



**AGENDA – REGULAR MEETING**  
**6:00 p.m., September 16, 2019**

## **Planning Commission**

**1. CALL TO ORDER**

**2. OATH OF OFFICE FOR NEW PLANNING COMMISSION MEMBERS**

- A. Dan Penny
- B. Ashlee Thostenson

**3. ROLL CALL (Quorum is 4)**

**4. APPROVAL OF AGENDA (Unanimous additions required)**

**5. APPROVAL OF MINUTES**

Planning Commission Minutes of August 19, 2019

**6. PUBLIC COMMENTS**

**7. PUBLIC HEARINGS**

- A. Conditional Use Permit Amendment for Osseo Gun Club at 22 4<sup>th</sup> Street NW
- B. Variance for Additional Signage at 337 County Road 81

**8. OLD BUSINESS**

**9. NEW BUSINESS**

Review Preliminary Zoning Code Update Information

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

**11. ADJOURNMENT**



## OATH of office

I, \_\_\_\_\_, do solemnly swear  
to support the Constitution of the United States,  
the Constitution of the State of Minnesota,  
and to discharge faithfully the duties  
of the office of Planning Commissioner  
of the City of Osseo, Minnesota,  
to the best of my judgment and ability,  
so help me God.

Dated: September 16, 2019

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Witness:

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Nancy S. Abts, City Planner

**OSSEO PLANNING COMMISSION MINUTES**  
**REGULAR MEETING**  
**August 19, 2019**

**5**

**1. CALL TO ORDER**

The regular meeting of the Osseo Planning Commission was called to order by Chair Plzak at 6:00 pm, Monday, August 19, 2019.

**2. ROLL CALL**

Present: Commission members Dee Bonn, Deanna Burke, Juliana Hultstrom, Michael Olkives, Alden Webster, and Chair Barbara Plzak

Absent: None.

Others present: Harold Johnson, Zach Kinsey, Jordan Dickinson, Jesse Dickinson, City Planner Nancy Abts.

**3. APPROVAL OF AGENDA**

**A motion was made by Burke, seconded by Bonn, to approve the Agenda as presented. The motion carried 6-0.**

**4. APPROVAL OF MINUTES**

A. Approve April 15, 2019, Minutes

**A motion was made by Olkives, seconded by Webster, to approve the April 15, 2019, minutes. The motion carried 6-0.**

**5. 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.

**6. PUBLIC HEARINGS**

A. Conditional Use Permit for Body Art Business at 340 Central Avenue

Abts stated the property at 340 Central Avenue is located in the Central Business District. It is owned by Zephyr Investments, LLC. Also home to Union Speed and Style, the property currently holds a CUP for Artisan Manufacturing. This application is a request to grant a second CUP for the property. The proposal is for a tenant business to occupy approximately 600 square feet in the northwest corner of the building. (However, because CUP's apply to an entire property, if the CUP is approved it would be possible for body art uses to occupy more of the property.)

**A motion was made by Hultstrom, seconded by Olkives, to open the Public Hearing. The motion carried 6-0.**

Zack Kinsey, 1610 California Street NW, Minneapolis, introduced himself to the Commission and noted he has been a professional tattoo artist for the past 20 years. He explained he worked mostly by appointments and books his clients a month in advance.

Chair Plzak asked if the applicant would be autoclaving on site. Mr. Kinsey reported he would have single use disposable products and there would be no autoclaving on site.

Bonn questioned when Mr. Kinsey would be opening his business. Mr. Kinsey anticipated he would be up and running in the next few months if approved.

Chair Plzak inquired how many work stations the business would have. Mr. Kinsey stated the space could have up to three tattoo stations.

Webster asked if the tattoo business would struggle with another shop across the street. Mr. Kinsey did not believe this would be a concern given the fact clients seek out specific artists and styles.

Bonn commented she had seen the tattoo work completed by Mr. Kinsey and stated it was magnificent. Mr. Kinsey thanked Commissioner Bonn for recognizing his work.

Olkives stated this would be a great fit for this space.

The Commission accepted a letter from D. Scott Dibble, 2910 James Ave South, Apt F, Minneapolis, attesting to Mr. Kinsey's professional capabilities and personal character.

**A motion was made by Hultstrom, seconded by Webster, to close the public hearing at 6:15 p.m. The motion carried 6-0.**

**A motion was made by Olkives, seconded by Webster, to recommend the City Council find that Tattoo and Body Art Establishments were a Permitted Use under City Code and a CUP was not required. The motion carried 6-0.**

7. OLD BUSINESS – None

8. NEW BUSINESS

A. Discuss Zoning Code Updates

Abts explained under Minnesota State Statute, a city's zoning ordinance should "carry out the policies and goals of the land use plan" (MN Statute 462.357 Subd. 2). The Metropolitan Council requires that official controls, such as zoning, "must not be in conflict" with the comprehensive plan or its subsequent updates. As such, all cities that update their land use plans must then follow up with necessary revisions to the zoning ordinance to bring zoning controls into alignment with the goals and policies of the adopted comprehensive plan.



Abts stated much of the City's Zoning Ordinance was adopted in 1994. The ordinance has been added to and some sections (e.g., the sign code) have been updated since then, but much of the ordinance has not been updated in 25 years. Some clerical updates are needed in addition to some more substantive items.

Abts reported in addition to the updates identified in the Comprehensive Plan, staff is proposing updating City Code to allow Interim Uses. Interim Uses are somewhat similar to Conditional Uses, but are allowed to terminate at a certain date or if other conditions change. Unlike Conditional Permits, there does not necessarily need to be a permit violation or a discontinued use in order for an Interim Use to be removed from a property.

Hultstrom questioned who determined the 'hours bundled' rate. Abts stated this was determined by staff with WSB.

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

Abts reported the Planning Commission currently had a vacancy and noted Mayor Poppe was accepting letters of interest at this time.

Webster encouraged residents to take in an Osseo High School football game.

Bonn reported the last Music in the Park event would be held on Tuesday, August 20<sup>th</sup> at 7:00 p.m. where the Capri Big Band would be playing.

10. ADJOURNMENT

**A motion was made by Hultstrom, seconded by Webster, to adjourn the meeting at 6:29 pm. The motion carried 6-0.**

Respectfully submitted,

Heidi Guenther  
*TimeSaver Off Site Secretarial, Inc.*



## Osseo Planning Commission Meeting Item

**Agenda Item:** Conditional Use Permit Amendment for Osseo Gun Club at 22 4th Street NW

**Meeting Date:** September 10, 2019

**Prepared by:** Nancy Abts, AICP, City Planner

**Attachments:** Osseo Zoning & Site Location Map  
Completed Application Packet  
Public Hearing Notice  
Public Hearing Distribution Map & Mailing List  
Current CUP  
Draft Resolution

### Policy Consideration:

Consider a request to amend the Conditional Use Permit (CUP) for a Firearm Shooting Range and Firearm Retail Business to remove hours of operation restrictions.

### Previous Action or Discussion:

A CUP was granted for a Firearm Shooting Range and Firearm Retail Business located at 22 4<sup>th</sup> Street NW on June 24, 2013 (attached). The CUP included the following conditions:

1. The Developer shall construct the firearms shooting range in accordance with federal, state, and local building codes relating to firing ranges;
2. The Developer shall include key components in the construction of the firearms shooting range in accordance with federal law enforcement grade firing range standards;
3. The Developer shall construct the building with approved building materials in accordance with Osseo Code §153.053;
4. The Developer shall construct the building using approved construction standards in accordance with Osseo Code §153.055;
5. Windows shall be included along the west façade of the building in an attempt to visually break up overall length of the wall along 1<sup>st</sup> Avenue NW;
6. A minimum of a four (4) foot green space shall be included along the west façade of the building in an attempt to visually break up the overall length of the wall along 1<sup>st</sup> Avenue NW;
7. A minimum of eighteen (18) trees shall be included on the project site in accordance with Osseo Code §153.057(1)(a);
8. A minimum of thirty-two (32) off-street, on-site parking stalls shall be included;
9. All parking stalls shall be constructed in accordance with Osseo Code §153.078 for design and maintenance;
10. A storm water mitigation plan shall be submitted to the City for review and subject to the approval of the Osseo City Engineer;
11. A landscape plan shall be submitted to the City for review and subject to the approval of the Osseo City Planner;
12. A final site plan shall be submitted to the City for review and subject to the approval of the Osseo City Planner, Osseo City Engineer, and the Osseo Building Inspector;

13. A fire suppression plan shall be submitted to the City for review and subject to the approval of the Osseo Fire Marshal and the Osseo Building Inspector;
14. All on-site lighting shall be shielded from adjacent properties;
15. The existing decorative light poles along 1<sup>st</sup> Avenue NW shall remain in place;
16. The Developer shall make every attempt to limit any audible noise as a result of the business and/or any on-site mechanical equipment from the adjacent residential areas;
17. The Developer shall maintain the current public sidewalks along 1<sup>st</sup> Avenue NW and 4<sup>th</sup> Street NW, or, as a result of damage during construction, shall construct new five (5) foot wide sidewalks along 1<sup>st</sup> Avenue NW and 4<sup>th</sup> Street NW;
18. All firearms not in use in firing range stalls shall be unloaded and properly cased at all times in accordance with Minnesota laws;
19. The hours of operation shall be no earlier than 9 a.m. Monday through Saturday, no earlier than 10 a.m. on Sunday, no later than 9 p.m. Monday through Saturday, and no later than 6 p.m. on Sunday;
20. The facility shall have an adequate security system to prevent theft of guns and ammunition.

**Background:**

The Osseo Gun Club has asked that the restriction limiting hours of operation be removed from the CUP. City Staff, including representatives from the Osseo Police Department, have reviewed the request and believe it is reasonable. Staff recommend replacing Condition 19 above with the following statement:

19. 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. Noise arising from the use should not constitute a Public Nuisance Affecting Peace and Safety as defined in Osseo City Code § 93.18.

**Budget or Other Considerations:**

The \$250 application fee covers City costs of holding a public hearing on the application and staff time for reviewing CUP applications.

**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 should hold a public hearing regarding the application. A motion, second, and vote are required to open and to close the public hearing.

Following the hearing, the Planning Commission may choose to ***make the following recommendations*** to the City Council:

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

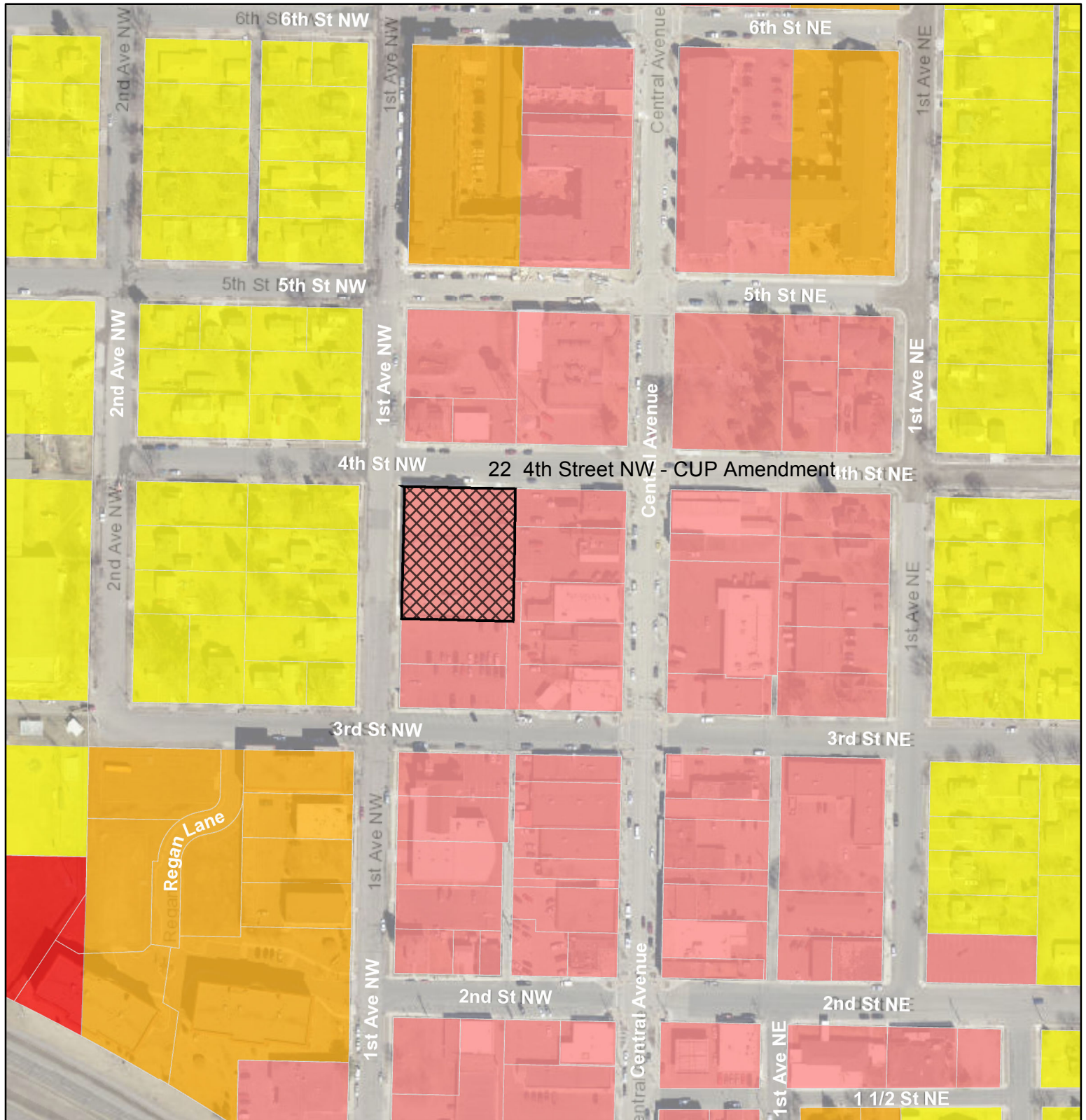
**Recommendation/Action Requested:**

Staff recommends the Planning Commission choose option 1.

**Next Step:**

The item will be placed on a subsequent City Council meeting for consideration and approval.

# 22 4th Street NW - Conditional Use Permit Amendment



1 inch = 200 feet

## Zoning Classification

- |  |  |
|--|--|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #f8d7da; border: 1px solid #c3e6cb; margin-right: 5px;"></span> Central Business District (CBD)         | <span style="display: inline-block; width: 15px; height: 15px; background-color: #fff3cd; border: 1px solid #ffeeba; margin-right: 5px;"></span> One and Two Family Residential District (R-1) |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #f4cccc; border: 1px solid #f4cccc; margin-right: 5px;"></span> Highway Commercial District North (C2N) | <span style="display: inline-block; width: 15px; height: 15px; background-color: #fff2cc; border: 1px solid #ffeeba; margin-right: 5px;"></span> Multi-Family Residential District (R-2)       |



August 27, 2019

Map Powered by DataLink  
from WSB & Associates





Application For:  
Conditional Use Permit Amendment

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

Property Information:

Site address: 22 4th St NW  
Property identification number: 13-119-22-11-0081 - 13-119-22-11-0113  
Property legal description: Lot: 3-4-5 Block: 014 Tract/Addition: 13-119-22-11-0165  
Property type (check one): Abstract: X Torrens: \_\_\_\_\_  
Current property designation: BUSINESS Square footage: 20,000 SQ  
Requested designation: Removal of Operating Hours  
Reason for requested change: Please see Attached Narrative

Applicant Information:

Name: Chris Williamson Daytime phone: 763 269 6914  
Address: 22 4th St NW Osseo MN Email Address: CHRIS@osseogunclub.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: [Signature] Date: 8-5-19

**Property Owner Information**

Name: Chris Williamson Daytime phone: 763-269 6914  
Address: 22 4th St NW Email Address: Chris.Williamson@osseo.org  
Osseo, MN

Signature: \_\_\_\_\_ Date: 8-5-19

*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.*

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

.....  
**For City use only:**

Receipt number: 143951 Date received: 8/6/19 (\$250 Application Fee)

Any other fees? \_\_\_\_\_ Received by: Chris Williamson

Notice to press date: Aug. 29, 2019 Press publication date: Sept. 5, 2019

Scheduled Planning Commission date: Sept. 16, 2019

Scheduled City Council date: Sept. 23, 2019

**chris@osseogunclub.com**

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**Subject:** FW: extended hours

Riley,

Over the last 5 years we have found that we have developed a following that in some cases requires us to open before and close later than the stipulated hours both during the weekdays and weekends. When we would have these instances we would notify the city prior which is an inconvenience for all parties. Since there are no sound issues from gunfire as was originally of concern, we would like to amend our CUP to not stipulate any specific hours of operation.

