

AGENDA
MAPLE PLAIN PLANNING COMMISSION
MEETING
MAPLE PLAIN CITY HALL
September 3, 2015
7:00 PM

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ADOPT THE AGENDA**
- 4. CONSENT AGENDA**
 - a. Minutes from July 1, 2015 meeting (Not available until October meeting)
 - b. Minutes from August 6, 2015 meeting (Not available until October meeting)
- 5. PUBLIC HEARINGS**
 - A. CONDITIONAL USE PERMIT AMENDMENT FOR 5060 HWY 12-COLLISION CORNER**

 - B. PUBLIC HEARING FOR TEXT AMENDMENT TO CONDITIONAL USE PERMIT FOR 1507 HALGREN ROAD**
- 6. NEW BUSINESS**
 - A. Conditional Use Permit Amendment for 5060 Highway 12-Collision Corner
 - B. Conditional Use Permit Text Amendment for 1507 Halgren Road
- 7. OLD BUSINESS**
 - A. Discussion on next steps for Walking and Biking Trail projects
- 8. COMMISSION REPORT AND OTHER BUSINESS**
- 9. VISITORS TO BE HEARD**
- 10. ADJOURN**
 - a. Next meeting: Thursday, October 1, at 7 p.m.*

City of Maple Plain

Request by Collision Corner for a Conditional Use Permit Amendment to Modify the Previously Approved CUP on the Property at 5060 US Highway 12

To: Planning Commission
From: Mark Kaltsas, City Planner
Meeting Date: September 3, 2015
Applicant: Kurt and Michelle Kroll
Owner: Kurt and Michelle Kroll
Location: 5060 US Highway 12

Update to Plans Following City Council Review:

City Council Members reviewed the preliminary submittal and provided feedback and direction to the applicant. One item that was initially considered by the City Council was the use of the two lots north of the Oak Street right of way. Upon further review by the City's legal counsel, it was determined that the City could not allow the expansion of the non-conforming use into either property. It was determined that the City could license the use of the Oak Street right of way to the applicant. The City will need to determine the allowable uses permitted within the right of way. The petitioner has revised their site plan to address the comments provided by the City Council, Planning Commission and staff. The site plan submitted to the City does not appear to completely address all comments made in previous correspondence. The following items should be noted by the City:

1. The City has received a site plan which provides general information relating to the proposed use of the site, Oak Street right of way and the proposed building addition. Additional information requested relating to landscape plans, lighting plans, building elevations, fence detail and elevations and grading and drainage plans has not been submitted.
2. As it relates to the revised site plan, the following comments should be considered:
 - a. Parking – the applicant has revised the site plan to incorporate the Oak Street right of way. The applicant is proposing to pave Oak Street to include additional spaces. The applicant has identified the location of storage for inoperable vehicles. Additional detail should be provided by the applicant which further defines how many vehicles are intended to be

stored in this area. Currently the applicant is showing 12 parking spaces for inoperable vehicle parking.

- i. The plans indicate parking as follows:
 1. Oak Street ROW – 43 spaces
 2. Boundary Avenue – 17 spaces
 3. In Front of Building – 7 spaces
 4. Behind Building – 22 spaces
 5. Inoperable Vehicle Parking – 12 spaces
 6. For Sale Vehicle Parking – 10 spaces

Total Spaces: 111 Spaces

- b. An access route through the site has been identified on the site plan. Further review indicates that there are two pinch points that do not appear to accommodate fire apparatus (see attached drawing). The two locations pinch the drive aisle down to 18 feet in total width. In addition to the pinch points, it was discussed with the owner that no parking and fire lane striping should be designated on the plans (see attached drawings – pink highlighted areas). Vehicles should not be parking in the Highway 12 right of way, around the stop sign at the intersection of Boundary Avenue and Highway 12 and along the west side of the building in the way of the fire access drive.
- c. The Oak Street right of way is shown to have a driveway width of 24 feet. The City requires a minimum of 25 feet in width. The parking spaces shown are 18 feet in length and the minimum required by the City is 20 feet. The plans should be revised to incorporate the minimum parking and drive aisle standards within the Oak Street right of way.
- d. The parking area for “sale vehicles” indicates the location of a gate; however, the gate does not appear to be located in a manner that would allow vehicles access to the spaces without utilizing the Highway 12 right of way. Additional consideration should be made relating to how this area will be utilized.
- e. The applicant is proposing to remove the existing shed/small building in the southwest corner of the site. This area is proposed to be utilized for the access drive.
- f. The revised site plan indicates two areas as “landscape areas”. The City recommended that the petitioner provide the City with a combination of landscape and fencing to screen the parking and outdoor storage from Highway 12 and Boundary Avenues. No further detail has been provided. There appears to be a potential buffer area around the north

property line, northeast corner and northwest corners (see attached plan – green highlighted areas). These areas are undesignated on the plans and could be landscaped in combination with fencing to accommodate the Planning Commission’s recommendation. As previously requested, a detailed landscape plan should be submitted by the applicant. It should be noted that the current paved area extends across the north property line and into the City’s right of way.

- g. There are several additional areas that are undesignated on the plans (see attached plan – orange highlighted areas). The site plan should be revised to delineate the use and finish of these areas.
- h. The site plan indicates the location of a perimeter fence. As previously requested, the applicant should provide the City with additional detail relating to the type of fence, fence material, and height of the fence. The plan does indicate in one area that the proposed fence is a chain link fence with slats. This type of fence would not be permitted in the mixed-use zoning district. The plans do not indicate the height or if the chain link fence type is proposed around the entire perimeter. The plans indicate that the fence is proposed to be located to the north side of the Oak Street right of way. It is recommended that the City consider not allowing the public right of way to be fenced. Instead, the City could recommend that the fence be located along the applicant’s north property line to screen the on-site parking.
- i. The proposed building addition is shown on the site plan. No additional detail has been submitted by the applicant as previously requested. Information which further defines building materials, elevations, colors and door locations should be submitted by the applicant. Additionally, the applicant should identify the location of any new mechanical equipment to be located on the site or on the building. All mechanical equipment is required to be screened from view.
- j. The site plan indicates that the dumpster will be located within the proposed fence in the northeast corner of the building. The plans do not further describe if the dumpster will be within an enclosure or otherwise screened. The City requires all dumpsters in the mixed-use district to be enclosed.
- k. The plans propose two lights to be located on the north wall of the building. No lighting details were submitted by the applicant with the site plan. As previously requested, the applicant should submit additional information relating to the type of lighting and a photometric plan indicating the intended coverage.

3. The Oak Street right of way licensing agreement has not been drafted by the City. The Planning Commissions can provide further direction to staff relating to the permitted use of the right of way. IT was previously noted that the use should be limited to daily parking of employee vehicles, and drop off and pick up parking. Commissioners should provide direction relating to overnight parking, vehicular storage and other use of the right of way parking area.
4. The revised plans are in the process of being reviewed by the City's engineer. Additional comments relating to the proposed Oak Street right of way improvements and storm water may be forthcoming. No detailed grading or drainage plan was submitted to the City. Any improvement to the City's right of way will require a more detailed engineering submittal.

There are several issues which have not been fully addressed in the revised site plan. The City will require additional information to be submitted by the applicant. At this time the petitioner has asked that this item be reviewed by the Planning Commission. Based on the revised layout, the applicant is seeking approval of 111 parking spaces to be utilized by their business. This number would be incorporated into the conditional use permit amendment.

