

**OSSEO PLANNING COMMISSION MINUTES
REGULAR MEETING
May 16, 2016**

1. CALL TO ORDER

The regular meeting of the Osseo Planning Commission was called to order by Chair Woods at 6:00 pm., Monday, May 16, 2016.

2. ROLL CALL

Present: Commission members Dee Bonn, Barbara Plzak, Alden Webster, Ken Zopfi and Chair Todd Woods

Absent: Deanna Burke and Casey Robertson

Others present: Harold E. Johnson, Larry Stelmach, Greg Norberg, Judy Norberg, Daniel Olson, Howard Hornibrook, City Planner Nancy Abts

3. APPROVAL OF AGENDA

A motion was made by Bonn, seconded by Plzak, to approve the Agenda as presented. The motion carried 5-0.

4. APPROVAL OF MINUTES

A. Approve April 18, 2016, Minutes

A motion was made by Bonn, seconded by Webster, to approve the April 18, 2016, minutes. The motion carried 5-0.

5. PUBLIC COMMENTS

Chair Woods advised this is the time for public comments for items that are not on the agenda for tonight's meeting.

Harold Johnson 12 Sixth Street NE, reported Northwest Hennepin Human Services recognized former Planning Commissioner Dorothy Clarke last week for her volunteerism.

The Planning Commission congratulated Dorothy Clarke for receiving this recognition.

6. PUBLIC HEARINGS

A. Public Hearing for Conditional Use Permit Request by Greg Norberg to Conduct a Tire Sales & Minor Automotive Repair Use at 108 Broadway Street West

Abts explained Gregory Norberg, who formerly operated The Tire Guy business located along County Road 81 in Osseo, has made an application to the City to re-open his business as a tenant located at 108 Broadway Street West. The proposed business will be located in a structure whose variance and site plan review were approved by the City in January 2016. The property located at 108 Broadway Street West is located in M zoning district (Manufacturing and Industrial) and is owned by M C Ryan Et AL. The applicant proposes to lease the space to operate his business at this location. The proposal calls for the applicant to

use roughly 4,038 square feet of space in existing building, as well as space to be constructed under a building and site plan approval issued by the City in January 2016. Staff reviewed the standards for approving a Conditional Use Permit and recommended the Commission hold a public hearing.

Bonn asked if the applicant understood the conditions as proposed by staff. She questioned if an upper lift would be used. Greg Norberg, 108 Broadway Street West, understood the conditions and stated his property would have two overhead lifts, one for each of the two overhead bays.

Abts clarified that if the site were to have two overhead bays the site would require two additional parking stalls.

A motion was made by Plzak, seconded by Bonn, to open the Public Hearing. The motion carried 5-0.

Johnson questioned if part of the existing building would be used for the new business. Mr. Norberg reported this was the case. Howard Hornibrook clarified that there was a doorway between the new building and old building.

A motion was made by Bonn, seconded by Plzak, to close the public hearing at 6:14 p.m. The motion carried 5-0.

B. Public Hearing for Zoning Code Amendment to Allow Sandwich Board Signs in the “M” Manufacturing and Industrial District

Abts explained in the early 2000s, Sandwich Board Signs were added to City Code as an allowed sign type in the Central Business District and C-2 Highway Commercial District. Sandwich Board Signs were not allowed in the M District; however, some businesses located in the M District could safely display and benefit from Sandwich Board signs. The commercial area anchored by Caribou Coffee and Jimmy Johns is a prominent potential location. The city should consider amending its code to allow Sandwich Board signs in this zoning district. The Planning Commission has not recently considered this matter. Meeting records from when the city first allowed Sandwich Board Signs in the CBD and C-2 Districts do not contain information explaining why the M District was not included. Staff recommended the Planning Commission hold a public hearing for the proposed Ordinance Amendment.

Bonn questioned if Mr. Norberg would benefit from a sandwich board. Mr. Norberg stated he would be interested in a sandwich board as it would assist his customers in finding his business.

A motion was made by Bonn, seconded by Webster, to open the Public Hearing. The motion carried 5-0.

Larry Stelmach, 417 Fourth Avenue NE, thanked Mr. Norberg for speaking on this topic.

A motion was made by Plzak, seconded by Webster, to close the public hearing at 6:18 p.m. The motion carried 5-0.

