



Norwood Young America Planning Commission

6:00 p.m., Tuesday, March 2, 2021

ZOOM MEETING

<https://us02web.zoom.us/j/81204355983?pwd=UzR1ZkZQd3lIN0t3SjIJM0txVE1Xdz09>

Meeting ID: 812 0435 5983

Passcode: 295221

AGENDA

1. Call to Order
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of February 2, 2021 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
 - A. Zoning Code Amendment to allow Indoor Storage Facilities in C-2, General Commercial District – Continuation Hearing
 - B. Conditional Use Permit / Planned Unit Development Indoor Self-Storage at 640 and 710 Railroad Street East
 - C. Conditional Use Permit: 13050 Stewart Avenue
 - D. Rezoning: 710 Faxon Road
 - E. Amending Section 1215 of Zoning Code Pertaining to Nonconformance Expansion
6. New Business
 - A. Zoning Code Amendment to allow Indoor Storage Facilities in C-2, General Commercial District
 - B. Conditional Use Permit / Planned Unit Development Indoor Self-Storage at 640 and 710 Railroad Street East
 - C. Conditional Use Permit: 13050 Stewart Avenue
 - D. Rezoning: 710 Faxon Road
 - E. Amending Section 1215 of Zoning Code Pertaining to Nonconformance Expansion
7. Old Business
8. Miscellaneous
 - A. February Building Permit Report
9. Commissioner's Reports

**Jerry
Barr**

**Mike
Eggers**

**Bill
Grundahl**

**Paul
Hallquist**

**Bob
Smith**

**Craig
Heher
Council
Liaison**

10. Adjourn

UPCOMING MEETINGS

March 8	City Council 6:00 p.m.
March 10	Economic Development Commission 6:00 p.m.
March 16	Parks & Recreation Commission 4:45 p.m.
March 22	EDA & City Council meetings; followed by Work Session 6:00 p.m.
April 6	Planning Commission 6:00 p.m.

**Norwood Young America
Planning Commission Minutes
February 2, 2021**

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

Absent: Commissioner Jerry Barr

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

Public: Mayor Carol Lagergren, Richard Stolz, Tom Christensen, Arun Sabbiah, Jesse Hunt, and Perry Forst.

1. Call to Order.

The meeting was called to order by Chair Heher at 6:03 pm. The meeting was held in virtual format. All present stood for the Pledge of Allegiance.

2. Adoption of Agenda.

Chairperson Heher introduced the agenda. No changes were proposed.

Motion – Eggers, seconded by Smith to approve the agenda as presented. The agenda was approved 5-0.

3. Approval of Minutes from the Regular Meeting January 5, 2021.

Heher introduced the minutes from the January 5, 2021 regular meeting.

Motion – Smith to approve the January 5, 2021 regular meeting minutes. Seconded by Grundahl. With all in favor the regular meeting minutes were approved 5-0.

4. Public Comment.

None.

5. Public Hearings.

- A. Zoning Code Amendment to Allow Indoor Self Storage Facilities in the C-2 General Commercial District.

Heher introduced the public hearing, explained the typical public hearing process and opened the proceeding at 6:07 p.m.

Strack stated the Planning Commission is to hold a public hearing on a proposed code amendment pertaining to indoor self-storage facilities. In January the Commission discussed the potential to amend the City Code to provide for indoor self-storage facilities under planned unit development in the C-2 General Commercial District. The C-2 District is the commercial zoning designation in the Highway 212 corridor. The Commission also joined the City Council for a work session regarding the potential update on January 25th. The Council requested the Commission have additional discussion and report back to the Council. Strack referenced a proposed ordinance Amending Chapter 1200.04, Definitions and Section 1230.09, Subd. 4 to provide for indoor self-storage facilities in the C-2 General Commercial District.

Strack addressed potential conditions of issuance for an indoor self-storage CUP noting they may or may not be right for Norwood Young America and were informed by codes effective in other communities.

1. Approval of a PUD is required. The Council may waive any requirement generally applicable to Planned Unit Developments.
2. The facility must provide a fully enclosed and heated drive-in unloading area.
3. All storage units must be accessed from the interior of the building.
4. No outdoor storage of tenants' goods or wares is allowed.
5. Hours of operation limited are limited to 6 a.m. to 11 p.m.
6. The structure must be equipped with motion sensitive lighting.
7. The structure must have a security system adequate to limit access to those renting a storage unit.
8. The facility must include a restroom for use by tenants.
9. The architectural standards of Section 1245.03, Subd. 3 apply as specified and without exception.
10. Potentially dangerous or hazardous items including but not limited to, combustibles, flammables, explosives, and the like shall not be stored on site.
11. Overnight parking of vehicles and trailers is prohibited. A loaner truck for tenant use that is owned by the facility may be permitted to be parked overnight as approved by City Council.
12. The facility must be located on a minimum one acre lot.

Strack noted if the Planning Commission appeared likely to require additional information it should consider continuing the public hearing versus closing it. Strack requested the Commission consider proposed standards to determine whether they were right for Norwood Young America.

Chairperson Heher invited Arun Sabbiah to comment. Sabbiah noted he and the owner of the property had filed the request. Sabbiah talked about how he planned to use an existing structure in the C-2 District for indoor self-storage.

Strack noted the current hearing pertained to amendment of City Code to provide for indoor self-storage facilities and a request for a CUP/PUD to allow for a specific request was later in the agenda.

Smith inquired as to whether or not through PUD review of proposed indoor storage facilities the City could require improvement to facades. Strack noted PUD review criteria included findings specific to: (A) *"The design of a PUD shall take into account the relationship of the site to the surrounding areas. The perimeter of the PUD shall be so designed as to minimize the impact of the PUD on adjacent properties and, conversely, to minimize the impact of adjacent land use and development characteristics on the PUD"* and (B) *"The proposed project shall not be detrimental to present and potential surrounding land use"*. Strack opined those required findings would apply to both existing and proposed facades. Strack stated the architectural requirements for the commercial district [Section 1245.03, Subd. 3] would apply to all new facades and additions to existing façades.

Smith stated support for the proposed condition prohibiting outdoor storage of tenants' goods or wares. Smith noted he is familiar with these types of storage facilities and opined they are in need.

Hallquist spoke to a proposed condition requiring motion sensitive lighting. Hallquist opined the condition was quite specific and occasionally too much specificity in code results in problems in the future. Hallquist opined other methods not as specific could be used such as timers. Hallquist inquired if alternate language could be considered or should be considered. Strack confirmed the Commission could change proposed language.

Heher inquired as to whether the proposed language would apply to structures that currently exist and those constructed in the future. Strack confirmed both existing and future.

Smith inquired as to whether motion sensitive lighting language was intended to apply to both interior and exterior lighting. Strack noted just interior. Exterior lighting would either exist or be reviewed with site plan.

Resident Jesse Hunt opined motion sensitive lighting in not too expensive and could be helpful to deter crime.

Resident Richard Stolz referenced comments he included in a letter to the City Council. Stolz expressed concern for how quickly the City was moving on an amendment to the Code. Stolz opined C-2 is the issue and that the Highway 212 corridor is changing through expansion. Stolz opined users of Highway 212 would see parks and open space and then indoor self-storage facility maybe with U-Haul trucks/trailers and a building that will look like a mall but when you approach be filled with self-storage containers. Stolz opined this will be gateway view. Stolz further opined if the City is changing code for a specific person or request that is wrong. Stolz stated that Highway 212 corridor is growing and when the 212 expansion is completed the proposed code change will be viewed as a mistake.

Heher spoke about the entirety of the C-2 District noting the amendment if approved would apply to existing buildings and greenspaces. That means any existing building or open lot in the C-2 could be site of indoor self-storage facility. Heher further opined self-storage facility would not add new jobs or new residents. Heher suggested a careful approach. Heher noted City Council members at the last work session were split on the concept of allowing indoor self-storage in the C-2 District.

Eggers noted as proposed the City would review each proposed indoor self-storage facility on a case-by-case basis. Eggers opined not every building or lot will change to indoor storage. Eggers noted there was

a vacant space that could be filled with a productive use. He further opined the existing structure featured attractive storefronts. Eggers stated the City could deny any objectionable self-storage facility by not approving a PUD which is a proposed required condition for issuance of the CUP. Eggers opined there are not many areas in the C-2 District where people stop to do things and that proposed self-storage is not that different. Eggers alluded to Sabbiah having completed other developments in other communities.

Smith spoke about architectural standards. Smith stated he did not oppose indoor self-storage facilities in the C-2 District. He did not support any outdoor storage facilities in the C-2. Smith stated he was not in favor of U-Haul trucks/trailers being stored in C-2. Smith opined U-Haul truck/trailer use ends up being a cluster of vehicles that can be unsightly. Smith inquired if proposed amendment would accommodate an onsite caretaker residing at the self-storage facility. Strack stated the Code amendment as proposed did not provide for such. Smith inquired if mixed uses can be accommodated in larger structures and developments. Strack confirmed noting PUD process would be a means to allow. Smith stated he does not support live-in caretakers in self-storage facilities.

Hallquist noted he supported the proposed amendment and thought it made sense. Hallquist opined his thought is the Commission is here to make things work. He noted he did not envision U-Hauls lined up in front of a building and he did not think more than one self-storage facility would happen. Hallquist stated providing for uses was important to the community. He noted he does not support concept of a live-in manager residing at facility.

Grundahl stated he agreed with Hallquist in not supporting a live-in manager in a self-storage facility. Grundahl stated he does not think there would be a corridor of indoor self-storage facilities in the city.

Smith stated demand for self-storage would limit the need to supply space.

Heher expressed he wanted to be sure Commission is being diligent in making a change. He recommended thinking through the proposed amendment in terms of what could happen in the future.

Perry Forst opined architectural standards and aesthetic controls are covered in proposed conditions. Forst noted the requirement for issuance of a PUD means the City can deny a CUP. Forst opined rental services offered outdoors could be part of a different required review. Forst noted objection to the proposed condition requiring storage units be accessed from the interior of the building that was fully enclosed and heated. Forst opined the proposed language was quite restrictive. He suggested the City could include as part of PUD requirement rather than listing as a separate condition of the CUP.

Stolz inquired if language was informed from other cities. Strack confirmed.

Sabbiah thanked the Commission for their discussion. He stated the space he is looking at would not need a resident caretaker. Sabbiah noted his biggest objection to the proposed language was the requirement the storage units be accessed from the interior of the building. He opined having to put large doors in the mall front would change the look of the building. He referenced other self-storage buildings in Chaska. He opined his proposed facility would bring people to Norwood Young America from the metro area. Sabbiah noted he envisions the storage units in the front near the front façade would be a colorful display that was lit.

Heher inquired as to whether or not the Commission supported limits on hours of operation.

Smith inquired if other business were limited or had typical office hours. Smith opined 6 a.m. might be

too early and 11 p.m. too late. Smith opined a drive in space for loading and unloading was an important component for indoor self-storage facilities. He noted he preferred not to see all loading/unloading actions occurring in the parking lot. He opined an indoor storage facility should be entirely indoors or he was not in favor of allowing. He repeated his concern for allowing outdoor loading/unloading noting most facilities he has worked on are entirely indoors and measures can be taken to accommodate vehicle access. Smith stated he did not support allowing outdoor rental vehicles and trailers opining it would look untidy.

Hunt asked about customers parking items in the parking lot.

Strack clarified the request for U-Haul storage was part of the CUP/PUD presentation by the Applicant but was not appropriate for consideration under the self-storage CUP/PUD. Instead it would require a separate and independent review under IUP standards. Strack further clarified that the request to add outdoor self-storage units to the north side of the building was forwarded after the initial application was filed. Strack opined the City Council was clear at its work session that outdoor storage facilities were not allowed.

Heher asked Commissioners to comment on hours of operation. Smith noted he has seen both 24 hour and limited hour operations. Sabbiah opined their facility could be either 24-hour or limited hours.

Heher asked for input on how the Commission wanted to process the request from this point. Hallquist suggested the Commission put something together for the City Council upon which they can decide. The Council could make a decision or request the Commission do more.

Eggers asked if sample codes required drive in loading/unloading. Strack affirmed.

Grundahl opined overnight parking of a vehicle was acceptable but long term placement of trucks/trailers on site was not. He opined requiring drive in loading/unloading was a good idea. He opined hours of operation listed in the amendment were a good start. He stated he could go either way on motion sensitive lighting.

Smith stated there are many lighting alternatives. He opined indoor storage means all aspects are conducted indoors. Users drive in unload and then leave. He opined outdoor storage involves aspects conducted outdoors. Smith stated he was concerned about what indoor storage was called and meant. Smith stated he was accepting for the business to have one vehicle on site for tenant use but did not support use of the parking lot or facility for U-Haul display.

Heher opined an indoor facility was to be an indoor facility with a drive in access for loading/unloading. He did not support U-Haul facility. He noted hours of operation could be 24/7. He opined motion sensitive lighting made sense. Heher suggested the Commission have unofficial draft minutes of this meeting forwarded to the City Council for further discussion.

Smith agreed. Eggers agreed and noted indoor loading/unloading seemed to be important to others. Hallquist inquired if loading access had to be from a specific location. Strack noted the proposed language did not specify. Smith suggested access points could be reviewed under architectural standards. Heher inquired if access had to be drive through. Strack stated no.

Grundahl suggested the Commission gather notes and minutes and submit to the City Council.

Heher asked if there was a motion to table. Strack suggested joint session. Heher asked if Commission wanted to meet sooner.

Sabbiah suggested indoor loading and unloading could be looked at for the mall. He stated he has developed other uses in other cities, including hotels. He noted he has a purchase agreement.

Motion Smith, seconded by Grundahl to continue the public hearing to March 2nd meeting. Motion carried unanimously.

B. Conditional Use Permit: 221 Elm Street West.

Heher introduced the agenda topic and opened the public hearing at 7:15 p.m.

Strack stated the Planning Commission is to hold a public hearing on a request for a conditional use permit to allow limited manufacturing consisting of powder coating small metal objects at 221 Elm Street West.

Strack noted the Code provides for such uses in the C-3, Downtown District under CUP provided an office space is retained in the storefront, there is no outdoor storage, and business parking is off-street. Strack noted the Applicant was present on the virtual meeting. The Applicant represents the use of the building will be for powder coating of previously manufactured materials. An office will be retained at the building storefront comprising approximately 15 to 20 percent of the space. An architectural floor plan has been provided. No outdoor storage will occur and any business vehicles will be parked on-site. The proposed activity doesn't involve chemicals, production of fumes, noise, gases, etc. No exterior exhaust fans are proposed. No changes are proposed to the building footprint.

Heher invited the Applicant to comment. The Applicant Tom Christensen explained powder coating as a simple process and that most products are powder coated. He stated the process doesn't produce VOC's a positive/negative charge attracts colored powder to metal objects which are then heated to high temperatures. Christensen says he powder coats aging wheels most frequently.

