PLANNING COMMISSION

AUGUST 10, 2020

6:30 O'CLOCK P.M.

1. Call to Order

- 2. Minutes of the Previous Meeting July 13, 2020
- 3. Public Hearing Stannard CUP New Conditional Use Permit for Storage Unit and Outside storage.
- 4. Public Hearing for Minor Subdivision Request by Brad Clemons, Plaza 57 to split off some land
- 5. Potential Revocation of Images Variance no work performed and variance not filed.
- 6. Potential Annexation Request for Kasson Meadows 7th
- 7. Zoning Ordinance Rewrite -
- 8. Other
- 9. Adjourn

MINUTES OF PLANNING COMMISSION MEETING July 13, 2020

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 13th day of July, 2020 at 6:30 PM

THE FOLLOWING WERE PRESENT: Commissioner Ferris, Commissioner Zelinske, Commissioner Tinsley, Commissioner Thompson, Commissioner Burton, Commissioner Torkelson and Commissioner Fitch

THE FOLLOWING WERE ABSENT: None

THE FOLLOWING WERE ALSO PRESENT: Administrator Ibisch, Clerk Rappe, Brad Schieb, Chad Stannard and Tim O'Morrow

CALL TO ORDER AT 6:30PM

MINUTES OF THE PREVIOUS MEETING June 8, 2020 - <u>Motion made to Approve the June 8, 2020</u> <u>Meeting Minutes as submitted made by Commissioner Burton, second by Commissioner Tinsley with</u> All Voting Aye.

STANNARD DISCUSSION – POTENTIAL CUP REVISION ON A STORAGE UNIT. – Administrator Ibisch gave background stating that this does not currently meet the requirements

Administrator Ibisch gave background stating that this does not currently meet the requirements of the current conditional use permit.

Chad Stannard – 24749 619th St, Mantorville – he is the owner of Kasson Storage on the south side of Highway 14. He has received many calls for storage of campers. Currently there are two buildings built with the potential of 5 buildings and he has the space at the moment and this would be additional revenue for himself. He stated that there are 16 cars at Hoff's Collision Center at the moment.

Mr. Stannard's plan is to put in security lights and camera and a fence but he does not have the money at the moment. The storage would be on the north side of the current buildings. He would put gravel in the grass area.

The vehicle would have to be a running vehicle, boat or campers. Time limit for storage

The Planning Commissioners thought that this would be acceptable to bring forward with screening, enforceability of surface, with drainage and schematic on parking plan and time limit this is a short term. Staff will coordinate with Stannard.

ZONING ORDINANCE REWRITE – Brad Schieb, HKGi went through the updates. Mr. Schieb stated that variances that are recorded should be officially revoked. An addition to the fee schedule for a recording fee for variances and cups would be appropriate. Concept plan replaces the current term of general development plan. Planned Unit Developments would not be their own district. Administrator Ibisch would like city parks added to the map. Mr. Schieb went over the new maps and the map with the major changes that would affect properties.

OTHER - Nothing

ADJOURN 8:04PM

Respectfully Submitted,

Linda Rappe, City Clerk





TO:Planning Commission MembersFROM:Timothy Ibisch, City AdministratorDATE:August 5, 2020RE:August Meeting

3. Public Hearing for Chad Stannard CUP request This application involves an alteration of the footprint of an already approved Conditional Land Use. At this time the property owner is requesting that his current CUP be eliminated and that a new one be put in place to allow of the addition of exterior storage of vehicles, RV's, and boats.

Included in your packet is information regarding the issued CUP. After my review, I found that some of the required items were not being followed. As part of any reissuance for an altered CUP, I believe it would be prudent to necessitate completion of the terms of the original CUP. Most notably the component related to "dust proof conditions" seems to have been somewhat neglected. The P&Z Commission reviewed these items and found the parking areas will be expanded and need to be reconfigured to increase the number of vehicles accommodated. On a more confined site, this much expansion could be a problem. However, there is sufficient room on the property for this to take place. They also indicated that this would be acceptable to bring forward with screening, enforceability of surface conditions, with drainage and schematics on parking plan and a time limit, noting that this is a short-term solution.

4. Public Hearing for Minor Subdivision. Brad Clemons, the new owner, of the former Shopko building is working with Ron Carlsen to split off property from what is now known as the Plaza 57. This should allow for more proper water distribution and will allow the full use of Mr. Carlsen's property. Staff recommends approval.

5. Revocation of Images Variance. The City Clerk alerted me as to the specifics in this situation. She indicated that the variance was given with a certain proposed time constraint and at this time, the work has not been completed, and furthermore that the variance was never filed at Dodge County. In essential, the variance allows for the setbacks to be waived and was the subject of significant debate in 2017. In this case, staff has provided notice, which is included in the packet, to the property owner.

At this time, we are recommending cancelling the variance based upon its non-completion/nonfiling. There is some concern that this property will transfer and that a new owner may not be fully apprised on the state of affairs.

6. Annexation request for Kasson Meadows. Included in your packet is the advisement of an annexation request in Northeast Kasson. Approval from the P&Z board is not technically required however, I wanted to apprise you of the facts. This area will be seeing another set of annexation with the ZED and school properties likely coming in later this fall.

7. Zoning Ordinance Rewrite At our last meeting, Brad Schieb, from HKGi, went through the updates. Mr. Schieb stated that variances that are not recorded should be officially revoked, one of the reasons we are looking at doing it with the Images Building. He also recommended that an addition to the fee schedule for a recording fee for variances and CUPs would be appropriate. We plan on adding that this fall. New wording like Concept plan replaces the current term of general development plan and Planned Unit Developments would be their own district. I noted that I would like city parks added to the map, and then Mr. Schieb went over the new maps and the map with the major changes that would affect properties. We found several trouble spots, most notably one off of Main Street/ County 34, and the trucking business in NW Kasson. Both of those will need to be reconciled before the new Code is issued.

