



AGENDA – REGULAR MEETING
6:00 p.m., January 17, 2021

Planning Commission

- 1. CALL TO ORDER**
- 2. WELCOME COMMISSION MEMBER KERSTIN SCHULZ**
- 3. ROLL CALL** (Quorum is 4)
- 4. APPROVAL OF AGENDA** (Unanimous additions required)
- 5. APPROVAL OF MINUTES**
 - A. Planning Commission Minutes of December 21, 2020
- 6. PUBLIC COMMENTS**
- 7. PUBLIC HEARINGS**
 - A. Re-Zoning Permit Request for 216 4th Ave SE and 400 2nd St SE
- 8. REPORTS OR COMMENTS: Staff, Chair, & Commission Members**
- 9. ANNOUNCEMENTS**
 - A. City Hall Closed Martin Luther King Jr. Weekend
 - B. February Planning Commission Meeting – February 16th, 2021
- 10. ADJOURNMENT**

**OSSEO PLANNING COMMISSION MINUTES
REGULAR MEETING
December 21, 2020**

1. CALL TO ORDER

The regular meeting of the Osseo Planning Commission was called to order by Chair Thostenson at 6:02 pm, Monday, December 21, 2020. Due to the COVID-19 pandemic this meeting was held virtually.

2. ROLL CALL

Present: Commission members Dee Bonn, Deanna Burke, Kenny Nelson, Michael Olkives, Dan Penny, and Chair Ashlee Thostenson

Absent: Commission member Alden Webster.

Others present: Community Management Coordinator Joe Amerman

3. APPROVAL OF AGENDA

A motion was made by Olkives, seconded by Nelson, to approve the Agenda as presented. A roll call vote was taken. The motion carried 6-0.

4. APPROVAL OF MINUTES

A. Approve September 21, 2020, Minutes

A motion was made by Bonn, seconded by Burke, to approve the September 21, 2020, minutes. A roll call vote was taken. The motion carried 6-0.

5. PUBLIC COMMENTS

Chair Thostenson 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 Amendment request for 401 County Road 81

A motion was made by Penny, seconded by Nelson, to open the Public Hearing at 6:06 p.m. A roll call vote was taken. The motion carried 6-0.

Amerman stated Jesse Myrhe has operated JM Automotive in Osseo since 2015. Between 2015 and 2017 the business grew and transitioned into from a joint auto repair and sales business into an exclusively auto repairs business specializing in Subaru vehicles. Since 2017 the business has continued to grow, and at this date has outgrown the space available at their current address. As a result, JM Automotive is moving the repair business to a larger location located on County Road 81 near Zachary Lane in Maple Grove. The intention of Mr. Myrhe is now to operate 401 County Road 81 as a second business, to include Auto Sales. The property is located on County Road 81 Service Road West. Nearby businesses are

Twin Cities Pawn, Budget Car Rental, and Pioneer Midwest located in the building to the southeast. The property is owned by Dan Koehler, and is also home to a self-serve car wash. Staff commented further on the standards for granting a Conditional Use Permit and recommended approval with conditions.

Olkives asked if any car repairs would be conducted on this property. Amerman reported the applicant would still carry this ability. He commented further on the parking requirements the City had for businesses that conduct auto repair.

Nelson discussed the proposed parking on the site plan. He noted he visited the site today and reported cars were being parked along the east side from north to south. He questioned if 12 parking stalls was adequate for the business. He suggested additional parking be added. Amerman explained he proposed a maximum of 12 parking spaces, which was the 2014 number. He stated he was not sure what parking spaces Commissioner Nelson was referring to.

Jesse Myrhe, JM Automotive, discussed the parking situation on his property. He reported he has run out of parking spaces at times which led him to park cars along the fence line. He stated he has not received any complaints to date. He indicated he was open to any solution and noted he would support his property having additional parking.

Amerman explained parking could be maximized per City Code and this would be addressed through the amended conditions for approval.

Nelson stated he supported this request moving forward.

A motion was made by Nelson, seconded by Olkives, to close the public hearing at 6:23 p.m. A roll call vote was taken. The motion carried 6-0.

