

**CITY OF HANOVER
PLANNING COMMISSION MEETING
JUNE 24, 2019
AGENDA**

CHAIR
STAN KOLASA

COUNCIL LIAISON
DOUG HAMMERSENG

BOARD MEMBERS
JIM SCHENDEL
MICHAEL CHRISTENSON
MICHELLE ARMSTRONG
DEAN KUITUNEN

- 1. Call to Order and Pledge of Allegiance: 7:00 p.m.**
- 2. Approval of Agenda**
- 3. Approval of Minutes from May 22, 2019, Regular Meeting**
- 4. Citizen's Forum**
- 5. Public Hearing**
 - a. Interim Use Permit at 10171 Beebe Lake Road**
- 6. Unfinished Business**
- 7. New Business**
 - a. Site Plan for Accessory Building at Astro Engineering, Industrial Park**
- 8. Reports and Announcements**
 - a. Planning Commission Reports**
 - b. Liaison Report**
 - c. Staff Reports**
- 9. Adjournment**

**CITY OF HANOVER
PLANNING COMMISSION MEETING
MAY 22, 2019
DRAFT MINUTES**

Call to Order/Pledge of Allegiance

Stan Kolasa called the May 22, 2019, 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 City Planner Cindy Nash, Council Liaison Doug Hammerseng and Administrative Assistant Amy Biren. Guests were present.

Approval of Agenda

MOTION by Schendel to approve the amended agenda, seconded by Armstrong.
Motion carried unanimously.

Approval of Minutes from the April 22, 2019, Regular Meeting

MOTION by Armstrong to approve the April 22, 2019, minutes, seconded by Schendel.
Motion carried unanimously.

Citizen's Forum

None

Public Hearing

Variations at 500 Kadler Avenue NE

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:02 pm.

Nash reviewed the application for variations at 500 Kadler Avenue NE:

- She reminded the Board that they have previously discussed this lot along with 520 Kadler Avenue NE.
- The applicant intends to combine the lots of 500 and 520 Kadler Avenue NE.
- The home is custom designed for this lot taking into consideration the wetland and the setbacks from the wetland. It has been designed to minimize the amount of area in which the wetland and rear yard setbacks are impacted.
- The home is tilted in order to minimize impact and a variance is being asked for as the ordinance states that homes must be facing the street.
- Staff became aware of an existing culvert in the driveway and that will become a condition for it to remain in place and be incorporated into the proposed retaining wall.

Armstrong asked about the wetland delineation and that it states that it is only good for three years and will be null after June 1, 2019. She wanted to know if that was correct. Nash said that she would reach out to Andrew Grean at Wright County Soil and Water for verification.

Tom Jones, 540 Kadler Avenue NE: He and the neighbors understand the uniqueness of the two lots and want to thank the applicant and builder for designing it as they have. He would like to make sure that the culvert is kept open so that drainage can occur and that neighboring properties are not impacted. Jones asked where outbuildings could be placed and where fencing could occur as the applicant has a dog. He went on to ask that the lots be combined before any work is started.

Nash answered the questions. The rules for outbuildings, or accessory structures, would apply to this lot just as they do for other residents. Nash said that a variance for an outbuilding has not been requested. Continuing, she said that a fence would also have to follow current ordinances and cannot go through a wetland.

Hammerseng asked how the front yard and back yard would be determined because of the way the house is turned. He felt that there is not a lot of room in the rear yard for an outbuilding and wanted to make sure that the applicant understood this.

David Mooers, applicant, replied that they understand this.

Clark Lee, 525 Kadler Avenue NE: He stated that he is in support of the variances and that a nice job was done laying out the home on the property. He understands that the variances for the encroachment of the wetland setback for the driveway and retaining wall is necessary and that he would like to see the culvert remain. He also recognizes that this will minimize tree destruction along the property line and make use of the existing driveway. He pointed out where the overhang of the eaves will encroach on the wetland setback and he is fine with that. Lee went on to ask about the location of the backyard. He continued saying that he sees this house as being similar in nature to one that is on a corner lot and canted like those in Hanover Hills. Speaking on behalf of the neighbors, they support the variances for only this house plan and that it is built within the year of the variances being granted and that the lots are combined.

Dan Heinecke, 560 Kadler Avenue NE: He agrees.

