

April 8, 2019

TO: Chairperson Carter, Planning Commission Members, & Administrator Meyer
FROM: Cynthia Smith Strack, Community Development Director
SUBJECT: Resolution 19-010: Conditional Use Permit Auto Graphics Printing and Application
 725 Main Street East

Project Synopsis

Scott Danielson (Applicant) and Matt Hartman (Property Owner) have submitted an application for consideration of a conditional use permit for 725 Main Street East. The CUP is required for a change in use of the building within the I/C Industrial Commercial District.

Danielson proposes to operate an automobile graphics printing and application operation at the site with ancillary production of wooden benches. No changes to the building footprint or exterior site is proposed.

The Applicant represents:

1. No retail sales will occur on site.
2. The facility will be used to print graphics which will be affixed to automobiles and small trucks.
3. Three employees will be stationed at the site.
4. A maximum of twelve (12) customer vehicles will be parked on site at one time.
5. The facility will also be used for ancillary production of wooden furniture (benches).
6. No changes to the building footprint or site layout are proposed, except that a secondary access to CSAH 64/Main Street is proposed for removal and replacement with turf.
7. No outdoor storage other than parking of twelve customer vehicles is proposed.
8. The parking lot will be re-striped prior to building occupancy.
9. No change in signage requiring a permit is proposed.
10. No change in lighting is proposed.



Consistency with Comprehensive Plan

The subject property is planned for industrial/commercial use.

Zoning Review

The property is zoned I/C Industrial Commercial District and proposed for a change in use. All uses within the I/C District require a conditional use permit.

Chapter 1105.13, Subd. 2 provides for conditional uses in the Industrial Commercial District, including:

(3) Automobile or trailer sales and service establishments

(15) Manufacturing or assembly of a wide variety of products that produces no exterior noise; glare; fumes; obnoxious products; by-products or wastes; in excess of Minnesota Pollution Control Agency standards, or creates other objectionable impact on the environment including the generation of large volumes of traffic.

I/C District Performance Standards

The lot and existing structure appear to meet required performance standards in the I/C District, including minimum lot size, minimum lot width, building height, and impervious surface coverage. The existing structure is legal, non-conforming relative to the east interior side yard setback.

Parking

Chapter 1107.12 of the Code provides for off-street parking. The existing parking facility appears consistent with required standards in terms of lot design, stall dimension, curbing, and surfacing.

A total of 24 parking spaces are provided at the site. The structure is 5,420 square feet in areas.

The calculation for number of parking spaces needed for the proposed use is not specified under Section 1107.12, Subd. 10 of the Code. Therefore, under Code, the City Council is to determine the required number of parking spaces. Factors to be considered in such determination are to include (without limitation) size of building, type of use, number of employees, expected volume and turnover of customer traffic and expected frequency and number of delivery or service vehicles. If space calculation requirements for auto repair/sales/service are employed a total of 14 spaces are required. If space calculations for processing (industrial) are employed a total of 15 spaces are required. Based on the number of employees proposed (three), the maximum number of customer vehicles to be allowed stored outdoors at the site (12), and comparative calculations, staff recommends the City Council find existing spaces adequate.

An existing secondary access on the east side of the building is proposed for removal and replacement with turf.

Lighting

Overhead lighting is not proposed on-site.

General Performance Standards

Section 1107.01 provide for general performance standards for all types of uses including smoke, dust, odor, noise, glare, etc. The Applicant represents the proposed use will not exceed MPCA and/or nuisance standard thresholds. Compliance with Section 1107.01 is recommended as a condition of approval.

Commercial and Industrial Design Standards

No changes to the building are proposed at this time.

Outside Storage

Outside storage is proposed is limited to a maximum of twelve vehicles. All vehicles shall be required to be operable and display current licenses.

Conditional Use Permit Standards

Section 1103.08, Subd. 4 of the code requires the following be considered prior to issuance of a CUP. Staff comments are in *italicized* type face.

