

**CITY OF SANDSTONE  
PLANNING COMMISSION  
July 11, 2018**

**CALL TO ORDER**

Members present: Steve Palmer, Andrew Spartz, Randy Riley, Reese Frederickson  
Members absent: Cassie Gaede, Rene Stadin  
Staff present: Administrator Kathy George  
Others: None

Chair Riley called the meeting to order at 7:04 p.m.

**AGENDA – Motion Spartz, second Palmer, to approve the Agenda as presented. Motion passed 4-0.**

**MINUTES – Motion Palmer, second Spartz, to approve the minutes from the April 11, 2018 Regular Planning Commission Meeting. Motion passed 4-0.** The Planning Commission did not meet in May or June.

**PUBLIC HEARINGS:** None

**OLD & CONTINUING BUSINESS:**

- A. Heliport Ordinance – Extension Request - The City received an application from Essentia Health to consider adopting a Heliport Ordinance on September 27, 2017. The initial 60-day time period went through November 26, 2017. The City extended the time period until January 25, 2018. In January, Essentia asked for a 6-month extension, bringing it to July 25, 2018. Essentia is now asking for a 4-month extension, which would be to November 25, 2018.

The draft ordinance has still not been completed, and the zoning map has not been finalized. According to Minnesota Statutes 15.99, the City must approve or deny within 60 days a written request relating to zoning. An applicant may by written notice to the City request an extension of the time limit, which is what is occurring.

Once the draft and map are finalized, the Planning Commission will have to hold a Public Hearing on the ordinance.

**Motion Frederickson, second Riley, to approve the requested 4-month extension. Motion passed 4-0.**

- B. Zoning Ordinance Update – At the April meeting, the Planning Commission discussed the Historic Downtown District. There were a few follow up items:

(1) Commissioners had decided to allow “storage pods” on a temporary, time-limited basis. Staff presented the following language used by another community:

*No more than one shipping container, intermodal shipping container or freight container may be stored in a side or rear yard in all zoning districts, provided that any such side yard storage shall not be adjacent to a street and all setbacks are met. The container may be located on the property for a period not to exceed six (6) months per year, while storage is required for remodeling or other activities relating to the property.*

Commissioners decided that the timeline would be 30 days for the Historic Downtown District. If the property owner needs more than 30 days, they will have to discuss it with the Planning Commission. The use would be unrestricted in the Industrial District. The use would be allowed in other zoning districts for up to six months with a Permit.

Commissioners were not comfortable with the terms “shipping container”, “intermodal shipping container”, or “freight container”, as they do not want semi-truck boxes used for storage. Staff will review options for this language.

- (2) Commissioners questioned whether towers for amateur radio operators and towers/antenna on churches, governmental buildings and schools are necessary to remain listed as Conditional Uses, since City Code 517 regulates them.

In looking through City Code 517, language states that towers in all other zoning districts (*other than residential*) are allowed as a conditional use ... Therefore, for consistency and clarity, Staff recommends they remain listed as Conditional Uses for the Historic Downtown District. Commissioners concurred.

- (3) Commissioners asked Staff to look into whether churches are automatically allowed in all zoning districts and, therefore, wouldn't have to be listed separately. In researching the League of MN Cities Zoning Guide for Cities, the following was noted:

*A zoning ordinance can be enforced as long as it does not discriminate against or exclude religious uses, does not treat religious uses less favorably than comparable nonreligious uses, and does not impose a substantial burden.*

There's some discussion in the memo about referring to “places of assembly” and defining that term as both religious and non-religious uses. The Administrator noted other uses that are allowed in the Historic Downtown District which are places of assembly (restaurants, entertainment, amusement services, etc.).

Staff recommends using the term “places of assembly” and listing them as a permitted use. The current parking regulations require churches, theaters, facilities for spectator sports, auditoriums, concert halls to provide parking spaces = .35 times the seating capacity. Parking is most likely the biggest issue/factor to consider with places of assembly. Commissioners concurred with these recommendations.

Comments from Council: Administrator George stated that minutes of the Planning Commission meetings are shared with the Council to keep them informed of the work the Commission is doing. At the May Council Meeting, some Council Members expressed concern with the placement of a small engine repair shop in a residential district. They also questioned allowing Air B&B's. They asked that these comments be relayed back to the Planning Commission. Also, as long as the language is being updated, a Council Member noted that there is mention of a TV/Radio repair shop – wording that they feel is somewhat outdated.

Planning Commissioners noted that small engine repair shops and Air B&B's are proposed with Interim Use Permits; therefore, the requester would have to make application and a public hearing would be held. Neighboring property owners would be able to state their views and the Planning Commission would be able to add conditions to the use as they determine appropriate.

