

**CALL TO ORDER**

Chair Werman called the regular meeting of the City of Rockford Planning and Zoning Commission to order on at 7:01 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, Petersen-Biorn, Cihlar, Morter and Sand. The following members were absent: none. Also in attendance was Planner Dan Licht, and Deputy Clerk Etzel.

**PUBLIC HEARING – Variance for Side Yard Setback and Conditional Use Permit for Exterior Materials at 8910 Autumn Oaks Drive**

Planner Licht stated Mr. John Ritten has revised submitted plans for development of the vacant lot located at 8910 Autumn Oaks Drive with a 8,730 square foot building. The building is to be occupied by Custom Design Wood Products, Inc., which builds bespoke cabinetry and other woodworks. The Planning Commission considered plans at their meeting on 25 June 2020 and recommended approval. Mr. Ritten has submitted subsequent applications for a conditional use permit to allow metal exterior finish for the proposed building and a variance to allow expansion of the paved drive surfaces within the subject site. A public hearing to consider the applications has been noticed for the Planning Commission meeting on 23 July 2020.

**Comprehensive Plan.** The Comprehensive Plan guides the subject site for commercial uses. The proposed business is consistent with the Comprehensive Plan in terms of creating employment opportunities and expanding tax base within Rockford.

**Zoning.** The subject site is zoned C-3 District. The proposed use with services and a wholesale showroom is a permitted use within the C-3 District.

**Surrounding Uses.** The table below summarizes existing and planned land uses surrounding the subject site. The commercial buildings situated along Autumn Oaks Drive all have metal siding and roofs that with quasi-industrial type businesses that the proposed use is consistent with in character.

Direction	Land Use	Zoning	Existing Use
North	--	--	TH 55
East	Commercial	C-3 District	Single Family
South	Commercial	C-3 District	Nordstrom Metal
West	Commercial	Rockford Twp.	Single Family

**Exterior Finish.** Section 1001.09, Subd. 12.B.2 of the Zoning Ordinance requires the exterior finish of the proposed building to use masonry exterior materials. Exterior materials are proposed to be metal with painted color bands to provide variety in the building appearance. Use of materials other than masonry exterior finishes requires approval of a conditional use permit in accordance with Section 1001.09, Subd. 12.C of the Zoning Ordinance:

1. The proposed building materials maintain the quality and value intended by this Section.

- 2. The proposed building is compatible and in harmony with other existing structures within the District and immediate geographic area.

The painted finish of the exterior materials for the proposed building meets the intent for a weather resistant, durable building material. All 4 of the existing commercial buildings surrounding the subject site are constructed with metal exterior finish and the proposed building will be compatible. City staff supports approval of a conditional use permit allowing the proposed exterior materials for the building.

**Lot Requirements.** Section 1001.19, Subd. 6.A of the Zoning Ordinance requires lots within the C-3 District to have a minimum area of 1 acre, be 150 feet in width and 150 feet in depth. The subject site is a lot of record having an area of 0.78 acres that is 128 feet in width, and 250 feet in depth. The area and width of the lot do not comply with the minimum requirements of the C-3 District. The lot may be developed in accordance with Section 1001.04, Subd. 7.B of the Zoning Ordinance subject to compliance with required setbacks or approval of a variance.

**Setbacks.** Section 1001.19, Subd. 6.B of the Zoning Ordinance requires the proposed building to comply with the following setback requirements. The proposed building complies with the setback requirements of the C-3 District.

	Building				Parking/Drives	
	TH 55	Autumn Oaks Drive	South	West	Street	Side/Rear
Required	35ft.	35ft.	15ft.	25ft.	15ft.	5ft.
Proposed	38ft.	67ft.	16ft.	34ft.	22ft	4ft.

Section 1001.05, Subd. 4.H.15 of the Zoning Ordinance requires off-street parking stalls and drive aisles to be setback a minimum of 5 feet of side or rear lot lines. The proposed off-street parking area is setback only 4 feet from the south lot line. Mr. Ritten is proposing to expand the drive surface along the south side of the building to the lot line to increase circulation area. As the subject site is a non-conforming lot that does not meet area or width requirements, and the shape of the lot is trapezoidal narrowing from east to west, development of the lot is challenging for a building, circulation, and parking standpoint. Expanding the parking surfaces to the south of the building within the required side yard setback is appropriate to allow for a reasonable use of the property where the building itself complies with required setbacks. City staff supports the requested variance.

City staff recommends approval of a conditional use permit for exterior materials and a variance for parking/drive aisle side yard setbacks for the site and building plans at 8910 Autumn Oaks Drive. The Planning Commission should consider the applications in separate motions as the conditional use permit application is subject to City Council approval, whereas the variance request only requires action by the Planning Commission acting as the Board of Adjustment.

Chair Werman opened the public hearing at 7:04 p.m.

No one from the public spoke.

Chair Werman closed the public hearing at 7:05 p.m.

The Planning Commission discussed and retaining wall and agreed with the Planner's recommendation with the following conditions:

**MOTION** was made by Werman, seconded by Cihlar to approve of the proposed conditional use permit with the eight conditions as discussed.

**MOTION** was made by Werman, seconded by Cihlar to recommend approval of the proposed conditional use permit with the eight conditions as discussed.

**MOTION CARRIED** – VOTING IN FAVOR – WERMAN, PETERSEN-BIORN, CIHLAR, MORTER, and SAND

The recommendation from the Planning Commission will be submitted to the City Council at their upcoming July 28, 2020 regular meeting for final approval or denial.

### **SET AGENDA AND APPROVE CONSENT AGENDA ITEMS**

**MOTION** was made by Sand, seconded by Petersen-Biorn to set the agenda and accept the December 12, 2019 Regular Planning and Zoning Commission Minutes.

**MOTION CARRIED** – VOTING IN FAVOR – WERMAN, PETERSEN-BIORN, CIHLAR, MORTER, and SAND

### **OPEN FORUM**

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

### **NEW BUSINESS**

#### **Staff Reports**

Deputy Clerk Etzel's report included: July 9<sup>th</sup> meeting will be held if an application is received by July 1<sup>st</sup>, Residential New Construction for 2020 is currently 13 homes, Commissioners Sand and Cihlar was sworn in for a three year term, Kwik Trip plans to open for business on September 24<sup>th</sup>, the Council approved the Conditional Use Permit Unit Development to Allow Car Sales at 9000 Walnut Street at their December 23<sup>rd</sup> meeting, City Hall will be closed July 3<sup>rd</sup> for the 4<sup>th</sup> of July, Rockford River Days has been cancelled and Rocktoberfest is currently planned to take place Saturday, September 26, 2020.

### **ADJOURNMENT**

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

**MOTION CARRIED** – VOTING IN FAVOR – WERMAN, PETERSEN-BIORN, CIHLAR, MORTER, and SAND

Chair Werman adjourned the meeting at 7:14 p.m.

*Submitted by Audra Etzel, Deputy Clerk*