

**AGENDA
MAPLE PLAIN PLANNING COMMISSION
MEETING
MAPLE PLAIN CITY HALL
APRIL 7, 2016
7:00 PM**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ADOPT THE AGENDA

4. CONSENT AGENDA

- a. Approve Minutes from February 4, 2016 Planning Commission Meeting

5. OLD BUSINESS

6. NEW BUSINESS

- A. Conduct a Public Hearing regarding a potential Conditional Use Permit to allow automobile and truck repair on the subject of property 5305 Pioneer Creek Trail.

- B. Consider a Conditional Use Permit to allow automobile and truck repair on the subject of property 5305 Pioneer Creek Trail.

8. COMMISSION REPORT AND OTHER BUSINESS

9. VISITORS TO BE HEARD

10. ADJOURN

- b. Next meeting: Thursday, May 5, 2016, at 7 p.m.*

**MINUTES
MAPLE PLAIN PLANNING COMMISSION
MEETING
MAPLE PLAIN CITY HALL
FEBRUARY 4, 2016
7:00 PM**

1. CALL TO ORDER

Present: Chair Michelle Bliss and Commissioners John Fay, and Mardelle DeCamp. Also in attendance were City Planner, Mark Kaltsas, City Administrator, Tessia Melvin and Councilmember, Dave Eisinger.

Absent: Commissioner Stephen Shurson

2. PLEDGE OF ALLEGIANCE

3. ADOPT THE AGENDA

Motion by Commissioner DeCamp to adopt the February 4, 2016 Planning Commission Agenda. Seconded by Commissioner Fay. Motion Carried 3 to 0.

4. CONSENT AGENDA

- a. Approve Minutes from January 7, 2015 Planning Commission Meeting

Motion by commissioner Fay to approve the January 7, 2015 Planning Commission minutes. Seconded by Commissioner DeCamp. Motion Carried 3 to 0.

5. OLD BUSINESS

6. NEW BUSINESS

- a. 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

City Planner, Mark Kaltsas explained the history of the property 1570 Halgren Road and the feel from the neighboring properties that for the most part was supporting of the new proposed use.

The applicant is proposing classic vehicular storage as well as office space. The text amendment that would need to take place in order for this use to happen would include an addition to either a permitted or conditional use in the R-1 Zoning district. City Planner, Mark Kaltsas would recommend an addition to the conditional use. One thing that Mark Kaltsas would like to propose, would be to include a text amendment that would only allow existing buildings that have had their zoning changed outside of the current buildings use, be applicable to the new conditional use permit. The building must be in commercial use for at least ten years prior to the use change for this new conditional use in the R-1 Zoning. One of the points the applicant made was that the building cannot be used for residential purposes to begin with. Adequate off street parking must be provided. Hours of operation must

be limited to give peaceful and proper conditions to the surrounding residential area. Screening must be provided and approved by the City. No outdoor storage should be permitted because the building is located in a residential area. The building should be aesthetically appealing to the City and those conditions will be laid out in the CUP. One sign may be permitted, but shall not exceed 32 square feet. The sign shall not be illuminated. Any large assemblies or gatherings shall be approved by the City on an individual basis.

There are standards in issuing Conditional Use Permits that are referenced in the City Code and shall not be violated by the applicant if approved. The applicant will maintain pavement and add four new planting islands. Hennepin County and Staff agree that a curb and cutter along Halgren Road could happen, but staff would like recommendations from Planning Commission and City Council. The applicant proposed to repave the front and back driveway. Currently, the driveways are gravel. An eight foot high fence is proposed by the applicant for screening to the residential properties. The applicant is proposing a rental office space and would require 8 parking spaces. The applicant is proposing a second separate office space that would require additional parking. The proposed parking plan would include 12 parking spaces which would meet City requirements. The proposed lighting plan does meet City standards. No light from the property spills onto residential property. The drainage of the property flows to the north and ends at Main St W. The Fire Department did mention that getting to the building would be challenging because of powerlines that hang along the property. Building improvements that include emergency sprinklers inside the building would help with potential fires.

Mark Kaltsas showed the survey and plans of the building. The existing condition of the building has plans showing the current structure and use of the building. The proposed floor plan would include the building into three sections. Two sections would be office space and the third section would be vehicle space and storage. The building would undergo outdoor cosmetics that would provide the building a more aesthetically appealing look. The applicant did provide a landscape plan. The landscape plan was sufficient from the City Planner view.

Commissioner Bliss opened the public hearing.

