

**MELROSE PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
MONDAY, DECEMBER 30, 2019 – 6:30 P.M.**

**AGENDA**

1. Call to Order/Roll Call/Pledge of Allegiance
  2. Approval of Agenda
  3. Approval of Minutes
  4. Reports
    - a. Director Atkinson - Report
  5. Public Hearings
    - a. **CUP-10-2019-401** – You Only Live Once LLC doing business as Boomerang Marine and Power Sports Inc. CUP Amendment for 1998 Recreation Vehicle Sales and Repair Building and Storage Building by Adding Additional Land and Building and Outdoor Vehicle Storage
  6. Action Items
    - a. **CUP-10-2019-401** – You Only Live Once LLC doing business as Boomerang Marine and Power Sports Inc. CUP Amendment for 1998 Recreation Vehicle Sales and Repair Building and Storage Building by Adding Additional Land and Building and Outdoor Vehicle Storage
  7. Unfinished Business
    - a. **Thom/Hennen Multi-Family** – Concept Plan
  8. New Business
    - a. 2020 Meeting Schedule
    - \* b. Recommendation of Compliance with the City’s Comprehensive Plan of the Proposed 2020 and 2021 Non-Equipment Related Expenditures Contained in the City’s Proposed Five-Year Capital Improvement Plan and Levy Information for Years 2020-2024
  9. Informational Items
  10. Issues by Planning and Zoning Commission Members and/or Staff
  11. Adjournment
- \* Amendment

**MELROSE PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
MONDAY, DECEMBER 30, 2019 – 6:30 P.M.**

**A.I. #1 CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**

The Melrose Planning and Zoning Commission met in a Regular Meeting on Monday, December 30, 2019 at 6:30 p.m. at the Melrose City Center pursuant to due notice being given thereof. Present were Commission Members Jason Seanger, Shawn Mayers, Dave Berscheit, Mark Hill, City Administrator Colleen Winter, and Community Development Director Lisa Atkinson. Commission Members Adam Paulson, Mike Klaphake, and Kevin Thomes were absent. Also in attendance was Dick Pfeifer. Chair Seanger called the meeting to order.

The Pledge of Allegiance was recited.

**A.I. #2 APPROVAL OF AGENDA**

A motion was made by Mr. Mayers, seconded by Mr. Berscheit and unanimously carried to approve the agenda as amended.

**A.I. #3 APPROVAL OF MINUTES**

A motion was made by Mr. Hill, seconded by Mr. Berscheit and unanimously carried to approve the minutes from the Commission's September 30, 2019 Regular meeting.

**A.I. #4 REPORTS**

- a. Director Atkinson presented a brief summary of the year in review.

**A.I. #5 PUBLIC HEARING**

- a. **CUP 10-2019-401** - The Melrose Planning and Zoning Commission met at 6:30 p.m. on December 30, 2019, at the City Center, 225 First Street NE, in the City of Melrose, MN, to consider a request submitted by You Only Live Once LLC doing business as Boomerang Marine and Power Sports, Inc. regarding expanding their existing Conditional Use Permit (CUP) to match their requested uses and current lot configuration which includes two additional parcels and continued use of their current building which is larger than was originally approved by CUP #99-0005. The use is prosed to remain as recreational vehicle sales and repair (including by not limited to marine, all-terrain vehicles, and snowmobiles.) The use would be amended to add an outdoor vehicle storage component, which may include rental storage space for vehicles similar to those they sell. The CUP Amendment includes their building and outdoor display and sales area and proposed vehicle storage area.

Director Atkinson included in the attachments the required Affidavit of Publication of the Hearing Notice which was published in the Melrose Beacon on Wednesday, December 18, 2019, the Affidavit of Posting of Notice of Hearing which was posted on December 19, 2019 and the Affidavit of Mailing of the

Public Hearing Notices to the Affected Property Owners within 350 feet of the subject property which were mailed on December 19, 2019.

Director Atkinson provided a brief summary of the CUP request.

There being no further comment the Public Hearing was closed at 6:36 p.m.

### **A.I. #6 ACTION ITEMS**

- a. Following its review of the Planning Report, the related information and documents associated with the application for issuance of the Conditional Use Permit (CUP), and the public input presented at the public hearing or received in writing prior to it, the Commission gave consideration to making recommendation to the Council on the application for **CUP-10-2019-401** – You Only Live Once LLC doing business as Boomerang Marine and Power Sports Inc. regarding expanding their existing Conditional Use Permit (CUP) to match their requested uses and current lot configuration which includes two additional parcels and continued use of their current building which is larger than was originally approved by CUP #99-0005. The use is prosed to remain as recreational vehicle sales and repair (including by not limited to marine, all-terrain vehicles, and snowmobiles.) The use would be amended to add an outdoor vehicle storage component, which may include rental storage space for vehicles similar to those they sell. The CUP Amendment includes their building and outdoor display and sales area and proposed vehicle storage area.

### **FINDINGS OF FACTS**

The Planning and Zoning Commission (P&Z) approves the following Conditional Use Permit facts:

1. Boomerang Marnie and Power Sports, Inc. is a successful business and an asset to the community.
2. A CUP was granted to allow the use as a conditional use on the property in 1998, recorded in 1999.
3. The business is served by City Utilities and CenterPoint Energy.
4. The proposed development generally meets or exceeds regulations in place at the time of construction as established by Zoning Ordinance No. 1989-1-A as amended.
5. The property was improved and enlarged in 2016, apparently without a CUP amendment.
6. A Conditional Use Permit Amendment is required to amend the existing Conditional Use Permit.
7. Staff analyzed the current site use in relation to the previously approved CUP and the current Zoning Ordinance requirements
8. The Planning and Zoning Commission held a Public Hearing which was opened on December 30, 2019 regarding the request.
9. On December 19, 2019, the Notice of public Hearing was mailed to all parcels within 350 feet of the development site stating a CUP is requested and hearing will be held.
10. An official public legal notice published in the Melrose Beacon on Wednesday, December 19, 2019.

