

**MINUTES OF A REGULAR PLANNING COMMISSION MEETING HELD,
TUESDAY, MARCH 8TH 2016, 6:00 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Chair Bill Becker. Roll call was taken and the following members were present: Member Dale Borgmann, Member Toni Honer, Member David Meyer, Member Jerry Tippelt, and Liaison Susan Palmer

Staff members present were: City Administrator Martin Bode, Finance Director Judy Neu.
Others present: Douglas Larsen, Theresa and Mike Mertes, Bruce Conrad, Duane Willenbring

APPROVAL OF AGENDA – Motion by Member Honer, second by Member Meyer, to approve the agenda. Motion carried unanimously.

APPROVAL OF MINUTES 01/12/16 – Motion by Member Honer, second by Member Borgmann, to approve the 01/12/16 minutes as presented. Motion carried unanimously.

New Business:

PUBLIC HEARING FOR MAR-DAR, LLC @ the corner of Prairie Drive and Prairie Court – Interim Use Permit

Notice is hereby given that the Rockville Planning Commission will hold a public hearing on **Tuesday, March 8, 2016 at approximately 6:00 p.m. at Rockville City Hall – 229 Broadway Street East**, to consider the request of MAR- DAR- LLC for an **Interim Use Permit**. The Parcel No. 76.42146.0807 on the corner of Prairie Drive and Prairie Court- Rockville, MN with a legal description of: Lot 7, Block 2, Prairie Business Park in the City of Rockville, Stearns County, Minnesota.

AN INTERIM USE PERMIT IS BEING REQUESTED AND IS GOVERNED BY THE FOLLOWING ZONING ORDINANCE REQUIREMENTS:

SECTION 9 GENERAL REQUIREMENTS SUBDIVISION 3 (2) COMMERCIAL/INDUSTRIAL USES

Commercial/Industrial Uses. Except as allowed by district use provisions, outside storage of equipment, materials and inventory as a principal or accessory use for commercial and industrial uses shall require an interim use permit subject to the provisions of this Ordinance and all non-residential outside storage shall conform to the following conditions:

SECTION 22 LIGHT INDUSTRIAL SUBDIVISION 6 (3) OPEN STORAGE

Review and Approval Required for Exception to Apply. The above exempt outdoor storage will only be permitted if approved by the City Council after review and recommendation by the Planning Commission. In any case, the area used for such storage must be screened from view from outside the premises by a fence of one hundred percent (100%) opacity, of a minimum height of eight (8) feet, with the maximum height to be determined by the City. Under no circumstances will open or outside storage be allowed within the setback areas. Storage shall not be allowed in a truck, trailer, or similar container.

The request is to use an empty lot for parking of vehicles and or outdoor storage.

STAFF REPORT

Re: Parking Lot Permit Request
76.42146.0807: Owners: MAR-DAR LLC (Darwin Voigt)
Property Address: 875 Prairie Court
Legal Description: Section 17, Township 123, Range 029
Lot 7, Block 2, Prairie Business Park

Permit Requested:

1. Approval to use a vacant lot as a parking lot & outdoor storage

03/08/2016

Relevant Information:

1. This property is located in the I-1 District.
2. Property contains 1.01 acres more or less.
3. Ordinance interpretation: I-1
4. 7 Notices of public hearing were sent out

Subdivision 3: PERMITTED ACCESSORY USES

1. Open and outdoor storage when fully enclosed by fencing and screening.
2. Offices accessory to a principal use.
3. Fences as regulated by this Ordinance.
4. Off street parking and loading regulated by this Ordinance.

At first Darwin was talking about storing equipment then an IUP would be needed:

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Recommendations:

1. Maintain existing drainage patterns over, under, and across their property.
Ask for plan on snow storage/removal.
Engineer's request – Cannot modify drainage swale between the lots
2. No additional driveways will be allowed. Access to and from this lot will be done through the bus shed lot.
There is a drainage easement between the two lots that cannot be disturbed Engineer request need to replace any disturbed soil/turf.
3. Consider approval with these conditions.

Darwin Voigt, Merrifield MN, owner of the property stated that he has a tenant that would like to store state road construction signs on the property. Members of the Planning Commission expressed that an opaque fence would be required.

Motion by Member Borgmann, second by Member Tippelt, to close the public hearing at 6:11 pm. Motion carried unanimously.

Motion by Member Meyer, second by Member Honer, to recommend approval of the Interim Use Permit as presented.

AYES: Becker, Meyer, Honer, Borgmann.

ABSTAIN: Tippelt.

Motion passed on a 4 to 0 vote.

