

# CITY OF ROCKVILLE

City Hall

229 Broadway Street East

PO Box 93

Rockville, MN 56369

## Planning/Zoning Commission Meeting

**Tuesday, May 2, 2017 - 6:00 p.m.**

### AGENDA

1. **Roll Call**
2. **Approval Of Agenda/Amendments**
3. **Approval Of April 4, 2017 Meeting Minutes**
4. **Public Hearing – Amending CUP C Chanthakhammy dba Import Motors**
5. **Other Business**
  - a) Next Meeting June 6, 2017, 6:00 P.M.
6. **Adjournment**

\*This agenda has been prepared to provide information regarding an upcoming meeting of the Rockville City Planning Commission. This document does not claim to be complete and is subject to change.

**MINUTES OF THE REGULAR PLANNING/ZONING COMMISSION MEETING HELD  
Tuesday, April 4th 2017, 6:00 p.m. – Rockville City Hall**

**Item 1) Roll Call** - The meeting was called to order by Chair Bill Becker. Roll call was taken and the following members were present: Brian Herberg, Dave Meyer, Tom Molitor, and Jerry Tippelt.  
Staff present: City Administrator, Martin Bode.  
Others present were various members of the public.

**Item 2) Approval of Agenda/Amendments**

***Motion by Meyer, second by Tippelt, to approve the agenda as presented. Motion carried unanimously.***

**Item 3) Approval of March 7, 2017 Meeting Minutes**

***Motion by Meyer, second by Molitor, to approve the March 7, 2017 meeting minutes as presented. Motion carried unanimously.***

**Item 4) Zoning Amendments – Ordinance 2017-86**

- a) accessory structures exceeding 120SF TO STATE 200SF & All Accessory Structures whether under or over 200SF needs a site plan approval

**ORDINANCE NO. 2017-86**

**ORDINANCE AMENDING CERTAIN SECTIONS OF THE CITY OF ROCKVILLE ZONING CODE**

**WHEREAS**, the City Council of the City of Rockville adopted official zoning controls (“Zoning Code”) pursuant to the authority granted in Minnesota Statutes, Chapter 462 in April 2003 which replaced all pre-existing official controls; and

**WHEREAS**, the City Council amended the Zoning Code by Ordinance Numbers 2003-06, 2004-18, 2004-19, 2004-20, 2004-25, 2004-26, 2006-30, 2007-40, 2007-41, 2007-42, 2007-43, 2007-44, 2008-45, 2008-46, 2008-47, 2008-49, 2008-50, 2008-51 and 2008-53; 2009-58, 2009-61, 2009-62, 2009-63, 2010-64, 2011-69, 2011-70, 2011-73, 2012-74, 2012-76, 2014-82, 2015-84 and 2016-85.

**WHEREAS**, the City Council has the authority pursuant to Minnesota Statutes, Chapter 462 to amend the official zoning controls; and

**WHEREAS**, the City Council seeks to amend: certain zoning requirements, and

**WHEREAS**, public hearing was held on December 13, 2016 in front of the City Planning Commission, and members of the public were given an opportunity to comment on the proposed amendment(s)

**NOW, THEREFORE, THE CITY COUNCIL DOES ORDAIN TO AMEND THE ROCKVILLE ZONING ORDINANCE AS FOLLOWS:**

**SECTION 9: GENERAL REQUIREMENTS Subdivision 2;F is hereby amended as follows:**

- F. **Site Plan Required.** All accessory structures shall require a building permit and approval of a Site Plan.

**SECTION 9: GENERAL REQUIREMENTS Subdivision 2;H is hereby amended as follows:**

- H. **Design and Appearance of Exterior.** All accessory buildings greater than 200 square feet shall be

constructed so that the appearance of its exterior is uniform and resembles the color and material of the principal structure. For purposes of this Subdivision 2(G):

**SECTION 9B: SITE PLAN Subdivision 1;1-i is hereby amended as follows:**

- i. The erection or construction of any principal structure or building and/or any accessory structure within any zoning classification require submittal of a site plan to the City; except that single/two family residential units on lots within approved subdivisions shall be exempt providing they adhere to elevations and building types as approved with the grading/drainage plan.

