

PLANNING COMMISSION MEETING AGENDA

APRIL 11, 2016

6:30 O'CLOCK P.M.

AGENDA

- 1. Call to Order**
- 2. Minutes of the Previous Meetings**
- 3. PUBLIC HEARING – INDUSTRIAL PARK THREE PRELIMINARY PLAT**
- 4. Recommendation – Industrial Park Three Preliminary Plat**
- 5. Proposed New Zoning District**
- 6. Public Hearing Process Discussion**
- 7. Other Business**
- 8. ADJOURN**

MINUTES OF PLANNING COMMISSION MEETING

March 14, 2016

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 14th day of March, 2016 at 6:30 PM

THE FOLLOWING MEMBERS WERE PRESENT: Chairperson Dean, Commissioner Borgstrom, Commissioner Sannes, Commissioner Stafford and Commissioner Torkelson

THE FOLLOWING WERE ABSENT: Commissioner Ferris

THE FOLLOWING WERE ALSO PRESENT: Community Development Director Mike Martin, Admin Assistant Weigel, and Trevor Westrom

CALL TO ORDER: Chairperson Dean called the meeting to order at 6:30 PM.

*Commissioner Borgstrom requested that the concrete plant with Trevor Westrom be added to the agenda. This will be discussed as Item 5. **Other Business**, with no decisions being made tonight.

MINUTES OF PREVIOUS PLANNING COMMISSION MEETING: Commissioner Borgstrom made a motion to approve the minutes from February 8, 2016; Commissioner Sannes seconded with all voting aye.

PROPOSED NEW ZONING DISTRICT: Community Development Director Martin explained that a C4 district could be created to be a buffer between C2, C3 and the CM districts. There are no properties that this is being proposed for at this time. It was discussed that C3 is all highway and C2 is too intense to be next to residential.

SO-Core CUP Comments: Community Development Director Martin explained that the 25 acres being discussed does not fall within the city limits of Kasson, therefore this commission does not have a yes or no authority; however Dodge County would like the opinion of this commission. The Commissioners commented that there is still the potential to annex this land at a later date for development purposes. Solar farms are not permanent and do not destroy the land for future uses. This lease is for up to 35 years from Meinerts to So-Core. The transmission line needed would only be about 300 feet.

OTHER BUSINESS:

Concrete Plant – Trevor Westrom: Trevor Westrom would like to have the ordinance changed to read differently so it's more clearly defined. Mr. Westrom explained to the Commissioners that he would like to take dry, non-flammable, non-corrosive, non-hazardous, low odor emitting already manufactured components, load them onto a conveyor belt and mix them into the customer's truck. This would all be done in a contained air pressure filled dome. After discussion all Commissioners were in agreement that they could make the changes that Mr. Westrom needs and make this work, just not necessarily in the time frame that he is looking for as there is a proper process that needs to be followed.

ADJOURN: Since the agenda had been met the meeting was adjourned at 7:55 pm.

ATTEST:

Krista Weigel
Administrative Assistant

Michael Martin
Community Development Director

TO: Planning Commission Members
FROM: Michael Martin, Community Development Director
DATE: April 6, 2016
RE: April Meeting

3. PUBLIC HEARING – INDUSTRIAL PARK THREE PRELIMINARY PLAT

While David and Cheryl Klocke are listed as the applicants for this Preliminary Plat, it really is the proposal of the Kasson EDA. The purpose of the Plat is to allow for the creation of 4 badly-needed commercial/industrial lots and the extension of Commerce Drive further to the North.

The Public Hearing is the time for Commissioners to hear comments from the public concerning the alignment of the street and the configuration of the lots.

4. RECOMMENDATION – INDUSTRIAL PARK THREE PRELIMINARY PLAT

After hearing the Public testimony, the Commissioners will have their opportunity to discuss the Preliminary Plat. The Staff findings are attached and show that the submission is essentially complete, with a few relatively minor exceptions.

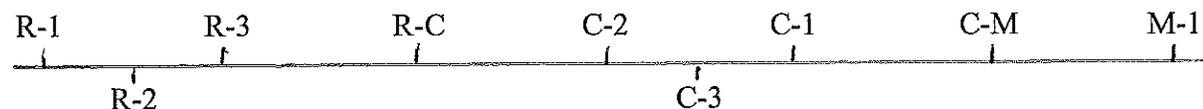
A draft resolution is also attached recommending that the Preliminary Plat be approved by the Council. Please amend the draft to reflect and additional findings you would like to make.

Please keep in mind that only those issues mentioned in the review of the Preliminary Plat can be used as conditions for delaying or refusing to approve the Final Plat.

