



AGENDA – REGULAR MEETING
6:00 p.m., November 20, 2017

Planning Commission

- 1. CALL TO ORDER**
- 2. ROLL CALL (Quorum is 4)**
- 3. APPROVAL OF AGENDA (Unanimous additions required)**
- 4. APPROVAL OF MINUTES (Unanimous additions required)**
 - A. Planning Commission Minutes of October 16, 2017
- 5. PUBLIC COMMENTS**
- 6. PUBLIC HEARINGS**
 - A. Consider Conditional Use Permit Amendment for 401 County Road 81
 - B. Consider Conditional Use Permit for 8725 Jefferson Highway
 - C. Consider 2040 Comprehensive Plan
- 7. OLD BUSINESS**
 - A. Consider Updates to Proposed Sign Ordinance Regarding Feather Banners
- 8. NEW BUSINESS**
- 9. REPORTS OR COMMENTS: Staff, Chair, & Commission Members**
- 10. ADJOURNMENT**

**OSSEO PLANNING COMMISSION MINUTES
REGULAR MEETING
October 16, 2017**

1. CALL TO ORDER

The regular meeting of the Osseo Planning Commission was called to order by Chair Plzak at 6:00 pm, Monday, October 16, 2017.

2. OATH OF OFFICE FOR NEW PLANNING COMMISSION MEMBER

Abts administered the Oath of Office to newly appointed Planning Commission member Michael Corbett. A round of applause was offered by all in attendance.

3. ROLL CALL

Present: Commission members Dee Bonn, Deanna Burke, Michael Corbett, Neil Lynch, Michael Olkives, Alden Webster and Chair Barbara Plzak

Absent: None.

Others present: Connor Johnson, Celiena Davis, Jesse Dickinson, Harold E. Johnson, City Planner Nancy Abts

4. APPROVAL OF AGENDA

A motion was made by Bonn, seconded by Webster, to approve the Agenda as presented. The motion carried 7-0.

5. APPROVAL OF MINUTES

A. Approve August 21, 2017, Minutes

A motion was made by Lynch, seconded by Olkives, to approve the August 21, 2017, minutes. The motion carried 7-0.

6. PUBLIC COMMENTS

Chair Plzak advised this is the time for public comments for items that are not on the agenda for tonight's meeting. There were no comments from the public.

7. PUBLIC HEARINGS

a. Consider Conditional Use Permit Application for 340 Central Avenue

Abts stated Jesse Dickinson has applied for a Conditional Use Permit for 340 Central Avenue. Jesse and brother Jordan are co-owners of coachbuilding business Union Speed and Style. Pending City approval, the business will purchase 340 and 332 Central Avenue. They will move from their current location in Monticello to Osseo. Before the move, the proposed business will also need to apply for a Site/Building Plan approval. Building, electrical, and mechanical upgrades are also needed before the space is occupied.

Abts explained the property is in the Central Business District (CBD) and is currently owned by Premier Bank. The proposal includes roughly 1,400 square feet of space as public retail, showroom, and meeting space. There is also 5,400 square feet of work space and associated storage. Another 765 square feet will be leased to a to-be-determined tenant. Staff recommended the Commission approve the CUP request with conditions.

Lynch asked if staff worked with the Dickinsons on the conditions for approval. Abts reported this was the case.

Olkives questioned if the property would have any onsite parking. Abts indicated the site diagram for the property at 340 Central Avenue did not indicate any onsite parking. She noted the adjacent property did have several possible locations for onsite parking.

Olkives inquired if the test driving condition was worked out with the perspective tenant. Abts stated this was the case.

Olkives asked if the condition regarding doors meant the overhead doors or the entrance doors. Abts indicated this referred to all doors.

A motion was made by Lynch, seconded by Webster, to open the Public Hearing. The motion carried 7-0.

Jesse Dickinson, Union Speed and Style, explained he had worked through the list of conditions with staff and had some concern with the condition regarding doors. He stated he was happy to work with the City to ensure all of the conditions for approval were met. He requested this condition include more detail. He stated he would like to be able to open his doors on nice days in order to get fresh air into the shop.

Olkives inquired if doors could be opened all day if the applicant were to receive approval from the City. Abts reported this was the case, and doors could otherwise be open for 12 hours without advance approval.

Olkives questioned how many doors were facing Boerboom Park. Mr. Dickinson indicated there were two doors on this side of the building, one overhead and one entrance door. He understood 12 hours would cover the length of most work days.

Lynch supported the Dickinsons being allowed to have their doors open. He believed this new business would not be disrupting the neighbors or if events were located at Boerboom Park. He supported Condition 3 being stricken completely.

Olkives agreed with this recommendation. He suggested the door situation be addressed by staff if concerns were brought to the City's attention.

Mr. Dickinson requested the language regarding street legal cars be removed from the conditions for approval. He stated he was not a law enforcement expert and did not want to be responsible for enforcing these laws. He understood what the City was trying to get at, but recommended this burden be placed on the Police Department and not his business. He

explained he would be a responsible business owner and did not want to jeopardize his CUP. He suggested Condition 6B be rewritten or removed.

Lynch supported the Commission approving the CUP request striking Conditions 3 and 6B.

A motion was made by Lynch, seconded by Olkives, to close the public hearing at 6:30 p.m. The motion carried 7-0.

A motion was made by Lynch, seconded by Olkives, to approve the CUP request for 340 Central Avenue to the City Council, subject to the eleven (11) conditions listed below, as amended striking Conditions 3 and 6B. The motion carried 7-0.

- 1) Vehicle Storage. Any vehicle awaiting repairs for longer than 12 hours must be stored inside an enclosed space or properly screened from public view;**
- 2) Test Drives. Vehicles undergoing repair or maintenance at the property may be driven through residential districts no more than five times in any seven-day period.**
- ~~3) Facility doors. Exterior doors connecting to the Artisan Manufacturing work space shall remain shut during public events in neighboring Boerboom Park (e.g., Music in the Park), except for entering and exiting of vehicles or deliveries and during cleaning and shop maintenance to allow for ventilation. The City will provide at least 24 hours advance notice of such events. Doors shall not be open for periods exceeding 12 hours without prior written approval from the City.~~**
- 4) Public storefront. The structure shall maintain a retail storefront or show room, open to the public during posted business hours.**
- 5) Urban form. The structure shall retain existing setbacks along Central Avenue and 4th Street NE.**
- 6) Applicable Provisions. This permit is subject to the requirements of the City's ordinances and the Applicant is required to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, and to obtain such other permits and permissions as may be required. Local and state regulations and ordinances shall include but are not limited to the following:**
 - a) Artisan manufacturing activities, to include light metal fabrication and upholstery, shall occur solely within an enclosed building (Osseo City Code § 153.009).**
 - ~~b) Any vehicle being driven off the property by Applicant after undergoing repair or maintenance shall at all times meet all requirements imposed by the State of Minnesota regarding vehicles traveling on public roadways;~~**
 - c) No auto wrecking, junk, and salvage shall be stored on properties in the Central Business District (Osseo City Code § 153.037). Materials established in conjunction with a permitted manufacturing process do not constitute "junk", when within an enclosed area or building (Osseo City Code § 153.009).**
 - d) Any waste tires or other materials and equipment must be stored inside an enclosed space or properly screened from public view (Osseo City Code § 153.054) and protected from the elements so as not to provide habitat to rodents or insects (Osseo City Code § 93.18);**

- e) **The Artisan Manufacturing use shall have negligible impact on surrounding properties and shall abide by the Performance Standards (Osseo City Code § 153.050) and Public Nuisance requirements (Osseo City Code § 93.15 - § 93.19);**
- f) **Any trash enclosure must be screened from public view (Osseo City Code § 153.057);**
- g) **Modifications to the building shall be in accordance with Osseo City Code and the approved site and building plan on file with the City (Osseo City Code § 153.153);**
- h) **Signage relating to the use, including temporary signage, shall adhere to Osseo City Code § 153.090 - § 153.098;**
- i) **If the facility generates any hazardous waste as defined by Hennepin County or the State of Minnesota, the facility shall at all times meet all requirements imposed by Hennepin County or the State of Minnesota;**
- 7) **Open to Inspection. During any hours at which the business is open, the business shall be open to any State or County official and to any City official or police officer, when accompanied by Applicant, for inspection to determine compliance with the stated conditionals of approval. Inspections shall follow safety protocols established by Applicant.**
- 8) **Recording Requirement. The City of Osseo will memorialize this conditional use permit by adopting a resolution that the applicant will record in the office of the County Registrar of Titles within 120 days of its adoption by the City.**
- 9) **No Waiver. Failure by the City to take action with respect to any violation of any condition, covenant or term of this permit shall not be deemed to be a waiver of such condition, covenant, or term or any subsequent violation of the same or any other condition, covenant, or term.**
- 10) **Revocation. The violation of any terms or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The Applicant shall be given written notice of any violation and reasonable time, as determined by the City, to cure the violation before a revocation of the permit may occur.**
- 11) **Binding Effect. This permit and its conditions are binding on the Owner and Applicant, their successors and assigns, and shall run with the Property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership, until the permit is terminated or revoked as provided herein. The obligations of the Applicant under this permit shall also be the obligations of the current and any subsequent owners of the Property.**
- 12) **Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the permit without qualification, reservation, or exception.**

8. OLD BUSINESS – None

9. NEW BUSINESS – None

10. REPORTS OR COMMENTS: Staff, Chair & Commission Members

a. Comprehensive Plan Update

Abts provided the Commission with an update on the Comprehensive Plan. She explained a draft of this document had been prepared early this month and comments were being taken at this time. She noted the draft Comprehensive Plan was expected to be reviewed by the Planning Commission in November.

Webster encouraged Osseo residents to take in an Osseo High School Football game on Wednesday, October 18th.

Olkives thanked Abts and WSB for all of their hard work on the draft Comprehensive Plan. He stated he looked forward to reviewing this document in November.

Lynch wished Chair Plzak a speedy recovery from her upcoming surgery.

Bonn inquired whether it was appropriate to welcome the Dickinsons to the City of Osseo.

Corbett stated he was happy to again be serving the City of Osseo on the Planning Commission.

11. ADJOURNMENT

A motion was made by Olkives, seconded by Bonn, to adjourn the meeting at 6:34 pm. The motion carried 7-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.



Osseo Planning Commission Meeting Item

Agenda Item:	Consider Conditional Use Permit Amendment for an Auto Repair and Storage Use at 401 County Road 81
Meeting Date:	November 20, 2017
Prepared by:	Nancy Abts, City Planner
Attachments:	Osseo Zoning & Site Location Map Completed Application Acknowledgement of Responsibility Written Narrative Site Plan Public Hearing Notice Public Hearing Notice Distribution Sheet Previous CUP (Resolution 2015-6) Draft Resolution

Policy Consideration:

Consider a Conditional Use Permit Amendment request from Jesse Myhre, owner of JM Automotive, to conduct a Auto Repair and Storage Use at 401 County Road 81. Garages for the storage and repair of vehicles repair are considered conditional uses in the C2-S: Highway Commercial South district.

Previous Action or Discussion:

The City of Osseo first issued a CUP for Auto Sales and Minor Auto Repair at 401 County Road 81 on January 12, 2015. Because Auto Sales are no longer a part of the business plans at that location, JM Automotive has requested an amended CUP for Auto Repair only.

Background:

Jesse Myhre has operated JM Automotive in Osseo since 2015. Their business has grown and transitioned from 'primarily auto sales with some repairs' to solely a repair shop. The business specializes in Subaru vehicles.

The property is located on County Road 81 Service Road West. Adjacent businesses are Twin Cities Pawn, Avis Car Rental, and Pioneer Midwest located in the building to the southeast, and All Metro Excavating located in the building to the northwest. The property is owned by Dan Koehler, and is also home to a self-serve car wash.

Standards for granting conditional use permits:

Per Osseo City Code, the standards for granting a conditional use permit are as follows:	In staff's estimation, the applicant meets the standard because:
(a) The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare;	It will comply with health and safety regulations imposed by federal, state, and local authorities and is generally consistent with other uses in the C2-S district;
(b) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood;	It is generally consistent with other uses in the C2-S district;
(c) The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;	It is generally consistent with other uses in the C2-S district and does not conflict with the city's Comprehensive Plan
(d) Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided;	The use will not require new construction and will take place in existing buildings
(e) Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and	
(f) The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.	(Discussion follows)

For an automotive repair garage space and two repair bays, the minimum number of customer parking per the Osseo off-street parking ordinance is 8 spaces. (The minimum number of parking spaces includes a base number of 4, plus 2 spaces for each service bay.) The plans for the property show a total of 16 parking spots, with two required for the self-serve car wash business (calculated as an industrial use). Staff recommends that the 8 customer parking spaces for the business be placed close to the office/customer waiting area inside the existing building. See attached site plan which identifies parking spaces and their locations.

For businesses with auto sales, all vehicle repair and maintenance must take place within a completely enclosed building. (Interestingly, City Code does not place this same requirement on general auto repair. However, the CUP can address it as outside activities affect nearby properties.) Repaired vehicles or vehicles waiting to be repaired shall be considered storage and must be within a screened or an enclosed area, per Osseo City Code. The proposed conditions state that any repairs or maintenance will be conducted inside, completely enclosed, and vehicles on site for longer than 12 hours awaiting repairs will be stored inside or screened from public view.

Other facets of this proposal have been reviewed by City Staff and found to be acceptable for this property and zoning district.

Proposed Conditions:

After review of the application and its accompanying materials, Staff recommends the following conditions of approval:

- 1) Vehicle Storage. Any vehicle awaiting repairs for longer than 12 hours must be stored inside an enclosed space or screened from public view;

- 2) Test Drives. Vehicles undergoing repair or maintenance at the property may not be driven through residential districts.
- 3) Indoor Operations. Any vehicle repair or maintenance shall take place indoors.
- 4) Parking. At least four clearly marked parking spaces, plus two additional parking spaces for each service stall, shall be provided at all times (Osseo City Code Chapter 153 Appendix B). No parking or idling of vehicles is allowed outside of clearly marked parking spaces.
- 5) Applicable Provisions. This permit is subject to the requirements of the City's ordinances and the Applicant is required to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, and to obtain such other permits and permissions as may be required. Local and state regulations and ordinances shall include but are not limited to the following:
 - a) No auto wrecking, junk, and salvage shall be stored on properties in the C2-S District, per Osseo City Code.
 - b) Any waste tires must be stored inside an enclosed space or screened from public view (Osseo City Code § 153.054) and protected from the elements so as not to provide habitat to rodents or insects (Osseo City Code § 93.18)
 - c) Any trash enclosure must be screened from public view (Osseo City Code § 153.057);
 - d) Modifications to the building shall be in accordance with Osseo City Code and the approved site and building plan on file with the City (Osseo City Code § 153.153);
 - e) Signage relating to the use shall adhere to Osseo City Code § 153.090 - § 153.098;
 - f) If the facility generates any hazardous waste as defined by Hennepin County or the State of Minnesota, the facility shall at all times meet all requirements imposed by Hennepin County or the State of Minnesota;
- 6) Open to Inspection. During any hours at which the business is open, the business shall be open to any State or County official and to any City official or police officer, when accompanied by Applicant, for inspection to determine compliance with the stated conditions of approval.
- 7) Recording Requirement. The City of Osseo will memorialize the conditional use permit by adopting a resolution that the applicant will record in the office of the County Registrar of Titles within 60 days of its adoption by the City.
- 8) No Waiver. Failure by the City to take action with respect to any violation of any condition, covenant, or term of this permit shall not be deemed to be a waiver of such condition, covenant, or term or any subsequent violation of the same or any other condition, covenant, or term.
- 9) Prior Permits. The conditional use permit issued in 2015 (Resolution 2015-6) and any other conditional use permits issued for the property are hereby revoked and are replaced by this current conditional use permit. The City Council will memorialize the revocation of the previous CUP by adopting a resolution that will be recorded in the office of the County Registrar or Titles, which will serve as additional notice of such revocation.
- 10) Revocation. The violation of any terms or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The Applicant shall be given written notice of any violation and reasonable time, as determined by the City, to cure the violation before a revocation of the permit may occur.
- 11) Binding Effect. This permit and its conditions are binding on the Owner and Applicant, their successors and assigns, and shall run with the Property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership, until the permit is terminated or revoked as provided herein. The obligations of the Applicant under this permit shall also be the obligations of the current and any subsequent owners of the Property.
- 12) Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the permit without qualification, reservation, or exception.

Budget or Other Considerations:

The \$250 application fee covers staff time for reviewing CUP applications and determining compliance with approved permits.