Highway Mixed Use District - The Planning Commission reviewed and discussed the Highway Mixed Use District, which is defined in the Comprehensive Plan as follows:

*These areas are intended to provide flexibility to develop residential or commercial uses, or a combination thereof. This district, which is located adjacent to and approximately within 500-feet of major roadway corridors, encourages higher intensity use adjacent to the road successively tapering off with increasing distance from the roadway. The pattern of development encouraged for the areas will be commercial/service uses along the outer/front of the property (closer to the road) and residential uses moving inward. Retail or other commercial activity along the roadway corridor may be of a scale that serves the neighborhood or community as a whole. This district is intended to accommodate businesses that have a need for a larger square footage, more parking or outdoor storage and display area than the downtown commercial area provides. Also appropriate in this district are those uses that require exposure/visibility along the transportation routes such as those that serve the travelling public. Housing in the mixed-use district can be developed at a range of densities, with housing closer to the major roadway mimicking residential densities of the Traditional Residential District and housing furthest from the major roadway similar to the densities found in the Suburban Residential and Open/Rural Districts. Overall, the development intensity of this district will be highest in areas adjacent to the major roadway, achieving a development gradient which effectively transitions between community-scale commercial and residential uses and the open, low-density or rural landscapes further away from the center of the community. Because of the location of these districts on major collectors or arterials, access management in coordination with County and State officials will be necessary when development occurs and limiting the number of access locations to these areas is to be expected.*

**Commissioners discussed the parameters for the Highway Mixed Use District; specifically, about how to achieve the housing component. They considered (1) allowing housing with a CUP or a PUD, (2) simply using the above-highlighted language, or (3) breaking down the Highway Mixed Use District further, separating the areas where Traditional Residential makes sense, where the**

**Suburban Residential area makes sense, and where the Open/Rural area makes sense; and then just zoning them that way. Ultimately, Commissioners decided on (3) – separating the Traditional Residential, Suburban Residential, and Open/Rural areas and zoning them that way.**

**Commissioners also discussed where the logical divide should be between the Historic Downtown District and the Highway Mixed Use District. After much discussion, it was agreed that the west side of Main Avenue should be Highway Mixed Use. On the east side of Main Avenue, the Historic Downtown District would go to 1<sup>st</sup> Street.**

The Highway Mixed Use District takes the place of Highway Business District (B-2) in the current City Code:

515.21. Highway business district (B-2). (Added, Ord. 2007-01) Subdivision 1. Purpose. This district is established to accommodate the type of business oriented to the traveling public and requires highway access. To minimize unmanageable strip development, these districts allow the type of businesses that require highway access and exposure.

Subd. 2. Current Permitted uses.

- a) Farm implement dealers.
- b) Grocery stores and convenience stores.
- c) On and off sale liquor establishments.
- d) Drive-in restaurants and facilities.
- e) Eating establishments including restaurants, cafes, supper clubs.
- f) Auto sales and services.
- g) Auto body shops.
- h) Car wash facilities.
- i) Recreation equipment sales.
- j) Motels and hotels.
- k) Gas and/or service stations, convenience stores.
- l) Laundromats.
- m) Boat sales and repairs.
- n) Bait and sporting goods shops.
- o) Motorcycles sales and repair.

- p) Garden supplies and landscape nursery.
- q) Lumber yards and hardware sales.
- r) Commercial recreation including bowling alleys.
- s) Essential services.
- t) General retail and/or professional office space with a minimum square footage of 1,500 square feet. (Amended, Ord. 2007-01)
- u) Towers for amateur radio operators and towers/antenna on churches, governmental buildings and schools (see Section 517). **Commissioners discussed towers further and asked the Administrator to have the City Attorney review Section 517 to see if it requires any updates.**
- v) Theatres.
- w) Offices for medical services such as medical, dental, chiropractic, or veterinary. (Amended, Ord. 2007-01)
- x) Custom shops for making articles or products sold at retail on the premises.
- y) Commercial planned unit developments (PUD). (Amended, Ord. 2007-01)
- z) General storage facilities.
- aa) Service commercial facilities, which are multi-use in nature.

Subd. 3. Current Interim uses. The following uses may be permitted upon the issuance of an interim use permit. (Added, Ordinance No. 2011-01, Section 4)

- a) Greenhouses and nurseries.
- b) Retail and wholesale sales.
- c) Light industrial uses.
- d) Wholesale uses.
- e) Adult establishments as defined, permitted and regulated by Section 1165.03 of the city code.

Subd. 4. Current Conditional uses. The following uses may be permitted upon the issuance of a conditional use permit. (Added, Ord. 2007-01, Amended, Ord. 2011-01, Section 4)

- a) Seasonal produce stands. **Commissioners decided to eliminate this as a Conditional Use, since it would be more appropriate to regulate it with the City's Peddler Permit process and/or Special Event Permit process (which is currently the practice).**
- b) All other similar commercial and retail uses that are not listed as permitted or conditional

uses.

