

CALL TO ORDER

Planning Commissioner Fuller called the regular meeting of the City of Rockford Planning and Zoning Commission to order on **May 14, 2015** at 7:14 p.m. The meeting was held in the Council Chambers of City Hall, 6031 Main Street, Rockford, MN.

ROLL CALL

Roll call was taken and the following members were present: Werman, Cihlar, Petersen-Biorn and Sand. The following members were absent: None. Staff noted that Commissioner Fuller has moved out of the City of Rockford. Also in attendance was Deputy Clerk Etzel.

PUBLIC HEARING/Conditional Use Permit – Generators at 6800 Electric Drive

A public hearing has been scheduled to consider a conditional use permit for two backup and everyday peak saving electric generators at 6800 Electric Drive for Wright-Hennepin Electric.

The proposed equipment is a 1,250kW electric generator(s) powered by diesel fuel motors. The generators will provide additional electrical service to the W-H facility and other electric users within the Millennium Industrial Park to the west. The generator(s) will also provide emergency backup service in the event of a power failure. Because the proposed generator(s) are providing service to off-site facilities, City staff defines them as essential services under the Zoning Ordinance rather than an accessory use to specific to the W-H facility.

Section 1001.09, Subd. 13 of the Zoning Ordinance regulates essential services and is based on requirements set forth by State Statute and the Public Utilities Commission. Section 1001.09, Subd. 13 exempts essential service facilities over 100kV from review by the City. Furthermore, the operation of diesel generators is subject to performance standards established by the Minnesota Pollution Control Agency. In this regard, the City's review authority is limited to the location of the generator(s) upon the site for compliance with setbacks. The installation of the generator(s) does not require approval of a conditional use permit.

The City noticed a public hearing to consider approval of a conditional use permit for installation of up to two 1,250kW electric generators at the W-H facility. However, upon review of the application and applicable provisions of the Zoning Ordinance, City staff has determined that a conditional use permit is not required. The Planning Commission will not need to conduct the noticed public hearing.

Wayne Bauernschmitt of Wright-Hennepin Electric was at the meeting to answer any questions regarding the proposed generators.

About two years ago Wright-Hennepin Electric approached the city to discuss installing backup generators to help customer in Millennium Park and other Wright-Hennepin users at no additional charge.

PUBLIC HEARING/Conditional Use Permit – Accessory Shed at 7600 County Road 50

Rockford Area Schools has submitted plans for construction of a 2,400 square foot, 20 foot tall accessory building with metal siding located on the Rockford High School campus. The proposed building is to be used for the storage of athletic equipment incidental to the playfields within the campus property. The subject site is zoned R-1, Single Family Residential District. Accessory structures within the R-1 District regulated by Section 1001.07, Subd. 4 of the Zoning Ordinance, which limits the area of detached structures accessory to residential uses to 1,000 square feet and a height of 15 feet measured to

the mid-point of the pitched roof. Furthermore, Section 1001.07, Subd. 2. requires the same or similar exterior building material be used for the accessory building as in the principal building. Section 1001.07, Subd. 4.G allows exceptions to the area and height limits and exterior material requirements for accessory structures by conditional use permit. A public hearing to consider the request has been noticed for 14 May 2015.

Applications for a conditional use permit for exceptions to the area and height limits for residential accessory structures applications are subject to the following conditions outlined in Section 1001.07, Subd. 4.G of the Zoning Ordinance:

1. The area of the accessory building is not larger than the gross floor area of the principal building.
Comment: The applicant has not specified the area of the principal building upon the property, but it is evident that the 2,400 square foot accessory building would be a fraction of the area of the High School building.
2. The height of the accessory building shall not exceed that of the principal building.
Comment: The 20 foot height of the proposed accessory building, measured to the mid-point of the pitched roof, is less than that of the principal building, which has sections more than two stories high.
3. There is a demonstrated need for the building area or height increase and the accessory building has an evident re-use or function related to the principal use.
Comment: The applicant indicates that the proposed building is to be utilized for storage of athletic equipment used on the play fields on the school campus, which is directly related to and incidental to the principal use of the property.
4. The accessory is of a scale and design that is compatible with the character of the property or neighborhood in which it is located.
Comment: The proposed 2,400 square foot accessory building be in scale with the area of the property and height and mass of the principal building in keeping with the character of the High School Campus use. The location of the proposed building is also to be 55 feet away from the nearest property line creating physical separation that will visually reduce mass. The use of metal exterior siding with green and white colors is also consistent with the character of the High School campus.

The submitted plans do not identify the extent of site work required for construction of the detached accessory building. Section 1007 of the City Code requires application for a land alteration permit if the proposed site work involves moving of more than 10 yards of dirt. The land alteration permit is processed administratively and is subject to review and approval of the City Engineer.

Consideration of a conditional use permit is subject to the criteria outlined in Section 1001.03, Subd. 5 of the Zoning Ordinance. Findings of fact consistent with the criteria for approval of a conditional use permit have been drafted by City staff and provided to the Planning Commission for review.

The application for a conditional use permit to allow a detached accessory building with greater area and height than allowed by the Zoning Ordinance and use of metal siding meets the applicable criteria for approval including being appropriate in scale to the property as it relates to the principal use. Our office recommends approval of the application subject to the following conditions:

1. The property owner shall apply for a land alteration permit if the proposed site work involves moving of more than 10 yards of dirt, subject to review and approval of the City Engineer.

Chair Werman opened the public hearing at 7:20 p.m.

Andy Faulkner with ICS Consulting was present to answer questions. He is over-seeing the District projects. The new shed will consist of the same material as the press boxes and be 55' from the property line. The additional height request is for racking to allow for additional storage, primarily for track equipment. There was a shed at the Rockford Middle School site, but the cost to move was prohibitive along with other issues.

Planning Chair Werman closed the public hearing at 7:27 p.m.

The Planning Commission agreed with the Planner's recommendations.

MOTION was made by Sand, seconded by Cihlar to recommend the City Council approve the Resolutions to approve a conditional use permit allowing a detached accessory building with metal exterior finish to exceed the height and area limits as presented.

MOTION CARRIED – VOTING IN FAVOR – WERMAN, CIHLAR, PETERSEN-BIONR and SAND.

The recommendation from the Planning Commission will be submitted to the City Council at their May 26, 2015 regular meeting for final approval or denial.

***Approve Regular Planning and Zoning Minutes/April 9, 2015**

The April 9, 2015 minutes were presented. No corrections were noted and the minutes were approved by the Planning Commission as presented.

OPEN FORUM

Chair Werman called for open forum, no one from the public spoke.

Deputy Clerk's Report

The Deputy Clerk's report included: Seeking a Planning Commissioner to fill Commissioner Fuller's term expiring on December 31, 2015, May 28, 2015 P&Z meeting cancelled, and the upcoming community events.

ADJOURNMENT

MOTION TO ADJOURN was made Werman, seconded by Petersen-Biron.

MOTION CARRIED – VOTING IN FAVOR – WERMAN, CIHLAR, PETERSEN-BIONR and SAND.

Chair Werman adjourned the meeting at 7:31 p.m.

Submitted by Audra Etzel, Deputy Clerk