PUBLIC HEARING FOR SHAWN O'KEEFE AND DOUG AND BETH LARSEN @ 11056 Grand Lake Road – Variance: Impervious Surface Lot Coverage

03/08/2016

Notice is hereby given that the Rockville City Planning Commission will hold a public hearing on **Tuesday, March 8, 2016 at approximately 6:00 p.m. at City Hall - 229 Broadway Street East** to consider the request of Shawn O’Keefe and Doug and Beth Larsen for a variance from Lot Coverage Requirements. The address of the property is: 11056 Grand Lake Road, Rockville, MN with a Parcel No. 76.42070.0014 and a legal description of: Lot 14 Also vacated road old #28.17339.000, Lot 014 of Molitors Add, Townsite of Rockville.

The request is to construct a single family dwelling in the R-1 District. Variances are required for: Impervious surface lot coverage.

STAFF REPORT

Re: Variance Request(s)
76.42070.0014 Owners: Shawn O’Keefe – Buyers: Doug and Beth Larsen
Property Address: 11056 Grand Lake Road

Variance(s) Requested:

- 1. Variance to construct a 10’ x 77 Driveway and a 19 x 28 Driveway/Apron connecting the house to the garage on property abutting Grand Lake – General Development Lake.
- 2. Impervious Surface – Total lot area is 24,000.50 sf of which 20% is 4,800.10 sf allowed, proposed is 5,981 sf of which 1,180.9 is over the 20% allowed.

Construction Requests:

- 1. Construct new driveway and apron.

Relevant Information:

- 1. This property is located within the 1000’ Shoreland Overlay District.
- 2. Property contains 24,000.50 square feet more or less.
- 3. 9 notices of public hearing were sent out.

Recommendations:

- 1. This requires one variance on a conforming lot
- 2. Require mitigation of 2,380.92 square feet of run off

PLANNING COMMISSION RECOMMENDATION

- 1. Consider Approval with condition that rain water run-off be mitigated.

Doug Larsen, Cold Spring, spoke briefly about their plans for the property.

Motion by Member Borgmann, second by Member Honer, to close the public hearing at 6:32 pm. Motion carried unanimously.

**OWNER: SHAWN O’KEEFE // BUYERS: DOUG AND BETH LARSEN
FINDING OF FACT
SUPPORTING/DENYING A VARIANCE**

A variance may be granted when the applicant for the variance established that there are practical difficulties in complying with the zoning ordinance. The consideration of the following criteria as defined in Minnesota Statutes Section 462 and Minnesota Statutes Section 394.27:

- 1. Is the variance in *harmony* with the purposes and intent of the *ordinance*?
Why or Why not?

Becker Yes Honer Yes Borgmann Yes Tippelt Yes Meyer Yes

- 2. Is the variance *consistent with the comprehensive plan*?
Why or Why not?

Becker Yes Honer Yes Borgmann Yes Tippelt Yes Meyer Yes

- 3. Does the proposal put property to use in a *reasonable manner*?
Why or Why not?

Becker Yes Honer Yes Borgmann Yes Tippelt Yes Meyer Yes

- 4. Are there *unique circumstances* to the property not created by the landowner?
Why or Why not?

Becker No Honer Yes Borgmann Yes Tippelt No Meyer Yes

- 5. Will the variance, if granted, maintain the *essential character* of the locality?
Why or Why not?

Becker Yes Honer Yes Borgmann Yes Tippelt Yes Meyer Yes

IF ALL OF THE ANSWERS ARE "YES", THE CRITERIA FOR GRANTING THE VARIANCE HAVE BEEN MET.

Motion by Member Honer, second by Member Borgmann, to recommend approval of the variance as presented with a 25% mitigation plan. Motion carried unanimously.

UNFINISHED BUSINESS:

Theresa and Mike Mertes, County Road 138, are requesting to rezone their property from Residential-1 to Rural-Residential. The Planning Commission members will to do a site visit to review the shoreland setback requirements on April 5, 2016 at 6 p.m. A Public Hearing has been set for April 12, 2016 at 6 p.m.

PLANNING COMMISSION MEMBER/STAFF REPORT

a) Certificate of Survey

Discussion was held on whether to require a Certificate of Survey when permits are issued.

b) Variances(s)

Discussion was held about the purpose of variances. A variance is an exception to the rule and not the rule so if the rules need to be changed we need to consider that for the future.

ADJOURNMENT – Motion by Member Honer, second by Member Tippelt, to adjourn the meeting at 7:03 p.m. Motion carried unanimously.

**Martin Bode
City Administrator**