewood Trail	new home	4/10/2020	\$11,460.82	\$1,707.58	\$176.50	
2020027	John Fahey	211 Park Place West	reroof	4/8/2020	\$60.00		\$1.00	
2020028	Scott & Linda Rannow	835 Barnes Lake Rd	finish basement	4/27/2020	\$399.65	\$259.77	\$13.50	\$22,500.00
2020029	Philip Henning	1065 Lakewood Court	Finish basement		\$328.05	\$169.68	\$1.00	\$9,000.00
2020030	Loomis Homes	955 Lakewood Trail	Deck	4/20/2020	\$214.85	\$139.65	\$5.50	\$11,000.00
2020031	John Kroells	240 Upper Brand Lk Dr	Furnace	4/10/2020	\$60.00		\$1.00	
2020032	Loomis Homes	1030 Lakewood Court	new home	4/20/2020	\$10,824.82	\$1,307.18	\$126.50	\$249,000.00
2020033	Jack Lano	323 Casper Circle	sotorage shed	4/10/2020	\$452.67	\$294.24	\$13.50	\$27,000.00
2020034	Kevin & Ruth Williams	316 4th Street SW	refroof	4/14/2020	\$60.00		\$1.00	
2020035	Jencar Holdings	620 Marsh Path	New home	4/22/2020	\$14,709.54	\$1,275.14	\$123.50	\$241,000.00
2020036	Jencar Holdings	590 Marsh Path	new home	4/22/2020	\$14,826.58	\$1,351.22	\$133.00	\$260,000.00
2020037	Jencar Holdings	605 Marsh Path	new home	4/22/2020	\$14,826.58	\$1,351.22	\$133.00	\$260,000.00
2020038	Jencar Holdings	575 Marsh Path	new home	4/22/2020	\$14,843.88	\$1,362.47	\$127.00	\$248,326.00
2020039	Kevin Eiden	211 Reform St S	Alteration-bath room	4/16/2020	\$430.45	\$279.79	\$12.50	\$25,000.00
2020040	Jencar Holdings	575 Marsh Path	Fire Sprinkler	4/22/2020	\$122.45	\$79.59	\$2.50	\$4,900.00
2020041	Jencar Holdings	605 Marsh Path	Fire Sprinkler	4/22/2020	\$122.45	\$79.59	\$2.50	\$4,900.00
2020042	Jencar Holdings	590 Marsh Path	Fire Sprinkler	4/22/2020	\$122.45	\$79.59	\$2.50	\$4,900.00

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2020043	Jencar Holdings	620 Marsh Path	Fire Sprinkler	4/22/2020	\$122.45	\$79.59	\$2.50	\$4,900.00
2020044	Farniok	308 4th Street SW	Egress Window	4/20/2020	\$76.25	\$49.56	\$1.00	\$2,000.00
2020045	Xtreme Properties	311 Railroad St W	Reroof and Reside	4/27/2020	\$541.55	\$352.01	\$17.50	\$35,000.00
2020046	Deb Priebe	569 Shireview Lane	Deck	4/27/2020	\$122.45	\$79.59	\$2.50	\$5,000.00
2020047	Mary Skolberg	715 Lakewood Trail	Replace Patio door	5/1/2020	\$60.00		\$1.00	\$4,836.00
2020048	Seth Huber	209 1st Avenue SE	Reroof	4/28/2020	\$60.00		\$1.00	
2020049	Dean Lind	517 Casper Circle	Reroof	4/28/2020	\$60.00		\$1.00	\$8,000.00
2020050	Johnathon Rueben	19 Central Avenue N	Reroof	4/28/2020	\$60.00		\$1.00	
2020051	Dewey Hormann	210 NE 1st St	Reside	4/29/2020	\$60.00		\$1.00	\$3,500.00
2020052	Steve Danielson	514 N Morse St	Reroof	5/1/2020	\$60.00		\$1.00	\$7,072.12
2020053	Tim Rohwer	935 Lakewood Trail	basement finish	5/1/2020	\$428.45	\$229.74	\$11.00	\$20,000.00
2020054	Beanna Rief	930 Lakewood Trail	deck	5/5/2020	\$338.05	\$219.73	\$9.50	\$12.00