1. The use must be consistent with the Comprehensive Plan. *The subject parcel is guided toward continued industrial/commercial use.*
2. The use must be consistent with the purpose of the I/C Industrial Commercial District. *The I/C District provides for “development of areas where there is a transition in use occurring. . . Industrial or commercial development will be allowed only as a conditional permitted use to (1) ease land use transition, (2) control development so that it is compatible with surrounding property, and (3) establish dimensional requirements on an individual basis”. Adjacent uses include commercial, industrial and residential uses.*
3. The use may not adversely impact government facilities, utilities, or service provisions. *The proposed use will not stress government facilities or available utilities as no change in the building footprint or site layout is proposed. The facility will not be an industrial water or wastewater user.*
4. The use may not adversely impact the public health, safety, or welfare. *The subject property is planned and zoned for industrial/commercial use. The use will not generate truck traffic. Outdoor storage is limited*

to twelve customer vehicles. The primary use of the building will be printing of vehicle graphics and application thereof. As a condition of approval the proposed use may not exceed Code thresholds for noise, vibration, odor, smoke, glare, etc.

5. The use may not be injurious to the use and enjoyment of property in the immediate vicinity or substantially diminish and impair adjacent property values. *The use is consistent with abutting uses and operations will primarily be contained within an existing structure.*
6. The use may not impede the normal, orderly development and improvement of adjacent properties for uses permitted in the subject zoning class. *Existing uses in the vicinity of the proposed use are primarily industrial and commercial in an area previously developed at urban densities.*
7. Adequate utilities, access roads, drainage, and necessary facilities must be or will be provided. *The site is within a previously developed portion of the City.*
8. Adequate measures have been/will be taken to provide for vehicular and pedestrian safety and convenience to, from, and within the site. *The existing parking and circulation pattern is proposed to be used.*
9. The use in all other respects conforms to the applicable regulations of the district within which it is located.

Public Hearing

Notice of required public hearing has been posted, published, and mailed as prescribed by state law. No oral or written comments either for or against the proposed conditional use permit or variance have been received as of the drafting of this memo.

DEPARTMENTAL REVIEW

Building Official/Fire

Building Official Jim Tieggs has examined the use in concept and finds additional review and permit issuance will be required.

Public Works

Information on the proposed use has been Public Works Superintendent Alan Fahey for review and comment.

Community Development

Staff supports proposed use and structure.

City Engineer

Information on the proposed use has been forwarded to City Engineer Joe Duncan for review and comment.

STAFF RECOMMENDATIONS

Conditional Use Permit: Resolution 19-010

Staff recommends CUP approval with the following conditions:

1. The "Use" is defined as a 5,420 square foot an automobile graphics printing and application operation with ancillary production of wooden furniture (benches) at 725 Main Street East. The conditional use permit shall be valid only for the Use defined herein.
2. Establishment of the Use as defined within the application materials submitted with a request for CUP approval and as defined within a staff memo dated April 8, 2019 submitted by the Community Development Director.
3. Issuance of any/all permits as required by the Building Official.
4. Outdoor storage shall be limited to a maximum of twelve (12) total customer passenger automobiles and/or light trucks which shall be licensed and operable. Storage of customer vehicles shall occur in the southern portion of the parking lot.

5. The parking lot shall be retained in its present configuration and re-stripped by September 30, 2019 and prior to issuance of a final certificate of occupancy for the structure.
6. A secondary access in the east front yard that is gravel surfaced shall be removed and grass seeded or sod placed prior to issuance of a final certificate of occupancy for the structure.
7. Continuous compliance with Section 1107.01 of the City Code pertaining to general performance standards for all types of uses including smoke, dust, odor, noise, glare, etc
8. The site and construction plans and all correspondence, reports, and, if applicable, conditions and restrictions placed upon the conditional use permit by the Belle Plaine Planning Commission shall be made a part of the conditional use permit resolution.
9. This conditional use permit shall expire one year after date of approval unless the Applicant has commenced operation of the Use on-site, or a petition for an extension of time has been granted by the City Council.
10. This conditional use permit shall be subject to all applicable codes, regulations and ordinances, and the conditions of approval contained herein. A violation of any applicable codes, regulations and ordinances, and the conditions of approval herein shall be grounds for revocation.
11. This conditional use permit shall be subject to annual inspection and audit by the City.
12. This conditional use permit shall expire of the Use ceases for more than twelve (12) consecutive months, in the event the structure is destroyed and a building permit is not issued within 180 days, or if the Use is changed to a different Use.
13. The conditional Use permitted under this Resolution may not change to another conditional use or further intensified without a new application and approval by the City Council.
14. The Use permitted under this Resolution shall remain in effect as long as the conditions of the Resolution are observed.