Staff Planning Review

Conditional Use Permit Application

Rental Storage Units

C-3 Highway Commercial Zoning District

800 7th Street SE

Chad Stannard

Public Works Director

No water or sewer revenue

Electric Supervisor People's Electric Cooperative

Park and Recreation Supervisor

No parkland fee required

Water/Wastewater

No water or sewer connections

Streets

No planned improvements to 8th Ave SE

Access from 7th Street SE

City Engineer

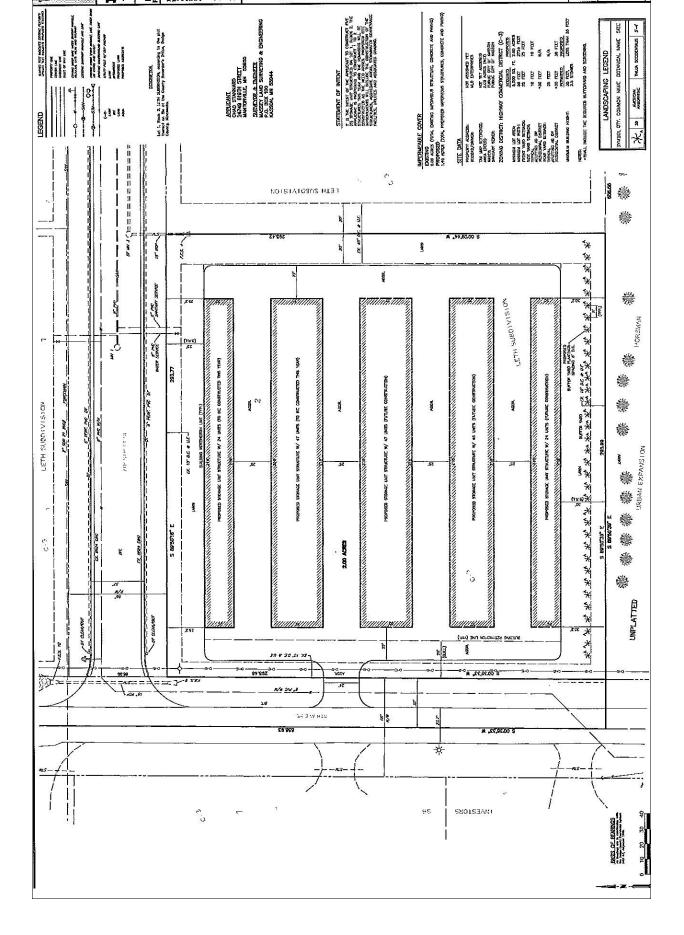
Building Permit Application to include grading plan, site plan, dust proof condition, and lighting plan relative to adjacent residential use.

Zoning

C-3 Conditional Use — Rental Storage Units

154.080 G.2 Parking lots should be maintained in a useable dust-proof condition and shall be kept graded and drained to dispose of surface water in accordance with existing state, federal and local regulations.

External storage allowed with screening, parking plan, and completion of original terms for CUP to include proper surfacing of parking area.



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RESOLUTION #8.x-20 CITY OF KASSON

RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR RENTAL STORAGE UNITS AND EXTERNAL STORAGE AT 800 7th STREET SE, KASSON, MN

WHEREAS, Chad Stannard, has submitted a request for a Conditional Use Permit to allow for Rental Storage Units and External Storage at 800 7th Street SE, Kasson, MN, and;

WHEREAS, at a public hearing duly held on the 10th day of August, 2020, the Planning Commission heard testimony of all persons wishing to comment; and

WHEREAS, the Kasson Code of Ordinances, lists in Section 154.267(R) Rental Storage Units as a Conditional Use in an C-3 Highway Commercial District; and

WHEREAS, the appropriate City Staff and consultants have performed a technical review of the application, including attachments; and

WHEREAS, this Conditional Use Permit rescinds and replaces Resolution #8.10-17, and,

WHEREAS, following the public testimony and report of the technical review, the Planning Commission reviewed all relevant information regarding the proposed Conditional Use Permit to allow for Rental Storage Units/External Storage and recommends approval;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KASSON, MN that the following Findings are hereby adopted regarding the application for a Conditional Use Permit to allow for Rental Storage Units/External Storage at 800 7th Street SE, Kasson, MN:

The use is compatible with the existing neighborhood.

Leth Subdivision was constructed within the C-3 Highway Commercial District south of State Hwy14.

The use conforms to the Comprehensive Plan.

The 2011 Comprehensive Plan encourages the development of a diverse economy including opportunities for commercial development.

The use will not endanger public health, safety and welfare.

The presence of a Rental Storage Unit at 800 7th Street SE will not have an adverse effect upon public health, safety and welfare.

BE IT FURTHER RESOLVED that the Conditional Use Permit to allow for Rental Storage Units/External Storage at 800 7th Street Se, Kasson, MN, is hereby approved subject to the following conditions of approval:

- 1. A useable dust-proof condition shall be provided within 6 months of construction with the potential for an extension of up to one additional year. Dust-proof terms defined by the Planning Commission shall apply
- 2. Permit application to include grading, site, and lighting plan relative to adjoining property.
- 3. External storage shall be allowed with proper screening, a parking plan, and proper surfacing of parking area.

Adopted this 26th day of August, 2020.

ATTEST:

Chris McKern, Mayor

Timothy Ibisch, City Administrator

The motion for adoption of the foregoing resolution was made by Council Member -- and duly seconded by Council Member --. Upon a vote being taken, the following members voted in favor thereof: --. Those against same: --.

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City of Kasson 401 Fifth Street S.E. Kasson, MN 55944-2204 507.634.7071 (Fax) 507.634.4737 www.cityofkasson.com