Sincerely,

Chris Williamson  
Osseo Gun Club & Pro Shop  
22 4<sup>th</sup> st NW  
Osseo, MN 55369  
763-269-6914

**Osseo Gun Club**  
**& ProShop**



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

8/27/15

Signature of Applicant

Jeanine D. Gill

Name and Address of Applicant  
(Please Print)

Jeanine Gill Osseo Golf Club +  
122 22 4th Street NW Pro Shop

Osseo, MN 55365

Phone Number

763-265-6514

Email Address

Jeanine@osseogolfclub.com

Name and Address of Contact  
(If Other Than Applicant)

Phone Number

Email Address





**City of Osseo**

415 Central Avenue  
Osseo, MN 55369-1195

P 763.425.2624 F 763.425.1111

[www.DiscoverOsseo.com](http://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 where a request for a land use approval has been filed.

- APPLICANT:** Chris Williamson, Osseo Gun Club
- REQUEST:** Amend Conditional Use Permit for a Firearm Shooting Range and Firearm Retail Business to remove hours of operation restrictions
- LOCATION:** 22 4<sup>th</sup> Street NW
- TIME OF HEARING:** Monday, September 16, 2019 at 6:00 p.m. – City Hall Council Chambers
- HOW TO PARTICIPATE:**
- 1) You may attend the hearing and state your comments;
  - 2) You may send a letter before the hearing to the City of Osseo, 415 Central Avenue, Osseo, MN 55369 or fax to 763-425-1111; or
  - 3) You may send an email to [nabts@ci.osseo.mn.us](mailto: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 for your cooperation.

**ANY QUESTIONS:** Please contact City Planner Nancy Abts at 763-425-1454.

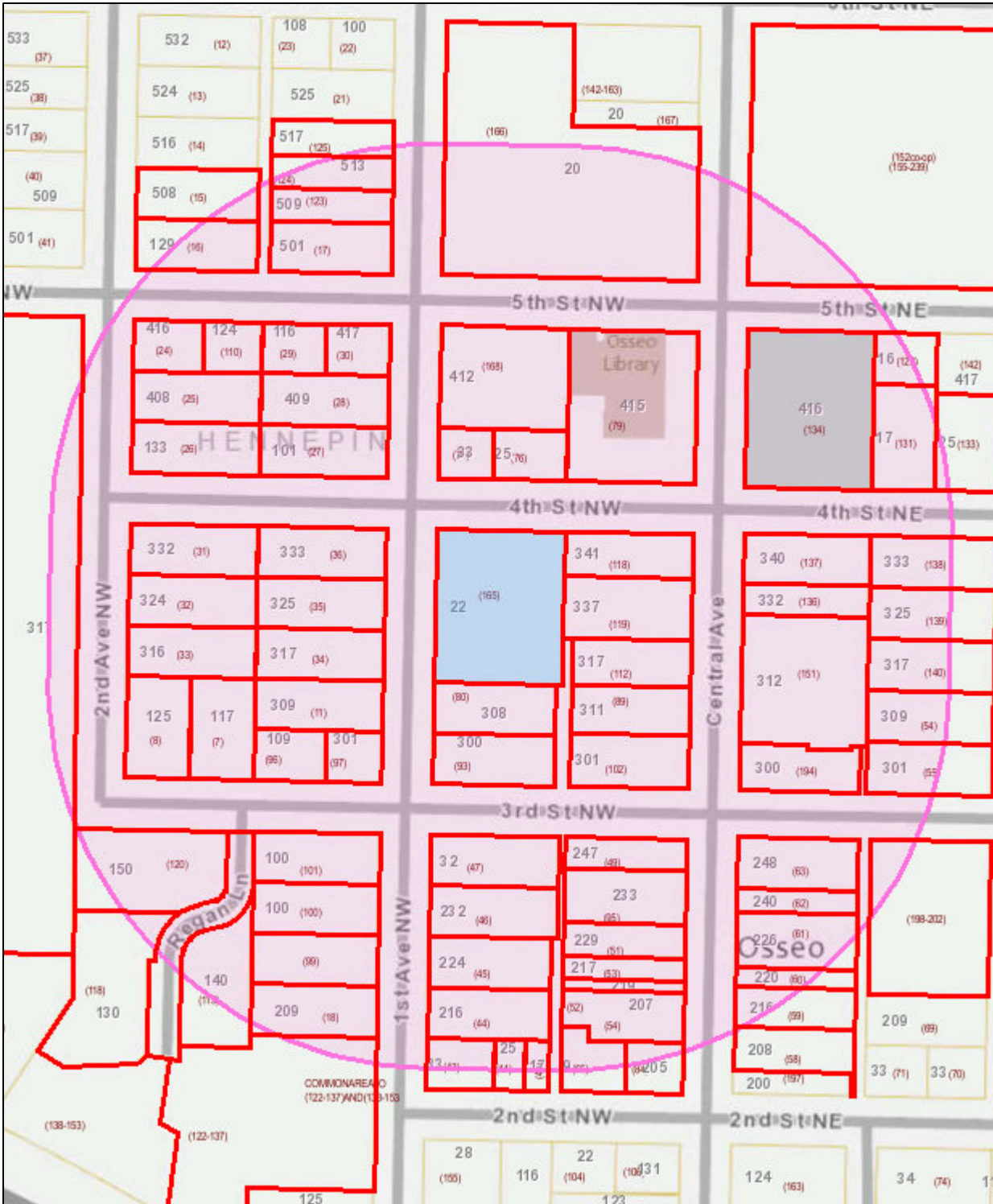
You may visit City Hall (415 Central Avenue) during business hours to discuss the proposal, or visit our website after September 12, 2019 at <http://www.discoverosseo.com/departments/planning-commission/>

**Publication Date:** The Press (September 5, 2019)



# Hennepin County Locate & Notify Map

Date: 8/27/2019



**Buffer Size: 500**

0 50 100 200 Feet  
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## Map Comments:

22 4th Street NW - Osseo Gun Club CUP Amendment Application  
- Property Owner Notices

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](mailto:gis.info@hennepin.us)

88 13-119-22 11 0015  
BARBARA A RUUD  
508 2ND AVE N W  
OSSEO MN 55369  
BARBARA RUUD  
508 2ND AVE N W  
OSSEO MN 55369

88 13-119-22 11 0016  
LEROY E WALZ  
129 5TH ST N W  
OSSEO MN 55369  
LEROY E WALZ  
129 5TH ST N W  
OSSEO MN 55369

88 13-119-22 11 0017  
KATHERINE MARIE JACOBS  
501 1ST AVE N W  
OSSEO MN 55369  
KATHERINE MARIE JACOBS  
501 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 11 0024  
BETTY A ACKERMAN  
416 2ND AVE N W  
OSSEO MN 55369  
BETTY A ACKERMAN  
416 2ND AVE N W  
OSSEO MN 55369

88 13-119-22 11 0025  
MARK R PIETARI  
408 2ND AVE N W  
OSSEO MN 55369  
MARK R PIETARI  
408 2ND AVE N W  
OSSEO MN 55369

88 13-119-22 11 0026  
ASHLYNN SILVA & AARON SILVA  
133 4TH ST N W  
OSSEO MN 55369  
ASHLYNN SILVA & AARON SILVA  
133 4TH ST N W  
OSSEO MN 55369

88 13-119-22 11 0027  
EDWARD COLUMBUS  
101 4TH ST N W  
OSSEO MN 55369  
EDWARD COLUMBUS  
101 4TH ST N W  
OSSEO MN 55369

88 13-119-22 11 0028  
SCOTT D MINDRUM  
409 1ST AVE N W  
OSSEO MN 55369  
SCOTT D MINDRUM  
9697 103RD PL  
MAPLE GROVE MN 55369

88 13-119-22 11 0029  
STEVE URBANSKI  
116 5TH ST N W  
OSSEO MN 55369  
STEVE URBANSKI  
116 5TH ST N W  
OSSEO MN 55369

88 13-119-22 11 0030  
NANCY RAE ISAACS  
417 1ST AVE N W  
OSSEO MN 55369  
NANCY RAE ISAACS  
417 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 11 0031  
B K VAN DYK & J HEYER  
332 2ND AVE N W  
OSSEO MN 55369  
BRENDA K VAN DYK  
JON HEYER  
332 2ND AVE N W  
OSSEO MN 55369

88 13-119-22 11 0032  
M & A BRYAND  
324 2ND AVE N W  
OSSEO MN 55369  
MARCOS L BRYAND  
324 2ND AVE N W  
OSSEO MN 55369

88 13-119-22 11 0033  
LYNN D FLETT  
316 2ND AVE N W  
OSSEO MN 55369  
LYNN FLETT  
316 2ND AVE NW  
OSSEO MN 55369

88 13-119-22 11 0034  
KATHERINE M WILLIAMS  
317 1ST AVE N W  
OSSEO MN 55369  
KATHERINE M WILLIAMS  
317 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 11 0035  
A L COFFLAND & J J JORSTAD  
325 1ST AVE N W  
OSSEO MN 55369  
ALLEN L COFFLAND  
JENNIFER J JORSTAD  
325 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 11 0036  
J B BARRETT/A BARRETT TRUSTS  
333 1ST AVE N W  
OSSEO MN 55369  
JOHN E BARRETT  
ARLEEN BARRETT  
333 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 11 0047  
IND SCH DIST 279  
317 2ND AVE N W  
OSSEO MN 55369  
OSSEO SCHOOL DIST NO 279  
11200 93RD AVE N  
MAPLE GROVE MN 55369

88 13-119-22 11 0075  
L MAGSAM & K HARWIG  
33 4TH ST N W  
OSSEO MN 55369  
SANDRA L WOESSNER  
33 44TH ST N W  
OSSEO MN 55369

88 13-119-22 11 0076  
DAVID J & BARBARA E TAFOYA  
25 4TH ST N W  
OSSEO MN 55369  
DAVID J & BARBARA E TAFOYA  
13322 86TH AVE N  
MAPLE GROVE MN 55369

88 13-119-22 11 0079  
CITY OF OSSEO  
415 CENTRAL AVE  
OSSEO MN 55369  
CITY OF OSSEO  
415 CENTRAL AVE  
OSSEO MN 55369

88 13-119-22 11 0080  
PREMIER BANK  
308 1ST AVE N W  
OSSEO MN 55369  
PREMIER BANK  
2866 WHITE BEAR AVE  
MAPLEWOOD MN 55109

88 13-119-22 11 0089  
MLJ MANAGEMENT LLC  
311 CENTRAL AVE  
OSSEO MN 55369  
MLJ MANAGEMENT LLC  
PO BOX 681556  
PARK CITY UT 84068

88 13-119-22 11 0110  
KENNETH W GOETSCH  
124 5TH ST N W  
OSSEO MN 55369  
KENNETH W GOETSCH  
124 5TH ST N W  
OSSEO MN 55369

88 13-119-22 11 0112  
LIENEMANN INVESTMENTS LLC  
317 CENTRAL AVE  
OSSEO MN 55369  
LIENEMANN INVESTMENTS LLC  
317 CENTRAL AVE  
P O BOX 437  
OSSEO MN 55369

88 13-119-22 11 0118  
J W & S R PRINCETON  
341 CENTRAL AVE  
OSSEO MN 55369  
JOEL PRINCETON  
16989 WEAVER LAKE DR  
MAPLE GROVE MN 55311

88 13-119-22 11 0119  
M D OF OSSEO LLC  
337 CENTRAL AVE  
OSSEO MN 55369  
M D OF OSSEO LLC  
337 CENTRAL AVE  
OSSEO MN 55369

88 13-119-22 11 0123  
DAN HALME & LINDA HALME  
509 1ST AVE N W  
OSSEO MN 55369  
DAN HALME & LINDA HALME  
509 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 11 0124  
THEODORE & BRITTNEY K QUANT  
513 1ST AVE N W  
OSSEO MN 55369  
THEODORE QUANT  
BRITTNEY KAY QUANT  
513 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 11 0125  
MICHAEL D GOLIO  
517 1ST AVE N W  
OSSEO MN 55369  
MICHAEL D GOLIO  
517 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 11 0165  
CCJ INVESTMENTS LLC  
22 4TH ST N W  
OSSEO MN 55369  
CCJ INVESTMENTS LLC  
12055 93RD PL N  
MAPLE GROVE MN 55369

88 13-119-22 11 0166  
5C OSSEO HOLDINGS LLC  
20 6TH ST N W  
OSSEO MN 55369  
MAGELLAN INV PTNRS LLC  
ATTN MARC SWERDLOW  
225 COLUMBUS N STE 100  
CHICAGO IL 60601

88 13-119-22 11 0168  
CITY OF OSSEO  
412 1ST AVE N W  
OSSEO MN 55369  
CITY OF OSSEO  
415 CENTRAL AVE  
OSSEO MN 55369

88 13-119-22 14 0007  
JEFFREY WILLIAM SCHMIDT  
117 3RD ST N W  
OSSEO MN 55369  
JEFFREY WILLIAM SCHMIDT  
117 3RD ST N W  
OSSEO MN 55369

88 13-119-22 14 0008  
TRAVIS KUBACKI  
125 3RD ST N W  
OSSEO MN 55369  
TRAVIS KUBACKI  
125 3RD ST NW  
OSSEO MN 55369

88 13-119-22 14 0011  
JOESPH J ST SAUVER  
309 1ST AVE N W  
OSSEO MN 55369  
JOESPH J ST SAUVER  
309 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 14 0018  
UMEGAN LLP  
209 1ST AVE N W  
OSSEO MN 55369  
UMEGAN LLP  
12701 95TH AVE  
MAPLE GROVE MN 55369

88 13-119-22 14 0041  
BENJAMIN MICHAEL JENNEY SR  
25 2ND ST N W  
OSSEO MN 55369  
BENJAMIN MICHAEL JENNEY SR  
10990 EAST FRENCH LAKE RD  
DAYTON MN 55369

88 13-119-22 14 0042  
WILLIAM C MITCHELL  
17 2ND ST N W  
OSSEO MN 55369  
JAMMIN PROPERTIES LLC  
17 2ND ST N W  
OSSEO MN 55369

88 13-119-22 14 0043  
MINNESOTA MEDITATION CENTER  
33 2ND ST N W  
OSSEO MN 55369  
MINNESOTA MEDITATION CENTER  
242 NORTHDALE BLVD  
COON RAPIDS MN 55448

88 13-119-22 14 0044  
WILEY ENTERPRISES INC  
216 1ST AVE N W  
OSSEO MN 55369  
WILEY ENTERPRISES INC  
315 1ST AVE N E  
OSSEO MN 55369

88 13-119-22 14 0045  
MINNESOTA MEDITATION CENTER  
224 1ST AVE N W  
OSSEO MN 55369  
MINNESOTA MEDITATION CENTER  
242 NORTHDALE BLVD  
COON RAPIDS MN 55448