Staff is seeking direction from the Planning Commission relating to the information presented on the revised site plan submittal. Commissioners can recommend approval of the conditional use permit with conditions, table the request based on the need for additional information or recommend denial of the request to the City Council.

Planning Commission Discussion From July 3rd Planning Commission Meeting:

Commissioners considered the information presented relating to the requested Conditional Use Permit amendment. Commissioners clarified that they would not be taking an official action on the request, but would provide direction to the applicant and a recommendation to the City Council relating to six specific considerations. Commissioners discussed the proposed amendment to the existing CUP and offer the following recommendations to the City Council for consideration:

1. **Expansion of CUP to north properties:** Commissioners discussed the limitations on being able to expand the Conditional Use Permit due to the non-conforming status of the existing use. Commissioners did not believe that amending the City's ordinance to allow the expansion of the use would fit into the desired planning goals of the Mixed Use – Gateway district. Commissioners recommended that the City not consider allowing any expansion of the existing use into the properties north of the Oak Street right of way.
2. **Use of Oak Street Right of Way for Private Access Driveway:** Commissioners discussed the concept of a license agreement to better understand how the agreement would work. Commissioners were generally supportive of the idea of licensing the use of the right of way for

- an access drive into the existing site. The use of the right of way would allow the applicant to have a more organized circulation route into and out of the site. There was discussion with the applicant about the use of the right of way for additional parking and or storage. It was noted by the Planning Commission that the use of the right of way should be limited to a driveway and possibly additional on-street parking spaces. Long-term parking or storage would not be permitted in the right of way.
3. **Screening/Landscaping/Dumpster Enclosure:** Commissioners discussed increasing the buffering and screening so that the property was effectively screened from Highway 12 and Boundary Avenues. Commissioners also commented that the petitioner should screen the parking areas from the residential properties to the north and east. The preferred method of screening and buffering would include a combination of fencing and landscaping.
 4. **Proposed Building Expansion:** It was noted by the City that there had been a previous approval of a building expansion in 2001. The City does not have a record drawing or image delineating the approved expansion. Commissioners were relatively supportive of the possible building expansion. Commissioners asked if the building expansion would limit or reduce the total number of parking spaces on the property. It was noted that the expansion would potentially impact 4-6 parking spaces.
 5. **Automobile Sales on Highway 12:** Commissioners discussed the possibility of increasing the number of permitted automobiles being sold on the property. Commissioners wanted to better understand how the proposed sales area could be accessed from the site without utilizing the Highway 12 right of way. Commissioners asked for additional information relating to fencing and access to the proposed sales area
 6. **Parking:** Planning Commissioners discussed the overall number of vehicles parked on this site. Commissioners recognized that there is a significant deficiency between the number of vehicles currently parked on site and the number of existing parking spaces. There was additional discussion relating to the differentiation between vehicles that are being worked on or for sale and vehicles that are being stored for parts. Commissioners noted that there could be outdoor storage permitted for parts and vehicles that are not whole. This area would need to be further defined by the applicant and would possibly accommodate a greater number of vehicles as a result of not needing to meet parking space standards. The applicant did suggest the possibility of removing the small building located on the south side of the parking area along Highway 12. The removal of this building and the utilization of the Oak Street right of way could allow for an acceptable number of vehicles to be kept and/or stored on this site.

Request:

Kurt and Michelle Kroll, (Applicants/Owners) request that the City consider the following action for the property located at 5060 US Highway 12 (PID No's. 25-118-24-12-0049, 25-118-24-12-0044, 25-118-24-12-0045, 25-118-24-12-0046).

- a. Conditional use permit amendment to modify the conditions of the existing conditional use permit.

Property/Site Information:

The property is located just north of Highway 12 at the intersection of Boundary Avenue and US Highway 12. There is an existing building located on the property. The subject property is accessed via Boundary Avenue. The property has the following characteristics:

Property Information: 5060 US Highway 12

Zoning: *MU-G Mixed Use – Gateway*

Comprehensive Plan: *Mixed Use*

Acreage: 0.89 Acres

5060 US Highway 12 Aerial Photograph



Discussion:

In 2014, the City notified the owners of Collision Corner that they were in violation of their Conditional Use Permit (CUP) and that they had expanded their parking area without a permit or approval from the City/Watershed. The City has also been working with the applicant for some time to limit the parking of vehicles on Boundary Avenue. The City has received numerous complaints regarding vehicles obstructing the right of way and therefore use of Boundary Avenue.

This property was initially granted a Conditional Use Permit by the City in 1988. The CUP was subsequently amended by the City several times with the most recent amendment occurring in 2001. In December of 2014, the City met with the applicant and discussed the possibility of amending their CUP to be consistent with the current use of the property. The City explained that the current operation was in violation of the conditions of the existing CUP and that revocation of the existing CUP would be the next step of the City. The City offered the owners of the property the possibility of amending their CUP so that the City and applicant could consider a reorganization of their site that would benefit both parties. The City noted that the applicant would likely need to make changes to the site (fencing, layout, landscaping, etc.) in order for the City to consider any expansion (increase in the number of vehicles and area on site permitted to be used) of the previously approved CUP amendment. The current CUP has the following provisions:

1. 49 total parking spaces
 - a. 31 spaces in the back parking lot
 - b. 13 front parking spaces
 - c. 5 parking spaces for retail sales

2. No more than 9 vehicles can be parked outside of the fenced area after hours

The owner of the property has now applied for an amendment to their conditional use permit. The amendment is requesting the reconfiguration of the site and an expansion of the CUP to allow the use of two (2) adjacent properties to north (owned by the applicant) as well as use of the City's Oak Street right of way for access into the site. The applicant has acquired two properties which are located just north of the existing site and the City's Oak Street right of way (unimproved). Automobile sales, service and repair is not permitted within the MU-G zoning district. The use of the existing property is permitted by conditional use and is considered legal non-conforming

