



**Norwood Young America Planning Commission**  
**6:00 p.m., Tuesday, October 11, 2023**  
**Norwood Young America City Council Chambers, 310 Elm St. W.**

**AGENDA**

1. Call to Order  
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of September 5, 2023
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 Hearing  
A. Orr Contracting – Condition Use Permit
6. Business  
A. 2024 Planning Commission Goals
7. Miscellaneous  
A. Building Permit Report
8. Commissioner's Reports
9. Next Planning Commission Meeting – Tuesday, November 7, 2023, at 6 p.m.
10. Adjourn

**UPCOMING MEETINGS**

October 17	Park and Recreation Commission Meeting	5:30 PM
October 19	Sr. Advisory	9:00 AM
October 23	City Council Workshop/EDA/Council Meeting	5:00 PM/6:00 PM
October 23-27	Manufacturers Week in the City of NYA!	
October 25	NYA Manufacturers Day	Tours of local manufacturers, presentation and luncheon 8:230am – 2:30pm
November 7	Planning Commission Meeting	6:00 PM

**Jerry  
Barr**

**Timon  
Dammann**

**Mike  
Eggers**

**Bill  
Grundahl**

**Paul  
Hallquist**

**Craig  
Heher**

**Charlie  
Storms**

November 8	Economic Development Commission Mtg	6:00 PM
November 13	City Council Meeting	6:00 PM

*Norwood Young America  
Planning Commission Minutes  
September 5, 2023*

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Present: Commissioners Craig Heher, Jerry Barr, Bill Grundahl, Mike Eggers, Charlie Storms  
Absent: Commissioners Paul Hallquist, Timon Dammann  
Staff: Karen Hallquist, Community & Economic Dev Director, City Planner Hannah Rybak (WSB)  
Public:

1. Call to Order.

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

2. Adoption of Agenda.

*Motion: CS/JB to approve agenda as written. Motion passed 5-0.*

3. Approve Minutes of August 1, 2023

*Motion: ME/BG to approve the minutes as written. Motion passed 5-0.*

4. Introductions, Presentations, and Public Comment – none

5. Public Hearing

A. Sackett-Waconia Interim Use Permit – Parking Lot

Rybak reported Sackett-Waconia's business is experiencing high demand which is causing the need for expansion. The current parking lot does not accommodate all employees, hence the reason for the Interim Use Permit for a temporary gravel parking area. The IUP allows a temporary lot until permanent expansion plans are made. The proposed area will be located on the southern border of the existing lot and accommodate up to 16 vehicles and will use the existing access. All criteria for the approval of a CUP/IUP is met including having no effects on other business parking. Rybak is suggesting seven (7) conditions with the recommended approval:

1. The interim use permit is effective once recorded with the Carver County Recorder's Office and shall remain valid for a period of three (3) years from the date of City Council approval.
2. The Applicant must verify if any Carver County Watershed Management organization permits are required.
3. Existing drainage patterns must be maintained with the addition of the gravel parking area.
4. Access to the gravel parking area shall be provided as shown on the site plan. No new access will be permitted.
5. Parking on the gravel area shall be limited to sixteen (16) employee vehicles.
6. Alterations to sight lighting must conform to the requirements of Section 1245.08.
7. The violation of any term or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The operator shall be given written notice of any violation and a reasonable time (not less than 30 days) to cure the violation before a revocation of the permit may occur.

*Motion: BG/ME to open the public hearing.*

Rybak and Hallquist confirmed there were no acknowledgements for or against the proposed IUP.

*Motion: JB/CS to close the public hearing.*

*Motion: BG/CS to recommend approval of an interim use permit from Sackett Waconia that includes the seven (7) conditions.*

*Motion passed 5-0.*

6. Business

A. Ordinance Amendment Review

Rybak shared the following drafts of amendments. Commissioners reviewed the drafts with additional comments:

Redline - 1200.04 Definitions: removal of the term "industry, heavy"

- City code does not allow for heavy industry, hence the removal of the definition.

Redline - 1210.06 Conditional Use Permits: minor amendments to outdoor storage standards & addition of requirements for auto condos.

- Auto condos were added as it needs a CUP for requesting conditions.
- Hard screening fencing is a solid fence but cannot be in front of the structure.