James Shear, the applicant does wish that the text amendment that requires no vehicle maintenance be looked at. The applicant would not be using the building for commercial maintenance on vehicles, but the applicant will have a garage for personal vehicle maintenance use. The applicant would also like the language regarding outdoor cosmetics of the building be changed to ensure the cost of making the building aesthetically appealing is within reason. The applicant removed the curb and gutter from the site plan because of the cost of adding those features. The driveway at the back of the property does meet all City applicable code, but the applicant would like that driveway paved for esthetic reasons. The applicant would like the site view memorialized to the property owners. Under recommendations listed, 2A the drainage plan, the applicant wants to ensure that no additional cost will be added because of improper drainage. The applicant has spoken to Xcel Energy and would like to take the overhead wires that pose a challenge for the fire department and transuse the wires underground. The applicant would like the cost of the text amendment and conditional use permit more defined, so he is aware of

all the costs of the project. Tom Barboe is here to support the project as the building architect. The electrical transformer that goes along Halgren road will be moved underground and provide a better residential feel with a commercial use building. Tom Barboe did mention that when the County would like to add Curb and Gutter along Halgren and Main St W, James Shear would have no problem paying the assessment. The architecture of the building was brick on all four sides and was progressively added on. There have been nine additions to this building. Tom Barboe mentioned that this building is not aesthetically appealing and that warm colors need to be painted on the building, but the brick and metal of the building should stay the same for cost measures.

Chairman Bliss expressed her thoughts on this project which included a preference for curb and gutter as it would help with drainage throughout the property. Chairman Bliss enjoyed the landscape plan that was submitted by the applicant. This building being located in a residential neighborhood should have a very specific Text Amendment and Conditional Use Permit. Chairman Bliss feels the more specific the process is the less likely a trend or standard is created with commercial buildings being located in residential districts. Because the building is for commercial use, Chairman Bliss would like this building to be used for office and indoor storage, but not for retail or any use that would require expanded parking. Chairman Bliss explained that in the future the land this building sits on could be used for residential purposes. Mark Kaltsas, City Planner explained that the previous owner wanted to tear the building down and build residential homes, but would of lost money by doing so. Chairman Bliss shared that the proposed 8 foot fence might be too high and looks poorly in a residential neighborhood.

The Applicant did share that public community events could take place at this site and would require public parking. Chairman Bliss explained that parking along Main St. W and Halgren Road could be a concern. In the past there has been a dispute over property lines and if money was exchanged for more land from the previous owner at 1570 Halgren Road. Councilmember Eisinger assured the Planning Commission that no property lines have ever changed on this property based on a prior Council decision. Commissioner Mardell DeCamp asked if anyone knew which Maple Plain organization/business started at 1570 Halgren Road. The answer is West Hennepin Public Safety.

Commissioner John Fay asked the applicant to clarify the term "office Space." James Shear the applicant responded, the office space is strictly for business and the office is not a destination area, but a place where people can drop their car off in the beginning of the fall and then pick that car up in the spring. John Fay asked if fees would be charged to residents going to a community public car show. James Shear responded no fees will be charged at public events. Commissioner John Fay stated that currently this use does not meet the City Comprehensive Plan. The Planning Commission thanked the applicant for such a well prepared packet and proposal.

Motion by Commissioner DeCamp to approve the text amendment with changes made by the City Planner and other members of the Commission. Seconded by Chairman Bliss. Motion carried 2 to 1.

Commissioner, John Fay respectfully voted against the text amendment because the proposal does not meet City Code and is not included in the City Comprehensive Plan.

Motion by Commissioner DeCamp to approve the CUP with changes made by the City Planner and Commission members. Seconded by Chairman Bliss. Motion Carried 2 to 1.

Commissioner John Fay respectfully voted against the text amendment because the proposal does not meet City Code and is not included in the City Comprehensive Plan.

9. VISITORS TO BE HEARD

10. ADJOURN

Motion by Commissioner DeCamp to adjourn the February 4, 2016 Planning Commission meeting. Seconded by Commissioner Fay. Motion Carried 3 to 0.

b. Next meeting: Thursday, March 3, 2016, at 7 p.m.

March 21, 2016

LEGAL NOTICE
CITY OF MAPLE PLAIN

The Planning Commission will hold a public hearing in the Council Chambers at 5050 Independence Street on Thursday, April 7, 2016 at 7:00 p.m. to review the following request:

Joel Mernik owner of Bumps Auto and Marine (Applicant) and Store Cliff, LLC (Property Owner) request that the City consider the following action for the property located at 5305 Pioneer Creek Trail (PID No 24-118-24-31-0022):

- a. A Conditional Use Permit to allow automobile and truck repair on the subject property.