A motion was made by Olkives, seconded by Thostenson, to approve the Conditional Use Permit Amendment request for the property at 401 County Road 81 to the City Council, subject to the four (4) conditions listed below directing staff to maximize parking per City Code. A roll call vote was taken. The motion carried 6-0.

- 1) **Test Drives. Vehicles for sale, or undergoing repair or maintenance at the property may not be driven through residential districts.**
- 2) **Employee Parking. Parking by employees shall be restricted to the back of the property, or farthest away from the main entrance, when available, to allow for all other parking for customers. A minimum of 2 employee parking stalls shall be located on the property at all times.**
- 3) **Customer Parking. A minimum of 6 customer-only parking stalls shall be located on the property at all times, closest to the main entrance of the business.**
- 4) **Sale and Repair Parking. A maximum of 12 outdoor for sale parking stalls shall be located on the property at all times.**

7. OTHER BUSINESS

- A. Update on Osseo Planning Commission

Amerman explained as this is the last meeting of the Osseo Planning Commission for 2020, it is time to plan for 2021 and discuss potential openings on the Commission. We have three terms expiring at the end of 2020. Those include:

Dee Bonn

Dan Penny

Michael Olkives

Amerman stated should any of the above Commissioners elect to remain on the Board for another 3-year term, they will need to submit a written letter, addressed to Mayor Duane Poppe, stating their interest to be on the Planning Commission again. This is also required by any resident expressing an interest in serving on the Commission. None of the three names are currently serving either as Chair or Vice-Chair, but if either, or both, of these positions resign or wish to step down from their role, the Planning Commission will need to elect new Officers in the first meeting of 2021. The City Council appoints individual members to the Planning Commission at the first meeting of the new year, scheduled for January 11, 2021.

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

Penny stated he has appreciated serving on the Planning Commission and noted his term would be expiring at the end of 2020.

Bonn thanked Commissioner Penny for his service to the City.

Nelson thanked Commissioner Penny for his service to the City of Osseo.

Olkives wished everyone a Merry Christmas and Happy New Year.

Burke wished everyone a safe and Merry Christmas.

Thostenson wished everyone a Merry Christmas and Happy New Year. She encouraged Osseo residents to continue to support its local businesses.

9. ANNOUNCEMENTS

A. Planning Commission Meeting Dates and land Application Deadlines

Amerman reviewed the 2021 application deadlines and Planning Commission meeting dates with the Commission. He reported the first meeting of the Planning Commission in 2021 would be held on Tuesday, January 19, 2021.

B. City Hall Closures

Amerman stated City Hall would be closed on December 24 and December 25 for the Christmas holiday and again on December 31 and January 1 for the New Year's holiday.

10. ADJOURNMENT

A motion was made by Penny, seconded by Bonn, to adjourn the meeting at 6:32 pm. A roll call vote was taken. The motion carried 6-0.

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial



Osseo Planning Commission Meeting Item

Agenda Item: Rezoning Request for 216 4th Ave SE and 400 2nd St SE

Meeting Date: January 17, 2021

Prepared by: Joe Amerman, Community Management Coordinator

Attachments: Osseo Zoning Map
Site Location Map
Completed Application
2040 Comprehensive Plan Guidance Map
Public Hearing Notice
Public Hearing Notice Distribution Map
Draft Resolution

Policy Consideration:

The Applicants are requesting a change in zoning from C2N, Highway Commercial North, to R-1, One and Two-Family Residential for their two adjacent properties, located at 216 4th Ave SE and 400 2nd St SE. The Applicants intend to sell 216 4th Ave SE.

Background:

Current zoning code designates the parcels located at 400 2nd St SE and 216 4th Ave SE as C2N, Highway Commercial North. 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 owner*. The intent of the R-1, One and Two-Family Residential District is *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 similar nature, and to protect the desired low intensity living environment from encroachment by conflicting land use*. Despite the underlying zoning, the primary use of the property has always been residential, and the northern lot is the site of the Best residence.