88 13-119-22 14 0046  
MINNESOTA MEDITATION CENTER  
232 1ST AVE N W  
OSSEO MN 55369  
MINNESOTA MEDITATION CENTER  
242 NORTHDALE BLVD  
COON RAPIDS MN 55448

88 13-119-22 14 0047  
MINNESOTA MEDITATION CENTER  
32 3RD ST N W  
OSSEO MN 55369  
MINNESOTA MEDITATION CENTER  
242 NORTHDALE BLVD  
COON RAPIDS MN 55448

88 13-119-22 14 0049  
DIMITRIOS P SANTRIZOS  
247 CENTRAL AVE  
OSSEO MN 55369  
DIMITRIOS P SANTRIZOS  
10883 102ND AVE N  
MAPLE GROVE MN 55369

88 13-119-22 14 0051  
WILEY ENTERPRISES INC  
229 CENTRAL AVE  
OSSEO MN 55369  
WILEY ENTERPRISES INC  
315 1ST AVE NE  
OSSEO MN 55369

88 13-119-22 14 0052  
KATRINA BARNETT  
219 CENTRAL AVE  
OSSEO MN 55369  
KATRINA BARNETT  
4981 TURTLE LA E  
SHOREVIEW MN 55126

88 13-119-22 14 0053  
WILEY ENTERPRISES  
217 CENTRAL AVE  
OSSEO MN 55369  
WILEY ENTERPRISES INC  
315 1ST AVE NE  
OSSEO MN 55369

88 13-119-22 14 0054  
WILEY ENTERPRISES INC  
207 CENTRAL AVE  
OSSEO MN 55369  
WILEY ENTERPRISES INC  
315 FIRST AVE N E  
OSSEO MN 55369

88 13-119-22 14 0055  
WILEY ENTERPRISES INC  
9 2ND ST N W  
OSSEO MN 55369  
WILEY ENTERPRISES INC  
315 1ST AVE NE  
OSSEO MN 55369

88 13-119-22 14 0084  
RICHARD C CHRISTENSON ET AL  
205 CENTRAL AVE  
OSSEO MN 55369  
WILLIAM & MAXINE CHRISTENSON  
205 CENTRAL AVE  
OSSEO MN 55369

88 13-119-22 14 0093  
PREMIER BANK  
300 1ST AVE N W  
OSSEO MN 55369  
PREMIER BANK  
2866 WHITE BEAR AVE  
MAPLEWOOD MN 55109

88 13-119-22 14 0095  
KENT & SHEILA ROBINSON L L C  
233 CENTRAL AVE  
OSSEO MN 55369  
KENT & SHEILA ROBINSON LLC  
6030 173RD AVE N W  
RAMSEY MN 55303

88 13-119-22 14 0096  
MICHAEL M ZACHER  
109 3RD ST N W  
OSSEO MN 55369  
MICHAEL M ZACHER  
109 3RD ST N W  
OSSEO MN 55369

88 13-119-22 14 0097  
D R STARK & A STARK  
301 1ST AVE N W  
OSSEO MN 55369  
DANIEL R STARK  
301 1ST AVE N W  
OSSEO MN 55369

88 13-119-22 14 0099  
UMEGAN LLP  
88 ADDRESS UNASSIGNED  
OSSEO MN 00000  
UMEGAN LLP  
12701 95TH AVE  
MAPLE GROVE MN 55369

88 13-119-22 14 0100  
UMEGAN LLP  
100 3RD ST N W  
OSSEO MN 55369  
UMEGAN LLP  
12701 95TH AVE  
MAPLE GROVE MN 55369

88 13-119-22 14 0101  
FIVE SONS/TWO DAUGHTERS LLC  
100 3RD ST N W  
OSSEO MN 55369  
FIVE SONS/TWO DAUGHTERS LLC  
4940 173RD AVE N E  
HAM LAKE MN 55304

88 13-119-22 14 0102  
PREMIER BANK  
301 CENTRAL AVE  
OSSEO MN 55369  
PREMIER BANK  
2866 WHITE BEAR AVE  
MAPLEWOOD MN 55109

88 13-119-22 14 0118  
CELTIC CRSSING RTL HMS I LLC  
130 REGAN LA  
OSSEO MN 55369  
CELTIC CROSSING RENTAL HOMES  
I LLC C/O HGLND MGT CO INC  
5290 VILLA WAY  
EDINA MN 55436

88 13-119-22 14 0119  
CELTIC CRSSING RTL HMS I LLC  
140 REGAN LA  
OSSEO MN 55369  
CELTIC CROSSING RENTAL HOMES  
I LLC C/O HGLND MGT CO INC  
5290 VILLA WAY  
EDINA MN 55436

88 13-119-22 14 0120  
 CELTIC CRSSING RTL HMS I LLC  
 150 3RD ST N W  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0122  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 201  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0123  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 202  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0124  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 203  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0125  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 204  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0126  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 205  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0127  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 206  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0128  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 301  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0129  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 302  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0130  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 303  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0131  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 304  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0132  
 CELTIC XING RNTL HOMES I LLC  
 110 REGAN LA 305  
 OSSEO MN 55369  
 CELTIC XING RNTL HOMES I LLC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0133  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 306  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0134  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 401  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0135  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 403  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0136  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 404  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 13-119-22 14 0137  
 CELTIC CRSSING RTL HMS I LLC  
 110 REGAN LA 406  
 OSSEO MN 55369  
 CELTIC CROSSING RENTAL HOMES  
 I LLC C/O HGLND MGT CO INC  
 5290 VILLA WAY  
 EDINA MN 55436

88 18-119-21 22 0129  
 DOROTHY M CLARKE  
 16 5TH ST N E  
 OSSEO MN 55369  
 DOROTHY M CLARKE  
 16 5TH ST N E  
 OSSEO MN 55369

88 18-119-21 22 0131  
 CITY OF OSSEO  
 17 4TH ST N E  
 OSSEO MN 55369  
 CITY OF OSSEO  
 415 CENTRAL AVE  
 OSSEO MN 55369

88 18-119-21 22 0133  
 CITY OF OSSEO  
 25 4TH ST N E  
 OSSEO MN 55369  
 CITY OF OSSEO  
 415 CENTRAL AVE  
 OSSEO MN 55369

88 18-119-21 22 0134  
 HENNEPIN FORFEITED LAND  
 416 CENTRAL AVE  
 OSSEO MN 55369  
 CITY OF OSSEO  
 415 CENTRAL AVE  
 OSSEO MN 55369

88 18-119-21 22 0136  
 ZEPHYR INVESTMENTS LLC  
 332 CENTRAL AVE  
 OSSEO MN 55369  
 ZEPHYR INVESTMENTS  
 LIMITED LIABILITY COMPANY  
 112 RIVER ST W PO BOX 524  
 MONTICELLO MN 55362

88 18-119-21 22 0137  
 ZEPHYR INVESTMENTS LLC  
 340 CENTRAL AVE  
 OSSEO MN 55369  
 ZEPHYR INVESTMENTS  
 LIMITED LIABILITY COMPANY  
 112 RIVER ST W PO BOX 524  
 MONTICELLO MN 55362

88 18-119-21 22 0138  
 J KILLMER & M A KILLMER  
 333 1ST AVE N E  
 OSSEO MN 55369  
 JAMES KILLMER  
 MABEL ANYELE KILLMER  
 333 1ST AVE N E  
 OSSEO MN 55369

88 18-119-21 22 0139  
 CURTIS L MCDOWELL SUBJ/L E  
 325 1ST AVE N E  
 OSSEO MN 55369  
 DARLENE MCDOWELL  
 325 1ST AVE N E  
 OSSEO MN 55369

88 18-119-21 22 0140  
 WILEY ENTERPRISES INC  
 317 1ST AVE N E  
 OSSEO MN 55369  
 WILEY ENTERPRISES INC  
 315 FIRST AVE NE  
 OSSEO MN 55369

88 18-119-21 22 0151  
 WILLOW CREEK GROCERY INC  
 312 CENTRAL AVE  
 OSSEO MN 55369  
 WILLOW CREEK GROCERY INC  
 13738 210TH AVE N W  
 ELK RIVER MN 55330

88 18-119-21 22 0152  
 REALIFE COOPERATIVE OF OSSEO  
 12 6TH ST N E  
 OSSEO MN 55369  
 REALIFE COOPERATIVE OF OSSEO  
 12 6TH ST N E  
 OSSEO MN 55369

88 18-119-21 23 0054  
 WILEY ENTERPRISES INC  
 309 1ST AVE N E  
 OSSEO MN 55369  
 WILEY ENTERPRISES INC  
 315 FIRST AVE NE  
 OSSEO MN 55369

88 18-119-21 23 0055  
 KIM D & PAMELA J KLOCEK  
 301 1ST AVE N E  
 OSSEO MN 55369  
 KIM D & PAMELA J KLOCEK  
 301 1ST AVE N E  
 OSSEO MN 55369

88 18-119-21 23 0058  
VKAS LLC  
208 CENTRAL AVE  
OSSEO MN 55369  
VKAS LLC  
8305 FRANKLIN AVE  
ST LOUIS PARK MN 55426

88 18-119-21 23 0201  
FIRST AVENUE COMMONS LLC  
221 1ST AVE N E 4  
OSSEO MN 55369  
FIRST AVENUE COMMONS LLC  
PO BOX 1  
OSSEO MN 55369

88 18-119-21 23 0059  
LODGE NO 125 A F AND A M  
216 CENTRAL AVE  
OSSEO MN 55369  
WINSLOW LEWIS LODGE  
125 AF AND AM  
216 CENTRAL AVE  
OSSEO MN 55369

88 18-119-21 23 0202  
FIRST AVENUE COMMONS LLC  
24 3RD ST N E 5  
OSSEO MN 55369  
FIRST AVENUE COMMONS LLC  
PO BOX 1  
OSSEO MN 55369

88 18-119-21 23 0060  
P L & K A KELZENBERG  
220 CENTRAL AVE  
OSSEO MN 55369  
PETER & KIMBERLY KELZENBERG  
220 CENTRAL AVE  
OSSEO MN 55369

88 18-119-21 23 0061  
ITEN GARAGE LLC  
226 CENTRAL AVE  
OSSEO MN 55369  
ITEN GARAGE LLC  
DANIEL L SPANIER  
208 FOURTH AVE NE  
OSSEO MN 55369

88 18-119-21 23 0062  
240 CENTRAL LLC  
240 CENTRAL AVE  
OSSEO MN 55369  
240 CENTRAL LLC  
PO BOX 1  
OSSEO MN 55369

88 18-119-21 23 0063  
KRISTINA VNUK BENTLER  
248 CENTRAL AVE  
OSSEO MN 55369  
MICHAEL GASPARRINI  
11976 93RD AVE N  
MAPLE GROVE MN 55369

88 18-119-21 23 0194  
WILEY ENTERPRISES INC  
300 CENTRAL AVE  
OSSEO MN 55369  
WILEY ENTERPRISES INC  
315 1ST AVE N E  
OSSEO MN 55369

88 18-119-21 23 0198  
FIRST AVENUE COMMONS LLC  
233 1ST AVE N E 1  
OSSEO MN 55369  
FIRST AVENUE COMMONS LLC  
PO BOX 1  
OSSEO MN 55369

88 18-119-21 23 0199  
FIRST AVENUE COMMONS LLC  
229 1ST AVE N E 2  
OSSEO MN 55369  
FIRST AVENUE COMMONS LLC  
PO BOX 1  
OSSEO MN 55369

88 18-119-21 23 0200  
FIRST AVENUE COMMONS LLC  
225 1ST AVE N E 3  
OSSEO MN 55369  
FIRST AVENUE COMMONS LLC  
PO BOX 1  
OSSEO MN 55369

Hennepin County has developed electronic forms of certain property information databases. Hennepin County makes reasonable efforts to produce and publish the most current property information available. The viewer should understand, however, that Hennepin County makes no representation or warranties, either express or implied, or as to merchantability or fitness for a particular purpose regarding the accuracy and/or completeness of the information contained herein.

**Resolution No. 2013-54**

**RESOLUTION GRANTING REQUEST FROM CCJ CORPORATION FOR A  
CONDITIONAL USE PERMIT TO ALLOW FOR A FIREARM SHOOTING RANGE  
AND ATTACHED FIREARM RETAIL BUSINESS AT  
32 4<sup>TH</sup> STREET NW AND 316 1<sup>ST</sup> AVENUE NW**

WHEREAS, CCJ Corporation has made application for a conditional use permit to allow for a firearm shooting range and attached firearm retail business at 32 4<sup>th</sup> Street NW (Property Identification Number 13-119-22-11-0113) and 316 1<sup>st</sup> Street NW (Property Identification Number 13-119-22-11-0081); and

WHEREAS, the applicant's property is zoned Central Business District (CBD), which is intended to accommodate central business type uses that include joint-use parking areas and business uses primarily oriented to the walking public; and

WHEREAS, Section 153.037 of the City Code of Ordinances indicates that similar uses are a conditional use (C) (2); 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 June 17, 2013, 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 June 17, 2013, regular meeting by a 7-0 vote; and

WHEREAS, the City Council considered the application and Planning Commission recommendation on June 24, 2013; 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 firearm shooting range and attached firearm retail business at 32 4<sup>th</sup> Street NW and 316 1<sup>st</sup> Avenue NW is hereby granted and approved subject to the following twenty conditions:

- (1) The Developer shall construct the firearms shooting range in accordance with federal, state, and local building codes relating to firing ranges;
- (2) The Developer shall include key components in the construction of the firearms shooting range in accordance with federal law enforcement grade firing range standards;
- (3) The Developer shall construct the building with approved building materials in accordance with Osseo Code §153.053;
- (4) The Developer shall construct the building using approved construction standards in accordance with Osseo Code §153.055;
- (5) Windows shall be included along the west façade of the building in an attempt to visually break up overall length of the wall along 1<sup>st</sup> Avenue NW;
- (6) A minimum of a four (4) foot green space shall be included along the west façade of the building in an attempt to visually break up the overall length of the wall along 1<sup>st</sup> Avenue NW;
- (7) A minimum of eighteen (18) trees shall be included on the project site in accordance with Osseo Code §153.057(1)(a);
- (8) A minimum of thirty-two (32) off-street, on-site parking stalls shall be included;
- (9) All parking stalls shall be constructed in accordance with Osseo Code §153.078 for design and maintenance;
- (10) A storm water mitigation plan shall be submitted to the City for review and subject to the approval of the Osseo City Engineer;
- (11) A landscape plan shall be submitted to the City for review and subject to the approval of the Osseo City Planner;
- (12) A final site plan shall be submitted to the City for review and subject to the approval of the Osseo City Planner, Osseo City Engineer, and the Osseo Building Inspector;
- (13) A fire suppression plan shall be submitted to the City for review and subject to the approval of the Osseo Fire Marshal and the Osseo Building Inspector;
- (14) All on-site lighting shall be shielded from adjacent properties;
- (15) The existing decorative light poles along 1<sup>st</sup> Avenue NW shall remain in place;
- (16) The Developer shall make every attempt to limit any audible noise as a result of the business and/or any on-site mechanical equipment from the adjacent residential areas;
- (17) The Developer shall maintain the current public sidewalks along 1<sup>st</sup> Avenue NW and 4<sup>th</sup> Street NW, or, as a result of damage during construction, shall construct new five (5) foot wide sidewalks along 1<sup>st</sup> Avenue NW and 4<sup>th</sup> Street NW;
- (18) All firearms not in use in firing range stalls shall be unloaded and properly cased at all times in accordance with Minnesota laws;
- (19) The hours of operation shall be no earlier than 9 a.m. Monday through Saturday, no earlier than 10 a.m. on Sunday, no later than 9 p.m. Monday through Saturday, and no later than 6 p.m. on Sunday;



- (20) The facility shall have an adequate security system to prevent theft of guns and ammunition.

