

**CITY OF HANOVER
PLANNING COMMISSION MEETING
SEPTEMBER 25, 2017
OFFICIAL MINUTES**

Call to Order/Pledge of Allegiance

Stan Kolasa called the September 25, 2017, Planning Commission Meeting to order at 7:45 pm. Members present were Stan Kolasa, Jim Schendel, Michelle Armstrong, Dean Kuitunen, and Mike Christenson. Also present Council Liaison Doug Hammerseng, City Planner Cindy Nash, and Administrative Assistant Amy Biren. Guests present: Dan and Wendy Schaab, Thomas Larson, Wayne Elam, Douglas Cummings, Tammy Wenz, Jayme and Ted Giese, Chris Kauffman, Jim Zajicek, and MaryAnn Hallstein.

Approval of Agenda

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

Approval of Minutes from the June 26, 2017, Regular Meeting

MOTION by Kuitunen to approve the June 26, 2017, minutes as presented, seconded by Christenson.
Motion carried unanimously.

Citizen's Forum

None

Public Hearing

Conditional Use Permit for Manufacturing/Assembly to Allow Welding and Fabrication

Kolasa closed the Planning Commission meeting and opened the Public Hearing at 7:46 pm.

Nash introduced the Conditional Use Permit (CUP) application being submitted for the property located at 11238 River Road NE. The property is located in the B-1, Downtown River Commercial District, and a CUP is necessary in order to allow welding and fabrication. The previous uses of the building did utilize welding, but that was several years ago. The most recent use of the building was the home of Comfort Matters, a heating and cooling company. From a building code perspective, changes may be needed so a building inspection is required. Open and outdoor storage is not allowed in this district. There are no exterior changes to the building being proposed. The zoning ordinance does have minimal standards regarding noise and odors, applicable to both residential and commercial districts. Nash has drafted conditions to be considered by the Planning Commission members, but would like to go through them after the applicant and public have a chance to speak.

Ted Giese, applicant: GP Welding is a business that manufactures and repairs smaller items and also small piece parts that require welding. Employees of the business currently are himself and a part-time bookkeeper. The business is open to the public from 9 am to 5 pm. He tends to be there a little before and after open times. His future plans include having up to five (5) employees. Deliveries are made about once a week and would be able to be made from Church Street. Sometimes the deliveries are made by semi trucks. He needs a dumpster and a scrap metal bin roughly the same size as the garbage dumpster.

Nash reminded him that outdoor storage is not allowed with the exception of a garbage dumpster.

Giese continued that sometimes trailers are dropped off during the weekend to be repaired the following week, so there may be trailers parked at the business. He asked about the doors being open especially when it is hot like it was over the weekend.

Kolasa asked if any members of the audience would like to speak or ask questions.

Chris Kauffmann, 10660 Prairie Lane: Inquired about the square footage of the building which Giese stated was 4400 square feet. He also asked whether Giese was renting or owning the building. Giese said he is purchasing the building.

Doug Cummings, current owner of the property: He has met with Loren Kohlen, Metro West Inspections, who said there shouldn't be any problems with the building and what is being planned. Nash replied that this is pretty standard to have a building inspector look at a property when a CUP application occurs.

Cummings stated that he is still using part of the building and did so when Comfort Matters was occupying the front part of the building. He also said that welding curtains would provide a shield when the doors are open.

MaryAnn Hallstein, 339 Jandel Avenue NE, asked where are the location of the doors. Biren used the Wright County pictometry photos to show the locations of the doors.

Kauffman said he has a similar business, but that it is located in an industrial park. He inquired about the proximity to the River Inn and possible smells coming from the welding shop.

Tammy Wenz, realtor representing Giese: Ted's business is in Maple Plain and is close to a restaurant. There have not been any complaints regarding odors from the welding shop.

Kauffman stated that from the pictures on Giese's website, it is a very clean shop. Kuitunen responded that he, too, had looked at the website earlier today.

Kuitunen asked Giese about the sandblasting system and the plasma cutter and how much noise each produced. Giese said that he has a sandblasting system, but doesn't use it that often. The loudest tool or machine he has is the air compressor.

Kuitunen went on to ask Giese if he is worried about being landlocked and not being able to expand. Giese responded that if that does happen, he would look into getting a bigger building.

Kolasa closed the Public Hearing at 8:06 pm and reopened the Planning Commission meeting.

Nash began to go through the conditions being proposed and explained that these conditions control what happens on the property, now and in the future with other owners.

1. The property operates as depicted on the survey.
2. A periodic review may be required by the City.
3. Hours of operation is between 7:30 am and 6 pm. Doors are not to be open unless deliveries are being made. This is to try to contain noise and odors.
4. Office uses are permitted at any time.
5. The property owner may request modifications to hours of operation. This allows for changes after being in business for a while and make adjustments as needed.
6. Odors cannot cross the property line. This is slightly more restrictive than the ordinances.
7. Noise and vibrations cannot go beyond the property line. This is slightly more restrictive than the noise ordinance.
8. No open or outdoor storage is allowed. This is a standard in the B-1 district.
9. A Certificate of Occupancy is required before the CUP can become effective. This is done by a building inspector and relates to the building being up to current building code.
10. Comply with Federal State or County laws or regulations.
11. All permits and licenses needed shall be acquired and maintained. If this is not current, it can be grounds for revocation.

