

CALL TO ORDER

Planning Commissioner Werman called the regular meeting of the City of Rockford Planning and Zoning Commission to order on **July 23, 2015** at 7:00 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, and Sand. The following members were absent: Petersen-Biorn. Also in attendance were Planner Licht, Council Member Buoy, and Deputy Clerk Etzel.

PUBLIC HEARING/Conditional Use Permit and Variance for Casey’s General Store-8341 State Highway 55

Planner Licht noted Casey’s Retail Company is proposing a 600 square foot expansion and remodeling of the existing 2,720 square foot convenience store with motor fuel uses located at 8431 Highway 55, which is the west corner of TH 55 and Maple Street. The subject site is zoned C-3 District, which allows convenience stores with motor fuel facilities as a permitted use. The project is subject to site plan review as outlined in Section 1001.03, Subd. 1.H of the Zoning Ordinance. The developer is also requesting a variance from the side and rear setback requirements applicable to the subject site and a conditional use permit for a reduction in required parking. A public hearing to consider the applications has been noticed for the Planning Commission meeting on 23 July 2015 at 7:00PM.

The Comprehensive Plan guides the subject site for highway commercial uses. The existing use of the property is consistent with the designation of the Comprehensive Plan. Furthermore, in-place expansion of the existing business is consistent with the City’s economic development goals.

The subject site is zoned C-3 District, which allows convenience stores with motor fuel facilities as a permitted use.

The developer has submitted a floor plan for the proposed expansion, but not an elevation plan for the exterior materials. The proposed building expansion will be required to be consistent with the existing materials of the principal building with a brick masonry exterior for all sides of the expansion as required by Section 1001.09, Subd. 12.B.2 of the Zoning Ordinance.

The table below illustrates the lot requirements and setbacks of the C-3 District applicable to the subject site.

	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Setbacks			
				TH 55	Maple St.	West	South
Required	1.0ac.	150ft.	150ft.	35ft.	35ft.	40ft.	40ft.
Proposed	0.5ac.	132ft.	156ft.	81ft.	27ft.	40ft.	6ft.

The lot is a legal non-conforming lot of record based on its existing area and width measured to Maple Street. The area and dimensions of the existing parcel are the basis for the location of the existing building being setback only six feet from the south lot line. In this way, the building becomes a physical barrier between TH 55 and residential uses to the south. The proposed expansion of the building 15 feet to the east does not encroach closer to the property line than the existing structure and is consistent with past approvals. The proposed building expansion does, however, encroach eight feet into the 35 foot setback required from Maple Street. The other structures along Maple Street between

TH 55 and Linden Street, which are all single family dwellings, are setback between 15 and 20 feet from the public right-of-way whereas a 35 foot setback is required. As such, compliance with the setback from Maple Street would be unique to this property and would justify a variance based on the criteria outlined in Section 1001.03, Subd. 4.A of the Zoning Ordinance. Allowance of the building expansion within 27 feet of the Maple Street right-of-way will also provide additional buffering for the single family house immediately to the south. The developer should install additional tall growing evergreen shrubs between the east line of the building and property line to provide additional screening from headlight glare being cast to the residential property.

The subject site is accessed from TH 55 and Maple Street. The submitted site plan does not indicate any changes to the site accesses. Any change to the access to TH 55 or work within the TH 55 right-of-way is subject to review and approval of MN/DoT.

Section 1001.05, Subd. 9 of the Zoning Ordinance requires convenience store with motor fuel sales uses to provide four off-street parking stalls with additional stalls for the retail use at one stall per 200 square feet of building area. The calculation of required parking for the use and expanded building is shown below: $4 \text{ stalls} + (3,320\text{sf.} \times 10 \% / 200\text{sf.}) = 19 \text{ stalls}$

The site plan provides for 16 parking stalls within the site, including spaces at the pump islands. The applicant has requested a conditional use permit to allow a reduction in the number of required parking stalls to allow for the proposed building expansion. In that a majority of the space added to the proposed building is for storage and freezer purposes, the available parking on the subject site is likely adequate for the amount of retail space.