Comprehensive Plan Guidance:

Any rezone must conform to the guidance given by the Osseo Comprehensive Plan, and the 2040 update specifically addressed these properties. The guidance for these sites has been changed from 'Bottineau Boulevard Commercial', which represents one- and two-story retail uses, to 'Detached Residential', representing the traditional detached single-family homes. This was done both to reflect the lack of probable development, and to resolve mismatches between city code and existing use.

Considerations:

	R-1 District Requirement	400 2 nd St SE	216 4 th Ave SE
Minimum Lot Size:	8,250 square feet	17,608 square feet	8,531 square feet
Minimum Lot Width:	50 feet	125 feet	67 feet

Both properties meet the minimum lot requirements for R-1.

City Goals Met by This Action:

Develop and implement the Comprehensive Plan Update

Increase communication with citizens and encourage citizen engagement.

Promote a healthy and high-quality standard of living.

Plan and provide for safe and quality housing options.

All other facets of this proposal have been reviewed by City Staff and found to be acceptable for this property.

Options:

The Planning Commission may choose to make one of the following **recommendations** to the City Council:

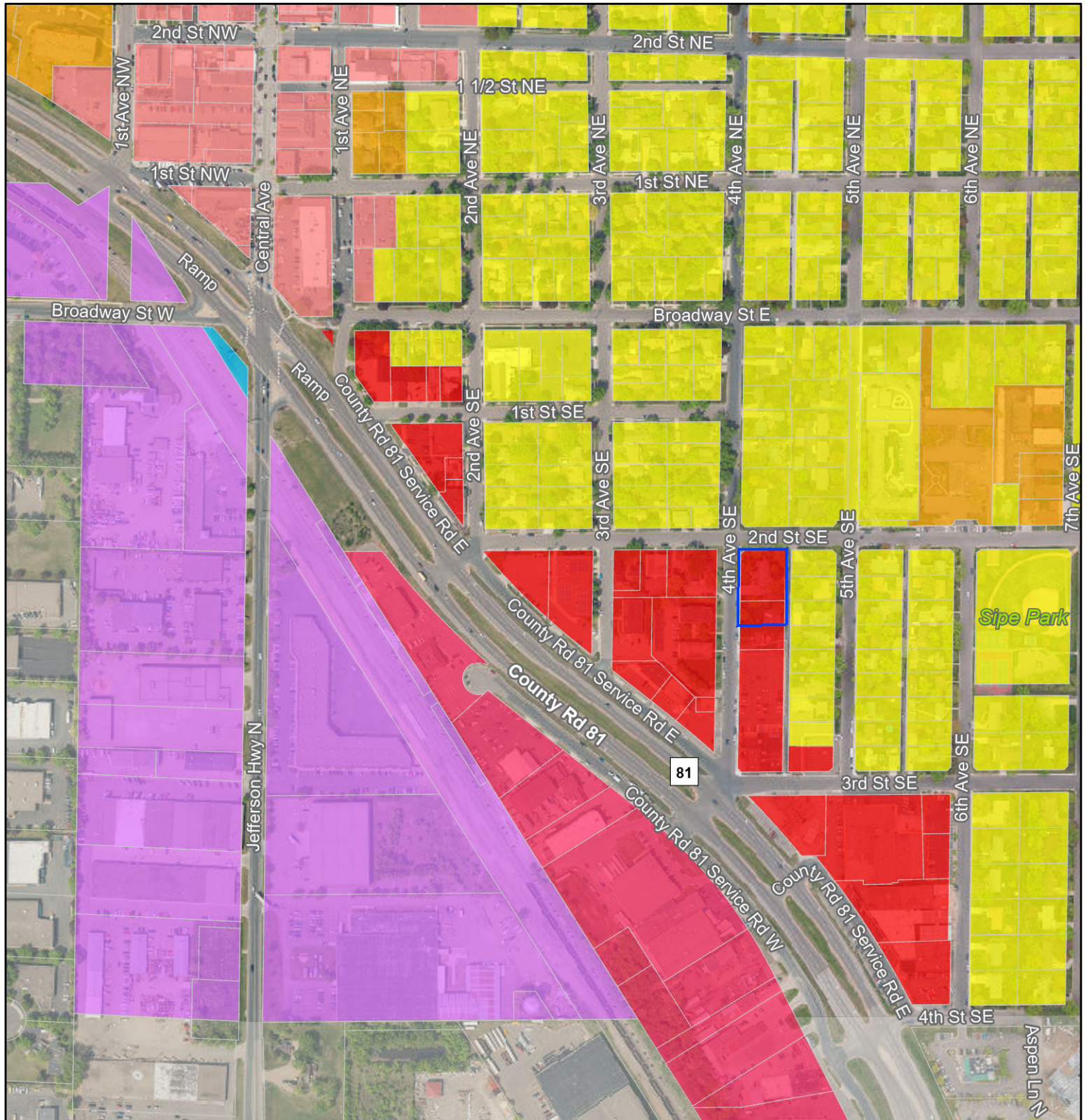
1. Approve the rezoning request;
2. Approve the rezoning request with conditions;
3. Deny the rezoning request;