**SECTION 9B: SITE PLAN Subdivision 2;2-A,a is hereby amended as follows:**

- a. Building permit applications for the construction of principal structures and/or accessory structures in the R-1 single family and R-2 two family district shall illustrate the location of the proposed building(s) relative to property lines, easements (public and private), elevations and the uses of all remaining land.

**SECTION 9B: SITE PLAN Subdivision 2;2-B,a is hereby amended as follows:**

- a. Building permit applications for the construction of principal and accessory structures in the A-40 Agricultural District shall illustrate the location of the proposed building(s) relative to property lines, easements (public and private), elevations and the uses of all remaining land.

**SECTION 17: R-1 SINGLE FAMILY RESIDENTIAL DISTRICT Subdivision 3;4, is hereby amended as follows:**

4. Accessory Buildings (not exceeding two hundred (200) square feet in area) for storing domestic equipment and non-commercial recreational equipment.

**SECTION 18: R-2 TWO FAMILY RESIDENTIAL DISTRICT Subdivision 3;3, A, is hereby amended as follows:**

- A. Accessory Buildings (not exceeding two hundred (200) square feet in area) for storing domestic equipment and non-commercial recreational equipment.

**EFFECTIVE DATE:** This ordinance shall become effective upon its passage and publication in the official newspaper.

***Motion by Becker, second by Meyer, to approve Ordinance 2017-86 amending certain sections of the City of Rockville zoning code. Motion carried unanimously.***

**Item 5) Jim Voigt Concept Plan – Pleasant Road**

Planning Commission members reviewed Jim Voigt's Concept Plan regarding platting certain parcels south of Pleasant Road. Members did not foresee any problems and recommended Voigt's to continue moving forward with the Preliminary Plat process.

**Item 6) Mike Schneider Subdivision Concept Plan**

Planning Commission members reviewed Mike Schneider Subdivision Concept Plan regarding platting certain parcels (Irene Schneider Trust) on the north side of County Road 141. After some discussion members felt the city should lean towards making the street a public street as opposed to privately owned and did not foresee any problems and recommended Schneider's continue moving forward with the Preliminary Plat process.

**Item 7) Steve Pfannenstein Concept Set Back: 802 Ptarmigan Drive**

Steve Pfannenstein would like to put a 120 sq. ft. utility shed on his east side property line. It was noted that the adjacent property is a non-buildable property. This would be contingent upon Mr. Pfannenstein receiving written permission from the adjacent property owner. Members foresaw no issues with moving forward with the variance process.

**Item 8) Hideaway Bar – Impervious Service B-1**

Members discussed the request from the Hideaway Bar for an accessory structure on their property and how it relates to the impervious surface requirements. It was noted that this area of Main Street does have storm sewer service and therefore is allowed to have 100% impervious surface and the request for a shed would be allowable.

**Item 9) OTHER BUSINESS**

- a. Next Meeting May 2, 2017, 6:00 p.m.

**Item 10) Adjournment**

***ADJOURNMENT – Motion by Herberg, second by Molitor, to adjourn the meeting at 6:52 p.m. Motion carried unanimously.***

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**Martin M. Bode**  
**Zoning Administrator**

# CITY OF ROCKVILLE

229 Broadway Street East

P.O. Box 93

Rockville MN 56369

Phone 320-251-5836

Fax 320-240-9620



Duane Willenbring, Mayor  
Devin Cesnik, Councilor  
Don Simon, Councilor  
Richard Tallman, Councilor  
Jerry Tippelt, Councilor