Heher opined there is no overspray and process is relatively clean. Heher asked about anticipated work hours or shifts. The Applicant noted he is only worker currently. Anticipates typical work hours.

Heher asked what type of oven would be used. Christensen noted a gas oven.

Eggers inquired as to how big the oven would be. Christensen noted four by eight feet and seven feet tall. Christensen stated he did not want to do large parts. Eggers asked about sandblasting on site. Christensen stated he would have a 48" sandblaster on site for small items.

Heher asked if semi-trucks would be bringing products. Christensen said he envisioned only box trucks.

Jesse Hunt opined there are solvents produced by the process. Christensen stated he was not aware of any solvents submitted during the process. He opined no VOCs are produced by the process. Hunt inquired if MDSS were obtained. Christensen said no.

Grundahl asked how many employees would be at the site. Christensen said only him at this time. Would not be opposed to growing operation and hiring one or two employees.

Eggers asked if the Building Official had reviewed the occupancy. Christensen confirmed noting fire suppression for the oven was needed. Eggers asked about a fresh air intake. Christensen said that a fresh air intake did not come up during building code review. Eggers suggested Christensen verify.

Heher asked Christensen whether he reviewed the proposed conditions for conditional use permit issuance. Christensen confirmed he reviewed and did not have any issues. Heher suggested the exhaust, if needed would need to be reviewed.

Heher asked City Administrator Helget whether the Fire Chief had reviewed. Helget stated no. Christensen opined the Building Official consulted with the Fire Chief about fire suppression.

Heher asked for any other comments.

Motion Grundahl, seconded by Smith to close the public hearing at 7:32 p.m. Motion carried unanimously.

C. Conditional Use Permit/Planned Unit Development Indoor Self-Storage at 640 and 710 Railroad Street East.

Heher introduced the agenda item and opened the public hearing at 7:34 p.m.

Motion Heher to continue public hearing until March meeting, second Grundahl. Motion carried unanimously.

6. New Business.

A. Zoning Code Amendment to Allow Indoor Storage Facilities in the C-2 General Commercial District.

Heher introduced the agenda item.

Motion Eggers, second Hallquist to postpone to the March meeting to provide for additional study. Motion carried unanimously.

B. Conditional Use Permit: 221 Elm Street West.

Heher introduced the agenda item.

Grundahl asked Christensen how the product was being delivered. Christensen said maybe by box truck but not by semi-truck. Heher asked if paint was delivered in boxes. Christensen confirmed.

Motion Smith, seconded by Hallquist to recommend the City Council conditionally approve of the CUP providing for limited manufacturing at 221 Elm Street West. Motion carried unanimously.

- C. Conditional Use Permit/Planned Unit Development Indoor Self-Storage at 640 and 710 Railroad Street East.

Heher introduced the agenda.

Motion Heher, seconded by Smith to postpone to the March meeting to provide for additional study. Motion carried unanimously.

- D. Building Permit Fee Comparison.

Heher introduced the agenda. City Administrator Helget provided an overview of a spreadsheet included in the Commission packet which compared fees for issuance of building permits for other Cities in Carver County. Helget noted the City uses the 1997 State schedule as fee base. Helget noted the information demonstrates the City's fees are in line with other Cities.

Eggers asked if Helget has recently conducted a review of WAC/SAC and other permit fee add-ons. Helget noted most recent was approximately three years ago. Helget stated staff will examine total building permit fees including WAC/SAC and park fees again soon.

7. Old Business.

- A. PC Work List.

Heher introduced the agenda item noting the shoreland Overlay code amendment was approved by the City Council as was rezoning a portion of Railroad Street West.

Strack noted the City Council received proposed language pertaining to non-conformance expansion permits and had no comments. If appropriate, the Commission was to call for a public hearing for the March meeting.

Motion Eggers, seconded by Smith to call for public hearing on nonconformance expansion permit at March meeting. Motion carried unanimously.

Strack noted the Commission will take up how to promote consistency between the 2040 Comprehensive Plan and the Zoning Code at a future meeting as agenda time allows.

8. Miscellaneous.

- A. January Building Permit Report.

The January building permit report was received.

9. Commissioner Reports.

Eggers, Grundahl, Hallquist, and Smith did not have updates.

Heher provided a summary of January City Council meetings.

10. Adjourn

Motion – Eggers, Seconded by Hallquist to adjourn the meeting. With all in favor the meeting adjourned at 7:51 p.m.

Respectfully submitted,

Steve Helget
Zoning Administrator



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Strack Consulting LLC

Date: March 2, 2021

Re: Public Hearing (Continued) Ordinance Indoor Storage Facilities in C-2 General Commercial District

BACKGROUND

In February the Planning Commission continued a public hearing regarding a proposed code amendment pertaining to indoor self-storage facilities. The proposed code amendment is sponsored by the City of Norwood Young America and not an Applicant.

The Planning Commission expressed a need to have more information on the potential implications of certain proposed conditional use conditions. The Commission and Council discussed the issue at a joint session on February 22nd.

Attached please find the proposed ordinance Amending Chapter 1200.04, Definitions and Section 1230.09, Subd. 4 to provide for indoor self-storage facilities in the C-2 General Commercial District.

The following are conditions of issuance of a CUP/PUD for indoor storage facilities included in the draft code amendment. They are proposed as a starting point for discussion. The conditions listed may not be what the Commission finds necessary. The Commission is asked to move through each recommendation and determine appropriateness. In addition, the Commission should provide comment on any additional items of concern or items Commissioner's would like to consider for inclusion.

1. The City approves a non-residential Planned Unit Development as provided under Section 1240.02, Subd. 6(A) as may be amended. In approving the PUD, the Council may waive any requirement generally applicable to Planned Unit Developments in Section 1240.02, but the requirements set forth in (G)(2-12) below shall apply to all Indoor Self Storage Facilities approved under this Section
2. The facility must provide a fully enclosed and heated drive-in unloading area.
3. All storage units must be accessed from the interior of the building
4. No outdoor storage of tenants' goods or wares is allowed.
5. Hours of operation limited are limited to 6 a.m. to 11 p.m.
6. The structure must be equipped with motion sensitive lighting.
7. The structure must have a security system adequate to limit access to those renting a storage unit.
8. The facility must include a restroom for use by tenants.

9. The architectural standards of Section 1245.03, Subd. 3 apply as specified and without exception.
10. Potentially dangerous or hazardous items including but not limited to, combustibles, flammables, explosives, and the like shall not be stored on site.
11. Overnight parking of vehicles and trailers is prohibited. A loaner truck for tenant use that is owned by the facility may be permitted to be parked overnight as approved by City Council.
12. The facility must be located on a minimum one acre lot.

ACTION

The Planning Commission is to hold the public hearing. Following the hearing and discussion the following options are available to the Commission:

1. Consider a MOTION to recommend the City Council approve the Ordinance providing for indoor storage facilities in the C-2 District (with any suggested changes).
2. Consider a MOTION to recommend the City Council not approve the Ordinance.

**CITY OF NORWOOD YOUNG AMERICA
ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 1200.04, DEFINITIONS AND
SECTION 1230.09, SUBD. 4 TO PROVIDE FOR INDOOR SELF STORAGE
FACILITIES IN THE C-2 GENERAL COMMERCIAL DISTRICT**

- I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA
HEREBY ORDAINS:**
- II. SECTION 1200.04 (DEFINITIONS) OF THE NORWOOD YOUNG AMERICA CITY CODE
IS HEREBY AMENDED BY ADDING THE FOLLOWING DEFINITION.**
- Indoor Storage Facility.** A climate controlled building with controlled access that contains varying sizes of internally accessible individual, compartmentalized, and stalls or lockers for the storage of tenants' goods or wares.
- III. CHAPTER 1230.09, SUBD. 4 OF THE CITY CODE (CONDITIONAL USES IN THE C-2
GENERAL COMMERCIAL DISTRICT) SHALL BE AMENDED BY ADDING
SUBSECTION G TO SUBDIVISION 4 AS FOLLOWS.**

G. Indoor Self Storage Facilities, provided:

1. The City approves a non-residential Planned Unit Development as provided under Section 1240.02, Subd. 6(A) as may be amended. In approving the PUD, the Council may waive any requirement generally applicable to Planned Unit Developments in Section 1240.02, but the requirements set forth in (G)(2-12) below shall apply to all Indoor Self Storage Facilities approved under this Section
2. The facility must provide a fully enclosed and heated drive-in unloading area.
3. All storage units must be accessed from the interior of the building
4. No outdoor storage of tenants' goods or wares is allowed.
5. Hours of operation limited are limited to 6 a.m. to 11 p.m.
6. The structure must be equipped with motion sensitive lighting.
7. The structure must have a security system adequate to limit access to those renting a storage unit.
8. The facility must include a restroom for use by tenants.
9. The architectural standards of Section 1245.03, Subd. 3 apply as specified and without exception.

10. Potentially dangerous or hazardous items including but not limited to, combustibles, flammables, explosives, and the like shall not be stored on site.
11. Overnight parking of vehicles and trailers is prohibited. A loaner truck for tenant use that is owned by the facility may be permitted to be parked overnight as approved by City Council.
12. The facility must be located on a minimum one acre lot.

IV. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the ____ day of _____, 2021.

Attest:

Carol Lagergren, Mayor

Angela Brumbaugh, City Clerk

Adopted:
Published:

Steve Helget

From: Arun Subbiah <mailarun@yahoo.com>
Sent: Friday, February 5, 2021 2:56 PM
To: Steve Helget
Cc: Karen Hallquist; clagergren@nyacouncil.com
Subject: Heated Self Storage. - Meeting follow up.

Steve,

Following the last planning meeting, I had had a few conversations with Janus International, Architect and Installer. I felt that it was important for me to relay a few things that we see from our end at this time. Please forward to everybody as you deem appropriate.

At this time, to get an expedited review in the interest of everybody's time. We are not asking for the following:

- 1) U Haul or Trailer Parking.
- 2) Resident Manager or Employee staying in the building.
- 3) Cold Storage

Our goal originally was to bring a Class A heated business storage amenity that is not in the neighborhood currently, (or any of the surrounding towns) get some development and and look into developing other empty spaces in the building and neighboring land.

In addition, if a drive in bay is needed from front to back, or if the vehicle has to be inside the building to load/unload, we will not be pursuing this purchase of this building and developing this further for the following reasons.

- The constraints in this space and building as it exists, make this prohibitive physically and economically.
- A drive in bay will require a ramp on back as ground elevations on front and back are not the same., and there will not be enough turning radius on the back of the building to make this physically work.
- A drive in bay in this space is not feasible per Janus or the Installer in this case. A typical storage facility has over 500 spaces to lease of each heated and cold spaces typically. In our case, we have 40 - 50 spaces total here give or take depending on size and configurations. We would not be able to economically make this work, in addition to maintaining the integrity and aesthetics of this existing building.
- If a vehicle has be inside building, it would consume additional area, when already this is at the 1/10th square footage of any heated storage business also would cut into the already possible 40 - 50 spaces.
- Also per Janus, and Installers, once the spaces are getting up to occupancy loading and unloading would not be a daily active task, given the fact that we only have a very few spaces compared to any storage facility. What is possible long term is if the city mandates or customers require a larger opening, installing a 8X10, or an appropriate size roll up door at the main entrance, to back up the vehicle to the door in front and load/unload. The team currently feels that the 6ft opening that is currently there is enough for this space and sizes of storage that will be possible here an no need to open it up to 9ft via a roll up door immediately.

I Thank all city officials for their time and taking into account our inputs while this is discussed at the next joint work session.

Sincerely,
Arun



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 2, 2021

Re: Public Hearing (Continued) Conditional Use Permit/Planned Unit Development Indoor Self-Storage
Former NYA Mall

BACKGROUND

In February the Planning Commission continued a public hearing on a request for a conditional use permit/planned unit development pending the outcome of a decision on whether or not to amend allowable uses in the C-2 District to provide for indoor self-storage facilities. Consideration of this request by the City Council post-Planning Commission public hearing remains contingent on the Council approving and placing into effect an ordinance amending Chapter 1200.04, Definitions, and Section 1230.09, Subd. 4 to provide for indoor self-storage facilities in the C-2 General Commercial District.

Stan Albrecht (the Property Owner and Applicant) has applied for a CUP/PUD to provide for an indoor self-storage facility in the NYA mall. The proposed use will occupy approximately 9, 200 square feet of the mall which occupies a portion of two lots: 640 Railroad Drive and 710 Railroad Street East.

The property is zoned C-2 General Commercial District and a pending code amendment will provide for indoor self-storage facilities under the following conditions. The conditions are subject to change pending approval of the City Council at a future meeting.

1. The City approves a non-residential Planned Unit Development as provided under Section 1240.02, Subd. 6(A) as may be amended. In approving the PUD, the Council may waive any requirement generally applicable to Planned Unit Developments in Section 1240.02, but the requirements set forth in (G)(2-12) below shall apply to all Indoor Self Storage Facilities approved under this Section
2. The facility must provide a fully enclosed and heated drive-in unloading area.
3. All storage units must be accessed from the interior of the building
4. No outdoor storage of tenants' goods or wares is allowed.
5. Hours of operation limited are limited to 6 a.m. to 11 p.m.
6. The structure must be equipped with motion sensitive lighting.
7. The structure must have a security system adequate to limit access to those renting a storage unit.
8. The facility must include a restroom for use by tenants.

9. The architectural standards of Section 1245.03, Subd. 3 apply as specified and without exception.
10. Potentially dangerous or hazardous items including but not limited to, combustibles, flammables, explosives, and the like shall not be stored on site.
11. Overnight parking of vehicles and trailers is prohibited. A loaner truck for tenant use that is owned by the facility may be permitted to be parked overnight as approved by City Council.
12. The facility must be located on a minimum one acre lot.

REVIEW OF REQUEST

Attached please find an application for a CUP/PUD and associated information.

The Applicant represents:

1. Approximately 9,200 square feet of the NYA Mall will be converted to an indoor self-storage facility. The proposed facility occupies portions of the existing structure at 640 Railroad Drive and 710 Railroad Street East.
2. No changes in the building footprint are proposed. A sliding glass entry door or glass garage door may replace existing entry/building opening. The portion of the building interior to be used for indoor self storage may be adjusted including demising walls. Storage partitions will be either steel or Oriented Strand Board (OSB).
3. The Applicant's request includes adding a U-Haul Rental Franchise in the same building long term. *It is noted such a use would require a separate and independent interim use permit under Chapter 1230.09, Subd 5(A) of the City Code which relates to outdoor storage in the C-2 District. The standards for outdoor storage are included in Chapter 1210.06, Subd. 3(A) and 1210.06, Subd. 3(B)(18). As such this request is not included in the public hearing or request for CUP/PUD herein.*
4. Hours of operation will be 6 a.m. to 10 p.m.
5. Security and fire suppression systems are proposed.
6. Maximum storage height is 12 feet.
7. Types of items prohibited include, but may not be limited to: tires, flammables, hazardous, drugs, perishables, equipment with fuel (fuel must be emptied out), live plants, live animals, products containing asbestos, radioactive equipment, loaded firearms (firearms must be emptied out), waste (toxic, biological and hazardous).
8. Business vehicles will be parked on-site.
9. The proposed activity doesn't involve chemicals, production of fumes, noise, gases, etc.
10. No exterior exhaust fans are proposed.