ATTACHMENTS

1. Application
2. Site layout
3. Aerial of site
4. Resolution PZ 19-010 A Resolution Recommending Conditional Approval of a Conditional Use Permit for Auto Graphics Printing and Attachment at 725 Main Street East in the I/C Industrial Commercial District



CITY OF BELLE PLAINE

218 N. MERIDIAN STREET • BELLE PLAINE, MN 56011 • 999-999-9999

Permit Type: Z-Conditional Use Permit

Site Address: 725 MAIN STREET EAST

Work Valuation: \$0.00

Permit No.:

D-1980008

Approved Date:

Expiration Date: 05/25/19

For ELECTRICAL inspections, call 612-643-1838, Mon-Thurs between 7:00-8:30 a.m. To schedule on-line: jdinspectionsmn.com
ALL OTHER inspections call 952-873-5655, 24 hours in advance.



Owner Information:

HARTMAN, MATTHEW L & JOYCE B
23576 OAKCREST TRL
BELLE PLAINE MN 56011

Contractor Information:

Work Description/Requirement:

Fee Description:

Conditional Use Permit Fee	\$300.00		
TOTAL FEE:	\$300.00	PAID:	\$0.00

725 MAIN STREET EAST

THIS PERMIT MUST BE POSTED AT THE ABOVE WORK ADDRESS AT ALL TIMES

Annex	CUP	Home Occ.	Interim Use	Move Building	Non - Conform	Plan Consid.	PUD	Variance
Driveway	Land Excavation	Land Fill	Rental	ROW	Sign			



City of Belle Plaine
 218 N. Meridian Street
 P.O. Box 129
 Belle Plaine, MN 56011

Community Development Department
 Phone: 952-873-5553
 Fax: 952-873-5509
 www.belleplainemn.com

Fee: \$300.00

CONDITIONAL USE PERMIT APPLICATION

PROPERTY	Address: 725 E. MAIN STREET	Belle Plaine, MN	P.I.N: 200030080
Lot Number:	Block Number: 001	Subdivision: Belle Plaine 1nd Subd 20003	
Zoning:	I-C		
APPLICANT	<input type="checkbox"/> Owner	Name: Scotland Investments LLC	Phone:
Address: 5521 Doncaster way Edina, MN 55436		Cell: 612 723-0390	
E-mail: Scott.Danielson.mn@gmail.com		Fax:	
OWNER		Name: Matt Hartman	Phone: 952-873-6949
Address: 23576 Oakcrest Trail Belle Plaine		Cell: 612-685-0084	
E-mail: Hartcabinet@aol.com		Fax:	

Conditional Use Permit is requested to: Light manufacturing and assembly of outdoor benches, Large format digital printing for vehicle applications. Maintenance and storage of service vehicles. No addition or fencing planned.

SUBMISSION OF APPLICATION MUST INCLUDE:

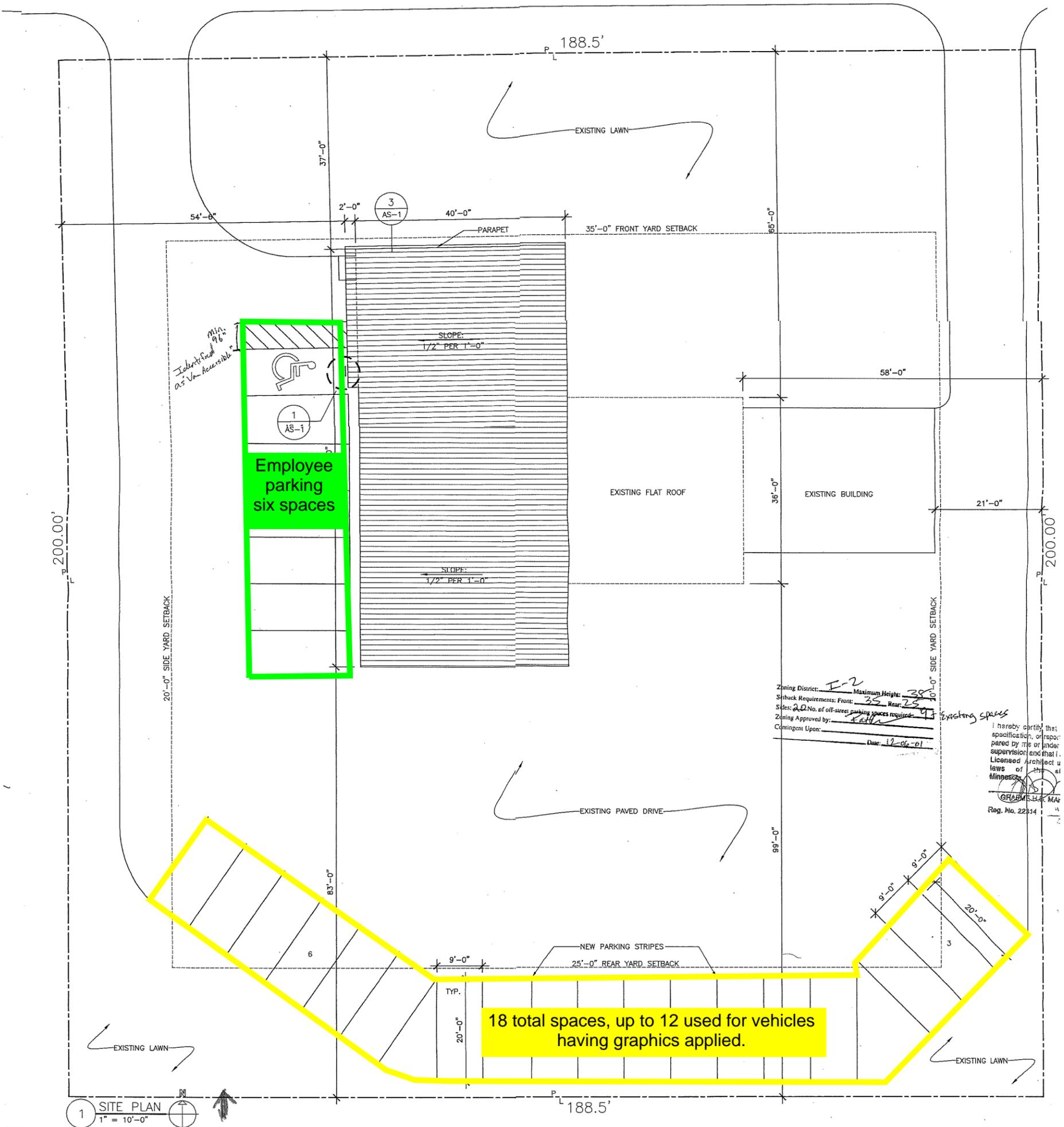
- Attached site plan (to scale) depicting present and proposed improvements

I certify that I am the applicant named herein; that I have familiarized myself with the rules and regulations with respect to preparing and filing this application that the foregoing statements and answers herein contained and the information on the attached maps or site plans and any other documents submitted herewith are in all respects true and accurate to the best of my knowledge and behalf.

APPLICANT SIGNATURE: DATE: 3/21/19

OFFICE USE ONLY

Zoning: I/C	Application Fee: \$ 300.00	Form of Payment: Check 64
<input type="checkbox"/> Site Plan	Other Fee: \$	Date: 3/28/19
	Total: \$ 300.00	Transaction Number: 24009
		Collected By:
Reviewed by Community Development Director	<input checked="" type="checkbox"/> Application Complete	Date: 3-28-19
Reviewed by Planning Commission	<input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Date:
Reviewed by City Council	<input type="checkbox"/> Tabled <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Date:



1 SITE PLAN
1" = 10'-0"

Zoning District: E-2 Maximum Height: 38'
 Setback Requirements: Front: 35' Rear: 25'
 Sides: 20' No. of off-street parking spaces required: 9 Existing spaces
 Zoning Approved by: Kath
 Contingent Upon: _____ Date: 12-06-01

I hereby certify that specification, or prepared by me or under supervision and that I am a Licensed Architect in the State of Minnesota.
 GRAHAM, D. MAE
 Reg. No. 22314

18 total spaces, up to 12 used for vehicles having graphics applied.



