

**MELROSE PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, JULY 27, 2020 – 6:30 P.M.**

AGENDA

1. Call to Order/Roll Call/Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes
4. Public Hearings
 - a. Zoning Ordinance Amendments Amending Section 500 Parking, Loading and Storage, Section 600 General Regulations, Section 700 Signs, and Section 1500 Swimming Pools
 - b. Case No. VAR-7-2020-104, Application for a Variance submitted by Munson Feed
5. Reports
 - a. Director Atkinson - Report
6. Action Items
 - a. Case No. VAR-7-2020-104, Application for a Variance submitted Munson Feed
7. Unfinished Business
 - a. Zoning Ordinance Amendments Amending Section 500 Parking, Loading and Storage, Section 600 General Regulations, Section 700 Signs, and Section 1500 Swimming Pools
8. New Business
9. Informational Items
 - a. Next Meeting
10. Issues by Planning and Zoning Commission Members and/or Staff
11. Adjournment

**MELROSE PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, JULY 27, 2020– 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, July 27, 2020 at 6:30 p.m. via Global GoToMeeting, pursuant to due notice being given thereof. Present were Commission Members Jason Seanger, Adam Paulson, Shawn Mayers, Mike Klaphake, Dave Berscheit, Mark “Bunker” Hill, Jean McDonald, and Community Planning/ Development Director Lisa Atkinson. Also, in attendance was Pete Terres and Michael Schmidt. 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. Klaphake to approve the agenda as submitted. The motion was seconded by Mr. Mayers with a roll call vote recorded as follows:

FOR: Commission Member Klaphake, Mayers, McDonald, Paulson, Hill, Berscheit, and Seanger

AGAINST: None

A.I. #3 APPROVAL OF MINUTES

A motion was made by Mr. Klaphake to approve the minutes from the Commission’s June 29, 2020 Regular meeting. The motion was seconded by Mr. Hill with a roll call vote recorded as follows:

FOR: Commission Member Klaphake, Mayers, McDonald, Paulson, Hill, Berscheit, and Seanger

AGAINST: None

A.I. #4 PUBLIC HEARING

- a. The Commission, acting as the Board of Adjustments and Appeals, reconvened the Public Hearing for the purpose of giving consideration to Zoning ordinance amendments amending Section 500 Parking, Loading and Storage, Section 600 General Regulations, Section 700 Signs, and Section 1500 Swimming Pools to consider updating the regulations therein.

Chair Seanger asked for public input. There being none the Public Hearing was closed at 6:36 p.m.

- b. The Melrose Planning and Zoning Commission, acting as the Board of Adjustments and Appeals, held a Public Hearing on Monday, July 27 at 6:30 p.m. at the Melrose City Center to consider the request of Munson Feed Company, Inc. for necessary variances to allow the construction of a second grain storage bin on land zoned Industrial, located at 121 3rd Ave. NW, generally located on the west side of 3rd Ave NW, south of Railroad Ave. NW. The request is to build a second

grain storage bin the same height and otherwise similar to the existing bin, but with a slightly smaller diameter (not to exceed 48 feet diameter). The variance from Section 400 of the Zoning Ordinance relating maximum height, if approved, would allow the structure to be 85 feet in height. The exterior materials would match the existing structure. The request relates to real property described as follows: LOTS 10 AND 11, BLOCK 13, GREAT NORTHERN ADDITION AND P/O VAC RAILROAD AVE NW BEG AT NE COR LOT 10 BLK 13 – N61 D W ALG NLY LN 154.38' TO NW COR LOT 10-S66D E 147.87'-SW 15' TO POB, according to the Plat and records thereof now on file and of record in the Office of the Register of Deeds of Stearns County

The required Affidavit of Publication was provided for the Hearing Notice which was published in the Star Post on Wednesday, July 15, 2020, along with the Affidavit of Posting of Notice of Hearing and the Affidavit of Mailing of the Public Hearing Notices to the Affected Property Owners was provided.

Community Development Director Atkinson provided a brief overview of the variance request.

Business owner Pete Terres stated that the structure would be similar to the existing structure, but with just a slightly smaller diameter.