Lynn Beise, 505 Kadler Avenue NE: She also asked that the lots be combined and asked whether or not a shed could be built on the now 520 Kadler Avenue NE lot.

Biren responded that an accessory building needs to be built in the rear yard and the area Beise indicated would not be eligible for a shed.

Steve Beise, 505 Kadler Avenue NE: We support this and want to see the lots combined with the house on the 500 Kadler Avenue portion of the two lots.

Adam and Jackie Lange, 9970 4th Street NE: What will be on the south side of the driveway as it tends to be pretty wet, especially this year. He also went on to ask about the trees that were planted in the backyard of the two lots, the pines.

Mooers stated that they will not be planting grass on the south side of the driveway and intend to leave it in a natural state.

Lee said that when the trees were being planted, the people doing it said they were from the City of Hanover. Staff said that they are unaware of this as it was during a time of different staff members and that they have not been able to find record of it.

Kolasa closed the Public Hearing and re-opened the Planning Commission meeting at 7:26 pm.

Kuitunen asked if the house plans were sufficient and met standards. Nash replied yes.

Biren asked about the survey being required and indicated that as the homes for Crow River Heights West Fourth Addition directly behind this parcel are being required to have an as-built foundation survey and a final grade survey, that it be required for this home as well.

Nash said that a condition can be added for requiring both such surveys.

MOTION by Armstrong to recommend forwarding the variances application to Council for approval with the conditions outlined and the two added, seconded by Kuitunen.

Motion carried unanimously.

Amendment to Official Zoning Map and Zoning Ordinance

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:28 pm.

Nash stated that she is bringing the first part of the zoning changes to the Board and that bringing the zoning ordinance and map into compliance with the Comprehensive Plan 2040 will be a two-step process.

The Board will be looking at the zoning map and the use and standards chart for the most part. She explained that the current Residential Agriculture (RA) zoning district will become two separate districts: Agriculture (A) and Rural Residential (RR). The current Neighborhood Residential (R-1) will be eliminated and the current Single Family Residential (R-1A) will have the "A" dropped. This was pointed out on the proposed zoning map.

Nash began to review the proposed changes:

- Most of the changes deal with the name changes just described.
- Farming will be allowed in the Agriculture zone, but also in the R-1 and R-2 zones if they are undeveloped. She gave examples of the Ruter Farm which is zoned Single Family Residential and the Schendel Farm which is zoned General Industrial and Multi-Family Residential.
- Nash asked the Board if they wanted the Rural Residential zoning district to allow accessory buildings in the side yard with a conditional use permit. The Board said to leave it in stating that some of the Hanover Hills properties may have to take advantage of that due to septic locations.
- Nash pointed out that some properties that are currently Residential Agriculture are being rezoned as Single Family Residential and specifically pointed out those properties along Beebe Lake Road. She went on to say that anything that is currently being done on those properties can be kept, but if applied for in the future, it will not be allowed.

Board members thought that property owners shouldn't have their hands tied on what they could or couldn't do when their lots were larger. They asked Nash to change it to include lots in the Single Family Residential zone of a certain size. Kuitunen asked if Nash had enough data based on previous research and discussion at the Planning Commission meetings. Nash affirmed that she did have enough.

- Regarding the height of an accessory building exceeding the height of the principle building, did the Board want to include Rural Residential as it was written to only be allowed in the Agriculture zoning district. Members wanted to include the Rural Residential district as well.
- Regarding the home occupations requiring an interim use permit, Nash indicated that a number of properties that were being rezoned are currently eligible for an interim use permit, but would not be under the new zoning.

Board members directed Nash to amend the language so that properties in other zones that meet a certain size requirement (acreage) would also be allowed to have an interim use permit for a home occupation as well as meeting the other requirements outlined. Nash indicated that this may open up other properties that may not have been eligible before. The Board members were fine with that.

- The current zoning map would need to be repealed and the new one reviewed tonight would need to be adopted.

Kolasa closed the Public Hearing and re-opened the Planning Commission meeting at 8:00 pm.

Nash told the Board that they have two options: They can recommend forwarding it to Council for approval with the changes discussed or they can table it and bring it back at the June meeting in order to see the changes and then making a motion.

MOTION by Kuitunen to recommend forwarding the zoning changes discussed and amended to Council for approval with the language changed as directed, seconded by Armstrong.