The items highlighted above may have a direct or indirect effect on your property. All persons wishing to be heard with reference to these applications will be given the opportunity at this meeting. Written comments can be directed to City Hall, 5050 Independence Street, Maple Plain, MN 55359. Plans are available for review at the City Office.

CITY OF MAPLE PLAIN
By Planning Commission

Tessia Melvin,
City Administrator

City of Maple Plain

Request for a Conditional Use Permit to Allow Automobile Repair within the Existing Building Located at 5305 Pioneer Creek Drive

To: Planning Commission
From: Mark Kaltsas, City Planner
Meeting Date: April 7, 2016
Applicant: Bumps Auto and Marine
Owner: Store Cliff, LLC
Location: 5305 Pioneer Creek Drive

Request:

Bumps Auto and Marine requests that the City consider the following action for the property located at 5305 Pioneer Creek Drive (PID No 24-118-24-31-0022):

- a. Conditional Use Permit to allow automobile and marine repair within the existing building.

Property/Site Information:

The property is located east of Budd Street on Pioneer Creek Drive. There are five existing buildings located on the property. The property has the following characteristics:

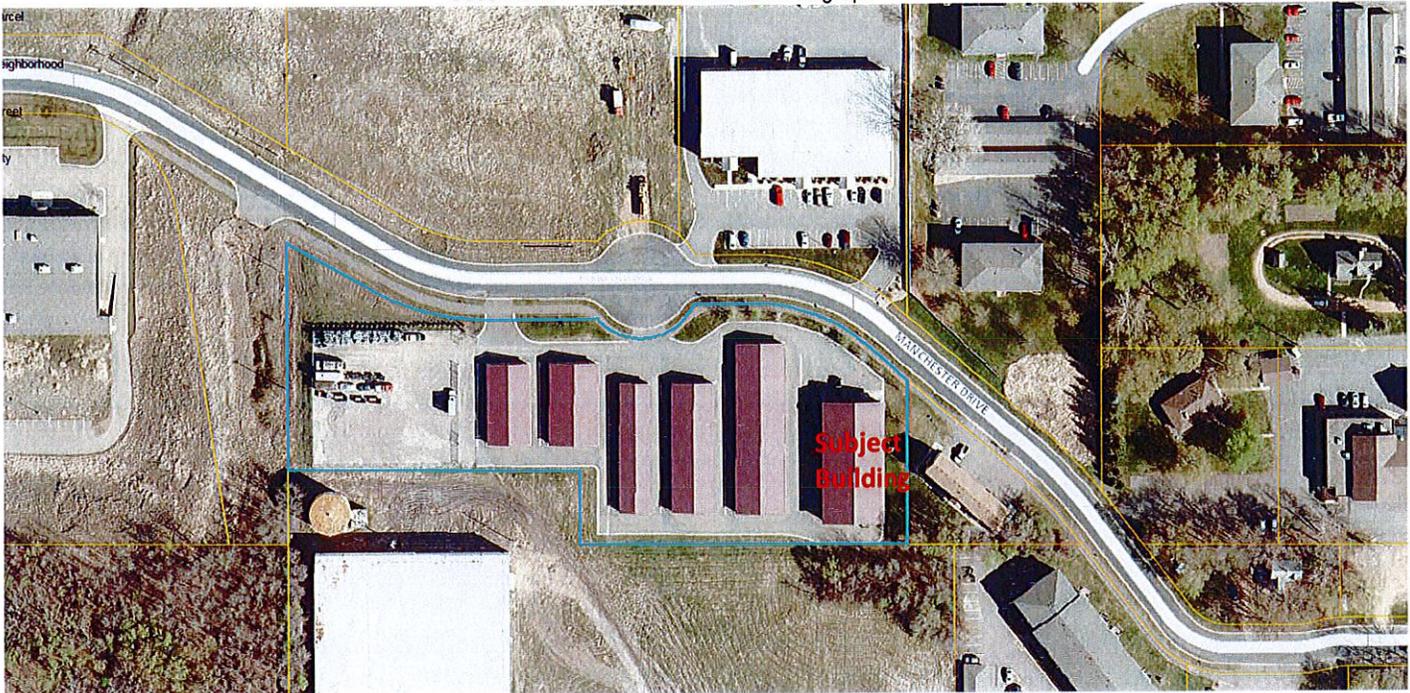
Property Information: 5305 Pioneer Creek Drive

Zoning: *I-Industrial*

Comprehensive Plan: *Industrial*

Acreage: 2.94 Acres

5305 Pioneer Creek Drive Aerial Photograph



Applicable Standards:

153.031 AI@ INDUSTRIAL ZONING DISTRICT.

(A) *Intent.* The purpose of the Industrial District is to support the types of industrial uses which, because of their nature of products or character of activities, may require separation and/or isolation from residential, commercial and mixed-use districts or other sensitive areas. Such industrial uses result in the creation of products that impose objectionable influences or create noises, vibrations, dust, heat, smoke, odor, and the like.

