



## **Planning Commission**

- 1. CALL TO ORDER**
- 2. ROLL CALL** (Quorum is 4)
- 3. APPROVAL OF AGENDA** (Unanimous additions required)
- 4. APPROVAL OF MINUTES**
  - A. Planning Commission Minutes of June 21, 2021
- 5. PUBLIC COMMENTS**
- 6. PUBLIC HEARINGS**
  - A. Re-Zoning Permit Request for 257 5<sup>th</sup> Ave SE Lot 8
  - B. Conditional Use Permit Request for 431 3<sup>rd</sup> St SE
- 7. REPORTS OR COMMENTS: Staff, Chair, & Commission Members**
- 8. ANNOUNCEMENTS**
  - A. 2022 Land Use Application Deadlines and Planning Commission Schedule
  - B. Planning Commission Terms Expiring
  - C. City Hall Holiday Closings
- 9. ADJOURNMENT**

**OSSEO PLANNING COMMISSION MINUTES  
REGULAR MEETING  
June 21, 2021**

1. CALL TO ORDER

The regular meeting of the Osseo Planning Commission was called to order by Chair Thostenson at 6:02 pm, Monday, June 21, 2021. Due to the COVID-19 pandemic this meeting was held virtually.

2. ROLL CALL

Present: Commission members Dee Bonn, Kenny Nelson, Kerstin Schulz, and Chair Ashlee Thostenson

Absent: Commission member Deanna Burke, Michael Olkives and Alden Webster.

Others present: Community Management Coordinator Joe Amerman

3. APPROVAL OF AGENDA

**A motion was made by Schulz, seconded by Bonn, to approve the Agenda as presented. A roll call vote was taken. The motion carried 4-0.**

4. APPROVAL OF MINUTES

A. Approve May 17, 2021, Minutes

**A motion was made by Schulz, seconded by Bonn, to approve the May 17, 2021, minutes. A roll call vote was taken. The motion carried 4-0.**

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 Application for 337 County Road 81

Amerman stated Milton Kyne has operated Makona Business and Car Sales, LLC in Ramsey, Minnesota for the past six years. Their customers primarily come from the cities of Osseo, Brooklyn Park, and Brooklyn Center. As business has expanded, they have looked to move closer to their customer base and have identified 337 County Road 81 as an ideal location. The space is owned by Argishti Melikian and leased to Mr. Kyne, it is neighbored by Koehler Car Wash and Northern Tractor and Equipment. Staff reviewed the criteria for granting a conditional use permit in further detail with the Planning Commission and recommended the Planning Commission recommend approval of the request.

**A motion was made by Bonn, seconded by Nelson, to open the Public Hearing at 6:14 p.m. A roll call vote was taken. The motion carried 4-0.**

Amerman read an email in full for the record from Paul Ansolabeheri of Malark Companies in Brooklyn Park. Mr. Ansolabeheri expressed concerns with the proposed type of business as he did not want this to become a blighted property as this would impact property values. In addition, Mr. Ansolabeheri did not want to have excessive noise coming from this property.

**A motion was made by Schulz, seconded by Bonn, to close the public hearing at 6:16 p.m. A roll call vote was taken. The motion carried 4-0.**

Amerman explained the concerns raised by Mr. Ansolabeheri would be addressed by City Code or the conditions that would be imposed through the conditional use permit. He explained the City Council could also impose additional conditions. He understood that businesses that did not do well, and became blighted would impact property values. He reported the business would have to comply with City Code noise standards.

Nelson questioned how many parking stalls would be located on the site. Amerman reported the site could have up to 18 parking stalls. He explained six was the minimum that would be reserved for customer parking on the site and 12 would be reserved for car sales.

Nelson recommended the parking situation be made extremely clear within the conditions for approval to ensure the applicant does not have 18 cars for sale on the lot.

**A motion was made by Schulz, seconded by Bonn, to recommend the City Council approve the Conditional Use Permit to allow for Used Auto Sales and Minor Auto Repair at 337 County Road 81 with the following thirteen (13) conditions listed below. A roll call vote was taken. The motion carried 4-0.**

1. **Vehicle Storage. Any vehicle waiting for repairs for longer than 12 hours shall be stored inside an enclosed space or screened from public view;**
2. **Indoor Operations. Any vehicle repair or maintenance shall take place indoors. Idling of vehicles for diagnostic or repair purposes is allowed outdoors;**
3. **Applicable Provisions. This permit is subject to the requirements of the City's ordinances and the Applicant is required to comply with all applicable federal, state, and local laws, rules, regulations, and ordinances, and to obtain such other permits and permissions as may be required. Local and state regulations and ordinances shall include but are not limited to the following:**
  - a) **No auto wrecking, junk, and salvage shall be stored on properties in the C2-S District, per Osseo City Code.**
  - b) **Vehicles on the property shall be licensed for operation, shall not be kept for scrapping, and shall meet other requirements of Osseo City Code § 93.20.**
  - c) **Any waste tires shall be stored inside an enclosed space or screened from public view (Osseo City Code § 153.054) and protected from the elements so as not to provide habitat to rodents or insects (Osseo City Code § 93.18).**
  - d) **Any trash enclosure shall be screened from public view (Osseo City Code § 153.057).**
  - e) **Modifications to the building shall be in accordance with Osseo City Code and the approved site and building plan on file with the City (Osseo City Code § 153.153).**

- f) **Signage relating to the use shall adhere to Osseo City Code § 153.090 - § 153.098.**
- g) **If the facility generates any hazardous waste as defined by Hennepin County or the State of Minnesota, the facility shall at all times meet all requirements imposed by Hennepin County or the State of Minnesota.**
- 4. **Test Drives. Vehicles for sale, or undergoing repair or maintenance at the property may not be driven through residential districts;**
- 5. **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;**
- 6. **Customer Parking. A minimum of 6 customer-only parking stalls shall be located on the property at all times (Osseo City Code Chapter 153 Appendix B), closest to the main entrance of the business;**
- 7. **Sale and Repair Parking. A maximum of 12 outdoor for sale and repair parking stalls shall be located on the property at all times. No vehicle for sale or under repair may be parked outside of a clearly marked parking stall.**
- 8. **Open to Inspection. During any hours at which the business is open, the business shall be open to any State or County official and to any City official or police officer, when accompanied by Applicant, for inspection to determine compliance with the stated conditions of approval.**
- 9. **Recording Requirement. The City of Osseo shall memorialize the conditional use permit by adopting a resolution that the applicant shall record in the office of the County Registrar of Titles within 60 days of its adoption by the City.**
- 10. **No Waiver. Failure by the City to take action with respect to any violation of any condition, covenant, or term of this permit shall not be deemed to be a waiver of such condition, covenant, or term or any subsequent violation of the same or any other condition, covenant, or term.**
- 11. **Revocation. The violation of any terms or conditions of this permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The Applicant shall be given written notice of any violation and reasonable time, as determined by the City, to cure the violation before a revocation of the permit may occur.**
- 12. **Binding Effect. This permit and its conditions are binding on the Owner and Applicant, their successors and assigns, and shall run with the Property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership, until the permit is terminated or revoked as provided herein. The obligations of the Applicant under this permit shall also be the obligations of the current and any subsequent owners of the Property.**
- 13. **Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the permit without qualification, reservation, or exception.**

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

Bonn reported the Raptor Center would be having a presentation for the public at Music and Movies in the Park on Tuesday, June 22, 2021 at 7:00 p.m. with The Croods being screened at dusk.

Thostenson stated her son has had a great time participating in the summer sports programs being sponsored by Rev Sports.

8. ANNOUNCEMENTS

Amerman reported in person meetings would resume July 1, 2021.

