

**OATH OF OFFICE**

Deputy Clerk Etzel administered the Oath of Office to commissioner Wendy Petersen-Biorn. Petersen-Biorn's term is for three years and will expire on December 31, 2014.

**Call to Order**

Chair Buoy called the regular meeting of the City of Rockford Planning and Zoning Commission to order on **February 9, 2012** at 7:00 p.m. The meeting was held in the Council Chambers of City Hall, 6031 Main Street, Rockford, MN.

**ELECTION OF OFFICERS FOR 2012**

**MOTION** was made by Buoy, seconded by Fuller to elect Deb Buoy as Chairperson of the Planning and Zoning Commission for 2012.

**MOTION CARRIED – VOTING IN FAVOR – BUOY, FULLER, PETERSEN-BIORN, and WERMAN.**

**MOTION** was made by Buoy, seconded by Fuller to elect Werman as Vice Chairperson of the Planning and Zoning Commission for 2012.

**MOTION CARRIED – VOTING IN FAVOR – BUOY, FULLER, PETERSEN-BIORN, and WERMAN.**

**ROLL CALL**

Roll call was taken. The following members were present: Buoy, Fuller, Petersen-Biorn and Werman. The following members were absent: Hensley. Also in attendance were Deputy Clerk Etzel and Council Member Martinson.

**PUBLIC HEARING-CONDITIONAL USE PERMIT FOR AUTOMOTIVE SALES/8990 WALNUT ST**

The City is in receipt of an application for a Conditional Use Permit for Automotive Sales from Mitchell A. Chase. The automotive sale will be located at 8990 Walnut Street. The property is zoned C-3 Commercial. Staff published notice in the official newspaper at least 10 day prior to the public hearing and mailed notice to all affected property owners within 350' as required.

The applicant Mitchell Chase is proposing an outdoor sales and display of up to 20 vehicles. An office, detail shop and minor repairs are planned for inside the building.

The Planning Commission reviewed the application to make sure that it complies with Conditional Use standards per ordinance section 1001.03 Subd. 5.

Chair Buoy opened the hearing to public comments at 7:04 pm.

No one from the public spoke.

Chair Buoy closed the public hearing at 7:04 p.m.

Planning Commission asked Mr. Chase to clarify the description of minor repairs and he explained it might be changing out a head light, windshield wipers, cleaning the car for resale, etc. He does plan to install an overhead door on the building.

At this time Mr. Chase does not have a name for the business.

Commissioner Buoy asked about the Mall's current policy about no car sales and no overnight parking. She stated there is a car for sale and it has been parked overnight. Mr. Chase stated it is his car, he had permission to have it at the mall and he will have it removed.

Planning Commission wants the public works department to review the inside of the building before any carwashes are performed to make sure the catch basin is set up and draining correctly.

**MOTION was made by Werman, seconded by Fuller to recommend approval of the Conditional Use Permit for Automotive Sales at 8990 Walnut Street with the following conditions.**

1. All parking areas and drive aisle shall conform to the dimension requirements and be paved and striped in accordance with the Zoning Ordinance. The Planning Commission approves 8 employee and customer parking stalls, including one disability accessible stall.
2. There shall be no more than 20 (twenty) vehicles displayed for sale at any one time.
3. Vehicles must be parked on the hard surface not green space.
4. There shall be no major auto repair, as defined by the Zoning Ordinance, conducted on the premises.
5. The minor auto repair and detailing shall occur only within the building with the exterior doors closed.
6. Hours of Operation: Monday – Friday 8 a.m. to 9 p.m., Saturday 8 a.m. to 6 p.m., and Sunday Closed, unless extended by the City Council.
7. There shall be no outdoor storage, including: inoperable vehicles, parts or equipment related to the minor auto repair, etc.
8. All vehicles displayed shall be in a condition so as to be legally operated on public streets.
9. The site shall be maintained in a neat, tidy and sanitary manner.
10. The property owner shall record a cross access and parking easement between the subject site and PID 113-500-203301 to satisfy off-street parking requirements.
11. Installation of any new exterior light fixtures must be of a shoebox design with 90 degree horizontal cutoff.
12. Any exterior trash containers stored outside must be within an enclosure meeting the requirements of Section 1001.09, Subd. 19 B. of the Zoning Ordinance.
13. All signs displayed upon the property shall comply with Section 1001.08 of the Zoning Ordinance and require issuance of a sign permit.
14. Existing sewer and water connections should be reviewed by the Public Works Supervisor.
15. That the conditional use permit is subject to annual review by the Planning and Zoning Commission.
16. That the applicant/property owner complies with all other applicable City Codes and Ordinances
17. Any violation of the said conditional use permit is grounds for revocation of the said permit.
18. That this conditional use permit becomes null and void if the use ceases operation for a period of one year or longer.

**MOTION CARRIED – VOTING IN FAVOR – BUOY, FULLER, PETERSEN-BIORN AND WERMAN**

The recommendation from the Planning Commission will be submitted to the City Council at their February 14, 2012 regular meeting for final approval or denial.

**\*CONSENT AGENDA/SET AGENDA**

**Motion** was made by Buoy, seconded by Fuller to approve all items on the consent agenda.

**MOTION CARRIED – VOTING IN FAVOR – BUOY, FULLER, and WERMAN  
ABSTAIN - PETERSEN-BIORN**

**\*Approve Regular Planning and Zoning Minutes/October 13, 2011**

**Motion** was made by Buoy, seconded by Fuller to approve the minutes of the October 13, 2011 Regular Planning and Zoning Meeting.

**MOTION CARRIED – VOTING IN FAVOR – BUOY, FULLER, and WERMAN  
ABSTAIN - PETERSEN-BIORN**

**Deputy Clerk’s Report**

The Deputy Clerk’s report included: welcome new commission member Wendy, review sign ordinance #1001.08 at the next meeting, Crow River Food Co-op is meeting the 2<sup>nd</sup> Monday of the month and they can use committee members & members, and the RiverWorks thrift store is open in the mall.

**League of Minnesota Cities On-Line Training/Land Use Basics**

Commissioner’s Fuller and Petersen-Biorn have completed the training. The training took about one hour. Commissioner Buoy and Council Member Martinson need to be resent the Land Use Basics information.

**Adjournment**

**MOTION TO ADJOURN** was made by Petersen-Biorn, seconded by Buoy.

**MOTION CARRIED – VOTING IN FAVOR – BUOY, FULLER, PETERSEN-BIORN and WERMAN**

Chair Buoy adjourned the meeting at 7:26 p.m.

Submitted by Audra Etzel, Deputy Clerk