The Planning Commission may also table action on this item for more information.

Recommendation/Action Requested:

Staff recommends the Planning Commission choose option 1., recommend approving the rezoning request.

Best Rezone



1 in = 376 ft

Zoning Classification

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

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

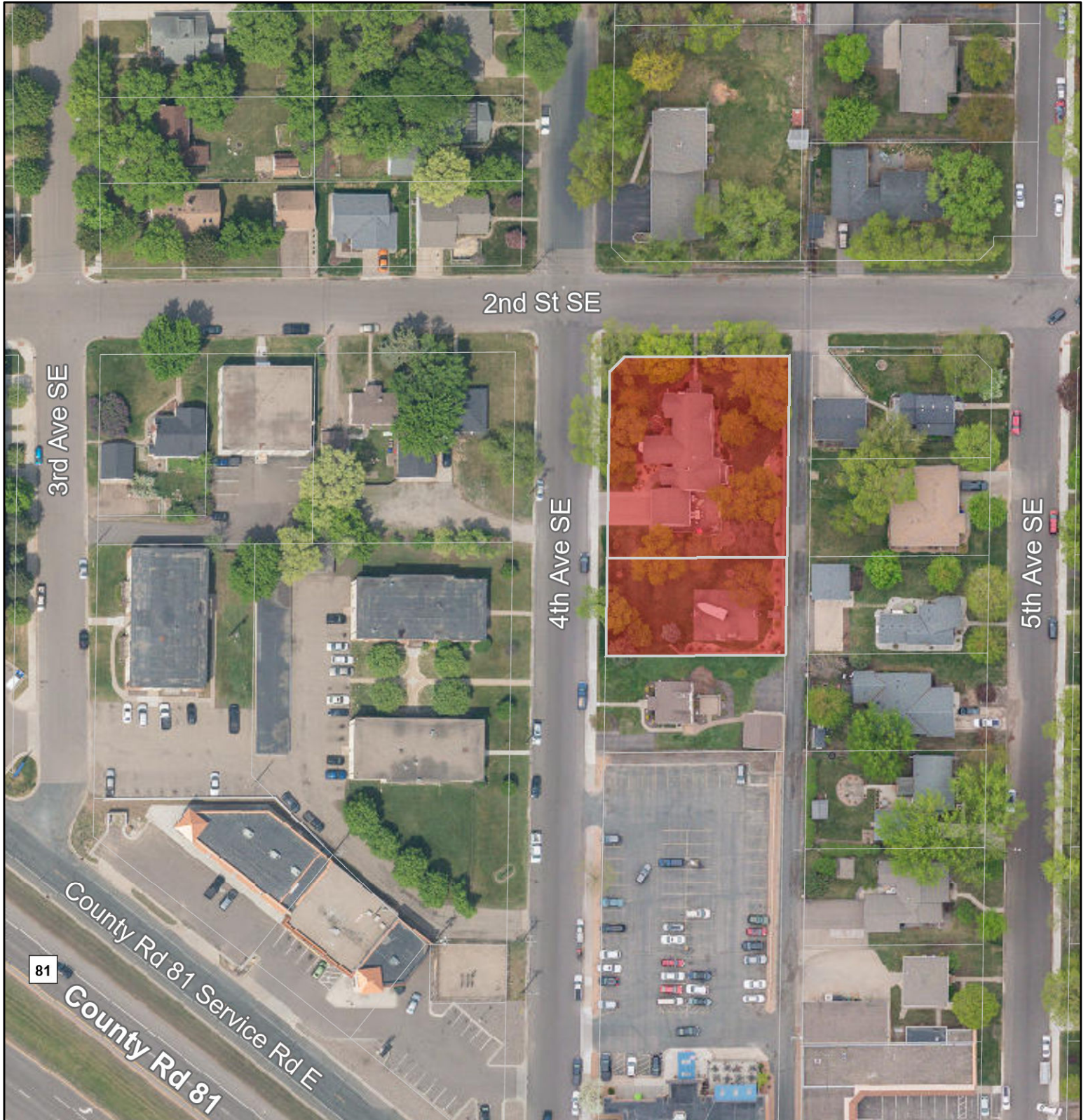
- One and Two Family Residential District (R-1)
- Multi-Family Residential District (R-2)
- Public Institution District (PI)