City Goals Met By This Action:

- 2) Foster and promote economic development in the City
- 6) Update City policies
- 14) Promote a healthy and high quality standard of living

Options:

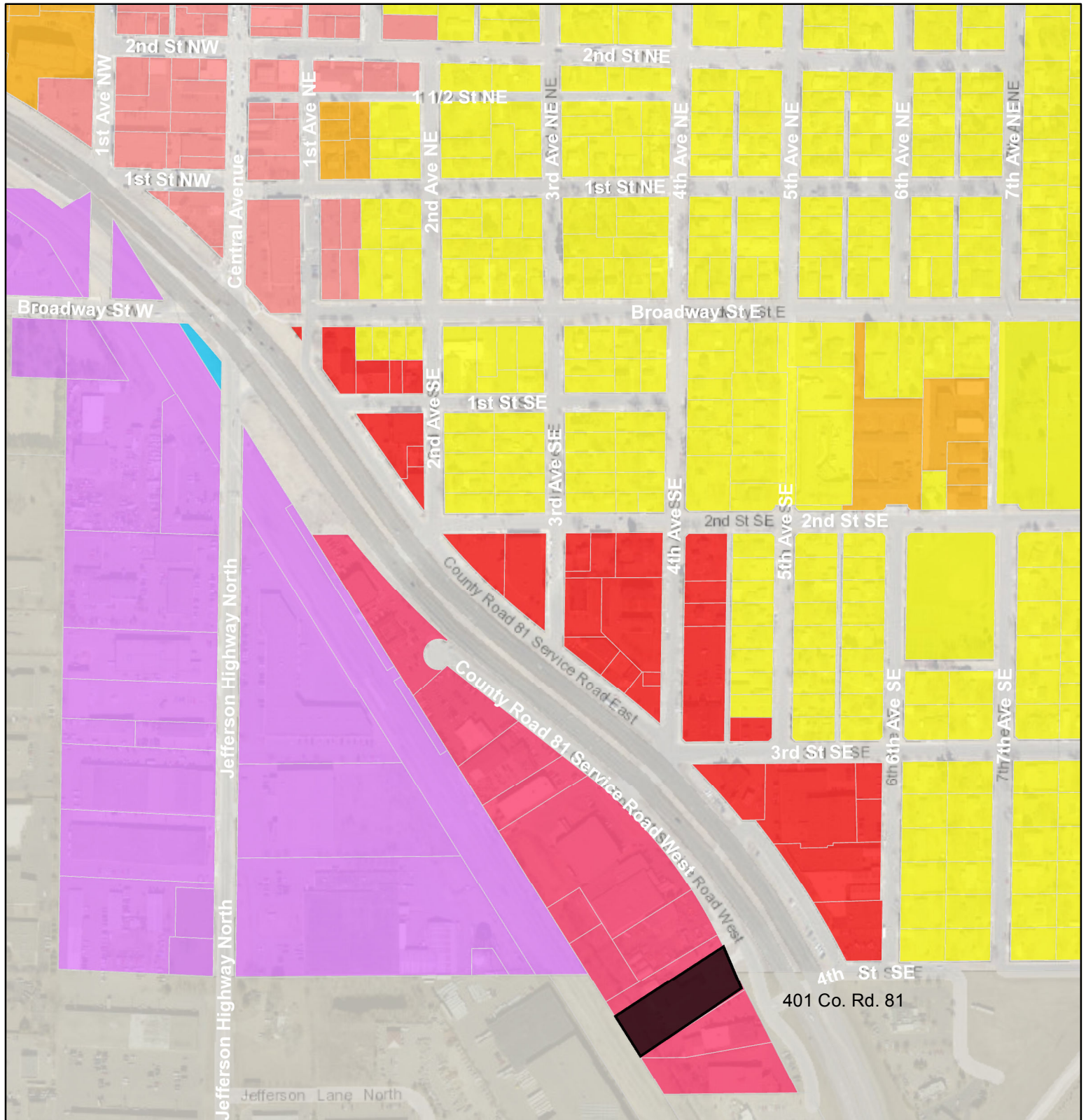
The Planning Commission may ***make the following recommendation*** to City Council:

1. Approve the Conditional Use Permit request with the conditions of approval noted above;
2. Approve of the Conditional Use Permit request with the conditions of approval noted above;
3. Deny the Conditional Use Permit request; or
4. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the Planning Commission choose option 1.

8725 Jefferson Highway: Auto Body Repair CUP



1 inch = 400 feet



October 27, 2017

Map Powered by DataLink
from WSB & Associates

Zoning Classification

- Central Business District (CBD)
- Highway Commercial District North (C2N)

- Highway Commercial District South (C2S)
- Manufacturing and Industrial District (M)

- One and Two Family Residential District (R-1)
- Multi-Family Residential District (R-2)
- Public Institution District (PI)



Application For:
Conditional Use Permit Amendment

415 Central Avenue, Osseo, MN 55369
Phone 763.425.2624
Fax 763.425.1111

*Information provided may be considered public data pursuant to data practices law.
The City will comply with all applicable laws if the information is subject to a data request.*

Property Information:

Site address: 401 Co. Rd. 81, Osseo, MN 55369

Property identification number: _____

Property legal description: Lot: _____ Block: _____ Tract/Addition: _____

Property type (check one): Abstract: _____ Torrens: _____

Description of request: _____

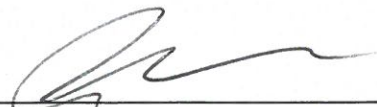
Reason for requested change: _____

Applicant Information:

Name: Jesse Myhr Daytime phone: 612-636-2493

Address: 9931 Ives Lane N Maple Grove MN 55369 Email Address: JESSE@JMAUTOMN.COM

Applicant agrees to reimburse the City of all legal and/or engineering costs incurred by the City, provide 15 copies (11x17) of site plan/drawings/survey for submittal, and pay any additional water and/or sewer assessments that may be due pending a check of City records.

Signature:  Date: 10-12-17

Property Owner Information:

Name: DAN KOZMICK Daytime phone: 763 420 8929

Address: 11651 TERRACOTA RD Email Address: osseo

Signature: [Signature] Date: 10-12-17

The City of Osseo requires that the Property Owner sign and date all land use applications. Applications will not be accepted unless the Property Owner has signed the application.

For City use only:

Receipt number: 143651 Date received: 10/12/17 (\$250 Application Fee)

Any other fees? Received by: CUSA

Notice to press date: Nov 2 Oct 27 Press publication date: Nov 2

Scheduled Planning Commission date: Nov 20

Scheduled City Council date: Nov 27



415 Central Avenue
Osseo, MN 55369
Phone 763.425.2624
Fax 763.425.1111

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I further understand that additional fees incurred by the City such as engineering or legal costs will be my responsibility.

I agree to allow access by City personnel to the property for purposes of review of my application and to erect a temporary sign indicating the application proposed.

Date

10-12-17

Signature of Applicant

Name and Address of Applicant
(Please Print)

Jesse P Myhre

9931 Ives Lane N

Maple Grove, MN 55369

Phone Number

612-636-2493

Email Address

Jesse@JmAutomn.com

Name and Address of Contact
(If Other Than Applicant)

Phone Number

Email Address

Hi,

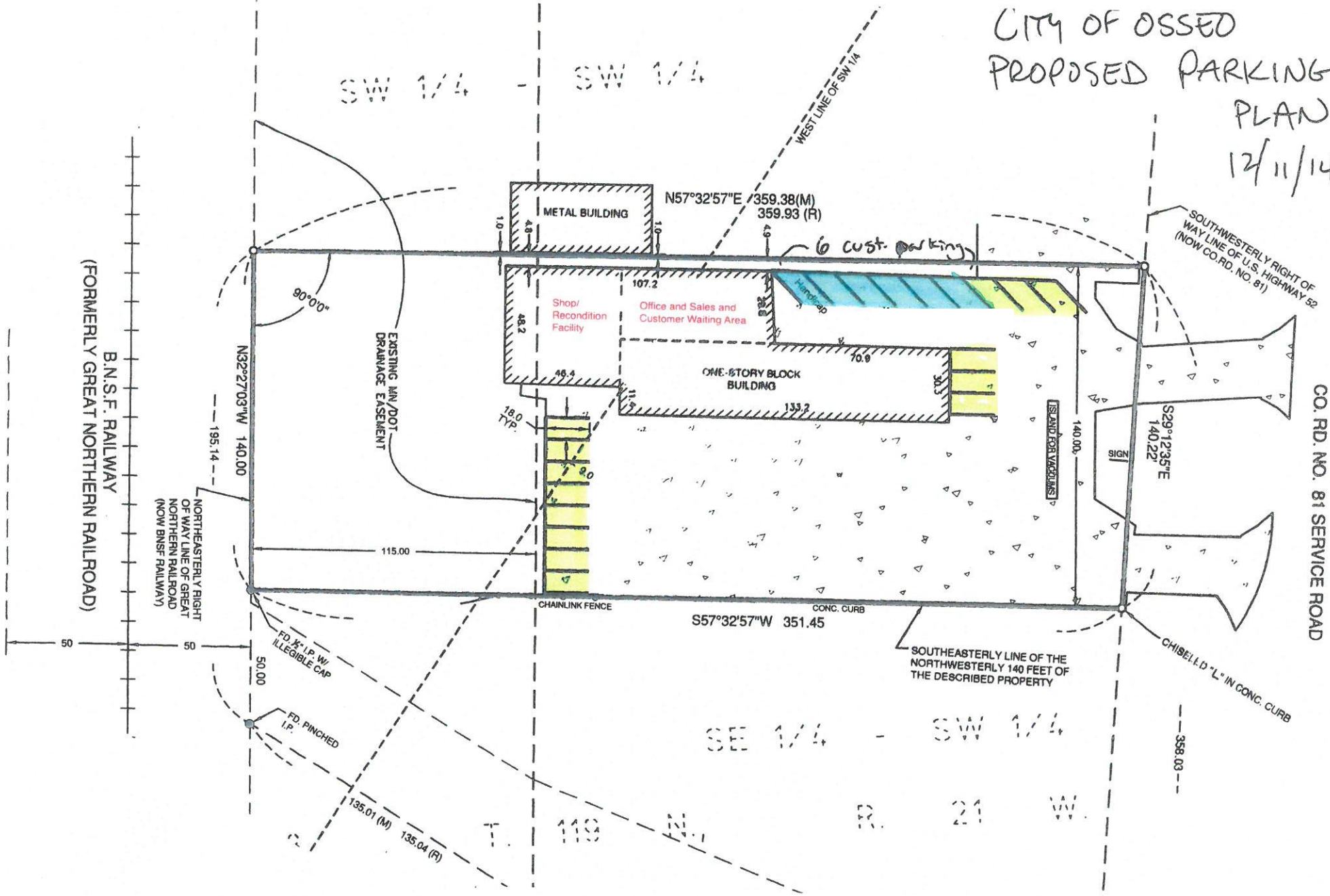
My name is Jesse Myhre. I own a small dealership called JM Automotive here in Osseo. We are looking to change from "primarily a dealership and partially a repair shop" to solely a repair shop. When I moved to Osseo I told you guys about myself, this time let me tell you a little bit about my business. I started the business nearly 4 years ago. Through this time, we have been in Osseo for 3 years. We started out as a 1 man show and have grown into a crew consisting of 4 full time workers now. We specialize in working on and selling Subaru's. Since we are getting so busy with service I cannot manage the car sales anymore. We have grown rapidly by having excellent values to keep customers happy and by having a excellent crew. I learned these values through my past business management experience. We have customers coming from all over the state to have their Subaru's worked on by us and are even getting some customers from out of state.

I think this location is perfect for what we are doing and love the area. Osseo has a lot to offer while our customers are waiting for service or visiting our shop. They always have a place to eat, grab some coffee, or just hang out to pass time. The local business's and local people have always been nice to us. We have worked with local business's such as R & W, Maaco, and Cotten's Napa. Our customers rent cars from Avis across the lot from us. Both of my kids go to Osseo area schools and I live only 3 miles from the shop. The building and the area is perfect for our business and we hope to stay here for a long time!

I hope you guys allow us to make the full change from primarily a dealership selling cars to primarily fixing them. Subaru owners are typically car enthusiasts who take pride in their vehicles and rely on them not only for transportation but also to express themselves. Some owners love to be able to load them up and take them on long trips camping in rough terrain areas. Also some owners love to use it for the winter snow conditions we have here in Minnesota. The one thing that these owners have in common is loyalty. These cars are a little bit unique in design and we have grown into "experts" working on them. That, along with our reputation, has people come from far distances just for us to work on them.

Couple of fun facts; we currently have about 1400 likes on Facebook. We have 65 reviews on Facebook and all "5 star". We have 16 reviews on google and all "5 star". My employees drive from Saint cloud, Farmington, and Eden Prairie because they love what we do here and love their jobs. Reuan Thai is our favorite place to order food from when we got time to eat a larger meal for lunch.

CITY OF OSSED PROPOSED PARKING PLAN 12/11/14



- = Minimum Parking
- = Additional Parking



City of Osseo

415 Central Avenue
Osseo, MN 55369-1195

P 763.425.2624 F 763.425.1111

www.DiscoverOsseo.com

NOTICE

Planning Commission Public Hearing

You are receiving this public hearing notice because your home, business, or property is located within 500 feet of a site proposed for development.

APPLICANT:	Jesse Myhre, on behalf of JM Automotive
REQUEST:	Conditional Use Permit Amendment for an automotive repair business
LOCATION:	401 County Road 81
TIME OF HEARING:	Monday, November 20, 2017 at 6:00 p.m. – City Hall Council Chambers
HOW TO PARTICIPATE:	<ol style="list-style-type: none">1) You may attend the hearing and state your comments;2) You may send a letter before the hearing to the City of Osseo, Planning Department, 415 Central Avenue, Osseo, MN 55369 or fax to 763-425-1111; or3) You may send an email to nabts@ci.osseo.mn.us

If you want your comments to be made part of the public record, your letter, email, or fax must state your first and last name and your address. Thank you in advance for your cooperation.

ANY QUESTIONS: Please contact City Planner Nancy Abts at 763-425-1454 with the following information:

Project Name: JM Automotive Conditional Use Permit Amendment

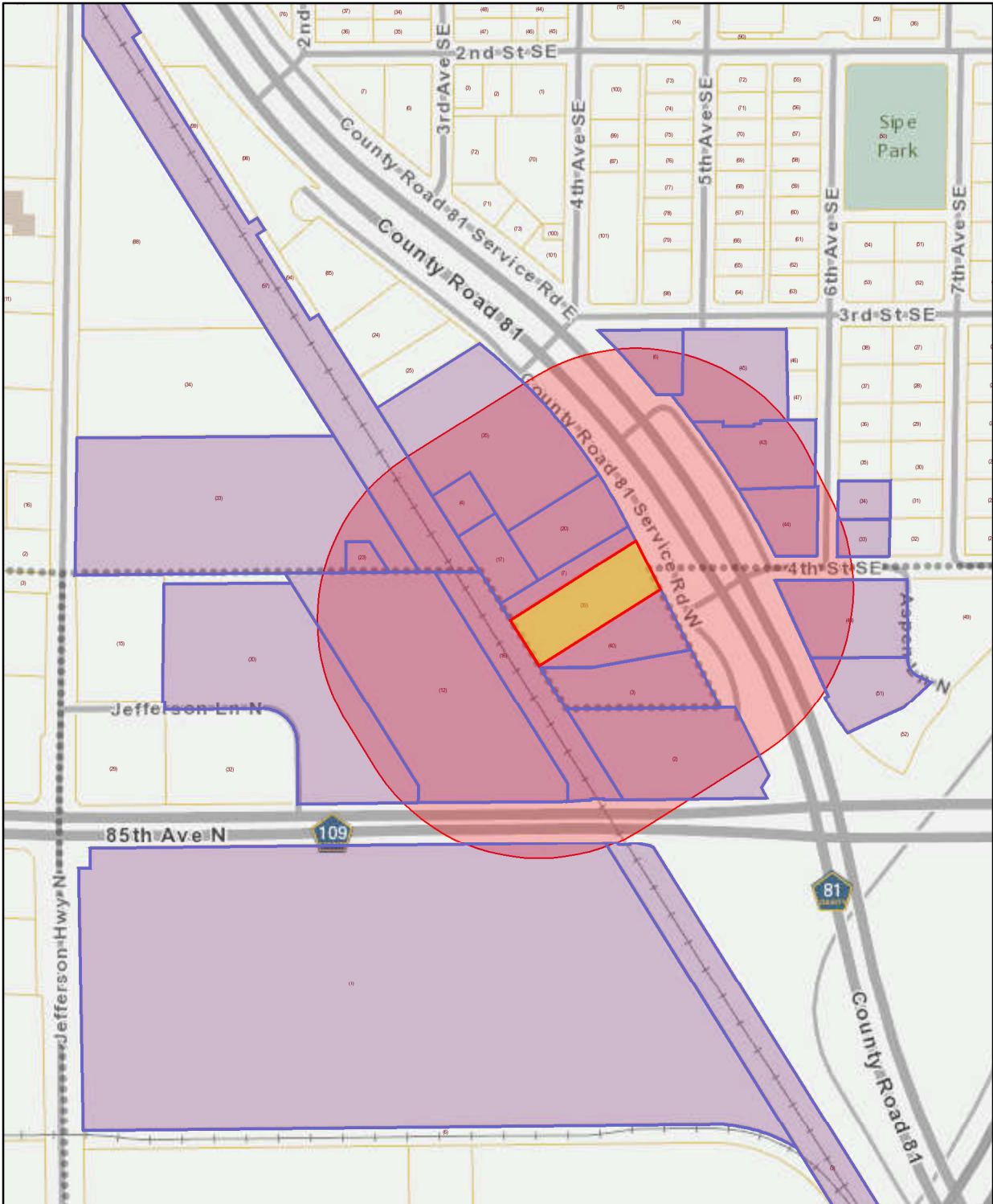
You may visit City Hall (415 Central Avenue) during business hours to discuss the proposal, or visit our website after November 16, 2017 at <http://www.discoverosseo.com/departments/planning-commission/>

Publication Date: The Press (October 5, 2017)



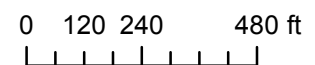
Hennepin County Locate & Notify Map

Date: 10/27/2017



Buffer Size: 500 feet

Map Comments:



This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

For more information, contact Hennepin County GIS Office
300 6th Street South, Minneapolis, MN 55487 / gis.info@hennepin.us

