City of Farmington 430 Third Street Farmington, MN 55024 A Proud Past - A Promising Future

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AGENDA PLANNING COMMISSION

February 14, 2017 7:00 PM City Hall Council Chambers

1. CALL TO ORDER

- (a) Election of Officers
- (b) Appointment to Committees

2. APPROVAL OF MINUTES

(a) Approval of Planning Commission Minutes

3. PUBLIC HEARINGS

- (a) Application to Amend Comprehensive Plan from Low Density Residential to Commercial and Rezone property from R-1 (Low Density Residential) to B-4 (Neighborhood Business)
- (b) Variance request to reduce the required setback for a monument identification sign within the B-2 zoning district

4. ADJOURN



430 Third Street Farmington, Minnesota 651.280.6800 - Fax 651.280.6899 www.ci.farmington.mn.us

TO: Planning Commission

FROM: Tony Wippler, Planning Manager

SUBJECT: Election of Officers

DATE: February 14, 2017

INTRODUCTION

Each year the Planning Commission is asked to elect a Chair and Vice Chair from its membership.

DISCUSSION

Commission Member Rotty served as Chair in 2016, with Commission Member Franceschelli servicing as Vice Chair.

ACTION REQUESTED

Elect a Planning Commission Chair and Planning Commission Vice Chair for 2017.



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TO: Planning Commission

FROM: Tony Wippler, Planning Manager

SUBJECT: Appointment to Committees

DATE: February 14, 2017

INTRODUCTION

The Planning Commission needs to discuss which Commissioner(s) should represent the following committees.

DISCUSSION

A) Empire / Farmington Planning Advisory Committee (EFPAC)

This committee meets periodically to discuss topics pertinent to Farmington and Empire Township. Council Member Pitcher represents the City Council on this committee. The 2016 representative was Planning Commissioner Bjorge.

B) Castle Rock Discussion Group

This Committee meets periodically to discuss topics pertinent to Farmington and Castle Rock Township. Mayor Larson represents the City Council on this committee. The 2016 representative was Planning Commissioner Franceschelli.

C) Eureka / Farmington Planning Group

This committee meets periodically to discuss topics pertinent to Farmington and Eureka Township. Council Member Donnelly represents the City Council on this committee. The 2016 representative was Commissioner Kuyper.

D) MUSA Review Committee

This committee meets periodically to discuss growth of Farmington and where the next extension of sewer will occur in the future. Council Members Donnelly and Pitcher represent the City Council on this committee. Two Planning Commission Members are needed to represent the Commission on this committee. The committee is also made up of two members from the Parks and Recreation Commission / staff and two members from the School District Board / staff. The 2016 representatives were Commissioners Rich and Kuyper.

ACTION REQUESTED

The Planning Commission should discuss and appoint who will represent the Commission on each of the above mentioned committees during the 2017 calendar year.



430 Third Street Farmington, Minnesota 651.280.6800 - Fax 651.280.6899 www.ci.farmington.mn.us

TO: Planning Commission

FROM: Tony Wippler, Planning Manager

SUBJECT: Approval of Planning Commission Minutes

DATE: February 14, 2017

INTRODUCTION

Attached, are the minutes from the January 24, 2017 special meeting.

DISCUSSION

NA

ACTION REQUESTED

Approve the minutes from the January 24, 2017 special meeting.

ATTACHMENTS:

Type Description

Backup Material January 24, 2017 Special Meeting Minutes

Planning Commission Minutes Special Meeting January 24, 2017

1. Call to Order

Chair Rotty called the meeting to order at 7:00 p.m. Members Present: Rotty, Bjorge, Franceschelli, Rich

Members Absent: Kuyper

Also Present: Tony Wippler, Planning Manager

2. Approval of Minutes

a. **MOTON** by Rich second by Franceschelli to approve the minutes of December 13, 2016. **APIF, MOTION CARRIED**.

3. Public Hearings – Chair Rotty opened the public hearings

a. Conditional Use Permit and Variance Request – Independent School District 192 ISD 192 requested a conditional use permit and variance for Akin Road Elementary School at 5231 195th Street W. The expansion would be 3,000 sq. ft. for an additional two classrooms. They have met all the requirements for a CUP.