Melrose resident, Michael Schmidt inquired as to whether the trees could be salvaged. Business owner Pete Terres stated that he had met with the contractor and it does not appear as all the trees will be salvageable. Community Development Director stated that according to the City Zoning Code a buffer is not required on the west side due to the presence of an alley separating the residential and industrial uses.

Chair Seanger is recommending that the property maintain the tree diameter that currently exists on the property.

There being no further comment the Public Hearing was closed at 6:43 p.m.

A.I. #5 REPORTS

- a. Director Atkinson provided an update on the year-to-date building permits and other development related items.

A.I. #6 ACTION ITEMS

- a. Following its review of the Planning Report, the related information and documents associated with this Report and the Variance Application along with public input received at the public hearing or in writing, the Commission gave consideration to making a recommendation to the Council regarding the request from Munson Feed Company, Inc. to construct a second grain storage bin on land zoned Industrial, located at 121 3rd Ave. NW, generally located on the west side of 3rd Ave NW, south of Railroad Ave. NW. The request is to build a second grain storage bin the same height and otherwise similar to the existing bin, but with a slightly smaller diameter (not to exceed 48 feet diameter).

The Planning and Zoning Commission reviewed the Planning Report and Finding of Facts.

The Planning and Zoning Commission is recommending the addition of a condition requiring to maintain 10" diameter of trees which can include the trees that are currently located on the property, which can be counted toward the buffer, with the spacing to be consistent with the landscaping ordinance.

A motion was made by Mr. Mayers to accept the Findings of Fact and Staff Report with correction to the second variance factor changing the verbiage to read: The corn bin required for storage will have a height not exceeding 85 feet, the same height as the existing bin and shorter than the 130" high leg **that "goes" changed to "is" across the street** and the addition of the requirement of 10" diameter of trees in the buffer with the spacing to be consistent with the landscaping ordinance. The motion was seconded by Mr. Hill with a roll call vote recorded as follows:

FOR: Commission Member Mayers, Hill, Klaphake, Berscheit, McDonald, Paulson, and Seanger
AGAINST: None

A motion was then made by Mr. Klaphake, recommending the Council approve the Resolution with the revision to the title and the addition of the buffer requirement. The motion was seconded by Mr. Mayers with a roll call vote recorded as follows:

FOR: Commission Member Klaphake, Mayers, Hill, Berscheit, McDonald, Paulson, and Seanger
AGAINST: None

A motion was made by Mr. Berscheit approving the use of the galvanized steel material, consistent with the existing structures on the property. The motion was seconded by Mr. Mayers with a roll call vote recorded as follows

FOR: Commission Member Berscheit, Mayers, Klaphake, Hill, McDonald, Paulson, and Seanger
AGAINST: None

The 10" diameter of trees was inadvertently left off the resolution that was presented to the City Council but the applicant has agreed to the requirement and it will still be required on the building permit. This was found to be acceptable by Chair Seanger.

A.I. #7 UNFINISHED BUSINESS

- a. The Commission next reviewed the Zoning Ordinance Amendments.

Part 1: Pools. At this time, staff is recommending that no changes occur to the Pool Ordinance, per the recommendation of the City's Building Official. The Planning and Zoning Commission concurred.

Part 2: Billboards. The Billboard Ordinance requires additional review prior to recommending an ordinance amendment. A new public hearing will be published for future consideration prior to an ordinance amendment being adopted. Chair Seanger is tabling this item to be brought back before the Commission upon completion of further review.

Part 3: Gravel Driveways. Upon further review, it seems appropriate to allow gravel driveways off of gravel alleys only when they are leading to an accessory structure. It seems that new parking spaces, even when located off an alley should be paved until just outside of the plow line of the alley. The Planning Commission should consider whether this recommendation seems appropriate or if other factors or options should be considered. Part of the reason for this thinking is that there is no impervious surface limit currently for single family residential lots, so essentially an entire lot could become a gravel driveway, which might annoy the neighbors. If the ordinance is changed to allow allowed gravel parking off gravel alleys there is nothing that would prevent that from happening.

This is the current ordinance. Only a minor change is recommended by staff at this time, as underlined below.