B N & SANTA FE RR CO
PROPERTY TAX DEPT
P O BOX 961089
FORT WORTH TX 76161

BENNIS INVESTMENT PROP LLP
26300 HICKORY BLVD #202
BONITA SPRING FL 34134

CATERPILLAR PAVING PROD INC
9401 85TH AVE N
BROOKLYN PARK MN 55445

DANIEL M KOEHLER
16651 TERRITORIAL RD
OSSEO MN 55369

EBROS LLC
P O BOX 438
MAPLE GROVE MN 55369

BORDER FOODS INC
ATTN RE TAX DEPT STORE#18005
5425 BOONE AVE N
NEW HOPE MN 55428

JENNIFER BOHLER PENNEY
332 6TH AVE SE
OSSEO MN 55369

K L & K L INVESTMENTS
32685 TERRITORIAL RD
LAKE CITY MN 55041

LINDSAY J HOLMGREN
340 6TH AVE S E
OSSEO MN 55369

SHAHAB HYDER
HYDER INVESTMENTS
7088 EAST FISH LAKE RD
MAPLE GROVE MN 55311

NORTHERN TRACTOR & EQUIP CO
335 CO RD NO 81 SVC RD W
OSSEO MN 55369

PACH PROPERTIES LLC
C/O JOHN BOEHME 517
9705 LAKE BESS RD
WINTER HAVEN FL 33884

R & R PETERS PROPERTIES LLC
334 CO RD 81
OSSEO MN 55369

RICHARD E LEITZKE
P.O BOX 141
ZIMMERMAN MN 55398

RICHARD C & FAY M WELK
344 CO RD NO 81 E
OSSEO MN 55369

ROONEY & CURRENT LLC
417 CO RD 81 SERVICE RD
OSSEO MN 55369

SCF RC FUNDING I LLC
C/O STONEBRIAR COMM FINANCE
47 HULFISH ST STE 210
PRINCETON NJ 08542

SIPE BROS INC
408 3RD ST S E
OSSEO MN 55369

WILD RIVER LTD PARTNERSHIP
6348 HWY 36 BLVD #6
OAKDALE MN 55128

WILEY ENTERPRISES INC
315 1ST AVE NE
OSSEO MN 55369

Resolution No. 2015-6

**RESOLUTION GRANTING REQUEST FROM JESSE PAUL MYHRE
FOR A CONDITIONAL USE PERMIT TO ALLOW FOR
USED AUTO SALES AND MINOR AUTO REPAIR AT 401 COUNTY ROAD 81**

WHEREAS, Jesse Paul Myhre has made application for a conditional use permit to allow for a used auto sales and minor auto repair business at 401 County Road 81 (Property Identification Number 18-119-21-34-0039); and

WHEREAS, the applicant's property is zoned C-2 South (Highway Commercial District), which is intended to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner; and

WHEREAS, Section 153.038 of the City Code of Ordinances indicates that this use is a conditional use (C) (5); and

WHEREAS, the City has determined the proposed use may be allowed as a conditionally permitted use; and

WHEREAS, in making this determination whether or not the conditional use is to be allowed, the City may consider the nature of the land, the nature of adjoining land or buildings, whether or not a similar use is already in existence and located on the same premises or on other lands immediately close by, the effect upon traffic into and from the premises or on any adjoining roads, and all other or further factors as the City shall deem appropriate for consideration in determining the effect of the use on the general welfare, public health, and safety; and

WHEREAS, a public hearing was held on December 15, 2014, at a regular meeting of the Osseo Planning Commission and all interested persons were invited to speak and were heard by the Planning Commission; and

WHEREAS, notice of said public hearing was published in the official newspaper, surrounding property owners were notified, and notice was duly posted at City Hall; and

WHEREAS, based on a review of the application and input from the public hearing, the Planning Commission recommended approval of the requested conditional use permit at its December 15, 2014, regular meeting by a 5-0 vote; and

WHEREAS, the City Council considered the application and Planning Commission recommendation on December 22, 2014, where the matter was tabled to January 12, 2015; and

WHEREAS, the City Council reconsidered the application and Planning Commission recommendation again on January 12, 2015; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Osseo, Hennepin County, Minnesota, that the following determinations are made:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare;
2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood;
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;

4. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided;
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

BE IT FURTHER RESOLVED a conditional use permit to allow for a used auto sales and minor auto repair use at 401 County Road 81 is hereby granted and approved subject to the following ten conditions:

- 1) Parking by employees shall be restricted to the back of the property, or farthest away from the main entrance, when available, to allow for all other parking for customers;
- 2) A minimum of 6 customer-only parking stalls shall be located on the property at all times, closest to the main entrance of the business, as outlined on the Staff approved parking plan;
- 3) A minimum of 2 employee parking stalls shall be located on the property at all times;
- 4) A maximum of 12 outdoor for sale parking vehicles shall be located on the property at all times;
- 5) Any vehicle repair or maintenance must take place in the Shop/Recondition Facility as labeled on the supporting documents;
- 6) Any vehicle awaiting repairs must be stored inside an enclosed space, or properly screened from public view;
- 7) Any trash enclosure must be properly screened from public view;
- 8) The building appearance shall be maintained so that it adheres to Osseo City Code §93.21;
- 9) Any building appearance changes shall adhere to Osseo City Code §153.053;
- 10) The applicant shall adhere to all applicable signage codes (Osseo Code §153.090 through §153.099) related to outdoor signage.

Adopted by the Osseo City Council this 12th day of January, 2015.

The motion for the adoption of the foregoing resolution was made by Councilmember Stelmach, seconded by Councilmember Johnson, and upon vote being duly taken thereon, the following voted in favor thereof: Councilmembers Harold E. Johnson, Duane Poppe, Mark Schulz, Larry Stelmach, and Anne Zelenak,

and the following voted against the same: none,

and the following was absent: none,

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF OSSEO)

We, the undersigned, being the duly qualified Mayor and Clerk of the City of Osseo, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing - Resolution No. 2015-6 is a true and correct copy of the Resolution as adopted by the City Council the 12th day of January, 2015.

Duane E. Poppe, Mayor

LeAnn Larson, City Clerk

Resolution No. 2017-XX

**RESOLUTION GRANTING REQUEST FOR A CONDITIONAL USE PERMIT
TO ALLOW FOR THE STORAGE AND REPAIR OF VEHICLES
AT 401 COUNTY ROAD 81**

WHEREAS Jesse Myhre has made application for a conditional use permit amendment to allow for the storage and repair of vehicles at 401 County Road 81 (Property Identification Number 18-119-21-34-0039) and as legally described in attached Exhibit A made part hereof by this reference; and

WHEREAS, the applicant's property is zoned C2-S (Highway Commercial District-South), which is intended to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner; and

WHEREAS, pursuant to Section 153.038 (B) (3) (c) of the City Code of Ordinances, storage and repair of vehicles is a conditional use (B) (3) (c); and

WHEREAS, in making a determination whether or not to allow a conditional use, the City considers whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity, or substantially diminish and impair property values in the neighborhood; whether the conditional use will impede the normal and orderly development and improvement of surrounding property; whether adequate utilities, access roads, drainage, and necessary facilities have been provided; whether adequate measures have been or will be taken to provide access to minimize traffic congestion, and whether the use conforms to applicable regulations of the district in which it is located, and all other or further factors as the City shall deem appropriate for consideration in determining the effect of the use on the general welfare, public health, and safety; and

WHEREAS, a public hearing was held on November 20, 2017, at a regular meeting of the Osseo Planning Commission and all interested persons were invited to speak and were heard by the Planning Commission; and

WHEREAS, notice of said public hearing was published in the official newspaper, surrounding property owners were notified, and notice was posted at City Hall; and

WHEREAS, based on a review of the application and input from the public hearing, the Planning Commission recommended approval of the requested conditional use permit at its November 20, 2017, regular meeting by a **X-X** vote; and

WHEREAS, the City Council considered the application and Planning Commission recommendation on November 27, 2017;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Osseo, Hennepin County, Minnesota, that the following determinations are made:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare, because it will comply with health and safety regulations imposed by federal, state, and local authorities and is generally consistent with other uses in the C2-S district;
2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood, because it is generally consistent with other uses in the C2-S district;
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district, because it is generally consistent with other uses in the C2-S district and does not conflict with the city's Comprehensive Plan;
4. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided, because the use will not require new construction and will take place in existing buildings;
5. Adequate measures have been taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

BE IT FURTHER RESOLVED a conditional use permit to allow for the storage and repair of vehicles at 401 County Road 81 is hereby granted and approved subject to the following conditions:

- 1) Vehicle Storage. Any vehicle awaiting repairs for longer than 12 hours must be stored inside an enclosed space or screened from public view;
- 2) Test Drives. Vehicles undergoing repair or maintenance at the property may not be driven through residential districts.
- 3) Indoor Operations. Any vehicle repair or maintenance shall take place indoors.
- 4) Parking. At least four clearly marked parking spaces, plus two additional parking spaces for each service stall, shall be provided at all times (Osseo City Code Chapter 153 Appendix B). No parking or idling of vehicles is allowed outside of clearly marked parking spaces.
- 5) Applicable Provisions. This permit is subject to the requirements of the City's ordinances and the Applicant is required to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, and to obtain such other permits and permissions as may be required. Local and state regulations and ordinances shall include but are not limited to the following:
 - a) No auto wrecking, junk, and salvage shall be stored on properties in the C2-S District, per Osseo City Code.
 - b) Any waste tires must be stored inside an enclosed space or screened from public view (Osseo City Code § 153.054) and protected from the elements so as not to provide habitat to rodents or insects (Osseo City Code § 93.18)
 - c) Any trash enclosure must be screened from public view (Osseo City Code § 153.057);
 - d) Modifications to the building shall be in accordance with Osseo City Code and the approved site and building plan on file with the City (Osseo City Code § 153.153);
 - e) Signage relating to the use shall adhere to Osseo City Code § 153.090 - § 153.098;
 - f) If the facility generates any hazardous waste as defined by Hennepin County or the State of Minnesota, the facility shall at all times meet all requirements imposed by Hennepin County or the State of Minnesota;
- 6) Open to Inspection. During any hours at which the business is open, the business shall be open to any State or County official and to any City official or police officer, when accompanied by Applicant, for inspection to determine compliance with the stated conditions of approval.
- 7) Recording Requirement. The City of Osseo will memorialize the conditional use permit by adopting a resolution that the applicant will record in the office of the County Registrar of Titles within 60 days of its adoption by the City.
- 8) No Waiver. Failure by the City to take action with respect to any violation of any condition, covenant, or term of this permit shall not be deemed to be a waiver of such condition, covenant, or term or any subsequent violation of the same or any other condition, covenant, or term.
- 9) Prior Permits. The conditional use permit issued in 2015 (Resolution 2015-6) and any other conditional use permits issued for the property are hereby revoked and are replaced by this current conditional use permit. The City Council will memorialize the revocation of the previous CUP by adopting a resolution that will be recorded in the office of the County Registrar or Titles, which will serve as additional notice of such revocation.
- 10) Revocation. The violation of any terms or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The Applicant shall be given written notice of any violation and reasonable time, as determined by the City, to cure the violation before a revocation of the permit may occur.
- 11) Binding Effect. This permit and its conditions are binding on the Owner and Applicant, their successors and assigns, and shall run with the Property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership, until the permit is terminated or revoked as provided herein. The obligations of the Applicant under this permit shall also be the obligations of the current and any subsequent owners of the Property.

12) Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the permit without qualification, reservation, or exception.

Adopted by the Osseo City Council this 27th day of November 2017.

The motion for the adoption of the foregoing resolution was made by Councilmember , seconded by Councilmember , and upon vote being duly taken thereon, the following voted in favor thereof: Councilmembers ,

and the following voted against the same: ,

and the following was absent: ,

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF OSSEO)

We, the undersigned, being the duly qualified Mayor and Clerk of the City of Osseo, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 2017-XX is a true and correct copy of the Resolution as adopted by the City Council the 27th day of November 2017.

Duane E. Poppe, Mayor

LeAnn Larson, City Clerk

EXHIBIT A

LEGAL DESCRIPTION ON DEED
FROM GMS ENTERPRISES TO DANIEL M. KOEHLER

The Northwesterly 140 feet as measured at right angles to the Northwesterly line of the following described property: That part of the Southwest 1/4 of the Southwest 1/4 and that part of the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 119 North Range 21, West of the 5th Principal Meridian, described as follows: Commencing at a point in the Southwesterly right of way line of U.S. Highway No. 52, as it now exists, a distance of 75 feet Northwesterly measured along said right of way line from its intersection with a line drawn parallel with and 297.53 feet North of the South line of the Southeast 1/4 of the Southwest 1/4 of said Section; thence West parallel with the South line of said Southeast 1/4 of the Southwest 1/4 a distance of 260.9 feet to the point of beginning of the tract of land to be described; thence continuing on the last described course a distance of 135.04 feet, more or less, to the Northeasterly right of way line of the Great Northern Railroad; thence Northwesterly along said railroad right of way line a distance of 195.14 feet; thence Northeasterly at right angles a distance of 359.93 feet more or less to the Southwesterly right of way line of U.S. Highway No. 52 as it now exists; thence Southeasterly along said highway right of way line a distance of 358.03 feet; thence Southwesterly a distance of 242.78 feet more or less to the point of beginning. EXCEPT that part of the Southwest 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 119 North Range 21 West of the 5th Principal Meridian described as follows: Commencing at a point on the Southwesterly right of way line of State Highway No. 52 distant 75 feet Northwesterly from the point of intersection of a line drawn parallel with and distant 297.53 feet North of the South line of said Southeast 1/4 of the Southwest 1/4, said 75 feet measured along said Highway right of way line; thence Westerly parallel with the South line of said Southeast 1/4 of the Southwest 1/4 a distance of 260.9 feet to the actual point of beginning of the land to be herein described; thence continuing Westerly parallel with the South line of said Southwest 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 to its intersection with the Northeasterly right of way line of the Burlington Northern Railway (formerly Great Northern Railway); thence Northwesterly along said railway right of way a distance of 50 feet; thence Easterly parallel with the South line of said Southwest 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 to an intersection with a line drawn parallel with and distant 115.0 feet Northeasterly from the Northeasterly right of way line of said Burlington Northern Railway; thence Northeasterly to a point on the Southwesterly right of way line of said State Highway No. 52 distant 170 feet Northwesterly from the point of intersection of a line drawn parallel with and distant 297.53 feet North of the South line of said Southeast 1/4 of the Southwest 1/4 and the Southwesterly right of way line of said Highway No. 52; thence Southeasterly along said Highway right of way line a distance of 50 feet; thence Southwesterly to the actual point of beginning.



Osseo Planning Commission Meeting Item

Agenda Item: Consider Conditional Use Permit for an Auto Repair and Storage Use at 8725 Jefferson Highway

Meeting Date: November 20, 2017
Prepared by: Nancy Abts, City Planner

Attachments: Osseo Zoning & Site Location Map
Completed Application
Acknowledgement of Responsibility
Written Narrative
Site Plan
Survey
Sign Plan
Public Hearing Notice
Public Hearing Notice Distribution Sheet
SAC Determination
Draft Resolution

Policy Consideration:

Consider a Conditional Use Permit Amendment request from Matthew Feehan, owner of American Auto Body, to conduct an Auto Repair and Storage Use at 8725 Jefferson Highway. Garages for the storage and repair of vehicles repair are conditional uses in the M: Manufacturing and Industrial district.

Previous Action or Discussion:

This item has not previously been discussed.

Background:

According to their website, American Auto Body had been in operation since 1979. The business relocated from North Minneapolis to Osseo in 1980. Later, it moved just south of Osseo to 8208 Lakeland Avenue North in Brooklyn Park in 1994. The business is growing and intends to use the property at 8725 Jefferson Highway for overflow work and storage. They will keep their primary location in Brooklyn Park.

The subject property is located on Jefferson Highway. Adjacent businesses are Spotless & Seamless Exteriors Inc. to the west. A Hennepin County Department of Transportation facility is to the north. A multi-tenant light industrial property managed by Wiley Enterprises is to the south. The property is being purchased by American Auto Body. Prior to the sale it was the location for Zimmerman Brothers Trucking.

The property to the west is a “landlocked” parcel with no direct access to public roads. There is a partial easement across 8725 Jefferson Highway to provide a connection to the road. However, as shown on the survey, there are some issues with the easement. The property owner is addressing these matters.

Standards for granting conditional use permits:

Per Osseo City Code, the standards for granting a conditional use permit are as follows:	In staff's estimation, the applicant meets the standard because:
(a) The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare;	It will comply with health and safety regulations imposed by federal, state, and local authorities and is generally consistent with other uses in the M district;
(b) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood;	It is generally consistent with other uses in the M district;
(c) The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;	It is generally consistent with other uses in the M district and does not conflict with the city's Comprehensive Plan;
(d) Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided;	The use will not require new construction and will take place in existing buildings;
(e) Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and	
(f) The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.	(Discussion follows)

For an automotive repair garage space and 4 repair bays, 12 parking spaces are needed. (The minimum number of parking spaces includes a base number of 4, plus 2 spaces for each service bay.) The plans for the property do show 12 parking spots. However, 3 spots are located within a Private Road Easement indicated on the property survey. The spots also seem to be slightly smaller than the 9' x 20' required by code. Staff suggests reconfiguring the parking area on the west end of the property. This area provides ample space for two rows of 90 degree parking spots and a 22'+ bi-directional drive aisle for maneuvering cars. Ten spots can be accommodated while leaving room to access 8715 Jefferson Highway.

For auto sales businesses, all repair and maintenance must occur in a building. (Interestingly, City Code does not place this same requirement on general auto repair. However, the CUP can address it as outside activities affect nearby properties.) Repaired vehicles or vehicles waiting for repairs are considered storage. They must be within a screened or an enclosed area, per Osseo City Code. The proposed conditions state that any repairs or maintenance will be conducted inside. Additionally, vehicles on site for longer than 12 hours awaiting repairs will be stored inside or screened from public view.

Other facets of this proposal have been reviewed by City Staff and found to be acceptable for this property and zoning district.