Motion carried unanimously.

Unfinished Business

None

New Business

Final Plat for River Town Villas

Nash apologized for the added conditions on the memo and stated they were from a different final plat. It will be corrected for the Council meeting.

Kolasa said that it looked fine and it did not appear to have changed much from the previous approval.

Kuitunen reaffirmed with Nash that there was nothing new. She confirmed that.

MOTION by Kuitunen to recommend forwarding the River Town Villas Final Plat to Council for approval with the corrected conditions listed in the memo, seconded by Schendel.

Motion carried unanimously.

Reports and Announcements

Nash said that there will be a June Planning Commission meeting as there is a submitted interim use permit application that will need a public hearing, there will be a site plan for Astro Engineering, and there may be something for the Mahler Pit expansion. She continued that she is working with the City of St. Michael on a property just north of the Hanover line that is associated with the Mahler Pit. If the City of St. Michael is agreeable to annexation, it will be annexed. Otherwise, the City of Hanover will have to work with them during the Mahler Pit Expansion project.

Kolasa asked how the City Clean Up Day went. Biren responded that it went well and that 130 cars came through and another 5-10 cars that just had regular household batteries to be recycled that did not have a charge associated. Staff believes that the event will break even this year.

Adjournment

MOTION by Schendel to adjourn, seconded by Armstrong.

Motion carried unanimously.

Meeting adjourned at 8:17 pm.

ATTEST:

Amy L. Biren

Administrative Assistant

Collaborative Planning, LLC

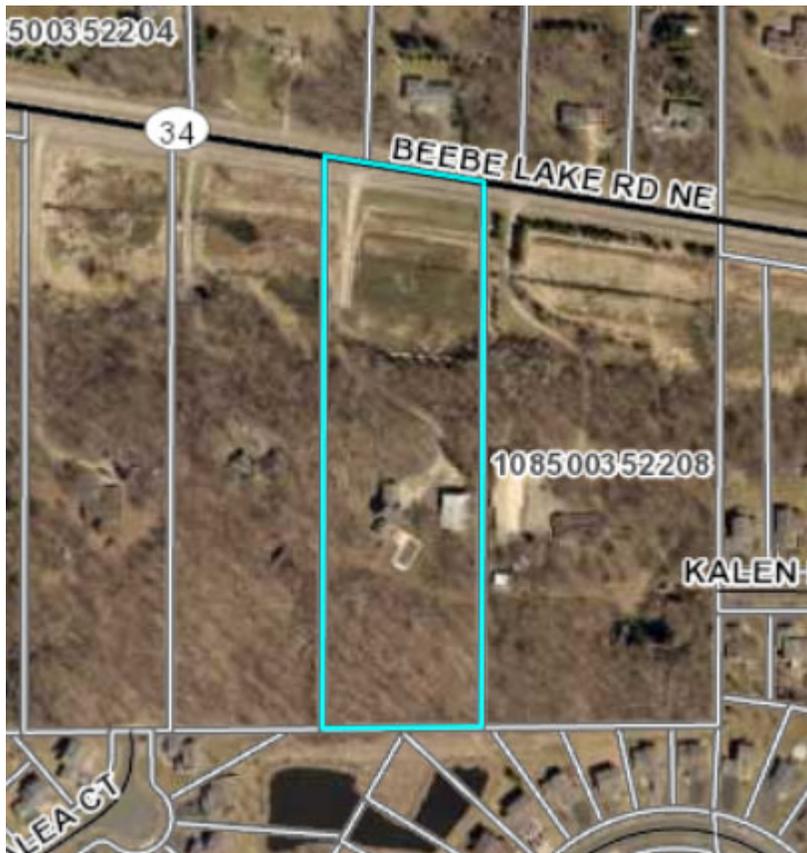
Memorandum

Meeting Date: June 18, 2019
To: Planning Commission
From: Cindy Nash, City Planner
RE: IUP for a Home Occupation – 10171 Beebe Lake Road

Overview of Request

The subject property is currently zoned R-1 (Neighborhood Residential District) and an application has been received for an Interim Use Permit for to allow a home occupation within an accessory building. The property is located at 10167 Beebe Lake Road.

The application is included in your packets and contains their proposed request.