7. OLD BUSINESS

8. NEW BUSINESS

- A. Consider Conditional Use Permit Request by Greg Norberg to Conduct a Tire Sales & Minor Automotive Repair Use at 108 Broadway Street West

Abts explained Gregory Norberg, who formerly operated The Tire Guy business located along County Road 81 in Osseo, has made an application to the city to re-open his business as a tenant located at 108 Broadway Street West. The proposed business will be located in a structure whose variance and site plan review were approved by the City in January 2016. The property located at 108 Broadway Street West is located in M zone (Manufacturing and Industrial) and is owned by M C Ryan Et AL. The applicant proposes to lease the space to operate his business at this location. The proposal calls for the applicant to use roughly 4,038 square feet of space in existing building, as well as space to be constructed under a building and site plan approval issued by the City in January 2016. Staff reviewed the standards for approving a Conditional Use Permit and recommended approval of the request for Greg Norberg with conditions.

A motion was made by Plzak, seconded by Zopfi, to approve a Conditional Use Permit for Greg Norberg to Conduct a Tire Sales & Minor Automotive Repair Use at 108 Broadway Street West with the following conditions:

- 1. Customer Parking. A minimum of eight (8) customer parking stalls plus shall be located on the property at all times, closest to the main entrance of the business, and these spaces shall be clearly designated with signage or permanent pavement markings. Additional parking spaces may be required by Osseo City Code;**
- 2. Vehicle Storage. Any vehicle awaiting repairs for longer than 12 hours must be stored inside an enclosed space or properly screened from public view;**
- 3. 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. Any vehicle repair or maintenance shall take place indoors, per Osseo City Code;**
 - b. No auto wrecking, junk, and salvage or inoperable cars shall be stored on the property without obtaining a separate Conditional Use Permit for said storage, per Osseo City Code;**
 - c. Any waste tires must be stored inside an enclosed space or properly screened from public view and protected from the elements so as not to provide habitat to rodents or insects, per Osseo City Code;**
 - d. Any trash enclosure must be properly screened from public view, per Osseo City Code;**
 - e. The building appearance shall be maintained so that it adheres to Osseo City Code;**

- f. **Signage relating to the use, including temporary signage, shall adhere to Osseo City Code;**
 - g. **The facility shall follow the Minnesota Pollution Control Agency’s requirements for storage and transportation of waste tires; and**
 - h. **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;**
- 4. **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 for inspection to determine compliance with the stated conditionals of approval.**
 - 5. **Recording Requirement. The City of Osseo will memorialize 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.**
 - 6. **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.**
 - 7. **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.**
 - 8. **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.**
 - 9. **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.**

The motion carried 5-0.

- B. Consider Zoning Code Amendment to Allow Sandwich Board Signs in the “M” Manufacturing and Industrial District

Abts explained in the early 2000s, Sandwich Board Signs were added to City Code as an allowed sign type in the Central Business District and C-2 Highway Commercial District. Sandwich Board Signs were not allowed in the M District; however, some businesses located in the M District could safely display and benefit from Sandwich Board signs. The commercial area anchored by Caribou Coffee and Jimmy Johns is a prominent potential location. The city should consider amending its code to allow Sandwich Board signs in this zoning district. The Planning Commission has not recently considered this matter. Meeting records from when the city first allowed Sandwich Board Signs in the CBD and C-2 Districts do not contain information explaining why the M District was not included. Staff

recommended approval of the Ordinance amendment to allow sandwich board signs in the M District.

A motion was made by Zopfi, seconded by Webster, to recommend approving the ordinance change to allow Sandwich Board Signs in the M District. The motion carried 5-0.

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

Abts reported she and a police officer conducted spring property inspections. She indicated over 40 letters were sent to property owners to assist in bringing them into compliance. She explained that the city's Conditional Use Permits had also been reviewed and that she would be addressing potential lapsed permits in the near future.

Abts provided further comment on the grant Osseo received from Hennepin County and the Minnesota Department of Health to assist with the Comprehensive Plan update and noted the City will be able to host a number of bicycling workshops in 2016 and 2017.

Zopfi indicated he was happy to be serving on the Osseo Planning Commission and believed Osseo was a great community to live in.

Webster thanked Dorothy Clarke for her service to the City of Osseo.

Woods also appreciated the contributions Dorothy Clarke had made to the community.

10. ADJOURNMENT

A motion was made by Webster, seconded by Plzak, to adjourn the meeting at 6:24 pm. The motion carried 5-0.

Respectfully submitted,

Heidi Guenther
TimeSaver Off Site Secretarial, Inc.