Proposed Conditions:

After review of the application and its accompanying materials, Staff recommends the following conditions of approval:

- 1) Vehicle Storage. Any vehicle awaiting repairs for longer than 12 hours must be stored inside an enclosed space or properly screened from public view;
- 2) Test Drives. Vehicles undergoing repair or maintenance at the property may not be driven through residential districts.
- 3) Indoor Operations. Any vehicle repair or maintenance shall take place indoors.
- 4) Parking. At least four clearly marked parking spaces, plus two additional parking spaces for each service stall, shall be provided at all times (Osseo City Code Chapter 153 Appendix B). No parking or idling of vehicles is allowed outside of clearly marked parking spaces.
- 5) Applicable Provisions. This permit is subject to the requirements of the City's ordinances and the Applicant is required to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, and to obtain such other permits and permissions as may be required. Local and state regulations and ordinances shall include but are not limited to the following:
 - a) No auto wrecking, junk, and salvage shall be stored without a Conditional Use Permit approving this use (Osseo City Code § 153.059);
 - b) Any waste tires must be stored inside an enclosed space or properly screened from public view (Osseo City Code § 153.054) and protected from the elements so as not to provide habitat to rodents or insects (Osseo City Code § 93.18);
 - c) Any trash enclosure must be screened from public view (Osseo City Code § 153.057);
 - d) Modifications to the building shall be in accordance with Osseo City Code and the approved site and building plan on file with the City (Osseo City Code § 153.153);
 - e) Signage relating to the use shall adhere to Osseo City Code § 153.090 - § 153.098;
 - f) If the facility generates any hazardous waste as defined by Hennepin County or the State of Minnesota, the facility shall at all times meet all requirements imposed by Hennepin County or the State of Minnesota;
- 6) Open to Inspection. During any hours at which the business is open, the business shall be open to any State or County official and to any City official or police officer, when accompanied by Applicant, for inspection to determine compliance with the stated conditions of approval.
- 7) Recording Requirement. The City of Osseo will memorialize the conditional use permit by adopting a resolution that the applicant will record in the office of the County Registrar of Titles within 60 days of its adoption by the City.
- 8) No Waiver. Failure by the City to take action with respect to any violation of any condition, covenant, or term of this permit shall not be deemed to be a waiver of such condition, covenant, or term or any subsequent violation of the same or any other condition, covenant, or term.
- 9) Revocation. The violation of any terms or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The Applicant shall be given written notice of any violation and reasonable time, as determined by the City, to cure the violation before a revocation of the permit may occur.
- 10) Binding Effect. This permit and its conditions are binding on the Owner and Applicant, their successors and assigns, and shall run with the Property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership, until the permit is terminated or revoked as provided herein. The obligations of the Applicant under this permit shall also be the obligations of the current and any subsequent owners of the Property.
- 11) Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the permit without qualification, reservation, or exception.

Budget or Other Considerations:

The \$500 application fee covers resourced needed for reviewing CUP applications and determining compliance with approved permits.

City Goals Met By This Action:

- 2) Foster and promote economic development in the City
- 6) Update City policies
- 14) Promote a healthy and high quality standard of living

Options:

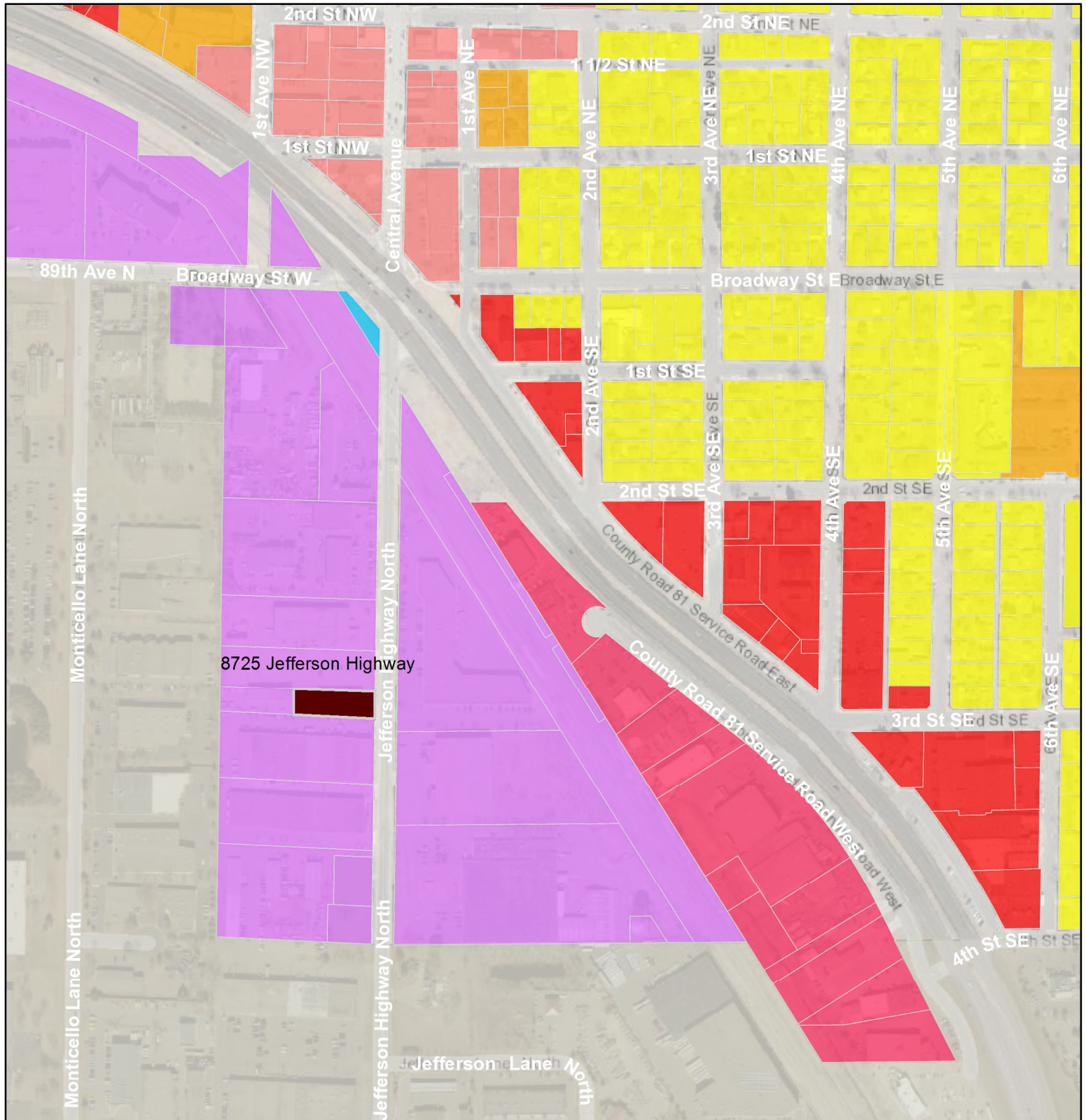
The Planning Commission may ***make the following recommendation*** to City Council:

1. Approve the Conditional Use Permit request with the conditions of approval noted above;
2. Approve of the Conditional Use Permit request with amended conditions of approval/with noted changes;
3. Deny the Conditional Use Permit request; or
4. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the Planning Commission choose option 1.

8725 Jefferson Highway: Auto Body Repair CUP



1 inch = 400 feet



October 27, 2017

Map Powered by DataLink
from WSB & Associates

Zoning Classification

- Central Business District (CBD)
- Highway Commercial District North (C2N)

- Highway Commercial District South (C2S)
- Manufacturing and Industrial District (M)

- One and Two Family Residential District (R-1)
- Multi-Family Residential District (R-2)
- Public Institution District (PI)



Application For:
Conditional Use Permit

415 Central Avenue, Osseo, MN 55369
Phone 763.425.2624
Fax 763.425.1111

Information provided may be considered public data pursuant to data practices law and the City will comply with all applicable laws if the information is subject to a data request.

Property Information:

Site address: 8725 Jefferson Hwy.

Property identification number: 13-119-22-41-0011

Property legal description: Lot: see attached Block: Tract/Addition:

Property type (check one): Abstract: ☒ Torrens: ☐

Description of request: conditional use permit for
auto body repair in zoning district "M"

Reason for request: per Osseo code auto body repair is
a conditional use in zoning district "M".

Applicant Information:

Name: Matthew Fedan Daytime phone: 763-424-2522

Address: 4204 Lakeland Ave N. Email Address: Matthew@American-AutoBody.com
Brooklyn Park, MN 55369


Applicant agrees to reimburse the City of all legal and/or engineering costs incurred by the City, provide 15 copies (11x17) of site plan/drawings/survey for submittal, and pay any additional water and/or sewer assessments that may be due pending a check of City records.

Signature: [Signature] Date: 10/12/17
on behalf of
Matthew Fedan

Property Owner Information:

Name: Matthew Feehan Daytime phone: 763-424-2522

Address: 8725 Jefferson Hwy, Osseo Email Address: Matthew@American-AutoBody.Com

Signature:  Date: 10/12/17
On behalf of Matthew Feehan

The City of Osseo requires that the Property Owner sign and date all land use applications.
Applications will not be accepted unless the Property Owner has signed the application.

.....
For City use only:

Receipt number: _____ Date received: 10/2 (\$500 Application Fee)

Any other fees? SAC on Building Permit Received by: CVSA

Notice to press date: Oct 27 Press publication date: Nov 2

Scheduled Planning Commission date: Nov 20

Scheduled City Council date: Nov 27



City of Osseo
415 Central Avenue, Osseo, MN 55369
Phone 763.425.2624
Fax 763.425.1111

Acknowledgement Of Responsibility

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I further understand that additional fees incurred by the City such as engineering or legal costs will be my responsibility.

I agree to allow access by City personnel to the property for purposes of review of my application and to erect a temporary sign indicating the application proposed.

Information provided may be considered public data pursuant to data practices law and the City will comply with all applicable laws if the information is subject to a data request.

Date

10/12/17

Signature of Applicant

Tim LaCroix Agent for
Matthew Feehan

Name and Address of Applicant
(Please Print)

Matthew Feehan
8208 Lakeland Ave
Brooklyn Park, MN 55304

Phone Number

763-424-2522

Email Address

Matthew@American-Autobody.com

Name and Address of Contact
(If Other Than Applicant)

Timothy LaCroix
11670 Fountains Dr. #200
Maple Grove, MN 55369

Phone Number

763-226-0758

Email Address

tim@lacroixgeffie.com

**CITY OF OSSEO
CONDITIONAL USE PERMIT APPLICATION**

Property Address: 8725 Jefferson Hwy, Osseo, Minnesota 55369
Legal Description: See Attached
PID: 13-119-22-41-0011

Name of Applicant: Matthew Feehan, Owner of American Auto Body of Osseo, Inc.
Address: 8208 Lakeland Ave N, Brooklyn Park MN 55445
Telephone: 763-424-2522
Email: matthew@amercian-autobody.com

Attorney for Applicant: Timothy M. LaCroix, LaCroix & Geffre, PLLC
Address: 11670 Fountains Dr., Suite 200, Maple Grove, MN 55369
Telephone: 763-226-0758
Email: tim@lacroixgeffre.com

Reason for Request of the Conditional Use Permit

Matthew Feehan, owner of American Auto Body of Osseo, Inc. is purchasing the property located at 8725 Jefferson Highway, Osseo, Minnesota for the purpose of operating an auto body repair shop. This property is zoned Manufacturing and Industrial (M). According to Osseo zoning code §153.039, operation of an auto body repair shop is a conditional use within this zone. Therefore, Mr. Feehan requests a Conditional Use Permit for the operation of an auto body repair shop at this location.

James Feehan (Matthew's Father) began American Auto Body in October of 1980 as a full-service auto body repair business. As the legal name of the business indicates, American Auto Body was first located in Osseo – just a few hundred feet south of the property he is purchasing on Jefferson Highway. In 1993, American Auto Body moved its place of business to its current location just east of Osseo at 8208 Lakeland Ave N, Brooklyn Park. Mr. Feehan's effective management and growth of his business has resulted in American Auto Body needing additional space to service vehicles.

Currently, the property located at 8725 Jefferson Highway is used for trucking and trucking repair. The building has four service stalls with overhead garage doors, a large garage work space, and two floors of office space. Mr. Feehan intends to use this new property as an additional site to perform auto body repair and painting. Currently Mr. Feehan intends to use this location only as an axillary location to do the work of repair and painting vehicles and does not intend to invite the public to this location.

Parking

Osseo City Code for a motor service station requires a minimum of 4 parking places, plus 2 for each service stall. Since there are 4 service stalls at this location, a total of 12 parking spaces are

required. As identified in the Site Plan, there are a total of 12 parking spaces located on the property.

Sign Plan

There is an existing illuminated pedestal sign located in front of the building along Jefferson Highway. The sign has signage for the current owner of this property and signage for the business that is owned and operated immediately west of this property. Mr. Feehan intends to remove the current owner's signage lens and install a company logoed lens. The other business owner's sign will be unaltered. There is currently no signage on the building and Mr. Feehan does not intend to add any building signage.

Future Expansion

Mr. Feehan does not intend to expand the existing building in any manner at this time. A condition of Mr. Feehan's purchase of this building is that the Seller is responsible for removing an in-ground storage tank. Once this work is complete, Mr. Feehan intends to resurface the existing parking lot.

Sewer Availably Charge (SAC) Determination

Mr. Feehan has applied to the Metropolitan Council for SAC Determination. However, this determination has not yet been received. Mr. Feehan expects this determination prior to the Planning Commission meeting scheduled for November 20, 2017.

Property Survey

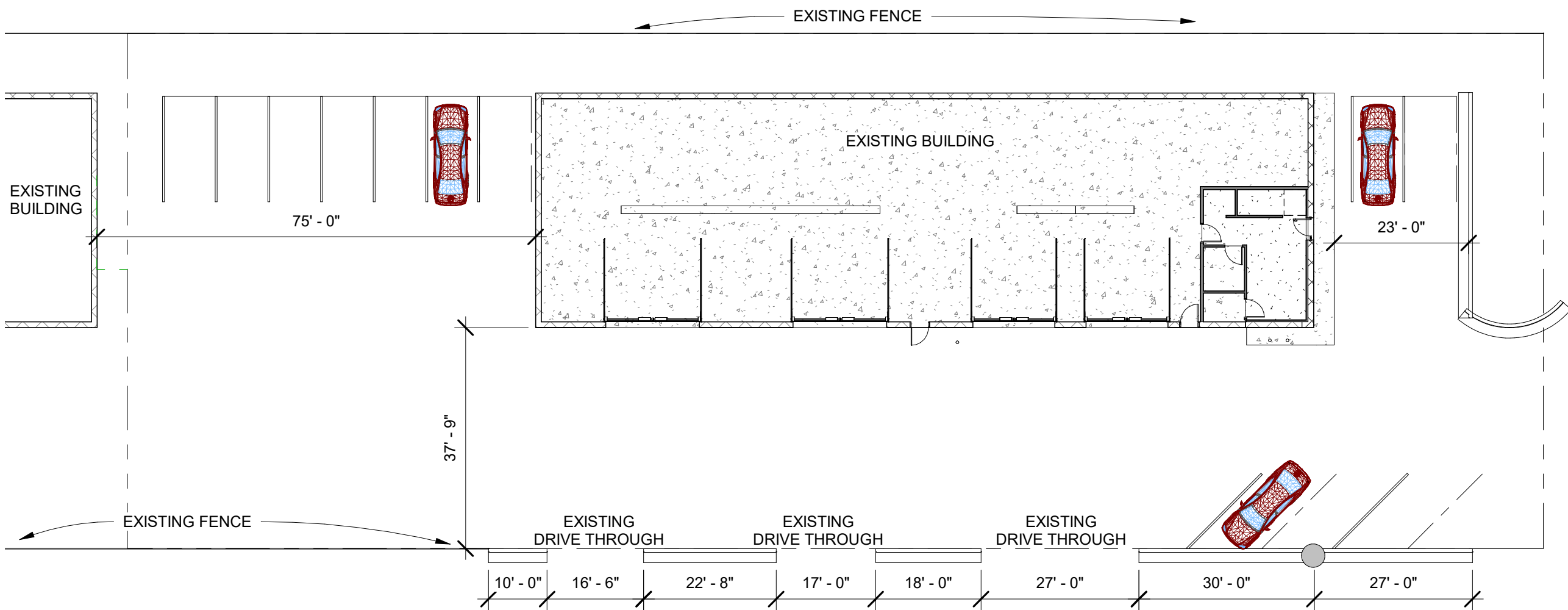
Mr. Feehan has an ALTA survey in process. It is expected within a week or two of this application. Mr. Feehan expects the ALTA survey well in advance of the Planning Commission meeting schedule for November 20, 2017.

Site Plan and Building Plan

Included in this application is a Site Plan and Building Plan for this property. The site plan identifies the building location on the property, driveways, parking spaces, and orientation of the property to neighboring property owners and roadway. The Building Plan identifies the structure as a two-story building. The front portion of the building consists of two floors of office space and the back portion of the building is a large garage area with 4 service stalls.



1 Site
1" = 20'-0"



3 Site-Parking
1" = 20'-0"

ADDRESS:
8725 Jefferson Hwy N
Maple Grove MN 55369

PROPERTY ID:
10-13-119-22-41-0011

AREA: .44 Acres
19,228 Sq. Ft.



2 3D View 4

REVISIONS	date



InSpire Architects
465 148th Avenue NE
Ham Lake MN 55304
763-807-1044
Jeff@ArchitectMN.com

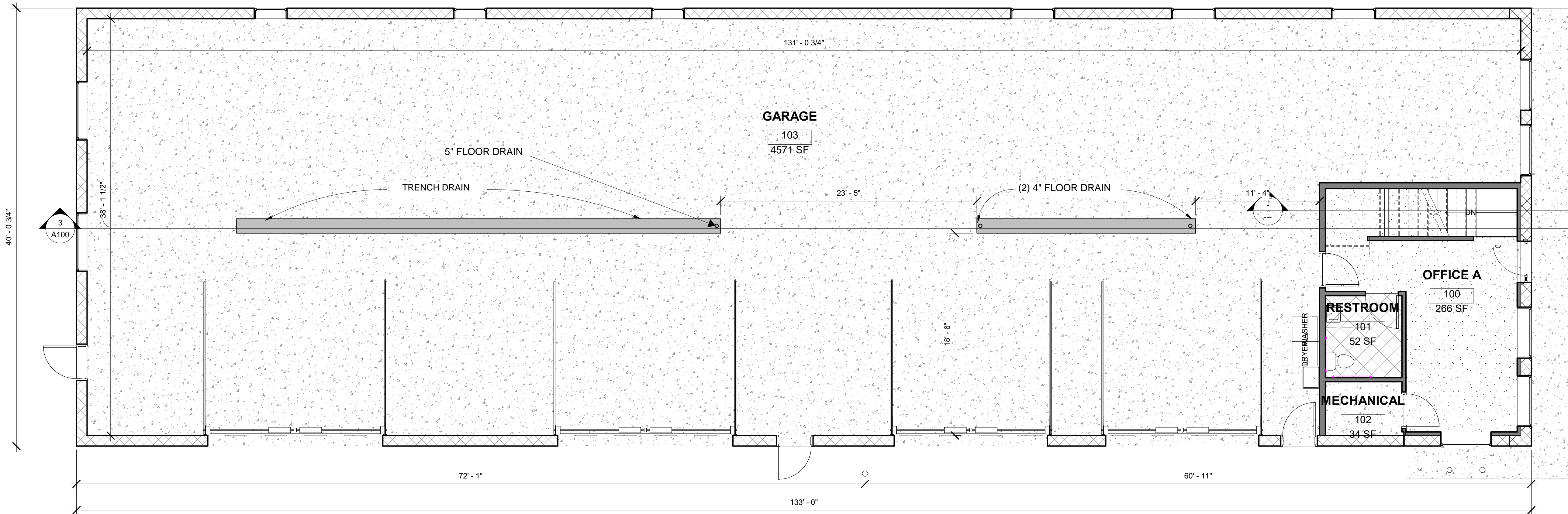
The information
contained herein may
not be used or copied in
any manner without the
written permission of
InSpire Architects.