~~Redline - 1230.11 B-1 Business Industrial District: removal of B-1 Business Industrial District, due to consolidation with I-1 Light Industrial District.~~

- There will be a few current B-1 properties along Industrial Blvd that will be legal non-conforming after the approval of combining B-1 and I-1 to merge to I-1.

Redline - 1230.12 I-1 Light Industrial District: amendments related to consolidation of B1 and I-1 Districts

- The reason for eliminating "light industry" from Permitted Uses is that it is a broad category and not an actual "use."
- Vocational and Technical Schools should be Permitted Use after the combo of B-1 and I-1.
- Mini storage is suggested to be left as a CUP in order to control conditions.
- Setbacks for side yards and rear yards of B-1 and I-1 combination were compromised.

Redline - 1245.04 Accessory Structures: Amend exclusion from 120 SF to 200 SF, per building code.

- Building code sets the 200 sq ft or less requirement for accessory structures.

Redline - 1245.05 Fences: Remove requirement for 1-foot setback for fences and clarify permitting requirements. Discuss the need to reduce height and require opacity for corner side yard fences.

- Building permits are not required for fences under 8 feet.
- City code is outdated as fences should be able to be installed on the property line.
- The diagram on Fencing Conformity should include a Right of Way and also indicate that fencing is allowed to the front corner of the principal structure.

Redline - 1250.07 Access: Add driveway width requirements and clarify that only one driveway is permitted per street frontage.

- There is one driveway per street frontage with a maximum width of 24 ft.

Redline - Section 1255 Landscaping: Updated landscaping requirements and standards for non-residential uses

- Need to add that planting excludes wetlands or other land not suitable for disturbance or tree planting.
- It was discussed that a resident does not have to replace a tree if it is taken down purposefully or by nature, however, during the building project it must be replaced.
- It was suggested to do more local community education on the benefits of trees. NYA is a Tree City USA. Promote the tree program through the Carver County Soil & Water in the spring.

Redline - Building Material and Detail for I-1 District (section # TBD): Provide requirements for exterior building materials for I-1 District.

- Accent materials must occupy 25% of the building's façade.
- There is flexibility with encroaching on setbacks to accommodate a canopy, portico, overhand or arch above an entrance. It's important to define the entrance of the building.

Rybak shared that there would be a public hearing for all updates at the November Planning Commission meeting. City Council will hear the recommendations at the November 13<sup>th</sup> meeting followed by the publishing and approval process.

## 7. Miscellaneous

### A. Building Permit Report – na

## 8. Commissioner's Reports

Parks – BG shared the commission is doing an all-park assessment.

EDC – na

Council – CS shared the council approved the county attorney contract, MVE program application, no cannabis smoking in public, and union meetings soon.

## 9. Next Planning Commission Meeting – Tuesday, October 3, 2023 at 6 p.m.

## 10. Adjourn

*Motion: BG/ME to adjourn at 6:59pm. Motion passed 5-0.*

Respectfully Submitted,

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Karen Hallquist, Community & Economic Development Director



TO: NYA Planning Commission

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: October 13, 2023

SUBJECT: Orr Contracting – 114 Elm St. W

REQUEST: Conditional use permit for limited manufacturing

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#### **GENERAL INFORMATION**

Applicant: Luke Orr, Orr Contracting

Owner: Wanda Wilson

Location: 114 Elm St. W

Existing Land Use / Zoning: Vacant property; zoned C-3 Downtown District

Surrounding Land Use / Zoning: North: Residential; zoned: C-3 Downtown District  
East: Residential; zoned: C-3 Downtown District  
South: Residential; zoned: C-3 Downtown District  
West: Undeveloped; zoned: C-3 Downtown District

Comprehensive Plan: The 2040 Comprehensive Plan guides this property for Downtown Mixed Use land use.

Deadline for Agency Action:	Application Date:	09-11-23
	60 Days:	10-31-23
	Extension Letter Mailed:	N/A
	120 Days:	12-30-23

#### **OVERVIEW OF THE REQUEST**

Luke Orr, on behalf of Orr Contracting, has submitted a request for a conditional use permit to allow limited manufacturing to occur at the subject property. The property is in the C-3 Downtown Commercial District, where limited manufacturing is listed as a conditional use. The property is currently vacant and for-sale, and the Applicant has an offer in, pending conditional use permit approval.