Evaluation of Request

When a parcel that is zoned R-1 in an unplatted neighborhood and contains at least 2 acres with direct access to a county road, a homeowner may request an Interim Use Permit that allows a home occupation in an accessory building under conditions. The property contains an existing accessory building with a boat sales business and repair shop that operates within that building. The proposed building is approximately 60 feet by 40 feet.

The parcel is surrounded by lots in Crow River Heights on the south, Beebe Lake Road on the north, and other large R-1 parcels on the east and west.

Recommendation

Staff recommends approval of the IUP subject to the following conditions:

1. The approved use is boat sales and repair.
2. Hours of operation shall not be earlier than 8:30 a.m. and later than 6:30 p.m. Monday through Friday. Saturday hours shall not be earlier than 9:00 a.m. nor later than 1:00 p.m. No operating hours on Sundays or legal holidays are permitted.
3. All operations and storage of boats and parts shall be conducted within the accessory building as shown on the site plan.
4. Operations shall be in conformance with all requirements of city ordinances, as amended from time to time, including but not limited to Section 10.68 Paragraph B of the Hanover Zoning Ordinance.
5. Disposal and handling of all waste and hazardous materials shall be done in conformance with law.
6. Not more than one person other than those living in the residence may be employed in the home occupation.
7. This Interim Use Permit shall terminate on July 2, 2024. If this type of home occupation is still eligible to be permitted under city ordinances near the time of expiration of this permit, the applicant may apply for a new interim use permit.



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 Hanover, MN 55341-0278
 Phone: 763.497.3777 fax: 763.497.1873
www.hanovermn.org
cityhall@ci.hanover.mn.us

For Office Use Only	
Case Number:	
Fee Paid:	5-16-19 Rec 10158 clc
Received by:	ABM #1046
Date Filed:	5-16-19
Date Complete:	
Base Fee:	300 Escrow: 1000

DEVELOPMENT APPLICATION

TYPE OF APPLICATION		
<input type="checkbox"/> Annexation <input type="checkbox"/> Appeal <input type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Ordinance Amendment (Text or Map) <input type="checkbox"/> Planned Unit Development (Concept/Gen)	<input type="checkbox"/> Site Plan & Building Plan <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Vacation	<input type="checkbox"/> Simple Land Division <input type="checkbox"/> Subdivision Sketch Plan <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Other <i>IUP</i>
PROPERTY INFORMATION		
Street Address: <i>10171 Beebe Lake RD</i>		
Property Identification Number (PIN#):		
Legal Description (Attach if necessary):		
APPLICANT INFORMATION		
Name: <i>John G. Koeld</i>		Business Name: <i>Triple Threat Marine</i>
Address: <i>10171 Beebe Lake RD</i>		
City: <i>Hanover</i>	State: <i>MN</i>	Zip Code: <i>55341</i>
Telephone: <i>952-649-9009</i>	Fax:	E-mail: <i>John.Koeld@gmail.com</i>
Contact:		Title: <i>owner</i>
OWNER INFORMATION (if different from applicant)		
Name:		Business Name:
Address:		
City:	State:	Zip Code:
Telephone:	Fax:	E-mail:
Contact:		Title:
DESCRIPTION OF REQUEST (attach additional information if needed)		
Existing Use of Property: <i>Res/Ag</i>		
Nature of Proposed Use: <i>use accessory building for business use</i>		
Reason(s) to Approve Request: <i>under ordinance 2012-06 I meet the current requirements</i>		
PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE		
Project Name:		Date of Application:
Nature of Request:		
NOTE: Applications only accepted with ALL required support documents. See Application Instructions and City Code		

APPLICATION FEES AND EXPENSES:

The City of Hanover required all applicants to reimburse the City for any and all costs incurred by the City to review and act upon applications.

The application fee includes administrative costs which are necessary to process the application. The escrow fee will include all charges for staff time by the City Planner, City Engineer, City Attorney, and/or any other consultants as needed to process the application.