Amerman explained the next Planning Commission meeting would be held on Monday, July 19, 2021.

Amerman stated the next Music and Movie in the Park event would be held on Tuesday, June 22, 2021.

Amerman indicated the second Yellow Tree Theater even would be held on Thursday, June 24, 2021 at Boerboom Park.

9. ADJOURNMENT

**A motion was made by Nelson, seconded by Bonn, to adjourn the meeting at 6:25 pm. A roll call vote was taken. The motion carried 4-0.**

Respectfully submitted,

Heidi Guenther  
*Minute Maker Secretarial*



## Osseo Planning Commission Meeting Item

<b>Agenda Item:</b>	<b>Rezoning Request for 257 5<sup>th</sup> Ave SE Lot 8</b>
<b>Meeting Date:</b>	December 20, 2021
<b>Prepared by:</b>	Joe Amerman, Community Management Coordinator
<b>Attachments:</b>	Rezone Application Osseo Zoning Map Site Location Map 1986 Survey 2040 Comprehensive Plan Guidance Map Public Hearing Notice Public Hearing Notice Distribution Map and Addresses Draft Ordinance

### **Policy Consideration:**

The city is seeking to initiate a change in zoning from R-1, One and Two-Family Residential, to C2N, Highway Commercial North, for Lot 8 in Block 4, Sipes Addition of Hennepin County.

### **Background:**

The multi-tenant commercial building located 257 5<sup>th</sup> Ave SE (PID 1811921310098) is located on what are Lots 8 and 9 of Block 4, Sipe's Addition. This building has stood since at least 1986, the earliest date the city has official verification of. Despite their common commercial purpose, lots 8 and 9 were given different zoning classification at the adopt of the current zoning code in 1994. Lot 8 was designated R-1 Residential, and Lot 9 was designated Highway Commercial. This effectively split the building in half, though this difference in zoning was never enforced nor has it appeared to have much consequence.

City records are unclear, but it appears that at some point shortly after the adoption of the zoning code, the lots were combined into a single parcel. However, the underlying zoning differences were never resolved. As a result the city now has a single parcel, underneath a single commercial building, split down the middle by two different zoning districts.

Recognizing that the parcel is, and has been for decades, commercial, the city is now looking to bring the zoning classification of Lot 8 in line with its actual use. The City Attorney has recommended that the city pursue this course of action.

### **Proposed use and Proposed Classification**

The intent of the Highway Commercial North, C-2 North is "to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner". 257 5<sup>th</sup> Ave SE is a multi-use commercial building with sufficient parking facilities.

**Lot Requirements:**

	C2N District Requirement	527 5 <sup>th</sup> Ave SE
Minimum Lot Size:	15,000 square feet	17,384 square feet
Minimum Lot Width:	90 feet	140 feet

**Comprehensive Plan Guidance:**

Any rezone in the city must be in accordance with the Osseo Comprehensive Plan. The 2040 update designates this parcel as Bottineau Boulevard Commercial, which represents one and two-story retail and service uses, with convenient auto access and high visibility from the highways. The proposed zoning classification conforms well to this plan, as evidenced by Lot 9.

**Special Considerations:**

This is not a rezone of the entire parcel, this is a rezone of that portion of the parcel that constitutes Lot 8, in order that the underlying zoning matches both the zoning of Lot 9, and the actual day to day usage. The owner of the property is aware and supportive of this application, and their signature has been included in the application itself. This rezone application is, in part, a result of a Conditional Use Permit application currently on the agenda for the same property.

**City Goals Met by This Action:**

Develop and implement the Comprehensive Plan Update

**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.



Application For:  
Rezone of Property

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

Property Information:

Site address: 257 5TH AVE SE

Property identification number: 1811921310098

Property legal description: Lot: 8 Block: 004 Tract/Addition: SIPES ADDITION

Property type (check one): Abstract:  Torrens:

Current zoning: R-1 Requested zoning: CZN Property size: 17,384

Description of request: Change Lot 8, which forms northern half of parcel, from R-1 to CZN

Reason for request: This parcel is split down the middle, this would ensure both halves reflect actual usage.

Applicant Information:

Name: Joe Amerman - City of Osseo Daytime phone: 763-425-1454

Address: 415 Central Ave, Osseo Email Address: jamerman@ci.osseo.mn.us

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: 11.15.21

**Property Owner Information:**

Name: Wiley Enterprises Daytime phone: 612-490-7062

Address: 315 1<sup>st</sup> Ave NE Email Address: \_\_\_\_\_

Signature: Barbara Wiley Date: 11-29-21

*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:**

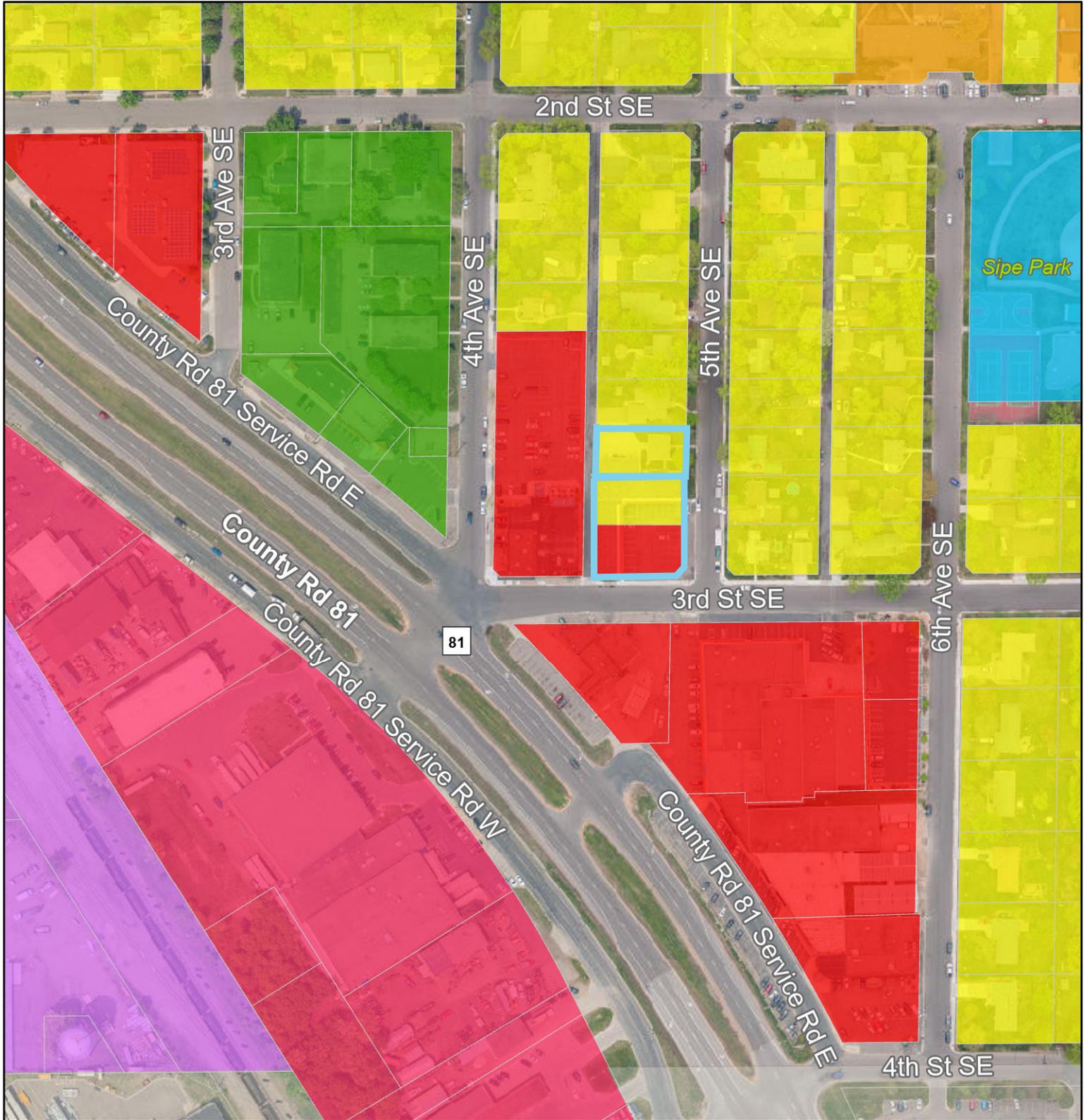
Receipt number: — Date received: 11-15-21 <sup>Application</sup> (\$500 Application Fee)