2020055	Anna Boote	215 W. Wilson Street	replace furnace & AC	5/4/2020	\$120.00		\$2.00	
2020056	Troy Krueger	622 Elm Street W	Replace windows	5/8/2020	\$60.00		\$1.00	
2020057	Ken Norman	223 Hazel Street	Reroof	5/6/2020	\$60.00		\$1.00	
2020058	Loomis Homes	990 Lakewood Trail	softener	5/6/2020	\$60.00		\$1.00	\$500.00
2020059	Eric Knuth	106 Main Street E	Replace 5 windows	5/8/2020	\$60.00		\$1.00	\$10,189.00
2020060	Steve Danielson	514 Morse Street	Alterations	5/12/2020	\$168.65	\$109.62	\$4.00	\$7,200.00
2020061	Pro Auto -Kevin Eiden	324 Railroad Street	plumbing	5/14/2020	\$168.65	\$109.62	\$4.00	\$7,400.00
2020062	Pro Auto -Kevin Eiden	324 Railroad Street	AC unit	5/14/2020	\$199.45		\$5.00	\$9,800.00
2020063	KJS Properties	219 Elm St W	reroof	5/13/2020	\$91.65	\$59.57	\$1.50	\$2,785.00
2020064	Mary Spille	440 Meadow Lake	deck remodel	6/8/2020	\$91.65	\$59.57	\$1.50	\$2,500.00
2020065	Thomas Lauerman	120 Elm Street E	Reroof garage	5/15/2020	\$60.00		\$1.00	
2020066	Nick Ostlie	115 hill St West	Reroof	5/18/2020	\$60.00		\$1.00	
2020067	Kim & Eric Neubarth	471 Emma Street	Reroof	5/18/2020	\$60.00		\$1.00	
2020068	Joseph Kube	811 Elm St West	Reside	5/19/2020	\$60.00		\$1.00	
2020069	Danielle Bentz	413 Meadow Lane	Softener	5/20/2020	\$15.00		\$1.00	
2020070	Melvin Byer	321 Hill St West	Reroof	5/29/2020	\$60.00		\$1.00	\$12,500.00
2020071	Leon Becker	214 Brush Street	Reroof	5/29/2020	\$60.00		\$1.00	\$5,000.00
2020072	Leon Becker	222 Reform Street	Reroof	5/29/2020	\$60.00		\$1.00	\$9,000.00
2020073	Eric Lehn	401 Trilane Drive	Replace windows	5/29/2020	\$60.00		\$1.00	\$38,623.00
2020074	4 Plex Townhomes	636, 648,660,662 Meadow Lane	Lane - reroof	6/1/2020	\$240.00		\$4.00	\$27,000.00
2020075	Nickolas Fejar	415 5th Street	Finish Basement		\$199.45	\$129.64	\$5.00	\$10,000.00
2020076	NAPA	508 N Faxon Road	Reroof and Reside	6/3/2020	\$288.98		\$7.50	\$15,000.00
2020077	Mark Bartels	306 Oak Drive	Reroof	6/3/2020	\$60.00		\$1.00	
2020078	Lomis Homes	1025 Lakewood Trail	fireplace	6/5/2020	\$60.00		\$1.00	\$1,500.00
2020079	Jim Crawford	1005 Whitetail Path	finish basement	6/18/2020	\$365.65	\$159.67	\$8.50	\$13,000.00
2020080	Pete Buckentime	309 Faxon Road	Reroof	6/10/2020	\$777.50	\$505.38	\$29.50	\$59,000.00
2020081	Mark & Carol Lagergren	513 Devonshire Drive	Replace windows	6/8/2020	\$60.00		\$1.00	\$12,000.00
2020082	Loomis Homes	985 Lakewood Trail	New Home	6/12/2020	\$11,448.06	\$1,663.53	\$172.00	\$338,000.00
2020083	Carl LaRose	124 Park Place W	new furnace	6/15/2020	\$60.00		\$1.00	\$2,800.00
2020084	Warren Koistinen	414 Central Avenue S	new home	6/22/2020	\$12,803.16	\$1,435.30	\$142.50	\$280,000.00
2020085	Gur Jarvi	636 Meadow Lane	deck	6/26/2020	\$59.45	\$38.64	\$1.00	\$1,500.00