The City will track all consultant costs associated with the application. If these costs are projected to exceed the money initially deposited to your escrow account, you will be notified in the manner that you have identified below that additional monies are required in order for your application process to continue. If you choose to terminate the application (notice must be in writing), you will be responsible for all costs incurred to that point. If you choose to continue the process you will be billed for the additional monies and an explanation of expenses will be furnished. Remittance of these additional fees will be due within thirty (30) days from the date the invoice is mailed. If payment is not received as required by this agreement, the City may approve a special assessment for which the property owner specifically agrees to be to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes Section 429.081 as amended. **All fees and expenses are due whether the application is approved or denied.**

With my signature below, I hereby acknowledge that I have read this agreement in its entirety and understand the terms herein. **I agree to pay to the City all costs incurred during the review process as set forth in this Agreement.** This includes any and all expenses that exceed the initial Escrow Deposit to be paid within 30 days of billing notification. I further understand that the application process will be terminated if payment is not made and application may be denied for failure to reimburse City for costs. I further understand that the City may approve a special assessment against my property for any unpaid escrows and that I specifically waive any and all appeals under Minnesota Statutes 429.081, as amended.

I wish to be notified of additional costs in the following manner:

E-mail John.Gandick@gmail.com Fax _____ USPS – Certified Mail

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements are complete to the best of my knowledge.

I acknowledge that I have read the statement entitled "Application Fees and Expenses" as listed above.

I understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes Section 15.99 as amended, at such time as it is determined to be complete. Pursuant to Minnesota Statutes Section 15.99, the City will notify the applicant within fifteen (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant:  Date: _____

Owner:  Date: 5-16-18

**NOTE: Applications only accepted with ALL required support documents.
See Application Checklist and City Code**



SUPPLEMENTAL APPLICATION - INTERIM USE PERMIT

Name: John Conkield Phone: 952-649-9007
Address: 10171 Beebe Lake RD PID #: _____

1. Present zoning of above described property: Res Ag
2. Application made for Interim Use Permit to conduct: Home occupation in accessory building
3. Is the proposed use compatible with present and future land use(s) of the area? Please explain. yes - under the current IUP requirements
4. Will the proposed use depreciate the area in which it is proposed? Please explain. No
5. Can the proposed use be accommodated with existing City services without overburdening the system? Please explain. yes - it'll add very light traffic of which my driveway is on CR-34. no new water or sewer changes are needed
6. Are local streets capable of handling traffic which is generated by the proposed use? Please explain. yes - same as above
7. I propose to have the interim use permit terminate upon the following: Date of approval 2029
8. Attach to this application a site plan illustrating curb cut locations, access to a public street, location of buildings and their square footage, location of easements, parking utilities and sidewalks.
9. Attach information specified in the "Required Material Submission Checklist" for IUP applications.

Applicant Signature: [Signature]

Date: _____

Owner Signature: [Signature]

Date: 5-16-19



© 2018 Pictometry

PROPERTY DESCRIPTION:

Part of the Northwest Quarter of the Nor Wright County, Minnesota, described as to Commencing at the southwest corner of said Northwest Quarter on an assumed a distance of 649.07 feet to the actual Northwest Quarter; thence North 00 degrees 03 minutes 27 seconds West about 60 degrees 03 minutes 30 seconds East,

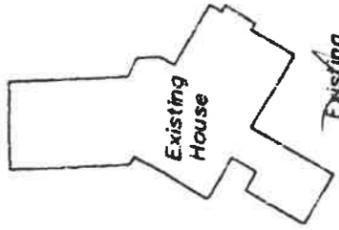
Uistad Property
Area = 5.72 Acres

N 00°03'30" E 958.91

N 00°00'03" W 912.87

Ar.

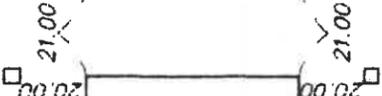
Existing Well



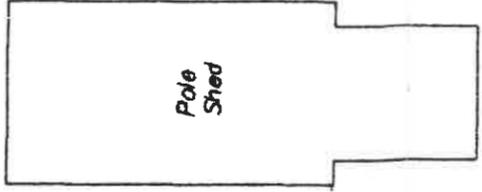
Existing Hydrating Tank

City Center

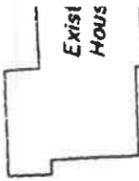
Proposed Pole Shed



Pole Shed



Exist Hous



Existing Hydrating Tank

Shed

Pole Shed

1.4±

2.3±

West line of the East 396.70 of the N.W. 1/4 of the N.W. 1/4 of Sec. 35

Fence

N 89°05'57" E 649.07

Southwest corner of the N.W. 1/4 of the N.W. 1/4 of Sec. 35

266.00 Deed & Meas

South line of the N.W. 1/4 of the N.W. 1/4 of Sec. 35

S 89°05'57" W 663.75

8±

Collaborative Planning, LLC

Memorandum

Date: June 18, 2019
To: Planning Commission
From: Cindy Nash, City Planner
RE: Astro Engineering – Site Plan

An application has been received for a site plan to add an additional building to the lot. A copy of the site plan and architectural plans are included in your packets.