January 14, 2021
Map Powered By DataLink



Best Rezone



1 in = 94 ft



Application For:
Rezone of Property

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



Property Information:

Site address: 216 4th Ave. SE, Osseo, MN 55369 & 400 2nd St. SE, Osseo, MN 55369

Property identification number: 18-119-21 31 0099 & 18-119-21 31 0100

Property legal description: Lot: Block: Lot 016 BLK 004 Addition: Sipes Addition & Blk 004 Addition: Sipes Addition Lots 17 & 18

Property type (check one): Abstract: Torrens:

Current zoning: X Requested zoning: Property size:

Description of request: Rezone the three lots referenced from a commercial zone to a residential zone

Reason for request: It is our intention to sell Lot 016.

Applicant Information:

Name: Thomas A. Best & Beth A Best Daytime phone: 651-260-7618

Address: 400 2nd St. SE, Osseo, MN 55369 Email Address: augy80s@gmail.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: Thomas A. Best Date: 12/1/20

Signature: Beth A Best Date: 12/1/2020

Property Owner Information:

Name: Thomas A. Best & Beth A. Best Daytime phone: 651-260-7618

Address: 400 2nd St. SE, Osseo, MN 55369 Email Address: augy80s@gmail.com

Signature: Thomas A. Best Date: 12/1/20
Signature: Beth A. Best Date: 12/1/2020

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.

Any email address 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.

.....
For City use only:

Receipt number: _____ Date received: _____ (**\$500 Application Fee**)