Adopted by the Osseo City Council this 24th day of June, 2013.

The motion for the adoption of the foregoing resolution was made by Council member Schulz, seconded by Council member Weber, and upon vote being duly taken thereon, the following voted in favor thereof: Council members Duane Poppe, Mark Schulz, and Rick Weber,

and the following voted against the same: Allan Hartkopf and Bonnie Heinen,

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. 2013-54 is a true and correct copy of the Resolution as adopted by the City Council the 24th day of June, 2013.

  
\_\_\_\_\_  
Duane E. Poppe, Mayor

  
\_\_\_\_\_  
Douglas S. Reeder, City Administrator

**Resolution No. 2019-xx**

**RESOLUTION AMENDING A CONDITIONAL USE PERMIT FOR A  
FIREARM SHOOTING RANGE AND ATTACHED FIREARM RETAIL BUSINESS AT  
22 4<sup>th</sup> STREET NW**

WHEREAS, on June 24, 2013, a Conditional Use Permit was issued for operation of a firearm shooting range and attached firearm retail business at the subject property; and

WHEREAS, the property located at 22 4<sup>th</sup> Street NW is zoned CBD Central Business District and legally described as follows:

Lots 3, 4, and 5, Block 14, Osseo, Hennepin County, Minnesota;  
and

WHEREAS, in August of 2019 the property owner applied for a conditional use permit amendment;

WHEREAS, the City of Osseo scheduled a public hearing to again consider the request to amend the CUP, with said hearing to be held on September 16, 2019; and

WHEREAS, a public hearing was held on September 16, 2019, 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 amendment at its September 16, 2019, regular meeting **by a X-X vote**; and

WHEREAS, the City Council considered the application and Planning Commission recommendation on September 23, 2019;

WHEREAS, after reviewing the issue, the Council is supportive of amending the Conditional Use Permit; 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, 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 CBD 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 CBD 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 CBD 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 operation of a firearm shooting range and attached firearm retail business at 22 4<sup>th</sup> Street NE is hereby granted and approved subject to the following conditions:

1. The Developer shall construct the firearms shooting range in accordance with federal, state, and local building codes relating to firing ranges;
2. The Developer shall include key components in the construction of the firearms shooting range in accordance with federal law enforcement grade firing range standards;
3. The Developer shall construct the building with approved building materials in accordance with Osseo Code §153.053;
4. The Developer shall construct the building using approved construction standards in accordance with Osseo Code §153.055;
5. Windows shall be included along the west façade of the building in an attempt to visually break up overall length of the wall along 1<sup>st</sup> Avenue NW;
6. A minimum of a four (4) foot green space shall be included along the west façade of the building in an attempt to visually break up the overall length of the wall along 1<sup>st</sup> Avenue NW;
7. A minimum of eighteen (18) trees shall be included on the project site in accordance with Osseo Code §153.057(1)(a);
8. A minimum of thirty-two (32) off-street, on-site parking stalls shall be included;
9. All parking stalls shall be constructed in accordance with Osseo Code §153.078 for design and maintenance;
10. A storm water mitigation plan shall be submitted to the City for review and subject to the approval of the Osseo City Engineer;
11. A landscape plan shall be submitted to the City for review and subject to the approval of the Osseo City Planner;
12. A final site plan shall be submitted to the City for review and subject to the approval of the Osseo City Planner, Osseo City Engineer, and the Osseo Building Inspector;
13. A fire suppression plan shall be submitted to the City for review and subject to the approval of the Osseo Fire Marshal and the Osseo Building Inspector;
14. All on-site lighting shall be shielded from adjacent properties;
15. The existing decorative light poles along 1<sup>st</sup> Avenue NW shall remain in place;
16. The Developer shall make every attempt to limit any audible noise as a result of the business and/or any on-site mechanical equipment from the adjacent residential areas;
17. The Developer shall maintain the current public sidewalks along 1<sup>st</sup> Avenue NW and 4<sup>th</sup> Street NW, or, as a result of damage during construction, shall construct new five (5) foot wide sidewalks along 1<sup>st</sup> Avenue NW and 4<sup>th</sup> Street NW;
18. All firearms not in use in firing range stalls shall be unloaded and properly cased at all times in accordance with Minnesota laws;

19. ~~The hours of operation shall be no earlier than 9 a.m. Monday through Saturday, no earlier than 10 a.m. on Sunday, no later than 9 p.m. Monday through Saturday, and no later than 6 p.m. on Sunday;~~ 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. Noise arising from the use should not constitute a Public Nuisance Affecting Peace and Safety as defined in Osseo City Code § 93.18.
20. The facility shall have an adequate security system to prevent theft of guns and ammunition.



## Osseo Planning Commission Meeting Item

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**Agenda Item:** Signage Variance Request for 337 County Road 81

**Meeting Date:** September 16, 2019

**Prepared by:** Nancy Abts, AICP, City Planner

**Attachments:** Osseo Zoning & Site Location Map  
Application  
Acknowledgement of Responsibility  
Public Hearing Notice  
Public Hearing Notice Distribution List  
Draft Resolution

---

**Policy Consideration:**

Consider a request for a variance to allow additional signage at 337 County Road 81.

**Previous Action or Discussion:**

The City has not previously discussed a sign variance request for this property. This is the first request from a variance to the new sign ordinance. The new sign ordinance has been in effect since January 1, 2019.

**Background:**

The property located at 337 County Road 81 is owned by Jason D MacDonald LLC. The LLC is considered In Good Standing by the Minnesota Secretary of State. The property is currently used by Prime Hail Repair, an automotive dent repair company from Denver, Colorado.

Under the new sign ordinance, the property is allowed 172 square feet of signage. Under the previous ordinance, the signs allowed for this property would have been a 62 square feet of wall sign (which was used on the property when The Tire Guy occupied the building), and a freestanding monument or pylon sign of up to 75 square feet, for a total of 137 square feet of signage. The new ordinance allows an additional 35 square feet of signage for the property.

Prime Hail Repair has requested two wall signs, each 84 square feet for a total of 168 square feet of Class A signage, and a non-moving trailer functioning as an additional 152 square feet Class B of signage. This request would require a variance to allow an additional 47.6 square feet of Class A and 109 square feet of Class B signage, than would otherwise be permitted.

Minnesota state law imposes a three-factor test for Practical Difficulties which must be met before granting a variance<sup>1</sup>. The three factors are:

1. Reasonableness—the proposal must be to use the property in a reasonable manner.
2. Uniqueness—the reason for the variance must come from circumstances unique to the property not caused by the landowner.
3. Essential Character—granting the variance must not alter the essential character of the area.

(As an aside, Osseo’s city code still refers to the 3-factor test that existed prior to May 2011, known as “undue hardship”. Updating the Variance section will be part of the planned Zoning Code clerical updates.) After reviewing the application, staff does not find the request meets the requirements for granting a variance. Specifically:

1. The limit on the amount of signage for the property does not prevent the property from the reasonable use (auto dent removal) occurring.
2. Although the property is uniquely small for the district where it is located, the application for a variance indicates additional signage is needed because the property has been vacant. Vacancy is not an inherent property characteristic not caused by the landowner.
3. Because of the property’s small size, granting an extra 40 percent of Class A signage and an extra 300 percent Class B signage for a small area would impact the essential character of the surroundings.

For these reasons, and the belief that there is adequate signage allowed for the property without the variance, staff recommends the request be denied.

#### **Budget or Other Considerations:**

The \$500 application fee covers City costs of holding a public hearing on the application and staff time for reviewing CUP applications.

By state law, the reasons for denying a variance must be put in writing and provided to the applicant within 60 days of the application.

#### **City Goals Met By This Action:**

14) Promote a healthy and high quality standard of living

#### **Options:**

The Planning Commission should ***hold a public hearing*** on the application. A motion, second, and vote are required to open, and to close, the public hearing.

Following the hearing, the Planning Commission may choose to ***make the following recommendation*** to the City Council:

1. Approve the Variance request with findings of fact stated by the Planning Commission;;
2. Deny the Variance request with findings of fact stated above;
3. Table action on this item for more information.

#### **Recommendation/Action Requested:**

Staff recommends the Planning Commission choose option 2.

#### **Next Step:**

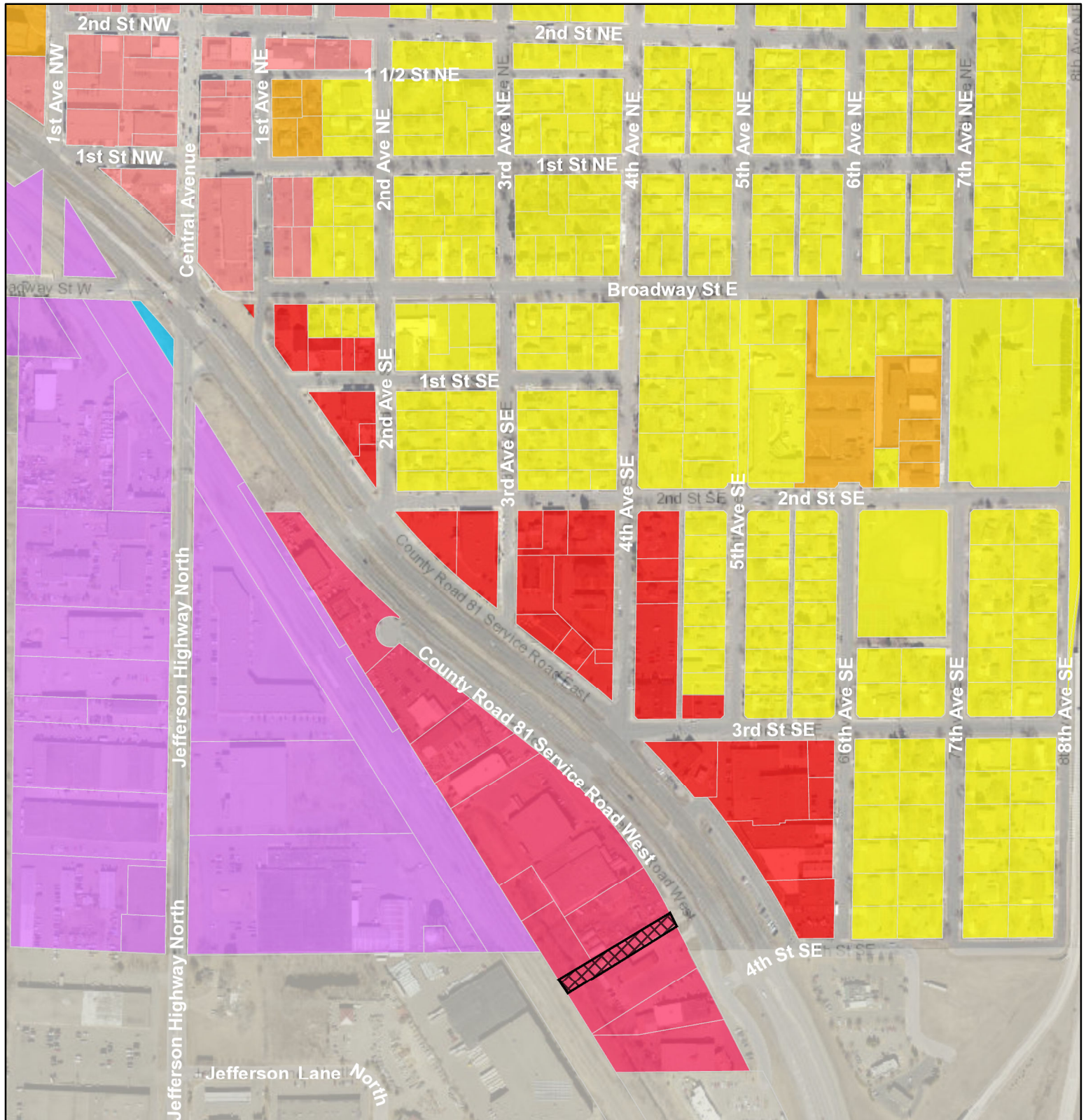
The item will be placed on a subsequent City Council meeting for consideration and approval.

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<sup>1</sup> For more information on variances, see the League of Minnesota Cities Information Memo on Land Use Variances, online at <https://www.lmc.org/media/document/1/landusevariances.pdf>



# 337 Co Rd 81 Variance Application



1 inch = 400 feet



August 28, 2019

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)



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

**Application For:**

Variance  
Residential ☐  
Commercial ☐  
Sign ☐

*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: 337 County road 81 Osseo, mn 55369

Property identification number: \_\_\_\_\_

Property legal description: Lot: X Block: \_\_\_\_\_ Tract/Addition: \_\_\_\_\_

Property type (check one): Abstract: X Torrens: \_\_\_\_\_

Description of request (list the practical difficulties of your request – attach more if necessary):

would like to keep trailer and sign on building to  
properly let people know we are a functioning business  
as it has been virtually abandoned and/or not  
a functioning business for a while.

**Applicant Information:**

Name: Tiffany Terrones Daytime phone: 720.440.0999

Address: 75 S Zenobia St Denver, CO 80219 Email Address: primetailrepair2@gmail.com

*Applicant agrees to reimburse the City of all legal and/or engineering costs incurred by the City, provide plans/drawings/survey for submittal, and pay any additional water and/or sewer assessments that may be due pending a check of City records.*

Signature: Tiffany Terrones Date: 8.23.19





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

8-23-19

Signature of Applicant

Tiffany Terrones

Name and Address of Applicant  
(Please Print)

Tiffany Terrones

75 S. Zenobia St

Denver, CO 80219

Phone Number

720-440-0999

Email Address

primehailrepair2@gmail.com

Name and Address of Contact  
(If Other Than Applicant)

Phone Number


Email Address



**Property Owner Information:**

Name: 1960 Rome LLC. Daytime phone: 612 290-2380

Address: 1965 Rome Ave Email Address: 2rjnatureasi@gmail.com

Signature:  per Date: 8/23/19

*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.*



## City of Osseo

415 Central Avenue  
Osseo, MN 55369-1195

P 763.425.2624 F 763.425.1111

[www.DiscoverOsseo.com](http://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:** Prime Hail Repair
- REQUEST:** Variance to allow for additional signage
- LOCATION:** 337 County Road 81
- TIME OF HEARING:** Monday, September 16, 2019 at 6:00 p.m. – City Hall Council Chambers
- HOW TO PARTICIPATE:**
- 1) You may attend the hearing and state your comments;
  - 2) You may send a letter before the hearing to the City of Osseo, 415 Central Avenue, Osseo, MN 55369 or fax to 763-425-1111; or
  - 3) You may send an email to [nabts@ci.osseo.mn.us](mailto: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

You may visit City Hall (415 Central Avenue) during business hours to discuss the proposal, or visit our website after September 12, 2019 at <http://www.discoverosseo.com/departments/planning-commission/>

**Publication Date:** The Press (September 5, 2019)



48 18-119-21 33 0012  
EBROS LLC  
9100 85TH AVE N  
BROOKLYN PARK MN 55445  
EBROS LLC  
P O BOX 438  
MAPLE GROVE MN 55369

48 18-119-21 33 0016  
GT NORTHERN RY CO  
48 ADDRESS UNASSIGNED  
BROOKLYN PARK MN 00000  
B N & SANTA FE RR CO  
PROPERTY TAX DEPT  
PO BOX 961089  
FORT WORTH TX 76161

48 18-119-21 33 0030  
WILD RIVER LTD PARTNERSHIP  
8500 JEFFERSON LA N  
BROOKLYN PARK MN 55445  
WILD RIVER LTD PARTNERSHIP  
6348 HWY 36 BLVD #6  
OAKDALE MN 55128