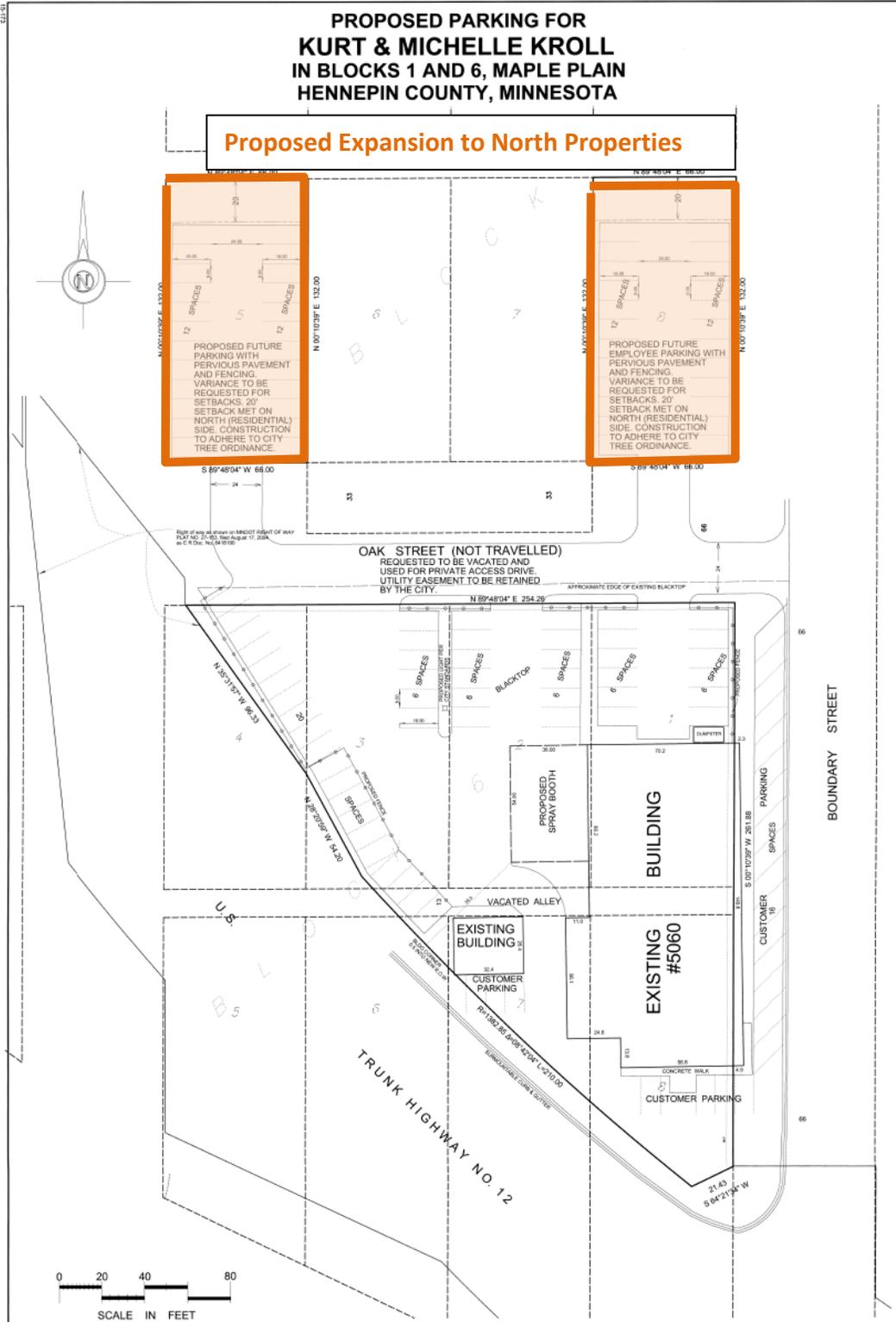
In addition to the expansion of the current use to the two north properties, the applicant is seeking approval of an amended site configuration. Staff has reviewed the proposed site plan and provided comments and feedback to the applicant. Staff is seeking additional direction from the City relating to the various site configuration components:

1. Expansion of CUP to north properties:

- a. The applicant would like the City to consider an expansion of the use to the two additional properties to the north. The City limits expansion of non-conforming uses to a maximum of 10% of the total site area in the mixed use zoning district. Based on the expansion provision, the City could consider allowing the expansion of the existing use by 3,877 SF. Each parcel is approximately .20 acres or 8,712 SF. The total area of either property would exceed the amount of square footage allowed for expansion of a non-conforming use. The City could consider additional methods for allowing the expansion of the use into that property (i.e. amend the ordinance to allow the use in the MU-G district). It should be noted that in order to fit the parking proposed by the applicant, a variance would be required to allow relief from the side and rear setbacks. A tree preservation/removal plan would be required as a part of the City's review for any construction on these properties. Due to the potentially large increase in the number of parking spaces, staff is seeking direction from the City on whether or not it would consider the expansion of the use onto the north properties.

**PROPOSED PARKING FOR
KURT & MICHELLE KROLL
IN BLOCKS 1 AND 6, MAPLE PLAIN
HENNEPIN COUNTY, MINNESOTA**

Proposed Expansion to North Properties



REVISIONS		REVISIONS	DATE	BY	REMARKS
5-7-15	REVISED PARKING PLAN				
5-8-15	REVISED PARKING PLAN				

DATE	BY	CHECKED	DATE	BY	REVISIONS

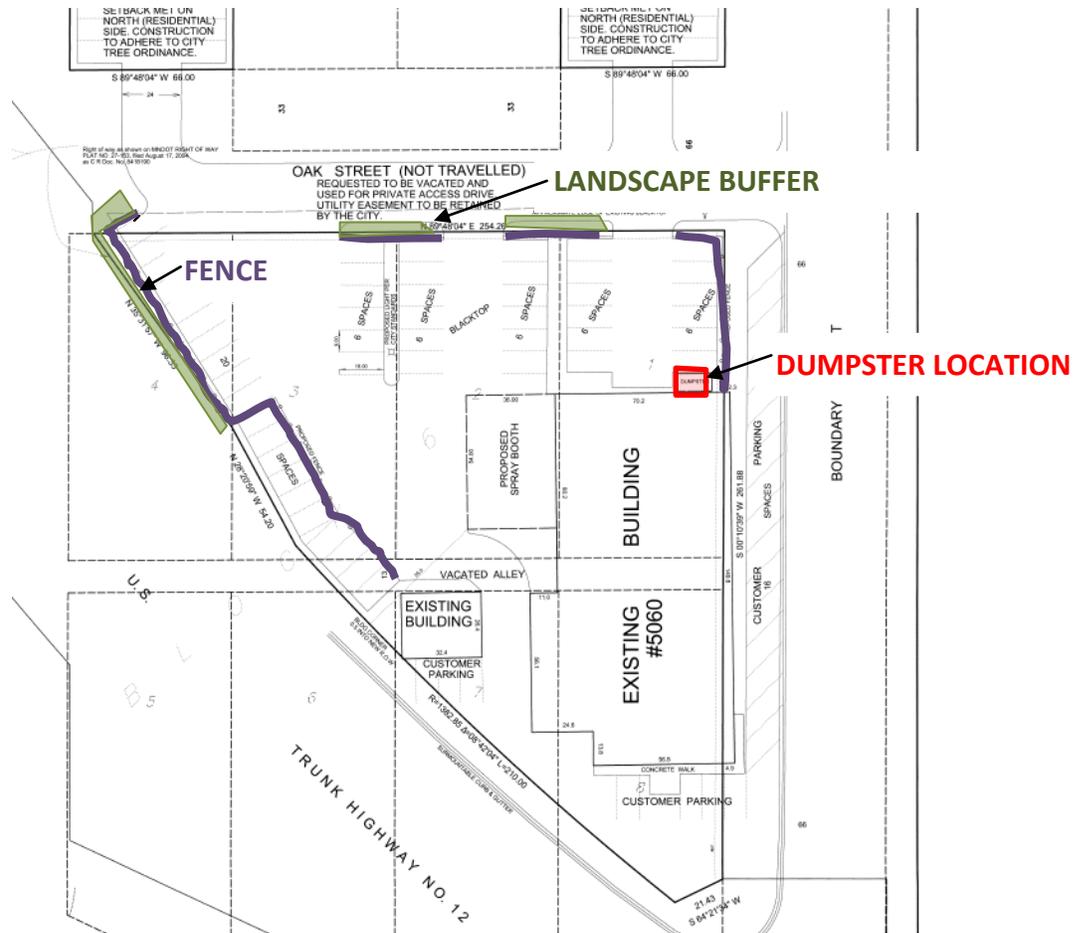
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.		DATE	5-3-14
		TIME	1:00P
		DATE	5-15-15
		TIME	9:45A

GRONBERG & ASSOCIATES, INC.	
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS	
445 N. WILLOW DRIVE LONG LAKE, MN 55356	
PHONE: 952-473-4141	FAX: 952-473-4435