Martin M. Bode, City Administrator  
Judy Neu, Finance/Billing Clerk/Admin Asst.  
Nick Waldbillig, Public Works Director  
Gene Van Havermaet Maintenance/Mechanic  
Debbie Weber, Administrative Assistant

*Rockville City is an equal opportunity provider and employer*

## NOTICE OF PUBLIC HEARING CITY OF ROCKVILLE

Notice is hereby given that the Rockville Planning Commission will hold a public hearing on **Tuesday, May 2, 2017 at approximately 6:00 p.m. at Rockville City Hall – 229 Broadway Street East** to consider the request of Import Motors LLC for an amendment to a Conditional Use Permit. The address of the property is: 1380 Prairie Drive with a legal description of: Lot 6, Block 2, Prairie Business Park in the City of Rockville.

### SECTION 22: I -1 LIGHT INDUSTRIAL SUBDIVISION 4: CONDITIONAL USES (4) READS:

Uses the City Council determined to be substantially similar to those listed in this zoning district and not detrimental to the City's general health and welfare.

The request is to increase the number of cars allowed on the lot.

All persons attending the hearing and wishing to address the Planning Commission will have an opportunity to do so. Those not able to be present at this meeting should submit their opinions in writing to the Rockville City Administrator/Clerk, P.O. Box 93, Rockville, MN, prior to the hearing, or be present at the public hearing.

Martin Bode-CMC  
Administrator/Clerk

Publish April 18, 2017  
*Cold Spring Record*

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STATE OF MINNESOTA )  
 )ss.  
COUNTY OF STEARNS )

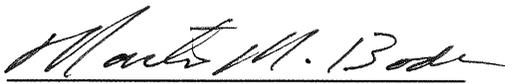
**AFFIDAVIT OF SERVICE**

**Debbie Weber**, being duly sworn, on oath says that at the City of Rockville in said County and State, on the **26th** day of **April, 2017**, he/she served the annexed Notice on see attachment, the person therein named, personally, by then and there handing to and leaving with him/her a true and correct copy of said Notice.

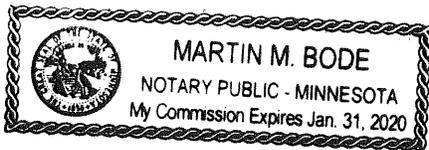


Signature

Subscribed and sworn to before me this 26<sup>th</sup> day of April, 2017.



