

**CITY OF HANOVER  
PLANNING COMMISSION MEETING  
MARCH 28, 2016  
OFFICIAL MINUTES**

**Call to Order/Pledge of Allegiance**

Stan Kolasa called the March 28, 2016, Planning Commission Meeting to order at 7:00 pm. Members present were Stan Kolasa, Jim Schendel, Michelle Armstrong, Dean Kuitunen, and Mike Christenson. Also present were Council Liaison Doug Hammerseng, City Planner Cindy Nash, and Administrative Assistant Amy Biren. Also present: David Phillips, Mike Straub, Bob and Kay Kane, and Lynnae Karsten. Absent: City Engineer Justin Messner.

**Oath of Office**

Jim Schendel took the Oath of Office with Biren acting as the witness for the City.

**Approval of Agenda**

**MOTION** by Armstrong to approve the agenda as presented, seconded by Kuitunen. **Motion carried unanimously.**

**Approval of Minutes from the February 22, 2016, Regular Meeting**

**MOTION** by Armstrong to approve the February 22, 2016, minutes as presented, seconded by Kuitunen. **Motion carried unanimously.**

**Citizen's Forum**

None.

**Public Hearing**

**Amendment to Conditional Use Permit for Outdoor Storage at 11103 River Road NE**

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:03 pm. Nash reviewed the amendment that was being requested to an existing Conditional Use Permit (CUP) and recommended that it be tabled and additional materials be submitted as the property is located in the Shoreland Management Overlay. The additional items to be submitted included a survey by a licensed surveyor and a more detailed site plan. The survey would need to include boundary lines; the existing building; the existing parking area; the existing trees including type and size; the ordinary high water level of the Crow River; two-foot contours; and the impervious surface calculations. The site plan would need to go into further detail showing the specific improvements including parking for employees and customers and the impervious surface calculations.

David Phillips, the architect of the submitted plans, addressed the Commission: Mike Straub, the owner of Rhino Imported Auto Parts, also known as Hanover European Auto Parts, is requesting that he be able to create outdoor storage for some of the larger parts and to be able to have six (6) cars outside in addition to the tow truck and forklift. The cars are ones that are waiting to be disassembled inside of the building. He is willing to have a fence in order to screen the cars from view or to leave it open to view in order for compliance checks to be easier. He is willing to have a new survey prepared, but would like the number of cars to be decided tonight, so he would be asking to have the survey tabled and the storage of waiting cars to be decided tonight.

Mike Straub, owner, spoke to the Commission as well. He stated that over the past years, information and direction has changed with administrators and would like to have the mixed messages cleared up. By

establishing clarification of what can and cannot be done, he would be able to be compliant without worrying if changes would happen in the future. At the time of the original Special Use Permit, people voiced concern about the property becoming full of cars and looking bad. Straub stated that he has limited to the cars waiting disassembly to the gravel area.

Commission members asked the following questions of Mike Straub (MS):

Christenson: Will the tow truck and fork lift be part of the number of vehicles considered as part of the vehicles allowed outside?

MS: No, this would be in addition to the six cars, so a total of eight (8) vehicles would be outside.

Armstrong: Why do you need space for cars outside?

MS: Inside is area enough to disassemble two cars. The cars outside are waiting to be disassembled. There is no more floor space available inside to put additional cars.

Kuitunen: When the business first started, were all of the cars stored inside?

MS: Yes, and I rented storage space at two different off-sites in the past.

Armstrong: Do you have sufficient space right now without the off-site storage?

MS: Yes, and I am thinking about the future and where I want to be in 10 years.

Armstrong: What is the outdoor storage like?

MS: The outdoor storage is behind the building and items are stored on racks. It is a grassy area with trees overhanging it.

Armstrong: What about the stuff by the front doors?

MS: That will be gone soon. It goes to a recycler. Parts that cannot be sold, but can be recycled go into the frame and then off to the recycler. Sometimes people drop stuff off when he is closed and he has to dispose of it through the recycler.

Christenson: So you are using the back area for storage currently?

MS: Yes, I had been told by previous administrations that if it was out of site and no one complained, it would be okay.

Armstrong: Have you had more vehicles outside than what is currently there?

MS: Yes, I have had up to 20 vehicles. Right now there are 8-9 plus the forklift and tow truck.

Christenson asked Nash about the length of time that a CUP runs. Nash explained that a CUP runs with the property and that if the property were sold, the next owner could use the CUP. She said that for a limited use permit that would be an Interim Use Permit and would expire within a time frame or with the transfer of ownership.

Kuitunen asked Straub if grading would need to be done in the back of the property for the storage and Straub replied "no".

Hammerseng asked Nash about the details of the initial CUP. Nash said that the original was actually a Special Use Permit (SUP), which now is handled as a CUP, and that it was written in a manner typical of the time and the terms are vague. By defining the conditions of the CUP within this amendment that would give clarity to both Straub and the City.

Straub commented that he has received letters in the past as well as mixed messages. He has been here for many years and has tried to be a good citizen. He has not had fire calls or police calls to the property and he does his best to keep hazardous waste contained and follows the rules by the EPA. He does this to protect his property.

Phillips stated that they are willing to get the survey, but that it would have to wait until the May meeting as surveyors are very busy right now. Nash confirmed this.

Phillips said that he and Straub were given the impression that the City wants the number of cars to be zero (0) as that was what the CUP states. Straub said that in his discussion with Brian Hagen, City Administrator, they talked about previous administrators and Hagen was going to follow the directives in the CUP and suggested that Straub apply for an amendment. This was after a letter was sent in November 2015 asking Straub to bring his property into compliance by December 31, 2015.