- c) **Commissioners added Multi-Family Residential Apartments (4 units or more) as a Conditional Use. They do not think that townhomes or duplexes are appropriate in this District.**

Subd. 5. Current Accessory uses. Accessory uses permitted in B-1 district. (Amended, Ord. 2007-01)

- a) Unheated buildings and structures for a use accessory to the principal use but such use or structure may not exceed 30% of the gross floor space of the principal use.
- b) Off-street parking as regulated by this section but not including semi-trailer trucks.
- c) Off-street loading.
- d) Signs subject to regulations in section 415.

Subd. 6. Current Performance standards. (Amended, Ord. 2011-04)

- a) Minimum parcel size: With the exception of a lot that is being exclusively used for essential services, a lot in the B-2 district must have a width of not less than 100 feet and must contain an area of not less than 15,000 square feet.

*Essential Services are defined as: Overhead or underground systems and structures used by public utilities or governmental departments or commissions for the purposes of providing electric, gas, steam, water, sanitary sewer, telephone, cable television and Internet services or other services required for the protection of the public health, safety or general welfare, including towers, poles, wires, mains, drains, sewers, pipes, conduits, vaults, laterals, cables (including fiber optic cables), fire alarm boxes, police call boxes, stations, substations, switching and relay facilities, water and sewage pumps, lift stations and accessories in connection therewith, but not including buildings or structures that are specifically described in this definition. Essential services do not include antennas or towers that are regulated by section 517 of the city code.*

- b) Front yard requirement: A conditional use must have a front yard having a depth of not less than thirty-five (35) feet. **Commissioners determined to remove this requirement, as it only pertains to Seasonal Produce Stands, which have been eliminated from this District.**
- c) Other setback requirements: With the exception of structures on a lot that is being exclusively used for essential services, structures must be a minimum ten (10) feet distance from any side yard, rear yard, or alley. **Corner lots must have two (2) front yards (with the exception of lots being exclusively used for essential services). Commissioners decided to remove this sentence as well, since “front yards” are generally not required in this District.**
- d) With the exception of a lot that is being exclusively used for essential services, access to a lot must be from an approved frontage or secondary street.
- e) Minimum transitional yard requirements: With the exception of a lot that is being exclusively used for essential services, for each front, side or rear yard in any B-2 district

abutting, or abutting except for an intervening alley, a residential district, there must be provided a front, side or rear yard equal in size to the minimum front, side or rear yard required in the residential district. **Rather than this current language, Commissioners asked the Administrator to research language that would provide adequate buffering between uses.**

- f) Maximum ground coverage: With the exception of lots being used exclusively for essential services, the sum total of the ground area covered by all structures in any B-2 district including accessory structures, constituting a permitted or conditional use shall not exceed 35% of the lot. **Commissioners agreed to add: Impervious coverage may be increased by twenty percent (20%) if the following is provided:**
- a. **A storm water retention plan showing containment of the 5-year, 24-hour storm event on the parcel; or**
  - b. **Elimination of direct runoff of stormwater to adjacent water bodies, including wetlands and adjacent parcels through the use of berms or other permanent means; or**
  - c. **Where municipal storm water is available.**
- g) Other requirements: (Added, Ord. No. 2007-01) Prior to issuance of any building permit or other approvals for property in the B-2 district, the applicant shall submit to the city: 1) evidence of ownership of the property or purchase agreement or enforceable option on the property; 2) a preliminary building and site development plan; and 3) a written impact analysis that evaluates the following factors:
- i) The proposed use will not create an excessive burden on existing parks, schools, streets and other public facilities that serve or are proposed to serve the area;
  - ii) The proposed use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing residences will not depreciate in value and development of vacant residential land will not be deterred;
  - iii) The proposed structure and the site will have an overall appearance that will not have an adverse effect upon adjacent residential properties;
  - iv) The proposed use will be consistent with the purposes of the city's zoning code and the purposes of the zoning district in which the applicant intends to locate the proposed use;
  - v) The proposed use will not conflict with the comprehensive plan;
  - vi) The proposed use will not cause traffic hazards or congestion;
  - vii) Adequate utilities, access roads, drainage, and necessary facilities, including adequate parking, for the proposed use are or will be provided; and
  - viii) The height, size and location of all buildings on the site meet the requirements of the building and zoning codes.

**After much discussion about these "Other Requirements", Commissioners agreed to eliminate them as they are unnecessary and can seem to discourage development.**

**NEW BUSINESS:** None

**OTHER:** None

**ADJOURN: Motion Spartz, second Frederickson, to adjourn. Motion passed 4-0. Time 8:15 p.m.**

Respectfully Submitted, Kathy George, City Administrator