3. Screening/Landscaping/Dumpster Enclosure:

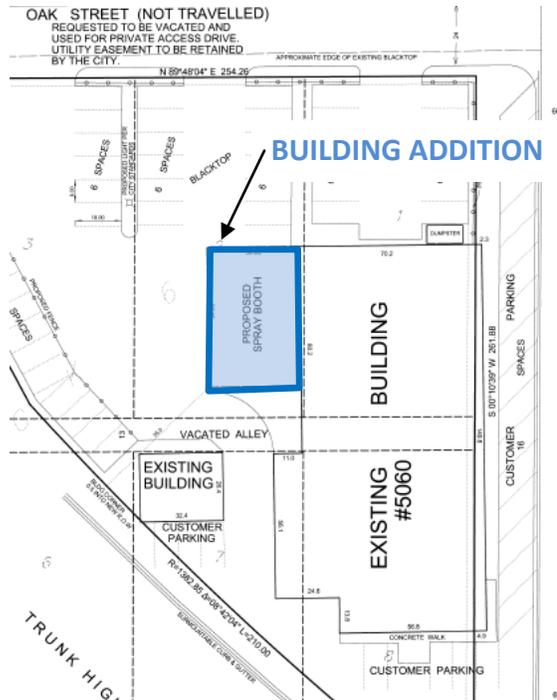
- a. The applicant is proposing to screen the realigned parking areas using an opaque fence. The applicant would need to provide additional details to the City identifying the materials and height of the proposed fence.
- b. In addition to installing a fence, staff has recommended that the exterior area of the fence be landscaped to provide additional buffering and to tie into the “gateway” design standards. Areas of importance would be the Highway 12 and Boundary Avenue frontages (with the exception of the area directly south of the building).
- c. The dumpster and tire bin are currently located at the northeast corner of the building. Staff has recommended that the applicant move the bins so that they would be located inside of the fenced rear yard area and accessed from the parking lot and not Boundary Avenue. The applicant has proposed locating the dumpster inside the proposed fence in the rear yard area.

Staff is seeking direction from the Planning Commission on the location of the fence, fence type and whether or not additional landscaping should be required.



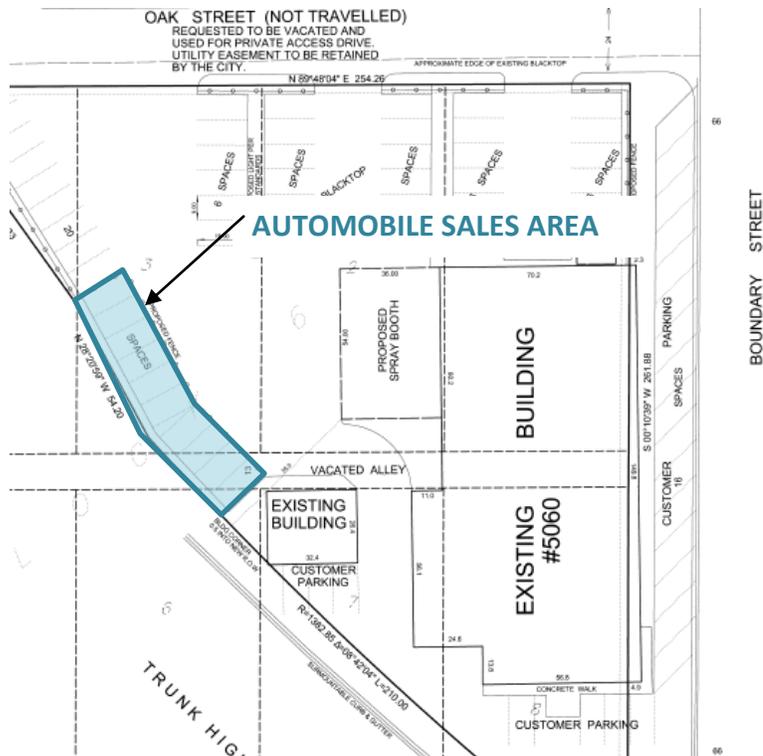
4. Proposed Building Expansion:

- a. The applicant is seeking permission to expand the building to allow a new spray booth on the west side of the building. In 2001, the City approved an amendment to the CUP to allow the expansion of the building for a new spray booth. The City does not have a drawing on record indicating the size or location of the spray booth. The applicant is proposing to locate the spray booth to the west of the existing building. Staff has asked the applicant for additional information pertaining to the proposed building materials and elevations of the building. Staff is seeking direction from the Planning Commission relating to the expansion of the existing building for a new spray booth as shown on the site plan.



5. Automobile Sales on Highway 12:

- a. The current CUP allows for the retail sales of up to five (5) cars on the subject property. The location of the cars for sale was not specified in the CUP. Currently the applicant uses the area west of the main building entrance and along Highway 12 to sell vehicles. The applicant is now seeking permission to sell ten (10) cars along Highway 12 west of the smaller existing building. The proposed fence would be located to allow the cars to be viewed from the highway. Staff has asked the applicant to indicate how the cars would be able to access the area given the proposed fence location. That information has not yet been provided. It was noted that historically, the applicant has used the unpaved right of way on Highway 12 to access this general area and to showcase vehicles for sale. The City does not permit the use of the right of way. Staff is seeking direction from the Planning Commission relating to the proposed expansion of automobile sales on the property.



6. Parking:

- a. The current CUP allows for parking on this site as follows:
 - i. 49 Total Parking Spaces
 - 1. 13 spaces in front of site
 - 2. 31 spaces in rear of site
 - 3. 5 parking spaces for retail sales along Highway 12

- b. The proposed amendment indicates the following parking counts:
 - i. 121 Total Parking Spaces (Including both North Properties)
 - 1. 73 spaces south of Oak Street right of way
 - 2. 48 spaces north of Oak Street right of way
 - 3. 9 spaces in front of existing building
 - 4. 40 spaces in rear of existing building
 - 5. 10 spaces for retail sales along Highway 12
 - 6. 14 spaces located in Boundary Avenue right of way

- c. Staff has visited the site on several occasions to count the number of vehicles parked on the property. On June 26, 2015 it was observed that there were approximately 129 vehicles located on the property (approximate estimate based on not going inside the

building and several vehicles not being considered a whole vehicle). The number of vehicles located on the property was as follows:

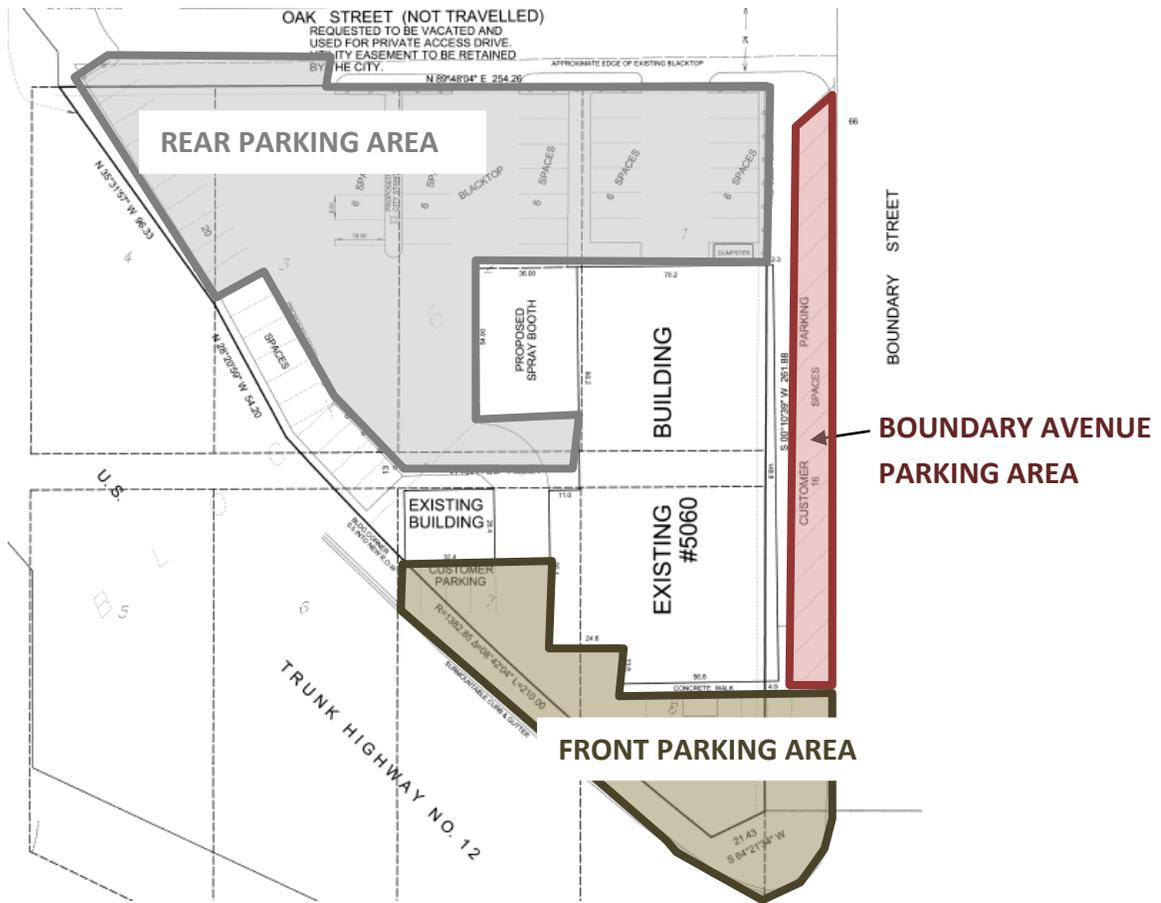
- i. 129 Total Vehicles
 1. 25 vehicles parked in front of building along Highway 12
 2. 9 vehicles parked on Boundary Street
 3. 83 vehicles parked to the rear of building
 4. 12 vehicles parked inside of building

The number of vehicles parked on the site exceeds the number permitted by the existing CUP (49 total vehicles) by 80 vehicles. Based on the number of vehicles parked on the site, the applicant does not have enough room on the current site to accommodate the number of vehicles currently in use for the business. Should the City not want to consider allowing expansion of the site to the north properties, the applicant does not appear to have sufficient space for the current number of vehicles if parked or stored in an organized manner as required by the existing CUP. There were approximately 12 vehicles parked in the state right of way at the time of the site visit. Parking too many vehicles in the front of the building makes it difficult for customers to enter the site and or turn around in the parking lot and for West Hennepin Public Safety to navigate the site. The City could consider limiting the number of parking spaces in the front of the building and prohibiting use of the Highway 12 right of way for parking. In addition, the applicant is proposing to utilize several spaces along Boundary Avenue for customer parking. Use of some of this area for customer parking would help to mitigate the congestion in front of the building.

The rear of the site could be organized in a manner that would allow some outdoor storage of parts and materials in an arrangement that would not require individual parking spaces. Staff has asked the applicant to consider identifying an area in the rear of the site that could be utilized for this purpose. The current plan does not identify this area on the plan. Utilization of an area for outdoor storage could increase the number of vehicles that could be stored on the site as the space could be “stacked”. This would potentially increase the total number of vehicles that could be considered to be permitted on the site

West Hennepin Public Safety has asked that the applicant maintain a vehicular access path through the site and also provide for lighting to the rear of the building. The applicant is proposing to install 1 pole mounted light in the rear parking area (shown on site plan). All lighting would be required to be reviewed by the City and meet all applicable standards.

Staff is seeking feedback from the Planning Commission on the proposed parking layout and number of vehicles proposed in each area of the site.



Applicable Standards

§ 159.029 "MU" MIXED-USE DISTRICT.

(E) Interim uses.

(5) Uses allowed in other MU Districts.

(a) Must meet the general purpose of the subject district as described in the Comprehensive Plan and Design Guidelines.

(b) The city finds sufficient reasons that the use is appropriate for the subject district and that it does not negatively impact the goals of the approved district.

(c) Must submit an approved operational plan detailing the business management and operations.

(d) Subject to one-year review.

§ 153.170 PURPOSE AND INTENT.

(A) The purpose and intent of allowing interim uses is:

(1) To allow a use for a brief period of time until a permanent location is obtained or while the permanent location is under construction.

(2) To allow a use that is presently acceptable, but that with anticipated development or redevelopment, will not be acceptable in the future or will be replaced by a permitted or conditional use allowed within the respective district.

(3) To allow a use which is reflective of anticipated long range change to an area and which is in compliance with the Comprehensive Municipal Plan provided that said use maintains harmony and compatibility with surrounding uses and is in keeping with the architectural character and design standards of existing uses and development. (Ord. 246, passed 8-23-2010)

§ 153.171 GENERAL STANDARDS.

An interim use permit may be granted only if the City Council finds as follows:

(A) The use is allowed as an interim use in the respective zoning district and conforms to standard zoning regulations.

(B) The use will not adversely impact nearby properties through nuisance, noise, traffic, dust, or unsightliness and will not otherwise adversely impact the health, safety, and welfare of the community.

(C) The use will not adversely impact implementation of the comprehensive plan.

(D) The date or event that will terminate the use is identified with certainty.

(E) The applicant has signed a consent agreement agreeing that the applicant, owner, operator, tenant and/or user has no entitlement to future re-approval of the interim use permit as well as agreeing that the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future.

(F) The user agrees to all conditions that the City Council deems appropriate for permission of the use including the requirement of appropriate financial surety to cover the cost of removing the interim use and any interim structures upon the expiration of the interim use permit.

(G) There are no delinquent property taxes, special assessments, interest, or city utility fees due upon the subject parcel. (Ord. 246, passed 8-23-2010)

Recommendation:

Prior to seeking a formal recommendation from the Planning Commission, staff would like direction relating to the six points identified in this report. Adding additional parking to the north properties, utilization of Oak Street right of way and reconfiguration of the existing lot all would require additional information and detail to be provided by the applicant. Due to the potential implications of each point noted in the report, staff is seeking Planning Commission direction prior to requesting additional information and or applications (i.e. variance for parking setbacks) from the applicant. Based on the direction provided by the Planning Commission, staff will advise the applicant of the necessary steps to complete the review of the requested cup amendment.

