



MINUTES OF THE PROCEEDINGS OF THE PLANNING COMMISSION OF THE CITY OF STACY IN THE COUNTY OF CHISAGO IN THE STATE OF MINNESOTA PURSUANT TO DUE CALL AND NOTICE THEREOF

**REGULAR MEETING
FEBRUARY 16, 2021, 7:00p.m.
MEETING HELD VIA TELECONFERENCE DUE TO COVID-19, ALSO HELD IN PERSON AT 30955 FOREST BOULEVARD, STACY MN
THE STACY CITY COUNCIL WAS ALSO PRESENT**

Call to Order

Chair M. Ness called the meeting to order at 7:00p.m.

Roll Call

The following members were present at City Hall:

Planning Commission:

M. Ness Present Absent
 J. Ness Present Absent
 D. Thieling Present Absent
 T. Sawatzky Present Absent

Council:

M. Utecht Present Absent
 M. Lawrence Present Absent
 T. Sawatzky Present Absent
 J. Carlson Present Absent

Others Present: Michelle McLane, and Shawn McLane

Webex: Michelle Hayes, Dan Boyum, Phil Carlson, and Nancy Hoffman

Agenda

Motion by J. Ness to approve the agenda as presented. Second by D. Thieling.

Roll Call Vote:

M. Ness Yes No J. Ness Yes No
 T. Sawatzky Yes No D. Thieling Yes No

Chair M. Ness declared the motion carried.

Approval of Minutes

Motion by T. Sawatzky to approve the minutes as presented. Second by J. Ness.

Roll Call Vote:

M. Ness Yes No J. Ness Yes No
 T. Sawatzky Yes No D. Thieling Yes No

Planning Commission

Chair M. Ness declared the motion carried.

Public Hearing 7:06-8:00p.m.

**Conditional Use Permit – All
Mac Inc.**

Notice is hereby given that on Tuesday, January 19, 2021, at 7:00 p.m.; or as soon thereafter as the matter may be heard, the Stacy Planning Commission will hold a public hearing on an application for a Conditional Use Permit to allow the following activities in the General Business District:

Property Address: 5580 Stacy Trail, Stacy MN 55079
Property ID: 19.00184.38

1. 153.051 C (7) e: The Storage of damaged vehicles and vehicle parts and accessory equipment must be completely inside a principal or accessory building. We are not sure that this applies to our business as a trailer repair but we want to address the issue that trailers that need repair would be parked outside of the shop or principal building. Most of our repairs are not obvious including tire changes, bearings, minor welding, installation of new vents and remove and recalk roofs as a few examples.

2. Any other activities that do not fall under the General Business District zoning for the activities described in Exhibit B.

EXHIBIT B

- Residential Trailer Repair including horse trailers, cargo, snowmobile, fish house, and commercial trailers. We do not fix anything with air brakes including semitrailers.
- Hitch installations
- Commercial DOT Inspections
- Consignment sales of trailers. (2020 sales totaled 5)
- Manufacturing sales. We would like to manufacture a limited number of trailers during any slow period
- Winterization and de-winterization of campers or trailers with living quarters
- U-Haul truck and trailer rentals and UBox Storage. UBox Storages are 95' x 56" x 83.5" wooden boxes and will be stored either in the former car wash (with reenforced doors for security) or in the shop. Presently, we store Uboxes in the mezzanine of our shop. Customers can only access the boxes during business hours. Usually, customers drop

**Public Comment, City
Planner's Report**

them off and do not ask to access the boxes until they pick them up.

City Planner, Phil Carlson, reviewed his report with the Planning Commission and City Council. His report is as follows:

INTRODUCTION

Michelle McLane of All-Mac has responded to our review of the CUP with a lengthy memo, agreeing to most of the conditions, but offering suggestions and request on others.

There are quite a few issues to discuss and decide. This memo summarizes my recommendations, which the Planning Commission and City Council may or may not take. On the following page are the conditions in Stantec's original report with notes on how we believe they might be resolved.

REVISED RECOMMENDATION

I recommend the Planning Commission and City Council approve the Conditional Use Permit for All-Mac, Inc. as submitted with the following conditions.

Comments are in blue type. Recommended revisions to the Conditions are in red type.

All-Mac agreeing to the condition does not bind the Planning Commission and City Council to those conditions – it is for your information and consideration.