I hereby certify that this
plan, specification,
or report was prepared
by me or under my
direct supervision and
that I am a duly
Licensed Architect
under the laws of
the State of Minnesota
Print Name: Jeffrey
Hafferman AIA NCARB
Signature:
Jeffrey R. Hafferman
10/12/2017 2:30:10
License # 44333

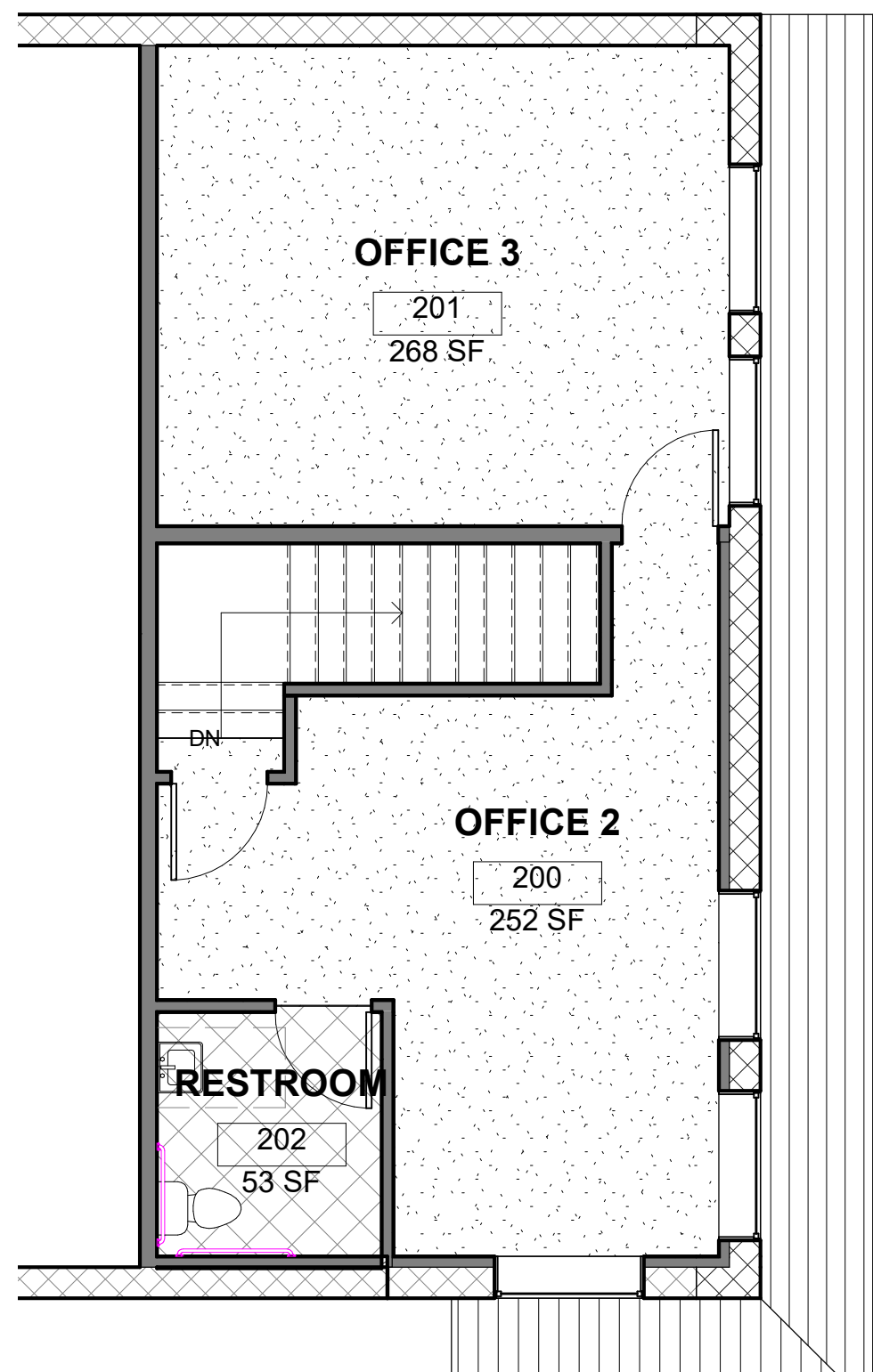
Sheet Title: Plans and Information
Project Name: American Auto Body
8725 Jefferson Hwy. N
Maple Grove MN 55369

Project number	2017-57
Date	09/27/2017
Drawn by	BF
Checked by	JH
Construction Documents	

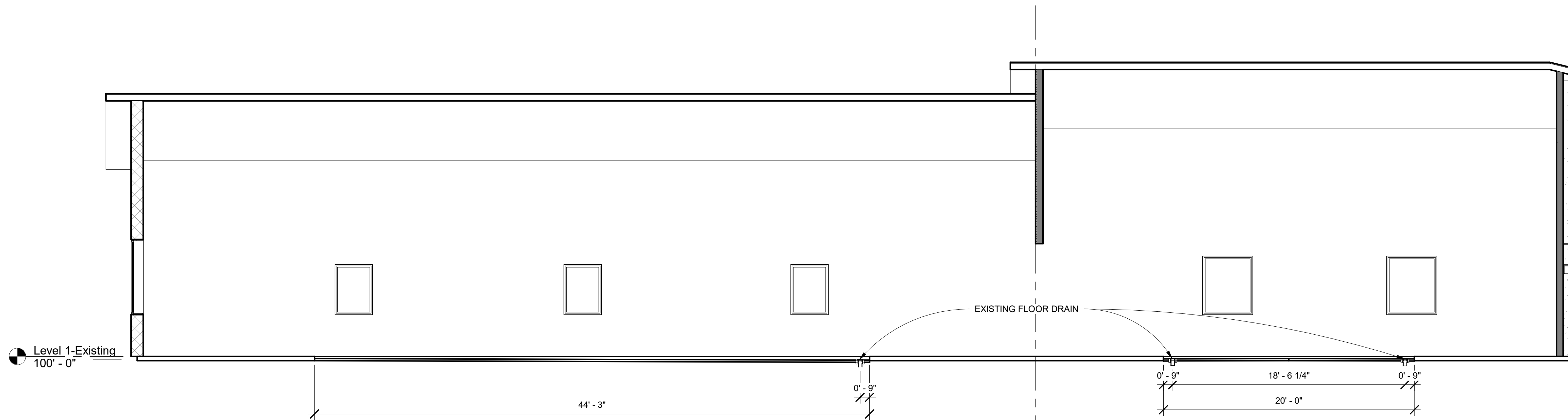
A000



1 Level 1-Existing
3/16" = 1'-0"



2 Level 2-Existing
3/16" = 1'-0"



3 Section 3
3/16" = 1'-0"

REVISIONS	date



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465 148th Avenue NE
Ham Lake MN 55304
763-807-1044
Jeff@ArchitectMN.com

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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota
Print Name: Jeffrey Hafferman AIA NCARB
Signature: *Jeffrey R. Hafferman*
10/12/2017 2:30:11 PM
License # 44333

Plans	Sheet Title:	Project Name:
American Auto Body	8725 Jefferson Hwy. N	Maple Grove MN 55369

2017-57	Project number
	Date
Author	Drawn by
Checker	Checked by
Construction Documents	

A100

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SIGN PLAN
American Auto Body
8725 Jefferson Highway, Osseo

Existing Illuminated Pedestal Signage



There is an existing illuminated pedestal sign located in front of the building along Jefferson Highway. The sign has signage for the current owner of this property and signage for the business that is owned and operated immediately west of this property. Mr. Feehan intends to remove the current owner's signage lens and install a company logoed lens. The other business owner's sign will be unaltered. There is currently no signage on the building and Mr. Feehan does not intend to add any building signage.

LEGEND

- [Symbol] = CATCH BASIN
- [Symbol] = FIRE HYDRANT
- [Symbol] = POWER POLE
- [Symbol] = MANHOLE
- [Symbol] = TELEPHONE PED.
- [Symbol] = ELEC. TRANSFORMER
- [Symbol] = MONITOR WELL
- [Symbol] = GATE VALVE
- [Symbol] = AIR CONDITIONER UNIT
- [Symbol] = GAS METER
- [Symbol] = FENCE LINE
- [Symbol] = SANITARY SEWER LINE
- [Symbol] = WATER LINE
- [Symbol] = GAS LINE
- [Symbol] = STORM DRAIN LINE
- [Symbol] = OVERHEAD UTILITY LINE
- [Symbol] = CONCRETE SURFACE

ALTA/NSPS LAND TITLE SURVEY

LEGAL DESCRIPTION:

That part of the East 275 feet of the SE 1/4 of Section 13, Township 119, Range 22, Hennepin County, Minnesota, lying South of the North 1220 feet of said Section and North of the North line of Registered Land Survey No. 862, Hennepin County, Minnesota; the East 275 feet of said Section is measured by a line parallel with the East line thereof, and the North 1220 feet is measured by a line parallel with the East and West 1/4 line thereof.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, set, unless otherwise noted.

NOTES AND LIMITATIONS:

- The zoning information for the subject site lies within Zone M, Manufacturing and Industrial District, as per an email supplied to us from our client.
- The Flood Zone designation for the subject site is Zone X, as per Flood Panel No. 27053C0182F, Dated November 4, 2016.
- The gross land area for the subject site is
- Note that this survey is a Land Title Survey and is NOT intended to be used for anything but a Land Title Survey.
- Note that we show unrecorded driveway and roadway easements on this survey. These easements were drafted to address a problem with the previous description of Doc. No. 3011082. It is our understanding that Doc. No. 3011082 will be extinguished and the unrecorded easements as shown on this survey will be filed to replace said document. For this survey we have removed all references to Doc. No. 3011082 based on this information which has been supplied to us from our client.

CERTIFICATION:

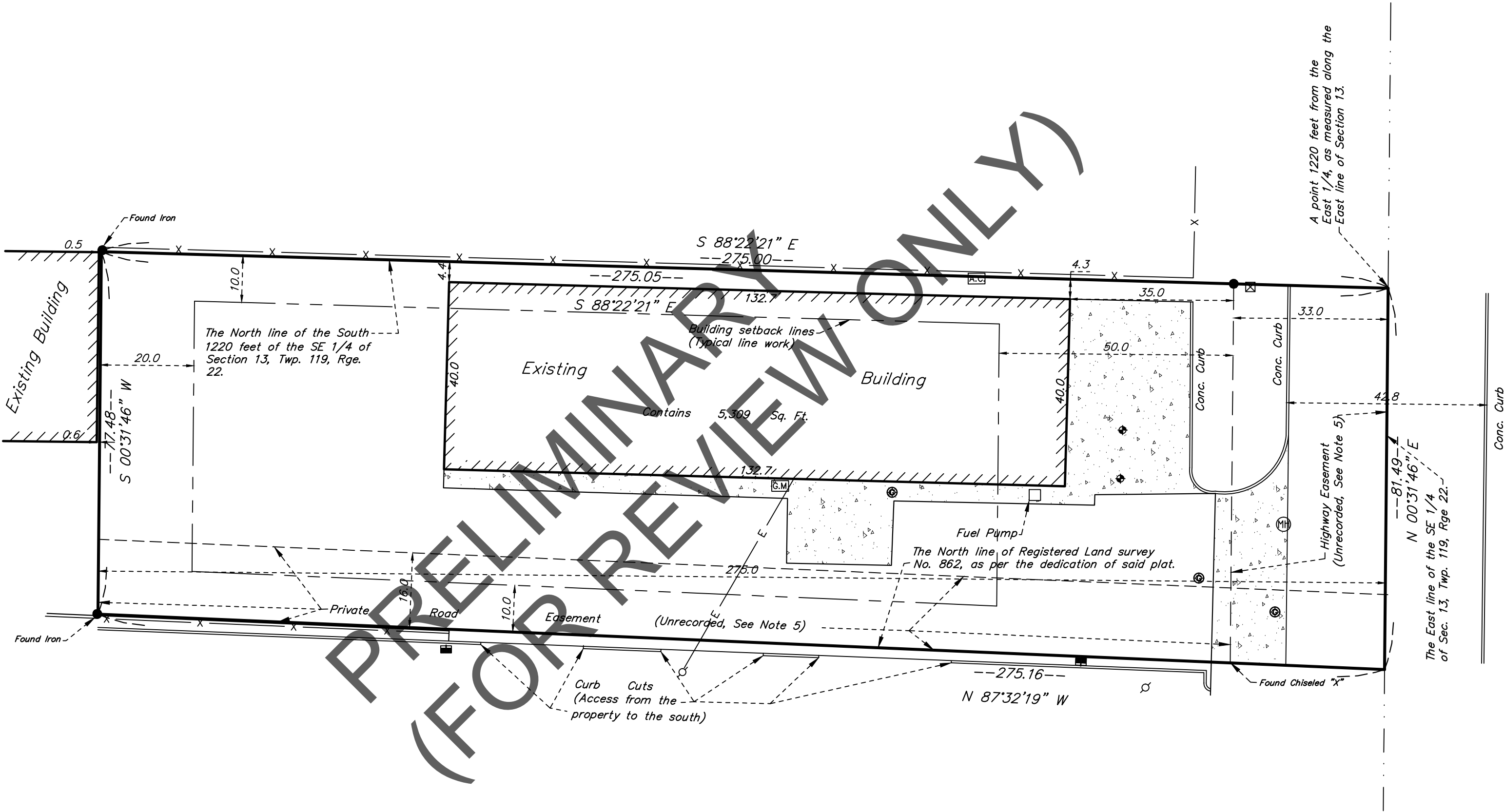
To: xxxxxxxxxxxxxxxxxxxxxx

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a) (b), 7(a), 7(b)(1), 8, and 9 of Table A thereof. The fieldwork was completed on: October 9, 2017.

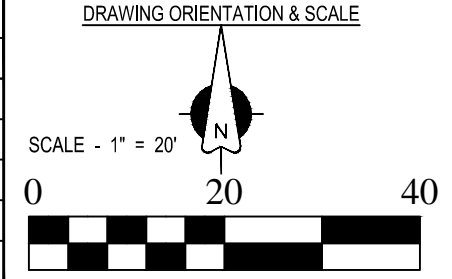
xxxxxxxxxxxxxxxxxxx, Thomas M. Bloom P.S. No. 42379 - tom@advsur.com

SCHEDULE B - SECTION II EXCEPTIONS AS PER TITLE COMMITMENT FILE NO. 176523:

- Item 9 - Easement for highway purposes as per Doc. No. 3011082 - To be extinguished, not shown on the survey. - Please see Note 5 on the survey about said easement problems.
- Item 10 - Private Road Easement as per Doc. No. 3011082 - To be extinguished, not shown on the survey. - Please see Note 5 on the survey about said easement problems.



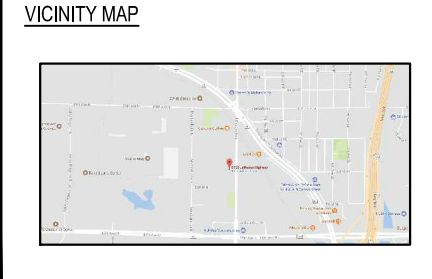
DATE	REVISION DESCRIPTION



SITE ADDRESS
8725 JEFFERSON HIGHWAY
OSSEO, MN

Advance
Surveying & Engineering, Co.

17917 Highway 7
Minnetonka, Minnesota 55345
Phone (952) 474-7964
Web: www.advsur.com



DATE SURVEYED: OCTOBER 9, 2017
DATE DRAFTED: DATE

SHEET TITLE
ALTA/NSPS LAND TITLE SURVEY
DRAWING NUMBER
171077 TB

SHEET SIZE
17 X 22
SHEET NO.
S1

SHEET 1 OF 1



City of Osseo

415 Central Avenue
Osseo, MN 55369-1195

P 763.425.2624 F 763.425.1111

www.DiscoverOsseo.com

NOTICE

Planning Commission Public Hearing

You are receiving this public hearing notice because your home, business, or property is located within 500 feet of a site proposed for development.

APPLICANT:	Matthew Feehan, owner of American Auto Body
REQUEST:	Conditional Use Permit for an auto body repair business
LOCATION:	8725 Jefferson Highway
TIME OF HEARING:	Monday, November 20, 2017 at 6:00 p.m. – City Hall Council Chambers
HOW TO PARTICIPATE:	<ol style="list-style-type: none">1) You may attend the hearing and state your comments;2) You may send a letter before the hearing to the City of Osseo, Planning Department, 415 Central Avenue, Osseo, MN 55369 or fax to 763-425-1111; or3) You may send an email to nabts@ci.osseo.mn.us

If you want your comments to be made part of the public record, your letter, email, or fax must state your first and last name and your address. Thank you in advance for your cooperation.