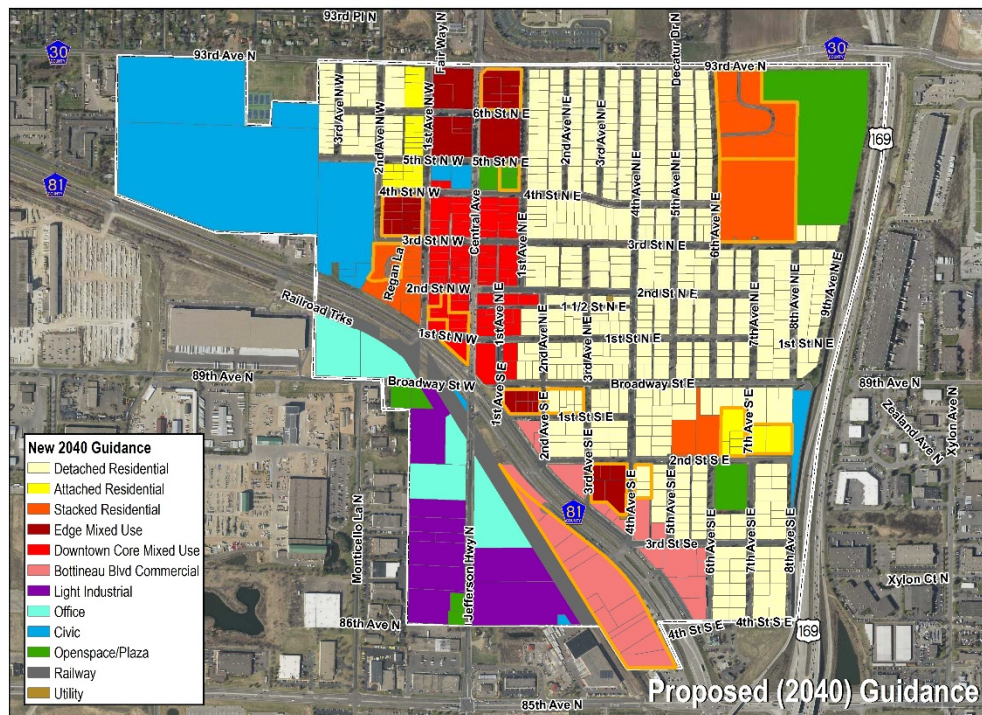
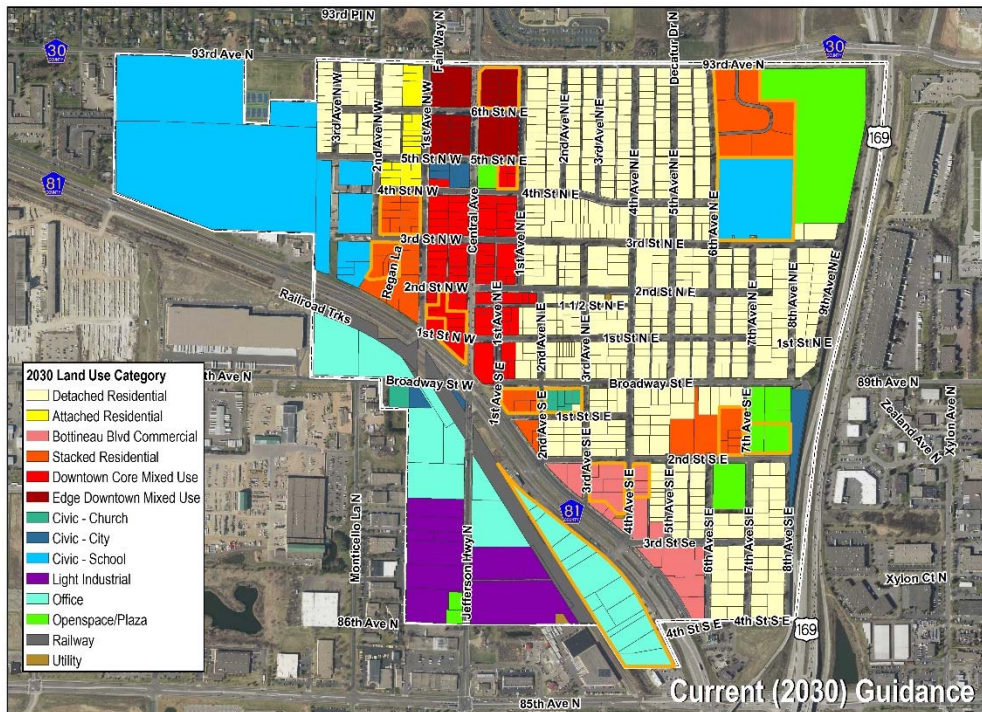
Any other fees? _____ Received by: _____

Notice to press date: _____ Press publication date: _____

Scheduled Planning Commission date: _____

Scheduled City Council date: _____

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



Land Use Focus Areas (Redevelopment or Change)