5. PROPOSED C-4 ZONING DISTRICT

The discussion of this proposed new District brought up several issues. The proposal attached is an amended version of the previous proposal that, I believe, more accurately reflects the feelings of the Commissioners.

Commissioner Borgstrom raised two issues that can have an impact on this discussion and several others. Commissioner Borgstrom has raised the “progression” concept several times in our discussions. Some of the less experienced member may be unfamiliar with the term. It essentially ranks each Zoning District according to its impact on neighbors. In Kasson, the progression line looks like this :



In the ideal situation, Zoning Districts on the map would follow the same progression. An R-1 District would not adjoin anything but an R-2 or R-3 and a C-1 would only adjoin a C-2 or a C-M. The ideal almost never happens, but it does offer a guideline as to what we should be sensitive to.

The C-4 District, as presently proposed, is intended to offer a new, "lighter" commercial district as a transition between the residential and commercial zoning.

Many times in the past few years, the term "spot zoning" has been applied to a variety of situations, but we have never held a clear and consistent definition of the term. This is the definition that I have most often used:

"Spot zoning applies to the rezone of a parcel that is too small to contain at least five of the minimum-sized lots under the new Zoning District regulations and that is completely surrounded by only one other Zoning District."

Situations other than this are not spot zoning by definition, but are simply re-zonings according to how I was taught. It doesn't mean that they are good ideas. It just means that they aren't spot zoning.

6. PUBLIC HEARING PROCESS DISCUSSION

Quite often, the earliest notification that the Commissioners get of an application that requires a Public Hearing is when the Notice is published. They don't see the particulars of the application until the Meeting Packet comes out, often a week later.

Commissioner Stafford has asked us to consider revising the process to have the Commissioners more aware of the potential action before the Public Hearing notice is published.



City of Kasson
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 Kasson, MN 55944-2204
 507.634.7071
 (Fax) 507.634.4737
 www.cityofkasson.com

LAND USE APPLICATION

Applicants check all that apply:

- | | |
|-------------------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> General Development Plan (\$100) | <input type="checkbox"/> Minor Subdivision (\$150) |
| <input type="checkbox"/> Preliminary Plat (\$200 + \$10 per acre) | <input type="checkbox"/> Rezone/Zoning Amendment (\$200) |
| <input type="checkbox"/> Final Plat (\$100) | <input type="checkbox"/> Conditional Use Permit (\$150) |
| <input type="checkbox"/> Planned Unit Development – PUD (\$200) | <input type="checkbox"/> Variance (\$200) |

Fee Paid \$ _____

Date Filed March 28, 2016

1. lot 2, Block 1 and lot 1, Block 2 of Kasson Industrial Park Two
 Legal Description of Property

2. N/A
 Street Address of Property

3. David and Cheryl Klocke 634-6006
 Applicant/Owner's Name Telephone

4. WHKS 7905 So. Broadway, Rochester MN 55904 788-3973
 Engineer/Architect Address Telephone

5. Brandon Theobald WHKS 788-3973
 *Name of Contact Person Telephone

6. Description of Request Preliminary Plat

7. Present Zoning Classification C - MM

8. Reason for Request To subdivide the property in preparation for installing infrastructure

9. Existing Use of Property Agricultural

*The contact person noted above will receive all review comments and requests for materials/revisions from the City. They are responsible to inform all parties involved on the project of pending public hearings and meetings, changes or updates that may occur throughout the process.

The undersigned applicant hereby represents upon all of the penalties of law that all statements herein are true and that all work herein mentioned will be done in accordance with the ordinances of the City of Kasson, the State of Minnesota and any other applicable laws and regulations.

Signature of Applicant [Signature] Date 3-28-16

APPLICATION NOT COMPLETE UNTIL ALL REQUIRED SUBMISSIONS RECEIVED

MEMORANDUM

TO: PLANNING COMMISSION MEMBERS
FROM: MICHAEL MARTIN
COMMUNITY DEVELOPMENT DIRECTOR
DATE: APRIL 5, 2016
SUBJECT: KASSON INDUSTRIAL PARK THREE PRELIMINARY PLAT

As the Kasson Zoning Administrator, I have reviewed the proposed Preliminary Plat and found it be acceptable according to Section 152.02(G) of the Kasson Municipal Code. Specifically, I found that:

- a. The application was submitted in a timely manner.
- b. Sufficient copies were submitted.
- c.
 1. The scale and north point are included. **The map is not dated.**
 2. Subdivision and street names are provided.
 3. The name of the Subdivider, Surveyor and Engineer are present.
 4. The appropriate topography is provided. No slopes of greater than 25% are indicated, except as part of the storm water pond.
 5. Adjacent subdivisions are located where the surrounding land is platted and denoted as unplatted where appropriate. Owners of the adjacent lands are identified.
 6. All zoning classifications are present.
 7. Existing rights-of-way and easements are noted.
 8. The location, depth and size of all existing utilities are noted.
 9. No additional data appears to be necessary to review the Preliminary Plat.
 10. The boundaries of potential wetlands and existing streams are identified as part of this Preliminary Plat and elevations are discernable.
 11. **The contour line above the flood fringe of the adjacent stream is not shown.**
 12. The layout of all streets, easements and rights-of-way are shown in the Preliminary Plat
 13. The lengths and bearings of the exterior of the property in question are present.
 14. Dimensions of all lots are present.
 15. **The square footage of the lots are not shown but are easily discernable through simple multiplication.**
 16. All lots and blocks are properly marked and numbered.
 17. Approximate radii and lengths of curving lot lines are shown in this Preliminary Plat.
 18. **There is no Dedication Statement contained on the Preliminary Plat..**
- d. The required Public Hearing is being held on April 11, 2016.

Given the findings above, I suggest that the Commission recommend approval of the Preliminary Plat.

**CITY OF KASSON
PLANNING COMMISSION**

**RESOLUTION APPROVING THE PRELIMINARY PLAT OF
KASSON INDUSTRIAL PARK THREE**

WHEREAS, David and Cheryl Klocke, the owners of the property in question have submitted a request for a Preliminary Plat, and;

WHEREAS, at a public hearing duly held on the 11th day of April, 2011, the Planning Commission heard testimony of all persons wishing to comment on the proposed Preliminary Plat; and

WHEREAS, the appropriate City Staff and consultants have performed a technical review of the proposed Preliminary Plat; and

WHEREAS, following the public testimony and report of the technical review, the Planning Commission reviewed all relevant information regarding the proposed Preliminary Plat; and

WHEREAS, it is the finding of the Planning Commission that all conditions established for the approval of the Preliminary Plat have been substantially satisfied; and

WHEREAS, the following findings of fact have been prepared by the Zoning Administrator:

- a. The application was submitted in a timely manner.
- b. Sufficient copies were submitted.
- c.
 1. The scale and north point are included.
 2. Subdivision and street names are provided.
 3. The name of the Subdivider, Surveyor and Engineer are present.
 4. The appropriate topography is provided. No slopes of greater than 25% are indicated, except as part of the storm water pond.
 5. Adjacent subdivisions are located where the surrounding land is platted and denoted as unplatted where appropriate. Owners of the adjacent lands are identified.
 6. All zoning classifications are present.
 7. Existing rights-of-way and easements are noted.
 8. The location, depth and size of all existing utilities are noted.
 9. No additional data appears to be necessary to review the Preliminary Plat.
 10. The boundaries of potential wetlands and existing streams are identified as part of this Preliminary Plat and elevations are discernable.
 11. **The contour line above the flood fringe of the adjacent stream is not shown.**
 12. The layout of all streets, easements and rights-of-way are shown in the Preliminary Plat.
 13. The lengths and bearings of the exterior of the property in question are present.
 14. Dimensions of all lots are present.
 15. **The square footage of the lots are not shown but are easily discernable through simple multiplication.**
 16. All lots and blocks are properly marked and numbered.
 17. Approximate radii and lengths of curving lot lines are shown in this Preliminary Plat.
 18. **There is no Dedication Statement contained on the Preliminary Plat..**
- d. The required Public Hearing is being held on April 11, 2016.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF KASSON, MINNESOTA:

That the said Preliminary Plat of the Kasson Industrial Park Three to the City of Kasson is hereby recommended for approval by the City Council of the City of Kasson when the issues noted below are resolved.

1. All deficiencies noted above are resolved.
2. A mechanism, acceptable to the City Council, to ensure that all appropriate buffering will be installed to shield adjacent residential properties.
3. A mechanism, acceptable to the City Council, is in place to ensure that utilities, including all lifts of blacktop on the street be installed prior to the issuance of building permit(s) or subsequent subdivision.
4. Certification that the Parkland Dedication requirement in the Code is sufficiently met.

Adopted this 11th day of April, 2016.

Chairman

ATTEST:

Michael Martin, Community Development Director

C-4 LIGHT COMMERCIAL DISTRICT

§ 154.325 PURPOSE.

The purpose of the "C-4" Light Commercial Districts is to provide for the orderly transition of land uses between commercial and residential uses. The intent of the district is to allow the limited commercial use of parcels in areas where residential uses adjoin or nearly surrounded the commercial structure. This Zoning District is intended to allow, but limit, commercial activity in areas where the City Council has determined that commercial and residential land uses can co-exists.

§ 154.326 PERMITTED USES.