48 18-119-21 34 0002  
MCDONALD'S CORPORATION  
9000 85TH AVE N  
BROOKLYN PARK MN 55445  
SHAHAB HYDER  
HYDER INVESTMENTS  
7088 EAST FISH LAKE RD  
MAPLE GROVE MN 55311

48 18-119-21 34 0048  
SCF RC MASTER FUNDING I LLC  
8585 ASPEN LA N  
BROOKLYN PARK MN 55445  
SCF RC FUNDING I LLC  
C/O STONEBRIAR COMM FINANCE  
47 HULFISH ST STE 210  
PRINCETON NJ 08542

88 18-119-21 32 0078  
BURLINGTON NORTHERN INC  
88 ADDRESS UNASSIGNED  
OSSEO MN 00000  
B N & SANTA FE RR CO  
PROPERTY TAX DEPT  
PO BOX 961089  
FORT WORTH TX 76161

88 18-119-21 33 0004  
HENNEPIN FORFEITED LAND  
88 ADDRESS UNASSIGNED  
OSSEO MN 00000  
CITY OF OSSEO  
415 CENTRAL AVE  
OSSEO MN 55369

88 18-119-21 33 0007  
JASON D MACDONALD LLC  
337 CO RD NO 81 SVC RD W  
OSSEO MN 55369  
JASON D MACDONALD LLC  
1845 STINSON PKWY  
MINNEAPOLIS MN 55418

88 18-119-21 33 0017  
VIL OF OSSEO  
88 ADDRESS UNASSIGNED  
OSSEO MN 00000  
CITY OF OSSEO  
415 CENTRAL AVE  
OSSEO MN 55369

88 18-119-21 33 0020  
NORTHERN TRACTOR & EQUIP CO  
335 CO RD NO 81 SVC RD W  
OSSEO MN 55369  
NORTHERN TRACTOR & EQUIP CO  
335 CO RD NO 81 SVC RD W  
OSSEO MN 55369

88 18-119-21 33 0023  
CITY OF OSSEO  
8600 1/2 JEFFERSON HWY N  
OSSEO MN 55369  
CITY OF OSSEO  
415 CENTRAL AVE  
OSSEO MN 55369

88 18-119-21 33 0033  
BENNIS INVESTMENT PROP LLP  
8600 JEFFERSON HWY N  
OSSEO MN 55369  
BENNIS INVESTMENT PROP LLP  
17625 3RD AVENUE  
PLYMOUTH FL 55447

88 18-119-21 33 0035  
K L & K L INVESTMENTS  
325 CO RD NO 81 SVC RD W  
OSSEO MN 55369  
K L & K L INVESTMENTS  
32685 TERRITORIAL RD  
LAKE CITY MN 55041

88 18-119-21 34 0003  
ROONEY & CURRENT PROPERTIES  
417 CO RD NO 81 SVC RD W  
OSSEO MN 55369  
ROONEY & CURRENT LLC  
417 CO RD 81 SERVICE RD  
OSSEO MN 55369

88 18-119-21 34 0006  
SIPE PROPERTIES LLC  
408 3RD ST S E  
OSSEO MN 55369  
SIPE BROS INC  
408 3RD ST S E  
OSSEO MN 55369

88 18-119-21 34 0039  
DANIEL M KOEHLER  
401 CO RD NO 81 SVC RD W  
OSSEO MN 55369  
DANIEL M KOEHLER  
16651 TERRITORIAL RD  
OSSEO MN 55369

88 18-119-21 34 0040  
PACH PROPERTIES LLC  
409 CO RD NO 81 SVC RD W  
OSSEO MN 55369  
PACH PROPERTIES LLC  
C/O JOHN BOEHME  
1163 EGGLESTON DR #517  
DELAND FL 32724

88 18-119-21 34 0043  
R & R PETERS PROPERTIES LLC  
334 CO RD NO 81 SVC RD E  
OSSEO MN 55369  
R & R PETERS PROPERTIES LLC  
334 CO RD 81  
OSSEO MN 55369

88 18-119-21 34 0044  
RICHARD C & FAY M WELK  
338 CO RD NO 81 SVC RD E  
OSSEO MN 55369  
RICHARD C & FAY M WELK  
344 CO RD NO 81 E  
OSSEO MN 55369

88 18-119-21 34 0045  
WILEY ENTERPRISES INC  
300 5TH AVE S E  
OSSEO MN 55369  
WILEY ENTERPRISES INC  
315 1ST AVE NE  
OSSEO MN 55369

88 18-119-21 34 0047  
WILEY ENTERPRISES INC  
315 6TH AVE S E  
OSSEO MN 55369  
WILEY ENTERPRISES INC  
315 1ST AVE NE  
OSSEO MN 55369

Hennepin County has developed electronic forms of certain property information databases. Hennepin County makes reasonable efforts to produce and publish the most current property information available. The viewer should understand, however, that Hennepin County makes no representation or warranties, either express or implied, or as to merchantability or fitness for a particular purpose regarding the accuracy and/or completeness of the information contained herein.

**Resolution No. 2019-xx**

**RESOLUTION DENYING VARIANCE APPLICATION FOR  
AN ADDITIONAL 48 SQUARE FEET OF CLASS A SIGNAGE  
AND AN ADDITIONAL 109 SQUARE FEET OF CLASS B SIGNAGE  
AT 337 COUNTY ROAD 81**

WHEREAS, an application was filed for a variance to increase the amount of signage allowed at 337 County Road 81, Osseo, Minnesota, and as legally described in attached Exhibit A made part hereof by this reference, hereafter known as the Property; and

WHEREAS, the Property is located in the C-2 South, Highway Commercial District South; and

WHEREAS, per Section 153.093 (E) of the Zoning Code, the cumulative maximum sign area allowed is 4 square feet per linear front foot for any property in the C-2 South Zone; and

WHEREAS, per Section 153.093 (E) of the Zoning Code, the maximum percentage of sign area allocated to Class A signs is 70 percent for any property in the C-2 South Zone; and

WHEREAS, per Section 153.093 (E) of the Zoning Code, the maximum percentage of sign area allocated to Class B signs is 25 percent for any property in the C-2 South Zone; and

WHEREAS, the front foot of the Property is 43 feet; and

WHEREAS, the cumulative maximum sign area allowed for the Property is 172 square feet; and

WHEREAS, the maximum area allocated to Class A signs for the Property is 120.4 square feet; and

WHEREAS, the maximum area allocated to Class B signs for the Property is 43 square feet; and

WHEREAS, the applicant has requested 168 square feet of Class A signs for the Property and 152 square feet of Class B signs for the Property;

WHEREAS, a variance from the Zoning Code would be needed in order to allow an additional 47.6 square feet of Class A signage and an additional 109 square feet of Class B signage; and

WHEREAS, under Minnesota Statute Section 462.357 Subdivision 6, variations from the provisions of a city's Zoning Code may be granted only in instances where practical difficulties exist due to unique circumstances of the property that prevent a reasonable use of the property under the zoning code and do not detract from the essential character from the surrounding area; and

WHEREAS, a public hearing was held on September 16, 2019, 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 made the following findings; and

WHEREAS, the Zoning Ordinance provides for a reasonable amount of signage for the Property without requiring a variance to be granted; and

WHEREAS, the Property is a uniquely small and narrow nonconforming lot, with a lot width of less than half of the Lot Width Minimum for the district established in Chapter 153 Appendix A; and

WHEREAS, exterior signs can have a substantial impact on the character and quality of the environment; and

WHEREAS, granting a variance to allow approximately forty percent more Class A signage and more than three times the Class B signage than would otherwise be permitted on a small site such as the Property would impact the essential character of the surroundings; and

WHEREAS, the request for a variance cites previous vacancy of the Property as the need for additional signage; and

WHEREAS, vacancy is not a circumstance unique to the Property not caused by the landowner; and

WHEREAS, the conditions upon which the petition for a variance is based do not constitute practical difficulties for the Property; and

WHEREAS, based on these findings, the Planning Commission recommended denial of the requested variance at its September 16, 2019, regular meeting **by a X-X vote**; and

WHEREAS, the City Council considered the application and Planning Commission recommendation on September 23, 2019; and

NOW, THEREFORE, the City Council of the City of Osseo, Hennepin County, Minnesota, does adopt the findings of the Planning Commission as stated above and makes the same findings of fact.

BE IT RESOLVED, the City Council of the City of Osseo does deny the application for variances for an additional 48 square feet of Class A signage and an additional 109 square feet of Class B signage at 337 County Road 81, Osseo, Minnesota.



## Osseo Planning Commission Meeting Item

**Agenda Item:** Review Preliminary Zoning Code Update Information

**Meeting Date:** August 19, 2019

**Prepared by:** Nancy S. Abts, AICP, City Planner

**Attachments:** Memo regarding PI District  
Memo regarding dimensional standards  
Excerpt of Lot Requirements - Dimensional Standards (City Code Ch. 153 Appendix A)  
Land Use Guidance excerpt from Comprehensive Plan  
Land Use Focus Areas Excerpt from Comprehensive Plan  
Interim Use Permit draft

### **Policy Consideration:**

Provide input on near-term zoning ordinance updates.

### **Background:**

Under Minnesota State Statute, a city's zoning ordinance should "carry out the policies and goals of the land use plan" (MN Statute 462.357 Subd. 2). As such, all cities that update their land use plans must then follow up with necessary revisions to the zoning ordinance to bring zoning controls into alignment with the goals and policies of the adopted comprehensive plan. Osseo began this process last month in coordination with planning consultants from WSB & Associates.

### Review of the PI District

After reviewing the city's Public Institution (PI) district and those of peer communities, WSB does not recommend changes to the existing requirements for the PI district. (See attached memo)

### Dimensional Standard Review

Points of discussion around dimensional standards in existing districts are listed by district:

#### R-1: One and Two Family Residential

WSB finds that the impervious surface standards are adequate, if not generous, for this district. However, if the City is interested in allowing a greater maximum in certain situations, there may be an option to "compromise" with an administrative (staff) approval process to allow an increase in impervious surface under specific circumstances.

The current 50% maximum up to 60% coverage would equal 825 additional square feet on a 8,250 sq ft lot (the minimum lot size for a one-family structure). This additional space could account for a new accessory structure or addition to an existing home. In exchange for the increased area, the property could be required to install stormwater management BMPs or pay an additional stormwater utility charge. The tradeoff for creating this option would be the time and money necessary to set up the process, and the number of properties that would use it isn't known. If there is interest in exploring this possibility, work would likely be done once the planned Zoning Updates are completed. **The Planning Commission is asked to provide input on whether this is worth pursuing in the future.**



### R-2: High-Density Residential

This district permits multi-family dwellings of 3+ units per structure, and conditionally allows public and semi-public facilities like houses of worship, schools, and parks, as well as nursing homes and healthcare facilities. For multi-family dwellings, there is one footnote in the “Lot Requirements” that allows a maximum height of 65 feet (approximately 5 stories). This seems fairly tall, given that the Celtic Crossing and Osseo Commons buildings are 50 feet/4 stories tall, and many of the older apartment buildings in Osseo are closer to 25 feet (with 2.5 stories). Staff recommends considering lowering the maximum height for the district to 55 feet/4 stories, for all types of structures.

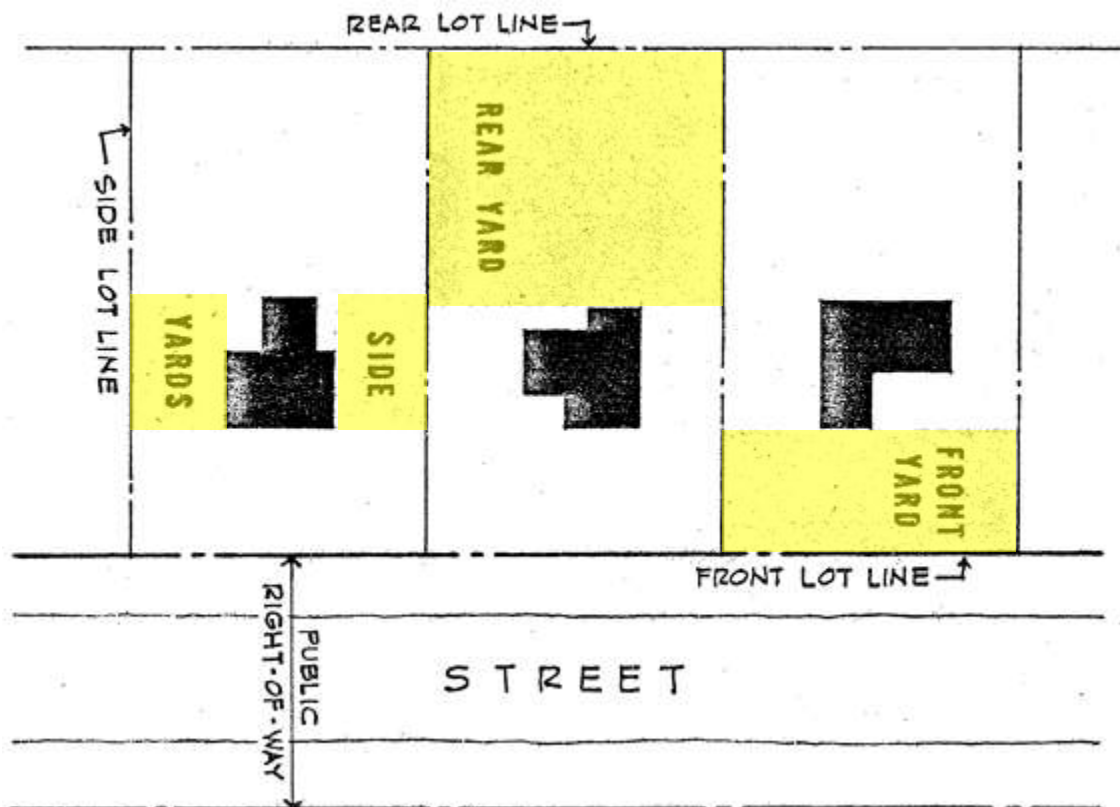
**The Planning Commission is asked to provide input on building height requirements in the R2 district.**

### CBD: Central Business District

WSB proposes raising the height from 35 feet to 45 or 3 stories or 65 feet or 5 stories for mixed use buildings. Offering additional height for mixed use buildings could help incentivize this kind of development. However, a 65 foot structure might be out of place in the existing downtown. The Comprehensive Plan guidance for Downtown Core Mixed Use indicates 2-4 story structures, so staff suggests that if the height is increased, it is raised to no more than 50 feet/4 stories. **The Planning Commission is asked to provide input on the building height increase for the CBD.**

### C2-Highway Commercial North & South

WSB suggests changing the minimum lot size from 15,000 square feet (which makes several existing properties nonconforming) to 7,200 (the minimum lot size in the CBD). WSB also suggests reducing the large setback requirements for front and corner yards to facilitate development. None of the C2 North properties, and approximately half of the C2 South properties, currently meet this requirement. **The Planning Commission is asked to provide input on the front & corner side yard setback reduction.** Staff also asked WSB to review whether many communities have greater rear/side yard setbacks for accessory structures (this occurs in both the C2 & M districts in Osseo), and whether reducing rear yard setbacks along railroad right-of-way would be appropriate.