- 1) The location of buildings and parking areas is slightly different on the submitted Landscape Plan as compared to the Site Plan. The approved plan for the site is based on the Site Plan. The Landscape Plan, as recommended to be revised in these conditions, is assumed to be adjusted to fit with the Site Plan. [Agreed to by All-Mac]

- 2) Manufacturing of trailers on site is approved as an incidental use of the property provided no more than 10 such trailers are manufactured and stored on site at any one time, that all manufacturing is done completely within an enclosed building with the doors shut, and that no significant noise, vibration, odor, dust, or other impacts are noticeable beyond the property. [Agreed to by All-Mac]

- 3) Customer parking spaces will be clearly identified on site by signage on the property, distinct from parking for trailers or other vehicles or equipment. [Agreed to by All-Mac]

4) The chain link fence around the property is allowed provided it is screened to its full height on the south and west sides of the site (Stacy Trail and I-35) by landscaping when mature which is at least 50% opaque in winter conditions. Slat inserts in the chain link fence are not allowed. The landscape screening plan is to be reviewed and approved by the City Planner and City Engineer. [Agreed to by All-Mac]

5) Landscape screening of parking areas is required along the Stacy Trail and I-35 frontages as illustrated on the attached Site Issues graphic. [Agreed to by All-Mac]

6) All site lighting must be downcast, cutoff type fixtures allowing no more than 1 foot-candle at the property line, as indicated on the submitted Lighting Plan. Light poles are to be no more than 20 ft in height. [Agreed to by All-Mac]

Building Materials. Agreeing to a change in building materials would need to be by variance, decided at a future meeting. The Light Industrial district has a provision that the Planning Commission can consider other building materials such as metal, but the GB district does not have that same provision. All-Mac notes that the limit of 25% metal buildings is buried in the Code after other language, but that is beside the point – the language could be cleaner, but it is still in the Code. If the Planning Commission and City Council are OK with the All-Mac proposed metal building, then a variance to the building materials standard should be requested and approved, or an amendment to the Code could be considered (but that would be a longer process, probably not reasonable here). The variance can't just happen on the spot within the CUP process tonight. The Council could signal their support for it, but it would need to be noticed and a separate public hearing held on the variance request, then acted on by the Planning Commission and City Council at later meetings in March (depending on the publication deadlines). Potential conditions:

7) Exterior materials of the new building are to be those permitted in City Code for the GB district, with no more than 25% metal panels. Revised building plans are to be reviewed and approved by the City Planner and City Engineer.

Or, revised:

7) Exterior materials of the new building are approved as submitted, on the condition that a variance is requested and approved by the City Council at a later meeting. Without the variance, the CUP is denied for the building materials

provision because the City wishes to uphold its building and design standards in the GB district.

Paving. All-Mac proposes modifying the site plan to turn the new building and use only the existing paved parking area, which could be fine, depending on exactly how that layout handles parking, maneuvering, etc. They note that they would need to have their civil engineer modify the plans, but this can be handled as a condition of approval. The All-Mac memo discusses the NW parking area but not specifically the south parking area fronting Stacy Trail, so it is not clear if they agree to paving the south area as suggested in the report or if it too would be just the existing paved area and nothing more. If they wanted to keep their larger gravel areas, this too could be accommodated with a variance to the paving standard in the Code, but All-Mac only suggested that they would modify the site plan. Gravel areas tend to erode over time and create stormwater and aesthetic concerns. Condition below is originally presented; the next one would allow for gravel parking.

8) All areas on site for parking and storage of vehicles and trailers are to be paved with bituminous, concrete, or approved equivalent by the City Engineer. This includes the gravel trailer parking area in the northwest corner of the Site Plan and the southern portion of the site beyond the existing curb lines, which was not described on the submitted Site Plan. Paving and grading plans for both areas will be reviewed and approved by the City Engineer. All areas not paved will be landscaped to be approved by the City Planner.

Or, revised:

8) All areas on site for parking and storage of vehicles and trailers are to be paved with bituminous, concrete, or approved equivalent by the City Engineer, except for the gravel areas shown on the Site Plan, but only on the condition that a variance is requested and approved at a future meeting. Without the variance, the CUP is denied for the gravel parking area because the City wishes to uphold its paving standards in the GB district. Grading and drainage for all other paved areas will be reviewed and approved by the City Engineer. All areas not paved will be landscaped to be approved by the City Planner.

9) Pavement in the right-of-way in the far southeast corner of the site will be removed and replaced with sod and landscaping to be reviewed and approved by the City Planner. [Agreed to by All-Mac]

10) Outdoor storage of trailers or vehicles awaiting repair is allowed so long as these items are not unsightly and are arranged neatly on site. Trailers, vehicles, or equipment with significant visible damage, in the opinion of the City building official, must be stored within an enclosed building. [Agreed to by All-Mac]

11) The existing car wash on site is not to be used as a car wash, but as support space for the other business operations on site. [Agreed to by All-Mac]

12) Rental of vehicles and storage boxes (Uhaul business) is approved provided that all rental vehicles and boxes are arranged neatly on site, in the opinion of the City building official, and parked or stored in designated spaces that are not identified as customer parking. [Agreed to by All-Mac]

Hours of Operation. Hours of operation can be handled with the CUP. I support All-Mac's suggestion for hours. I did not intend to limit their hours unreasonably – I simply copied the hours they proposed in the application. If they want to modify the hours, that seems reasonable to me. I wouldn't suggest we say "a majority" of activity happening during regular business hours (too vague) and would suggest changing the hours to 8 am–10 pm, or similar. I think we want to avoid trailers coming in by tow truck at midnight or having activity or repairs going on late into the night. But 9 pm or 10 pm is typical.