(B) *Permitted uses.* The following uses are permitted in the I-1 General Industrial District.

(1) Manufacturing - light, that includes but is not limited to the fabrication or assembly of small products such as optical, electronic, pharmaceutical, medical supplies, and equipment; machine shops, printing and bottling establishments;

(2) Lumber yards, for the purpose of storing and selling of lumber products plus occasional cutting and finishing services;

(3) Wholesale business, provided that the business does not participate in retail sales except for products made at the facility or that are directly related to the primary use or product of the business;

(4) Warehousing and distribution facilities;

(5) Office campus, minimum of a 10-acre parcel containing an office building(s) that has a separate access to a principal or arterial road;

(6) Recreational facility-indoor;

(7) Research laboratories;

(D) *Conditional uses.* The following uses shall require a conditional use permit based on the procedures set forth in ' 153.140:

(5) *Automobile and truck repair, provided that:*

- (a) Unlicensed or inoperable vehicles shall be stored inside or within an approved area that is adequately screened;
- (b) No sales or display of vehicles, unless under a separate conditional use permit;
- (c) Repair, assembly or disassembly of vehicles must be done indoors, except minor servicing; and
- (d) Parking and buildings must be setback 50 feet from any residential districts as noted in the Comprehensive Plan unless an adequate screening of views; noise and light plan is approved by the city.

Discussion:

The subject building is one of five buildings located on the site. The remaining buildings are utilized for indoor storage rental. The subject building has historically been used for a variety of industrial uses. The subject building is vacant and not being used.

The applicant is currently operating their automobile and marine repair business out of a building located at 5145 Industrial Street in Maple Plain. The applicant would like to relocate their business to this location and utilize the existing building. The applicant is seeking a conditional use permit to allow automobile and marine repair in the subject building on this property. The property is zoned I- Industrial and as such automobile repair is permitted as a conditional use. The City has criteria stipulated in the zoning ordinance for consideration of granting a conditional use that are specific to automobile repair.

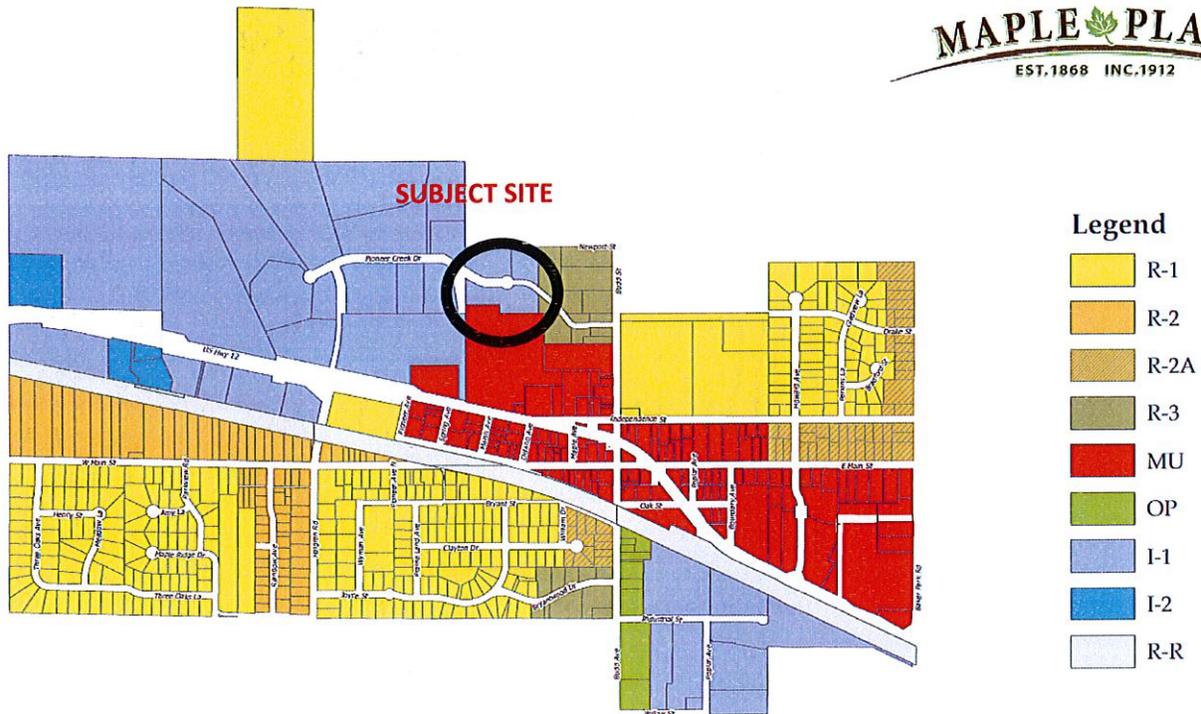
The following criteria relating to consideration of a conditional use permit should be used by the Planning Commission when reviewing this request:

(5) *Automobile and truck repair, provided that:*

- (a) Unlicensed or inoperable vehicles shall be stored inside or within an approved area that is adequately screened;
- (b) No sales or display of vehicles, unless under a separate conditional use permit;
- (c) Repair, assembly or disassembly of vehicles must be done indoors, except minor servicing; and

(d) Parking and buildings must be setback 50 feet from any residential districts as noted in the Comprehensive Plan unless an adequate screening of views; noise and light plan is approved by the city.

1. The subject building is approximately 7,800 SF in size. There are two smaller office spaces located on the north side of the building with open warehouse space comprising the remainder. The applicant is proposing to store all vehicles that are being worked on inside of the building. The applicant has noted that they intend to have no more than eight (8) cars parked outside. The vehicles parked outside would be for customer parking, drop off and pickup. The eight cars would be operable and licensed cars and would be parked in the available spaces in front or on the side of the building. There are estimated (based on visual site inspection) to be approximately 8 spaces located in front of the building. If considered for approval, the City should require that the parking spaces are clearly striped. The applicant should submit a plan to the City for approval prior to striping the spaces.
2. The applicant is not proposing to sell any vehicles from this property.
3. All repair and servicing of vehicles would be done indoors.
4. The subject property is directly adjacent to the R-3 Residential zoning district (see map below).



The subject building is setback approximately 28 feet from the east property line and is separated by approximately 40 feet from the adjacent residential structure (see aerial photograph below). The applicant has recently planted some evergreen trees in this area. The City will need to determine if any potential impacts from the proposed use that would interfere with the reasonable use and enjoyment of the adjacent residential property can be adequately mitigated.



The building owner recently planted several evergreen trees to provide screening between the existing building and the adjacent residential property (see image below). Staff is seeking further direction from the Planning Commission relating to whether or not this will satisfy the separation requirement or if additional landscaping and or fencing should be considered.



Additional Considerations:

1. The subject site and building is comprised of storage buildings. Storage buildings do not typically have the intensive use associated with industrial parks and offer a reasonable transition between the residential neighborhood and the Industrial Park. The City will need to determine if the use of the property for automobile repair with no outdoor storage will cause additional impacts to the adjacent property. Staff did review the current business location and noted that there was a considerable amount of outdoor storage associated with the business. Items included a dumpster with parts, tires and inoperable vehicles. The conditions of any approval for this site would need to clearly define the approved use and rules relating to the outdoor storage.

2. The building may need to have improvements made to bring it into compliance with applicable building codes relating to the intended use (i.e. paint booth, exhaust system, etc.). The applicant will need to provide additional information relating to the use of the building and then prepare any necessary building plans for review by the City.

Recommendation:

Staff is seeking the direction of the Planning Commission relating to the request for a conditional use permit. Should the Planning Commission consider recommending approval, the following conditions should be considered:

1. The proposed conditional use permit meets all applicable conditions, criteria and restrictions stated in the City of Maple Plain Zoning Ordinance.

2. The Conditional Use Permit shall include the following conditions:
 - a. There shall be no outdoor storage permitted on this site. This shall include dumpsters, tires, tire bins or containers, automobile parts, inoperable vehicles and any other outdoor storage.

 - b. The overhead doors shall be closed at all times other than to move equipment, materials or vehicles into and out of the building.

 - c. The applicant shall obtain all applicable building permits relating to the intended use of the building.

 - d. The hours of operation shall be permitted between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday.

 - e. The parking spaces in front of the building shall be clearly striped. The applicant shall submit a plan to the City for approval prior to striping the spaces.

3. The Applicant shall pay for all costs associated with the City's review of the conditional use permit.

Staff is seeking direction from the Planning Commission relating to the information presented. 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.

Attachments:

1. Aerial Images

Image of Building Façade



Image of Front Parking Area