The property is zoned I-3 Industrial. The property is near the intersection of Lamont Ave NE and 10th St NE and consists of approximately 3.97 acres.



There is a portion of a large wetland on the western side of the property. This wetland is extensive and there is no wetland delineation for it. There is, however, a drainage and utility easement that is recorded for the wetland. A portion of an existing building encroaches within that easement. The proposed new building will be outside of the drainage and utility easement. As shown on the aerial photo, there is not a vegetated wetland buffer that is being maintained separate and distinct from the gravel parking area.

The existing buildings on the site are metal, and there is an existing gravel parking lot. A fence separates the front of the site from the rear of the site as shown in the aerial photo below.



Parking requirements are based on the existing and proposed uses of manufacturing, office and warehouse. A total of 40 spaces are required, and the plans identify 41 spaces available. None of the site is currently paved. Section 10.39.A of the ordinance requires parking areas to be asphalt, concrete, or a reasonable substitute surface as approved by the City Engineer. There are other requirements as well related to landscape islands, distance from buildings and other design features that are not currently being met on this site.

Due to the site not meeting ordinance requirements related to wetland buffers and parking, the use of the site is non-conforming which would preclude expansion (Section 10.15). It is recommended that expansion be permitted subject to the site plan being amended to include the following which would bring the site into greater compliance with the Zoning Ordinance:

1. Show the area to the east of the gate/front building to be paved.
2. Show a wetland buffer 30 feet from the wetland that will be seeded in a vegetation mix to be approved by the City Engineer. Wetland buffer signs shall be installed as per the City Engineers specs along the eastern edge of the wetland buffer.

The City Engineer is reviewing the plans and comments will be provided at the meeting.