A 50 ft. front yard setback is required from 195th Street. The school district is requesting a 5 ft. variance resulting in a 45 ft. setback.

A representative from Wold Architects explained the need for the additional classrooms is due to all day kindergarden and the learning requirements of that age group.

Commissioner Fransechelli appreciated the school staying within the footprint of their campus. He approved the request.

Commissioner Bjorge appreciated the need for this addition.

Commissioner Rich asked about the relationship of the setback to the property line. Staff explained the property line runs along the south side of the sidewalk. He agreed with the request.

Chair Rotty noted the timing of the request is appropriate now that the roundabout is finished. Schools are a conditional use in the R-1 zoning district and prove to be good neighbors. There are no issues with site lines so he also supports the request.

MOTION by Franceschelli, second by Bjorge to close the public hearing. APIF, MOTION CARRIED. MOTION by Bjorge, second by Rich to approve the conditional use permit and variance for the expansion of the school building at 5231 195th Street W with the condition they obtain all necessary building permits. APIF, MOTION CARRIED.

Planning Commission Special Minutes January 24, 2017 Page 2

b. Conditional Use Permit Request - Independent School District 192

School District 192 requested a conditional use permit for an addition to Farmington Elementary School at 500 Maple Street. The property is zoned R-2 and schools are a conditional use in this district. The school district would like to add 3,000 sq. ft. for two additional classrooms on the southeast corner of the building. The proposal meets all the setbacks and lot coverage requirements. All the requirements for a conditional use permit have been met.

Commissioners supported the request.

MOTION by Franceschelli, second by Rich to close the public hearing. **APIF**, **MOTION CARRIED. MOTION** by Franceschelli, second by Rich to approve the conditional use permit for the expansion of the school building at 500 Maple Street. **APIF**, **MOTION CARRIED**.

4. Discussion

a. B-2 Downtown Business District Lot Area and Width Requirements

The city's downtown business District (B-2) has minimum requirements for lot size of 5,000 sq. ft. and width of 50 ft. Any expansion or development of these lots would require a variance. Downtowns are unique and also the lots. The majority of downtown lots do not meet these requirements. Staff recommended changing the ordinance so that we would not have minimum lot width and area requirements for the B-2 district. A number of other communities also do not have these requirements.

Chair Rotty asked what area this would cover. It would be approximately from First Street to Fifth Street and Willow Street to Spruce Street. Chair Rotty explained changing this ordinance would make the city more business friendly by not requiring a variance. Staff did not see any negatives to doing this.

Commissioner Rich asked about the delay that would be incurred if this was not changed. It is typically a six to nine-week delay. A lot of variances have not been issued. This requirement is typically not found in downtown districts. Commissioner Rich asked if there are any tools we would be giving up, or are there ways staff would not be supported. Staff explained if it were a re-development the applicant would go through a site plan approval. If there is a change of use, they would need a conditional use permit. All of these would be reviewed by the commission. Commissioner Rich agreed with removing barriers.

Commissioner Franceschelli asked what is to prevent a lot owner splitting his property down to a smaller size and putting in a second business. Staff stated then it becomes a matter of function and will their proposal work in the space. If the change is made, they could do a lot split which is approved administratively. If it is a new building, the site plan would come to the commission. The downtown lots are small already, so staff doesn't expect this would happen. Commissioner Franceschelli stated if a property owner put in a small bistro and decided to wall off half of it and have another business on the side, would that would be acceptable. Staff stated it would. Commissioner

Planning Commission Special Minutes January 24, 2017 Page 3

Franceschelli was not sure he would support this, but is willing to listen. Staff noted height requirements would not be changed, only width and lot coverage.

Commissioner Bjorge stated the setbacks are zero feet. Could you really have two buildings on an existing lot? Staff explained we do allow 100% lot coverage in the downtown. If someone bought two lots downtown, they would do a lot combination through the county. Commissioner Bjorge asked what the triggers would be if a proposal did not conform to the downtown. Staff stated we do have downtown design standards for any new commercial property. Commissioner Bjorge was comfortable with the proposal as long as staff has triggers to fall back on. This does not change the vision of the downtown and gets rid of some hurdles.