Notary Public Signature



Notary Public Stamp

STATE OF MINNESOTA  
705 COURTHOUSE SQ RM 148  
SAINT CLOUD MN 56303

J and T PARTNERS LLC  
38 FAIRFIELD LN  
ST CLOUD MN 56303

MAR-DAR LLC  
27181 RIDGEWOOD DR  
MERRIFIELD MN 56465

GRANITE-TOPS LLC  
1480 PRAIRIE DR  
COLD SPRING MN 56320

J & T Partners LLC  
866 Prairie Ct  
Cold Spring MN 56320

Voigts Schools Bus Service  
Po Box 1  
St Cloud MN 56302

Import Motors  
Po Box 246  
Rockville MN 56369

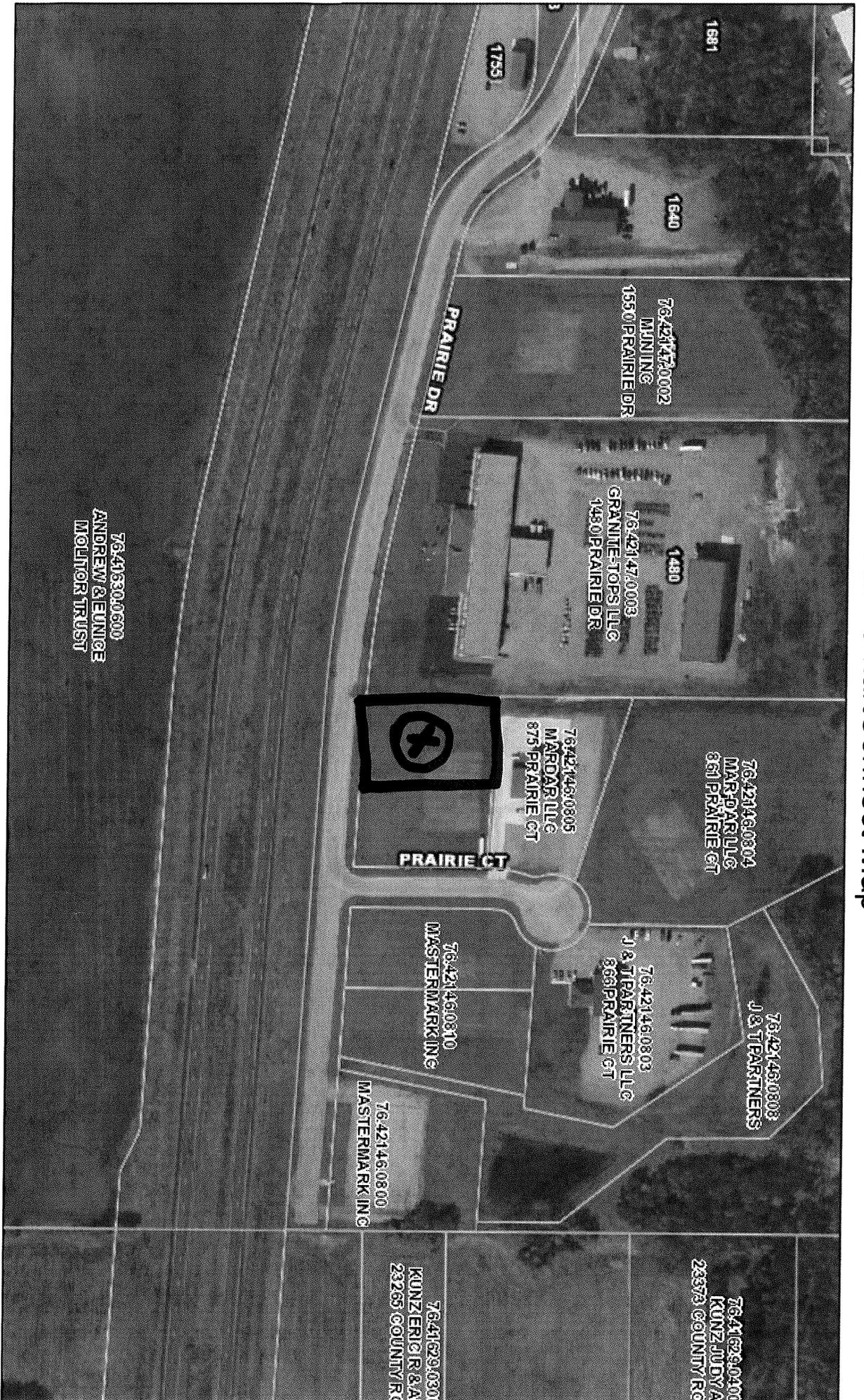


CITY OF ROCKVILLE  
P.O. Box 93 • Rockville, Minnesota 56369

STICKNEY HILL DAIRYING  
PO BOX 355  
ROCKVILLE MN 56369

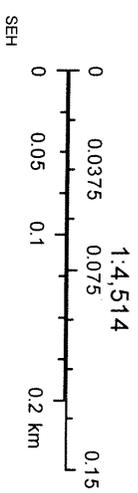
8 Notices

# SEH SmartConnect Map



April 26, 2017

- Parcels
- Parcels



## STAFF REPORT

May 2, 2017 and May 10, 2017

Rockville Planning Commission; City Council

Re: Request to Amend Conditional Use Permit  
Owner: C Chanthakhammy dba Import Motors LLC  
Property Address: 1380 Prairie Drive  
Legal Description: PIN 76.42146.0815, Section 17, Township 123, Range 029  
Lot 6 and 7 Block 2, Prairie Business Park

Conditional Use Permit Requested:

1. Conditional use permit is requested to Increase the number of crushed cars on the lot from 40 to 800
2. And Variance from front yard storage

Relevant Information:

1. This property is located in the I-1 District.
2. Property contains 2.02 acres more or less.
3. 8 notices of public hearing were sent out.
4. SECTION 22 I-1 LIGHT INDUSTRIAL Subdivision 4: Conditional Uses (4) reads: Uses the City Council determined to be substantially similar to those listed in this zoning district and not detrimental to the City's general health and welfare.