ANY QUESTIONS: Please contact City Planner Nancy Abts at 763-425-1454 with the following information:

Project Name: American Auto Body Conditional Use Permit

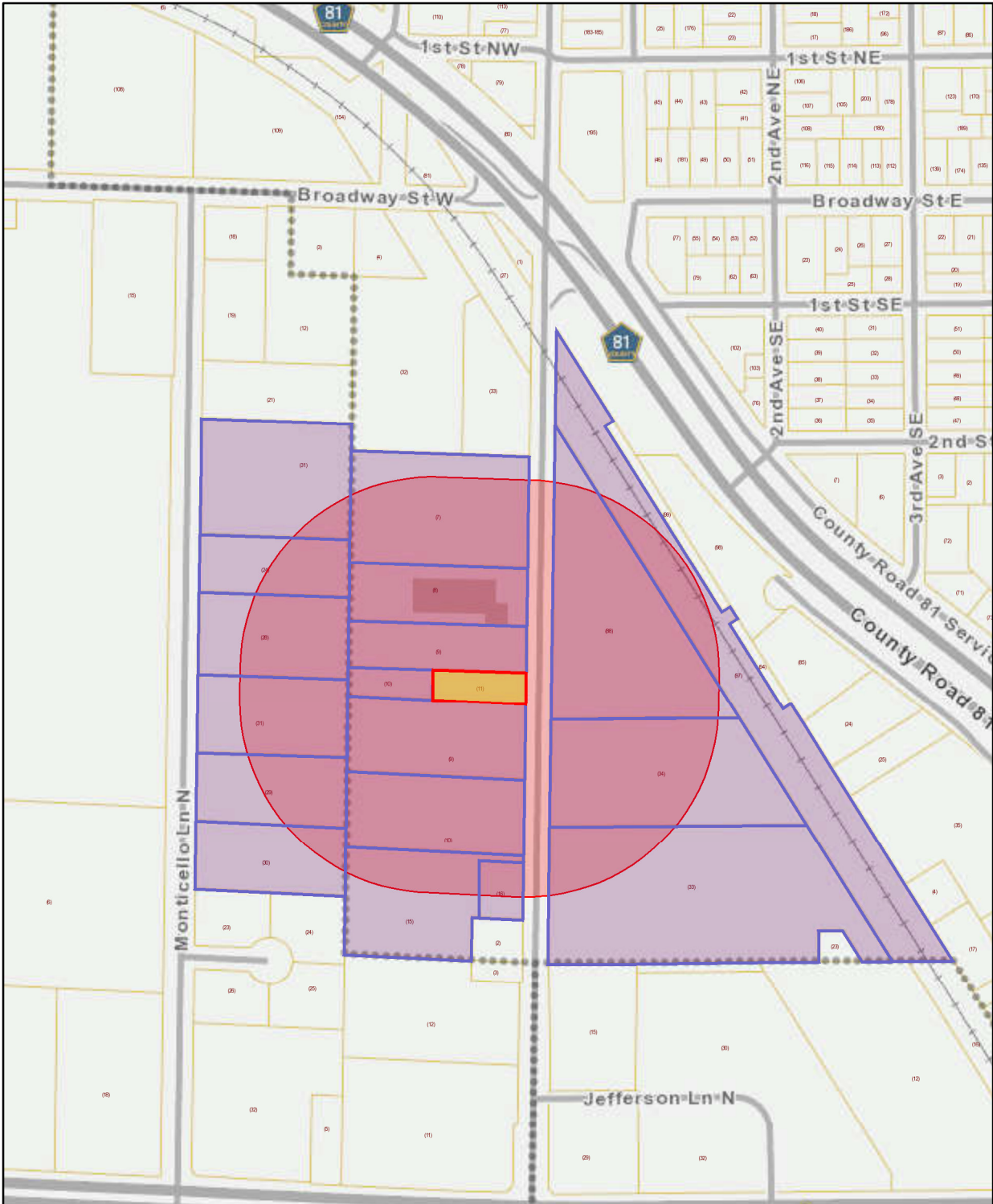
You may visit City Hall (415 Central Avenue) during business hours to discuss the proposal, or visit our website after November 16, 2017 at <http://www.discoverosseo.com/departments/planning-commission/>

Publication Date: The Press (November 2, 2017)



Hennepin County Locate & Notify Map

Date: 10/27/2017



Buffer Size: 500 feet

Map Comments:

0 120 240 480 ft

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

For more information, contact Hennepin County GIS Office
300 6th Street South, Minneapolis, MN 55487 / gis.info@hennepin.us

SCHANY FAMILY LTD PTNRSHIP
22140 OAKDALE DR
ROGERS MN 55374

RALPH HEGMAN LLC
1776 CYPRESS LANE
VERO BEACH FL 32963

METROPOLITAN MOSQUITO
CONTROL DISTRICT
2099 UNIVERSITY AVE W
ST PAUL MN 55104

K&A PROPERTIES LLC
8630 MONTICELLO LA N
MAPLE GROVE MN 55369-4534

AL BOSTON
C/O A & K EQUIPMENT CO INC
8630 MONTICELLO LA N
MAPLE GROVE MN 55369-4534

SUPERIOR TOOL INC
8700 MONTICELLO LA N
MAPLE GROVE MN 55369

S & A PARTNERS LLC
500 BUNKER LAKE BLVD NW
ANOKA MN 55303

COUNTY OF HENNEPIN
ATTN: REAL ESTATE MANAGER
701 4TH AVE S SUITE 400
MINNEAPOLIS MN 55415

SPOTLESS REALTY LLC
8715 JEFFERSON HWY N
OSSEO MN 55369

KZ LLC
6939 135TH AVE NE
COLUMBUS MN 55025

WILEY ENTERPRISES INC
315 1ST AVE N E
OSSEO MN 55369

JEFFERSON PROPERTIES INC
110 1ST AVE N E #F505
MINNEAPOLIS MN 55413

ST PAUL LUTHERAN CHURCH
714 E BROADWAY
OSSEO MN 55369

B N & SANTA FE RR CO
PROPERTY TAX DEPT
PO BOX 961089
FORT WORTH TX 76161

WILEY PROPERTIES LLC
315 1ST AVE N E
OSSEO MN 55369

BENNIS INVESTMENT PROP LLP
26300 HICKORY BLVD #202
BONITA SPRING FL 34134

MIJON MINNEAPOLIS L C
17854 CHESTERFIELD ARPT RD
CHESTERFIELD MO 63005

Date of Determination: 11/01/17

Determination Expiration: 11/01/19

Greetings!

Please see the determination below.

Project Name: American Auto Body
Project Address: 8725 Jefferson Highway North
Suite #/Campus: na
City Name: Osseo
Applicant: Timothy LaCroix, Law Offices of LaCroix & Geffre, PLLC

Special Notes: na

Charge Calculation:

Office: 727 sq. ft. @ 2400 sq. ft. / SAC = 0.30
Parking Garage: 21.41 fixture units @ 17 fixture units / SAC = 1.26
Service Bays: 4 bays @ 14 bays / SAC = 0.29

Total Charge: 1.85

Credit Calculation:

Zimmerman Brothers Inc. (SAC 10/08) = 0.43
Retail (Grandparent 1939) 2710 sq. ft. x 80% usable space @ 3000 sq. ft. / SAC = 0.72

Total Credit: 1.15

Net SAC: 0.70 – or – **1 SAC Due**

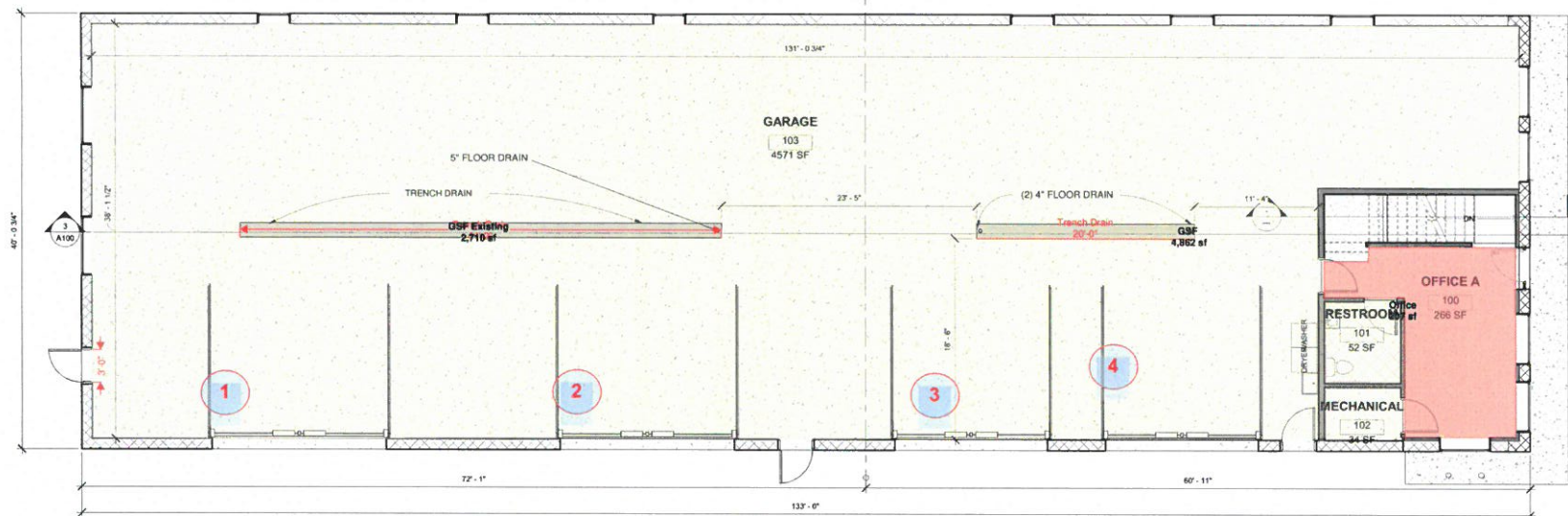
The business information was provided to MCES by the applicant at this time. It is the City's responsibility to substantiate the business use and size at the time of the final inspection. If there is a change in use or size, a redetermination will need to be made. If you have any questions email me at: cory.mccullough@metc.state.mn.us

Thank you,

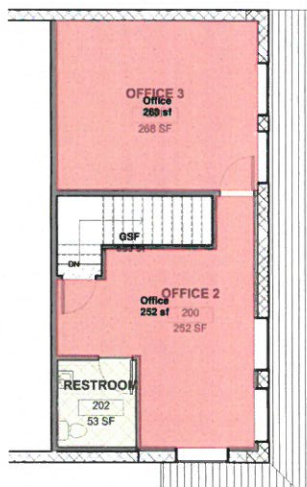
Cory McCullough

SAC Technician

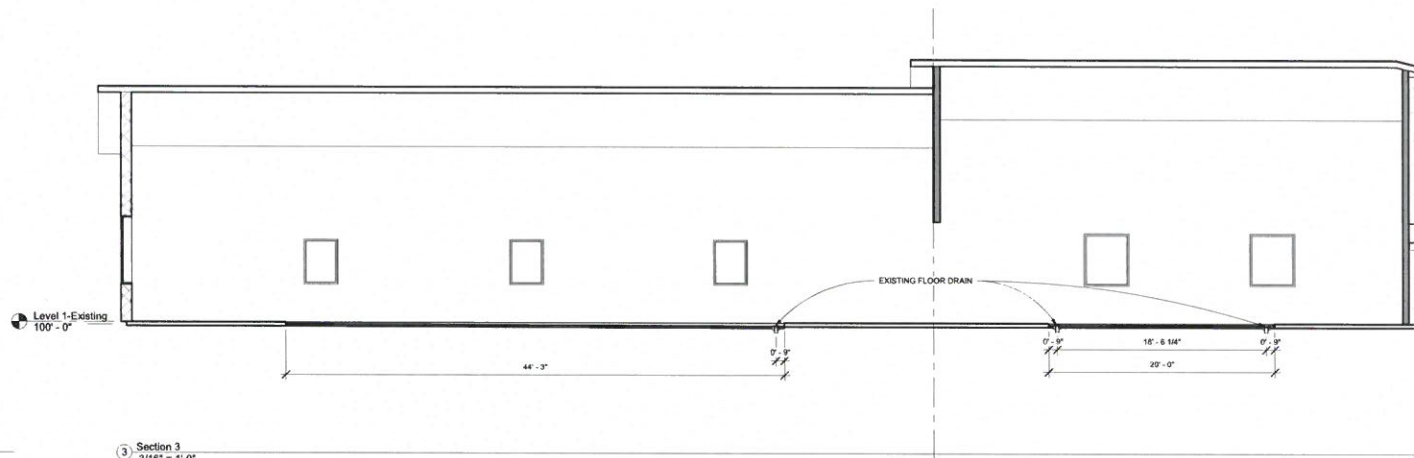
Please visit our SAC website by going to: <http://www.metrocouncil.org/SACprogram>



1 Level 1-Existing
3/16" = 1'-0"



2 Level 2-Existing
3/16" = 1'-0"



3 Section 3
3/16" = 1'-0"

REVISIONS	DATE



InSpire Architects
465 148th Avenue NE
Ham Lake MN 55304
763-807-1044
Jeff@ArchitectMN.com

The information contained herein may not be used or copied in any manner without the written permission of InSpire Architects.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.
Print Name: Jeffrey Hafferman AIA NCARB
Signature: *Jeffrey Hafferman*
10/12/2017 2:30:11 PM
Dense # 44333

10/12/2017 2:30:11 PM
Dense # 44333

Sheet Title: Plans

Project Name: American Auto Body
8725 Jefferson Hwy. N
Maple Grove MN 55369

Project number: 2017-57
Date:
Drawn by: Author
Checked by: Checker
Construction Documents

A100

Resolution No. 2017-XX

**RESOLUTION GRANTING REQUEST FOR A CONDITIONAL USE PERMIT
TO ALLOW FOR THE STORAGE AND REPAIR OF VEHICLES
AT 8725 JEFFERSON HIGHWAY**

WHEREAS Matthew Feehan has made application for a conditional use permit to allow for the storage and repair of vehicles at 8725 Jefferson Highway (Property Identification Number 13-119-22-41-0011) and as legally described in attached Exhibit A made part hereof by this reference; and

WHEREAS, the applicant's property is zoned M (Manufacturing and Industrial), which is intended to provide land in proximity to major thoroughfares for the development of certain manufacturing and industrial activities that will strengthen the local employment opportunity and tax base in the city; and

WHEREAS, Section 153.039 (C) (1) of the City Code of Ordinances indicates that this use is conditional use § 153.038 (A) (3) (c); and

WHEREAS, the City has determined the proposed use may be allowed as a conditionally permitted use; and

WHEREAS, in making a determination whether or not to allow a conditional use, the City may consider whether the conditional use will be injurious to the use and enjoyment of other property in the immediate vicinity, or substantially diminish and impair property values in the neighborhood; whether the conditional use will impede the normal and orderly development and improvement of surrounding property; whether adequate utilities, access roads, drainage, and necessary facilities have been provided; whether adequate measures have been or will be taken to provide access to minimize traffic congestion, and whether the use conforms to applicable regulations of the district in which it is located, and all other or further factors as the City shall deem appropriate for consideration in determining the effect of the use on the general welfare, public health, and safety; and

WHEREAS, a public hearing was held on November 20, 2017, at a regular meeting of the Osseo Planning Commission and all interested persons were invited to speak and were heard by the Planning Commission; and

WHEREAS, notice of said public hearing was published in the official newspaper, surrounding property owners were notified, and notice was posted at City Hall; and

WHEREAS, based on a review of the application and input from the public hearing, the Planning Commission recommended approval of the requested conditional use permit at its November 20, 2017, regular meeting by a **X-X** vote; and

WHEREAS, the City Council considered the application and Planning Commission recommendation on November 27, 2017;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Osseo, Hennepin County, Minnesota, that the following determinations are made:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare, because it will comply with health and safety regulations imposed by federal, state, and local authorities and is generally consistent with other uses in the M district;
2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood, because it is generally consistent with other uses in the M district;
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district, because it is generally consistent with other uses in the M district and does not conflict with the city's Comprehensive Plan;
4. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided, because the use will not require new construction and will take place in existing buildings;

5. Adequate measures have been taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

BE IT FURTHER RESOLVED a conditional use permit to allow for the storage and repair of vehicles at 8725 Jefferson Highway is hereby granted and approved subject to the following conditions:

- 1) Vehicle Storage. Any vehicle awaiting repairs for longer than 12 hours must be stored inside an enclosed space or properly screened from public view;
- 2) Test Drives. Vehicles undergoing repair or maintenance at the property may not be driven through residential districts.
- 3) Indoor Operations. Any vehicle repair or maintenance shall take place indoors.
- 4) Parking. At least four clearly marked parking spaces, plus two additional parking spaces for each service stall, shall be provided at all times (Osseo City Code Chapter 153 Appendix B). No parking or idling of vehicles is allowed outside of clearly marked parking spaces.
- 5) Applicable Provisions. This permit is subject to the requirements of the City's ordinances and the Applicant is required to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, and to obtain such other permits and permissions as may be required. Local and state regulations and ordinances shall include but are not limited to the following:
 - a) No auto wrecking, junk, and salvage shall be stored without a Conditional Use Permit approving this use (Osseo City Code § 153.059);
 - b) Any waste tires must be stored inside an enclosed space or properly screened from public view (Osseo City Code § 153.054) and protected from the elements so as not to provide habitat to rodents or insects (Osseo City Code § 93.18);
 - c) Any trash enclosure must be screened from public view (Osseo City Code § 153.057);
 - d) Modifications to the building shall be in accordance with Osseo City Code and the approved site and building plan on file with the City (Osseo City Code § 153.153);
 - e) Signage relating to the use shall adhere to Osseo City Code § 153.090 - § 153.098;
 - f) If the facility generates any hazardous waste as defined by Hennepin County or the State of Minnesota, the facility shall at all times meet all requirements imposed by Hennepin County or the State of Minnesota;
- 6) Open to Inspection. During any hours at which the business is open, the business shall be open to any State or County official and to any City official or police officer, when accompanied by Applicant, for inspection to determine compliance with the stated conditions of approval.
- 7) Recording Requirement. The City of Osseo will memorialize the conditional use permit by adopting a resolution that the applicant will record in the office of the County Registrar of Titles within 60 days of its adoption by the City.
- 8) No Waiver. Failure by the City to take action with respect to any violation of any condition, covenant, or term of this permit shall not be deemed to be a waiver of such condition, covenant, or term or any subsequent violation of the same or any other condition, covenant, or term.
- 9) Revocation. The violation of any terms or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The Applicant shall be given written notice of any violation and reasonable time, as determined by the City, to cure the violation before a revocation of the permit may occur.
- 10) Binding Effect. This permit and its conditions are binding on the Owner and Applicant, their successors and assigns, and shall run with the Property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership, until the permit is terminated or revoked as provided herein. The obligations of the Applicant under this permit shall also be the obligations of the current and any subsequent owners of the Property.
- 11) Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the permit without qualification, reservation, or exception.