Any other fees? N/A Received by: JA

Notice to press date: 12-2-21 Press publication date: 12-9-21

Scheduled Planning Commission date: 12-20-21

Scheduled City Council date: 1-10-21



1 in = 188 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)

- Edge Mixed Use (EXMU)



N  
 November 15, 2021  
 Map Powered By DataLink





1 in = 94 ft



Land Surveying  
 Land Planning  
 Civil Engineering  
 Environmental Engineering  
 Geotechnics

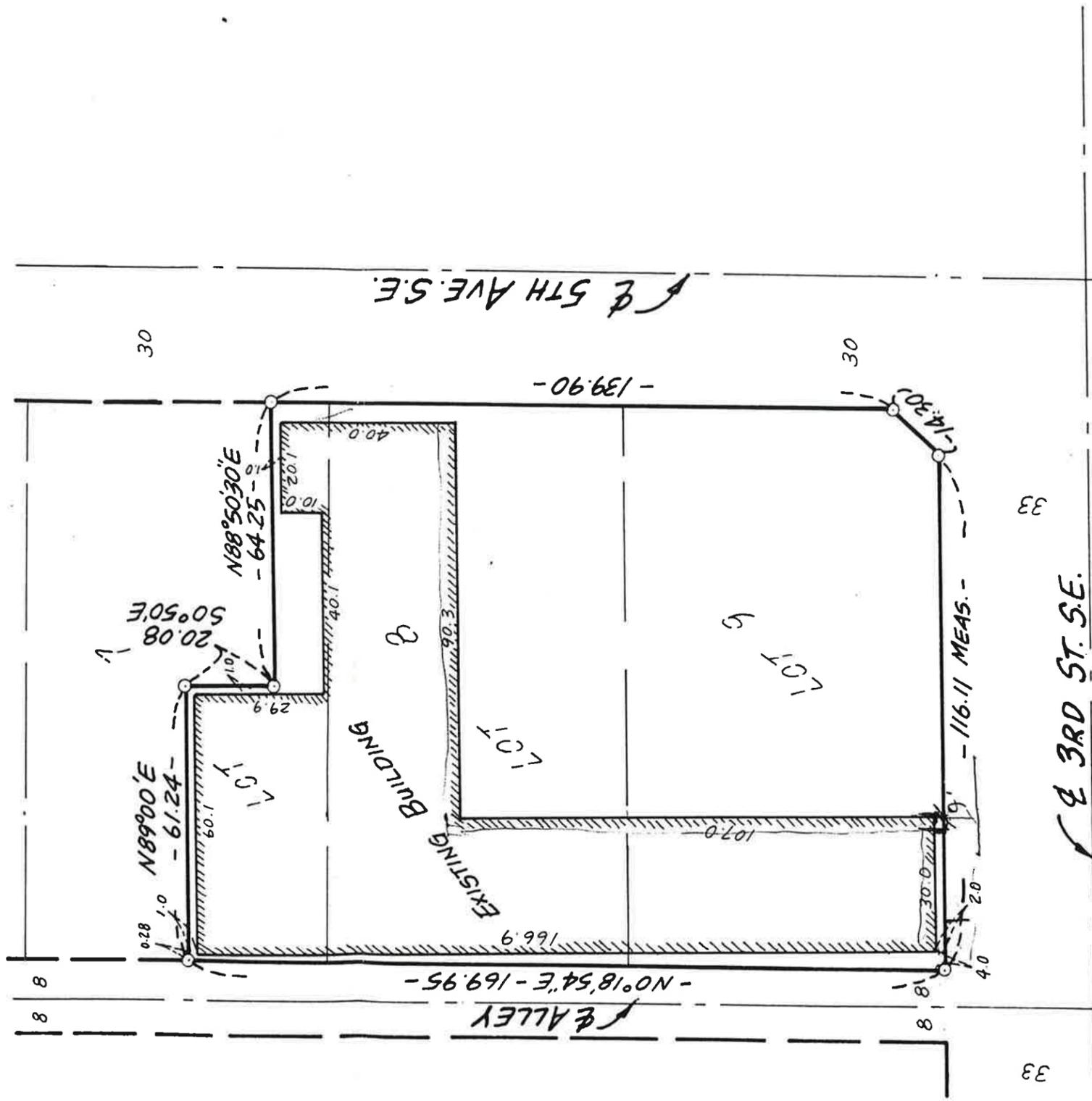
# Certificate of Survey

Scale 1" = 30'  
 Denotes Iron Monument set O  
 Denotes Iron Monument found ●

For WILEY ENTERPRISES

All of Lots 8 and 9 in Block 4, Sipe's Addition, Hennepin County, Minnesota and that part of Lot 7 in said Block 4 lying southerly of the following described line. Commencing at the Southwesterly corner of said Lot 9 of Block 4, thence on an assumed bearing of North 00 degrees, 18 minutes, 54 seconds East along the West line of said Lots 9, 8 and 7 of Block 4 a distance of 169.95 feet to the actual point of beginning of the line to be described; thence North 89 degrees, 00 minutes East a distance of 61.24 feet; thence South 00 degrees, 50 minutes East a distance of 20.08 feet; thence North 88 degrees, 50 minutes, 30 seconds East a distance of 64.25 feet to the East line of said Block 4 and there terminating.

Subject to easements of record. (If Any)