12. Remains in conformance with performance standards. This keeps it current with ordinance amendments.
13. The owner provides access to City staff and/or agents for compliance inspections.
14. A lapse of one year of the property not being used as stated in the CUP will cause the CUP to expire.

Nash asked the Planning Commission members to respond to the conditions.

Christenson expressed concerns with the deliveries and truck traffic presenting challenges and maybe impacting safety on the roads. He also said he is concerned with the outdoor storage, the odors and the noise from the impact hammering.

Nash replied that she would have to check on the weight requirements for Church Street.

Kolasa asked Christenson what he was looking for in regards to the trailers—the type and size? Christenson responded yes. Giese said that the largest trailer he works on is 24 feet.

Christenson asked Giese if he had a forklift for the deliveries where the semi could not use the driveway and Giese replied yes.

Hallstein inquired about the parking spots being in the right of way of the street. Nash replied that the parking spaces are in the right of way and that may have been how it was planned.

Hallstein also asked about whether or not a garbage dumpster is considered outdoor storage. Nash replied that a garbage dumpster is allowed as long as it was not taking up a parking space.

Nash stated she would like to add a condition regarding the trailers since she was unaware that trailers were going to be on the property. Kuitunen agreed, stating that outdoor storage has been an issue with other properties and CUPs. Nash said that if the Planning Commission is inclined to allow trailers, personally owned or those waiting to be worked on, then that permission needs to be granted in the CUP. The Commission can allow a specific number of trailers and where they can be located. Giese said that he has two 20 foot trailers that he plans to have on the property.

Nash explained that the more clearly the conditions are stated, the better protected the property owner and the City will be.

Giese explained that nothing sits for very long at his shop—repairs are expected to be done promptly. He has not had any repair wait more than a week. He said he would not be in business long if repairs took that long to complete.

The scrap metal bin was brought up and questions asked of Giese. He said that he plans to have it in the back of the building (west side). He is planning on replacing the gate that is located on the northwest corner of the building and the fence along the property line. Armstrong said she would be okay with that as long as it was covered and behind the fence/gate so no one would see it. Kuitunen said that it needs to be safe to prevent anyone from going through the bin. Giese said that he plans on having security cameras on the property. Nash said the location of the scrap bin would need to be put on the site plan to make it be in compliance.

Armstrong asked about the doors being open. Nash said that when the doors are open, the welding would be able to be seen and heard. Christenson said he is concerned with the odors that may be emitted. Giese said he has a smoke eater that takes care of the odors.

Hammerseng asked Nash to review the definition of a CUP. Nash explained that a CUP runs with the land. The conditions of a CUP are built to address a worst-case scenario that may happen in the future. She said that a current property owner may present no issues, but what happens if the property is sold and the next owner does something that was not addressed in the CUP, making it hard to force compliance. Hammerseng said that once the business is there and operating, there isn't a way to turn back. He said that he is concerned about future owners. He also asked if this type of business was desired in the downtown area and does it

speak to the future plans for downtown. Christenson stated he agreed with Hammerseng on all of these points.

Armstrong said that these are valid points, but what says he is not supposed to be in this district.

Schendel said that he doesn't see anyone buying the property and turning it into a restaurant or another retail venture. He feels that something needs to be done with the building and not let it sit empty.

Giese said that he feels having the doors closed is very restrictive. Nash went on to explain that the Planning Commission recommendation goes to Council and this condition can be up for further discussion.

MOTION: Kuitunen moved to recommend granting the CUP to GP Welding with the conditions presented as well as the added conditions regarding trailers (number allowed and locations) and revised site plan to show the locations of the garbage dumpster and the scrap metal bin, seconded by Armstrong.

Motion carried with Kolasa, Schendel, Armstrong, and Kuitunen voting in favor and Christenson voting against the motion.

Unfinished Business

None

New Business

None

Reports:

Liaison: Hammerseng said that the new public works facility is moving along quickly. The Council had a ground-breaking ceremony last week.

Staff: None—see question below.

Board: None

Armstrong had a question about the Crow River Heights West 3rd Addition and the status. Biren said that they are in the process of grading the first phase of 30 homes. Nash said that the developer's agreement had that work commencing by October 31, 2017. Biren confirmed that and said that she attended a preconstruction meeting. The grading will be done by that date and then the small utilities will be installed. She added that the City has yet to receive a new construction permit, even for the few homes that are on Jasmine Court which have utilities already stubbed in.

Adjournment

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

Meeting adjourned at 8:59 pm.

ATTEST:

Amy L. Biren
Administrative Assistant