.04	Surfacing and Drainage
(1)	Off-street parking areas and access ways for all residential and commercial districts shall be durably surfaced (concrete, asphalt or pavers). Durable surfacing shall be completed within one year of Certificate of Occupancy
(2)	<u>Access ways between a gravel alley and a garage/shed may be gravel for the width of the accessory structure door to allow access without requiring durable surfacing.</u>

A motion was made by Mr. Mayers to revise the city code for access ways between a gravel alley and the most direct path to a garage/shed maybe gravel, Class 5, crushed concrete, crushed tar or granite, and up to a foot wider than the width of the accessory structure door to allow access without requiring durable surfaces. The motion was seconded by Mr. Klaphake with a roll call vote recorded as follows:

FOR: Commission Member Mayers, Klaphake, Hill, Berscheit, McDonald, Paulson, and Seanger
 AGAINST: None

Part 4: Garages. The accessory structure (shed/garage) ordinance has been modified to match state statutes. Further modification can be discussed at the meeting. Staff mis-interpreted the roof matching element so it is correctly reflected now below to allow a different roof line for less than 240 sq. ft. The language to clarify this is added (underlined) in .06 below.

Currently Used (except the matching roof line was not correctly interpreted as noted. It doesn't need to match if under 240 sq. ft.)

2. Requirements based on building size:	Permit Type	Match House Siding	Match Roof Line	Match Roof Materials
120 sq. ft. or less and from a kit	Zoning	No	No	No

120 sq. ft. or less without a kit	Zoning	Yes	No (was yes)	Yes
200 sq. ft. or less without a kit	Zoning	Yes	No (was yes)	Yes*
201 sq. ft or more	Building	Yes	Yes	Yes*

*If brick stone or stucco – alternative compatible colors/materials may be approved by City

Current Chart modified only to match 200 sq. ft. state statute change and 240 sq. foot roof line match that is currently in the ordinance

Requirements based on building size:	Permit Type	Match House Siding	Match Roof Line	Match Roof Materials
120 sq. ft. or less and from a kit (making it difficult to match)	Zoning	No	No	No
200 sq. ft. or less without a kit	Zoning	Yes	No	Yes
201 sq. ft to 239 sq. ft.	Building	Yes	No	Yes
240 sq. ft. +	Building	Yes	Yes	Yes

*If brick stone or stucco – alternative compatible colors/materials may be approved by City

Changes to the ordinance are underlined or struck and bold:

The ordinance relating to size and zoning vs. building permit requirements is as follows:

.05 A zoning permit is required for an accessory building of 420 200 square feet or less. Accessory buildings greater than of 420 200 square feet shall comply with Section 900
.06 Construction of an accessory structure shall be of the same or a similar material as the principal structure including roofing material and roof line design. An exception to this requirement is provided for: <ol style="list-style-type: none"> (1) Pre-fabricated construction kits of 120 square feet or less <u>with materials that making it difficult to match the primary structure may be allowed in similar compatible colors when approved by the Zoning Officer</u> (2) Structures greater than 120 square feet and less than 240 square feet shall be of the same roofing material. Siding must have similar compatible color as the principal structure. <u>The roof line does not need to match if the structure is under 240 square feet in size.</u> (3) Where there is an existing dwelling and the exterior is brick, stone or stucco and the cost to mimic the exterior is impractical, alternate materials, but in similar compatible colors, may be approved by the Zoning Officer

While this seems like a lot of information seems complex, staff has put together a simple memo that keeps it easy to understand. This memo with changes noted was provided to the Commission.

A motion was made by Mr. Mayers to amend the ordinance as written. The motion was seconded by Mr. Berscheit with a roll call vote recorded as follows:

FOR: Commission Member Mayers, Berscheit, McDonald, Paulson, Klaphake, Hill, and Seanger

AGAINST: None

A.I. #8 NEW BUSINESS

None

A.I. #9 INFORMATIONAL ITEMS

- a. The next regular meeting will be held on Monday, August 31, 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 that the meeting be adjourned at 7:23 p.m. The motion was seconded by Mr. Berscheit with a roll call vote recorded as follows:

FOR: Commission Member Mayers, Berscheit, McDonald, Paulson, Klaphake, Hill, and Seanger

AGAINST: None

PATRICIA HAASE – CITY CLERK