It is noted that after submitting the complete application the Applicant's submitted an updated drawing including traditional outdoor mini-storage facilities located on the north side of the existing structure. The traditional outdoor mini-storage is not part of this CUP/PUD request and is not at this time permissible in the C-2 District.

Hearing Requirements

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

Comments Received

Public comments was received during the initial phase of the public hearing. The comments are included in the draft minutes of the meeting which are included in the meeting packet.

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 2040 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-2 District is to recognize development opportunity and the need for commercial establishments fronting on or with direct access to major highways, a frontage road, or a major street intersecting a highway, serving area residents as well as vehicular traffic generated from the surrounding area. The proposed use will occupy approximately 9,200 square feet an existing commercial mall. No changes to building footprint 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: Other uses within the commercial mall include professional office and retail. Adjacent locale includes high density residential uses.***
6. The use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. ***DISCUSSION: The proposed use is to be contained within an existing commercial strip mall.***
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. No changes to existing site layout, including parking configuration is proposed.
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 existing vehicle parking or pedestrian circulation patters is 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 subject parcels are legal, conforming lot of record in the C-2 District with a zero lot line for a multi-unit structure.**

Specific Criteria for Approval of the Conditional Use Permit

Section 1230.09, Subd. 4 is proposed to provide for indoor self-storage facilities in the C-2 General Commercial District under the following conditions:

1. The City approves a non-residential Planned Unit Development as provided under Section 1240.02, Subd. 6(A) as may be amended. In approving the PUD, the Council may waive any requirement generally applicable to Planned Unit Developments in Section 1240.02, but the requirements set forth in (G)(2-12) below shall apply to all Indoor Self Storage Facilities approved under this Section. **DISCUSSION: Note comments below.**
2. The facility must provide a fully enclosed and heated drive-in unloading area.
3. All storage units must be accessed from the interior of the building. **DISCUSSION: A schematic included with application materials illustrates all storage units will be accessed from the interior of the building. If approved, the schematic is to be included in the approving resolution.**
4. No outdoor storage of tenants' goods or wares is allowed. **DISCUSSION: The Applicant's representations do not allude to storage of tenant goods or wares outdoors. Outdoor storage of tenant goods/wares is proposed to be prohibited as a condition of approval.**
5. Hours of operation limited are limited to 6 a.m. to 11 p.m. **DISCUSSION: The Applicant represents storage facility hours of operation will be 6 a.m. to 10 p.m. Maximum hours of operation from 6 a.m. to 11 p.m. is a proposed condition of approval.**
6. The structure must be equipped with motion sensitive lighting. **DISCUSSION: The Applicant does not directly represent motion sensitive lighting is proposed. Motion sensitive lighting in the interior of area allowed for self-storage units is proposed to be required as a condition of approval.**
7. The structure must have a security system adequate to limit access to those renting a storage unit. **DISCUSSION: The Applicant proposes a security system. The same is to be a required condition of approval.**
8. The facility must include a restroom for use by tenants. **DISCUSSION: Restroom facilities currently exist in the portion of the commercial strip mall proposed for use as self-storage.**
9. The architectural standards of Section 1245.03, Subd. 3 apply as specified and without exception. **DISCUSSION: The Applicant alludes to potential to change an existing pedestrian entrance to the facility to accommodate a larger sliding or roll-up access. The future access is limited to no more than nine feet one inch (9'1") in height and subject to architectural standards of Section 1245.03, Subd. 3 of the City Code as a condition of approval of the CUP.**
10. Potentially dangerous or hazardous items including but not limited to, combustibles, flammables, explosives, and the like shall not be stored on site. **DISCUSSION: A list of prohibited storage items is included in the application. The list is proposed to be included as a condition of approval.**

11. Overnight parking of vehicles and trailers is prohibited. A loaner truck for tenant use that is owned by the facility may be permitted to be parked overnight as approved by City Council. **DISCUSSION: The Applicant contemplates locating a U-Haul franchise out of the building/parking lot in the future. As a condition overnight parking of vehicles and trailers on site is prohibited except for a maximum of one (1) loaner truck for tenant use that is owned by the facility.**
12. The facility must be located on a minimum one acre lot. **DISCUSSION: This requirement is met.**

Specific Criteria for Approval of the Planned Unit Development

Under proposed Section 1230.09, Subd. 4(G)(1) the Council may waive any requirement generally applicable to Planned Unit Developments. The City is presumed to be waiving requirements pertaining to PUD contemplating new development, subdivision, mixing of land uses (e.g. commercial/residential), separate commercial unit ownership, creation of a property owner association, common areas, a change to the footprint of the building, change to building height, moving of lot lines, lot combination, construction of new streets/utility connections, or redevelopment of the site.

Section 1240.02 contains standards for Planned Unit Developments, including single use commercial PUD. Standards applicable to this review would appear to include:

1240.02, Subd. 7(B) which requires: "The design of a PUD shall take into account the relationship of the site to the surrounding areas. The perimeter of the PUD shall be so designed as to minimize the impact of the PUD on adjacent properties and, conversely, to minimize the impact of adjacent land use and development characteristics on the PUD". **DISCUSSION: The proposed PUD involves establishment of a use inside an existing commercial strip mall wherein all space is under unified ownership. A proposed condition of PUD approval is the subject properties remain as is, consisting of two individual parcels of record under unified ownership without the possibility of splitting the property or changing ownership status to a condominium arrangement. In the future if a change in ownership status is contemplated this will limitation will provide the City an opportunity to address utility services, parking, common areas, joint easements, etc.**

1240.02, Subd. 7(C) which requires the PUD be consistent with the Comprehensive Plan. **DISCUSSION: The proposed PUD appears consistent with planned land use.**

1240.02, Subd. 13(L)(a) which requires: "The proposed project shall not be detrimental to present and potential surrounding land use". **DISCUSSION: The Planning Commission should make a finding related to this item, and, if it finds it necessary, add appropriate conditions for PUD approval. It is noted the PUD pertains to an internal facility use.**

1240.02, Subd. 13(L)(c) which requires: "Land surrounding the proposed development can be planned in coordination with the proposed development and can be developed so as to be mutually compatible". **DISCUSSION: The Planning Commission should make a finding related to this item, and, if it finds it necessary, add appropriate conditions for PUD approval. It is noted the PUD pertains to an internal facility use.**

Conditions of CUP/PUD 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 the companion code amendment pertaining to indoor self-storage uses as conditional uses in the C-2 fails the Planning Commission should recommend denial of this request.

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

1. The "Use" is defined as a 9,200 square foot indoor self-storage facility within an existing commercial strip mall at the following two properties:

Parcel ID: 585300050
Address: 640 Railroad Drive
Legal Description: Lot 5, Block 1 Metro West Industrial Park

Parcel ID: 585300060
Address: 710 Railroad Street East
Legal Description: Lot 6, Block 1 Metro West Industrial Park

2. The Applicant represents the following which the City takes as a good-faith representation of the proposed use:
 - A. Approximately 9,200 square feet of the NYA Mall will be converted to an indoor self-storage facility. The proposed facility occupies portions of the existing structure at 640 Railroad Drive and 710 Railroad Street East.
 - B. No changes in the building footprint are proposed. A sliding glass entry door or glass garage door may replace existing entry/building opening. The portion of the building interior to be used for indoor self-storage may be adjusted including demising walls. Storage partitions will be either steel or Oriented Strand Board (OSB).
 - C. Hours of operation will be 6 a.m. to 10 p.m.
 - D. Security and fire suppression systems are proposed.
 - E. Maximum storage height is 12 feet.
 - F. Types of items prohibited include, but may not be limited to: tires, flammables, hazardous, drugs, perishables, equipment with fuel (fuel must be emptied out), live plants, live animals, products containing asbestos, radioactive equipment, loaded firearms (firearms must be emptied out), waste (toxic, biological and hazardous).
 - G. Business vehicles will be parked on-site.
 - H. The proposed activity doesn't involve chemicals, production of fumes, noise, gases, etc.
 - I. No exterior exhaust fans are proposed.
3. The status of the subject properties shall remain as is, consisting of two individual parcels of record under unified ownership without the possibility of splitting the property or changing ownership status to a condominium arrangement without obtaining specific written permission from the City Council.
4. The property shall not be used for residential purposes, including by the Property Owner or storage tenant.
5. Prior to occupying the structure with the proposed use the Property Owner and/or Applicant shall request a change in occupancy review as required by the Building Official. Any requirements specified by the Building Official shall be completed prior to occupancy of the structure.
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. Any changes to the building footprint, exterior materials, building openings, and other architectural elements shall meet the requirements of Section 124503, Subd. 3, without exception.

8. All storage units must be accessed from the interior of the building
9. No outdoor storage of tenants' goods or wares is allowed.
10. Hours of operation limited are limited to 6 a.m. to 11 p.m.
11. The structure shall be equipped with motion sensitive lighting.
13. The structure shall have a security system adequate to limit access to those renting a storage unit.
14. The facility shall maintain a restroom for use by tenants.
15. Potentially dangerous or hazardous items including but not limited to, combustibles, flammables, explosives, and the like shall not be stored on site.
16. Overnight parking of tenant or owner vehicles and trailers is specifically prohibited, except that one (1) loaner truck for tenant use that is owned by the facility may be permitted to be parked overnight as approved by City Council.
17. A conditional use permit, separate and independent of this CUP/PUD must be issued if storage of rental vehicles on-site is proposed.
18. A sign permit is required for changes to on-site signage.
19. This approval shall expire one year after date of approval unless the Applicant has commenced operation of the Use on-site.
20. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
21. The permit may be subject to annual inspection and audit by the City.
22. 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.
23. The conditional use permitted under this Resolution shall be revoked if the Use ceases for more than 12 consecutive months.

ACTION

The Planning Commission is to hold a public hearing. After the Planning Commission's review and discussion is complete, the following actions are available to the Commission:

1. Consider a MOTION to recommend the City Council approve the conditional use permit and planned unit development plan to provide for an indoor self-storage facility at 640 Railroad Drive and 710 Railroad Street East.
2. Consider a MOTION to recommend the City Council deny the conditional use permit and planned unit development plan to provide for an indoor self-storage facility at 640 Railroad Drive and 710 Railroad Street East.

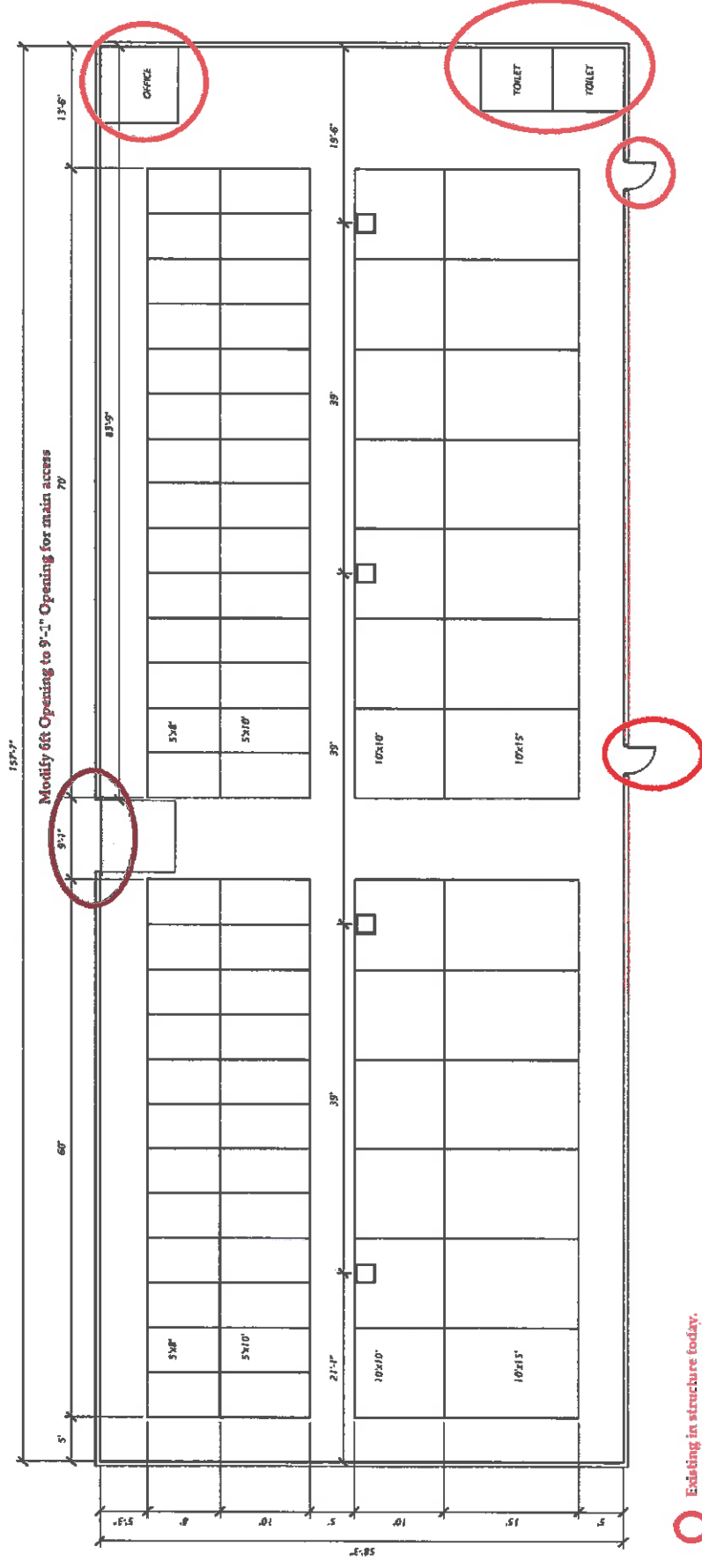
CUP Usage Request:

- 1) Use the prior Gym Space as Climate Controlled Storage. (Layout and dimensions shown in next page)
- 2) Loading and Unloading outside the building. Running Vehicles are not allowed inside the building.
- 3) No Changes to structure or site plan, Only inside addition, non structural walls.
- 4) Only modification on the outside would be changing the 6' existing door to 9'1".
- 5) Existing storefront glasses to remain and is an asset, and will brighten the space overall for this usage.
- 6) Request to add a U Haul Rental franchise in same building long term.
 - 1) Storage and U Haul Rentals go together.
 - 2) Parking for U Haul vans and trailers in parking lot. (Only change needed for this)
 - 3) National Average is 3 to 5 vehicles and 2 -4 trailers in parking lot at any time based on population of the town.