Orr Contracting offers snow removal and lawn care services, as well as metal fabrication. The items produced include railings, handrails, wall brackets, and miscellaneous equipment. The intent for the property would be to utilize the main level of the building for office and retail space, with the lower level being the shop where the welding and limited manufacturing would occur. There are anticipated

to be two people working at/out of the property; Mr. Orr and one employee. The Applicant has stated that there will be no outdoor storage associated with the business. He intends to use and improve the currently vacant property, which will be a benefit to the neighborhood.

The structure is a single-story brick building, with a footprint of 864 square feet. The basement is a walkout style, with a portion of it being located underground. There is an overhead door in the rear to provide access to the basement. Nearly all of the property is occupied by the building, with a small strip of land behind. The Zoning Ordinance allows for flexibility in parking requirements for properties located within the Central Business District. In this case, there is no space on the parcel itself to provide parking facilities. Business vehicles may access the property from the rear, and customers may park on Elm St. W to access from the front.



### **CONDITIONAL USE PERMIT REVIEW**

An conditional use permit (CUP) is subject to all conditions and approvals as specified in Section 1210.06.

#### **General Criteria for Approval of Conditional Use Permits**

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.*  
The 2040 NYA Comprehensive Plans guides the subject property for Downtown Mixed Use. The business is primarily commercial in nature, with the small limited manufacturing component. This is consistent with the future land use guidance. **Criterion met.**
2. *The use is consistent with the intent of this Ordinance.*  
Limited manufacturing is an allowable conditional use in the C-3 Downtown District. **Criterion met.**
3. *The use does not have an undue adverse Impact on governmental facilities, utilities, services or existing or proposed improvements.*  
The proposed CUP will have no impact on the above. **Criterion met.**

4. *The use does not have an undue adverse Impact on the public health, safety, or welfare.*

The limited manufacturing use will be limited to the basement level of the property. That, coupled with the brick construction of the building will provide sound buffering. The manufacturing use is limited in scope and is not the main function of the business. Putting a currently vacant property to use is to the benefit of the community as a whole. **Criterion met.**

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.*

The Applicant is aware that sound generated from the limited manufacturing, which is why it is proposed on the lower level only. Additionally there will be safety precautions taken regarding sparks. Staff recommends limited the hours of operation for the limited manufacturing portion of the business to between the hours of 7:00 AM and 6:00 PM. **Criterion met.**

6. *The use will not Impede the normal and orderly development and Improvement of surrounding property for uses permitted In the district.*

**Criterion met.**

7. *Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.*

The proposed use will be served by existing facilities. **Criterion met.**

8. *Adequate measures have been or will be taken to provide for vehicular and pedestrian safety and convenience to, from and within the site.*

**Criterion met.**

9. *The use meets all the performance criteria requirements as established in Section 1245.01 of this chapter.*

Custom or limited manufacturing, assembly, or treatment of articles or merchandise from previously prepared materials, such as cloth, fiber, leather, metal, paper, plastic, stone, wax, wood, and wool in the C-3, Downtown Districts and the RC-1 Residence and Neighborhood Commercial District shall conform to the following standards:

- a) *No outdoor storage of any kind, including but not limited to materials, equipment, or machinery shall be permitted.*
- b) *All business vehicles shall be accommodated by off-street parking.*
- c) *Office or retail sales areas shall be maintained at the front (street-facing) side of the building.*

**Criterion met.**

10. *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

**Criterion met.**

**RECOMMENDATION**

Based on the submitted application materials, and the review provided in this report, staff recommends **approval** of the requested conditional use permit, **subject to the following conditions:**

1. Limited manufacturing may occur only on the lower level of the building.
2. Hours of operation for the limited manufacturing use shall be 7:00 AM to 6:00 PM.
3. No outdoor storage shall be permitted on the property.

**POTENTIAL ACTION**

1. Motion to recommend that the City Council approve the requested conditional use permit, subject to the three conditions outlined above.
2. Motion to recommend that the City Council deny the requested conditional use permit (provide findings of fact to support denial)