Chair Rotty asked about the timing for this change. Staff would like to bring it to the commission's February meeting for a public hearing. Chair Rotty noted commissioner Kuyper is not here for this discussion and commissioner Rich will not be at the February meeting. He asked if the business owners should have an opportunity to weigh in before a change is made. Staff will contact the businesses for any comments before bringing this back.

5. Adjourn

MOTION by Franceschelli, second by Bjorge to adjourn at 7:39 p.m. **APIF, MOTION CARRIED**.

Respectfully submitted,

Cynthia Muller

Administrative Assistant



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TO: Planning Commission

FROM: Tony Wippler, Planning Manager

SUBJECT: Application to Amend Comprehensive Plan from Low Density Residential to

Commercial and Rezone property from R-1 (Low Density Residential) to B-4

(Neighborhood Business)

DATE: February 14, 2017

INTRODUCTION

Mr. Craig Bongard has submitted an application to amend the city's 2030 Comprehensive Plan from Low Density Residential to Commercial and rezone property from R-1 (Low Density Residential) to B-4 (Neighborhood Business). The subject property is 20522 Akin Road. Please see attached location map.

DISCUSSION

Planning Division Review

Site Address: 20522 Akin Road

Property Owner / Applicant: Craig Bongard

Attachments:

- Location Map / Zoning Map
- Comprehensive Plan Amendment Application
- Rezoning Application
- Aerial of property

Lot Size: 4.79 acres

Existing Zoning: R-1 (Low Density Residential)

2030 Comprehensive Plan Guidance: Low Density Residential

Surrounding Land Uses: Single-family residences are located to the north and west of the subject property. Farmington Lutheran Church is located to the south and farmland is adjacent to the east.

Background / Review

On August 10, 1976 the city's Planning Commission granted a special exception permit for the property located at 20522 Akin Road to allow Equipment Maintenance & Storage, Non-commercial on this site. The definition for Equipment Maintenance & Storage, Non-commercial was established by ordinance No. 076-39 and reads as follows:

"Equipment Maintenance & Storage, Non-commercial: A building in which is exclusively maintained,

repaired or stored, only equipment which is owned and used by the same individual, firm, or organization that owns, rents, leases or occupies the building and in which no maintenance, repair or storage of equipment is performed for any other party or person."

A special exception permit is similar to what a conditional use permit is in today's zoning code and allows for certain uses of property after review and approval by the Planning Commission. Special exception permits, like conditional use permits, run with the land. Special exceptions no longer exist in the city's zoning ordinance as uses and therefore cannot be amended.

The property has been used in the recent past for Mr. Bongard's trucking operation in accordance with the aforementioned special exception permit.

Comprehensive Plan & Zoning Amendment Request

Mr. Bongard is requesting an amendment to the city's 2030 Comprehensive Plan as well as a rezoning of the property located at 20522 Akin Road. The request is to amend the Comprehensive Plan from a Low Density Residential designation to a Commercial designation and to rezone the property from R-1 (Low Density Residential) to B-4 (Neighborhood Business). It is Mr. Bongard's belief that a B-4 zoning for the property would afford him the opportunity to sell the property as many of the inquiries for the property are for uses that can be found in the B-4 zoning classification.

It should be noted that Mr. Bongard applied for a Comprehensive Plan amendment and rezoning for this same property in 2016 to Commercial and B-3 (Heavy Business), respectively. These applications were denied by the City Council due in large part because the request did not fit into the character of the surrounding neighborhood. The B-3 zone is a high intensity commercial zoning district and the uses within that district generally are in compatible with the other commercial zones such as the B-4.

The purpose statement for the B-4 zone is as follows:

"The B-4 neighborhood business district is intended to provide a setting for low to medium density housing combined with complementary and supporting business land uses that serve a neighborhood and are developed and operated in harmony with the residential characteristics of a neighborhood."