Adopted by the Osseo City Council this 27th day of November 2017.

The motion for the adoption of the foregoing resolution was made by Councilmember _____, seconded by Councilmember _____, and upon vote being duly taken thereon, the following voted in favor thereof: Councilmembers _____,

and the following voted against the same: _____,

and the following was absent: _____,

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF OSSEO)

We, the undersigned, being the duly qualified Mayor and Clerk of the City of Osseo, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 2017-XX is a true and correct copy of the Resolution as adopted by the City Council the 23rd day of May 2016.

Duane E. Poppe, Mayor

LeAnn Larson, City Clerk

EXHIBIT 'A'

That part of the East 275 feet of the SE $\frac{1}{4}$ of Section 13, Township 119, Range 22, Hennepin County, Minnesota, lying South of the North 1220 feet of said Section and North of the North line of Registered Land Survey No. 862, Hennepin County, Minnesota; the East 275 feet of said Section is measured by a line parallel with the East line thereof, and the North 1220 feet is measured by a line parallel with the East and West $\frac{1}{4}$ line thereof.



Osseo Planning Commission Meeting Item

Agenda Item:	Comprehensive Plan Update
Meeting Date:	November 11, 2017
Prepared by:	Nancy Abts, City Planner
Attachments:	Link to the complete Draft Plan Comprehensive Plan Update Executive Summary presentation

Policy Consideration:

The Planning Commission should hold a public hearing on the city's 2040 Comprehensive Plan and consider recommending the City Council adopt the plan.

Background:

Each community in the 7-county Metro region must update its Comprehensive Plan every 10 years. Osseo is on track complete its update by early 2018 to meet the Met Council's deadlines. These deadlines are required for grant funding the city has received.

As the name suggests, the Comprehensive Plan addresses many topics. The Plan guides future development and helps the community get from 'where we are' to 'where we want to be'. The plan covers topics including:

- Land use
- Redevelopment
- Housing quality
- Park and recreation systems
- Community facilities
- Commercial and economic development
- Community infrastructure systems
- Surface water management, and
- Transit and transportation.

The Comprehensive Plan serves as the framework for many city policies. This includes the city's including zoning and land use as well as other priorities.

This update to the plan also highlights components that influence public health. These parts of the plan were funded through a grant from the Minnesota Department of Health, administered through Active Living Hennepin County.

Previous Action or Discussion:

The Comprehensive Plan steering committee, including Planning Commission member Michael Olkives, has met regularly throughout 2017 to help develop the draft plan. The committee reviewed the plan in October.

Budget or Other Considerations:

Costs associated with the Comprehensive Plan update have been budgeted for through grants from the Metropolitan Council and Active Living Hennepin County, as well as the city's General Fund.

City Goals Met By This Action:

- 4) Improve the City's aging and deteriorating infrastructure
- 10) Develop and implement the Comprehensive Plan Update
- 12) Increase communication with citizens and encourage citizen engagement
- 16) Plan and provide for safe and quality housing options
- 17) Adapt to changing demographics of the community

Options:

Staff recommends the Planning Commission hold a Public Hearing on the proposed Comprehensive Plan Update.

Following the Public Hearing, the Planning Commission may ***make the following recommendation*** to City Council:

- 1. Approve the Comprehensive Plan Update as presented;
- 2. Approve the Comprehensive Plan Update with noted changes;
- 3. Deny the Comprehensive Plan Update; or
- 4. Table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the Planning Commission choose option 1.

Next Steps:

The Comprehensive Plan will undergo review by the City Council, as well as 6 months of review by adjacent communities and affected jurisdictions, before it can be formally adopted by the City.

The Draft 2040 Comprehensive Plan Update is too large to be included in this packet. You can download the document from www.discoverosseo.com/comp-plan or by using the following link:

[http://www.discoverosseo.com/files/5715/1086/8145/Osseo Comprehensive Plan revisions DRAFT4.pdf](http://www.discoverosseo.com/files/5715/1086/8145/Osseo%20Comprehensive%20Plan%20revisions%20DRAFT4.pdf)



Comprehensive Plan Update

Executive Summary

Vision:

Osseo is an accommodating, business friendly and connected city that promotes community vitality and housing diversity while supporting the safety and well-being of all who live, work, and visit here.

**Six Vision
Themes:**

Accommodating

**Community
Vitality**

**Business
Friendly**

**Safety and
Wellbeing**

**Housing
Diversity**

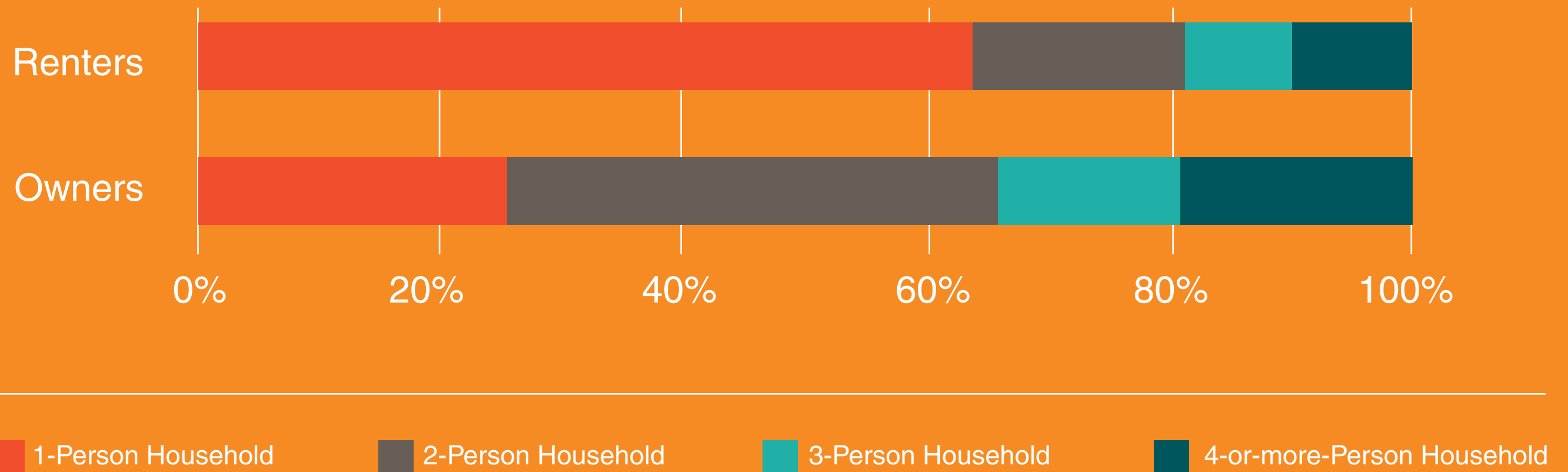
Connected

Accommodating

Osseo strives for spaces, places, and services that cater to people of all stages of life.

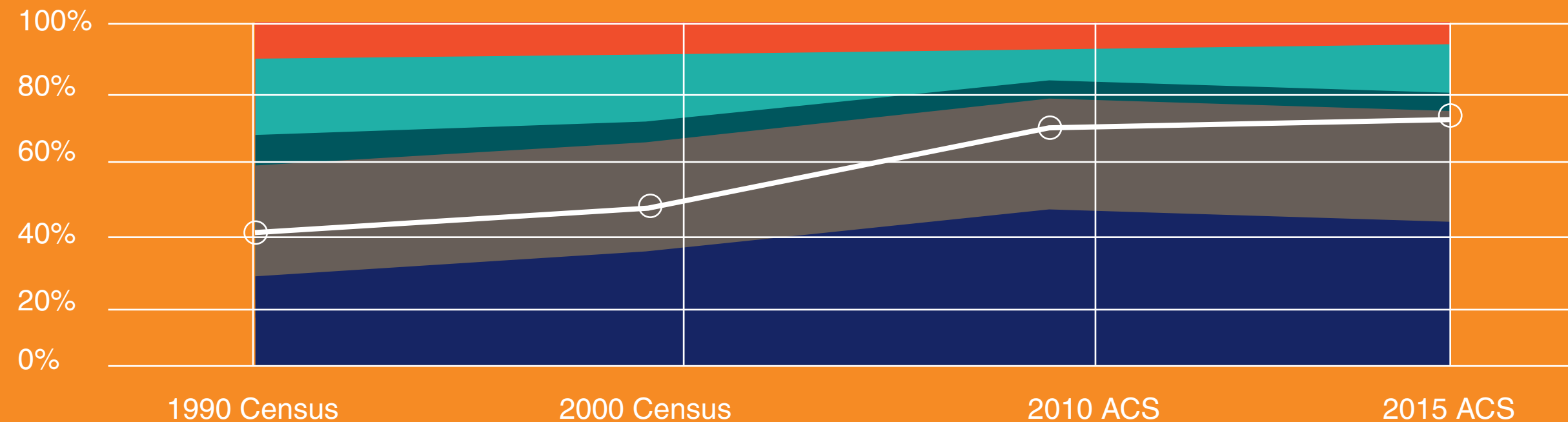
Osseo is experiencing regional trends at the local level.

Smaller households make up an increasing share of the population.



Osseo is experiencing regional trends at the local level.

Over time, the share of family households has shrunk.



Osseo is a community that is expected to grow and add new households over the next 25 years.

Source	Year	Population	Households
Census	1990	2,704	995
Census	2000	2,434	1,035
Census	2010	2,430	1,128
Met Council est.	2016	2,717	1,284
Met Council Forecasts	2020	2,730	1,300
	2030	2,940	1,400
	2040	3,170	1,500

Community Vitality

Osseo Continues to be a lively community that attracts visitors and new residents and families.

An “urban”
community in
a suburban
environment, with
small town values.



Community Vitality strategies

- Create a downtown area that provides a healthy and compatible mix of uses
- Attract new residents and younger households to the community by focusing on maintaining the quality of the existing housing stock
- Consider the redesign of downtown edge streets as “complete streets” with green amenities
- Promote and support including all-ages-and-abilities design and facilities in the community’s parks, open spaces, and plazas

Business Friendly

Osseo encourages businesses to locate and flourish in the city.

A community with
a strong downtown,
building on nostalgia.



BUSINESS-FRIENDLY STRATEGIES

- Support investments in community gateways that seek to present a strong image and identity for Osseo.
- Evaluate solutions to enhance access to Broadway Street West and the businesses located along it.
- Encourage redevelopment that brings more residents and activity to downtown.
- Encourage connectivity between commercial business districts and residential areas to encourage walkability and business patronage.

Safety and Wellbeing

Osseo is a safe and healthy community for all families and individuals who live, work, and visit here.

Osseo is a community that embraces all aspects of health and wellbeing.



Access to
healthy food



Physical activity/
Active living



Community
safety



Social health
and equity



Healthy natural
and built
environment





Health and Safety Strategies

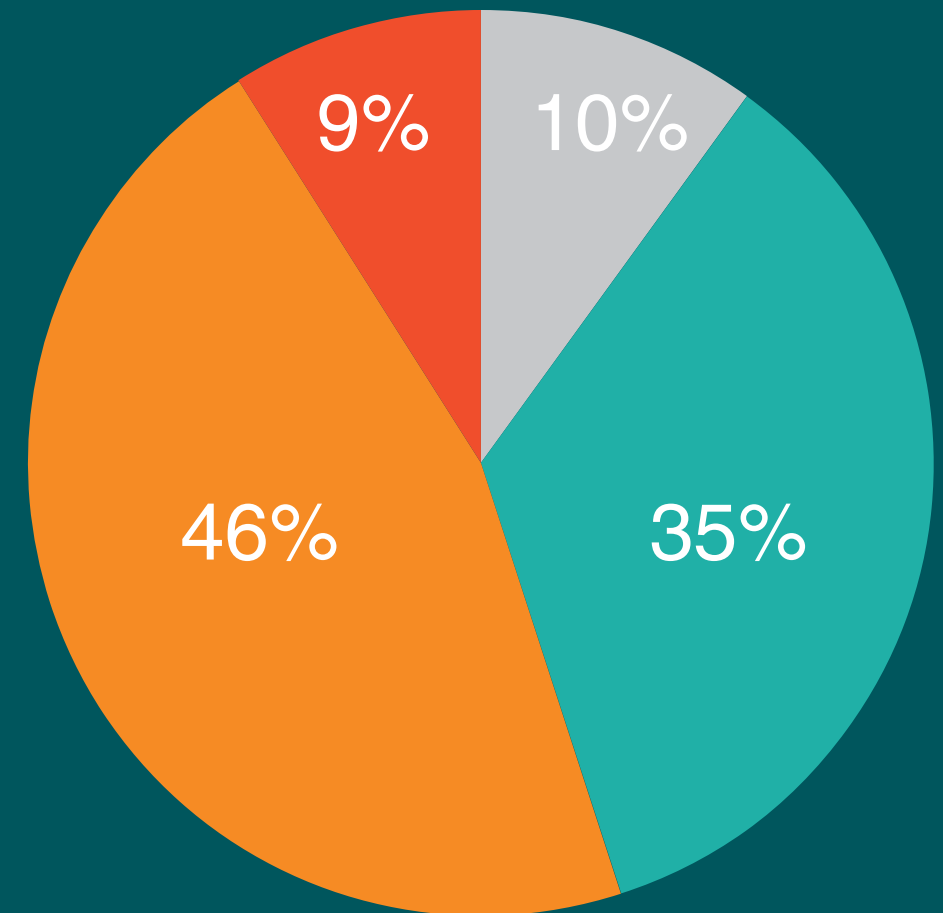
- Utilize innovative storm water retention techniques
- Provide streetscaping elements that enhance bicyclist and pedestrian activity
- Complete gaps in City trail and sidewalk systems
- Refrain from practices and policies that negatively affect pollinators
- Promote and support including all-ages-and-abilities design
- Maintain and expand Public Safety Departments and facilities (Police and Fire) as needed to improve public safety.
- Promote the development of a wide range of new housing types

Housing Diversity

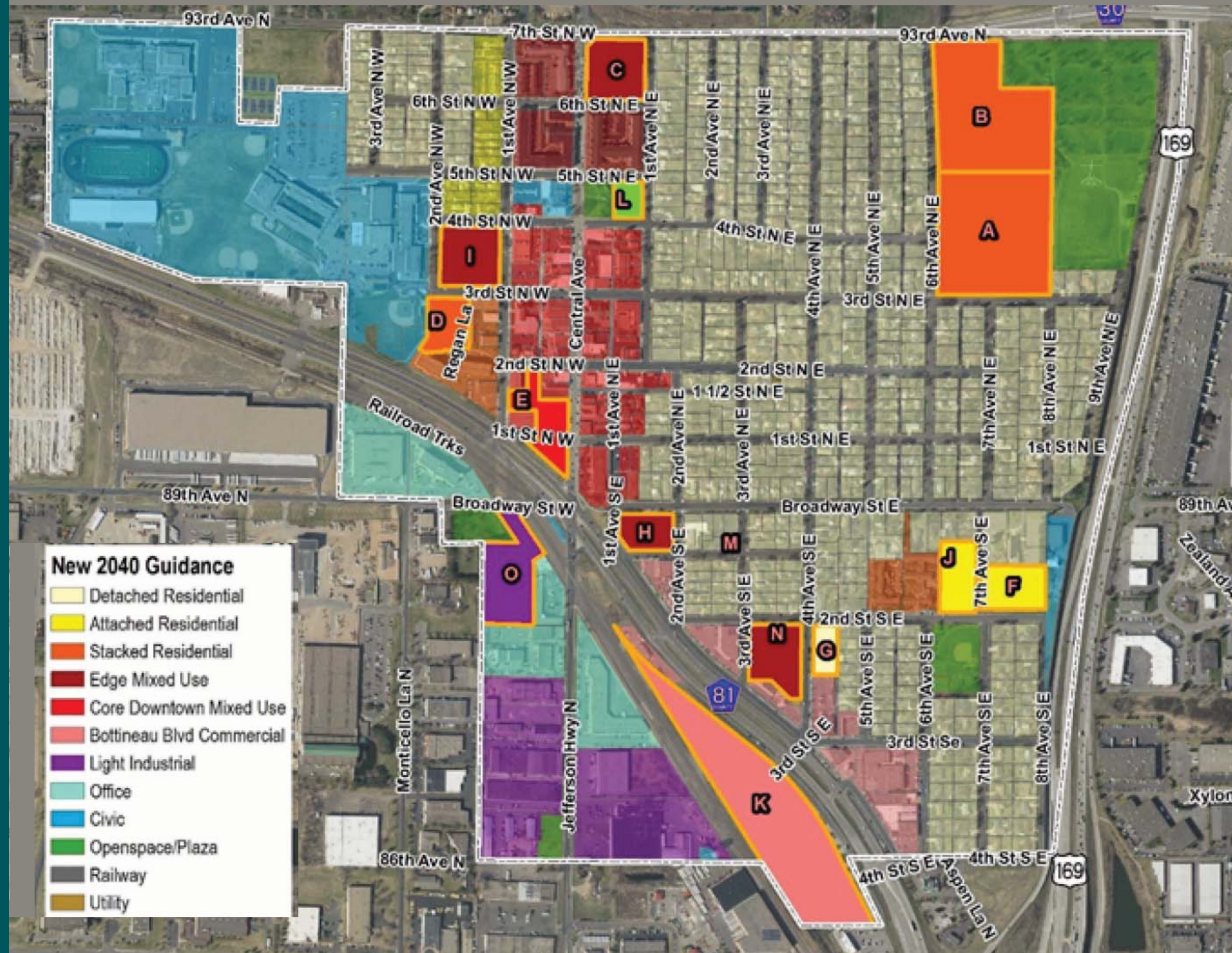
Osseo supports a wide spectrum of housing types and options that meet the needs of the community at all stages and income levels.