SECTION 9: General Requirements, Subdivision 3: Outside Storage, (2a) reads: The area occupied is not within a required front yard.

Recommendations:

Consider Approval with these conditions.

- 1) The Entire South and East Fence be made 100 percent opaque, as is the North and West
- 2) Trees-4' minimum arborvitaes or similar along the entire outside the fence area
- 3) Salvage cars may be stored in the front yard except, no cars may be stored between the front of the building and the South fence
- 4) 11 off street parking spaces must continue to be made available in the front of the building
- 5) No cars or other material maybe stacked higher than the fence
- 6) No more than 800 salvage cars on the lot at one time, must be stacked neatly
- 7) No additional driveway added
- 8) Maintain existing drainage patterns over, under and across the property
- 9) No repairs, storage or parking of salvage cars on street

Submitted by:  
Martin M. Bode  
Zoning Administrator

## **NOTICE OF GRANTING AMENDED CONDITIONAL USE PERMIT PROCEEDINGS**

Please take notice that the City of Rockville, Minnesota acting pursuant to the authority of Minnesota Statutes 462.3595, has adopted a resolution granting an amended Conditional Use Permit to: C. Chanthakammy dba Import Motors LLC for a Conditional Use Permit to increase the number of crushed cars on the lot from 40 to 800 and Variance from front yard storage.

Rockville City Code Reads:

SECTION 22 I-1 LIGHT INDUSTRIAL Subdivision 4: Conditional Uses (4) reads:

Uses the City Council determined to be substantially similar to those listed in this zoning district and not detrimental to the City's general health and welfare.

SECTION 9: General Requirements, Subdivision 3: Outside Storage, (2a) reads: The area occupied is not within a required front yard.

The request is to increase the number of crushed cars on the lot in the I-1 District. Further the request is to allow storage of vehicles in the front yard.

The Amended Conditional Use Permit is hereby granted with the following conditions:

- 1) The Entire South and East Fence be made 100 percent opaque, as is the North and West
- 2) Trees-4' minimum arborvitaes or similar along the entire outside the fence area
- 3) Salvage cars maybe stored in the front yard except, no cars may be stored between the front of the building and the South fence
- 4) 11 off street parking spaces must continue to be made available in the front of the building
- 5) No cars or other material maybe stacked higher than the fence
- 6) No more than 800 salvage cars on the lot at one time, must be stacked neatly
- 7) No additional driveway added
- 8) Maintain existing drainage patterns over, under and across the property
- 9) No repairs, storage or parking of salvage cars on street

Property is located at the following described property in the City of Rockville, Stearns County, Minnesota:

C Chanthakammy dba Import Motors LLC  
1380 Prairie Drive  
Rockville, MN 56369  
Parcel #76.42146.0815  
Legal Description: Lot 6 and Lot 7, Block 2 Prairie Business Park in the City of Rockville

The Amended Conditional Use Permit for the above mentioned property was completed and became effective May 10, 2017

Drafted by:  
City of Rockville  
229 Broadway Street East  
P.O. Box 93  
Rockville, MN 56369

**(SEAL)**

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**Duane Willenbring, Mayor**

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**Martin M. Bode, City Administrator**

**CITY OF ROCKVILLE**  
**APPLICATION FOR CONDITIONAL USE PERMIT: FEE \$200**  
**RECORDING FEE: \$46.00 (Per Document)**  
**Need separate checks: 1 for Conditional Use permit fee & 1 for recording fee(s)**