The permitted and conditional uses currently allowed under the B-4 zoning district are as follows:

Permitted

- Dental laboratories
- Neighborhood services
- Nonprofit recreational, cultural and entertainment uses
- Offices
- Personal and professional services, less than 3,000 square feet
- Personal health and beauty services, less than 3,000 square feet

Conditional

- Animal clinics
- Child daycare facilities, commercial
- Churches
- Clinics
- Data centers
- Dwellings, multi-family
- Funeral homes
- Health clubs

- Light manufacturing facilities
- Ministorage units
- Personal and professional services, greater that 3,000 square feet
- Personal health and beauty services, greater than 3,000 square feet
- Public and parochial schools
- Public utility buildings
- Recreational vehicle storage facilities

It is important to note that a change in the zoning of this property to a B-4 classification would entitle this property to any of the aforementioned uses in the future.

It is staff's opinion that the uses allowed in the B-4 zone are of an intensity that is compatible with the uses surrounding this property, which are largely residential. To broaden this point even further, the purpose statement for the B-4 zone states that the district is intended to allow complementary and supporting business land uses that serve a residential neighborhood.

It is staff's recommendation that the Planning Commission recommend approval of the requested Comprehensive Plan Amendment and Rezoning of the property located at 20522 Akin Road as the request is consistent with the purpose statement of the B-4 code provision.

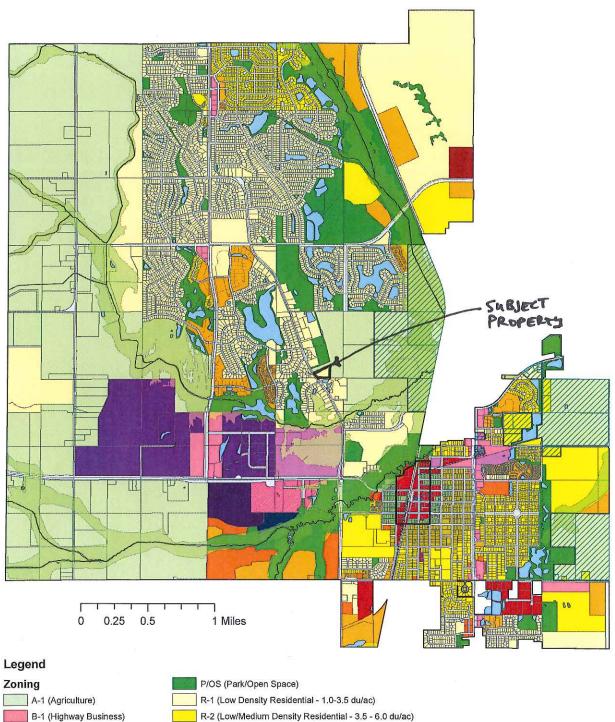
ACTION REQUESTED

Recommend approval of the requested Comprehensive Plan Amendment and Rezoning and forward that recommendation on to the City Council.

ATTACHMENTS:

	Type	Description
D	Backup Material	Location map / zoning map
D	Backup Material	Comprehensive Plan amendment application
D	Backup Material	Rezoning application
D	Backup Material	Aerial of property

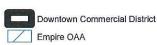
Farmington Zoning Map



R-2 (Low/Medium Density Residential - 3.5 - 6.0 du/ac) B-1 (Highway Business) B-2 (Downtown Business) R-3 (Medium Density Residential - 6.0-12.0 du/ac) B-3 (Heavy Business) R-5 (High Density Residential - 12.0+ du/ac) B-4 (Neighborhood Business) R-D (Downtown Residential) **Business/Commercial Flex** R-T (Downtown Transitional Mixed Use) I-1 (Industrial) ROW (Right-of-Way) IP (Industrial Park) SSC (Spruce Street Commercial) Mixed-Use Water Mixed-Use Commercial/Residential Other







Map dated December 30, 2015. Prepared for the City of Farmington Community Development Department by the Dakota County Office of GIS.