Armstrong asked that if the amendment was tabled, how would enforcement be handled? Nash said that typically, enforcement goes on hold. She also said that shoreland management comes into play on this property and tabling the amendment would allow further research.

Armstrong asked Straub to speak to the sliding gate that was on the architectural drawing. Phillips replied that the sliding gate would act as screening.

Hammerseng stated that it sounded like the City and Straub both have similar goals regarding this situation. He went on to say that if people are dropping off things, there must be something that is causing them to do this. Hammerseng suggested that Straub take some action now during the interim to show his willingness to work toward a common goal. Straub replied that since receiving the letter in November, he has not brought any more cars in to disassemble and that he has been working on the cars there to get them completed and recycled. Straub also stated that since the frost is gone and winter over, he will be able to get rid of some of the larger parts. He does not intend to bring anything else onto the property until this amendment has been decided. He said that he had been told by Hagen not to put cars behind the building and wouldn't want to anyway since it is dirt and not gravel like the driveway.

Kuitunen asked Nash if at the time of the SUP did the zoning B-1 (Downtown River Commercial District) allow for outdoor storage. Nash replied that at the time, outdoor storage was not allowed.

Lynnae Karsten expressed concern with the proximity of the business and outdoor storage so close to the Crow River. Nash said that was another reason she requested tabling the matter in order to have a survey showing the ordinary high water mark of the Crow River and to see how it applied to shoreland management.

Kolasa asked to see the site via Pictometry in Beacon (the Wright County Interactive GIS Map). The site was brought up and projected on the screens. Kolasa wanted to see the storage area and where the cars were located in a more current picture.

Hammerseng asked about the current parking lot. Straub said that he shares it with Bob Pink.

Commission members asked Straub about the growth of the business and if he felt the need for additional off-site storage. Straub said that he does not want or need additional off-site storage and that he is trying to cut back on the number of cars he disassembles as his inventory is good. He specializes in collector cars and the older parts are now increasing in value.

Armstrong asked if Straub had ever thought about moving to a bigger building. Straub answered yes, and that the City had approached him years ago about a possible land swap. It didn't seem to go anywhere. Armstrong asked if he would still be open to that and Straub replied yes as long as it actually was discussed and would lead to it taking place.

Kuitunen said that as close to the Crow River and with MS4 in place, there really isn't an option not to do a new survey. Nash replied that was so.

Schendel asked about a time frame for tabling the amendment. Nash said that an extension could be requested for another 60 days and the May meeting would fall well within that extension. Phillips said that would agreeable as long as there was access to the planner during that time.

Karsten asked if Wright County would need to be involved and if wetlands are involved. Nash said that a river is not necessarily a wetland, but that would be determined with a new survey and that Wright County would be part of the research.

Kolasa closed the Public Hearing at 7:48 pm and reopened the Planning Commission meeting.

**MOTION:**

Schendel moved to table the amendment as suggested by Planner Nash to the May meeting in order for the suggested materials to be submitted and for Nash to request an extension, seconded by Christenson. **Motion carried unanimously.**

**Public Hearing**

**Amendment to Zoning Ordinance Chapter 10 Related to Municipal Separate Storm Sewer System (MS4) and Impervious Surfaces**

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:50 pm. Nash reviewed the changes suggested by WSB as the City Engineer was ill. Nash made mention that as it was located in a different section staff and citizens need to be aware of its location. The changes are standard language used when incorporating MS4 into a city.

Kolasa closed the Public Hearing and reopened the Planning Commission meeting at 7:55 pm.

**MOTION:**

Kuitunen moved to recommend the adoption of the amendments related to MS4 and Impervious Surface into Chapter 10 of the Zoning Ordinance, seconded by Armstrong. **Motion carried unanimously.**

**Unfinished Business**

Biren stated that the property that was out of compliance regarding signage was now in compliance and that the owners had worked within the time frame given.

**New Business**

None

**Reports and Announcements**

**Planning Commission:**

Schendel asked about the soil borings on the 10 Acres and Hammerseng said that they had been done, but that results were not yet received. Schendel suggested an alternate use of the property with allowing fill to be dumped there for a fee and then create a park or move the current shelter over to that site allowing the Public Works building to be built near the current location of City Hall. He asked that this suggestion be conveyed to Council.

Christenson asked about the condition of 15<sup>th</sup> Street. Biren explained the use of gravel trucks and the mines located at the east end of the road. She also said that Public Works keeps an eye on this street making repairs as needed. Christensen also asked about the style of housing being constructed in Schendel's Field. Biren said that the design standards had been changed since the early to mid-2000s and that all of the houses had been review by the City prior to permit.

**Council Liaison:**

Hammerseng asked about the signal work being done on CSAH 19 this week in Hanover. Biren said that the County was going to be working on the signal and improving the timing of the new yellow flashing arrow.

**Staff Reports:**

Biren reviewed what has been happening at City Hall over the past month. The Historic Bridge decking is almost installed. Public Works employees need to rent a mill and plane all of the boards to the same thickness prior to installation. Road restrictions went in place earlier than last year and there have been three violations. New construction of residential homes has been constant although permits issued have dropped due to road restrictions. Potential home buyers have been calling with permit and property questions. Septic inspections and compliance reports have been very active. Biren and Public Works employees attended a MS4 workshop in Brainerd last week which was very informative. The Minnesota Erosion Control Association and the Minnesota Pollution Control Agency gave the workshop.

**Adjournment**

**MOTION** by Schendel to adjourn, seconded by Armstrong. **Motion carried unanimously.**

Meeting adjourned at 8:21 pm.

**ATTEST:**

---

Amy L. Biren  
Administrative Assistant