



**PLANNING and ZONING COMMISSION
MINUTES
APRIL 13, 2010**

Albertville Council Chamber

7:00 PM

CALL TO ORDER – ROLL CALL

Meeting was called to order at 7:01 p.m. by Chair Kocon.

PRESENT: Chair Frank Kocon, Commission members Robert Olson, Natalya Lindberg, and Dale Edgren, Council liaison Dan Wagner

ABSENT: none

OTHERS: City Planner Al Brixius, Zoning Administrator/Building Official Jon Sutherland, and City Clerk/Recording Secretary Bridget Miller

ADOPT AGENDA

Chair Kocon asked for a motion to approve the agenda as presented.

MOTION BY Commission member Edgren, seconded by Commission member Olson to approve the Tuesday, April 13, 2010 agenda as presented, which will be scanned and an electronic copy will be kept on file in the office of the City Clerk. Motion carried unanimously.

MINUTES

Chair Kocon asked if there were any changes, additions, or deletions to be made on the Tuesday, March 9, 2010 regular Planning and Zoning Commission minutes. Kocon corrected the minutes to reflect Council liaison Tom Fay filling in for Dan Wagner at the March 9, 2010 meeting.

MOTION BY Commission member Olson, seconded by Commission member Lindberg to approve the Tuesday, March 9, 2010 regular Planning and Zoning Commission minutes as amended noting Council liaison Fay's attendance, which a signed copy will be scanned and an electronic copy will be kept on file in the office of the City Clerk. Kocon, Olson, and Lindberg voted aye. Edgren abstained from voting.

PUBLIC HEARINGS

PRO-TECH MARINE FOR THE FOLLOWING CONDITIONAL USE PERMITS (CUPS) WITHIN AN I-1 INDUSTRIAL ZONING DISTRICT FOR PROPERTY LOCATED AT 5720 BARTHEL INDUSTRIAL DRIVE NE:

**CONDITIONAL USE PERMIT (CUP) FOR OPEN AND OUTDOOR SALES DISPLAY AS A PRINCIPAL OR CONDITIONAL USE; AND,
CONDITIONAL USE PERMIT (CUP) FOR ENCLOSED RETAIL SALES OTHER THAN THOSE ALLOWED AS A PERMITTED OR CONDITIONAL USE IN AN I-1 INDUSTRIAL ZONING DISTRICT; AND,
CONDITIONAL USE PERMIT (CUP) FOR OUTDOOR STORAGE PER SECTION 1000.16.B OF THE 2005 ALBERTVILLE MUNICIPAL CITY CODE (ZONING ORDINANCE)**

Chair Kocon opened the public hearing at 7:05 p.m.

City Planner Brixius went over the history of Pro-Tech Marine that was located at 5640 MacKenzie Avenue NE. Steve Mruz, on behalf of Pro-Tech Marine has applied for Conditional Use Permits for the address of 5720 Barthel Industrial Drive NE owned by James and LaVerne Franklin and former business site for Greater Minnesota Home Improvements (GMNI). The property on Barthel Industrial Drive NE is zoned I-1, Limited Industrial that requires CUPs to allow for outdoor sales, outdoor storage, and retail sales. In 2007, GMNI received approval for a CUP to allow for outdoor storage and outdoor sales. According to the application submitted by Pro-Tech Marine, the intent of the business will include marine repair and storage; limited retail sales; outdoor storage; and, outdoor sales/display area.

Brixius continued by reporting on the CUP relating to the outdoor display area, which Pro-Tech Marine proposes to utilize a concrete pad for the display of a single boat for sale. The cement pad has already been installed, but staff is not clear whether the applicants or previous tenants installed the outdoor sales area. Staff is hopeful that the cement pad will deter the tenant from overflowing the display onto the grass area with material items.

Brixius brought up Pro-Tech Marine's intentions for retail sales that will be located within a portion of the principal building. Brixius concluded with the outdoor storage that will be an area on the south parcel that will be utilized for outdoor storage of boat in a fenced-in area that will be 20,678 square-feet in size.

Brixius noted that as staff continued to review the application for the CUPs, the site and building plan that was submitted appeared similar to the Russ Winslow application. Staff realized there were a few slight revisions to the Winslow site plans that would allow Pro-Tech Marine to meet the necessary requirements for the site.

Brixius went over the staff recommendations which were as follows:

The submitted site plans contradict the existing conditions of the site. It is not clear from the applicant's submittals whether they are proposing to expand and improve the parking areas or use existing conditions. Their site plan does not accurately illustrate the sign location or outdoor display area. An accurate site plan is needed for approval of the requested conditional use permits.