### M-Manufacturing and Industrial

To meet the stated “intent” of the district in ordinance, WSB suggests increasing the building height in this district as well as prohibiting warehousing. However, the land use guidance in this zoning district includes Office and Light

Industrial. Light Industrial guidance identifies warehousing as an example of an appropriate use, and calls for buildings of one level with a mezzanine. Office guidance calls for buildings two stories or greater. Again, WSB's recommendation of 65 feet/5 stories might be excessive. The Bell Tower building is approximately 45 feet tall and 3 stories. **The Planning Commission is asked to provide input on allowed building height for the M district.**

Staff supports reducing setbacks for the district, but keeping (and perhaps modifying) landscaping requirements (currently one tree per 1,000 square feet of gross building area). **The Planning Commission is asked to discuss setbacks and landscaping requirements for the M District.**

#### Preview of Edge Mixed Use Zoning

In addition to reviewing existing Zoning requirements, WSB has been working to draft a new 'Edge Mixed Use' zoning for certain redevelopment areas. Overall, this new district is intended to allow certain types of development to take place without requiring the extensive negotiation and approvals process needed for a PUD. Projects would still undergo a standard Site/Building Plan Approval required for all development other than 1- and 2-family homes. (Development that doesn't meet the district requirements might proceed under a PUD.) This zoning is somewhat of a hybrid of the Central Business District and High-Density Residential District. However, unlike the CBD, it allows ground-floor residential by right. Unlike the R2 district, it allows some commercial uses by right.

Other features of the district include:

- A minimum of 3 dwelling units per residential structure
- A minimum and maximum front yard setback (to ensure consistency between buildings)
- Transparency requirements for building-facing facades (to prevent long stretches of blank walls)
- Limits on the amount of commercial space allowed by right in mixed-use buildings (larger commercial spaces are Conditional Uses)
- A height bonus for providing the "open space" or "park-like amenities" the land use guidance calls for
- Lower off-street parking requirements than R2 (1 space per dwelling unit, rather than 1.75) and no parking required for the first 3,000 square feet of commercial space

Staff has also suggested adding simple bicycle parking requirements, perhaps just for this district or citywide. Many of the areas guided for Edge Mixed Use are located along the future Crystal Lake Regional Trail alignment along County Road 81 or the planned multiuse trail along County Road 30.

#### Interim Use Permits

In addition to the updates identified in the Comprehensive Plan, staff is proposing updating City Code to allow Interim Uses. Interim Uses are somewhat similar to Conditional Uses, but are allowed to terminate at a certain date or if other conditions change. Unlike Conditional Permits, there does not necessarily need to be a permit violation or a discontinued use in order for an Interim Use to be removed from a property. Draft language regarding Interim Uses is attached.

#### **Previous Action or Discussion:**

A preliminary schedule for completing these updates was proposed last month:

August 19	<u>Planning Commission</u>	<u>Provide initial input on Code Updates</u>
September 16	Planning Commission	Review initial information on Code Updates
October 21	Planning Commission	Public Hearing on Revised Updates
October 28	City Council	1 <sup>st</sup> Reading (including any revisions)
November 12	City Council	2 <sup>nd</sup> Reading & adoption

Previously, the Planning Commission held a preliminary discussion of work to implement the Comprehensive Plan at their April 15, 2019 meeting. Following direction from the City Administrator, additional work on Comprehensive Plan implementation was paused until adoption of the Plan.

On July 24, 2019, the Metropolitan Council reviewed and accepted Osseo's 2040 Comprehensive plan, and authorized the City to put the plan into effect. The Osseo City Council approved submitting the Comprehensive Plan to the Metropolitan Council on [November 26, 2018](#), and adopted the 2040 Comprehensive Plan Update on [August 12, 2019](#).

**Budget or Other Considerations:**

Some of the cost savings comes from having WSB attend only one Planning Commission and one City Council meeting for these conversations, instead of all three meetings where updates would be adopted. Planning Commission members are encouraged to raise questions/concerns about the update at this meeting, before holding a public hearing on the proposed changes next month.

**City Goals Met By This Action:**

- 4) Improve the City's aging and deteriorating infrastructure
- 5) Continue to give Staff the necessary tools to do their jobs effectively and efficiently
- 6) Update City policies
- 10) Develop and implement the Comprehensive Plan
- 14) Promote a healthy and high quality standard of living

**Recommendation/Action Requested:**

Staff recommends the Planning Commission discuss near-term Zoning Code updates.

**Memorandum**

To: Nancy Abts, Osseo Planner

From: Molly Just, AICP

Date: September 6, 2019

Re: Task 1 - Review of Public Institution Zoning District

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**Overview of Task 1 – Review of Public Institution Zoning District (PI District).** The City of Osseo has requested that WSB review the City's Public Institution District for clarity and breadth of legislative intent and adequacy of district standards relative to the breadth of standards found in other districts in the zoning code and the PI Districts of peer communities.

**Finding.** PI Districts are often created after public facilities are in place and the varying nature of activities necessary to carry out public services means that one set of dimensional standards is unlikely to work for all public service facilities. Additionally, it is common for cities to move or expand such facilities to achieve a public purpose, and libraries, fire houses, and water towers are located based on the needs of the community and not the confines of Euclidean zoning. Finally, not all communities have formal PI Districts and Osseo is not unique in the intent and breadth of its PI District. I therefore find the intent and dimensional requirements adequate.

**Recommendation.** I recommend that it is unnecessary to add lot size and/ or dimensional requirements to the PI District and find that the intent statement is adequate, relative to that for other districts in the Osseo Zoning Ordinance, and that of peer cities. You may want to review the district to determine whether there are any definitions needed in order to support the language in the PI District.

Attached are materials that include a tabular summary of the PI Districts of peer communities and copies of the full district from the code of each community. Please let us know if we can be of further help to you in this matter.

Sincerely,

**WSB**

*Molly Just*  
Molly Just, AICP

Attachments: Tabular Summary of Peer Communities, District Language from Peer Communities.

<b>City Name</b>	<b>New Hope</b>
<i>District Name</i>	Governmental, Park, and Open Space Zoning District
<i>Preamble</i>	The purpose of the GPO - governmental, park and open space district is to provide for the establishment of governmental, civic uses, and recreational activities which serve the residents from the entire community or subregion. The district is designed to: (1) Create a unified district for governmental operations and civic uses; (2) Encourage a sense of activity and liveliness among public open spaces and sidewalks; (3) Provide public gathering spaces and green spaces.
<i>Permitted uses</i>	(1)Municipal government and utility buildings. Municipal government, publicly regulated communications, and public utility buildings and structures necessary for the health, safety and general welfare of the community. (2)Public parks and playgrounds. (3)Municipal recreational facilities including swimming pool, golf course and ice arenas. (4)Municipal water towers.
<i>Conditional uses</i>	
<i>Dimensional standards</i>	No Minimum Lot area, No Minimum Lot Width, 0 Front, Rear, Side Setbacks
<i>Other standards</i>	Specific performance standards for Administrative Uses – which are Farmer’s Markets, festivals, and open/outdoor sales, seasonal products

<b>City Name</b>	<b>Crystal</b>
<i>District Name</i>	Does not have a stand alone Institutional or Public use district

<b>City Name</b>	<b>Maple Grove</b>
<i>District Name</i>	Does not have a stand alone Institutional or Public use district

<b>City Name</b>	<b>Brooklyn Park</b>
<i>District Name</i>	Public Institution Zoning District
<i>Preamble</i>	The Public Institution District (PI) is intended to provide for a district for public buildings, uses and needs that otherwise may not fit into other zoning districts because of their specialized land use needs and public purpose.
<i>Permitted uses</i>	(A) Schools and daycares. Includes public and private primary and secondary schools, pre- schools, and daycares, subject to Site Plan Review requirements of § 152.033; and public or private post-secondary institutions like colleges, universities, junior colleges, and trade schools. (B) Government buildings. Including fire and police stations, government office buildings, maintenance buildings, recreation facilities, libraries, water towers or purification plants and the like. (C) Religious institutions. (D) Non-profit community agencies, recreation centers, or youth centers. (E) Hospitals.
<i>Conditional uses</i>	(A) Telecommunication towers as regulated by §§ 152.090 through 152.096.

	(B) Outdoor storage of equipment, landscaping materials, etc. when accessory to a government building or maintenance facility.
<i>Dimensional standards</i>	The PI district has no minimum lot area or lot width requirements. Setback requirements are as follows: 10 ft from public rights-of-way, 10 ft from side property lines, 10 ft from rear property lines, and 50 ft when adjoining residential areas. Site within the PI district are required to be business district performance standards and landscaping standards. A 60 ft maximum height is required in the PI district.
<i>Other standards</i>	Lists permitted accessory uses which include limited retail, restaurant, assembly halls, and daycare.

<b>City Name</b>	<b>Robbinsdale</b>
<i>District Name</i>	Public Facilities Zoning District
<i>Preamble</i>	A district to provide for public buildings, facilities, land areas, waterways and water areas which are owned, controlled, regulated, used or proposed to be used by the city of Robbinsdale or other governmental body. The district will also provide for telecommunications towers and facilities.
<i>Permitted uses</i>	(a) Public parks, playgrounds, and athletic fields. (b) Municipal utilities including water storage, storm water ponding, treatment and sewer, water and pumping facilities. (c) Municipal buildings and structures, provided there is adequate screening from adjacent uses.
<i>Conditional uses</i>	schools, recreation and community centers meeting performance standards, utilities, wind energy systems exceeding 20 ft, ground mounted-solar, telecommunications towers, outdoor storage, and parking area exceeding the requisite requirement by 125%.
<i>Dimensional standards</i>	States that minimum lot area, lot width, and setbacks are established as equivalent to similar uses.
<i>Other standards</i>	

<b>City Name</b>	<b>Hopkins</b>
<i>District Name</i>	Institutional Zoning District
<i>Preamble</i>	None
<i>Permitted uses</i>	(a) Single-Family and two-family Residences
<i>Conditional uses</i>	(a) Schools and structures incidental thereto, (b) religious institutions and structures incidental thereto
<i>Dimensional standards</i>	A setback of 35 ft is require from all property lines. The lot minimum is 20,000 sq. ft., lot width is 100 ft, building coverage is 35%, and max height is 35 ft.
<i>Other standards</i>	Compatibility and performance standards for new institutional uses or parking expansions with regard to existing residences in proximity.

## Sec. 4-18. - GPO, governmental, park and open space district.

- (a) *Purpose.* The purpose of the GPO - governmental, park and open space district is to provide for the establishment of governmental, civic uses, and recreational activities which serve the residents from the entire community or subregion. The district is designed to:
- (1) Create a unified district for governmental operations and civic uses;
  - (2) Encourage a sense of activity and liveliness among public open spaces and sidewalks;
  - (3) Provide public gathering spaces and green spaces.
- (b) *Permitted uses, GPO.* The following are permitted uses in the GPO district:
- (1) Municipal government and utility buildings. Municipal government, publicly regulated communications, and public utility buildings and structures necessary for the health, safety and general welfare of the community.
  - (2) Public parks and playgrounds.
  - (3) Municipal recreational facilities including swimming pool, golf course and ice arenas.
  - (4) Municipal water towers.
- (c) *Permitted accessory uses, GPO.* The following are permitted accessory uses in a GPO district:
- (1) Parking. Off-street parking as regulated by subsection 4-3(e) of this Code.
  - (2) Off-street loading. Off-street loading as regulated by subsection 4-3(f) of this Code.
  - (3) Storage sheds. Tool house, shed and/or similar building for storage of supplies and recreational equipment used for municipal purposes.
  - (4) Accessory antenna. Accessory antennas in conformance with subsection 4-3(b)(6)h of this Code.
- (d) *Administrative uses.* Administrative uses are also subject to the following administrative use provisions:
- (1) Farmers' markets, festivals, and open/outdoor sales, seasonal products:
    - a. Hours of operation shall be limited to the hours between 6:00 a.m. and 9:00 p.m.
    - b. The site plan must clearly demonstrate that adequate parking for the proposed event can be provided for the permit's duration without reducing the parking requirements of the principal use below minimum parking standards of this Code.
    - c. Signage for the sales operation may be counted separate from the maximum allowed for the principal use otherwise occupying the site. However, this waiver shall be limited to a maximum of two signs per site not to exceed a total combined area of 64 square feet of signage; and one sign per individual vendor at a site, not to exceed a total area of ten square feet of signage.
    - d. Any use of an outdoor sound system in any connection with a farmers' market, festival shall not exceed 55 decibels at the property line.
    - e. Farmers' markets, festivals and open/outdoor sales, seasonal products are otherwise subject to the detailed permit requirements of Chapter 8 of this Code.
- (e) *Lot requirements and setbacks.* The following minimum requirements shall be observed in the GPO zoning district subject to additional requirements, exception, and modification set forth in this Code.

Lot Standards		
Minimum lot area	All uses	No minimum
Minimum lot width	All uses	No minimum



Setbacks				
Front: Local Street	Arterial or Community Collector Street	Rear	Side: Interior Side Yard	Corner: Local Street
0 feet	0 feet	0 feet	0 feet	0 feet

(Ord. No. 15-19, § 2, 7-27-2015)

[Print](#)

## Brooklyn Park, MN Code of Ordinances

***PUBLIC INSTITUTION DISTRICT (PI)*****§ 152.430 PURPOSE.**

The Public Institution District (PI) is intended to provide for a district for public buildings, uses and needs that otherwise may not fit into other zoning districts because of their specialized land use needs and public purpose.

(Ord. 2000-936)

**§ 152.431 ESTABLISHMENT.**

The Public Institution District is hereby established within the City of Brooklyn Park. This district may be applied only to those properties designated for public institution uses on the Comprehensive Plan Land Use Map.

(Ord. 2000-936)

**§ 152.432 SITE PLAN REVIEW.**

All proposed uses are subject to the Site Plan Review requirements found in §§ 152.030 through 152.039.

(Ord. 2000-936)

**§ 152.433 PERMITTED USES.**

(A) *Schools and daycares.* Includes public and private primary and secondary schools, pre-schools, and daycares, subject to Site Plan Review requirements of § 152.033; and public or private post-secondary institutions like colleges, universities, junior colleges, and trade schools.

(B) *Government buildings.* Including fire and police stations, government office buildings, maintenance buildings, recreation facilities, libraries, water towers or purification plants and the like.

(C) Religious institutions.

(D) Non-profit community agencies, recreation centers, or youth centers.

(E) Hospitals.

(Ord. 2000-936; Am. Ord. 2007-1070, passed 3-26-07; Am. Ord. 2009-1107, passed 10-19-09)

**§ 152.434 CONDITIONAL USES.**

No permit may be issued for construction for a building, structure or land use considered conditional unless a Conditional Use Permit has been granted by the City Council in accordance

with §§ 152.030 through 152.039.

(A) Telecommunication towers as regulated by §§ 152.090 through 152.096.

(B) Outdoor storage of equipment, landscaping materials, etc. when accessory to a government building or maintenance facility.

(Ord. 2000-936; Am. Ord. 2007-1070, passed 3-26-07)

### **§ 152.435 PERFORMANCE STANDARDS.**

(A) Building setbacks:

(1) From public rights-of-way - 10 feet.

(2) Side - 10 feet.

(3) Rear - 10 feet.

(4) Side or rear adjacent to a residential district - 50 feet.

(B) No minimum lot size is required.

(C) All uses must conform to the performance standards for business districts listed as defined in §§ 152.070 through 152.182 and §§ 152.300 through 152.393 where applicable.

(D) Maximum height is 60 feet. For each one foot greater than 60 feet of building height, as measured from the highest adjacent grade to the top of the roof, the required front, side and rear setbacks must be increased one foot.

(E) Sites must conform to the B3 Zoning District landscaping requirements of § 152.374.

(Ord. 2000-936; Am. Ord. 2001-952, passed 5-14-01; Am. Ord. 2007-1070, passed 3-26-07)

### **§ 152.436 ACCESSORY USES.**

(A) The following accessory uses are permitted for all uses, however are limited to 10% (each) of the total building area if they are located within a religious institution or non-profit community agency:

(1) Retail sales.

(2) Class-I restaurants.

(3) Assembly halls (other than for religious worship).

(4) Day care.

(B) The following accessory uses are conditional for all uses, however are limited to 10% (each) of the total building area if they are located within a religious institution or non-profit community agency:

(1) Class-II restaurants.

(2) Rectories for religious institutions (either within the principal structure or as a separate building).