Attachments:

1. Building Façade Image
2. Site Pictures
3. Staff Review Letter
4. Site Plan

Image of Building Façade



Image of Front Parking Area



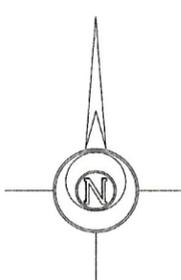
Image of Trash Container



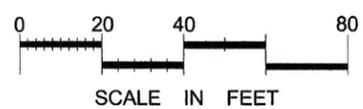
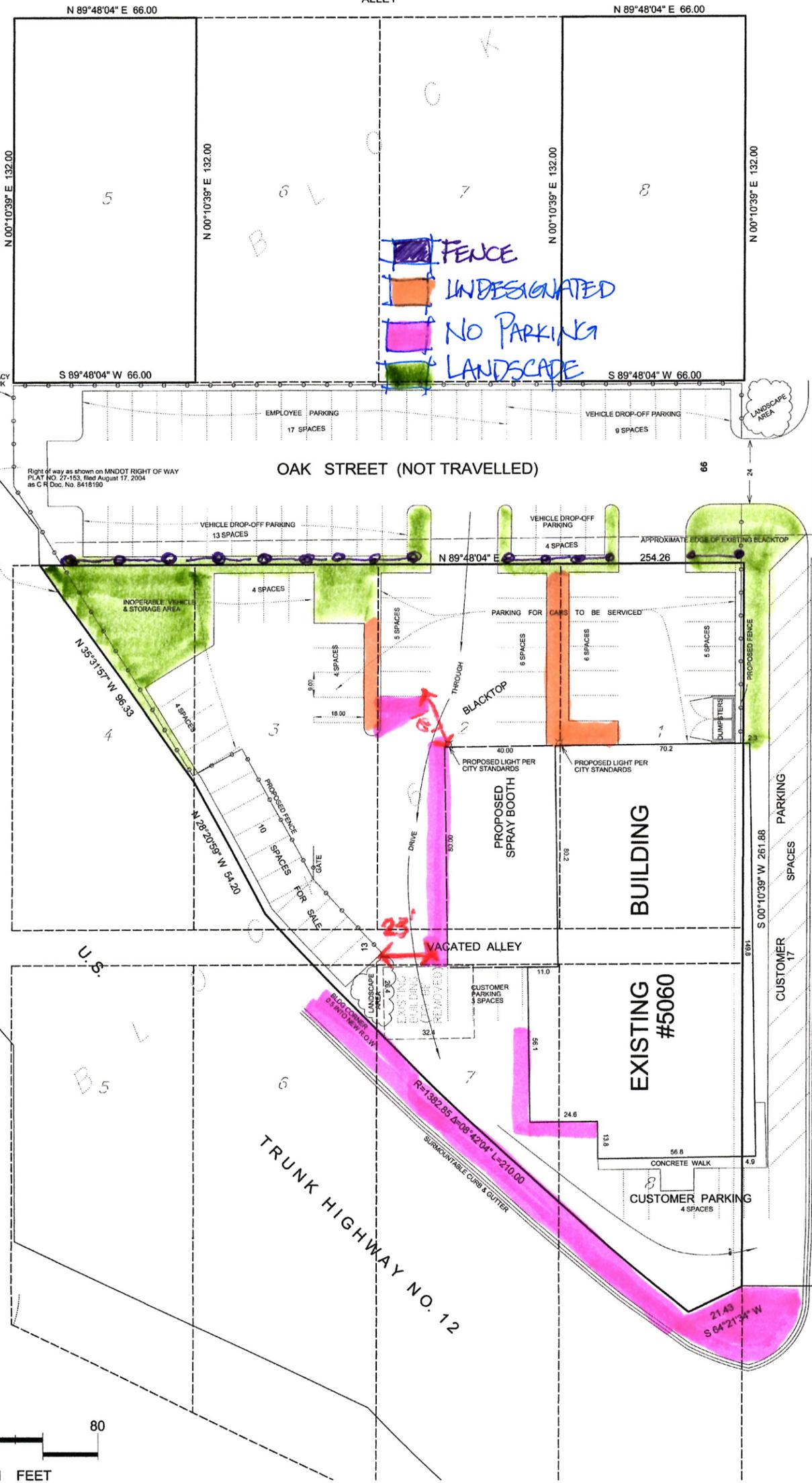
Image of Boundary Avenue



PROPOSED PARKING FOR KURT & MICHELLE KROLL IN BLOCKS 1 AND 6, MAPLE PLAIN HENNEPIN COUNTY, MINNESOTA



ALLEY



REVISIONS	
DATE	REMARKS
5-7-15	REVISED PARKING PLAN
6-5-15	REVISED PARKING PLAN
8-26-15	REVISED PARKING PLAN

DESIGNED: _____
 DRAWN: _____
 CHECKED: _____
 DATE: 8-25-15 MINN. LICENSE NUMBER: 12755

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

GRONBERG & ASSOCIATES, INC.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
 445 N. WILLOW DRIVE LONG LAKE, MN 55356
 PHONE: 952-473-4141 FAX: 952-473-4435

Request by James Shear to Consider a Text Amendment and Conditional Use Permit to Allow Office/Indoor Storage within the Existing Building Located at 1570 Halgren Road and Zoned R-1

To: Planning Commission
From: Mark Kaltsas, City Planner
Meeting Date: September 3, 2015
Applicant: George Howell
Owner: James Shear
Location: 1570 Halgren Road

Request:

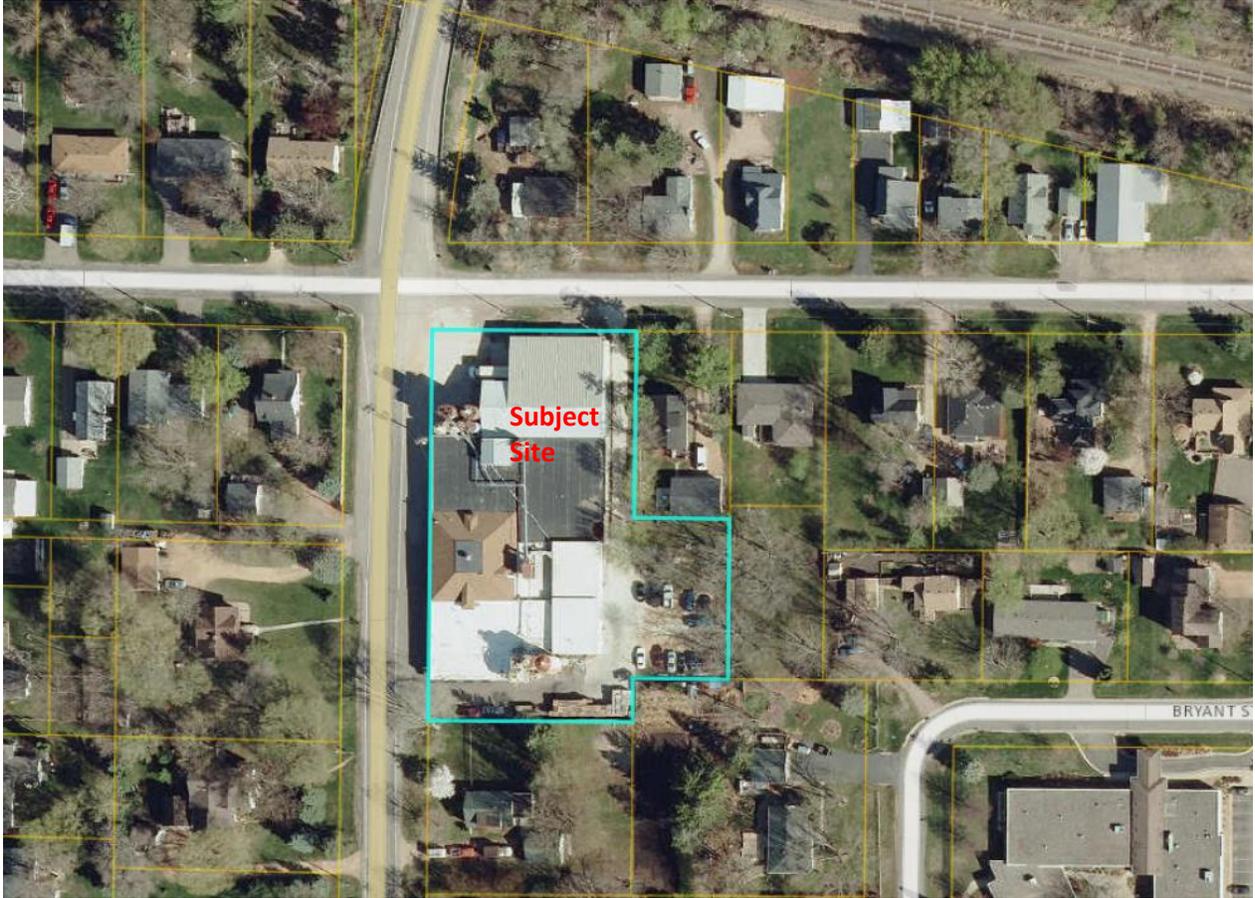
George Howell (Owner) and James Shear (Applicant) are requesting a text amendment to the City of Maple Plain Ordinance and Subsequent Conditional Use Permit for the property located at 1570 Halgren Road (CSAH 83) and further detailed as follows:

- a. A text amendment to Chapter 153.025 of the City's zoning ordinance to allow the commercial use of a property as a conditional use in the R-1 Zoning District.
- b. A conditional use permit to allow the commercial use of the subject property.