Actual CAD of overall measurements of Gym Space is shown

Proposed Area: Climate Controlled Storage sample floor plan

PARTITIONS MAY CHANGE IN CONFIGURATION IN CONSTRUCTION PLANS





**NYA Climate
Controlled Storage**

Open Hours	24 Hours , some locations 6AM to 10 PM	24 Hours, some locations 6AM to 10PM.	Start with 6AM to 10PM. Activate Motion Sensor and access disabled outside of these hours.
Storage Requirements	Cold Storage and Climate controlled required by Franchise.	Cold Storage and Climate Controlled Storage required by Franchise.	Only Climate Controlled. Non Franchise.
Insurance by Tenants	Optional	Optional	Start with Mandatory.
Prohibited Items	Standard attached in next page.	Standard attached in next page.	Standard attached in next page.
Partitions	Varies by location, OSB or Steel.	Varies by location OSB or Steel.	OSB or Steel.
Security	CC Monitoring,	CC Monitoring	CC Monitoring and Occupancy Detection during closed hours.
Fire	Sprinklers and Alarm System	Sprinklers and Alarm System.	Sprinklers and Alarm System Monitoring.
Storage Area Height.	8' 1" Standard	8' 1" Standard.	8'1" – 12' possible.

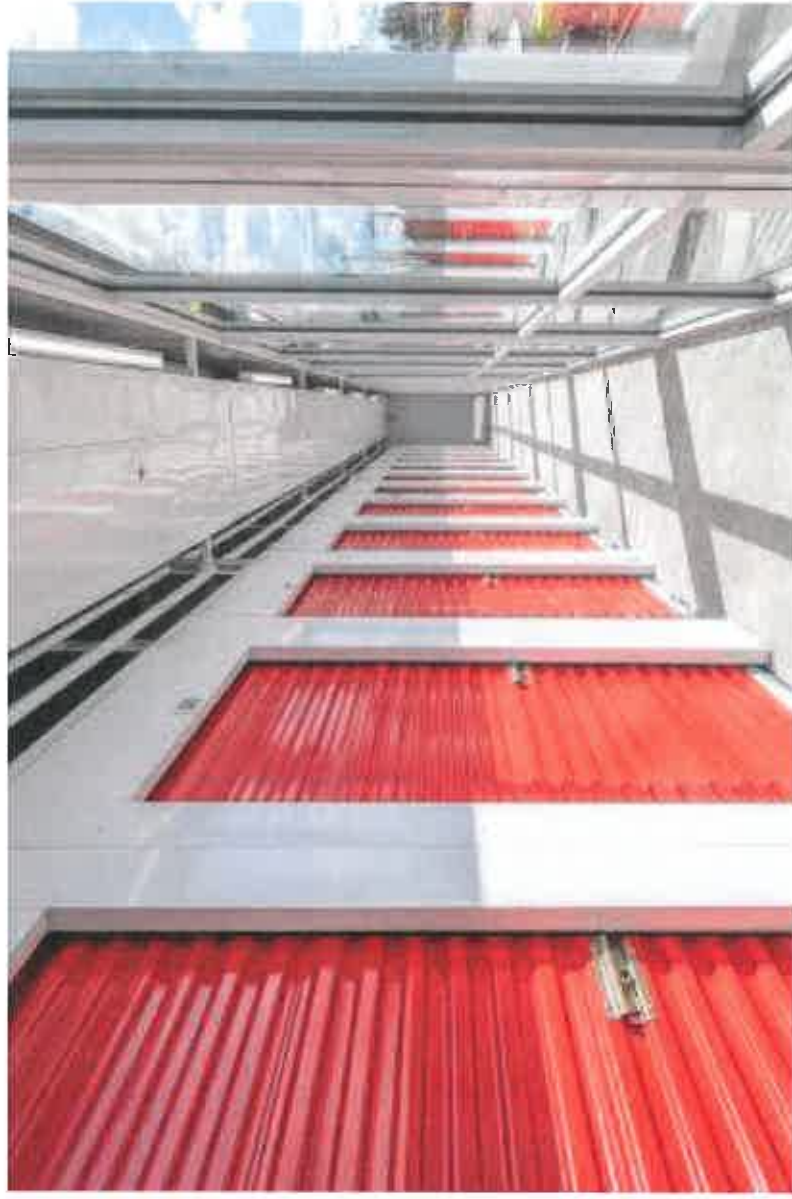
Prohibited Items Standard List: Standard rental agreement to carry a detailed list.

But at a high level:

- 1) Tires,
- 2) Flammables
- 3) Hazardous
- 4) Drugs
- 5) Perishables, such as food.
- 6) Equipment with fuel. Fuel must be emptied out.
- 7) Live Plants, Animals.
- 8) Products containing asbestos
- 9) Radioactive equipment
- 10) Loaded Firearms. Firearms must be emptied out.
- 11) Waste – Toxic, Biological and Hazardous.



Sample Inside pictures of the Franchise Storages:



Sample Inside pictures of the Franchise Storages:



Sample Inside pictures of the Franchise Storages:





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 NYA MALL LLC		Telephone 651 404 7500 / 651 815 7571
Address (Street, City, State, ZIP) 640 RAILROAD DRIVE,		
Property Owner's Name (If different from above) SAME AS ABOVE		Telephone
Location of Project 640 RAILROAD DRIVE		
Legal Description Parcel ID: 585300050 - Section 14 Township 115 Range 026 METRO WEST INDUSTRIAL PARK Lot 005 Block 001 Parcel ID: 585300060 - Section 14 Township 115 Range 026 METRO WEST INDUSTRIAL PARK Lot 006 Block 001		
Description of Request (Attach separate sheet, if necessary) <div style="text-align: center; padding: 20px;">Separate sheets attached as addendum</div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Proposed Action(s): Check all that apply</p> <p><input type="checkbox"/> Annexation \$300.00</p> <p><input type="checkbox"/> Application for Appeal \$150.00</p> <p><input type="checkbox"/> City Code Amendment \$250.00</p> <p><input type="checkbox"/> Parking Reduction \$100.00</p> <p><input type="checkbox"/> CUP/IUP \$200.00 (Residential)</p> <p><input checked="" type="checkbox"/> CUP/IUP \$300.00 (Non Residential)</p> <p><input type="checkbox"/> Variance \$200.00 (Residential)</p> <p><input type="checkbox"/> Variance \$300.00 (Non Residential)</p> <p><input type="checkbox"/> Lot Split \$200.00</p> <p><input checked="" type="checkbox"/> Public Hearing Notice \$75.00</p> </div> <div style="width: 35%;"> <p><input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow</p> <p><input type="checkbox"/> Sketch Plat \$200.00 + Escrow</p> <p><input type="checkbox"/> Site Plan \$300.00 + Escrow</p> <p><input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow</p> <p><input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow</p> <p><input type="checkbox"/> PUD Final Plan \$300.00 + Escrow</p> <p><input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow</p> <p><input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow</p> <p><input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow</p> <p><input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow</p> </div> <div style="width: 30%;"> <p><input type="checkbox"/> Storm Water Plan \$250.00</p> <p><input type="checkbox"/> Rezoning \$350.00</p> <p><input type="checkbox"/> Street/Alley Vacation \$150.00</p> <p><input type="checkbox"/> Zoning Text Amendment \$300.00</p> <p><input type="checkbox"/> Recording Fee \$46.00</p> <p><input type="checkbox"/> Boundary Line Adjustment \$100.00</p> <p><input type="checkbox"/> Other _____</p> </div> </div>		
<p>ALL ESCROW MUST BE PAID BY CERTIFIED CHECK</p> <p>Escrow Deposit \$2,000.00</p> <p>Escrow Deposit - Site Plan Review: \$15,000 (Tacoma West Industrial Park), \$5,000.00 (All other site plan reviews)</p> <p>Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00</p>		
<p>ALL PLANNING & ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.</p>		
<p>*APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*</p>		
<p>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.</p>		
Applicant's Signature: <i>arun subbiah</i> STAN ALBRECHT		Date 1/14/2021
Fee Owner's Signature: <i>arun subbiah</i> STAN ALBRECHT		Date 1/14/2021
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: 1/18/2021

US-212
Horwood Young America, Minnesota

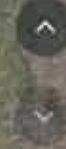
Google

Street View

Engineering

640 Rail

Surveying



Google

Steve Helget

From: Arun Subbiah <mailarun@yahoo.com>
Sent: Friday, February 5, 2021 2:56 PM
To: Steve Helget
Cc: Karen Hallquist; clagergren@nyacouncil.com
Subject: Heated Self Storage. - Meeting follow up.

Steve,

Following the last planning meeting, I had had a few conversations with Janus International, Architect and Installer. I felt that it was important for me to relay a few things that we see from our end at this time. Please forward to everybody as you deem appropriate.

At this time, to get an expedited review in the interest of everybody's time. We are not asking for the following:

- 1) U Haul or Trailer Parking.
- 2) Resident Manager or Employee staying in the building.
- 3) Cold Storage

Our goal originally was to bring a Class A heated business storage amenity that is not in the neighborhood currently, (or any of the surrounding towns) get some development and and look into developing other empty spaces in the building and neighboring land.

In addition, if a drive in bay is needed from front to back, or if the vehicle has to be inside the building to load/unload, we will not be pursuing this purchase of this building and developing this further for the following reasons.

- The constraints in this space and building as it exists, make this prohibitive physically and economically.
- A drive in bay will require a ramp on back as ground elevations on front and back are not the same., and there will not be enough turning radius on the back of the building to make this physically work.
- A drive in bay in this space is not feasible per Janus or the Installer in this case. A typical storage facility has over 500 spaces to lease of each heated and cold spaces typically. In our case, we have 40 - 50 spaces total here give or take depending on size and configurations. We would not be able to economically make this work, in addition to maintaining the integrity and aesthetics of this existing building.
- If a vehicle has be inside building, it would consume additional area, when already this is at the 1/10th square footage of any heated storage business also would cut into the already possible 40 - 50 spaces.
- Also per Janus, and Installers, once the spaces are getting up to occupancy loading and unloading would not be a daily active task, given the fact that we only have a very few spaces compared to any storage facility. What is possible long term is if the city mandates or customers require a larger opening, installing a 8X10, or an appropriate size roll up door at the main entrance, to back up the vehicle to the door in front and load/unload. The team currently feels that the 6ft opening that is currently there is enough for this space and sizes of storage that will be possible here an no need to open it up to 9ft via a roll up door immediately.

I Thank all city officials for their time and taking into account our inputs while this is discussed at the next joint work session.

Sincerely,
Arun



To: Planning Chair Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 2, 2021

Re: Public Hearing: Greenwood Marine Outdoor Storage 13050 Stewart Avenue

Applicant: AJB Properties (Aaron and Angie Bean)

Subject Address: 13050 Stewart Avenue

Legal Description: All that part of the East Half of the Southwest Quarter and the East Half of the West Half of the Southwest Quarter of Section 13, Township 115, Range 26, lying Northerly of the North right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railway Company, EXCEPTING THEREFROM the West ten (10) acres of the East Half of the West Half of said Southwest Quarter, all in carver County, Minnesota, and ALSO EXCEPTING THEREFROM Parcel 208B of the Minnesota Department of Transportation Right of Way Plat Numbered 10-32 as the same is on file and of record in the office of the County Recorder in and for Carver County, Minnesota.

Property ID: 580130300

Zoning Class: I-1 Light Industrial District

Request: Conditional use permit allowing outdoor storage with a marine warehouse operation

Representative: Aaron Bean

Attachments: Application materials
Site aerial

BACKGROUND

Aaron and Angie Bean, owners of Greenwood Marine have entered an agreement to purchase the property at 13050 Stewart Avenue for indoor/outdoor marine watercraft storage and repair. The application materials are attached for consideration/information.

Warehousing is a permitted use in the I-1 District. A CUP is required under Section 1230.12, Subd. 4, Accessory Use (A) for ancillary outdoor storage. Repair of watercraft may be conducted accessory and subordinate to the principal use of the property.

Applicant representations are included in the attached narrative description submitted by the Applicant with the CUP application. In general:

- Principal use of the property proposed is Indoor and outdoor storage of watercraft and watercraft trailers. Outdoor storage is to be limited to existing impervious surfaces. Outdoor storage will not be located on turf surfaces.
- Plans are to provide additional indoor storage as demand dictates.
- Watercraft repair as a subordinate use is also proposed with potential to increase over time.
- Traffic to and from the site will peak in spring and fall.
- No new impervious surface is proposed.

Notice of public hearing has been published, posted, and mailed to adjacent property owners. No comment for or against the proposed use has been received as of the drafting of this memorandum.

CUP REVIEW

Section 1210.06, Subd. 3(B)(18) prescribes the following conditions for outdoor storage, reviewer comments are in **red bold, italic type face**:

1. All outdoor storage yards shall be completely screened from roads or developed areas with a solid fence or wall 6 feet or more in height, maintained in good condition, and screened with suitable planting. ***Proposed outdoor storage area is screened from Highway 212 by an existing berm with vegetative screening.***
2. No un-screened outdoor storage yards established after the effective date of this Chapter shall be located closer than 500 feet to existing State and Federal roads, nor closer than 100 feet to any other City streets. ***The storage area is pre-existing.***

General Criteria for Approval of Conditional Use Permits

The aforementioned standards relate specifically to outdoor storage. In addition, the Planning Commission is required to examine the request under a series of general standards as set for under Section 1210.06 Conditional Use Permits, Subd. 3(A).

1. The use is consistent with goals, policies and objectives of the Comprehensive Plan.
DISCUSSION: The 2040 NYA Comprehensive Plans guides the subject area to industrial use.
2. The use is consistent with the intent of this Ordinance. ***DISCUSSION: Warehousing is allowed as a permitted use in the I-1 District. Accessory outdoor storage is allowed in the I-1 District under CUP.***
3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements. ***DISCUSSION: The proposed use will occur on a previously improved compacted gravel surface. No new impervious surface is proposed. The site is serviced by an existing well and subsurface sanitary treatment system. Purchase will require septic review to determine system adequacy. The subject property is not currently serviced by municipal utilities.***
4. The use does not have an undue adverse impact on the public health, safety or welfare.
DISCUSSION: The proposed warehouse storage use will be confined in scope and size by proposed conditions of use permit issuance. Proposed conditional use permit standards will limit any adverse impact on the public's health, safety, or welfare.
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: The subject property is currently used as a contractor operation, a more intensive use than is proposed. No changes in the building footprint are proposed at this time. The use as provided for in the City Code and with conditions proposed 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 is developed for industrial use with outdoor storage.**
7. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided. **DISCUSSION: The subject parcel is an existing, improved lot.**
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: access to the site is from Stewart Avenue an improved roadway. The subject site may be impacted by potential future expansion of Highway 212 as included in the attached illustration. Site screening would appear not to be impacted. Outdoor storage proposed would be accommodated on private property and is not impacted by potential property acquisition as currently envisioned.**
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, etc. Connection to municipal utilities will be required when available as provided for under Chapter 9 of the City Code.**
10. The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. **DISCUSSION: Other performance standards are met.**

RECOMMENDATION

After review and discussion, the Planning Commission may consider a MOTION to recommend approval or denial of the conditional use permit to the City Council.