(Ord. 2007-1070, passed 3-26-07)

Section 517 - P Zoning district regulations  
(Added, Ord. No. 97-06, Sec. 1)

517.01. P, Public facilities district. Subdivision 1. Purpose. A district to provide for public buildings, facilities, land areas, waterways and water areas which are owned, controlled, regulated, used or proposed to be used by the city of Robbinsdale or other governmental body. The district will also provide for telecommunications towers and facilities.

Subd. 2. Permitted uses. The following are permitted uses in P districts:

- (a) Public parks, playgrounds, and athletic fields. (Amended, Ord. No. 00-08)
- (b) Municipal utilities including water storage, storm water ponding, treatment and sewer, water and pumping facilities. (Amended, Ord. No. 00-08)
- (c) Municipal buildings and structures, provided there is adequate screening from adjacent uses. (Amended, Ord. No. 00-08)

Subd. 3. Permitted accessory uses. The following are accessory uses in P districts:

- (a) Telecommunications facilities on an antennae support structure provided they comply with section 720 of the city code.
- (b) Solar energy devices as an integral part of the principal structure.
- (c) Off-street parking and loading as provided for by sections 510.17 and 510.19, but not including park and ride or parking ramps. (Added, Ord. No. 00-08)

Subd. 4. Conditional uses. The following are uses permitted with a conditional use permit in P districts:

- (a) Non-municipal public or semi-public recreational buildings and neighborhood or community centers; public educational institutions limited to K-12 school, colleges or universities; and museums provided that: (Amended, Ord. No. 00-08)
  - (1) any such principal building shall be located 30 feet or more from any other lot in a residential district;
  - (2) adequate screening from abutting residential uses and landscaping is provided in compliance with subsection 510.25, subdivision 2 of this code;

- (3) adequate off-street parking and access is provided on the site or on lots directly abutting or directly across a public street or alley from the principal use in compliance with subsection 510.17 of this code and that such parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with subsection 510.25, subdivision 2 of this code;
  - (4) an off-street rider drop-off and pick-up drive is provided;
  - (5) adequate off-street loading and service entrances are provided and regulated where applicable by subsection 510.19 of this code;
  - (6) the site of the principal use and related parking is served by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated;
  - (7) there is no outside storage of any materials or equipment unless allowed by conditional use; (Added, Ord. No. 00-08)
  - (8) not more than 120% of required parking for principal use unless allowed by conditional use. (Added, Ord. No. 00-08)
- (b) Use of a public school facility for any of the following uses: (Amended, Ord. No. 12-11)
- (1) administrative offices by any public or nonprofit organization; counseling or training services; community education instruction; instruction in music, art, dance, language, self-improvement or business vocation; or places of assembly such as religious institutions or community group productions, provided that: (Amended, Ord. No. 00-08, Ord. No. 12-11)
    - (i) the facility has adequate parking to accommodate demand in conformance with Section 510.17, taking into account the days and hours of operation and the parking needs of other users of the facility; (Amended, Ord. No. 12-11)
    - (ii) off-site impacts due to noise, light, odor, vibration or other similar matters will not be disruptive to nearby permitted uses;
    - (iii) the use shall not cause the structure to be in non-compliance with any applicable fire or building code;
    - (iv) no addition to the facility shall be constructed to accommodate the use.

- (2) licensed day care facilities serving more than 12 persons at one time, provided that:  
(Amended, Ord. No. 00-08)
  - (i) all provisions of the Minnesota public welfare licensing act, Minnesota Statutes, sections 245.781 to 245.85, as well as all rules or regulations related thereto, promulgated by the Minnesota commissioner of human services are met;
  - (ii) a written indication of preliminary, pending or final license approval from the regulatory welfare agency is supplied to the city;
  - (iii) an off-street drop-off and pick-up location is provided;
  - (iv) the site shall have an outdoor play area which is adequate in size and in a location which is not disruptive to adjacent permitted uses;
  - (v) the use shall not cause the structure to be in non-compliance with any applicable fire or building code;
  - (vi) no addition to the facility shall be constructed to accommodate the use.
- (3) Office, processing, assembly or manufacturing for small for-profit businesses, not including retail sales, provided that:
  - (i) no business shall occupy more than 2,000 square feet of space and the total space occupied by all small businesses shall not exceed 20% of the gross floor area of the facility;
  - (ii) hours of operation shall be limited to not longer than 6:00 a.m. to 5:00 p.m., Monday through Friday;
  - (iii) there shall be no use of semi-trucks in connection with the business;  
(Amended, Ord. No. 00-08)
  - (iv) the facility shall have adequate parking without the need to expand the existing parking area;
  - (v) there shall be no noise, dust, odor, sound, vibration, or other environment effect caused by the business which is disruptive to adjacent permitted uses;
  - (vi) the use shall not cause the structure to be in non-compliance with any applicable fire or building code;
  - (vii) no addition to the facility shall be constructed to accommodate the use.

- (c) Utility company transformers, pumping stations and substations subject to the following minimum requirements; (Amended, Ord. No. 00-08)
  - (1) They must conform to neighborhood setbacks, open spaces and design;
  - (2) They must be screened from adjacent districts by solid fencing or appropriate landscaping as approved by the zoning administrator;
- (d) Wind generators and other tower mounted energy devices exceeding a height of 20 feet above the structure roof.
- (e) Solar energy devices NOT an integral part of the principal structure.
- (f) Telecommunications tower provided that:
  - (1) the tower conforms with section 720 of the city code.
  - (2) it is determined that tower will not unreasonably adversely impact a unique recreational area.
  - (3) it is determined that tower will not unreasonably adversely impact an identified economic development area.
- (g) Off-street parking in excess of 125% of the minimum specified in subdivision 517.07. (Added, Ord. No. 00-08)
- (h) Open or outdoor storage accessory to permitted or conditional uses provided it complies with the standards set forth in section 520.05, subdivision 4(e). (Added, Ord. No. 00-08)

Subd. 5. Additional restrictions. For uses, other than permitted uses, requirements as to lot size, setbacks, building, parking, landscaping, screening, etc., shall be at least comparable to similar uses in other districts, but also subject to additional provisions as provided by the city.

Subd. 6. Uses excluded. Any use allowed or excluded in any other district unless specifically allowed under permitted uses of this district is excluded in P districts.

517.03. Lot requirements and setbacks. All lot requirements and setbacks for permitted and conditional uses in this district shall be comparable to other similar uses that are allowed in other districts as determined by the city. (Amended, Ord. No. 00-08)

517.05. Building requirements. All building requirements for permitted and conditional uses in this district shall be comparable to other similar uses that are allowed in other districts as determined by the city. (Amended, Ord. No. 00-08)



517.07. Parking requirements. All parking requirements for permitted and conditional uses in this district shall be comparable to other similar uses that are allowed in other districts as determined by the city. (Amended, Ord. No. 00-08)

517.09. Landscape requirements. All landscape requirements for permitted and conditional uses in this district shall be comparable to other similar uses that are allowed in other districts as determined by the city. (Amended, Ord. No. 00-08)

517.11. Performance standards. All performance standards for permitted and conditional uses in this district shall be comparable to other similar uses that are allowed in other districts as determined by the city. (Amended, Ord. No. 00-08)

517.13. Tower and telecommunications facilities requirements. All telecommunications facilities shall comply with section 720 of the city code.

Section 542 - Zoning: Institutional District

542.01. One-family detached dwellings and two-family detached dwellings are permitted uses in the Institutional district, but subject to all provisions of Section 530 applicable thereto, which provisions are incorporated in this section.

542.02. Conditional uses within the Institutional districts.

Subdivision 1. The following are conditional uses in Institutional zoning districts and certain of the standards, restrictions and requirements applicable to such conditional uses:

- Schools and all structures, facilities and physical improvements incident or accessory thereto.
- Religious Institutions and all structures, facilities and physical improvements incident or accessory thereto.

542.03 Any expansion, enlargement or modification of an Institutional use that will result in the demolition or removal of a dwelling unit shall be a conditional use requiring a Conditional Use Permit. All conditional uses shall be allowed only upon compliance with and fulfillment of all the standards, conditions and requirements stated in Sections 525.13 and 542 of the Hopkins Zoning Ordinance.

542.04 Area and Yard Limitations

Conditional Uses permitted in any Institutional district are subject to the following minimum floor and lot area, minimum lot width, yard and setback, requirements, and maximum building heights.

Front yard	35 feet
Side yard	35 feet
Rear yard	35 feet
Minimum Lot Size	20,000 square feet
Lot width	100 feet
% Building Coverage	35% of lot area
Maximum building height	35 feet

542.05 Subdivision. 1. In addition to the standards, conditions and requirements stated elsewhere in Section 525.13 and this Section 542, no Conditional Use Permit shall be granted for a conditional use within an Institutional district unless the applicant has demonstrated compliance with the following standards, conditions and requirements.

1. The removal of a dwelling unit, whether attached or detached, shall not change the character of the neighborhood. Wherever such a dwelling is removed it shall be replaced by a use that to the street, and is compatible in size, scale, orientation

architectural character with adjacent properties and dwellings. The Planning Commission and City Council shall apply the requirements of this ordinance to any lot or parcel of land from which a dwelling is to be removed or has been removed by or on behalf of the applicant at any time prior to the date of the application for the Conditional Use Permit

2. Any structure, building or other improvement constituting part of an institutional use that lies directly across the street from a dwelling or dwellings shall be architecturally compatible, in scale with and oriented consistent with existing dwelling units. If the existing dwelling units adjacent to or in the vicinity of the institutional use face the street, any structures, buildings or improvements related to the institutional use must also orient to the street. Green space, yards or landscaped parking lots are acceptable if an existing park or open space is adjacent to or across the street from the institutional use. New or expanded existing parking lots across the street from existing dwellings are not acceptable because they are inconsistent with the existing character of the neighborhood, except that a parking access drive not exceeding 24 feet in width may be permitted across the street from existing dwellings provided the landscaping and screening requirements of this ordinance are met. In order to evaluate the application for a Conditional Use Permit and its compliance with this paragraph, the City may retain an architect or city planner, at the applicant's expense, to evaluate the proposed conditional use and submit a study or report to the City stating the architect or planner's opinions and recommendations relating to the compliance of the proposed institutional use with the requirements of this paragraph.
3. If a new or expanded existing parking lot or access drive is permitted under the provisions of the preceding paragraph, and such new or expanded parking lot or access drive abuts or is across the street from an existing dwelling or dwellings, there shall be a landscaped buffer area within the required setback of at least 15 feet in width. Buffer areas shall be planted with a mixture of not less than 50% coniferous plantings to facilitate year-round screening, and berming may also be required for screening purposes. Additionally, screening and buffering shall be required in accordance with Section 550.01 of this ordinance except that fence shall be permitted along street frontages.

Subdivision 2. The proposed use shall also comply with all federal, state and municipal laws, statutes, codes and ordinances and the standards and policies of the City in effect at the time of submission of the applicant for a Conditional Use Permit. The City may require the applicant, at the applicant's expense, to submit studies, plans and reports, from consultants approved by the City to demonstrate compliance of the proposed conditional use with all such laws, statutes, codes, ordinances, standards, and policies.

**Memorandum**

To: Nancy Abts, Osseo Planner

From: Molly Just, AICP

Date: September 6, 2019

Re: Task 8 - Review of Dimensional Requirements

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The City of Osseo has requested that WSB review dimensional standards within the City's Zoning Ordinance. To that end, staff provided specific questions to be addressed with our review. Our responses are separated by district and the district intent is included for context.

**R-1**

*Intent.* To recognize fully or partially developed one- and two-family residential areas including supporting public and semi-public facilities, to provide for future development of a similar nature, and to protect the desired low intensity living environment from encroachment by conflicting land use.

*Impervious Surface.* The existing maximum is generous. The norm is more like 30-40% but if there are no environmental or flooding issues, perhaps keep it as is. If most lots aren't at 50% impervious, how would a robust residential market that might encourage tear downs or large expansions impact the goals of the community?

**R-2**

*Intent.* To recognize the demand for apartment, condominium, and multiple-family dwellings; to provide for these apartments upon fairly sizable tracts of land, thereby allowing increased design flexibility and a more compatible development pattern; and to permit these apartments at densities high enough to allow high quality development yet low enough to provide a desirable living environment for residents.

*Height.* Often it helps to provide stories and feet, with a max. Such as 5 stories but no more than 65 feet. Or 5 stories or 65 feet, whichever is less. If the predominant height in the area is 5 stories or approaching 65 feet, then I would leave it at 65 feet but add the stories.

Is there a reason for the 25 feet? How much R-2 will be left after the EMU rezoning? If the remaining R-2 is largely next to R-1, then I would leave it as-is. If there is otherwise a desire for tapering or there is a market for health care facilities and education but more of a policy direction for multifamily then I would increase the height to something like 55 feet or 4 stories, or just eliminate the difference and have one height.

### CBD

*Intent.* The intent of this district is to accommodate central business type uses that include joint-use parking areas and business uses primarily oriented to the walking public.

*Height.* Looking at the zoning map only, I might question whether the CBD height should be taller? Perhaps there is a policy preference for preservation of the existing condition? Then are there incentives for preservation? Is parking a key consideration for density in the downtown? Food for thought. Without any policy or planning direction, I would ask what is the market asking for in the CBD? Otherwise, I would suggest 45 feet or 3 stories or 65 feet or 5 stories if mixed use buildings.

### C2

*Intent.* The intent of this district is to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner.

*Lot Size.* To keep it simple, I would suggest reducing the lot size requirement to that for the CBD. It looks like that should cover most of the existing lots.

*Lot Width.* I don't see the issue with lot width for the C2 lots, but you could use the CBD standard here.

*Height.* I don't see an issue with the 35 foot height limitation here. Please advise of any known issues.

*Suggested Consideration.* On the front and corner setbacks, I can see how 45 feet could be difficult as the lots are so shallow. What does the market want here? I would consider reducing this setback.

### M

*Intent.* The intent of this district is 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.

*Lot Size.* The existing lots are quite large so I'm not sure what are the size and width concerns.

*Height.* Consider if 40 feet is enough height. I would suggest 65 feet and prohibit warehousing and similar uses that do not achieve the intent of the district.

*Impervious Surface.* If the policy goal of the City is consistent with the existing preamble for the district, then I advise maintaining the current language.

*Suggested Consideration.* Setbacks - I can see how the mix of front and rear setbacks limit additional development. With no limit on impervious surface, I would eliminate or greatly reduce the setbacks. Perhaps the market can take care of parking and landscaping. I might even allow another way to meet landscaping requirements, if this is important to Osseo. I have created alternatives to meeting the requirement on site and can advise on this.

Please let me know if we may be of additional assistance with this matter.