LAND USE APPLICATION

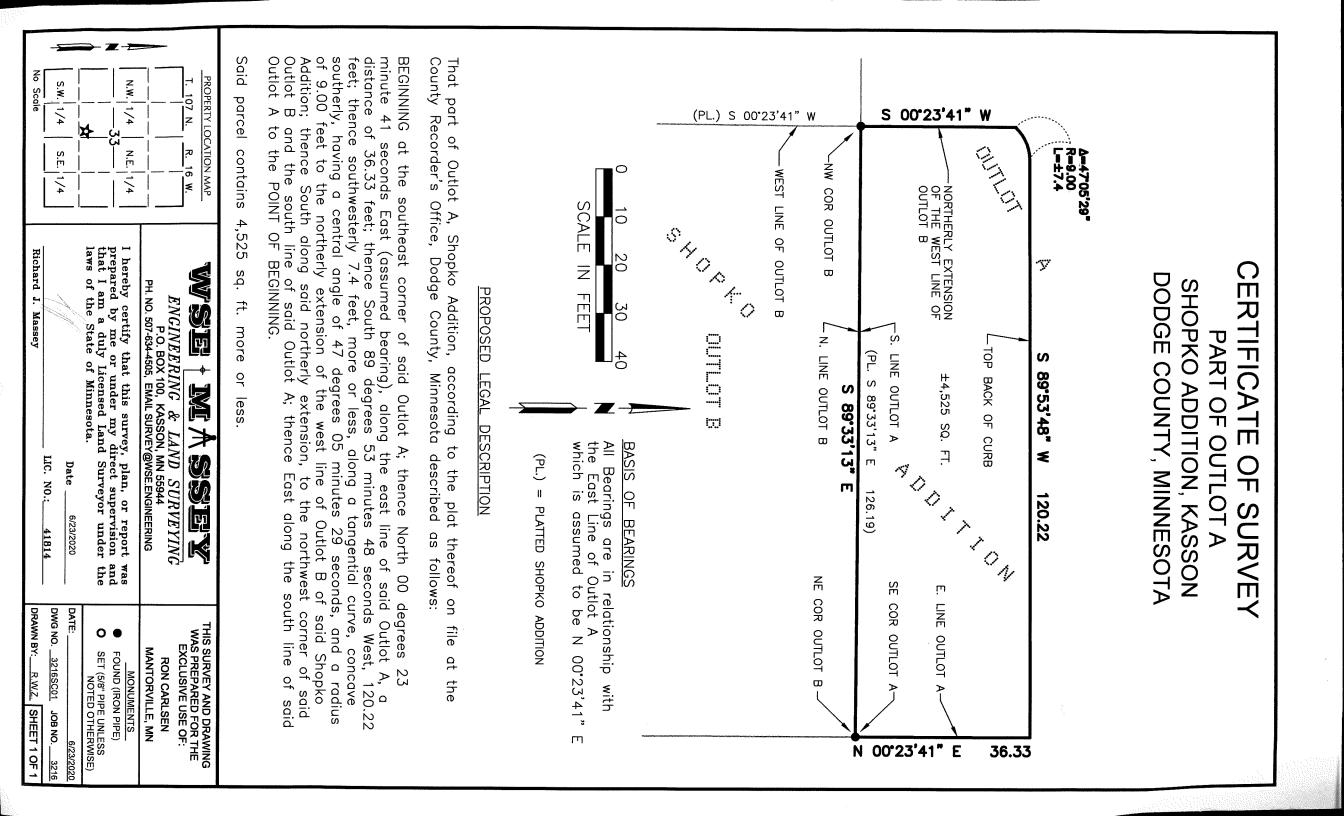
Applicants check all that apply:

- General Development Plan (\$300 + engineering)
- Preliminary Plat (\$300 + \$20/lot + engineering)
- Final Plat (\$300 + \$20/lot + engineering) 0
- Planned Unit Development PUD (\$300 + 20/10t + engineering
- Minor Subdivision (\$350)
- Rezone/Zoning Amendment (\$400)
- Conditional Use Permit (\$300) 0
- Variance (\$300) 0

Date Filed _____ Fee Paid \$ Legal Description of Property Street Address of Property son Brads Applicant/Owner's Name 507-634-450 sen 4. W.S.S.S. Telephone Engineer/Architect Address 507-254-1600 Telephone *Name of Contact Person 6. Description of Request <u>Show water down</u> 7. Present Zoning Classification \Box 8. Reason for Request Water retention 9. Existing Use of Property Bare fand *The contact person noted above will receive all review comments and requests for materials/revisions from the City. They are responsible to inform all parties involved on the project of pending public hearings and meetings, changes or updates that may occur throughout the process. The undersigned applicant hereby represents upon all of the penalties of law that all statements herein are true and that all work herein mentioned will be done in accordance with the ordinances of the City of Kasson, the State of Minnesota and any other applicable laws and regulations. Date _ 7/16/200

Signature of Applicant

APPLICATION NOT COMPLETE UNTIL ALL REQUIRED SUBMISSIONS RECEIVED



CITY OF KASSON RESOLUTION #12.8-17

RESOLUTION APPROVING A VARIANCE AT 302 5th Street SE.

WHEREAS, an application has been received from Harlan Jacobson requesting that a variance be granted on a parcel of land at 302 5th Street SE to allow for a variance from the dimensional standards set forth in City Ordinance,

WHEREAS, a Public Hearing was held concerning this application on December 11, 2017 following due publication thereof; and

WHEREAS, such applications are reviewed by the Planning and Zoning Commission and the Zoning Administrator prior to recommending Council action; and

WHEREAS, the Commission made a recommendation to deny the request; and

WHEREAS, the applicant appealed the decision to the City Council on December 13, 2017;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Kasson that they have considered the following questions and that the Kasson City Council hereby grants the requested Variance.

- a) Whether or not exceptional, unique or extraordinary circumstances apply to the physical surrounding, shape or topographical conditions of the parcel of land that results in practical difficulties for the owner?
 The parcel in question has a 40' utility easement at the 5th Street SE.
- b) Whether or not granting the variance will alter the essential character of the locality? No, Kasson Industrial Park I is zoned C-M.
- c) Whether or not granting the variance will:
 - 1) Impair an adequate supply of light and air to adjacent property? No.
 - 2) Substantially increase congestion in adjacent public streets? No.
 - 3) Endanger the public safety? No.
 - 4) Substantially diminish or impair property values within the vicinity? No.
- d) Whether the variance requested is the minimum variance that would alleviate the practical difficulties? Yes, a survey, with improvements noted, was provided to the City Council. The applicant is requesting a 4 foot variance from the rear lot setback and an 11 foot variance from the side lot setback.
- e) Whether or not the variance requested is consistent with this chapter and the City's Comprehensive Plan? Yes.
- f) Whether or not granting the variance requested provides for a reasonable and practical solution that eliminates the practical difficulties?

Yes.