If the Planning Commission recommends denial of the site plan appropriate findings of fact shall be issued.

If the Planning Commission recommends approval, the following conditions are recommended:

1. The "Use" is outdoor storage of watercraft related to principal use of the subject property for warehouse storage of watercraft. Ancillary repair of watercraft may occur indoors at the subject property addressed as 13050 Stewart Avenue, the "Property".
2. Outdoor storage is limited to watercraft and watercraft related trailers and shall only occur on existing impervious surfaces as identified in Attachment "A" at the close of this memo. Outdoor storage shall be screened by existing berm and vegetation on the berm shall be maintained for additional screening. Outdoor storage shall not occur on turf. Existing impervious surfaces including gravel surfaces shall not be expanded.
3. Watercraft stored on site shall be reasonably licensed and operable during suitable conditions. Junk watercraft and/or salvage storage is prohibited.
4. Watercraft stored outdoors shall be prepared to withstand Minnesota winters without fluid discharge onto impervious surfaces.
5. Review of building occupancy by the Building Official.
6. All signage shall require submittal of a sign permit application and approval by the Zoning Administrator and/or Building Official.

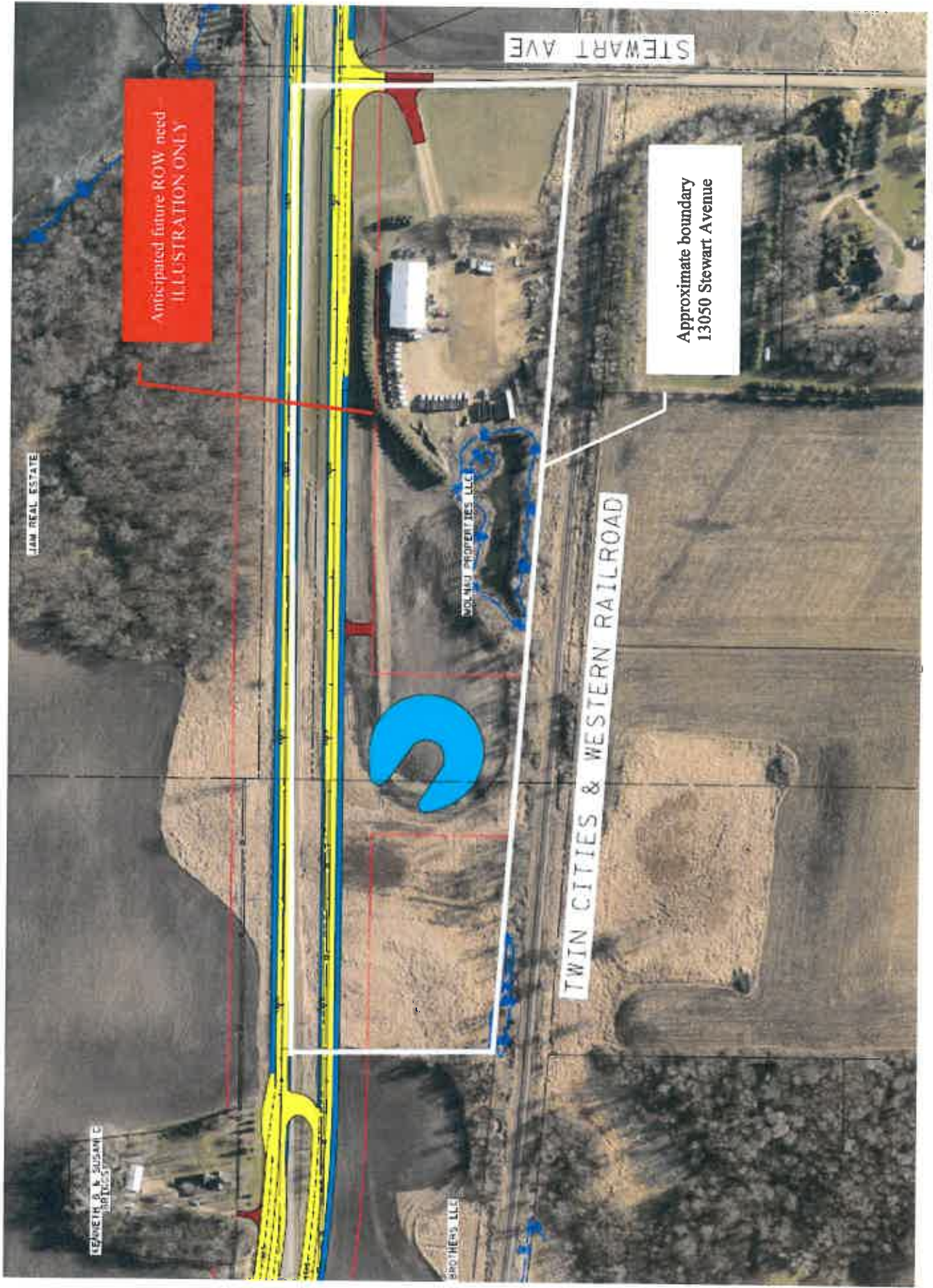
7. This approval is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
8. This approval shall expire one year after date of approval unless the Applicants have commenced construction of the Use on the Property.
9. Approval of this conditional use permit does not approve any future expansion or associated improvements on-site. Construction of new structures and/or expansion of the existing structure shall require zoning approval and building permit issuance. The facilities included for illustration in the application are acknowledged as potential future structures but not approved under this conditional use permit.

ACTION

Recommendation to City Council regarding the proposed Conditional Use Permit.

EXHIBIT A OUTDOOR STORAGE AREA





JAN REAL ESTATE

LEANNETH D. N. SUSAN C.
10/1/05

BROTHERS LLC

POLARIS PROPERTIES LLC

TWIN CITIES & WESTERN RAILROAD

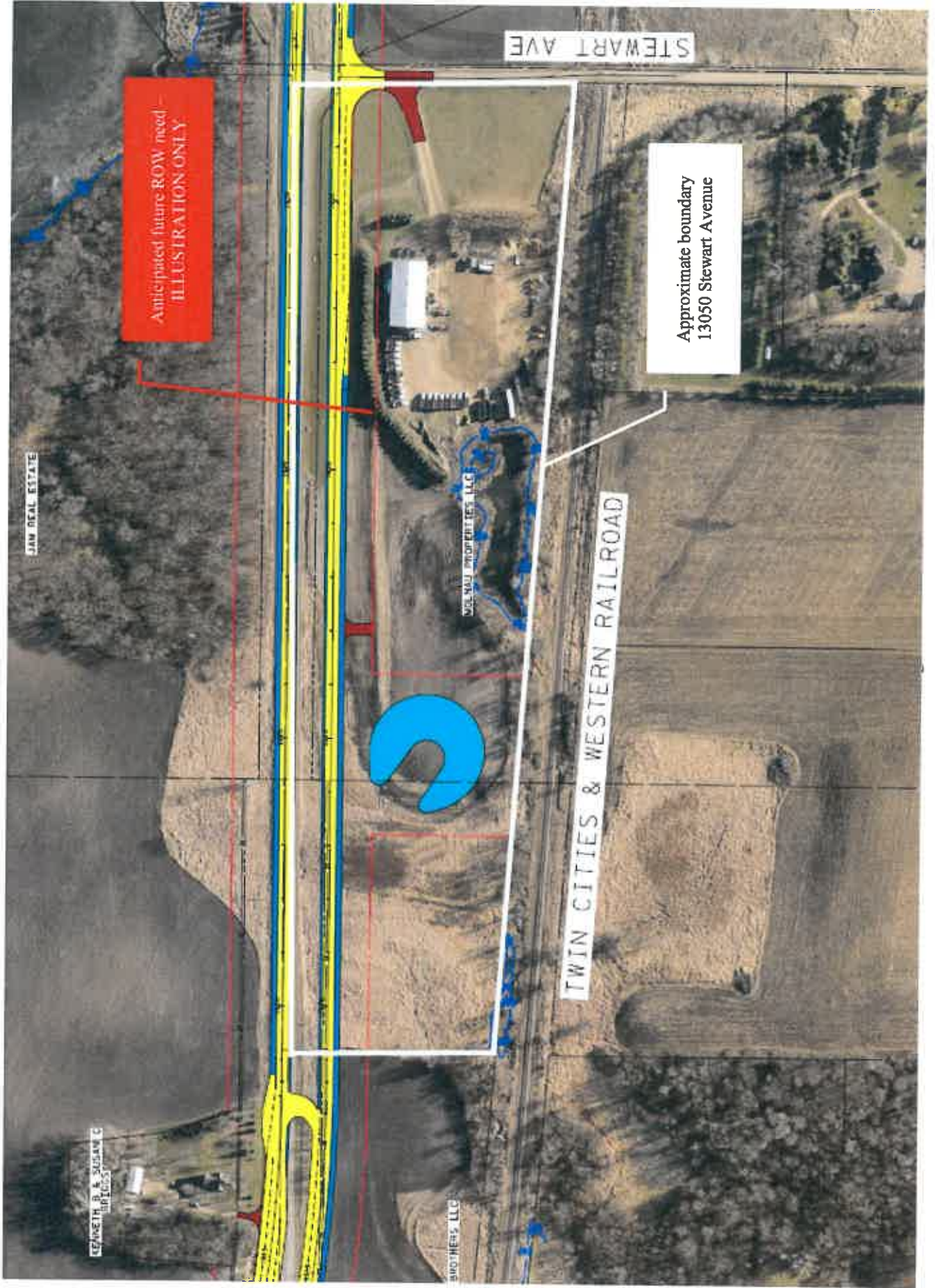
STEWART AVE

Anticipated future ROW need
ILLUSTRATION ONLY

Approximate boundary
13050 Stewart Avenue

EXHIBIT A OUTDOOR STORAGE AREA





JAN REAL ESTATE

LEWIS B. & SUSAN C.
10/10/05

BROTHERS LLC

VOL. 1411 PROPERTIES LLC

TWIN CITIES & WESTERN RAILROAD


STEWART AVE

Anticipated future ROW need -
ILLUSTRATION ONLY

Approximate boundary
13050 Stewart Avenue

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 AJB Properties		Telephone Home Work/Cell																														
Address (Street, City, State, ZIP) 13050 Stewart Avenue, Norwood Young America 55368																																
Property Owner's Name (If different from above) Aaron & Angie Bean		Telephone Home Work/Cell 952-474-7942 952-270-2831																														
Location of Project 13050 Stewart Avenue, Norwood Young America 55368																																
Legal Description																																
Description of Request (Attach separate sheet, if necessary) Updated CUP for Outdoor Storage																																
<p>Proposed Action(s): Check all that apply</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Annexation \$300.00</td> <td><input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow</td> <td><input type="checkbox"/> Storm Water Plan \$250.00</td> </tr> <tr> <td><input type="checkbox"/> Application for Appeal \$150.00</td> <td><input type="checkbox"/> Sketch Plat \$200.00 + Escrow</td> <td><input type="checkbox"/> Rezoning \$350.00</td> </tr> <tr> <td><input type="checkbox"/> City Code Amendment \$250.00</td> <td><input type="checkbox"/> Site Plan \$300.00 + Escrow</td> <td><input type="checkbox"/> Street/Alley Vacation \$150.00</td> </tr> <tr> <td><input type="checkbox"/> Parking Reduction \$100.00</td> <td><input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow</td> <td><input type="checkbox"/> Zoning Text Amendment \$300.00</td> </tr> <tr> <td><input type="checkbox"/> CUP/TUP \$200.00 (Residential)</td> <td><input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow</td> <td><input checked="" type="checkbox"/> Recording Fee \$46.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> CUP/TUP \$300.00 (Non Residential)</td> <td><input type="checkbox"/> PUD Final Plan \$300.00 + Escrow</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td><input type="checkbox"/> Variance \$150.00 (Residential)</td> <td><input type="checkbox"/> PUD General Concept Plan \$400.00 + Escrow</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Variance \$200.00 (Non Residential)</td> <td><input type="checkbox"/> Preliminary Plat \$350.00 + \$10.00/Lot + Escrow</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Lot Split \$200.00</td> <td><input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Public Hearing Notice \$75.00</td> <td><input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow</td> <td></td> </tr> </table>			<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/TUP \$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/TUP \$300.00 (Non Residential)	<input type="checkbox"/> PUD Final Plan \$300.00 + Escrow	<input type="checkbox"/> Other	<input type="checkbox"/> Variance \$150.00 (Residential)	<input type="checkbox"/> PUD General Concept Plan \$400.00 + Escrow		<input type="checkbox"/> Variance \$200.00 (Non Residential)	<input type="checkbox"/> Preliminary 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	
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<p>ALL ESCROW MUST BE PAID BY CERTIFIED CHECK</p> <p>Escrow Deposit \$2,000.00</p> <p>Escrow Deposit - Site Plan Review: \$7,500 (Tacoma West Industrial Park), \$5,000.00 (All other site plan reviews)</p> <p>Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00</p> <p>ALL PLANNING & ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.</p> <p>*APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*</p>																																
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: 		Date 2/12/2021																														
Fee Owner's Signature:		Date																														
For Office Use Only																																
Accepted By:	Amount	Date																														

Greenwood Marina

About Us

Greenwood Marina is a family owned and operating facility of over 45 years. We have three full-time employees, Myself, my wife Angie, and Justin, and we employ around 7 seasonal crew members. We are located in St. Alban's Bay on Lake Minnetonka. We rent out 110 slips annually, and store about 80 boats on-site for the winter. We have a gas dock that provides fueling, pump-outs, water, and boating supplies. We offer cleaning services of all sorts. For mechanical we provide some in-house repairs, and utilize some other marinas close by for larger jobs. We strive to provide the best services possible to our clientele, and pride ourselves in having fantastic relationships with our customers. Since we live on site at the marina, our slip customers enjoy the family, home-style setting that is not present at other marinas on the lake. Our commitment to environmentally good practices is at the forefront of our business platform, we are part of the Green Marina program, and are diligent in using and finding new methods that are least harmful to our natural resources. We are also honored to be named "Best Marina" via local votes in the Sun Sailer 4 years in a row.