City of Farmington
430 Third Street
Farmington, Minnesota
651.280.6800 • Fax 651.280.6899
www.ci.farmington.mn.us

JAN 12 2017

PETITION FOR COMPREHENSIVE PLAN AMENDMENT

Applicant: Craig Boros	Circl Telephone: () Fax: ()						
Address: 20522 CKIT	? KOL TOUS. NAS. 550027						
Street	City State Zip Code						
Owner: Craig Boncar	Telephone: 612 950 62 Fax: (_)						
Mailing Address: 2935 Plan Street	City State Zip Code						
	Kin Rd, Fryn, Mn, 55004 n (lot, block, plat name, section, township, range)						
Current Comprehensive Plan Designation: 10W density residentical Proposed Comprehensive Plan Designation: Commercial							
I understand that a public hearing is required as well as a published notice of hearing, for which I hereby attach payment of the fee in the amount of \$, which I understand further will be refunded if no meeting is scheduled. Signature of Owner Date							
Request Submitted to Planning staff on_	For office use only						
Public Hearing Set for:	Advertised in Local Newspaper:						
Planning Commission Action: City Council Action (if necessary):	ApprovedDeniedDeniedDenied						
Comments:							
Conditions Set:							
Planning division:	Date:						
In accordance with Title 10, Chapter 3, Section 12 of							



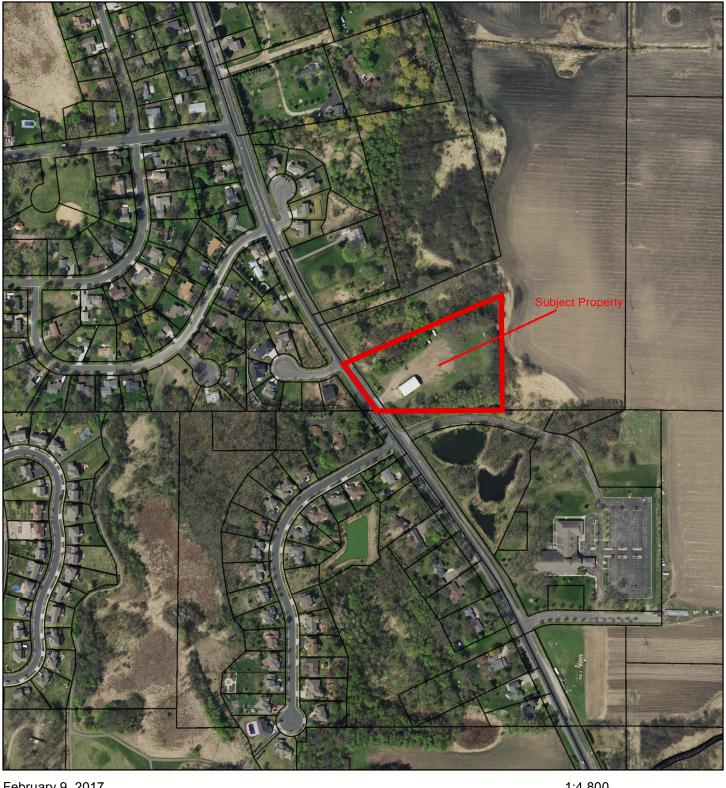
In accordance with Title 10, Chapter 3, Section 12 of the City Code.

City of Farmington 430 Third Street Farmington, Minnesota 651.280.6800 · Fax 651.280.6899 www.cl.farmington.mn.us

JAN 1 2 2017

PETITION FOR REZONING APPLICATION						
Applicant: CVOLO BOOGYO Telephone: () Fax: ()						
Address: 20522 akin Rol, Fgth, Mn., 55024 Street City State Zip Code						
- Como Bongard 42 860 6298						
Mailing Address: City State Zip Code						
Premises Involved: 20522 OKIN Rd, Fatty, Mn 55024 Address/ Legal Description (lot, block, plat name, section, township, range)						
Current Zoning R-1 Proposed Zoning B-4						
I understand that a public hearing is required as well as a published notice of hearing, for which I hereby attach payment of the fee in the amount of \$						
Request Submitted to Planning staff on Advertised in Local Newspaper:						
Planning Commission Action: Approved Denied City Council Action (if necessary): Approved Denied						
Comments:						
Conditions Set:						
Planning division: Date:						

Dakota County, MN



> Property Information Dakota County



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TO: Planning Commission

FROM: Tony Wippler, Planning Manager

SUBJECT: Variance request to reduce the required setback for a monument identification sign

within the B-2 zoning district

DATE: February 14, 2017

INTRODUCTION

The applicant, Dakota County, is seeking variance approval to reduce the required setback for a monument identification sign within the B-2 (Downtown Business) zoning district. The subject property is the Farmington Library and is located at the address 508 Third Street.