2040 Comprehensive Plan Update
City of Osseo



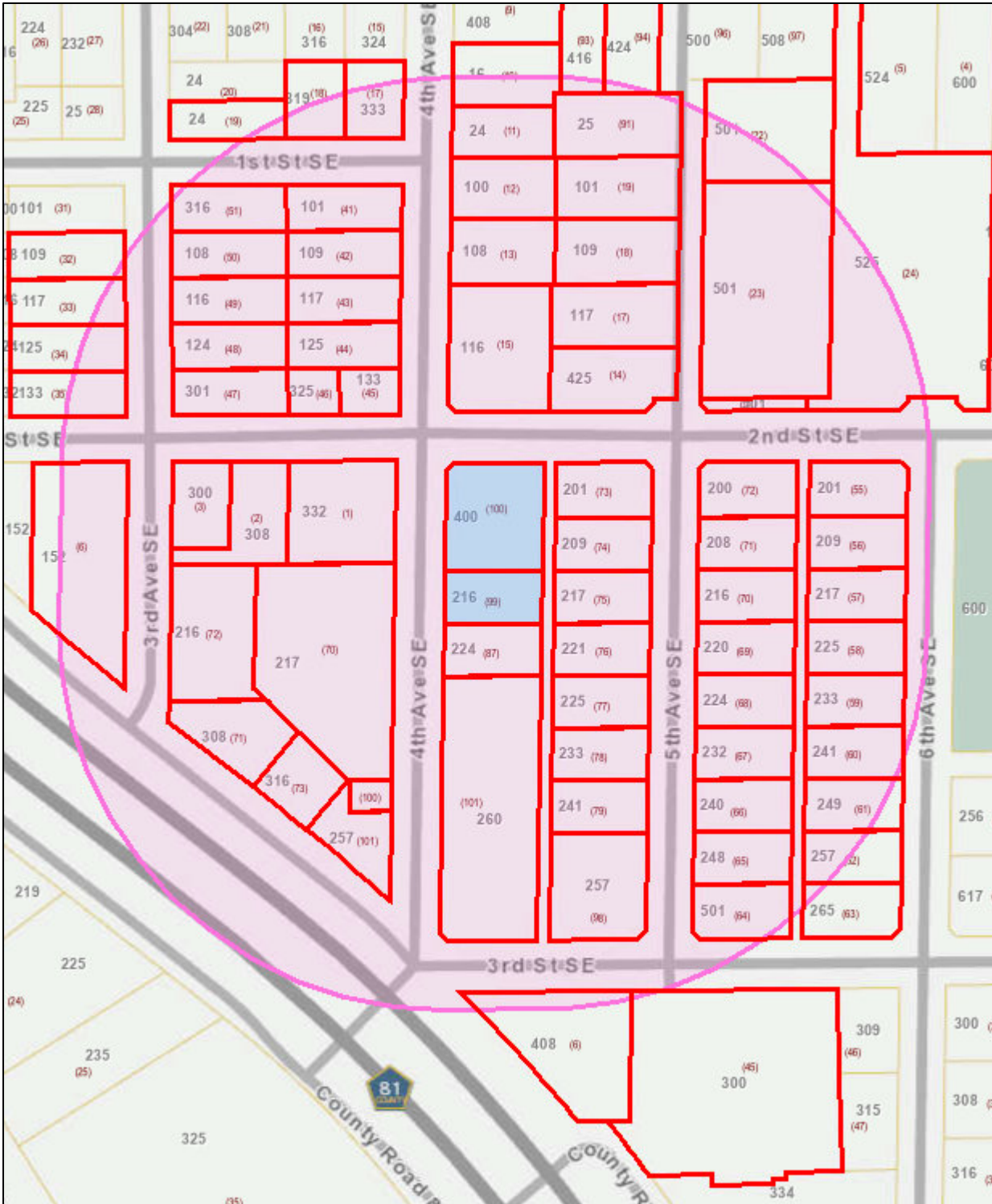


The land use plan shown in **FIGURE 3-3** shows the guided expectations for land use in Osseo out to the year 2040.