Staff cannot recommend an action on this application until the information is clarified and missing information is submitted in both plan set form and narrative form. Therefore, staff recommends tabling this issue until the next meeting in order to gather the additional required information from the applicants. In considering the application, the following information is missing:

1. Signature of applicant on page two (2) of the application form;
2. Clarification of the exact location and size of the existing concrete display area;
3. Clarification regarding who installed the display area and when;
4. Exterior lighting locations on site plan and light fixture details (existing and proposed) in conformance with Section 4600.4A.3 and 1000.10 of the Albertville Zoning Ordinance;
5. Clarification is needed regarding the proposed plans of the applicant for the parking lot, including parking stall and drive aisle dimensions;
6. At least twelve (12) parking stalls shall be provided for;
7. Clarification is needed regarding the fence/gate location and size details;
8. Details of the proposed fence to screen the outdoor storage area, including the fence size/height details;
9. The northernmost fence line shall be moved so it is in line with the north side of the building;
10. Clarification on the proposed location, dimensions, and size of the outdoor sales display area;
11. Clarification regarding the exact location of the freestanding sign (sign no. 2) including setbacks to property lines;
12. Clear delineation between the parking and outdoor storage areas; and
13. Revised site plan shall be required to be submitted illustrating the required items as requested by staff.

Even though staff feels the CUPs can be approved, it is being recommended that the following conditions will be added subject to the approval of the CUPs:

1. Review of buildings by the Building Official in accordance with the Building and Fire Code;
2. Review of the site plan by the City Engineer regarding the grading and drainage;
3. Outdoor sales display area shall be limited to the existing display area and shall not be expanded; and,
4. Outdoor storage shall not be allowed to occupy any required parking spaces and shall be contained within the fenced-in area.

The Commission members were concerned with the outdoor display area as well as the outdoor storage area regarding the ongoing maintenance and upkeep of the site. Restricting the amount of boats, trailers, etc. that could possibly be stored on the site and screening the items from the abutting property owners.

Chair Kocon informed the Commission members that he took the time to stop by the site to visit with the applicant. During the discussion the location of the fencing was brought up and Kocon felt it would meet the needs; however, expressed concern with the gate opening along the side and the front over the driveway.

Chair Kocon asked if any Commission members had questions or concerns regarding the proposed Pro-Tech Marine Conditional Use Permits within an I-1 Industrial Zoning District for property located at 5720 Barthel Industrial Drive NE for open and outdoor sales display as a principal or conditional use; and, for enclosed retail sales other than those allowed as a permitted or conditional use in an I-1 Industrial Zoning District; and, for outdoor storage per Section 1000.16.B of the 2005 Albertville Municipal City Code (Zoning Ordinance).

Chair Kocon asked if there was anyone in the audience that wanted to share comments or concerns regarding the proposed Pro-Tech Marine Conditional Use Permits within an I-1 Industrial Zoning District for property located at 5720 Barthel Industrial Drive NE for open and outdoor sales display as a principal or conditional use; and, for enclosed retail sales other than those allowed as a permitted or conditional use in an I-1 Industrial Zoning District; and, for outdoor storage per Section 1000.16.B of the 2005 Albertville Municipal City Code (Zoning Ordinance).

Chair Kocon asked for a motion to table the proposed Pro-Tech Marine Conditional Use Permits within an I-1 Industrial Zoning District for property located at 5720 Barthel Industrial Drive NE for open and outdoor sales display as a principal or conditional use; and, for enclosed retail sales other than those allowed as a permitted or conditional use in an I-1 Industrial Zoning District; and, for outdoor storage per Section 1000.16.B of the 2005 Albertville Municipal City Code (Zoning Ordinance).

There was no one present in the audience to express their concerns related to the CUPs being considered. Building Official/Zoning Administrator Sutherland reported that staff received a call from one of the residents on the public hearing list who would like to see the fence installed as they see the boats and other miscellaneous items from their property.

MOTION BY Commission member Olson, seconded by Commission member Lindberg to **table** the proposed Pro-Tech Marine Conditional Use Permits within an I-1 Industrial Zoning District for property located at 5720 Barthel Industrial Drive NE for open and outdoor sales display as a principal or conditional use; and, for enclosed retail sales other than those allowed as a permitted

or conditional use in an I-1 Industrial Zoning District; and, for outdoor storage per Section 1000.16.B of the 2005 Albertville Municipal City Code (Zoning Ordinance) to the Tuesday, May 11, 2010. Motion carried unanimously.

OTHER BUSINESS

INTERVIEW PLANNING AND ZONING COMMISSION APPLICANTS

Applicant Brian Totman was unable to make the meeting because of a prior commitment.

It was the consensus of the Commission to continue the offer to interview Mr. Totman at the May 11, 2010 regular Planning and Zoning Commission.

ADJOURNMENT

MOTION BY Commission member Edgren, seconded by Commission member Olson to adjourn the April 13, 2010 regular Planning and Zoning Commission meeting at 7:26 p.m. Motion carried unanimously.

Bridget Miller, City Clerk/Secretary