The site plan does not include locations for exterior lighting or a photometric lighting plan. Any existing lights that are replaced or new lights added must be a shoebox design with 90 degree horizontal cut-off to minimize glare cast to public streets or the public right-of-way.

No plans for replacement or new signs upon the property have been submitted. Any signs to be installed upon the property must comply with Section 1001.08 of the Zoning Ordinance. A sign permit is required prior to installation.

There is an existing enclosure for a trash dumpster at the southwest corner of the property. Any trash container stored outside must be kept within the enclosure or within the principal building as required by Section 1001.09, Subd. 19 of the Zoning Ordinance.

The developer has not provided a grading plan for the proposed expansion of the principal building upon the lot. Any grading, drainage or erosion control issues are subject to review and approval of the City Engineer.

No utility plan has been submitted related to the proposed building expansion. Any utility issues are subject to review and approval of the City Engineer and Public Works Director.

Planner Licht's office recommends approval of the site plan for expansion of Casey's General Store including approval of the requested variances to allow encroachment into required setbacks and a conditional use permit to allow a reduction in required parking. Planner Licht's recommendation is subject to the following conditions:

1. The proposed building expansion shall be consistent with the existing exterior materials of the principal building with a brick masonry exterior for all sides of the expansion as required by Section 1001.09, Subd. 12.B.2 of the Zoning Ordinance.
2. The developer shall install tall growing evergreen shrubs between the east line of the building and property line to provide additional screening, subject to approval of City staff.
3. Any change to the access to TH 55 or work within the TH 55 right-of-way is subject to review and approval of MN/DoT.
4. Any existing lights that are replaced or new lights added must be a shoebox design with 90 degree horizontal cut-off to minimize glare cast to public streets or the public right-of-way.
5. Any signs to be installed upon the property must comply with Section 1001.08 of the Zoning Ordinance.
6. All grading, drainage and erosion control issues are subject to review and approval of the City Engineer.
7. All utility issues are subject to review and approval of the City Engineer and Public Works Director.

Chair Werman opened the public hearing at 7:08 p.m.

No one from the public spoke.

Planning Chair Werman closed the public hearing at 7:08 p.m.

Brad Church from Casey's General Store was present to answer questions. He noted they would be upgrading the LED lighting.

The Planning Commission agreed with the Planner's recommendations.

MOTION was made by Sand, seconded by Cihlar to approve Resolution #BA15-04 approving a variance to encroach into the required setbacks as requested: rear yard will continue the expansion of the building 15 feet to the east not encroaching closer to the property line than the existing structure and is allowed to be 8 feet into the 35 foot setback required from Maple Street.

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

MOTION was made by Cihlar, seconded by Sand to recommend the City Council approve the Resolutions approving a conditional use permit to allow a reduction in the number of required off-street parking stalls in accordance with Section 1001.05, Subd. 9, LL from 19 stalls to 16 parking stalls within the site, including spaces at the pump islands.

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

The recommendation from the Planning Commission for the conditional use permit will be submitted to the City Council at their July 28, 2015 regular meeting for final approval or denial.

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

MOTION was made by Sand, seconded by Werman to approve the July 9, 2015 Regular Planning and Zoning minutes.

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

OPEN FORUM

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

Deputy Clerk's Report

The Deputy Clerk's report included: Council approved the July 9, 2015 Conditional Use Permits: ground mount solar panels and 6001 Lone Oak parking reduction, still seeking a Planning Commissioner to fill Commissioner Fuller's term expiring on December 31, 2015, cancelled August 13, 2015 Planning and Zoning Commission meeting, and the upcoming community events.

ADJOURNMENT

MOTION TO ADJOURN was made by Sand, seconded by Werman.

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

Chair Werman adjourned the meeting at 7:13 p.m.

Submitted by Audra Etzel, Deputy Clerk