Recommendation

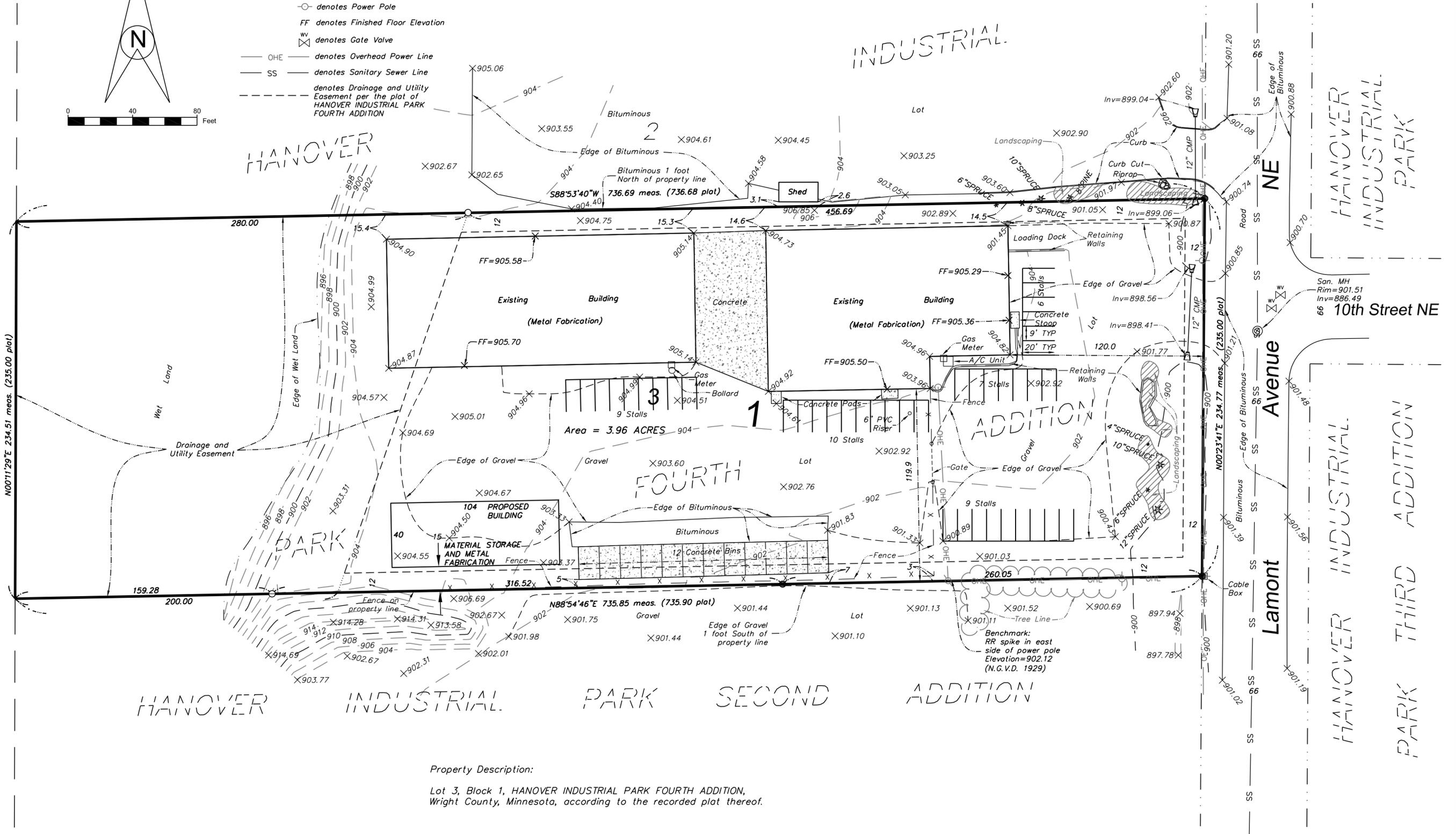
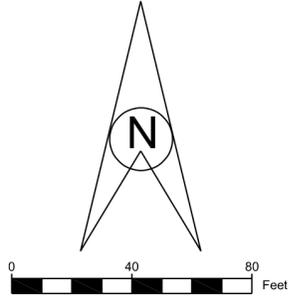
It is recommended that the site plan be approved subject to the following conditions:

1. Comments included in the letter from the City Engineer dated _____ shall be addressed (*if the Engineer has any comments prior to the meeting*).
2. Development of the site must be in substantial conformance with the site plans prepared by Otto and Associates dated _____, 2019, as modified by addressing the comments in the City Engineers Memo and the conditions contained in the approval resolution.
3. Show the area to the east of the gate/front building to be paved.
4. Show a wetland buffer 30 feet from the wetland that will be seeded in a vegetation mix to be approved by the City Engineer. Wetland buffer signs shall be installed as per the City Engineers specs along the eastern edge of the wetland buffer.
5. Small utility service (electric, phone, etc.) to the building shall be underground.

Certificate of Survey and Topographic Survey

LEGEND

- 902 — denotes Existing Contour
- 902.00X denotes Existing Spot Elevation
- denotes Power Pole
- FF denotes Finished Floor Elevation
- ⊗ denotes Gate Valve
- OHE — denotes Overhead Power Line
- SS — denotes Sanitary Sewer Line
- - - denotes Drainage and Utility Easement per the plat of HANOVER INDUSTRIAL PARK FOURTH ADDITION



Property Description:

Lot 3, Block 1, HANOVER INDUSTRIAL PARK FOURTH ADDITION, Wright County, Minnesota, according to the recorded plat thereof.

Certificate of Survey and Topographic Survey on Lot 3, Block 1, HANOVER INDUSTRIAL PARK FOURTH ADDITION, Wright County, Minnesota.

Revised:
5-6-2019 proposed Building / Parking D.J.S.
6-7-2019 modified proposed Building D.J.S.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul E. Otto
Paul E. Otto
License #40062 Date: 6-7-19

Requested By:

Astro Engineering & Manufacturing

Date: 10-15-15 Drawn By: T.J.B. Scale: 1"=40' Checked By: P.E.O.



www.ottoassociates.com
9 West Division Street
Buffalo, MN 55313
(763)682-4727
Fax: (763)682-3522

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062

Project No. 15-0468