Nearly all housing in Osseo is considered affordable at some level.

-  Affordable to very low income households
(or: to households making less than \$26,000)
-  Affordable to low income households
(or: to households making \$26,000 - \$43,000)
-  Affordable to low-moderate income households
(or: to households making \$43,000 - \$69,000)
-  Not affordable to low-moderate income households
(or: to households making more than \$69,000)



Redevelopment
opportunity
sites create
potential for
new housing



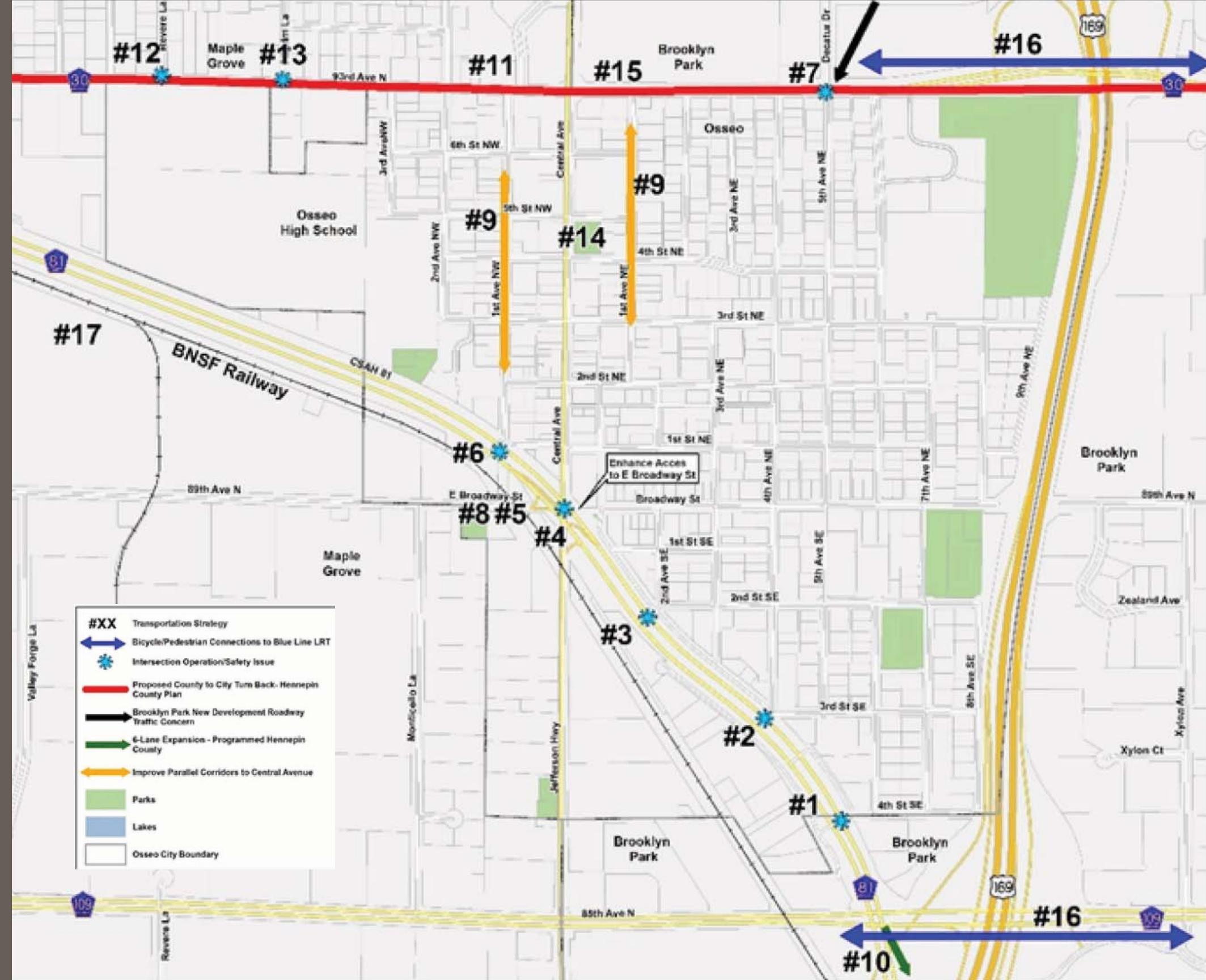
Connected

Osseo supports excellent access to services and key destinations both inside and outside the city.

**A well-connected
community:**



Transportation concerns are addressed in this plan.



Transportation Strategies

- Establish street and streetscape design standards
- Monitor for potential future safety and traffic operations needs at key problematic intersections, including school crossings and Highway 81
- Explore opportunities for 1st Avenue NW and 1st Avenue NE to serve as supporting parallel roadways supporting to Central Avenue and Downtown Osseo
- Promote the importance of safe and accessible bicycle/ pedestrian connections to the planned Blue Line LRT Extension



Osseo Planning Commission Meeting Item

Agenda Item: Consider Updates to Proposed Sign Ordinance Regarding Feather Banners

Meeting Date: November 20, 2017

Prepared by: Nancy Abts, City Planner

Attachments: Examples of Feather Banners
Excerpts of proposed language

Policy Consideration:

The Planning Commission should provide input regarding changes to the proposed sign ordinance to allow Feather Banners as a new type of Class B / temporary signage in the city, under certain circumstance.

Previous Action or Discussion:

The Planning Commission considered proposed amendments to the city's Sign Ordinance on July 17, 2017. Following a public hearing, the commission recommended the City Council approve the proposed amendments.

The City Council discussed the proposed ordinance at their July 24 meeting and again at a work session held on December 30. At that work session, the Council proposed allowing Feather Banners, in addition to other changes to the ordinance.

Other changes suggested by the City Council include changes to the requirements for existing types of signs, including allowing Electronic Message Display centers in the Central Business District, allowing overhang signs in all districts, and allowing small flashing or animated signs (for example, "Open" signs).

Background:

Feather Banners would generally be restricted under a prohibition on signs that "moves or rotates". However, they can be granted an exception, like other types of signs. For example, Sandwich Board signs are allowed to be placed in the sidewalk right-of-way under certain conditions.

The current suggestion for feather banners would allow them up to 28 square feet (e.g., 4' x 7') and up to the maximum height for signs in the district (i.e., 8' in the CBD and 15' in C2 and M districts). They would be allowed at a rate of one per property or one per 100 linear feet of front foot, whichever is greater. Some cities also choose regulate the hours or number of days that these signs can be displayed. Osseo could consider these types of restrictions as well.

Budget or Other Considerations:

Permit fees for sign permits can be set to cover the cost of administering the permit.

City Goals Met By This Action:

- 2) Foster and promote economic development in the City
- 8) Update the City Code
- 15) Stay current with new technologies in all areas of City services

Options:

The Planning Commission may choose to ***make the following recommendation*** to the City Council:

- 1. Approve the proposed restrictions for Feather Banners as presented;
- 2. Approve the proposed restrictions for Feather Banners with noted changes/as amended;
- 3. Deny the proposed restrictions for Feather Banners;
- 4. Table action on this item for more information.

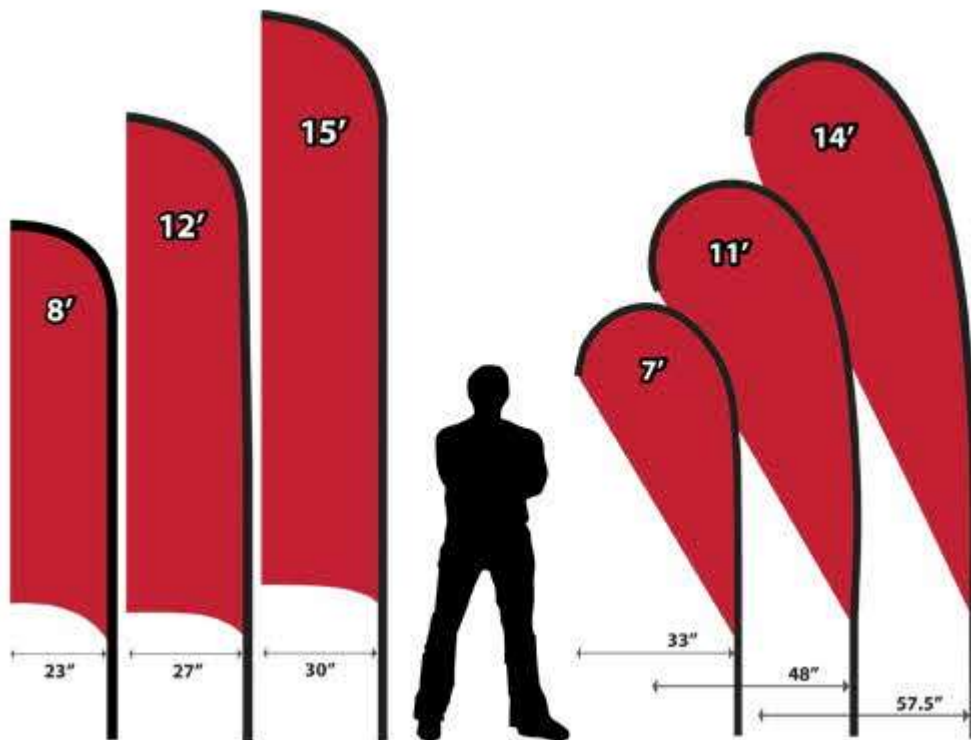
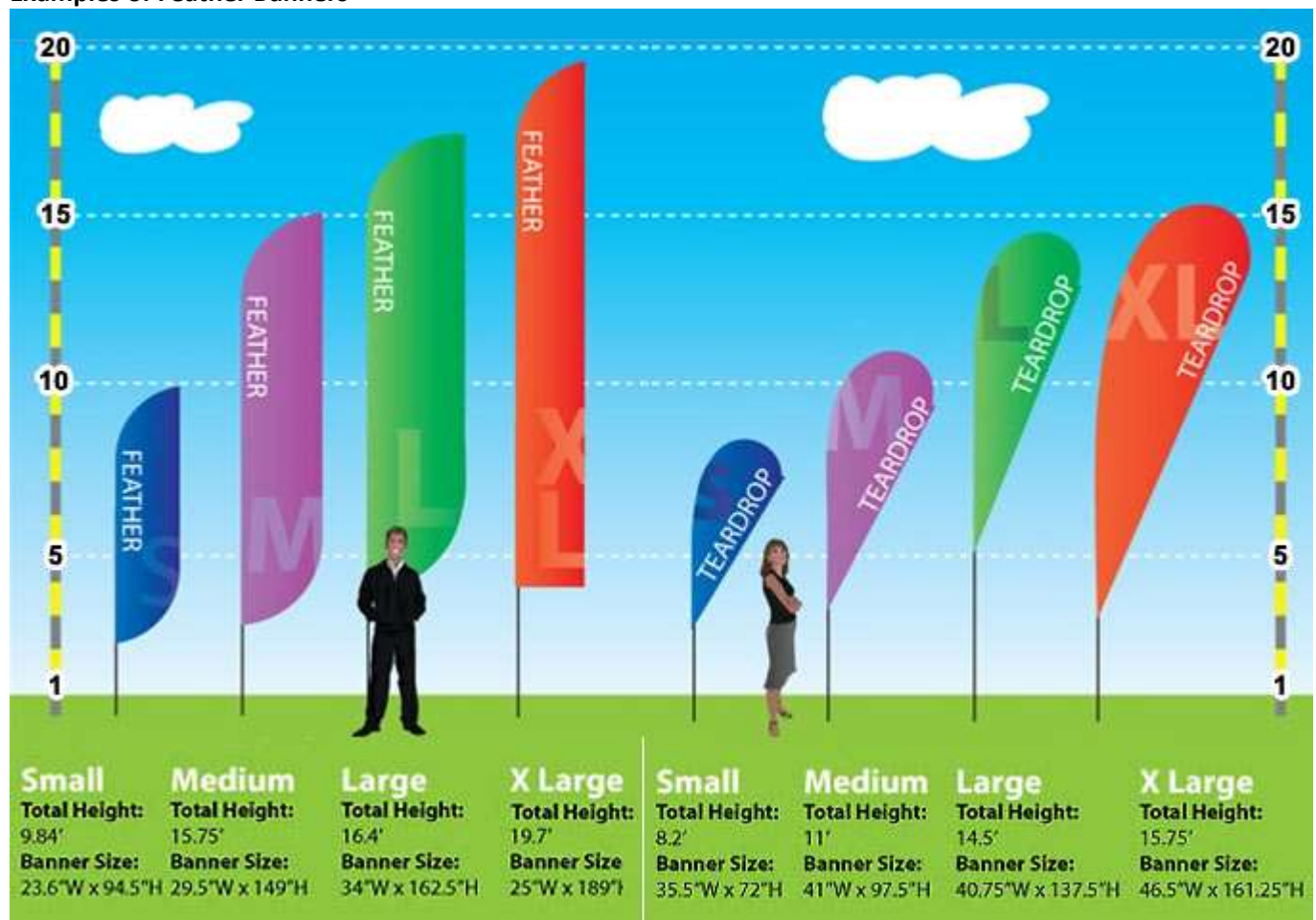
Recommendation/Action Requested:

Staff recommends the Planning Commission discuss the matter and provide staff with direction.

Next Step:

The item will be placed on an upcoming City Council meeting for consideration and approval.

Examples of Feather Banners



153.091 DEFINITIONS

The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise:

BANNER: A sign constructed of cloth, paper, plastic or other material upon which copy is written and supported either between poles or fastened to buildings or other structures and that is supported or anchored on two (2) or more edges or at three (3) or more corners. Banners also include such signs which are supported by an internal frame or are anchored along one edge, or two (2) corners, with weights or supports installed that substantially reduce the reaction of the sign to wind. Special conditions apply for FEATHER BANNERS, which do significantly react to the wind.

FEATHER BANNER: A type of elongated banner and freestanding temporary sign typically made of a flexible fabric or similar material attached to a long rigid pole in the general shape of a feather, teardrop, or similar shape. The definition includes functionally similar display devices. Also commonly known and referred to as a “banana banner” or “teardrop banner”.

FRONT FOOT: The measurement of the frontage of a lot abutting a public street. In cases where a lot abuts multiple public streets, the longest side will be used in determining the front foot for a lot.

MOVEABLE SIGN: A temporary sign, made of vinyl, paper, cloth or fabric, corrugated plastic, cardboard, plywood or similar material including signs with wood or wire framing, posts or stakes, supported by the ground but not permanently attached to the ground, which can be regularly moved from a location at periodic intervals, and which has a total height not exceeding four feet (4') and a total area not exceeding six (6) square feet. The term includes sandwich board signs and feather banners. The term does not include banners. A movable sign is not considered to be a portable sign.

PRINCIPAL BUILDING: The building in which the principal use of the property or site occurs. Buildings with multiple principal uses shall not constitute multiple principal buildings but shall be considered a single building. Storage buildings, garages, and other clearly accessory buildings shall not be considered principal buildings.

PRINCIPAL ENTRANCE: The main public doorways, lobby, or access leading or entering into a building or structure. A property with multiple principal buildings or a building with multiple tenants may have more than one principal entrance.

PROPERTY: Any lot or parcel of land which has been legally created and has been assigned a separate parcel identification number.

153.092 ADMINISTRATION

(B) *General Provisions.*

...

(2) *Placement:*

(a) Moveable signs, including Sandwich board signs and Feather banners, shall not be placed in the public right-of-way, except as an outside display area allowed by § 153.054 of the Code of Ordinances. Moveable signs shall not be permanently

affixed to any structure, and moveable signs in the right-of-way may only be displayed during the hours that the principal use is open for business.

...

(3) *Regulations:*

(a) General: Except as hereinafter provided, no sign shall be erected or maintained at any angle to a building or structure which extends over a property line; or street, alley, sidewalk, highway, utility easement, or other public property.

1. Overhang signs. Buildings that are permitted to be constructed with no setback from property lines are permitted to have mounted signs that overhang sidewalk rights-of-way a maximum of one and one-half feet (1.5'), with a minimum clearance of eight feet (8') between the bottom of the overhang sign and the sidewalk surface.

(b) Electronic Message Display (EMD) signs. Properties that are permitted to display an EMD may only display an EMD under a Conditional Use Permit identifying the EMD as an approved Conditioned Use.

(c) Sandwich board signs. The number of sandwich board signs is limited to one per principal entrance.

(d) Feather banners. The number of feather signs is limited to one per property, or one per every one hundred (100) linear feet of Front Foot, whichever is greater. Each Feather sign shall comply with applicable district sign height and area restrictions and in no cases shall not exceed twenty-eight (28) feet in total area.

(4) *Electrical Signs:* Electrical signs must be installed in accordance with the current electrical code and all necessary electrical and building permits must be obtained prior to placement.

(5) *Prohibited Signs:* The following signs are prohibited signs in all districts and areas within the city:

(a) Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signal, or which attempts to direct the movement of traffic or which, in the discretion of the zoning administrator, hides from view or interferes with the effectiveness of any official traffic control device, roadway, intersection or any railroad sign or signal. This section does not include signs, signals, marking, or devices which are installed and maintained by or under agreement with a unit of government.

(b) Abandoned signs.

(c) Roof signs.

- (d) Signs painted, attached, engraved, etched or in any other manner affixed to public utility poles, bridges, towers, streetlights, or similar public structures except as otherwise provided herein.
- (e) Any sign larger than 3 square feet which is animated, or which moves or rotates, including ANIMATED SIGNS, FLASHING SIGNS, and SHIMMERING SIGNS, but excluding FEATHER BANNERS as permitted by this chapter.
- (6) *Setbacks:* Freestanding signs shall conform to building setback regulations for the zoning district in which the signs are located, except as otherwise specified in this section. Setbacks shall be measured to the outermost portion of the sign:

	R-1	R-2	CBD	C2-N, C2-S, M	PI
Front yard setback	1'	5'	2'	10'	0'
Side yard setback	10'	5'	2'	5'	0'
Rear yard setback	10'	5'	2'	5'	0'
Rear / side yard setback abutting R district	n/a	10'	10'	10'	10'