Permitted uses in the C-4 district are as follows:

(A) Professional services and offices such as medical and dental clinics, architects and attorneys, travel, accountant, surveyor and engineer offices;

(B) Banks, finance, insurance and real estate services;

(C) Art galleries;

(D) Business services including offices, postal stations, photocopy centers, and office and school supplies;

(E) Personal services including barber and beauty shops, reducing salons, photographic shops and funeral homes;

(F) Residence when included as an integral part of the principal building to be occupied by the owner or his or her employee;

(G) Buildings and uses customarily necessary to permitted principal use; the use shall not be detrimental by reason of odor, smoke, noise, dust or vibration;

(H) Plumbing, heating and electrical sales and show rooms;

(I) News and communications offices and studios;

(J) Retail sales of art, art supplies, school and office supplies, books and stationary, art galleries, art studios, picture framing;

(K) Camera and photographic supplies;

(L) Paint, wallpaper and home decorating supplies;

(M) Auto supply and parts (indoor display and sales only);

(N) Government and utility buildings;

(O) Public recreation including parks and playgrounds and hiking and/or biking trails;

(P) Wildlife, forest and wetland preserves or management areas and game refuge areas;

(Q) Historic sites;

(R) Essential services;

(S) Satellite dishes not more than 36 inches in diameter; and

(T) Parking lots, as defined in § 154.007 and regulated in § 154.080. Parking lots related to a primary use must be located on the same lot or contiguous to the principal operation. (Prior Code, § 24-134) (Ord. 728, passed - -; Ord. 789, passed - -)

§ 154.327 CONDITIONAL USES.

Conditional uses in the C-4 district are as follows:

(A) Planned unit developments;

(D) New and used car sales lots, trailer sales areas;

(C) Recreation facilities including theaters, bowling alleys, pool and billiard rooms, dance halls, roller and ice skating rinks;

(D) Hotels, motels, private clubs and lodges; wholesale establishments, taverns, night clubs, on- and off-sale liquor stores, trade schools, commercial parking garages and ramps;

(E) Open air or indoor display areas for the sale of products such as outdoor furniture, hardware items, nursery stock or automobiles, animal feeds, seeds or areas used to display rental equipment such as tools or trailers and other outdoor storage;

(F) Child care facilities;

(G) Apartments;

(H) Off-sale liquor establishments;

(I) Printing establishments;

(J) Municipal garages;

(K) Satellite dishes more than 36 inches in diameter;

(L) Accessory buildings and uses customarily incidental to the permitted principal use when located on the same property and which will not be detrimental to the surrounding neighborhood by reason of odor, smoke, noise, dust or vibration; and

(M) Parking lots, as defined in § 154.007 and regulated in § 154.080. Off-site parking may only be located in the same zone or C-3, CM or M-1 zones.
(Prior Code, § 24-135) (Ord. 728, passed - -; Ord. 789, passed - -)

§ 154.328 COMMERCIAL RESTRICTIONS.

The permitted uses listed shall be subject to the following condition: the businesses and sales or display areas that are customarily and traditionally carried out within a building shall be confined within a building.

§ 154.329 LOT AREA, FRONTAGE AND YARD REGULATIONS.

The following minimum requirements shall apply in all C-4 districts:

Lot size	
Width	200 ft. at street line
Area	45,000 sq. ft.
Yards	
Front	25 ft.
Rear	25 ft., 30 ft. shall be required on that side or rear of the property abutting any AG or residential district and shall include the required bufferyard and screening
Side	10 ft., 30 ft. shall be required on that side or rear of the property abutting any AG or residential district and shall include the required bufferyard and screening

§ 154.330 HEIGHT REGULATIONS.

(A) No structure, hereafter erected or altered, shall exceed 35 feet or two stories in height, except as otherwise permitted by this chapter.

(B) Provided, however, public and semi-public buildings, churches, cathedrals, temples, hospitals or schools may be erected to a height of 55 feet when set back from all lot lines not less than one foot, in addition to required yard dimensions, for each foot the building exceeds 35 feet in height.

§ 154.331 LOTS FRONTING MORE THAN ONE STREET.

Lots fronting more than one street shall maintain a yard on those streets conforming to the requirements for front yard setbacks; side yard setbacks shall be maintained from the remaining lot lines, except when a lot line is adjacent to an alley from which rear yard setbacks shall be maintained.

§ 154.332 BUFFERYARDS AND SCREENING.

All development, in this district, when adjacent to a residential district and not separated therefrom by a street or alley, shall provide a bufferyard along the adjoining property line as specified in § 154.060.

(Prior Code, § 24-140) (Ord. 728, passed - -)

§ 154.333 GENERAL PROVISIONS.

Additional requirements and other regulations as set forth in §§ 154.045 through 154.099.