13) Hours of operation will be 8:00 am to 10:00 pm Monday-Friday and 8:00 am to 10:00 pm Saturday. No repair, manufacturing, rental, or moving of trailers or vehicles is allowed outside these hours.

Access to north property. All-Mac says this is the responsibility of the owner, and I agree. Does the City have an interest in seeing a combined access for these two properties? If so, this would-be time to make it a condition of approval, since we have the same property owner involved now.

14) Access to the site is from Sherman Oaks Road. Access to the adjacent property to the north, under the same ownership, will be investigated to determine if there is an existing agreement or easement for access between the two parcels. If so, this will be shown on the plans, with a future paved drive extending north on the east side of the new building. Plans for this access drive, if provided, will be

submitted along with revised Landscape Plan and utility plans, to be reviewed and approved by the City Engineer.

15) A stormwater management plan was submitted for the project, but it does not assume paving of the northwest parking area nor the added southern paved area abutting Stacy Trail. The stormwater management plan for the site will be revised, if needed, and will be reviewed and approved by the City Engineer. [Agreed to by All-Mac]

16) The storm pond on the north end of the site is in an area identified for a future building addition. This future addition is not approved until a revised stormwater management plan taking into account the building addition is prepared, to be reviewed and approved by the City Engineer. There are trees proposed on the Landscape Plan in or near this pond, which will be revised to avoid compromising the landscaping. [Agreed to by All-Mac]

17) All other engineering and utility issues on site are to be reviewed and approved by the City Engineer prior to issuing a building permit. [Agreed to by All-Mac]

Discussion

Variance:

Chair M. Ness asked Mr. Carlson if the variance would meet the statutory requirements for granting of a variance, economic conditions alone cannot be a reason for approval of a variance.

Mr. Carlson said that yes it would, the reasons for the approval could be the character of the locality and its proximity to the freeway, it's a large commercial site, and granting of the variance would not alter the general character of the area.

The other Planning Commission members said that a variance would make sense in this situation.

The applicant will apply for the variance.

Paving:

Does recycled asphalt meet the city code. Engineer Boyum said that it does.

Metal Building:

The members discussed allowing a metal building in the General Business District; they all concurred that this city code section is vague and needs to be reviewed. They also stated since this requirement was placed into the code (2005)

things have changed in construction and appearance to metal buildings.

Public Comment:

Mark Utecht stated as a citizen that steel buildings and design materials have changed. Is a curtain wall panel different than corrugated steel? Member J. Ness said that they are different, one has metal framing vs. wood framing; also different in finishes.

Car Wash:

Member J. Ness confirmed that the car wash would only be used by the applicant and not a public car wash.

Hours of Operation:

The members discussed the hours of operation; member J. Ness said that he doesn't think that we should set the hours of operation for them. The proposed hours of 8a.m. to 10p.m. fit within the city code. However, he would like to include in the CUP that any work done outside of the hours of operation must be done inside with the doors closed.

Access to the North Property from Sherman Oaks Road:

This condition will be removed and addressed by the property owner to the North when that property is developed.

New Business

All Mac Inc. – CUP Action

Motion by J. Ness to recommend that the council approve the Conditional Use Permit for All Mac Inc., with the 17 conditions, as amended. Second by T. Sawatzky.

Roll Call Vote:

| | | | | | |
|-------------|---|-----------------------------|-------------|---|-----------------------------|
| M. Ness | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | J. Ness | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| T. Sawatzky | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | D. Thieling | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Chair M. Ness declared the motion carried.

The conditions are as follows:

- 1) The location of buildings and parking areas is slightly different on the submitted Landscape Plan as compared to the Site Plan. The approved plan for the site is based on the Site Plan. The Landscape Plan, as recommended to be revised in these conditions, is assumed to be adjusted to fit with the Site Plan.
- 2) Manufacturing of trailers on site is approved as an incidental use of the property provided no more than 10 such

trailers are manufactured and stored on site at any one time, that all manufacturing is done completely within an enclosed building with the doors shut, and that no significant noise, vibration, odor, dust, or other impacts are noticeable beyond the property.