11. The public hearing was posted on the bulletin boards of the City of Melrose, United States Post Office – Melrose, and the Great River Regional Library – Melrose Branch on December 19, 2019.
12. The City of Melrose 2030 Comprehensive Plan adopted in 2011:
  - a. Promotes commercial use with a Commercial Highway District.
  - b. Promotes providing for commercial uses adjacent to the freeway and commercial areas within identified growth areas.
  - c. Promotes the rehabilitation and redevelopment of under-utilized sites and the development of vacant land.
  - d. Indicates the future use of commercial property is needed.
  - e. Indicates the existing use as Commercial.
  - f. Indicates the future use as Commercial.
  - g. Promotes development and implementation of a Comprehensive Plan that effectively plans for land use, community facilities, transportation, housing, economic development, environmental protection, and technological advancement for the Melrose area.

A motion was made by Mr. Hill, seconded by Mr. Berscheit and unanimously carried approving the Planning Report and Finding of Facts as presented.

The Melrose Planning and Zoning Commission (P&Z) made the following determinations in recommending granting the CUP;

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
  - a. P&Z determined that granting the CUP would likely not endanger the public the use is very similar to the existing already approved CUP for the site and there have been no issues in this regard.
2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impair property values within the neighborhood.
  - a. P&Z determined that granting the CUP would not be a concern in this regard as the use is very similar to the existing already approved CUP for the site which has historically had no issues of this type.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in this District.
  - a. P&Z determined that Boomerang's operations are normal and orderly to the adjacent commercial properties as the area is mostly developed so therefore it doesn't impede further development.
  - b. P&Z determined that granting the CUP would not be a concern in this regard as the use is very similar to the existing approved CUP for the site which has historically had no issues of this type.
4. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.
  - a. P&Z determined that the access to the property is satisfactory and the drainage concerns have been addressed. A sanitary sewer main, water and electric already serve the property.
5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
  - a. P&Z determined that this is not an issue.

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.
  - a. P&Z determined the conditional use will generally conform to the applicable regulations of the district in which it is located.
7. In the Flood Plain District, the Council shall consider all relevant factors specified in other sections of the Zoning Ordinance: (Ord No 2002-C)
  - a. P&Z determined that the property was not located in the flood plain, and, therefore, the conditional use was not subject to those additional flood plain regulations and conditions.

A motion was then made by Mr. Hill, seconded by Mr. Mayers and unanimously carried recommending Council adoption of Resolution Approving Case No. CUP-12-2019-402 Conditional Use Permit Amendment Requested By You Only Live Once, LLC Doing Business As Boomerang Marine And Powersports, Inc. Amending The Previously Approved Conditional Use Permit Related To Marine And Power Sports Sales And Service minus Condition No. 3.

A motion was made Mr. Berscheit, seconded by Mr. Mayers and unanimously carried agreed to waiving the CUP application fee due to previous uncertainties. Our Ordinance reads that the fee can be waived by the Planning and Zoning Commission or Council.

#### **A.I. #7 UNFINISHED BUSINESS**

- a. The Commission reviewed the conceptual plan submitted by Travis Thom on December 20, 2019 regarding the possible lot configuration for a new 8-plex multi-family structure as previously discussed with Mr. Hennen and Mr. Thom.

#### **A.I. # 8 NEW BUSINESS**

- a. Consideration was then given to the proposed 2020 meeting schedule. Meetings are scheduled for the last Monday of each month. except for May where the last Monday is a holiday (Memorial Day). The May meeting is therefore scheduled for Tuesday, May 26, 2020.

The Commission, by consensus, approved the 2020 meeting schedule.

- b. Director Atkinson stated that in the past, the Commission annually has reviewed part or all of the City's proposed Five Year Capital Improvement Plan for compliance with the City's Comprehensive Plan. This review/determination for compliance and the accompanying follow-up to the Council is required by Minnesota Statutes Section 462.356 Subd. 2. It is noted that a "capital improvement" is defined as the "betterment of public lands, buildings or other improvements".

The Commission reviewed for written comment to the Council the compliance with the Comprehensive Plan of the proposed 2020 non-equipment related expenditures, along with those proposed for 2020, contained in the Five-Year Capital Improvement Plan and Levy Information Years 2020-2024. The Commission determined that the proposed non-equipment related expenditures proposed for Years 2020 and 2021 are in compliance with the City's Comprehensive Plan.

The Commission by consensus confirmed the Five-Year Capital Improvement plan is in compliance with the City's Comprehensive Plan.

**A.I. #9 INFORMATIONAL ITEMS**

- a. The Commission's next meeting is scheduled for January 27, 2020 at 6:30 p.m.

**A.I. #10 ISSUES BY PLANNING AND ZONING COMMISSION MEMBERS**

None

**A.I. #11 ADJOURNMENT**

A motion was made by Mr. Mayers, seconded by Mr. Berscheit and unanimously carried that the meeting be adjourned at 7:15 p.m.

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PATRICIA HAASE – CITY CLERK