*Wiley's Copy*

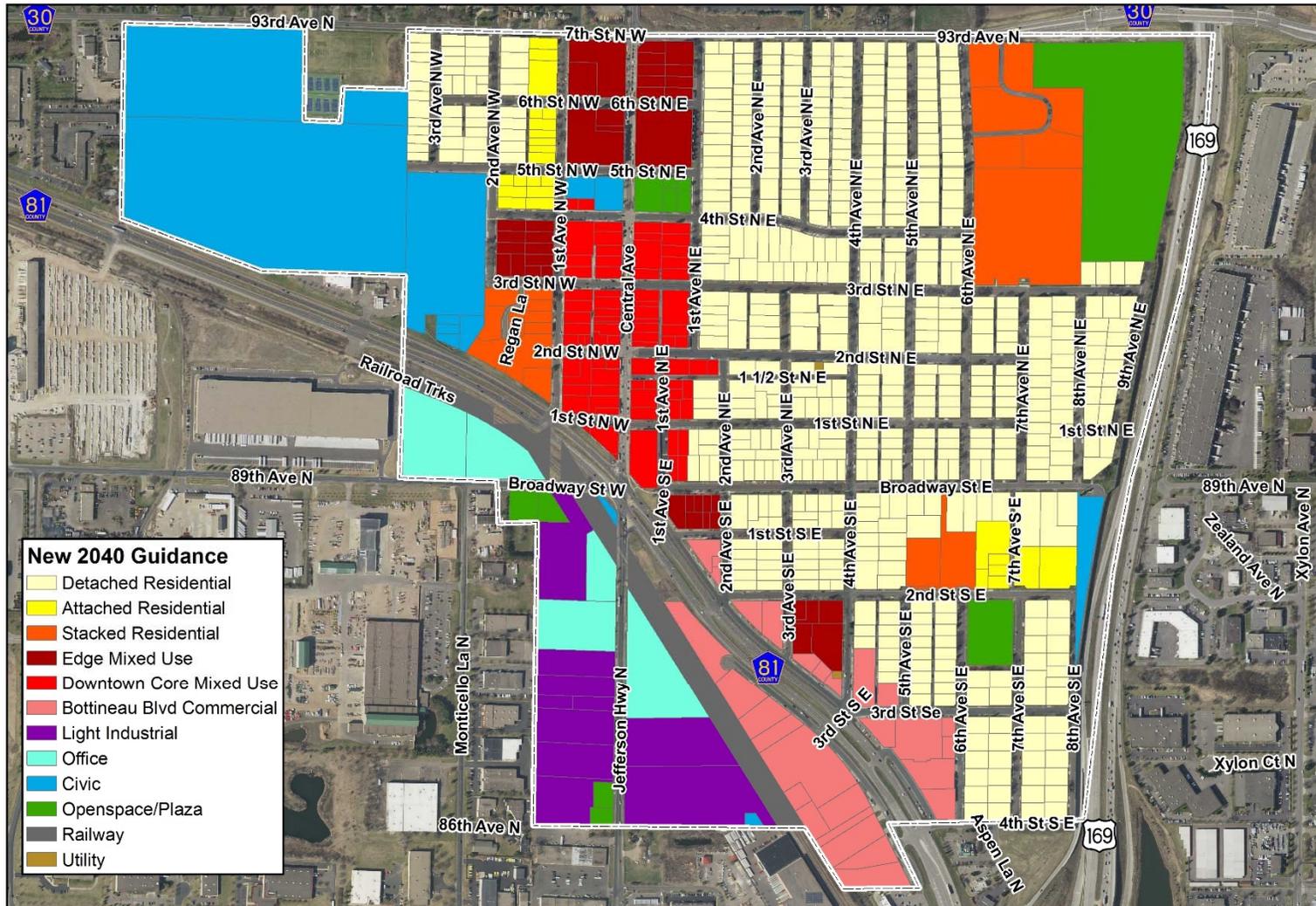
**Donohue**  
 Engineers & Architects

Donohue & Associates, Inc.  
 7700 Hemlock Lane North, Suite 200  
 Maple Grove, Minnesota 55369

We hereby certify that this is a true and correct representation of a survey of the boundaries of the land described above and of the location of all buildings thereon, and all visible encroachments, if any, from or on said land, that this survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota. As surveyed by me this 26TH day of SEPTEMBER, 1986.

by Leonard Gilbank Drawn by LP Checked by LP  
 Minnesota Registration No. 15479 Book 655 Page 13 File No. 4479.001

FIGURE 3-3: FUTURE LAND USE GUIDE PLAN



Document Path: K:\0428-2020\GIS\Map\Land Use 2040 updated parcels.mxd Date Saved: 9/22/2017 4:18:19 PM



**2040 Land Use Guidance**  
Osseo 2040 Comprehensive Plan  
City of Osseo



0 1,000 Feet  
1 inch = 750 feet



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

**CITY OF OSSEO**  
**NOTICE OF PUBLIC HEARING**  
RE-ZONE PARCEL & CONDITIONAL USE PERMIT APPLICATION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Osseo, Minnesota will hold a virtual public hearing at 6:00 p.m. on Monday, December 20, 2021, to consider among other items a request of the applicant, the City of Osseo, to re-zone the following parcel to C2N (Highway Commercial North):

<u>Address</u>	<u>Owner</u>	<u>Parcel ID Number</u>	<u>Current Zone</u>
257 5 <sup>th</sup> Ave SE (Lot 8)	Wiley Enterprises	18-119-21-31-0098	R-1

The Planning Commission will also be holding a Public Hearing to consider a Conditional Use Permit Application for the same parcel, by Amy Haarstad of Haarstad Veterinary Dermatology.

Any person wishing to express an opinion on the matter to be considered at the public hearing may submit comments in writing, whether by letter or email. Applications for re-zoning parcels are available for public review at Osseo City Hall during regular business hours, Monday - Thursday 7:30 a.m. to 5:00 p.m. and Fridays 7:30am to 11:30am For additional information, please call the City of Osseo at 763-425-2624.

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Joe Amerman  
Community Management Coordinator

Published in the Osseo-Maple Grove Press Thursday, December 9, 2021

88 18-119-21 31 0057  
TUCKER MEHLIN  
217 6TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0067  
RYAN J MCKENZIE  
232 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0079  
WILEY ENTERPRISES INC  
315 1ST AVE NE  
OSSEO MN 55369

88 18-119-21 31 0058  
PRO OPERAM SUB XI LLC  
3569 DOUGLAS DR N  
CRYSTAL MN 55422

88 18-119-21 31 0068  
JOHN HERBES JR  
224 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0087  
JUDITH K SALDANA  
224 4TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0059  
DERICK R HAUG  
233 6TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0069  
ROBERT J WILLS  
220 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0098  
WILEY ENTERPRISES INC  
315 1ST AVE NE  
OSSEO MN 55369

88 18-119-21 31 0060  
J P SWEENEY  
241 6TH AVE SE  
OSSEO MN 55369

88 18-119-21 31 0070  
JOSHUA WAGNER  
JENNIFER WAGNER  
216 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0099  
REGENCY HOMES INC  
650 BUNKER LAKE BLVD  
ANOKA MN 55303

88 18-119-21 31 0061  
MELISSA E LIBSON  
249 6TH AVE SE  
OSSEO MN 55369

88 18-119-21 31 0071  
ALYSSA PAIGE DUCHARME  
208 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0100  
THOMAS A BEST & BETH A BEST  
400 2ND ST S E  
OSSEO MN 55369

88 18-119-21 31 0062  
DUSTIN VELASCO  
257 6TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0074  
RICHARD A MANUEL  
209 5TH AVE SE  
OSSEO MN 55369

88 18-119-21 31 0101  
RUDOLPH PRIEBE POST NO 172  
260 4TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0063  
ROBERT J & ROXANNE M LIETZKE  
NICOLE ANDERSON  
265 6TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0075  
TROY KRAY  
217 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 32 0070  
APARTMENTS ON 4TH AVENUE LLC  
C/O Q T HOLDINGS LLC  
6909 WINNETKA AVE N  
BROOKLYN PARK MN 55428

88 18-119-21 31 0064  
RICHARD & TERRY SMITH  
501 3RD ST SE  
OSSEO MN 55369

88 18-119-21 31 0076  
DAVID R GODAR  
221 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 32 0073  
YG HOLDINGS LLC  
12513 CENTRAL AVE NE  
BLAINE MN 55434

88 18-119-21 31 0065  
DYLAN M TARBERT  
STACEY L PENNY  
248 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0077  
DEE LYNN BONN  
225 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 32 0100  
CNTRPNT ENERGY-MINNEGASCONT  
PROPERTY TAX DEPARTMENT  
P O BOX 1475  
HOUSTON TX 77251-1475

88 18-119-21 31 0066  
ROMEO A PAYETTE  
240 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 31 0078  
JERRY JOHNSEN  
MARLENE JOHNSEN  
233 5TH AVE S E  
OSSEO MN 55369