Hennepin County Locate & Notify Map

Date: 1/14/2021



Buffer Size: 500

Map Comments:

0 50 100 200 Feet

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



City of Osseo

415 Central Avenue
Osseo, MN 55369-1195

P 763.425.2624 F 763.425.1111

www.DiscoverOsseo.com

NOTICE

Planning Commission Public Hearing

- APPLICANT:** Thomas And Beth Best
- REQUEST:** Rezone Application – Rezoning from Highway Commercial North (HCN) to One- and Two-Family Residential (R-1)
- LOCATION:** 216 4th Ave SE and 400 2nd St SE
- TIME OF HEARING:** Tuesday, January 19, 2021 at 6:00 p.m. – Virtual Meeting
- HOW TO PARTICIPATE:**
- 1) You may email your comment to jamerman@ci.osseo.mn.us and it will be read into record during the meeting; or
 - 2) You may send a letter before the hearing to the City of Osseo, Planning Department, 415 Central Avenue, Osseo, MN 55369 or fax to 763-425-1111.

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 Community Management Coordinator Joe Amerman at 763-425-1454 with the following information:

Project Name: Thomas and Beth Best Rezone Application

You may visit City Hall (415 Central Avenue) during business hours to discuss the proposal, or visit our website after January 15, 2021 at <http://www.discoverosseo.com/departments/planning-commission/>

Publication Date: The Press (January 7, 2021)

CITY OF OSSEO
Resolution No. 2021-XX

**RESOLUTION APPROVING A REQUEST FOR REZONING FROM C2N, HIGHWAY COMMERCIAL NORTH,
TO R-1, ONE AND TWO-FAMILY RESIDENTIAL DISTRICT, FOR THE
PROPERTIES LOCATED AT 216 4TH AVENUE SOUTH EAST AND 400 2ND STREET EAST**

WHEREAS, Thomas and Beth Best (“Applicants”) own two adjacent properties located at 216 4th Ave South East, Osseo (PID 18-119-21-31-0099) and 400 2nd St East, Osseo (18-119-21-31-0100) and legally described respectively as Lot 16, Block 6 and Lots 17 and 18, Block 6, Sipe’s Addition, Hennepin County, Minnesota (collectively, the “Properties”); and

WHEREAS, the Applicants’ Properties are zoned C2N, Highway Commercial North, which is intended to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by owner; and

WHEREAS, surrounding properties are zoned C2N, Highway Commercial North, and R-1, One and Two-Family Residential, and the planned and actual surrounding land uses consist primarily of residential uses; and

WHEREAS, on December 7, 2020, the Applicants applied for rezoning of the Properties to R-1, One and Two-Family Residential; and

WHEREAS, the City Council can approve a rezoning if it finds that the standards for rezoning as described in the Osseo City Code Section 153.152 (Amendments; Procedures) have been met; and

WHEREAS, on January 17, 2021, the Planning Commission conducted a public hearing, reviewed the application, and found that the criteria for granting a rezoning were satisfied, and recommended approval; and

WHEREAS, the City Council reviewed and considered the reports, documents, testimony, and other materials presented;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Osseo, Hennepin County, Minnesota, that, after consideration of all information regarding this matter including the testimony presented at the public hearing and subject to the terms and conditions below, the City Council makes the following findings with regard to the requested rezoning:

1. All required information for a Zoning Map Amendment has been supplied;
2. The Zoning Map Amendment is consistent with the Comprehensive Plan;
3. The Zoning Map Amendment promotes public health, safety, and general welfare, as well as efficiency and economy in the process of development;
4. The Zoning Map Amendment is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood; and
5. The Properties to be amended (rezoned) are suitable for the uses permitted by the Zoning District that would be applied by the proposed Zoning Map Amendment.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Osseo does hereby approve the requested rezoning of the subject Properties from C2N, Highway Commercial North, to R-1, One and Two-Family Residential District.

Adopted by the Osseo City Council this January 25, 2021.

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

and the following voted against the same: ,

and the following was absent: ,

whereupon said resolution was declared duly passed and adopted.

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

We, the undersigned, being the duly qualified Mayor and Clerk of the City of Osseo, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 2021-XX is a true and correct copy of the Resolution as adopted by the City Council the 25 day of January, 2021.

Duane E. Poppe, Mayor

LeAnn Larson, City Clerk