Property/Site Information:

The property is located just south of Highway 12 and on the west side of Halgren Road at the intersection of Main Street West. The property has an existing commercial building and corresponding parking. The property has the following characteristics:

Property Information: 1570 Halgren Road
Zoning: *R-1 – Low Density Residential*
Comprehensive Plan: *R-1 – Low Density Residential*
Acreage: 1.65 Acres



Discussion:

The City has been approached by the property owner and potential buyer of 1570 Halgren Road with a redevelopment concept to repurpose the existing building and site. The applicant would like the City to consider amending the zoning ordinance, specifically the conditional uses within the R-1 district, to allow office and “classic” vehicular storage within an existing commercial building. The applicant has prepared a narrative which further describes the intended use of the building and property.

The existing building and historic use of the property has been industrial/manufacturing. Until this past April, the building was used by Akona Manufacturing for the production of various concrete products. The use of the property and building was considered legal non-conforming as a result of the use existing legally on the property prior to the adoption of the City’s current zoning ordinance. The use of the property for concrete products manufacturing can continue as long as the use is not expanded upon. If the use of the property for concrete products manufacturing ceases for a period of one (1) year, any new use will need to comply with all applicable permitted uses and requirements.

The applicant would like to have an initial discussion and dialogue with the City pertaining to the redevelopment and potential restoration of this site. Following feedback relating to the potential request, the applicant will decide whether or not to move forward with the application and providing additional detail to the City.

The applicant is proposing to use the building for an office space to be personally utilized for several businesses. The remaining indoor space would be used to house his personal classic car collection and to house other private classic car and boat collections. The applicant is proposing to have no outdoor storage on the property. The applicant is proposing to redevelop the site, renovate the exterior elevation of the building and recondition the interior of the building. Exterior site improvements include the installation of an opaque fence, the conversion of paved areas into landscaped areas, the construction of a new parking area in the rear of the building and the renovation of the building façade. The interior improvements include the restoration of the “creamery”, construction of an office area and other electrical, mechanical and similar improvements.

The property is zoned and guided by the City’s Comprehensive Plan as R-1, low density residential. The property is surrounded by residential properties on all sides. Permitted uses within the R-1 zoning district are as follows:

(A) Intent. It is the intent of this district to limit certain areas specifically for the development of single dwellings in the community; to provide reasonable standards for the development; to avoid overcrowding; and to prohibit the use of land which would be incompatible with or detrimental to the essential residential character of the district.

(B) Permitted uses.

- (1) Single-family dwellings;*
- (2) Group homes by conditional use permit;*
- (3) Public parks and playgrounds;*
- (4) Essential services; and*
- (5) Agriculture other than the raising and keeping of livestock.*

(C) Permitted uses and accessory buildings.

- (1) Private garages, parking spaces, and carports for passenger cars, trucks, recreational vehicles, and equipment; 2009 S-2 80 Maple Plain - Land Usage*
- (2) Swimming pools and tennis courts;*
- (3) Tool houses and similar buildings for storage of domestic equipment and non-commercial recreational equipment;*
- (4) Boarding and renting of rooms to not more than 2 persons;*
- (5) Home occupations as defined in ' 153.007, by conditional use permit only:*

- (a) No retail sale of merchandise is permitted unless the merchandise is produced on the premises or is incidental to the service being rendered;*
- (b) No outside storage of materials is permitted;*
- (c) No employees are permitted except members of the family of the occupant who reside in the dwelling unit;*
- (d) All conditional use permits shall be limited to a period of 1 year and are not transferable without City Council approval;*
- (e) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted;*
- (f) Adequate measures have been or will be taken to minimize traffic congestion in the public streets; and*
- (g) The City Council may impose the other conditions relating to hours of operation, noise, glare, odor, vibration, and other matters as are necessary to safeguard the health, safety, and welfare of the community.*

(D) Schools, churches, and the like. Schools, churches, rest homes, hospitals, community centers, libraries, golf courses, parks, and recreational buildings are subject to the following:

- (1) Parking areas shall not be situated in required front, side, or rear yards;*
- (2) Side and rear yards shall not be less than 50 feet in width or depth, of which at least 25 feet adjacent to the lot line shall be maintained as a planning buffer zone; and*
- (3) Side and rear yards abutting Commercial or Industrial zones shall not be less than 30 feet, of which at least 15 feet adjacent to the lot line shall be planted, landscaped, and maintained as a buffer zone.*

(E) Planned unit developments. Residential planned unit developments are regulated by ' 153.095.

The proposed use of the existing building and site does not meet any of the permitted or conditional uses for properties zoned R-1. The historic use of the building and site as a concrete manufacturing plant was in existence prior to the adoption of the City's zoning ordinance. In order for the City to consider allowing the use of the property as proposed, it would first need to consider an amendment to the zoning ordinance. The amendment would need to add the proposed use of the existing building as a conditional use in the R-1 zoning district. If added as a conditional use, the City would then consider the request for a conditional use permit to allow inside storage and office within the existing building. Additional criteria and conditions relating to the use of an existing building and site for classic car/boat storage and office space would need to be further developed by the City. Criteria that could be considered by the City could include, but is not limited to:

1. Requires the conversion of an existing commercial building

2. Cannot have outdoor storage
3. Site must be a minimum of 1.25 acres
4. Building architecture must be compatible with surrounding residential uses
5. Other conditions as deemed necessary

The City will need to consider whether or not the proposed amendment to the zoning ordinance should be considered based on the compatibility of the proposed use with the surrounding property. It should be noted that the existing use of the property as concrete manufacturing is a legal non-conforming use and can continue as long as it is not expanded upon. The size of the existing building as compared to the overall size of the property presents certain redevelopment challenges. The redevelopment of the site could yield between 2 and 3 single family properties depending on the layout, driveway accesses and other setback criteria.

Recommendation:

The applicant is seeking feedback from the Planning Commission relating to their request to amend the ordinance and subsequently a conditional use permit. The applicant has prepared a preliminary site plan and narrative to further illustrate their request. Additional information and detail relating to the building elevations, landscape plan, fencing, lighting, parking lot and storm water would still need to be provided by the applicant. The City did provide the requisite notification for a public hearing to consider this request; however, the applicant has not provided a complete submittal for formal consideration. It is recommended that the City conduct the public hearing and then continue the hearing until a formal action can be taken by the Planning Commission at a future meeting.