**Need a Copy of Deed**

**PLEASE NOTE: ANY COSTS** (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, STEARNS COUNTY FEES, ETC) INCURRED OVER AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER)

**PROPERTY LOCATION/ADDRESS:** 1380 Prairie Drive Rockville, MN 56369

**LEGAL DESCRIPTION:** Lot 6&7 Block 2 **PARCEL #:** 76.42146.0806 **ZONING:** I1

**EXPLANATION OF REQUEST:** Requesting more vehicles on property, because of the purchase of  
Asking 800 cans (mostly crushed) Lot 7

If replacing an existing structure, what will be done with the old structure? \_\_\_\_\_

Has a variance request been made previously on this property? \_\_\_\_\_ If yes, when? \_\_\_\_\_

- Provide Individual property owner names/addresses within 350 feet or nearest 10 property owners, whichever is greatest.
- Applicant provides an aerial photo (The photo would depict vegetative cover on property and how it links with adjacent property).
- Applicant provides the distance to the nearest existing driveway.

**PROPERTY OWNER:**

Name (Print): C Chanthakhammy Phone: 763-258-7011  
First Name Middle Initial Last Name  
 Address: P.O. Box 246 Rockville, MN 56369  
 Signature (required):  Date: 3-27-17

\*Signature of property owner shall serve as acknowledgement and authorization of this request.

**APPLICANT:**

Name (Print): \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Signature (required): \_\_\_\_\_ Date: \_\_\_\_\_  
 (I hereby certify that I have read the above information and I agree with the terms)

101.41000-34102 \$46.00

**OFFICE USE ONLY:**

Permit # \_\_\_\_\_  
 R # \_\_\_\_\_ Conditional Use Permit Fee Check#: \_\_\_\_\_ Date \_\_\_\_\_ 101.41000.34103 \$200.00  
 R # \_\_\_\_\_ Reimb. for Invoice Check# \_\_\_\_\_ Date \_\_\_\_\_ 101.41000.34102 \$46.00

**CITY OF ROCKVILLE  
APPLICATION FOR CONDITIONAL USE PERMIT**

Please use this for to explain how your request for a conditional use permit meets the zoning requirements.

1. Not a burden on public facilities. Not burden, because we will not be using additional water & sewer.
2. Compatible with existing and planned adjacent uses.  
Falls within current zoning guidelines.
3. No adverse affect on adjacent properties.  
No effect ~~because~~ because cars will be fenced in & lot 7 is separated by a street to the nearest company. We consistently crush ~~the~~ so ~~the~~ cars don't sit there indefinitely.
4. Related to the needs of the City.  
Its an expanding business that will increase in property, and has little affect on public infrastructure.
5. Consistent with the Comprehensive Plan.  
yes, due to compliance with zoning.
6. Not a traffic Hazard.  
NO, because 90% of sales are online. Also located on service road. and no heavy trucks, and limited trips.
7. Adequate parking and loading.  
yes, with fence being moved out.
8. Not detrimental to health, safety, and welfare.  
yes, because dismantling of cars are done inside with proper recapture of vehicle fluids.
9. Flood plan.  
no, because its not located by lakes, pond, ~~streams~~ streams, and wetlands.



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**Staff Use only:**

Zoning Administrator reviewed Conditional Use Permit Application.

1. Referred to City Attorney and/or City Engineer: Date \_\_\_\_\_

Why: \_\_\_\_\_  
\_\_\_\_\_

2. Determination made & why: \_\_\_\_\_  
\_\_\_\_\_

Complete Application

Incomplete Application Why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant was notified for additional information: Date \_\_\_\_\_ in which the information needs to be turned in by. \_\_\_\_\_ in person \_\_\_\_\_ by phone \_\_\_\_\_ email

Staff \_\_\_\_\_ Date \_\_\_\_\_

Conditional Use Permit has been issued, of the time and place at which the Council will consider the revocation. The property owner shall have an opportunity to be heard after which time the Council may take all appropriate actions including the revocation and termination of the Conditional Use Permit.