Legend

- City Limits
- Parcels (12/1/2018)
- Lot Lines
- Minnesota River
- Protected Waters
- Public Water Basin
- Public Water Wetland
- Protected Waters - Watercourse

725 Main Street East



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Belle Plaine is not responsible for any inaccuracies herein contained.

0 33 Feet



**BELLE PLAINE PLANNING COMMISSION
RESOLUTION PZ 19-010**

**A RESOLUTION RECOMMENDING CONDITIONAL APPROVAL OF A CONDITIONAL USE PERMIT
FOR AUTO GRAPHICS PRINTING AND ATTACHMENT AT 725 MAIN STREET EAST IN THE
I/C INDUSTRIAL COMMERCIAL DISTRICT**

Legal: Attached as Exhibit A

Property Identification Number: 200030080

WHEREAS, Scott Danielson (the "Applicant") has entered into a purchase agreement for the aforementioned parcel; and,

WHEREAS, Mathew and Joyce Hartman (the "Property Owners") are the Fee Owners of the aforementioned property addressed as 725 Main Street East in the City of Belle Plaine; and,

WHEREAS, the Applicant and the Property Owners have submitted an application for a Conditional Use Permit to allow an automobile graphics printing and application operation with ancillary production of wooden furniture (benches) at 725 Main Street East; and,

WHEREAS, the Applicant represents and the City accepts as a good-faith representation:

1. No retail sales will occur on site.
2. The facility will be used to print graphics which will be affixed to automobiles and small trucks.
3. Three employees will be stationed at the site.
4. A maximum of twelve (12) customer vehicles will be parked on site at one time.
5. The facility will also be used for ancillary production of wooden furniture (benches).
6. No changes to the building footprint or site layout are proposed, except that a secondary access to CSAH 64/Main Street is proposed for removal and replacement with turf.
7. No outdoor storage other than parking of twelve customer vehicles is proposed.
8. The parking lot will be re-stripped prior to building occupancy.
9. No change in signage requiring a permit is proposed.
10. No change in lighting is proposed.

WHEREAS, the subject property planned use is industrial/commercial and existing zoning is I/C Industrial Commercial District; and,

WHEREAS, the Planning Commission conducted a public hearing on the proposed Conditional Use Permit request on April 8, 2019, following posted, mailed, and published notice; and,

WHEREAS, the Planning Commission has reviewed the application and applicable code standards; and,

WHEREAS, The Planning Commission has reviewed criteria for granting a Conditional Use Permit and finds:

1. The use must be consistent with the Comprehensive Plan. The subject parcel is guided toward industrial/commercial use. The proposed use supports economic competitiveness goals and policies contained in the comprehensive plan pertaining to diversification of the tax base and increasing employment.
2. The use must be consistent with the purpose of the I/C Industrial Commercial District. The I/C District provides for "development of areas where there is a transition in use occurring. . . Industrial or commercial development will be allowed only as a conditional permitted use to (1) ease land use transition, (2) control development so that it is compatible with surrounding property, and (3) establish dimensional requirements on an individual basis". Adjacent uses include commercial and industrial uses.