**Attachments:**

- Application and Plans





# 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 <b>LUKE ORF</b>		Telephone <b>612-916-9774</b>
Address (Street, City, State, ZIP) <b>19440 Whittall Lane, Belle Plaine, MN, 56001</b>		
Property Owner's Name (If different from above) <b>Wanda Wilson</b>		Telephone
Location of Project <b>114 Elm St W, NYA, MN</b>		
Legal Description		
Description of Request (Attach separate sheet, if necessary) <b>CUP for limited manufacturing</b>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p><b>Proposed Action(s): Check all that apply</b></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 \$300.00 (Residential)</p> <p><input checked="" type="checkbox"/> CUP/IUP \$300.00 (Non-Residential)</p> <p><input type="checkbox"/> Variance \$300.00 (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 \$400.00</p> <p><input type="checkbox"/> Street/Alley Vacation \$300.00</p> <p><input checked="" 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 &amp; ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.</p> <p><b>*APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*</b></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: <b>Luke Orf</b>		Date <b>9/11/23</b>
Fee Owner's Signature:		Date
<b>For Office Use Only</b>		
Accepted By: <b>Shelly West</b>	Amount <b>421-</b>	Date <b>9/11/2023</b> <span style="float: right;"><b>CR 1015</b></span>

Dear City of Norwood Young America,

I hope this letter finds you well. I am writing to formally request a Conditional Use Permit (CUP) for the property located at 114 Elm St. West. Within Orr Contracting LLC, we offer a variety of services from Snow Removal, to Lawn Care, as well as Metal Fabrication. Within this building we are looking to use it for our metal fabricating needs and sell products out of the storefront to attract customers to downtown Norwood.

The purpose of this CUP application is to seek permission for welding and limited manufacturing. This proposed use aligns with the long-term goals and vision of our community and offers several benefits to both the neighborhood and its residents. Our most popular product that we manufacture is railings. We have done a number of jobs within the city of NYA. This has helped our community with the safety of their homes and created better curb appeal for our town. Our proposed use is necessary for us to be able to provide products to sell and attract clients from the community. Not only will we be filling an empty building, we will also be attracting more people to the surrounding businesses on Main Street. (Elm)

We understand that there may be potential concerns regarding our proposal. We have taken these concerns into account and have developed comprehensive strategies to address them.

The noise level will be contained to the lower level of the inside of the building and we will take all safety precautions to contain sparks to a minimum. We also will not have any outside storage to keep the cleanliness appeal to our community. Our aim is to ensure that our company minimizes any potential negative impact and creates a harmonious relationship with the surrounding community.

In conclusion, we appreciate the opportunity to present our case for a Conditional Use Permit for 114 Elm St. West. We kindly request a meeting or a formal review of our application to discuss the details further. We believe that our proposal aligns with the community's interests and will contribute positively to the area's development.

Thank you for considering our request. We look forward to the opportunity to discuss this matter further. Please feel free to contact me at 612-916-9774 or [lukeorr64@gmail.com](mailto:lukeorr64@gmail.com) if you require any additional information or have any questions.

Sincerely,



Luke Orr  
Orr Contracting LLC



## Norwood Young America Planning & Zoning Commission 2024 Goals

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In 2024, the Planning Commission will continue to conduct public hearings regarding all planning related activities, including but not limited to, amendments to the zoning ordinance, plat approval, variances, conditional use permits, etc. as requested.

Specific proposed projects for 2024 will include:

### **1. Update of the Zoning and Subdivision ordinances**

This project is necessary to help with the clarity and flexibility of code with existing and future development. Staff will be researching options to expedite the process of updating the zoning districts (in particular) by contracting out the entire review rather than piecing out each zone. Specific items to be reviewed in preparation for an overall update include:

- a. Permitted uses in the C-3 Downtown District
- b. Evaluate residential densities by zoning district
- c. Explore potential Subdivision Ordinance updates
- d. Potential updates related to cannabis (if directed to by the City Attorney)

### **2. Identify land to re-guide Medium Density Residential in the Comprehensive Plan**

To accommodate the industrial park expansion, approximately 80 acres of land was reguided from medium density residential to industrial. The Met Council requires the City to have a certain percentage of land designated for housing, to ensure that the City can meet its housing requirement. The Planning Commission will be reviewing the 2040 Comprehensive Plan Future Land Use Map to identify land to re-guide to Medium Density Residential to replace the land that was reguided.

### **3. Rezone PID 586520890**

A large parcel near Young America Lake was given to the City of NYA by the State of MN. The City must make this property a nature park by 2029. The first step is to rezone the property from R-1 to P-1.

### **4. Platting of Tacoma West Industrial Park Expansion**

The Planning Commission will work through the platting process of the Tacoma West Industrial Park Expansion when plans are completed.

## **Recommended Motion**

**Motion to approve the NYA Planning & Zoning Commission 2024 Goals.**