

**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.