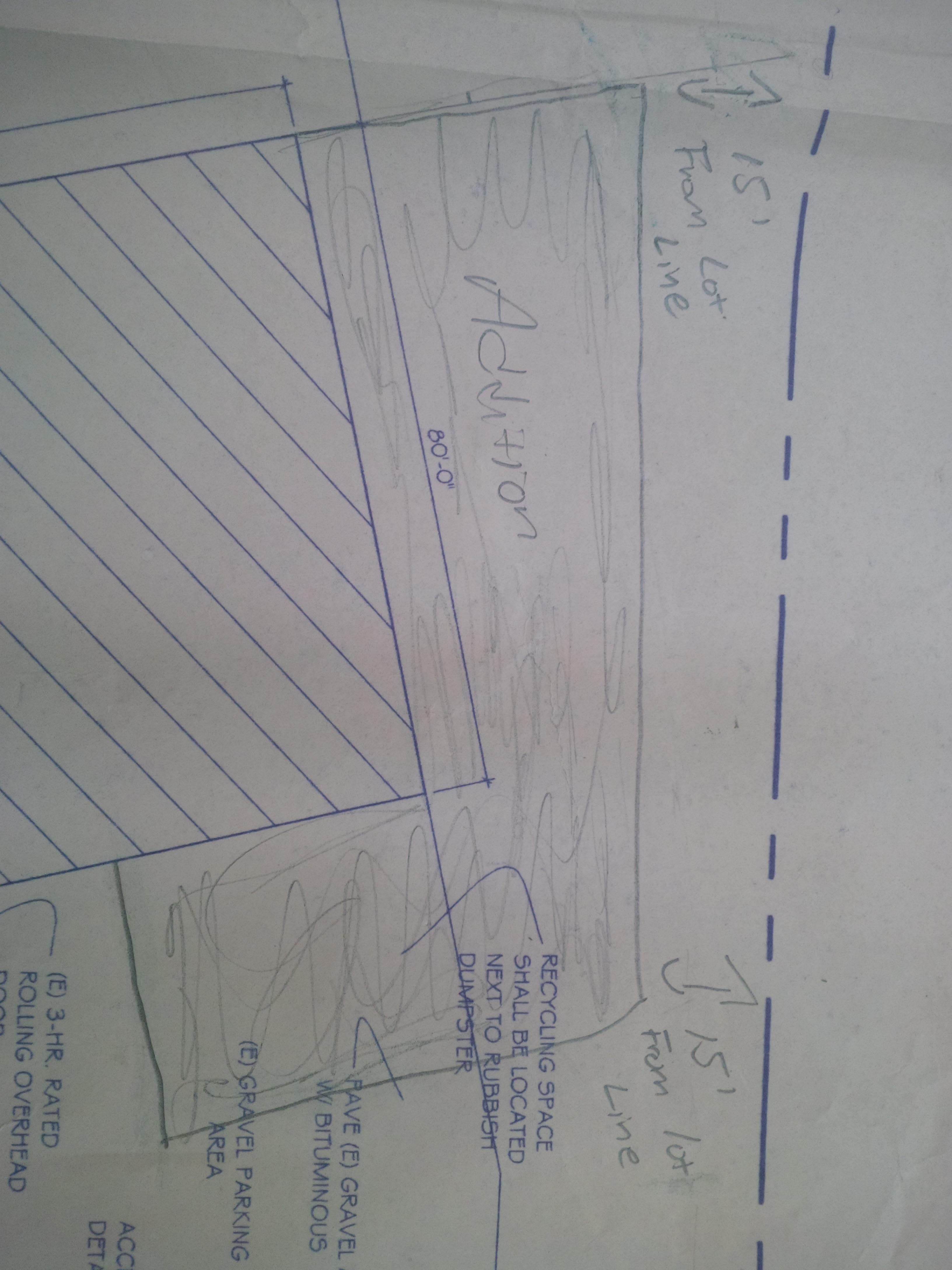
ATTEST:

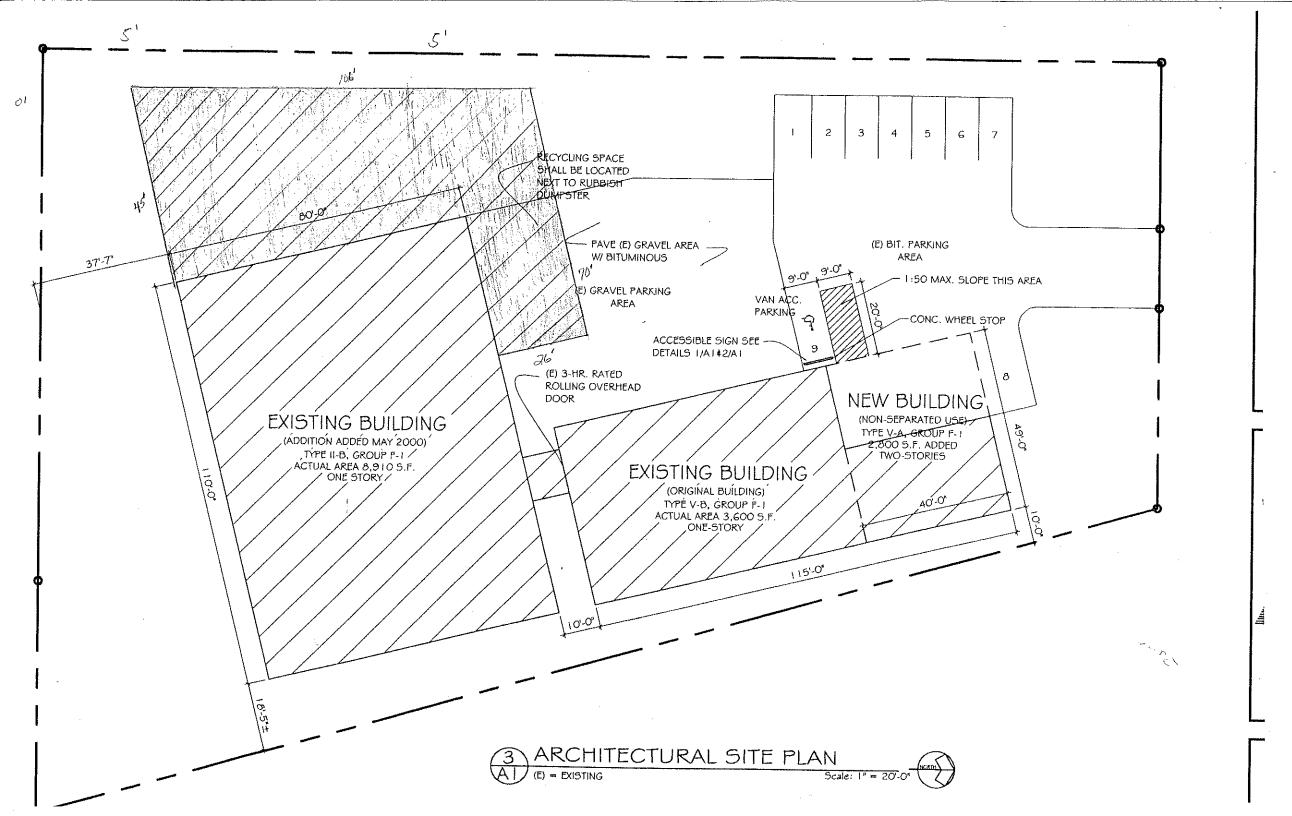
ADOPTED this 20th day of December, 2017

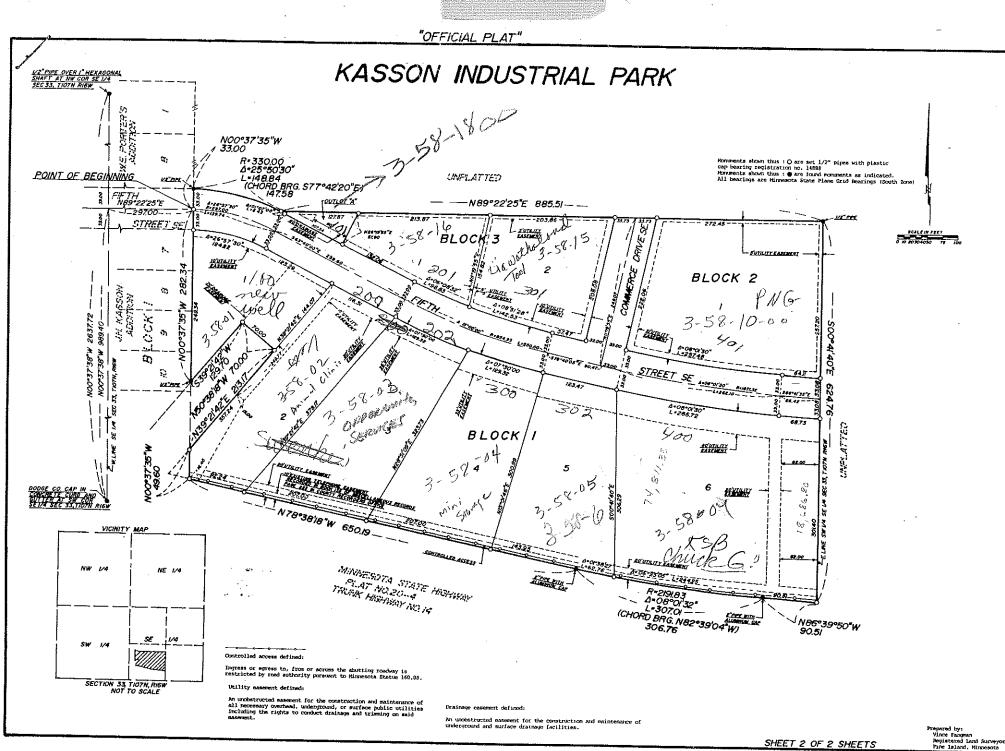
Linda Rappe, City Clerk

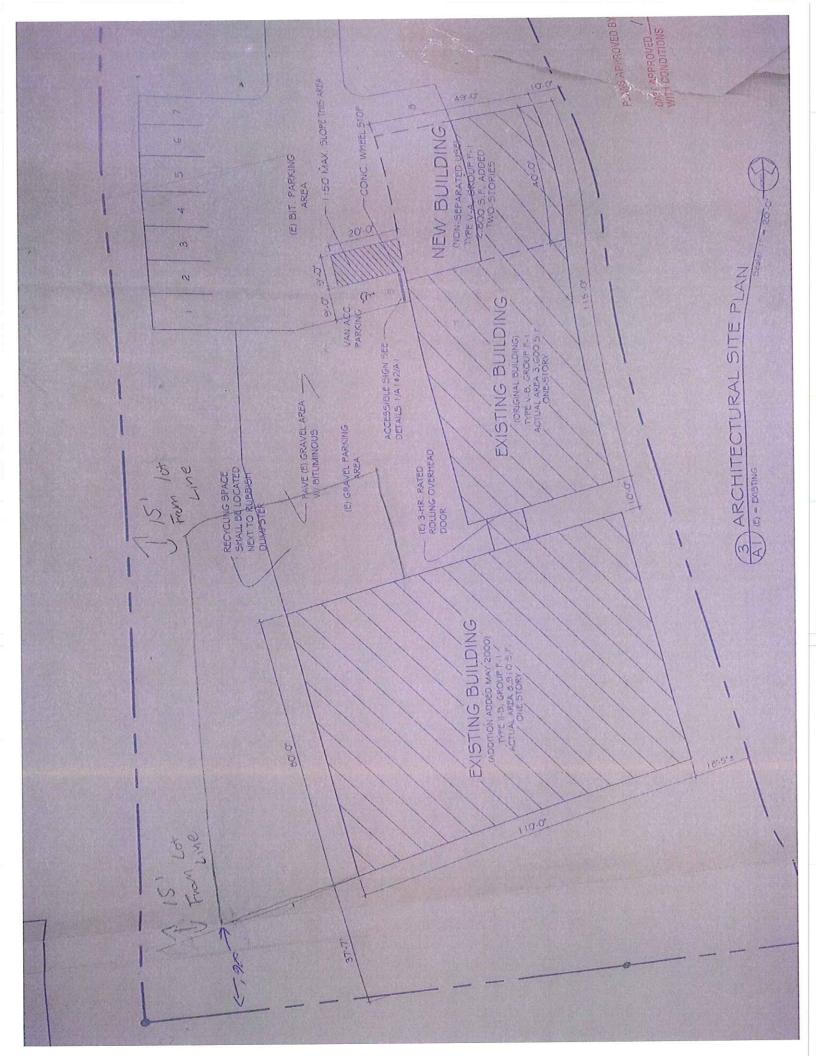
Chris McKern, Mayor

The motion for the adoption of the foregoing resolution was made by Council Member Eggler and duly seconded by Council Member Zelinske. Upon a vote being taken, the following members voted in favor thereof: Eggler, McKern and Zelinske. Those against same: Borgstrom and Buck









PETITION FOR ANNEXATION

IN THE MATTER OF THE PETITION OF Kasson Meadows LLC FOR ANNEXATION PURSUANT TO MINNESOTA STATUTES 414.033

TO: Council of the City of Kasson 401 5th Street S.E. Kasson, MN 55944 Minnesota Department of Administration Municipal Boundary Adjustments 658 Cedar Street – Suite 300 St. Paul, MN 55155 - 3383

PETITIONER(S) STATE: The property owner or a majority of property owners are required to commence a proceeding under M.S. 414.033.