3) Customer parking spaces will be clearly identified on site by signage on the property, distinct from parking for trailers or other vehicles or equipment.

4) The chain link fence around the property is allowed provided it is screened to its full height on the south and west sides of the site (Stacy Trail and I-35) by landscaping when mature which is at least 50% opaque in winter conditions. Slat inserts in the chain link fence are not allowed. The landscape screening plan is to be reviewed and approved by the City Planner and City Engineer.

5) Landscape screening of parking areas is required along the Stacy Trail and I-35 frontages as illustrated on the attached Site Issues graphic. (Attachment A).

6) All site lighting must be downcast, cutoff type fixtures allowing no more than 1 foot-candle at the property line, as indicated on the submitted Lighting Plan. Light poles are to be no more than 20 ft in height.

7) Exterior materials of the new building are approved as submitted, on the condition that a variance is requested and approved by the City Council at a later meeting. Without the variance, the CUP is denied for the building materials provision because the City wishes to uphold its building and design standards in the GB district.

8) All areas on site for parking and storage of vehicles and trailers are to be paved with bituminous, concrete, recycled asphalt or approved equivalent by the City Engineer. This includes the gravel trailer parking area in the northwest corner of the Site Plan and the southern portion of the site beyond the existing curb lines, which was not described on the submitted Site Plan. Paving and grading plans for both areas will be reviewed and approved by the City Engineer. All areas not paved will be landscaped to be approved by the City Planner.

9) Pavement in the right-of-way in the far southeast corner of the site will be removed and replaced with sod and landscaping to be reviewed and approved by the City Planner.

10) Outdoor storage of trailers or vehicles awaiting repair is allowed so long as these items are not unsightly and are arranged neatly on site. Trailers, vehicles, or equipment with significant visible damage, in the opinion of the City building official, must be stored within an enclosed building.

11) The existing car wash on site is not to be used as a car wash, for public use, but as support space for the other

12) Rental of vehicles and storage boxes (Uhaul business) is approved provided that all rental vehicles and boxes are arranged neatly on site, in the opinion of the City building official, and parked or stored in designated spaces that are not identified as customer parking.

13) Hours of operation will be 8:00 am to 10:00 pm Monday-Friday and 8:00 am to 10:00 pm Saturday. No repair, manufacturing, rental, or moving of trailers or vehicles is allowed outside these hours. Work performed outside of these hours must be conducted inside with the doors closed.

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16) The storm pond on the north end of the site is in an area identified for a future building addition. This future addition is not approved until a revised stormwater management plan taking into account the building addition is prepared, to be reviewed and approved by the City Engineer. There are trees proposed on the Landscape Plan in or near this pond, which will be revised to avoid compromising the landscaping.

17) All other engineering and utility issues on site are to be reviewed and approved by the City Engineer prior to issuing a building permit.

**Recess Planning
Commission, Open Council
Special Session**

Motion by M. Ness to recess the Planning Commission until the City Council adjourns their Special Session. Second by J. Ness.

Roll Call Vote:

M. Ness Yes No J. Ness Yes No
T. Sawatzky Yes No D. Thieling Yes No

Chair M. Ness declared the motion carried.

Mayor M. Utecht called the Special Meeting to order at 8:22p.m.

**Council Action on All Mac
Inc., Conditional Use Permit**

Mayor M. Utecht thanked the Planning Commission, City Engineer, and City Planner for providing clear recommendations.

He also made clear that a variance will need to be applied for regarding building design.

Motion by M. Utecht to grant the Conditional Use Permit with the conditions as presented and recommended by the Planning Commission. Second by M. Lawrence.

Roll Call Vote:

M. Utecht Yes No M. Lawrence Yes No
T. Sawatzky Yes No

Mayor Utecht declared the motion carried.

Motion by M. Utecht to adjourn. Second by T. Sawatzky.

Roll Call Vote:

M. Utecht Yes No M. Lawrence Yes No
T. Sawatzky Yes No

Mayor Utecht declared the motion carried at 8:24p.m.

Chair M. Ness reopened the Planning Commission meeting at 8:29p.m.

Old Business

Route 61 Mini-Storage

The clerk reported that the applicants would like to hold another public hearing on April 20, 2021; they would like to address the public's comments in person. The clerk is waiting on

confirmation of the phone call requesting this change. If the applicant does not respond to the clerk then the item will be placed on the City Council agenda for the March 9, 2021, meeting.

Review of the City Code

The members did not see any need to update Chapter 95. They will not be reviewing Chapter 96.

They will continue their review of the City Code with Chapter 110; additionally, review of building design standards in the commercial and industrial districts.

Adjourned at 9:03p.m.

Chair M. Ness declared the meeting adjourned at 9:03 p.m.

Sharon MT Payne