3. **Costs of Enforcement.** It shall be a term of any Conditional Use Permit issued by the City, whether or not specifically stated, that the property owner(s) shall pay all staff and reasonable attorney's fees associated with enforcement of the terms of the Conditional Use Permit.

**THE STEPS:**

1. Provide a complete application by the 2<sup>nd</sup> Tuesday of the month to be on the following month's Planning Commission Agenda.
2. **DATE:** \_\_\_\_\_ Planning Commission –May schedule a site visit; hold the public hearing at their meeting and make a recommendation to the Council at the next City Council meeting.
3. **DATE:** \_\_\_\_\_ Council - (Meets 3<sup>rd</sup> Wednesday of month) Makes the final decision–if Council grants the Conditional Use Permit.
4. Applicant:
  - ◆ If applicant waits for Council approval before providing the plans the next step is to fill out the Building Permit Application & provide 2 full sets of plans to City Hall.
  - ◆ If Applicant provided the Building Permit Application & 2 full sets of plans with the Conditional Use process. The applicant will need to notify City Hall that the plans that are on file are correct. This process will not be forwarded to the Building Official until applicant contacts City Hall.  
**DATE:** \_\_\_\_\_ **Applicant should call City Hall.**
5. Building Official-Reviews the plans (allow 4-6 days). Once City Hall receives the plans back, Staff will notify the Applicant with the cost of the building permit.



**(Applicant Signature)**

(I hereby certify that I have read the above information and I agree with the terms.)

3-27-17

**Date**

**CITY OF ROCKVILLE**  
**APPLICATION FOR VARIANCE REQUEST: Fee \$200-**  
**RECORDING FEE \$ 46.00 (PER DOCUMENT)**

**Need separate checks: 1 for variance request & 1 for recording fee(s)**

Need a Copy of Deed

**PLEASE NOTE:** ANY COSTS (i.e. LEGAL, ENGINEERING, ADMINISTRATIVE, STEARNS COUNTY FEES, ETC) INCURRED OVER AND ABOVE THE APPLICATION FEE ARE THE RESPONSIBILITY OF THE PETITIONER

PROPERTY LOCATION/ADDRESS: 1380 Prairie Drive

LEGAL DESCRIPTION: lot #6 Block #2 PARCEL#: 76.42146.0806 ZONING: I1

EXPLANATION OF REQUEST: Moving fence out 8' fence & adding to close it out and store salvage cars in front yard.

Provide Individual property owner names/addresses within 350 feet or nearest 10 property owners, whichever is greatest.

If replacing an existing structure, what will be done with the old structure? \_\_\_\_\_

Has a variance request been made previously on this property? yes If yes, when? 1-23-14

**PROPERTY OWNER:**

Name (Print): <u>C</u> <u>ChanthaKhammy</u> Phone: <u>763-258-7011</u>		
<small>First Name</small>	<small>Middle Initial</small>	<small>Last Name</small>
Address: <u>P.O. Box 246 Rockville, MN 56369</u>		
Signature (required): <u>[Signature]</u>		Date: _____
*Signature of property owner shall serve as acknowledgement and authorization of this request.		

**APPLICANT:**

Name (Print): _____	Phone: _____
Address: _____	
Signature (required): _____	Date: _____
<small>(I hereby certify that I have read the above information and I agree with the terms).</small>	

**STAFF USE ONLY:**

Permit# _____
R# _____ Variance Application Fee Check # <u>1260</u> Date <u>3-16-17</u> 101.41000.34103 \$200.00
R# _____ Reimb. for Invoice Check# <u>1261</u> Date <u>3-16-17</u> 101.41000-34102 \$46.00





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8.5 x 11 Portrait

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