It is hereby requested by

_____ the sole property owner; or

_____all of the property owners; or

_____a majority of the property owners

of the area proposed for annexation to annex certain property described herein lying in the Township of <u>Mantorville</u>, to the City of Kasson, County of Dodge, Minnesota. The area proposed for annexation is legally described as follows:

Attached

- 1. There are <u>1</u> property owners in the area proposed for annexation.
- 2. <u>1</u> property owners have signed this petition.
- 3. The population of the annexation area is _____0
- 4. Said property is unincorporated, abuts on the city's N S E W (circle one) boundary(ies), and is not included within any other municipality.
- 5. The area of the land to be annexed is <u>1.13</u> unplatted acres and <u>0.00</u> platted acres for a total acreage of <u>1.13</u>.
- 6. The reason for the requested annexation is the extension of infrastructure for urban development.
- 7. All of the annexation area is or is about to become urban or suburban in character.
- 8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S. 414.0325.
- 9. Included in the petition for annexation is the application fee, set by Resolution by the City of Kasson.

PETITIONER'S REQUEST: That pursuant to M.S. 414.033, the property described herein be annexed to and include within the City of Kasson. (All owners' signatures follow.)

(All owners' signatures follow.) FGM. KM, IC

The petition to the Minnesota Planning Office of Strategic and Long Range Planning should be accompanied by the following pursuant to Minnesota State Statutes, Chapter 414 and Rules of Procedure:

City of Kasson Development Guide

- Α. A certification showing that a copy of the petition was filed within 10 days after service on the annexing city with the Town of <u>Mantorville</u> on (date), the County of Dodge on (date)_____, and the City of Kasson, on (date)_____. A fee, set by resolution, will be required at the time of filing.
- Β.

Mapping requirements are described below: С.

(414.011) (DEFINITIONS) Subd. 9: "Corporate Boundary Map" means a map which accurately describes the boundaries of a municipality.

(414,011) (DEFINITIONS) Subd. 10: "Plat Map" means that document recorded in the office of the county recorder in the county where the area is located.

(414.012) (MAPS) Subd. 1: (CORPORATE BOUNDARY MAP.) A municipality initiating any boundary adjustment authorized by the chapter shall file with the Municipal Board a corporate boundary map. Any proposed boundary adjustment shall be delineated on a copy of the corporate boundary map.

(414.012) (MAPS) Subd. 2: (PLAT MAPS.) Any party initiating a boundary adjustment, which includes platted land, shall file with the Municipal Board maps which are necessary to support and identify the land description. The maps shall include copies of plats.

Minnesota Municipal Board Rule 6000.0800 (c) A map showing the property proposed for consideration and its relationship to any surrounding municipality. All distance references should be given by length. Beginning points should be land survey monuments and the description must close the boundaries. References to roads or railroads should be to survey lines such as centerline or known rightof-way line. The intent to include or exclude highway, railroad, and street right-of-ways surrounding platted blocks or lots should be clearly stated.

I, the undersigned, the duly qualified and acting City Administrator of the City of Kasson, Minnesota, do

hereby certify that I have carefully compared the copy of the attached Petition for Annexation by

Ordinance, as submitted by _____

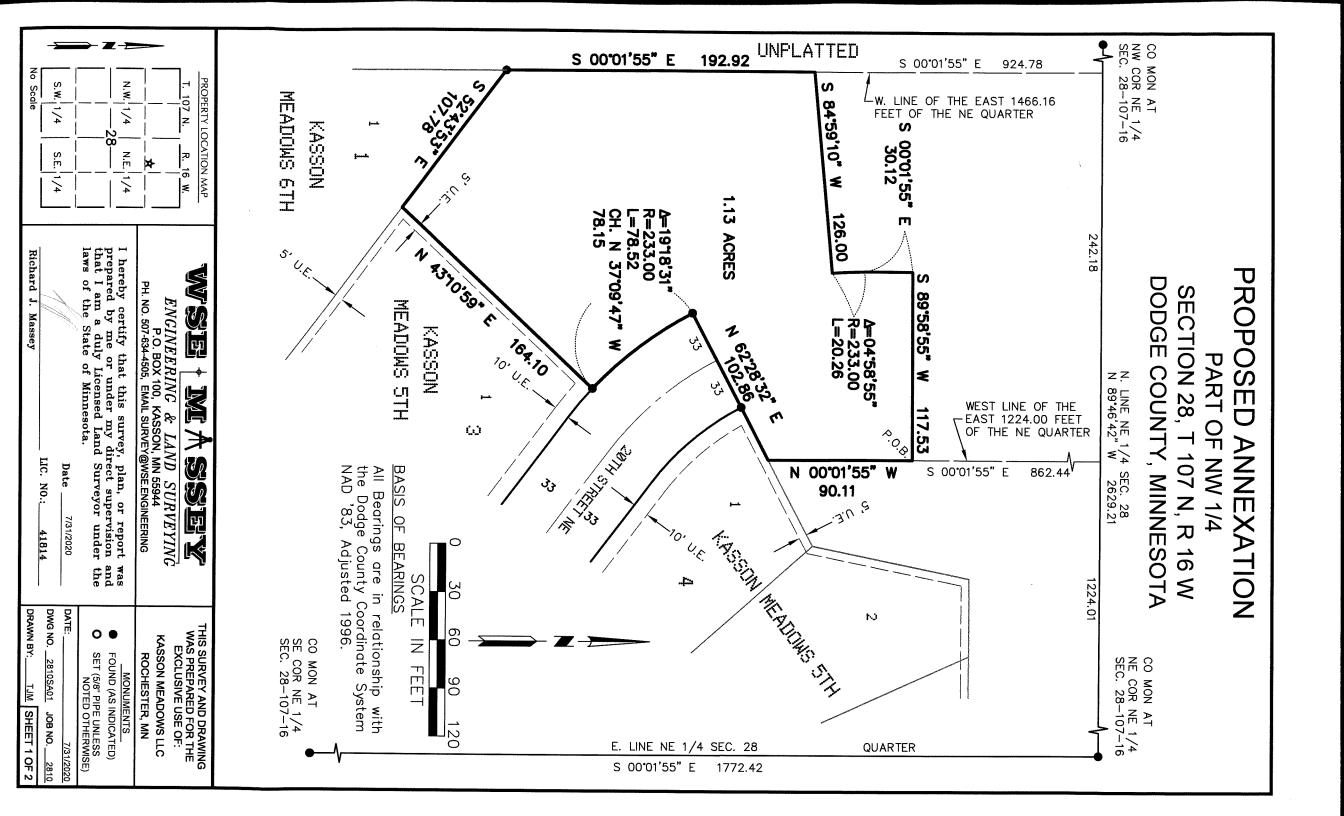
and that said copy is a full, true and correct copy of said petition.