88 18-119-21 32 0101  
YG HOLDINGS LLC  
12513 CENTRAL AVE NE  
BLAINE MN 55434

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

88 18-119-21 34 0043  
R & R PETERS PROPERTIES LLC  
334 CO RD 81  
OSSEO MN 55369

88 18-119-21 34 0045  
WILEY ENTERPRISES INC  
315 1ST AVE NE  
OSSEO MN 55369

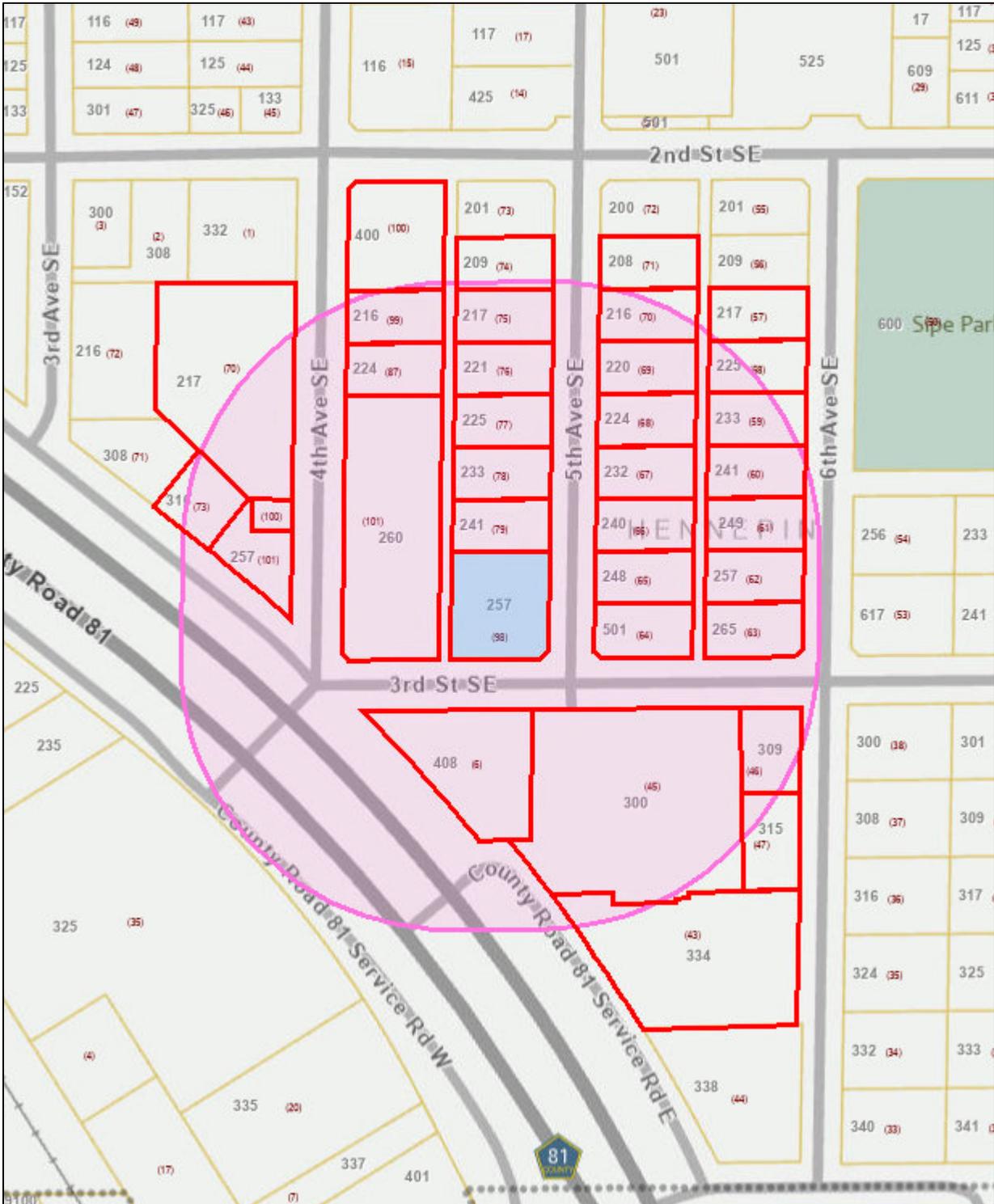
88 18-119-21 34 0046  
WILEY PROPERTIES LLC  
315 1ST AVE NE  
OSSEO MN 55369

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



# Hennepin County Locate & Notify Map

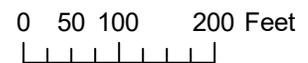
Date: 11/23/2021



**Buffer Size: 350**

**Map Comments:**

Public Hearing Notice Distribution Map



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)

**ORDINANCE NO. 2022-XX**  
**CITY OF OSSEO**  
**COUNTY OF HENNEPIN**  
**STATE OF MINNESOTA**

AN ORDINANCE AMENDING CHAPTER 153 APPENDIX D-ZONING MAP  
OF THE CITY CODE OF ORDINANCES

**Section 1: Legislative Findings.** The City Council hereby finds and determines as follows:

- (a) The City of Osseo Planning Commission has initiated proceedings to rezone a parcel belonging to Wiley Enterprises, which is located at 257 5<sup>th</sup> Ave SE (PID: 18-119-21-31-0098) and legally described as Lot 8, Block 4, Sipes Addition, Hennepin County, Minnesota, from One and Two-Family Residential (R-1) to Highway Commercial North (C2N);
- (b) The City of Osseo Planning Commission held a public hearing on December 20, 2021, regarding the requested rezoning of the Property and voted to forward the application to the City Council with a recommendation that it be approved;
- (c) The City Council has considered the application, the Planning Commission's recommendation, and the requirements of Chapter 153, Section 152 of the City's Code of Ordinances; and
- (d) The City Council finds the proposed rezoning is consistent with the Comprehensive Plan and the surrounding properties because it is identified as a Retail and Other Commercial land use and Bottineau Boulevard Commercial in the plan; will not have an adverse impact on the adjacent properties because it is consistent with their current and future uses; will not impact adjacent zoning districts, and should be approved.

**Section 2: Rezoning.** The Property is hereby rezoned to Highway Commercial North (C2N). The City Clerk is hereby authorized and directed to revise the City's official zoning map to reflect the amendment made by this Ordinance.

**Section 3: Effective Date.** This Ordinance shall be in full force and effect from and after its passage and the first day of publication.

Adopted by the City Council of the City of Osseo, Minnesota, this 10th day of January, 2022.

APPROVED:

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

ATTEST:

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Katrina Jones, City Clerk

First reading, January 10, 2022

Second reading and adoption:

(City Code Sec. 30.24 A)

Published:



## Osseo Planning Commission Meeting Item

**Agenda Item:** Consider Conditional Use Permit Amendment for a Veterinary Dermatology business at 431 Third Street Southeast

**Meeting Date:** December 20, 2021

**Prepared by:** Joe Amerman, Community Management Coordinator

**Attachments:**

- Osseo Zoning Map
- Site Location Map
- Completed Application
- Acknowledgement of Responsibility
- Applicant Narrative
- Public Hearing Notice
- Public Hearing Notice Distribution Sheet
- Draft Resolution
- 1986 Certificate Of Survey
- Proposed Building Layout

### **Policy Consideration:**

Consider a Conditional Use Permit Amendment request from Amy Haarstad of Haarstad Veterinary Dermatology for a veterinary business to be located at mailing address 431 3<sup>rd</sup> St SE (PID 1811921310098). Veterinary businesses are considered conditional uses in the Highway Commercial North (C2N) district.