Intent and Usage in Norwood

The need for us to meet demand for winter storage and provide more robust mechanical services has become apparent, which has necessitated our decision to acquire off-site property. Our goal is to meet the demands of our current clients as well as being able to provide services for potential new clients in the Norwood area. As we provide immediate winter storage solutions, we are looking to phase in buildings to provide indoor accommodations. We will be looking to build our mechanical services as to not be reliant on other entities. As we do grow to meet demand and provide all the services our customers require, we expect job opportunities for different aspects in our business. We are excited to be able to work with local talent as we see our vision come to fruition.

Initially we plan to utilize the outdoor impervious areas of the lot for storage of boats of many shapes and sizes over the winter months. We will be using white shrink-wrap to blend with the winter setting, and will be tucking boats in locations on the lot that are as hidden from view as much as possible. The most traffic coming and going from the property will be a month in the spring during launching season, and a month in the fall during haul-out, roughly April and October, respectively. For the first year or so we do not anticipate much in and out traffic aside

from those couple months, and the boats that end up in storage on the site will stay there and will not see much movement over the winter. As we grow and more boats are stored on the property, we will look to implement our first building for indoor storage. The ultimate goal is once we have enough boats to fill a storage building (about 50 max) we would look to then construct another building to supply indoor storage.

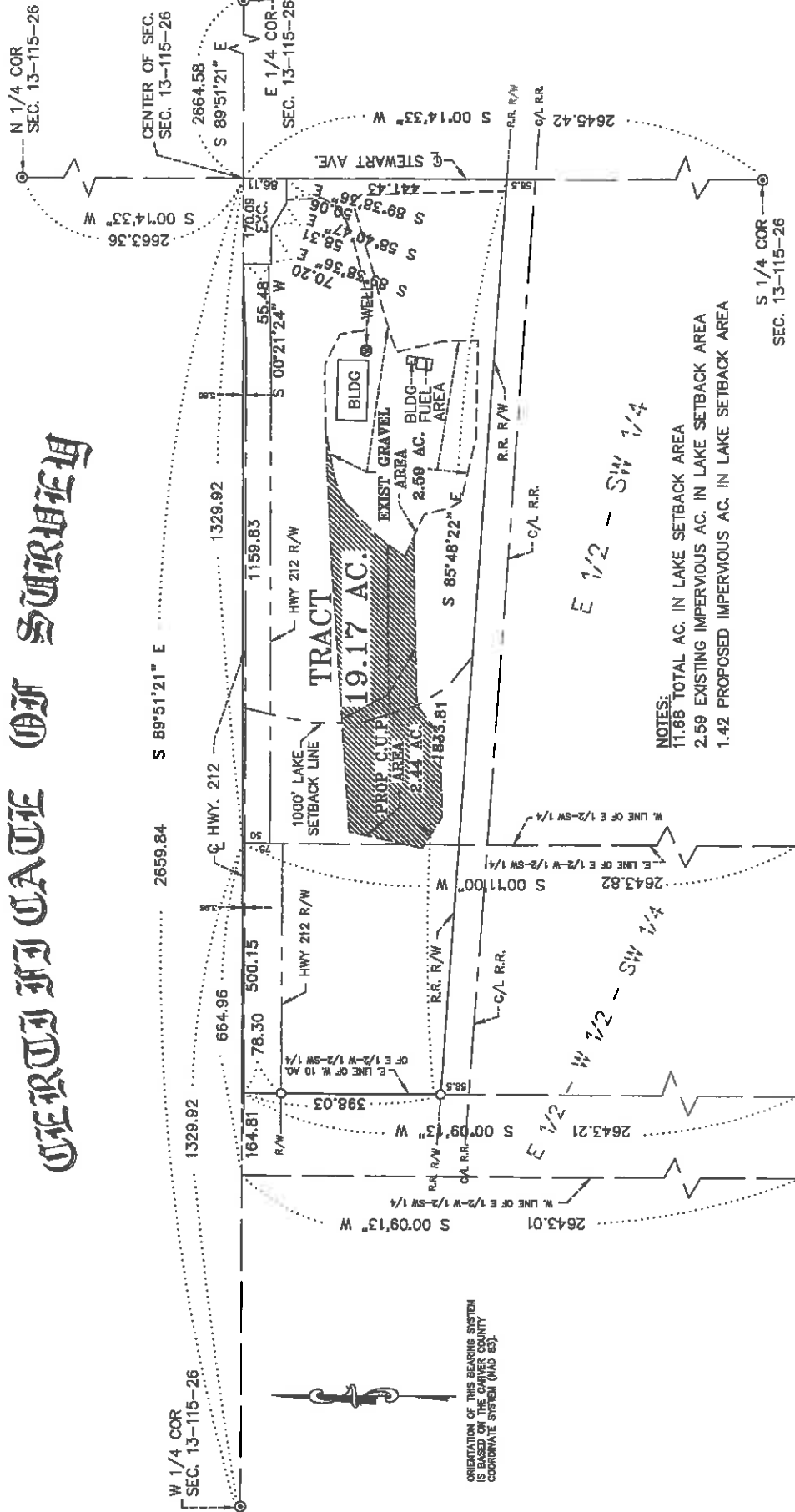
As for mechanical services, we expect those to be pretty minimal out of the gate. There is a dearth in quality marine technicians at the moment, and we do not anticipate the ability to store more than a couple dozen boats on site with our current staff. Therefore we would expect a gradual increase in repairs and other maintenance services in conjunction with the increase of on-site storage. Some other services we may offer down the road may be boat cleaning and detailing, gelcoat/fiberglass work and repair, Bimini and Tonneau repair, and marine sales. We will advertise mechanical and other services more when we are certain we can provide high quality work at a larger volume.

We are excited to work with local businesses and individuals in the community. We have strong ties to Lake Minnetonka and the surrounding area in many aspects. We have great relationships with many other businesses of all shapes and forms. We look forward to creating new relationships in Norwood as well. The hope is we can have cross platform relationships that benefit all involved. We hope we can add services that represent local needs as well as our current clients' needs, and can assimilate into the community as we get up and running in different areas of our business. We thank the city and residents of Norwood for giving us an opportunity to expand our business for the future needs within our industry.

Sincerely,

Aaron and Angie Bean, Justin Ryan, and The Greenwood Crew

UNRECORDED



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE CARVER COUNTY COORDINATE SYSTEM (NAD 83).

NOTES:
 11.68 TOTAL AC. IN LAKE SETBACK AREA
 2.59 EXISTING IMPERVIOUS AC. IN LAKE SETBACK AREA
 1.42 PROPOSED IMPERVIOUS AC. IN LAKE SETBACK AREA

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

DATE 2/1/18
 REVISIONS 3/7/18
 REGISTRATION NO. 15475
 AVERY GREGORY, LS

LAND SURVEY FOR
 MOLINAU TRUCKING
 PART OF SW 1/4
 SEC. 13, T115, R26, YOUNG AMERICA TOWNSHIP
 CARVER COUNTY, MINNESOTA
 DENOTES CARMER CO. MONUMENT
 DENOTES IRON PIPE FOUND
 DENOTES IRON PIPE SET BY RLS NO. 15475
 SCALE: 1 INCH = 200 FEET
 FILE NO. 3354





Carver County GIS

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: 2/14/2021



200 Schmale Road
Minnetonka, Minnesota 55305
7609-400-4000
7609-400-4001
www.ramconstruction.com

NEW BUILDING PERMITS
GREENWOOD MARINA, MN
NORWOOD-YOUNG AMERICA, MN

REV	DATE	BY	DATE
1			
2			
3			
4			
5			
6			

PROJECT:
DATE: 04/27/2021
DRAWN: KJA



1
11/20/2021 10:00 AM

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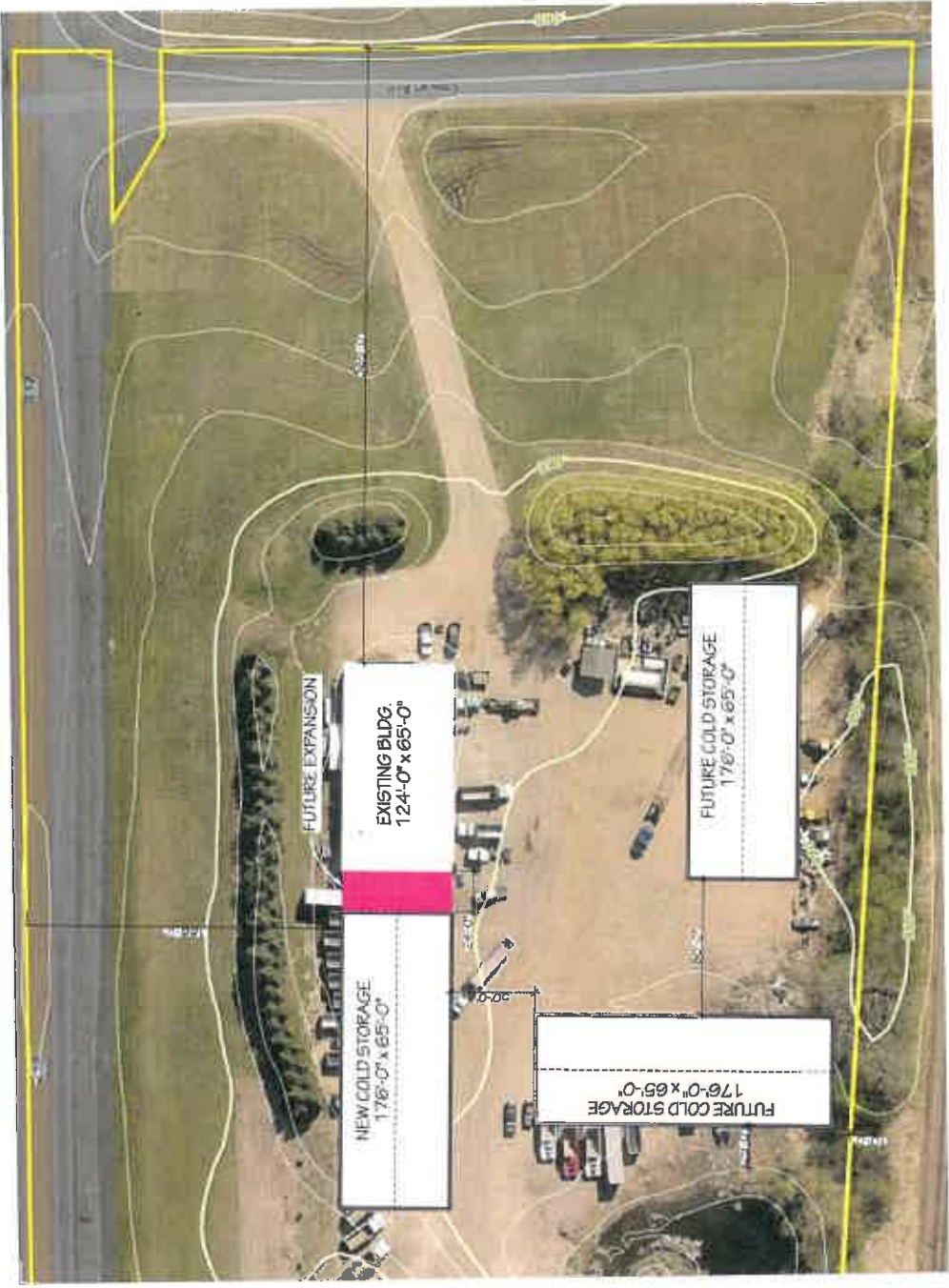
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GREENWOOD MARINA
NORWOOD-YOUNG AMERICA, MN

NEW BUILDING FOR

5	PLAN	DATE	BY
4			
3			
2			
1			
0			

PROJECT DATE 04/27/2001 DRAWING K14



1 Enlarged Site Plan



© 2007 Turner Broadcasting System, Inc. All rights reserved. "The Bill Engvall Show" is a trademark of Turner Broadcasting System, Inc.

Property Card	Parcel ID Number 580130300
----------------------	-----------------------------------

Taxpayer Information
Taxpayer Name MOLNAU PROPERTIES LLC
Mailing Address PO BOX 359 NYA, MN 55368-



Property Address
Address 13050 STEWART AVE City NYA, MN 55368

Parcel Information			
Uses	Commercial	GIS Acres	19.45
		Net Acres	16.74
		Deeded Acres	16.79
		Plat	
		Lot	
		Block	
Tax Description ALL THAT P/O E1/2 SW1/4 & E1/2 W1/2 SW1/4 LYING NLY OF RR R-O-W LINE. EXC: W 10 AC OF E1/2			

Building Information		
Building Style	Above Grade Finished Sq Ft	Bedrooms
Year Built	Garage	

Miscellaneous Information				
School District 0108	Watershed District WS 067 CARVER CO WMO	Homestead N	Green Acres N	Ag Preserve N

Assessor Information			
Estimated Market Value	2019 Values (Payable 2020)	2020 Values (Payable 2021)	Last Sale
Land	\$343,100.00	\$343,100.00	Date of Sale 6/30/2014
Building	\$225,300.00	\$220,500.00	Sale Value \$595,000.00
Total	\$568,400.00	\$563,600.00	

The data provided herewith is for reference purposes only. This data is not suitable for legal, engineering, surveying or other similar purposes. Carver County does not guarantee the accuracy of the information contained herein. This data is furnished on an 'as is' basis and Carver County makes no representations or warranties, either expressed or implied, for the merchantability or fitness of the information provided for any purpose. This disclaimer is provided pursuant to Minnesota Statutes §466.03 and the user of the data provided herein acknowledges that Carver County shall not be liable for any damages, and by using this data in any way expressly waives all claims, and agrees to defend, indemnify, and hold harmless Carver County, its officials, officers, agents, employees, etc. from any and all claims brought by anyone who uses the information provided for herein, its employees or agents, or third parties which arise out of user's access. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party unless the user includes with the data a copy of this disclaimer.



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 2, 2021

Re: Public Hearing: Rezoning – 710 Faxon Road

Applicants: Cologne Enterprises LLC (Troy and Jo Eiden, Modern Design)
Green Velvet Properties II LLC

Subject Property Address: 710 Faxon Road (former grocery store)


Property ID: 588500010 and 588500020

Legal Description: Lot 1, Block 1 and the West 125 feet of Lot 2, Block 1 as measured along the North and South lines thereof, Young America Industrial Park, Carver County MN

Zoning Class Existing: C-2 General Commercial District

Zoning Class Proposed: B-I Business Industrial District

Request: Consider Ordinance Rezoning subject property from C-2 General Business to B-I Business Industrial District to provide for manufacturing of cabinets at subject site.

 = Area Proposed for Rezoning
Blue – BI District
Red – C-2 District



BACKGROUND

Jo and Troy Eiden (Cologne Enterprises LLC) are purchasing 710 Faxon Road from Green Velvet Properties II LLC. The subject property is the former location of a grocery store and is proposed to be re-purposed as a cabinet manufacturing facility. The facility will complement the Eiden's Modern Design business in Cologne. An application, narrative describing the request submitted by the Applicants and a proposed floor plan are included for information.