WITNESS my hand officially and the official seal of the City of Kasson this day of _____.

(Seal)

ATTEST:

City Administrator



DODGE COUNTY, MINNESOTA	SECTION 28, T 107 N, R 16 W	PART OF NW 1/4	CERTIFICATE OF SURVEY

DESCRIPTION

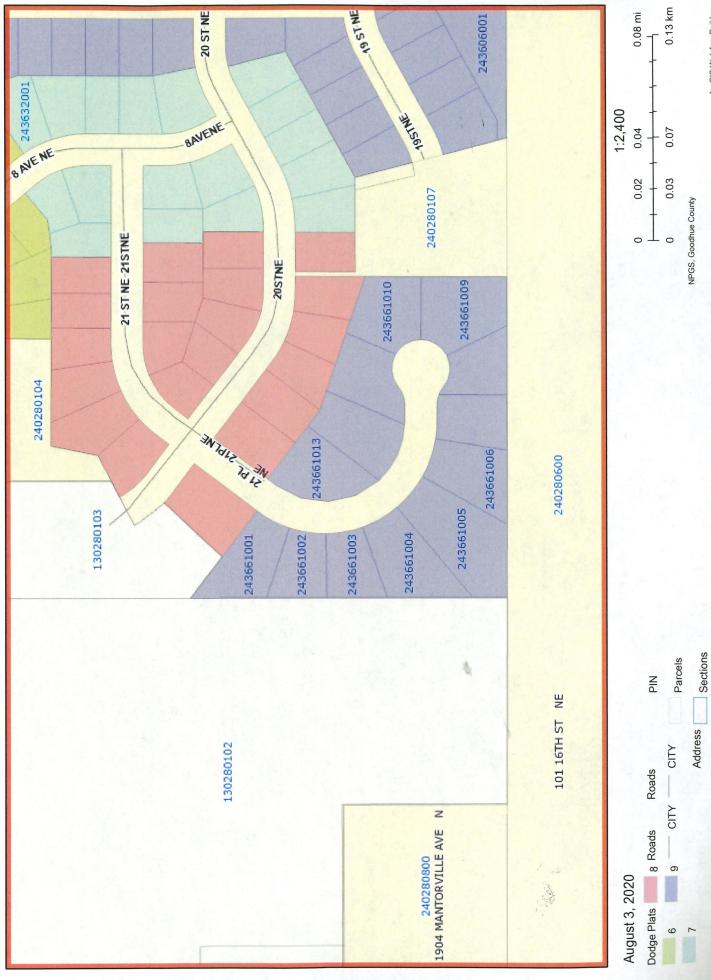
That part of the Northeast Quarter of Section 28, 1 West. Dodge County, Minnesota described as follows: Township 107 North, Range <u>၂</u> ဂ

Commencing at the northeast corner of said Section 28; thence North 89 degrees 46 minutes 42 seconds West (NOTE: All bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996), along the north line of said Northeast Quarter, 1224.01 feet to the northwest corner of the East 1224.00 feet of said Northeast Quarter; thence South 00 degrees 01 minutes 55 seconds West, 117.53 feet; thence South 00 degrees 01 minutes 55 seconds West, 117.53 feet; thence South 00 degrees 58 minutes 55 seconds West, 117.53 feet; thence South 00 degrees 01 minutes 55 seconds West, 117.53 feet; thence South 00 degrees 01 minutes 55 seconds West, 117.53 feet; thence South 22.026 feet along a tangential curve, concave easterly, having a central angle of 04 degrees 59 minutes 55 seconds West, 126.00 feet to the morthwest corner of Lot 1, Block 1, KASSON MEADOWS SIXTH SUBDIVISION; thence South 52 degrees 01 minutes 53 seconds East, 107.78 feet to the morth west 10 minutes 59 seconds East, along the northwesterly line of Block 3, KASSON MEADOWS FIFTH SUBDIVISION; thence North 43 degrees 10 minutes 59 seconds East, along the northwesterly right-of-way of 20th Street Northeast a platted in KASSON MEADOWS FIFTH SUBDIVISION; thence northeasterly, having a central angle of 19 degrees 18 minutes 31 seconds, and a radius of 20th West for a chord distance of 22.25 feet to the northwest erg of minutes 47 seconds West, 107.80 minutes 32 seconds East, 47 seconds West, 102.00W STIFTH SUBDIVISION; thence for a chord distance of 22.25 feet to the northwest and a radius of 20 seconds East, 47 seconds West, 100 degrees 20 minutes 47 seconds West for a chord distance of 22.25 feet to the northwest corner of said platted along said northeast; thence North 62 degrees 28 minutes 32 seconds East, 40 seconds East, seconds East with 52 2 q