### **Background:**

Amy Haarstad is a board-certified veterinarian specializing in the diagnosis and treatment of allergy, skin, and ear conditions in animals. After years in general veterinary practice, Dr. Haarstad opened a veterinary dermatology practice in the fall of 2017. The practice is now growing and seeking expanded space and has identified a suite of the building located at 257 5<sup>th</sup> Ave SE as an ideal location. This property is owned by Wiley Enterprises, and is also home to A to G Music, American Family Insurance, and others. To the west of the property is American Legion Post 172, to the south is Sipe Brothers-Marathon, and to the north and east are residential neighborhoods.

The city has previously granted two other Conditional Use Permits for veterinary practices, both located along Central Avenue in the Central Business District (CBD). Veterinary practices are also considered conditional uses in the CBD.

### **Standards for Granting Conditional Use Permits:**

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;

**-It will comply with health and safety regulations imposed by federal, state, and local authorities is generally consistent with other uses in the C2N 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;

**-It is generally consistent with other uses in the C2N 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;

**-It is generally consistent with other uses in the C2N 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;

**-The use will not require new construction and will take place in existing buildings.**

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

**-Access will be provided by 3<sup>rd</sup> St SE, 225 feet from the intersection with Co 81 Service Rd E. This entrance is already used for access to commercial businesses.**

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

**-It is generally consistent with other uses in the C2N district;**

**Parking:**

Parking will be provided by a commercial lot on the property. Parking is sufficient for the businesses in operation at this location.

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

**Proposed Conditions:**

After review of the application and its accompanying materials, Staff recommends the following condition

1. All animals be kept inside the premises so as not to disturb the public peace.

This is a condition that has been attached to prior veterinary conditional use permits.

**Budget or Other Considerations:** The \$500 application fee covers staff time for reviewing CUP applications and determining compliance with approved permits.

**City Goals Met By This Action:**

- Ensure City's continued financial stability.
- Foster and promote economic development in the City.
- Promote a healthy and high quality standard of living.

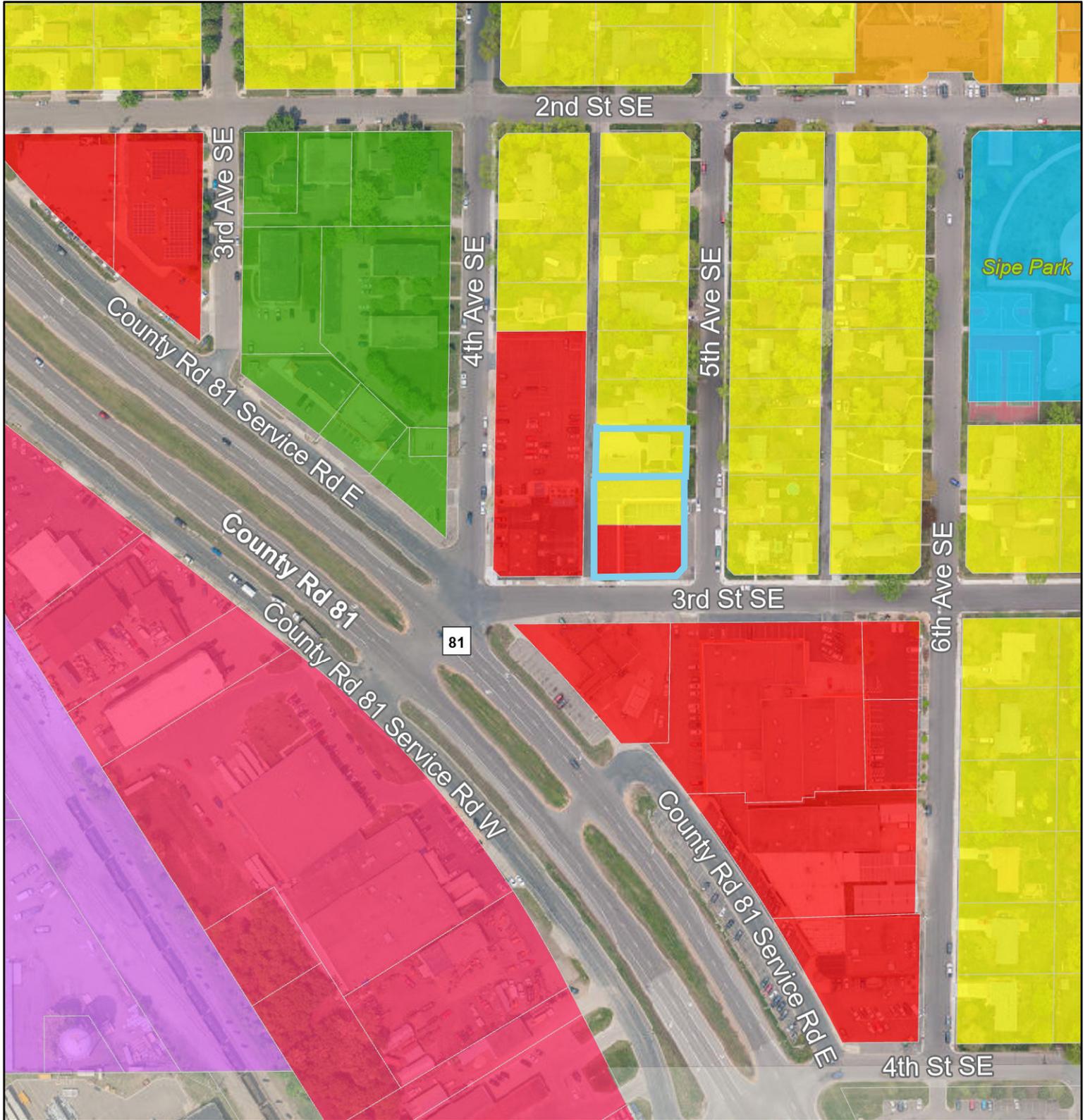
**Options:**

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

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

**Recommendation/Action Requested:**

Staff recommends the Planning Commission choose option 1.



1 in = 188 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)

- Edge Mixed Use (EXMU)



N  
 November 15, 2021  
 Map Powered By DataLink





1 in = 94 ft





Application For:  
Conditional Use Permit

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

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

Property Information:

Site address: 431 Third Street SE

Property identification number: 1811921310098

Property legal description: Lot: \_\_\_\_\_ Block: 004 Tract/Addition: SIPES ADDITION

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

Description of request: To allow Haarstad Veterinary Dermatology to occupy and conduct business at the Third Street SE location. (HVD)

Reason for request: HVD is a traveling Veterinary Dermatology business that is expanding and requires neutral space to see and treat a minority portion of clients.  
Small animal

Applicant Information:

Name: Haarstad Veterinary Dermatology Daytime phone: 612 757 0160

Address: 12006 87th Place N., Maple Grove 55369 Email Address: haarstadvetderm@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: [Handwritten Signature]

Date: 10/27/2021

**Property Owner Information:**

Name: W. Joy Enterprises Daytime phone: 612-490-7052

Address: 315 1st Ave NE Osseo Email Address: mike.w.joy@w.joyproperties.com

Signature:  Date: 10/22/21

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



**For City use only:**

Receipt number: 630503 Date received: 10/27/21 (\$500 Application Fee)

Any other fees? N/A Received by: Karen Broden

Notice to press date: 12.2.21 Press publication date: 12.9.21

Scheduled Planning Commission date: 12.20.21

Scheduled City Council date: 1.10.22



415 Central Avenue  
Osseo, MN 55369  
Phone 763.425.2624  
Fax 763.425.1111

**ACKNOWLEDGEMENT OF RESPONSIBILITY**

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

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

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

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

Date \_\_\_\_\_ 10/28/2021 \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

Name and Address of Applicant (Please Print) \_\_\_\_\_ Amy Haarstad \_\_\_\_\_  
\_\_\_\_\_ 12006 87<sup>th</sup> Pl. N. \_\_\_\_\_  
\_\_\_\_\_ Maple Grove, MN 55369 \_\_\_\_\_

Phone Number \_\_\_\_\_ 612-720-1800 \_\_\_\_\_

Email Address \_\_\_\_\_ DrAmy@HaarstadVetDerm.com \_\_\_\_\_

Name and Address of Contact (If Other Than Applicant) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

My name is Amy Haarstad. I am a board-certified veterinary dermatologist that specializes in the diagnosis and management of allergy, skin and ear conditions in animals. I opened Haarstad Veterinary Dermatology (HVD) in the fall of 2017. Until now, HVD has been an exclusively [traveling veterinary dermatology practice](#). I have been working out of my home office and seeing patients at their primary care vet clinics or as house call appointments.