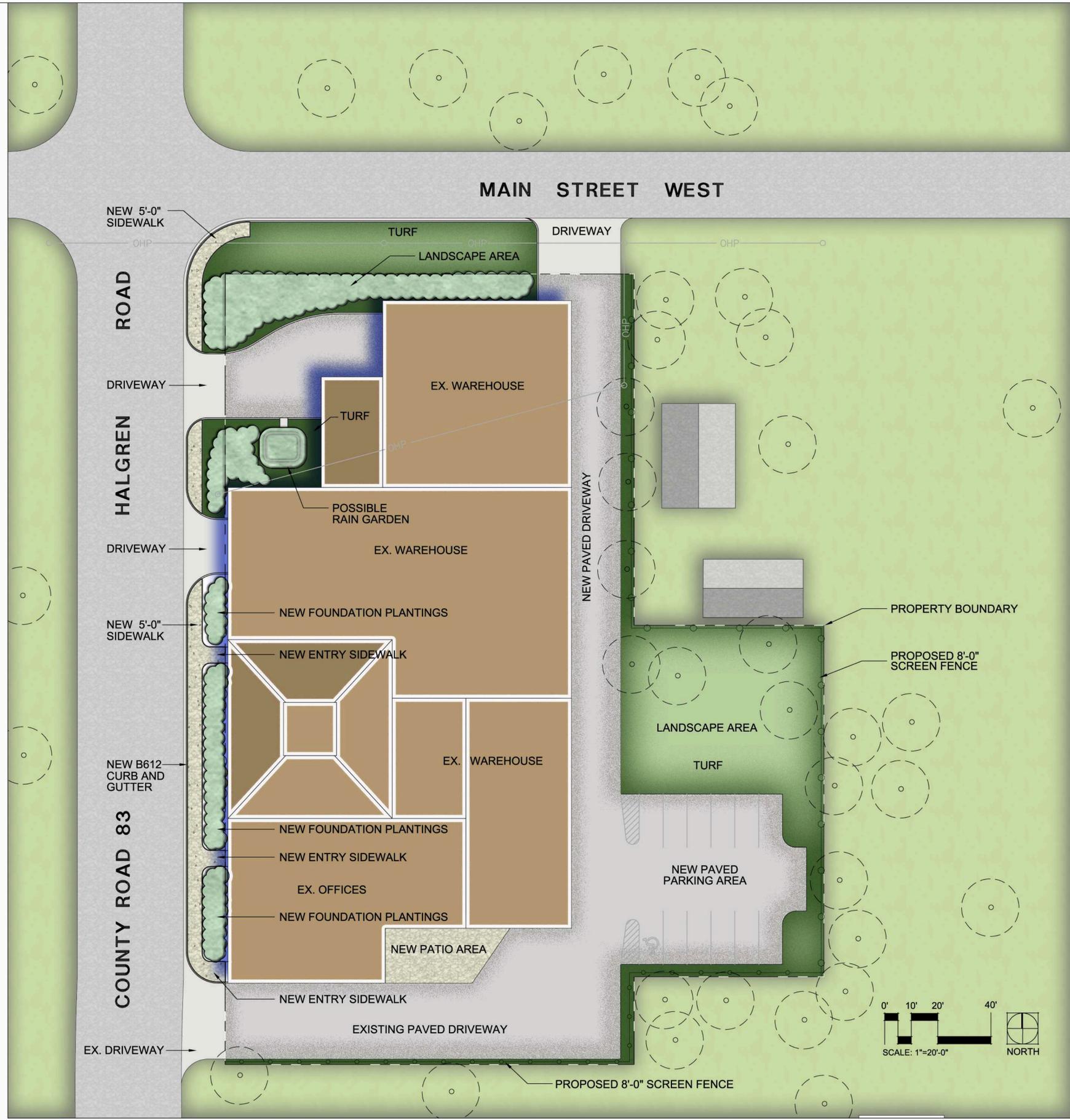
Attachments:

1. Building Façade Image
2. Applicant Narrative
3. Site Plan

Images of Building Façade







CONCEPT SITE PLAN:



LEGEND:

PROPERTY SIZE: 1.25 ACRES (54,450 SF)
 APPROX. BLDG. COVER: 28,619 SF
 APPROX. HARDCOVER: 9,425 SF
 APPROX. IMPERVIOUS: 69%
 PROPOSED LAND USE: BUSINESS / LIGHT COMMERCIAL

PROJECT DATA:

BARBEAU ARCHITECTS, INC.

ARCHITECTURE AND INTERIOR DESIGN
 1000 Blue Gentian Road Suite 135, Eagan, MN 55121
 651/675-2284 phone
 651/675-2290 fax



Calyx Design Group, Ilc
 Landscape Architecture
 Sustainable Design
 Master Planning

1583 Berkeley Avenue
 St. Paul, MN 55105
 telephone: 651.334.5498
 internet: www.calyxdesigngroup.com
 e-mail: info@calyxdesigngroup.com

I HEREBY CERTIFY THAT THIS PLAN, REPORT, OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF

Chris Barbeau

DATE 8/25/15 REG. NO. 19482

OWNER
 MR. JIM SHEAR

PROJECT
 1570 HALGREN ROAD
 MAPLE PLAIN, MN

COMMISSION NUMBER

SHEET TITLE
 PROPOSED
 SITE CONCEPT PLAN

DRAWN BY BH	CHECKED BY TAB
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DOCUMENT DATE
 8/25/15

ISSUED FOR	DATE
PLANNING REVIEW	8/25/15

REVISION	DATE	BY

SHEET NUMBER
SC1

8/25/2015

Planning Commission
City of Maple Plain
5050 Independence Street
Maple Plain, MN 55359

To whom it may concern:

My name is Jim Shear. I am the owner of JZS Isanti, LLC and I live a few miles away in Minnetrista. I am seeking a Conditional Use Permit for the old Creamery property at 1570 Halgren Road. I want to develop this location as my business headquarters.

I wish to take the opportunity to restore this vacated industrial site with significant City heritage into the useful and respected place in the community that it deserves. The property is zoned R-1 and lays squarely within the residential district that grew up alongside it over the years. There have been many additions added to the original Creamery so that it is now of significant size at 28,000 square feet. As such it presents a unique opportunity for careful and sensitive re-development.

The Conditional Use Permit would allow me to locate my offices and office amenities on the site and also house my classic car collection there. The balance of the space would be redeveloped to store other collections of classic cars and seasonal storage of classic boats. Most of the interior would be gutted and rebuilt.

The site plan in the package depicts our first pass at how we would intend improve the property with landscaping, sidewalks, screen fencing, and a rain garden in order to make it more inviting & pleasing to the eye. We also intend to make improvements and upgrades to the exterior of the building.

We are proposing that the warehouse areas of the complex be used for long term winter/summer storage of classic boats & automobiles. A portion of the building will house my personal classic car collection. It would not be a used as a repair garage or house any activities that generate noise. The interior will be climate controlled and renovated to meet all of the current building codes for this proposed new use. We further plan on renovating the old Creamery portion of the building in a manner suitable to its place in history. The renovation will be part museum, showplace, & office space.

We anticipate that the traffic volume within the neighborhood generated by these planned business activities will be at a par with personal residences for most of the year with modestly busier times during the spring and fall of the year. At no time will there be any on-street parking or outside storage of vehicles/boats. I would like to plan to open the facility for showcase car/boat events during the year that could be held in conjunction with local car/boat clubs events. It can be a showcase that will be shared with the community.

Please review the Site Concept Plan included with this submittal. I appreciate your consideration of this matter.

Jim Shear