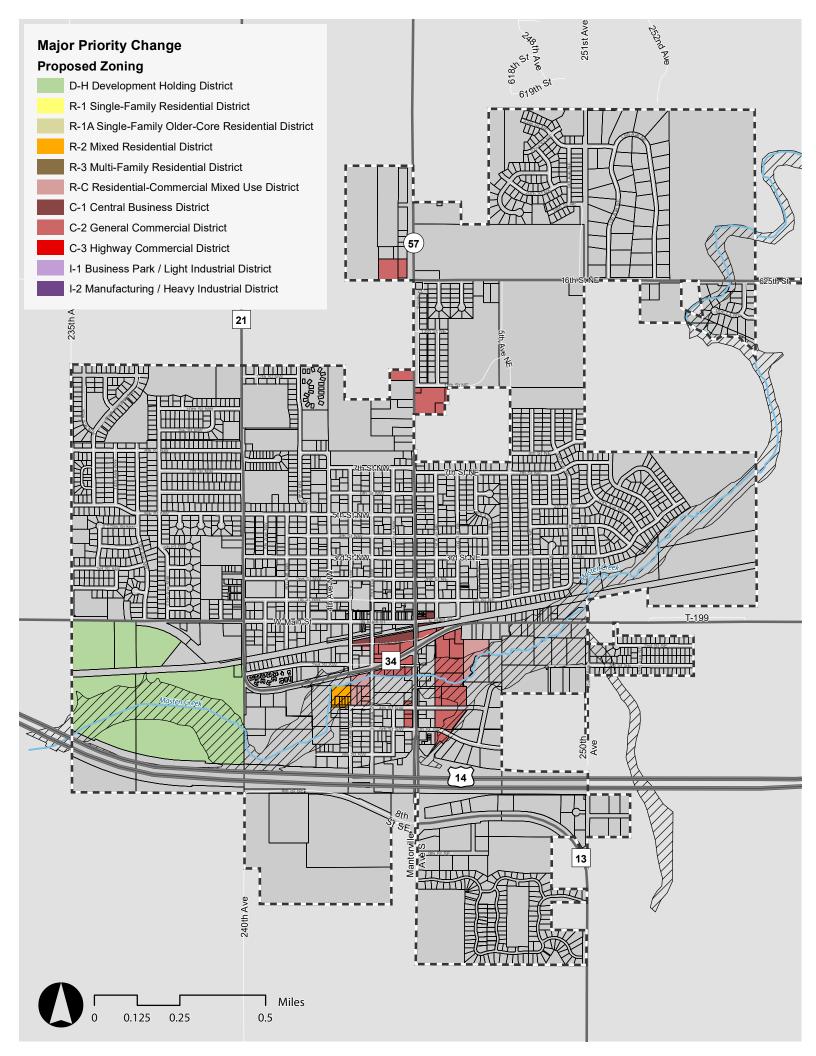
Said parcel contains is subiec sub ject 1.13 ct to any acres, easements more ٩ 9 less. encumbrances of record

S.W. 1/4 S.E. 1/4	N.W. 1/4 28 	PROPERTY LOCATION MAP T. 107 N. R. 16 W.	
Richard J. Massey	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.	ENGINEERING & LAND SURVEYING P.O. BOX 100, KASSON, MN 55944 PH. NO. 507-634-4505, EMAIL SURVEY@WSE.ENGINEERING	
VO. <u>2810SA01</u> JOB NO N BY: <u>TJM</u> SHEET	MONUMENTS FOUND (AS INDICATED) SET (5/8" PIPE UNLESS NOTED OTHERWISE)	THIS SURVEY AND DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF: KASSON MEADOWS LLC ROCHESTER, MN	

ArcGIS WebMap



ArcGIS WebApp Builder



SUMMARY OF CHANGES SINCE MAY 2020 DRAFT

Here is a list of changes to the ordinance since the May 4th Draft:

- Overall grammar, spelling, and formatting updates throughout
- Updated cross-references to other parts of the code, as well as Minnesota Statute, now all with consistent reference style
- Chapter 150
 - Definitions that had been previously erased have been put back in (requested by City Clerk)
 - Definition for Impervious Surface/Hardcover added (requested by City Clerk)
 - Clarifying definitions for "Permitted with Standards Use," "Preliminary PUD Plan," and "Final PUD Plan" added
- Chapters 151 & 152
 - Minor changes to wording of Chapters based off of Commissioner Tinsley's comments; a number of his comments are more policy-focused, and outside of the scope of this update these should be discussed by the P&Z and possibly the City Council for next steps (Tinsley's comments and my responses are in the third attachment)
- Chapter 153
 - Removal of subdivision landscaping requirements (requested by City Clerk)
 - Clarification on the difference between lots and outlots added to §153.03.22
 - o Easement language updated by City Engineer
 - Open Ditch Street Design standards, previously removed, were added back in (requested by City Engineer)
 - Multi-Use Trails design references standards established by MnDOT Bicycle Facility Design Manual (added by City Engineer)
 - o Stormwater section completely revised by City Engineer
 - o Soil erosion and Exposed slopes sections updated by City Engineer
- Chapter 154
 - Nonconformities section updated to replace language that had been previously removed (requested by City Clerk)
 - Language referring to applicants' responsibility for cost of consultant fees/time to process land use applications has been removed (requested by City Clerk)

- The Minor Site Review process has been removed completely, as the process was too burdensome on limited staff resources, and the existing process works well for the City, as suggested by the City Clerk
- Related, the "Major Site Review" has been renamed "Site Plan Review" and will still apply
- o Elements within the Variance process have been relocated, for clarity
- The "Establishment of a Planned Unit Development (PUD)" process in § 154.02.26 has been reorganized and added to for clarity, more clearly showing the difference between the Preliminary PUD Plan and Final PUD Plan processes
- The Comprehensive Plan Amendment process has been removed, as other chapters of the City Code address this already
- Setbacks have been updated to meet existing standards (previous drafts had been working off of an incorrect online table of setback standards)
- Pool fencing/security standards have been removed (requested by City Clerk)
- Clarification that ADUs are only permitted as attached to the principal use; no ADUs are permitted in a detached accessory building (requested by City Clerk)
- Repetitive regulations regarding Home Businesses were deleted
- o Standards for Outdoor Furnace Systems were deleted, as no longer permitted
- The off-street parking table was updated to include standards for all uses from the use table