The business has grown over the past 4 years and is ready to have a standalone space. I started working on my own, but now have three employees. I still plan to regularly travel to primary care clinics and provide house call services. However, I need a space near my home that can serve as a new base of operations. The purpose of having a local office now is to provide more room for my employees, allow for clients to pick up medications, and to see patients for appointments. Some clinics have expressed interest in referring patients to me, but they do not have the space for an outside specialist. An office in Osseo would allow me the opportunity to open up my services to patients outside my current travel area, which means I can help more pets.

I was excited to find this space in Osseo. It was exactly what I have been looking for over the past several months. I grew up (and still live) just a few minutes away in Maple Grove and graduated from OSH. I have many fond memories of Osseo. I have observed the city supporting the businesses that have been there for years and creating opportunities for new small businesses like mine. I look forward to the opportunity to become part of the small business community in Osseo.

**CITY OF OSSEO**  
**NOTICE OF PUBLIC HEARING**  
RE-ZONE PARCEL & CONDITIONAL USE PERMIT APPLICATION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Osseo, Minnesota will hold a virtual public hearing at 6:00 p.m. on Monday, December 20, 2021, to consider among other items a request of the applicant, the City of Osseo, to re-zone the following parcel to C2N (Highway Commercial North):

<u>Address</u>	<u>Owner</u>	<u>Parcel ID Number</u>	<u>Current Zone</u>
257 5 <sup>th</sup> Ave SE (Lot 8)	Wiley Enterprises	18-119-21-31-0098	R-1

The Planning Commission will also be holding a Public Hearing to consider a Conditional Use Permit Application for the same parcel, by Amy Haarstad of Haarstad Veterinary Dermatology.

Any person wishing to express an opinion on the matter to be considered at the public hearing may submit comments in writing, whether by letter or email. Applications for re-zoning parcels are available for public review at Osseo City Hall during regular business hours, Monday - Thursday 7:30 a.m. to 5:00 p.m. and Fridays 7:30am to 11:30am For additional information, please call the City of Osseo at 763-425-2624.

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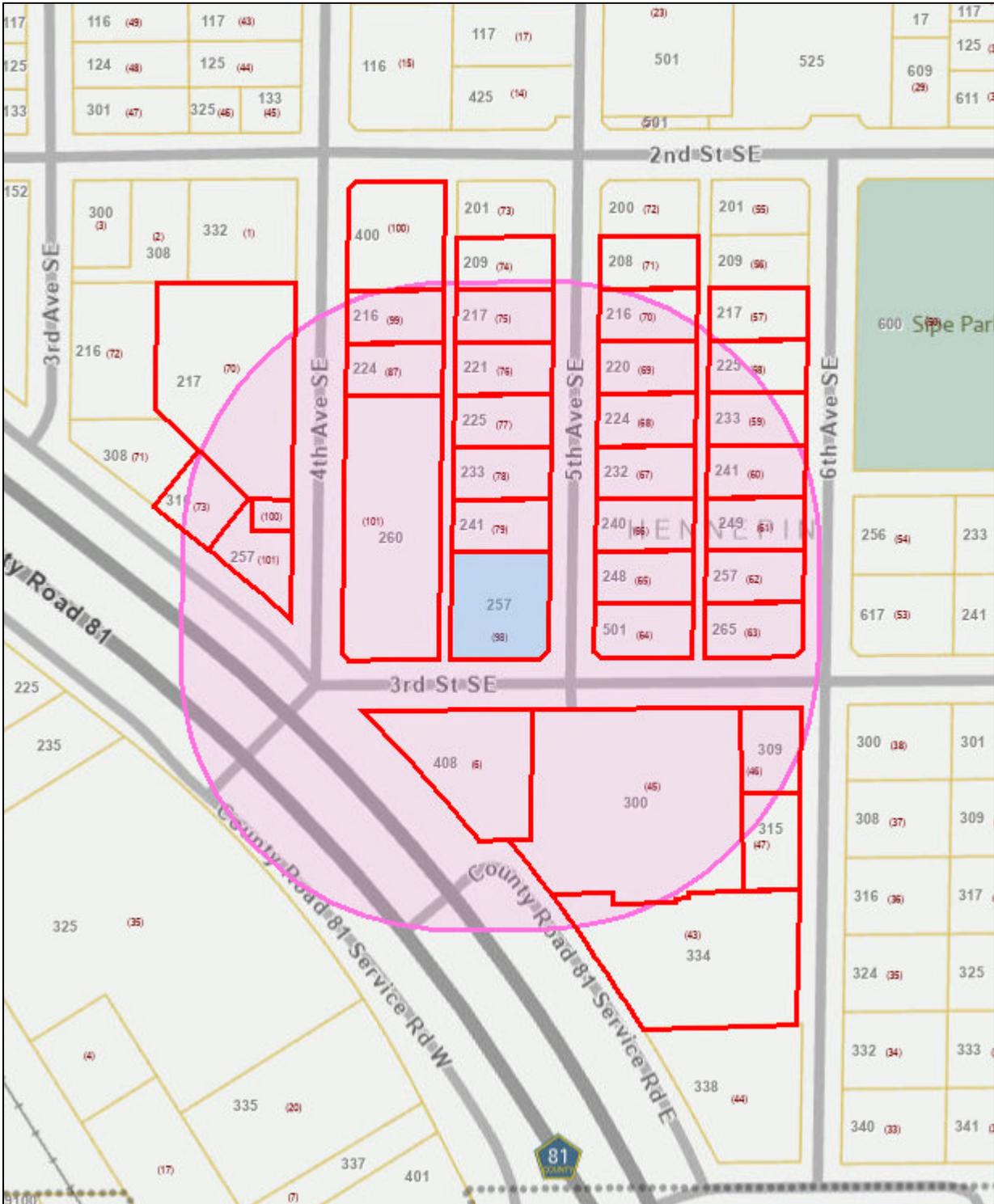
Joe Amerman  
Community Management Coordinator

Published in the Osseo-Maple Grove Press Thursday, December 9, 2021



# Hennepin County Locate & Notify Map

Date: 11/23/2021



**Buffer Size: 350**

**Map Comments:**

Public Hearing Notice Distribution Map

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

**CITY OF OSSEO**  
**Resolution No. 2022-xx**

**RESOLUTION GRANTING REQUEST FROM AMY HAARSTAD FOR A  
CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR  
VETERINARY DERMATOLOGY AT 431 3<sup>RD</sup> STREET SOUTHEAST**

WHEREAS, Amy Haarstad has made application for a conditional use permit (“CUP”) amendment to allow for a veterinary dermatology practice at 431 3<sup>rd</sup> St SE (Property Identification Number 18-119-21-31-0098) (“Subject Property”); and

WHEREAS, the Subject Property is zoned C2-N (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 the owner; and

WHEREAS, Section 153.038(A)(3)(a) of the City Code of Ordinances indicates that the proposed use is a conditional use in this zoning district; and

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

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

WHEREAS, a public hearing was held on December 20, 2021, at a regular meeting of the Osseo Planning Commission and all interested persons were invited to submit comment and were heard by the Planning Commission; and

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

WHEREAS, based on a review of the application and input from the public hearing, the Planning Commission recommended approval of the requested conditional use permit at its December 20, 2021, regular meeting by a **X-X** vote; and

WHEREAS, the City Council considered the application and Planning Commission recommendation on January 10, 2022; 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 C2-N district;
2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood, because it is generally consistent with other uses in the C2-N district;

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district, because it is generally consistent with other uses in the C2-N 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 that said conditional use permit is approved subject to the following condition:

1. That all animals be kept inside the premises so as not to disturb the public peace.

Adopted by the Osseo City Council this 10th day of January, 2022.

