

**5.01: Public Hearing: Consider Actions to Allow Outside Storage at 6316 Highway 10 NW (Project No. 18-155); Case of Rocky Mtn Investment, LLC**

- 1. Zoning Amendment to Rezone from R-1 Residential (MUSA) to E-1 Employment.**
- 2. Conditional Use Permit to Allow Outdoor Storage as a Principal Use of the Property.**
- 3. Variance to Allow a Reduced Setback for Outdoor Storage to Residentially Zoned Parcels.**

**Public Hearing**

Chairperson Bauer called the public hearing to order at 7:02 p.m.

**Presentation**

City Planner Anderson presented the staff report stating the Planning Commission reviewed a request for a Zoning Amendment related to the parcel generally known as 6316 Riverdale Drive NW (the "Subject Property") at their November 1, 2018 meeting and recommended that the zoning remain R-1 Residential (MUSA). The request was subsequently reviewed by the City Council on November 13, 2018 and the City Council directed Staff to prepare an Ordinance to proceed with amending the zoning from R-1 Residential (MUSA) to E-1 Employment. The City Council acknowledged the concerns initially identified by Staff and the Planning Commission but also considered the realistic viability of a single-family home being constructed on the Subject Property.

City Planner Anderson reported in addition to the Zoning Amendment, the City Council also directed Staff to proceed with preparing a case for consideration by the Planning Commission for a Conditional Use Permit to allow outside storage as a principal use on the Subject Property and a Variance to reduce the required setback of outside storage from adjacent residential properties. Ultimately, a Comprehensive Plan Amendment to re-guide the Subject Property from Low Density Residential to Business Park will also be necessary.

**Citizen Input**

Commissioner VanScoy requested the applicant come forward to address the Commission.

Greg Dahlheimer, 17224 172<sup>nd</sup> Ave SE in Big Lake, Minnesota, stated he owned a small lot and did not have any use for it. He reported Jeremy Anderson was his neighbor and was interested in purchasing the lot from him.

Jeremy Anderson, 6228 Highway 10, discussed how he has grown his business over the years and reported he was looking to purchase a small property from his neighbor. He explained he was one of the largest snow plow dealers in Minnesota. He noted he has grown from four employees to ten. He requested the Commission allow him to park trailers and equipment outdoors.

Chairperson Bauer asked if Mr. Anderson would out grow this space in the future.

Mr. Anderson stated he was unsure at this point and explained this would depend on the economy over time.

Commissioner VanScoy questioned if the applicant would be building on the new land.

Mr. Anderson explained at some point in the future he would like to construct a building to house his two dump trucks.

Commissioner VanScoy indicated he was having a difficult time supporting this request given the City's setbacks.

Chairperson Bauer asked if the triangular parcel was a separate parcel.

City Planner Anderson reported this was the case.

Commissioner VanScoy requested further information regarding the landscaping for this property.

City Planner Anderson explained staff would be working with the applicant on a landscaping plan that would be drafted prior to this item being considered by the City Council.

Commissioner VanScoy commented on the buffer that was supposed to be in place between E zoned properties and R-1 properties.

City Planner Anderson discussed the buffer yard and fencing that would be in place to assist with screening this property.

Community Development Director Gladhill reported the Council supported flexibility with the setbacks while requiring plantings and landscaping to create a proper separation.

Commissioner Anderson stated he would prefer to have slats within the fence instead of cloth.

Commissioner Woestehoff questioned how traffic would flow in and out of this property.

Mr. Anderson discussed how traffic would flow in and out of the site. He noted this would not be a high traffic area.

Commissioner Gengler asked what the hours of operation would be for this business.

Mr. Anderson stated he worked Monday through Thursday 8:00 a.m. to 5:30 p.m. and on Fridays from 8:00 a.m. to 4:30 p.m. He commented he was open 24 hours after one inch of snowfall. He commented further on how his business varied between the summer and winter.

Commissioner Surma noted in the past other parking lots were required to be paved.

Chairperson Bauer stated this was a general requirement from the City but explained Class V has also been allowed in some cases.

City Planner Anderson reported the applicant would be installing a paved entrance to the site, pavement and curb and gutter, and was requesting a small parking area to be recycled asphalt where large equipment would be loaded and unloaded.

Motion by Commissioner VanScoy, seconded by Commissioner Surma, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Surma, Anderson, Gengler, and Woestehoff. Voting No: None. Absent: Commissioner Onyambu.

Chairperson Bauer closed the public hearing closed at 7:28 p.m.

### **Commission Business**

Commissioner Woestehoff asked if the City would be doing a disservice to this lot if it were rezoned to the E-1 zoning district.

City Planner Anderson commented on the proposed setbacks and noted how the adjacent residential property would be impacted.

Community Development Director Gladhill explained the applicant had spoken to the adjacent landowner and expressed interest in purchasing the triangular lot.

Commissioner VanScoy stated he had difficulty supporting the proposed rezoning. He explained he spoke to neighboring residents and noted they had no complaints.

City Planner Anderson indicated this is the second public hearing on this matter within a month and explained he has not received any comments or complaints from adjacent residents.

Commissioner Woestehoff asked if the north side of Riverdale was already zoned E-1.

City Planner Anderson reported this was the case.

Motion by Commissioner VanScoy, seconded by Commissioner Surma, to recommend that City Council adopt Ordinance #19-01 to Rezone the Subject Property to E-1 Employment.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Surma, Anderson, Gengler, Onyambu, and Woestehoff. Voting No: None. Absent: None.

Motion by Commissioner VanScoy, seconded by Commissioner Anderson, to recommend that City Council adopt Resolution #19-002 to grant a Conditional Use Permit for outdoor storage as the principal use on the Subject Property, contingent upon the City Council approving Ordinance #19-01.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners VanScoy, Anderson, Gengler, Onyambu, Surma, and Woestehoff. Voting No: None. Absent: None.

Commissioner VanScoy stated he had concerns with allowing a business to build 10 feet from the property line given the fact the Conditional Use Permit would run with the property.

City Planner Anderson explained the variance would be specific to the outside storage for this specific use.

Motion by Commissioner Anderson, seconded by Commissioner Surma, to recommend that City Council adopt Resolution #18-251 granting a variance to the setback requirement for outdoor storage adjacent to residential properties contingent upon the City Council approving Ordinance #19-01.

Motion Carried. Voting Yes: Chairperson Bauer, Commissioners Anderson, Surma, Gengler, Onyambu, VanScoy, and Woestehoff. Voting No: None. Absent: None.

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