3. The use may not adversely impact government facilities, utilities, or service provisions. The proposed use will not stress government facilities or available utilities as no change in the structural footprint or site plan is proposed. The facility will not be an industrial water or wastewater user.
4. The use may not adversely impact the public health, safety, or welfare. The subject property is planned and zoned for industrial/commercial use. The use will not generate significant truck traffic. No outdoor storage is limited to customer vehicles. The Applicant represents noise, vibration, odor, smoke, glare, etc will not exceed Code thresholds.
5. The use may not be injurious to the use and enjoyment of property in the immediate vicinity or substantially diminish and impair adjacent property values. The use is consistent with abutting uses and operations will primarily be contained within an existing structure.
6. The use may not impede the normal, orderly development and improvement of adjacent properties for uses permitted in the subject zoning class. Existing uses in the vicinity of the proposed use are primarily industrial and commercial in an area previously developed at urban densities.
7. Adequate utilities, access roads, drainage, and necessary facilities must be or will be provided. The site is within a previously developed portion of the City.
8. Adequate measures have been/will be taken to provide for vehicular and pedestrian safety and convenience to, from, and within the site. The existing parking and circulation pattern is proposed to be used.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BELLE PLAINE THAT: It hereby recommends the City Council approve a Conditional Use Permit as requested by Scott Danielson and Mathew Hartman for an automobile graphics printing and application operation with ancillary production of wooden furniture (benches) at 725 Main Street East, contingent upon the following:

1. The "Use" is defined as a 5,420 square foot an automobile graphics printing and application operation with ancillary production of wooden furniture (benches) at 725 Main Street East. The conditional use permit shall be valid only for the Use defined herein.
2. Establishment of the Use as defined within the application materials submitted with a request for CUP approval and as defined within a staff memo dated April 8, 2019 submitted by the Community Development Director.
3. Issuance of any/all permits as required by the Building Official.
4. Outdoor storage shall be limited to a maximum of twelve (12) total customer passenger automobiles and/or light trucks which shall be licensed and operable. Storage of customer vehicles shall occur in the southern portion of the parking lot.
5. The parking lot shall be retained in its present configuration and re-stripped by September 30, 2019 and prior to issuance of a final certificate of occupancy for the structure.
6. A secondary access in the east front yard that is gravel surfaced shall be removed and grass seeded or sod placed prior to issuance of a final certificate of occupancy for the structure.
7. Continuous compliance with Section 1107.01 of the City Code pertaining to general performance standards for all types of uses including smoke, dust, odor, noise, glare, etc
8. The site and construction plans and all correspondence, reports, and, if applicable, conditions and restrictions placed upon the conditional use permit by the Belle Plaine Planning Commission shall be made a part of the conditional use permit resolution.
9. The Conditional Use Permit shall expire one year after date of approval unless the Applicant has commenced operation of the Use on-site, or a petition for an extension of time has been granted by the City Council.
10. The Conditional Use Permit shall be subject to all applicable codes, regulations and ordinances, and the conditions of approval contained herein. A violation of any applicable codes, regulations and ordinances, and the conditions of approval herein shall be grounds for revocation.
11. The Conditional Use Permit shall be subject to annual inspection and audit by the City.

12. The Conditional Use Permit shall expire if the Use ceases for more than twelve (12) consecutive months, in the event the structure is destroyed and a building permit is not issued within 180 days, or if the Use is changed to a different Use.
13. The Conditional Use permitted under this Resolution may not change to another Conditional Use or further intensified without a new application and approval by the City Council.
14. The Use permitted under this Resolution shall remain in effect as long as the conditions of the Resolution are observed.

The adoption of the foregoing resolution was duly moved by Commissioner _____ and seconded by Commissioner _____, and after full discussion thereof and upon a vote being taken thereon, the following Commissioners voted in favor thereof: _____.

and the following voted against the same: _____.

Whereupon said resolution was declared duly passed and adopted. Dated this 8th day of April, 2019.

Ashby Carter
Planning Commission Chairperson

Cynthia Smith Strack
Community Development Director

EXHIBIT A
PZ Resolution 19-010
Legal Description

Commencing at the Northeast corner of Block One (1) of the Belle Plaine Industrial Subdivision in the Borough of Belle Plaine Minnesota; thence West 200.0 feet along the North line of said Block One (1), to the point of beginning; thence continuing West 188.5 feet along the North line of said Block One (1); thence South 200.0 feet parallel with the East line of said Block One (1); thence East 188.5 feet parallel with the North line of said Block One (1); thence North 200 feet parallel with the East line of said Block One (1) to the point of beginning.