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. 2022-XX is a true and correct copy of the Resolution as adopted by the City Council the 10th day of January, 2022.

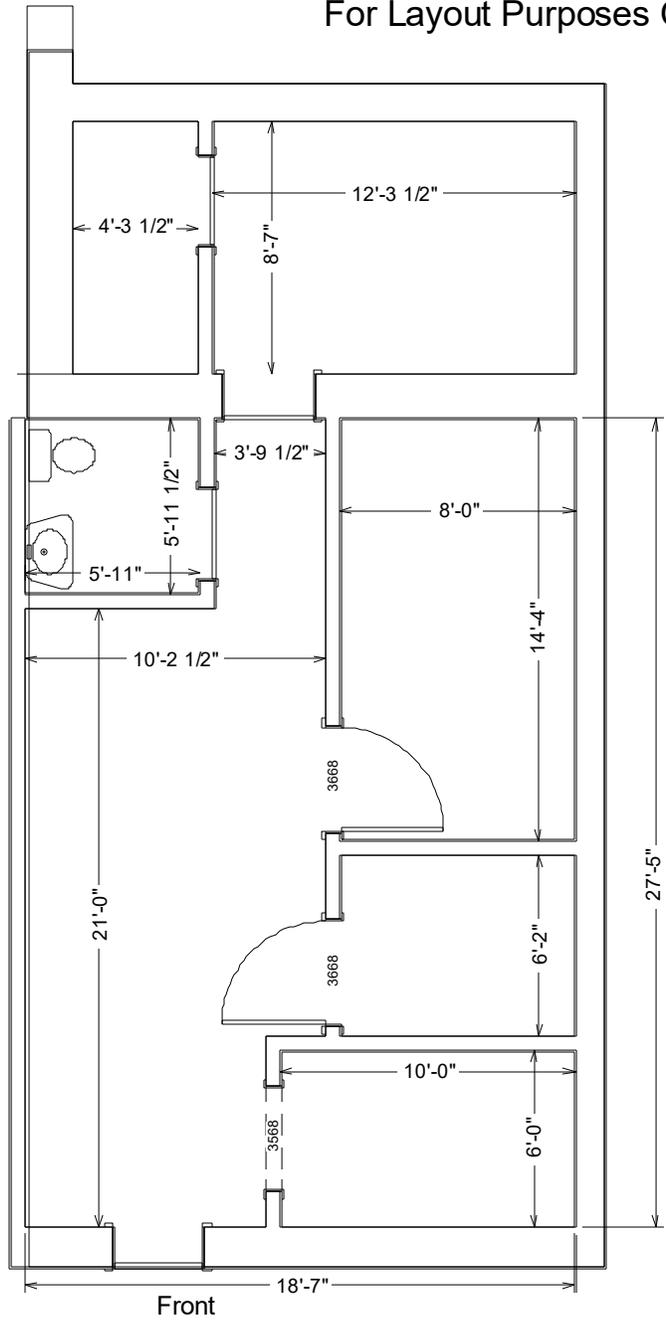
\_\_\_\_\_  
Duane E. Poppe, Mayor

\_\_\_\_\_  
Katrina Jones, City Clerk

\_\_\_\_\_



For Layout Purposes Only



431 Third Street S.E., Osseo, MN 55369  
Total Square Footage - 873

## Land Use Application Request Deadlines For 2022

APPLICATION DEADLINE	NOTICE TO PRESS & LETTERS MAILED	PUBLISH DATE	PLAN COMM MEETING DATE	CITY COUNCIL MEETING DATE
Dec. 17, 2021	Dec. 30, 2021	Jan. 6, 2022	Jan. 17, 2022	Jan. 24, 2022
Jan. 20, 2022	Feb 3, 2022	Feb. 10, 2022	Feb. 22, 2022	Feb. 28, 2022
Feb. 17, 2022	March 3, 2022	March 10, 2022	March 21, 2022	March 28, 2022
March 17, 2022	March 31, 2022	April 7, 2022	April 18, 2022	April 25, 2022
April 14, 2022	April 28, 2022	May 5, 2022	May 16, 2022	May 23, 2022
May 19, 2022	June 2, 2022	June 9, 2022	June 20, 2022	June 27, 2022
June 16, 2022	June 30, 2022	July 7, 2022	July 18, 2022	July 25, 2022
July 14, 2022	July 28, 2022	Aug. 4, 2022	Aug. 15, 2022	Aug. 22, 2022
Aug. 18, 2022	Sept. 1, 2022	Sept. 8, 2022	Sept. 19, 2022	Sept. 26, 2022
Sept. 15, 2022	Sept. 29, 2022	Oct. 6, 2022	Oct. 17, 2022	Oct. 24, 2022
Oct. 20, 2022	Nov. 3, 2022	Nov. 10, 2022	Nov. 21, 2022	Nov. 28, 2022
Nov. 17, 2022	Dec. 1, 2022	Dec. 8, 2022	Dec. 19, 2022	Dec. 26, 2022
Dec. 15, 2022	Dec. 29, 2022	Jan. 5, 2023	Jan. 16, 2023	Jan. 23, 2023

***Please note the application process:***

- Application forms for land use approvals are available from City Staff. A meeting with staff is required.
- Staff accepts any land use permit (conditional use permits, variances, etc.) application request until 4:30 p.m. on the application deadline date for that month.
- Staff reviews the submitted application and responds to the applicant within 10 days. The applicant will receive either a letter of denial due to incompleteness of the application or a letter containing the meeting dates of which the Planning Commission and City Council will hear the applicant's request.
- The Planning Commission reviews land use permit requests at its monthly meetings and makes recommendations to the City Council. The Planning Commission normally meets the third Monday of each month (Tuesday, if Monday holiday) at 6:00 pm prompt. The City Council normally meets the Monday following the Planning Commission meeting at 7:00 pm prompt.
- The applicant receives a copy of the staff report and agenda regarding their application if the application is deemed complete.

## **Commission Members Needed in 2022**

Are you interested in finding out more about city government? Osseo is seeking interested people to serve on local boards and commissions. These positions are available:

- Historical Preservation Committee (2 positions for three year terms)
- Parks & Recreation Committee (2 positions for three year terms)
- Planning Commission (2 positions for three year terms)
- Public Safety Advisory Committee (2 positions for two year terms)  
[one business appointee and one resident appointee]

The City values leadership from service minded individuals. Citizens interested in filling these appointments are asked to submit a letter or statement of interest containing name, address, telephone number, email address, and any other pertinent background information. For more information, please go to [DiscoverOsseo.com/departments/city-council/boards-and-commissions](http://DiscoverOsseo.com/departments/city-council/boards-and-commissions).

Please send your letter of interest by January 4, 2022, to City Clerk, 415 Central Avenue, Osseo, MN 55369. For more information, please call 763-425-2624.



City Hall will be closed both  
Thursday and Friday,  
December 23 & 24 and  
December 30 & 31  
for the holidays.