Sincerely,

**WSB**

*Molly Just*  
Molly Just, AICP

## APPENDIX A: LOT REQUIREMENTS AND STANDARDS

Zoning District	Building Height Max. (feet) <sup>e</sup>	Access. Height Max. (feet)	Lot Size Min (s.f.)	Lot Width Minimum (feet)	Setbacks <sup>f</sup>					Minimum Site Area Per Dwelling Unit (sq. feet)	Dwelling Floor Area Ratio	Max. Impervious Surface(%)
					Front Yard (Feet)	Corner Side Yard (Feet)	Side Interior (Feet)	Rear Yard (Feet)	Accessory Side/Rear Yard (Feet) (Alley)			
R-1 One-family	25	10 <sup>g</sup>	8,250	50	25	25 <sup>c</sup>	15 <sup>b</sup>	5	5		0	50%
R-1 Two-family	25	10 <sup>g</sup>	10,000	50	25	25 <sup>c</sup>	15 <sup>b</sup>	5	5			50%
R-2 Multiple family	25 (65) <sup>b</sup>											
Efficiency		10 <sup>g</sup>	21,780	130	35	25	10	10		400	N/A	50%
1-bedroom		10 <sup>g</sup>	21,780	130	35	25	10	10		525	N/A	50%
2-bedroom		10 <sup>g</sup>	21,780	130	35	25	10	10		650	N/A	60%
More		10 <sup>g</sup>	21,780	130	35	25	10	10		Add 125 s.f. each additional bedroom	N/A	60%
CBD	35	15	7,200	50	0	0	0 <sup>d</sup>	0	0	N/A	N/A	100%
C-2	35	15	15,000	90	45	45	10	10	20	N/A	1	60%
M	40	15	20,000	100	50	50	10	20	35	N/A	1	-

### Definitions:

43,560 square feet = 1 acre

Floor area ratio = total floor area of principal and accessory structure in direct ratio to the gross area of the lot

### Notes:

<sup>a</sup> 65 ft. if structure is designed for multiple residents

<sup>b</sup> On interior lots, there must be at least 15 feet between dwellings with a minimum of 5 feet from the lot line

<sup>c</sup> The buildable principal structure area must not be less than 32 feet in width, exclusive of setbacks

<sup>d</sup> When a commercial building shares a common boundary with a residential use property, a side yard set back of 10 feet is required

<sup>e</sup> The building height limits established herein for districts shall not apply to the following: belfries; chimneys or flues; church spires; cooling towers; cupolas and domes which do not contain useable space; elevator penthouses; flag poles; monuments; parapet walls extending not more than 3 feet above the limiting height of the building

<sup>f</sup> The following shall not be considered as encroachment on required yard setbacks:

- (1) Flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like, provided they do not project more than two feet into the required yard
- (2) Ground level patio, i.e., patio that is flush with the ground
- (3) In rear yards, recreational and laundry drying equipment, arbors and trellises, detached outdoor living rooms, and air conditioning or heating equipment to a point not less than ten feet from the rear lot line
- (4) A one-story enclosed entrance for a detached one-family, duplex, or townhouse dwelling may extend into the front yard setback not exceeding four feet

<sup>g</sup> Except private garages are allowed to be up to 15 feet in height

(1997 Code, Ch.25, Table1) (Am. Ord. passed 9-22-2003; Am. Ord. 2005-5, passed 8-8-2005)



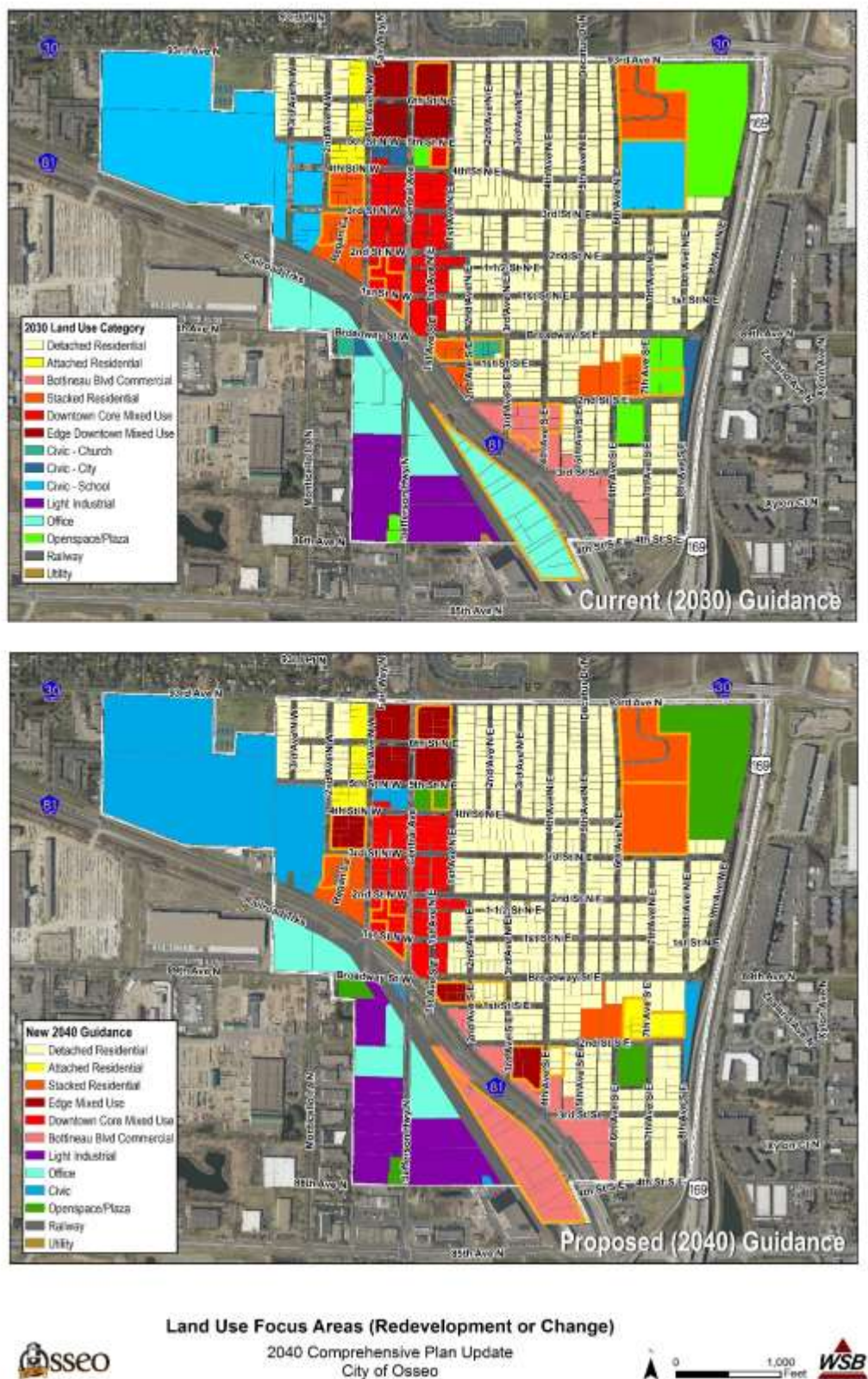
Land Use Category	Category Definition	Examples of Appropriate Uses	2040 Density Range DU/ACRE (2030 figures)	
			Min	Max
Detached Residential	This land use category represents the traditional detached single-family house, which has been the largest land use in Osseo by area. The density range for detached residential housing is four to eight dwelling units per acre. In addition to single family detached houses, this land use category could allow accessory units and duplexes. Primary and secondary schools and places of worship are appropriate uses in this district. The density range of this land use district is not intended to prevent or preclude densification through lot splits.	<ul style="list-style-type: none"> <li>• Single-family detached houses</li> <li>• Duplexes</li> <li>• Accessory units</li> <li>• Density range of 4 to 8 units per acre</li> </ul>	4 (3)	8 (8)
Attached Residential	This land use category represents areas of attached housing units. The most common housing forms reflected by this land use category include rowhouses, side-by-side townhouses, triplex or quadruplex buildings. Units are arranged vertically or horizontally in this unit type with a density range of eight to 20 units per acre	<ul style="list-style-type: none"> <li>• Rowhouses, side-by-side townhouses</li> <li>• Triplex, quadruplex</li> <li>• Mansion townhouses</li> <li>• Density range of 8 to 20 units per acre</li> </ul>	8 (8)	20 (16)
Stacked Residential	This land use category represents areas of stacked residential units in apartments, townhouses, lofts, and flats with a vertical housing orientation of two to four stories in height and a density of 20 to 40 dwelling units per acre. Higher densities than 40 may be considered when the development proposal provides a compelling public benefit. The higher density residential represented by this category will expand housing options for people of all income levels and lifestyles, and this style of housing can support neighborhood walkability and patronage of local businesses.	<ul style="list-style-type: none"> <li>• Apartments, lofts, flats</li> <li>• Stacked townhouses</li> <li>• Vertical housing orientation (2 to 4 stories)</li> <li>• Density of 20-40 units per acre</li> </ul>	20 (16)	40 (No upper limit)
Bottineau Boulevard Commercial	This land use category represents areas of one and two story retail uses providing retail goods, services and entertainment with convenient auto access and high visibility from highways. Limited office uses are allowed within this category. In areas adjacent to residential neighborhood streets, structures will be oriented toward both Bottineau Boulevard (County Road 81) and the adjacent neighborhood streets. Development in this area will serve as a gateway to Osseo and may incorporate public amenities such as public plazas, fountains, public art, or other landmarks. Development in accordance with Osseo's Architectural Design Guidelines is encouraged in areas adjacent to residential neighborhood streets.	<ul style="list-style-type: none"> <li>• Retail goods, services and entertainment</li> <li>• Double building orientation when lots are adjacent to neighborhood streets)</li> <li>• One and two story buildings</li> <li>• "Gateway" quality architecture and features</li> <li>• Incorporation of open space or park-like amenities encouraged</li> </ul>		

Land Use Category	Category Definition	Examples of Appropriate Uses	2040 Density Range DU/ACRE (2030 figures)	
			Min	Max
Office	This land use category represents multi-story office and service employment areas. Office-showroom and research-development services could also fit within this category. Development might include limited retail, but not large generators of retail traffic. Office buildings with two (2) stories or greater in height and a high quality architectural design will be encouraged.	<ul style="list-style-type: none"> <li>• Employment intensive office uses</li> <li>• Limited supporting retail uses</li> <li>• Buildings of two (2) stories or greater preferred</li> <li>• “Gateway” quality architecture and features</li> </ul>		
Light Industrial	This land use category represents light industrial activity areas, such as light manufacturing, assembly, processing, research facilities, warehousing, storage, and distribution with limited outside storage and good access to county and state highways. Light industrial buildings may be one level with mezzanine space and truck loading facilities.	<ul style="list-style-type: none"> <li>• Light manufacturing, assembly, processing</li> <li>• Warehousing, storage, distribution</li> <li>• One level buildings with mezzanine</li> <li>• Truck traffic</li> <li>• Limited outside storage</li> </ul>		
Downtown Core Mixed Use	This land use category represents a mix of uses that are typically found along a traditional small town “main street.” Land uses include retail, services, entertainment, civic, institutional, housing, and office that are mixed within the core downtown area or mixed within single buildings. Development in this category will have 100% active retail, services or entertainment uses on the street level of buildings with a mix of uses above. Overall, it is assumed the mix of development in the Downtown Core will be close to <b>30% residential and 70% commercial</b> . Off-street parking areas will be located behind buildings or in parking structures. Residential development in this category shall have a density of 20-40 units/acre. Higher densities than 40 may be considered when the development proposal provides a compelling public benefit, especially on small development sites. Development in this category will be 2-4 stories with the front facades of the first and second stories placed up to the sidewalk with existing architecture. Upper stories may be set back from street to respect the existing architectural scale and character and to avoid a “canyon” feeling along the street. Development in accordance with Osseo’s Architectural Design Guidelines is encouraged.	<ul style="list-style-type: none"> <li>• Mix of commercial, entertainment, civic, housing, office</li> <li>• Vertical orientation with 100% active use on street (retail, entertainment)</li> <li>• Residential density of 20-40 units/acre (2 to 4 story structures)</li> <li>• Incorporation of open space or park-like amenities encouraged</li> </ul>	<b>20</b> (20)	<b>40</b> (40)

Land Use Category	Category Definition	Examples of Appropriate Uses	2040 Density Range DU/ACRE (2030 figures)	
			Min	Max
Edge Mixed Use	This land use category represents an area predominantly residential in nature, but with a wide mix of uses allowed, including but not limited to commercial, entertainment, civic, institutional and office. Development in this land use pattern is assumed to be approximately <b>80% residential and 20% commercial</b> . Priority siting for commercial uses are the street corners, with residential uses located midblock. It is not required that 100% of the street level be active retail. Residential development in the area shall have a density of 20-40 units/acre. Higher densities than 40 may be considered when the development proposal provides a compelling public benefit, especially on small development sites. Residential parking should be accommodated on site and may be considered as part of a joint parking strategy with other uses.	<ul style="list-style-type: none"> <li>• Wide mix of uses with predominant use more of a residential nature</li> <li>• Commercial pushed to corners, not 100% street level</li> <li>• Incorporation of open space or park-like amenities encouraged</li> </ul>	20 (20)	40 (40)
Civic	This land use represents institutional land uses in the community, both public and semi-public. These uses include, but are not limited to, city facilities, post office, library, and schools that are used for public or semi-public purposes. As an older, formerly freestanding community, Civic land uses have traditionally been a major land use component within the city.	<ul style="list-style-type: none"> <li>• Government facilities</li> <li>• Schools &amp; associated uses</li> <li>• Library</li> </ul>		
Parks and Open Space	This land use category includes parks, plazas, open spaces, trails, recreational playfields, cemeteries, and playgrounds.	<ul style="list-style-type: none"> <li>• Parks</li> <li>• Playfields, playgrounds</li> <li>• Plazas, open spaces</li> <li>• Trails</li> </ul>		

TABLE 3-3: FUTURE LAND USE CATEGORIES

FIGURE 3-4: COMPARISON OF 2030 AND 2040 FUTURE LAND USE MAPS



## **Interim use permits.**

**1. Purpose.** The purpose and intent of allowing interim uses is:

- (a) To allow a use for a limited period of time that reasonably utilizes the property where it is not reasonable to utilize it in the manner provided in the Comprehensive Plan; and
- (b) To allow a use that is presently acceptable but that, with anticipated development, will not be acceptable in the future or will be replaced in the future by a permitted or conditional use allowed within the respective district.
- (c) To allow a use which is reflective of anticipated long range change to an area and which is in compliance with the comprehensive plan provided that said use maintains harmony and compatibility with surrounding uses and is in keeping with the architectural character and design standards of existing uses and development.

**2. Application, public hearing, notice and procedure.** The application, public hearing, public notice and procedure requirements for interim use permits shall be the same as those for conditional use permits as provided in #####. In addition to the general planning and zoning application requirements, applications for interim use permits shall include:

- (a) A signed statement agreeing:
  - i. That the applicant, owner, operator, tenant and/or user has no entitlement to future reapproval of the interim use permit;
  - ii. That the interim use will not impose additional costs on the public if it is necessary for the public to fully or partially take the property in the future; and
  - iii. That the applicant, owner, operator, tenant and/or user will abide by conditions of approval that the City Council attaches to the interim use permit.
- (b) A statement addressing the relationship of the proposed project to the neighboring uses.

**3. General issuance standards.** The Planning Commission shall recommend an interim use permit and the Council shall issue such interim use permit only if it finds, based on the proposed location, that:

- (a) The period of time for which the interim use permit is to be granted will terminate before any adverse impacts are felt upon adjacent properties;
- (b) The use will terminate upon a date or even that can be identified with certainty. Interim use permits may not be granted for a period greater than five (5) years;
- (c) The use will not adversely impact the health, safety and welfare of the community during the period of the interim use;
- (d) The use is similar to existing uses in the area;
- (e) An interim use shall conform to zoning regulations except the City Council may waive ordinance provisions upon a finding that the temporary nature of the interim use will eliminate the adverse effects the provisions were intended to prevent;
- (f) There is adequate assurance that the property will be left in suitable condition after the use is terminated;
- (g) By agreement, the use will not impose additional costs on the public if it is necessary for the public to take the property in the future;
- (h) The property owner, by agreement, agrees to any conditions that the City Council has deemed appropriate for permission of the use, including a condition that the owner will provide an appropriate financial surety to cover the cost of removing the interim use and interim structures upon the expiration of the interim use permit; and



- (i) The property owner agrees to abide by any additional conditions that the Council deems appropriate for permission of the use.

**4. Security deposit.** Security deposits shall be provided as required by the City.

**5. Termination.** An interim use permit shall terminate upon the occurrence of any of the following events; whichever first occurs:

- (a) The date stated in the permit; or
- (b) Upon violation of conditions under which the permit was issued.

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