No changes in the building footprint are proposed at this time. Any change in the building footprint in the future requires zoning and building code approval. At this time the Applicants propose:

1. The placement of a dust collector exterior to the south side of the building adjacent to Industrial Boulevard,
2. Adding an overhead door to west side of building (parking lot), and
3. Painting of structure (longer term).

APPLICANT REPRESENTATIONS

The Applicants represent:

1. Proposed use of building:
 - a. Start with cabinet assembly, parts would be cut in Cologne and delivered to subject site on pallets
 - b. Assembled cabinets finished in OSHA approved spray booth/spray line
 - c. After finishing hardware, drawer slides, and door hinges installed
 - d. The finished product would be loaded in the back of the building from the loading docks into our cubetrucks to be delivered to jobsites
 - e. Stored in building: hardwood, sheet stock, hardware, hinges, drawer slides, misc. supplies
Stored in OSHA approved flammable cabinets: paint, stain, finish
2. Intended changes to building:
 - a. Interior: install (OSHA approved) finishing spray booth and finishing machine
 - b. Interior: install (OSHA approved) make up air units for the spray booth and finishing machine
 - c. Interior: Table saw, miter box and up-cut saw
 - d. Interior (future) add the following pieces of machinery: planer, sander, router, edge bander
 - e. Exterior: Dust collector (approx. collector dimensions: 10' x 10' x 25' tall)
 - f. Exterior: Garbage dumpster in parking lot
 - g. Exterior façade: Add overhead door for receiving materials
 - h. Exterior façade: paint the building and the dust collector to match, hopefully within the first few years
3. Hours of operation: 6 a.m. to 6 p.m.
4. Number of employees: Initially 7-10; potentially increasing to 25.
5. Truck traffic: initially about six trips per day, mostly cube-trucks.
6. Potential expansion of building footprint

REVIEW

Rezoning criteria:

The Applicants have petitioned for rezoning to from C-2 General Business to B-I Business Industrial District. Existing B-I zoning abuts the subject parcels to the east; therefore, the rezoning will not constitute "spot zoning". The Metropolitan Council indicates an amendment to the 2040 Comprehensive Plan is not necessary. The code does not specify review criteria or required standards for approving a rezoning request.

The Code standard is as follows:

Subd. 1 Adoption. This chapter may be amended, changed or altered only by a favorable (two-thirds) majority vote of all members of the City Council, and only after a public hearing has been duly advertised and held by the Planning Commission.

DISCUSSION: This Section applies to rezoning and text amendments to the land use code. The applicable standard doesn't include minimum review criteria. It is noted the vote threshold exceeds that required by Statute for this rezoning classification. The Applicants are requesting the properties be rezoned to B-I Business Industrial to provide for cabinet manufacturing.

Change in zoning use:

Parking:

There are currently 112 parking spaces at the site, including six handicap accessible spaces. There are striped pedestrian routes on site. City code requires manufacturing or processing plants provide one parking space for each employee on the major shift and one parking space for each motor vehicle customarily kept on the premises. The minimum code requirement appears to be exceeded.

Architectural Standards

Section 1245.03, Subd. 4 provides:

Subd. 4 Loading and Refuse Areas. Screening of service yards, refuse, and waste-removal areas, loading docks, truck parking areas, and other areas which tend to be unsightly shall be accomplished by use of walls, privacy fencing, dense planting, or any combination of these elements. Screening shall block views from public right-of-way.

The City should discuss how intended loading area and refuse collection described in the Applicant's narrative relate to this requirement. Screening of the intended loading area would appear impractical while screening of refuse containers likely achievable.

Lighting

No change in site lighting is included in the application. If exterior lighting is proposed the standards included in Section 1245.08 of the Code relating to placement, light intensity, glare, and cut-offs shall be met.

Landscaping

No change in the building footprint is proposed at this time. Any future expansion is subject to standards included in Section 1255.05 of the Code relating to landscaping standards for expansion of non-residential uses.

Performance Standards

The standards of Section 1245.01 apply to the proposed use going forward, including but not specifically limited to: Subd. 2 (noise and vibration), Subd. 3, (smoke and particulate matter), and Subd. 4 (odor).

Signage

Any proposed signage requires issuance of an administrative permit.

Building Code Change in Occupancy/Permit Required

The City Building Official shall review the proposed change in occupancy. Permits/changes as required by the Building Official shall apply.

Hearing Requirements

A public hearing notice was drafted, published, and distributed to property owners within 350 feet of the subject parcel. Staff has reached out to property owners in advance.

Comments Received

No oral or written comments for or against the rezoning have been received as of the drafting of this memo. An update will be provided at the meeting.

ACTION:

The Planning Commission shall hold the public hearing. The Planning Commission will be asked to make a recommendation to the City Council to approve or deny the Ordinance rezoning 710 Faxon Road from C-2 General Commercial to B-I Business Industrial. The proposed Ordinance includes the following conditions:

- A. The standards of Section 1245.01 apply to the proposed use going forward, including but not specifically limited to: Subd. 2 (noise and vibration), Subd. 3, (smoke and particulate matter), and Subd. 4 (odor).
- B. Review and approval of the proposed occupancy by the Building Official.
- C. Future changes to the use of the property or changes to the building shall be approved by the City as required under applicable sections of the City Code.

ATTACHMENTS:

Memo
Draft Rezoning Ordinance
Application Materials
Map

**CITY OF NORWOOD YOUNG AMERICA
ORDINANCE NO. [REDACTED]**

AN ORDINANCE REZONING PROPERTY ADDRESSED AS 710 FAXON ROAD FROM C-2 GENERAL COMMERCIAL TO B-I BUSINESS INDUSTRIAL DISTRICT.

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA HEREBY ORDAINS:

II. THE FOLLOWING DESCRIBED PROPERTY IS HEREBY REZONED FROM C-2 GENERAL COMMERCIAL DISTRICT TO B-I BUSINESS INDUSTRIAL DISTRICT:

Property ID: 588500010 and 588500020

Legal Description: Lot 1, Block 1 and the West 125 feet of Lot 2, Block 1 as measured along the North and South lines thereof, Young America Industrial Park, Carver County MN

III. FINDINGS:

- A. The rezoning is consistent with the intent of the zoning ordinance and of the comprehensive plan.
- B. The rezoning is consistent with the public health, safety, and welfare.

IV. APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

- A. The standards of Section 1245.01 apply to the proposed use going forward, including but not specifically limited to: Subd. 2 (noise and vibration), Subd. 3, (smoke and particulate matter), and Subd. 4 (odor).
- B. Review and approval of the proposed occupancy by the Building Official.
- C. Future changes to the use of the property or changes to the building shall be approved by the City as required under applicable sections of the City Code.

V. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the 22nd day of March, 2021.

Attest:

Carol Lagergren, Mayor

Angela Brumbaugh, City Clerk

Adopted:

Published:

Plan for 710 Faxon Road

We would like to utilize the building at 710 Faxon Road for cabinetry manufacturing. We currently have a custom cabinetry facility in Cologne MN and this would be a secondary location for our operation.

Because the property is currently zoned C-2 General Commercial, we would need to have the property re-zoned as B-1 Business Industrial.

Set up/Improvements:

If we are able to obtain the re-zoning approval and purchase the property, the following is the set up and the pieces of machinery we intend to use in the space:

1. Install (OHSA approved) finishing spray booth and finishing machine
2. Install (OSHA approved) make up air units for the spray booth and finishing machine
3. Dust collector (approx. collector dimensions: 10' x 10' x 25' tall)
4. Table saw, miter box and up-cut saw
5. Garbage dumpster in parking lot
6. Add overhead door for receiving materials
7. Over the next few years, add the following pieces of machinery: planer, sander, router, edge bander
8. Paint the building and the dust collector to match, hopefully within the first few years

Process/Plan for Building use:

If we are able to obtain the re-zoning approval and purchase the property, following is the process we would most likely following:

1. Start by just doing assembly in NYA (we would cut parts in Cologne and deliver them to NYA on pallets)
2. After assembling the cabinets, we would finish them in an OSHA approved spray booth/spray line
3. The final process would be installing hardware, drawer slides, door hinges
4. The finished product would be loaded in the back of the building from the loading docks into our cube trucks to be delivered to jobsites
5. Stored in building: hardwood, sheet stock, hardware, hinges, drawer slides, misc. supplies
6. Stored in OSHA approved flammable cabinets: paint, stain, finish

Typical hours of operation: 6 a.m. to 6 p.m.

Number of workers: Approx. 7 to 10 to start (potentially 25+ over the years, if growth continues)

Truck traffic, incoming: Approx. 2 deliveries per day receiving materials and 2 company trucks bringing cut parts from Cologne

Truck traffic, outgoing: Approx. 2 company cube trucks loading and leaving each day with cabinets

Potential expansion: Would like the option to be able to expand into the parking lot (West), and move parking to the south side of the building

Legal description: Lot 1, Block 1 and the West 125 feet of Lot 2, Block 1 as measured along the North and South lines thereof, Young America Industrial Park, Carver County MN

Planning and Zoning Application

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

Applicant's Name Cologne Enterprises, LLC		Telephone: 952-466-4766 Home Work/Cell: 612-778-5849			
Address (Street, City, State, ZIP) 209 Paul Ave S. Cologne MN 55322					
Property Owner's Name (If different from above) Green Velvet Properties II, LLC		Telephone: 952-892-1782 Home Work/Cell			
Location of Project 710 Faxon Road, N/A, MN 55397					
Legal Description PTD: S8. P500020 Lot 1, Block 1 and the West 125 feet of S8. P500010 Lot 2, Block 1 as measured along the North and South lines thereof, Young America Industrial Park, Carver County MN					
Description of Request (Attach separate sheet if necessary) Switch from C-2 General Commercial to B-1 Business Industrial					
<table border="0"> <tr> <td> <u>Amortization \$300.00</u> <u>Application for Appeal \$150.00</u> <u>City Code Amendment \$250.00</u> <u>Parking Reduction \$100.00</u> <u>CUP/UP \$200.00 (Residential)</u> <u>CUP/UP \$300.00 (Non Residential)</u> <u>Variance \$150.00 (Residential)</u> <u>Variance \$200.00 (Non Residential)</u> <u>Lot Split \$200.00</u> <input checked="" type="checkbox"/> <u>Public Hearing Notice \$75.00</u> </td> <td> Proposed Action(s) Check all that apply <u>Comp Plan Amendment \$500.00 + Escrow</u> <u>Sketch Plat \$200.00 + Escrow</u> <u>Site Plan \$300.00 + Escrow</u> <u>PUD Sketch Plan \$200.00 + Escrow</u> <u>PUD Plan Amendment \$300.00 + Escrow</u> <u>PUD Final Plan \$300.00 + Escrow</u> <u>PUD General Concept Plan \$400.00 + Escrow</u> <u>Preliminary Plat \$350.00 + \$10.00/Lot + Escrow</u> <u>Final Plat \$250.00 + \$10.00/Lot + Escrow</u> <u>Wetland Mitigation Plan \$100.00 + Escrow</u> </td> <td> <u>Storm Water Plan \$250.00</u> <input checked="" type="checkbox"/> <u>Rezoning \$350.00</u> <u>Street/Alley Vacation \$150.00</u> <u>Zoning Text Amendment \$300.00</u> <input checked="" type="checkbox"/> <u>Recording Fee \$46.00</u> <u>Other</u> </td> </tr> </table>			<u>Amortization \$300.00</u> <u>Application for Appeal \$150.00</u> <u>City Code Amendment \$250.00</u> <u>Parking Reduction \$100.00</u> <u>CUP/UP \$200.00 (Residential)</u> <u>CUP/UP \$300.00 (Non Residential)</u> <u>Variance \$150.00 (Residential)</u> <u>Variance \$200.00 (Non Residential)</u> <u>Lot Split \$200.00</u> <input checked="" type="checkbox"/> <u>Public Hearing Notice \$75.00</u>	Proposed Action(s) Check all that apply <u>Comp Plan Amendment \$500.00 + Escrow</u> <u>Sketch Plat \$200.00 + Escrow</u> <u>Site Plan \$300.00 + Escrow</u> <u>PUD Sketch Plan \$200.00 + Escrow</u> <u>PUD Plan Amendment \$300.00 + Escrow</u> <u>PUD Final Plan \$300.00 + Escrow</u> <u>PUD General Concept Plan \$400.00 + Escrow</u> <u>Preliminary Plat \$350.00 + \$10.00/Lot + Escrow</u> <u>Final Plat \$250.00 + \$10.00/Lot + Escrow</u> <u>Wetland Mitigation Plan \$100.00 + Escrow</u>	<u>Storm Water Plan \$250.00</u> <input checked="" type="checkbox"/> <u>Rezoning \$350.00</u> <u>Street/Alley Vacation \$150.00</u> <u>Zoning Text Amendment \$300.00</u> <input checked="" type="checkbox"/> <u>Recording Fee \$46.00</u> <u>Other</u>
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<p>ALL ESCROW MUST BE PAID BY CERTIFIED CHECK Escrow Deposit - Site Plan Review: \$7,500 (Clasoma West Industrial Park), \$5,000.00 (All other site plan reviews) Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00</p> <p>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*</p>					
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 <i>[Signature]</i>		Date 2-10-21			
Res Owner's Signature <i>[Signature]</i> Arnell R. Peterson, Green Velvet Properties II, LLC		Date 2-10-21			
For Office Use Only					
Accepted By:	Amount	Date			

Loading—our
cube trucks

Loading—our
cube trucks

Finishing area/Spray booth to start
Hope to add finish line in future

Assembly area to start.
Equipment that we would add over
the next few years:

Sander

Router

Edgebander

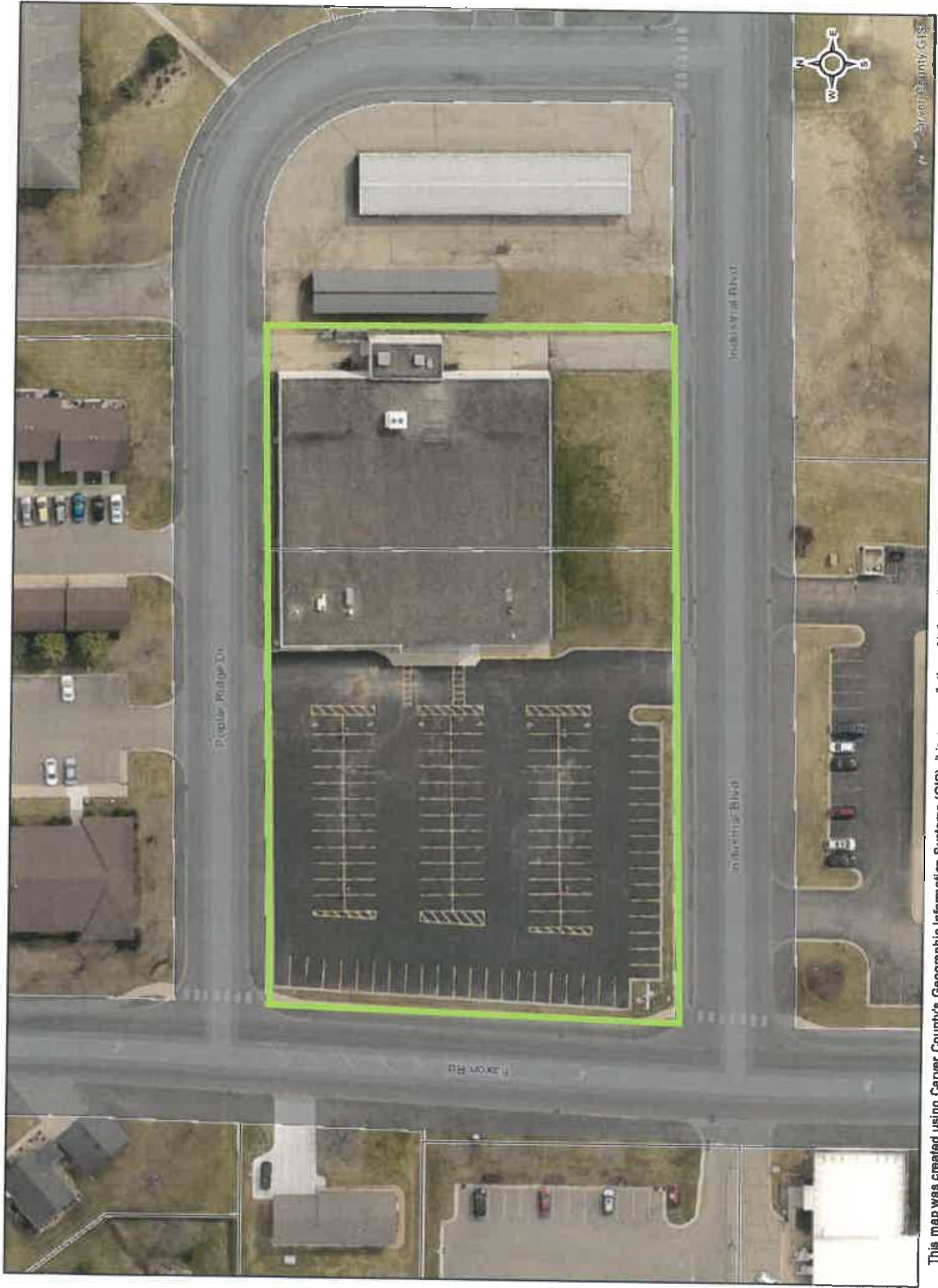
Planer

Dust
Collector

Overhead Door—unloading

Truck Route

Parking Lot



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: 2/14/2021

Property Card	Parcel ID Number 588500010
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Taxpayer Information
Taxpayer Name GREEN VELVET PROPERTIES II LLC C/O DIANE PETERSON, CONSERVATO
Mailing Address 12295 162ND ST W LAKEVILLE, MN 55044-



Property Address
Address 710 FAXON RD City NYA, MN 55397

Parcel Information					
Uses	Commercial	GIS Acres	1.36	Net Acres	
		Deeded Acres			
		Plat	YOUNG AMERICA INDUSTRIAL PARK		
		Lot	001		
		Block	001		
Tax Description OLD # 95.5500010					

Building Information		
Building Style	Above Grade Finished Sq Ft	Bedrooms
Year Built	Garage	

Miscellaneous Information				
School District	Watershed District	Homestead	Green Acres	Ag Preserve
0108	WS 067 CARVER CO WMO	N	N	N

Assessor Information			
Estimated Market Value	2019 Values (Payable 2020)	2020 Values (Payable 2021)	Last Sale
Land	\$181,800.00	\$181,800.00	Date of Sale 11/30/2007
Building	\$1,152,300.00	\$1,152,300.00	Sale Value \$1,744,000.00
Total	\$1,334,100.00	\$1,334,100.00	

The data provided herewith is for reference purposes only. This data is not suitable for legal, engineering, surveying or other similar purposes. Carver County does not guarantee the accuracy of the information contained herein. This data is furnished on an 'as is' basis and Carver County makes no representations or warranties, either expressed or implied, for the merchantability or fitness of the information provided for any purpose. This disclaimer is provided pursuant to Minnesota Statutes §466.03 and the user of the data provided herein acknowledges that Carver County shall not be liable for any damages, and by using this data in any way expressly waives all claims, and agrees to defend, indemnify, and hold harmless Carver County, its officials, officers, agents, employees, etc. from any and all claims brought by anyone who uses the information provided for herein, its employees or agents, or third parties which arise out of user's access. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party unless the user includes with the data a copy of this disclaimer.

Property Card**Parcel ID Number** 588500020**Taxpayer Information****Taxpayer Name**GREEN VELVET PROPERTIES II LLC
C/O DIANE PETERSON, CONSERVATO**Mailing Address**12295 162ND ST W
LAKEVILLE, MN 55044-**Property Address****Address****City****Parcel Information**

Uses	Commercial	GIS Acres	0.65	Net Acres
		Deeded Acres		
		Plat	YOUNG AMERICA INDUSTRIAL PARK	
		Lot	002	
		Block	001	
Tax Description LOT 2 EXC: E 124.56' THEREOF OLD # 95.5500020				

Building Information

Building Style	Above Grade Finished Sq Ft	Bedrooms
Year Built	Garage	

Miscellaneous Information

School District	Watershed District	Homestead	Green Acres	Ag Preserve
0108	WS 067 CARVER CO WMO	N	N	N

Assessor Information

Estimated Market Value	2019 Values (Payable 2020)	2020 Values (Payable 2021)	Last Sale
Land	\$86,800.00	\$86,800.00	Date of Sale 8/4/1993
Building	\$0.00	\$0.00	Sale Value \$13,000.00
Total	\$86,800.00	\$86,800.00	

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To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: March 2, 2021

Re: Public Hearing: Ordinance Repealing and Replacing Section 1215 of the City Code Pertaining to Nonconformance Expansion

BACKGROUND

The Planning Commission is to hold a public hearing on a proposed ordinance repealing and replacing Section 1215 pertaining to Nonconforming Uses, Structures, and Lots. The ordinance is intended to provide more flexibility for non-conforming properties. The proposed amendment defines expansion of a nonconforming use, defines a process and review standards for administrative permits, and defines a process and review standards for issuance of nonconformance expansion permits. The proposed ordinance defines when administrative permits and nonconformance expansion permits may be issued.

Draft language has been developed with input from the City Council, City Attorney, and the Planning Commission.

Please find a copy of the draft language attached with proposed adjustments denoted in **bold/underline** type face.

Notice of public hearing has been posted and published.

ACTION

The Planning Commission is to hold a public hearing. Following the hearing and discussion the following options are available to the Commission:

1. Consider a MOTION to recommend the City Council approve the Ordinance repealing and replacing Section 1215 of the City Code pertaining to nonconforming uses, structures, and lots (with any suggested changes).
2. Consider a MOTION to recommend the City Council not approve the Ordinance.

**CITY OF NORWOOD YOUNG AMERICA
ORDINANCE NO. [REDACTED]**

**AN ORDINANCE REPEALING AND REPLACING SECTION 1215 OF THE
CITY CODE RELATING TO NONCONFORMING USES, STRUCTURES,
AND LOTS.**

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS CHAPTER 12, SECTION 1215 OF THE CITY CODE SHALL BE REPEALED AND THE REPLACED WITH THE FOLLOWING:

1215.01 Purpose. It is the purpose of this section to provide for the regulation of existing structures, uses and lots that do not conform to the requirements of the district in which they are located and to specify the requirements, circumstances and conditions under which the nonconformity may be continued.

1215.02 Regulations.

- A. Any nonconformity, including the lawful use or occupation of land or premises existing at the time of the effective date of this chapter may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless:
 - 1. The nonconformity or occupancy is discontinued for a period of more than one year; or
 - 2. Any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. In this case, the City may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property.

For purposes of this Section, "expansion" of a nonconformity shall include, but not be limited to, expansion of the nonconformity to a portion of the property not previously utilized, reduction of the size of the parcel containing the nonconformity by subdivision or lot line adjustment, or the intensification of the character of or operation of the nonconformity.

- B. A nonconforming use shall not be changed to another nonconforming use. When any nonconforming use has been changed to a conforming use, it shall not thereafter be changed to any nonconforming use.
- C. A nonconforming use may be changed to lessen the nonconformity of that use. A nonconformity may not be so altered as to increase the nonconformity.
- D. A nonconforming lot shall be deemed buildable if it is a lot of record as of the date of adoption of this Ordinance, the proposed building meets all of the setback requirements and is a conforming use of the zoning district within which located and the site is able to be connected to

city sewer and water systems.

E. Expansion of Nonconformance.

1. A non-conforming use of a structure, a non-conforming use of land or a non-conforming use of a structure and land may only be extended or expanded, including by expansion of a building or structure or on the land outside the building, upon issuance of either an Administrative Permit or a nonconformance expansion permit. The expansion of uses which would be prohibited generally in the applicable zoning district not be allowed by an administrative permit or nonconformance expansion permit. The Administrative Permit process is intended for expansions of nonconforming structures or uses which have minor impacts on adjacent properties. Nonconformance Expansion Permits are required for instances which may impact the adjacent locale. Nonconformance Expansion Permits include review by the Planning Commission and action by the City Council. Notices shall be mailed to property owners within 350 feet of the subject property.

2. Expansion of Nonconformance review shall be as provided herein.

Proposed Expansion	Zoning District									
	R-1	R-2	R-3	R-4	RC-1	C-2	C-3	B-I	I-1	TA
Expansion of conforming aspects of a nonconforming structure	A	A	A	A	A	A	A	A	A	NA
Expansion of a single nonconforming aspect of a structure	AP	AP	AP	AP	NEP	NEP	NEP	NEP	NEP	NA
Expansion of two or more nonconforming aspects of a structure	NEP	NEP	NEP	NEP	NEP	NEP	NEP	NEP	NEP	NA
Expansion of nonconforming structure associated with a nonconforming use	NA	NA	NA	NA	V	V	NA	V	V	NA

A = Allowed AP = Administrative Permit Required NEP = Nonconformance Expansion Permit Required NA = Not Allowed V = Variance Required (as per Section 1210.04 of the City Code as may be amended)

3. Administrative Permit Review.

a. Administrative Permit Process.

- i. Administrative permits shall be reviewed by the Zoning Administrator following receipt of a complete application in a form required by the City and an associated application fee.
- ii. An administrative permit for expansion of a nonconforming structure shall be issued provided the Zoning Administrator finds the request satisfies required Administrative Permit Review Criteria set forth in this Section. The Zoning Administrator may place reasonable conditions on approval of the Administrative Permit.

b. Administrative Permit Review Criteria.

- i. The proposed use of the property is consistent with 2040 Comprehensive Plan.

- ii. The proposed expansion is an allowable use in the assigned zoning classification.
 - iii. The proposed expansion does not result in an increase of the non-conformance. For example if the required setback is 30 feet and the structure is setback 25 feet, decreasing the setback to 24 feet would be an intensification and not allowed.
 - iv. The proposed expansion does not involve an expansion of an existing nonconforming permitted, conditional, accessory, or interim use of the property.
 - v. The proposed expansion was not the subject of a variance request in the past.
 - vi. The proposed expansion is limited to one (1) aspect of the structure.
 - vii. The proposed expansion does not result in the need for a variance or create an additional non-conformance.
 - viii. The proposed expansion is in keeping with the visual environment in the existing locale and will not lead to increased visual clutter or increased outdoor storage.
 - ix. The proposed expansion results in no measurable increase in traffic generated to/from the site.
 - x. The proposed expansion is capable of being accommodated by existing drinking water, stormwater, and sanitary sewer systems.
 - xi. The proposed expansion will not increase noise, vibration, smoke, dust, odors, heat, electrical interference, or glare detectable at any property line.
- c. If Administrative Permit Review Criteria are not achieved, property owner may apply for a nonconformance expansion permit.

4. Nonconformance Expansion Permit Review,

a. Nonconformance Expansion Permit Process.

- i. Nonconformance Expansion Permits shall be reviewed by the Planning Commission and City Council following receipt of a complete application in a form required by the City and an associated application fee.
- ii. The Planning Commission shall consider a proposed Nonconformance Expansion Permit pursuant to required review criteria included in this Section. Following review of the Nonconformance Expansion Permit request, the Planning Commission shall forward to the City Council a

recommendation to approve or deny the request. The Planning Commission may propose reasonable conditions on the proposed approval of a Nonconformance Expansion Permit.

- iii. The City Council shall review the Nonconformance Expansion Permit request and the recommendation of the Planning Commission and take action to approve or deny the request. The City Council may place reasonable conditions on the proposed approval of a Nonconformance Expansion Permit.

b. Nonconformance Expansion Permit Review Criteria.

- i. The proposed use of the property is consistent with 2040 Comprehensive Plan.
- ii. The proposed expansion is an allowable use in the assigned zoning classification.
- iii. The proposed expansion does not result in an increase of the non-conformance. For example if the required setback is 30 feet and the structure is setback 25 feet, decreasing the setback to 24 feet would be an intensification and not allowed.
- iv. The proposed expansion does not involve an expansion of an existing nonconforming permitted, conditional, accessory, or interim use of the property.
- v. The proposed expansion is in keeping with the visual environment in the existing locale and will not lead to increased visual clutter or increased outdoor storage.
- vi. The proposed expansion results in no measurable increase in traffic generated to/from the site.
- vii. The proposed expansion is capable of being accommodated by existing drinking water, stormwater, and sanitary sewer systems.
- viii. The proposed expansion will not increase noise, vibration, smoke, dust, odors, heat, electrical interference, or glare detectable at any property line.
- ix. If adjacent to park or trail the Parks and Recreation Commission shall provide a recommendation on the proposed expansion.
- x. If the site is within the C-3 Downtown District, the proposed expansion must be consistent with Design Guidelines contained in Exhibit B of the Downtown Redevelopment Plan dated December, 2018 as may be amended.

1215.03 Exceptions.

- A. This section does not apply to sexually oriented business, as defined by this chapter.
- B. The City may impose upon nonconformities reasonable regulations to prevent and abate nuisances and to protect the public health, welfare and safety.
- C. Notwithstanding Section 1215.02 A. the City shall regulate the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in floodplain and shoreland areas to the extent necessary to maintain eligibility in the National Flood Insurance Program and not increase flood damage potential or increase the degree of obstruction to flood flows in the floodway.

II. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the ____ day of _____, 2021.

Attest:

Carol Lagergren, Mayor

Angela Brumbaugh, City Clerk

Adopted:

Published:

Building Permit Report - February 2021

[illegible]

VOIDED