Planning Division Review

Site Address: 508 Third Street

Property Owner / Applicant: Dakota County - 1590 Hwy 55, Hastings, MN 55033

Attachments:

- Variance application
- Site plan
- Sign plan/elevation

Legal Description: All of Lots 1 thru 5, Block 8, Town of Farmington

Site Area: 55,511 Square feet (1.27 acres)

Existing Land Use: Public/Semi-Public (Library)

Surrounding Land Uses: Single-family residences to the south, commercial and multi-family adjacent to the east, storage buildings for the grain elevator to the west, and City Hall adjacent to the north.

Existing Zoning: B-2 (Downtown Business)

DISCUSSION

The applicant, Dakota County, has submitted a variance application to reduce the required setback for a monument identification sign within the B-2 zoning district.

The applicant is proposing to replace the existing monument identification sign that is currently located at the northeast corner of the subject property with a new updated sign. The proposed sign as depicted in the attached sign plan / elevation sheet would have a sign area of approximately 36 square feet and an overall height of approximately 6-1/2 feet. Section 10-6-3(B)3(b) permits monument identification signs up to 100 square feet in sign area and a maximum height of 10 feet. The proposed sign meets these requirements.

However, the aforementioned section of code also requires that the sign must be setback minimum of 10 feet from the property line an cannot be located within the 30 foot triangle of visibility at a street intersection. The applicant would like to place the sign 10 feet from the property line along 3rd Street and 4 feet 3 inches from the property line along Spruce Street (see attached site plan). Therefore, the applicant is requesting a variance of approximately 5 feet and 9 inches from the setback along Spruce Street. It should be noted that the proposed sign would be closer to compliance with the required setback than the existing monument sign that is currently on site. The existing monument sign has almost no setback from the property lines. The proposed location of the sign would not be within the 30 foot triangle of visibility at the intersection of Third Street and Spruce Street.

The Planning Commission acting as the Board of Adjustment may not approve a variance request unless it is found that "practical difficulties" exist using the following criteria:

- 1. Because the particular physical surroundings, or shape, configuration, topography, or other conditions of the specific parcel of land involved, strict adherence to the regulations of this title would cause practical difficulties. Economic consideration alone does not constitute practical difficulties. Due to how the parking lot is sited on the property there is little room between the parking lot and property lines to meet the required 10 foot setback from the property lines, especially along Spruce Street. In order to meet the setback along Spruce Street a portion of the parking lot would have to be removed.
- 2. That the variance would be consistent with the comprehensive plan. The subject property is guided as public/semi-public in the 2030 Comprehensive Plan. Having a monument identification sign for this type of use (library) is not inconsistent with the comprehensive plan.
- 3. That the variance would be in harmony with the general purposes and intent of this title. It is staff's opinion that the variance as requested is in harmony with the general purpose and intent of this title. As stated in the memorandum, the proposed sign would be closer to meeting the required setbacks than the existing monument identification sign on site.
- 4. The conditions upon which a variance is based are unique to the parcel of land for which the variance is sought and are not applicable, generally, to other properties within the same zoning classification. A majority of the commercial sites within the B-2 district do not have monument identification signs due in large part to the placement of the buildings near the property lines. Most commercial businesses in the downtown utilize wall signage. This site is unique in the downtown in that is does have a substantial parking lot in the front of the building and does have some room for placement of a monument identification sign. However, being the site was developed prior to the current sign regulations being in place there is not enough landscaped area left around the parking lot to accommodate a 10 foot setback from the property line along Spruce Street.
- 5. The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the parcel of land. The difficulty was not created by the applicant. The property was sited and developed prior to the library being located at the site. The property was also developed prior to the current sign code requirements being in place.
- 6. The granting of the variance will not alter the essential character of the locality or be injurious to other property in the vicinity in which the parcel of land is located or substantially diminish property values. The granting of the requested variance will not alter the essential character of the locality. The proposed sign will be replacing an existing sign.
- 7. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or public safety. *The variance request will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or public safety.*

- 8. The requested variance is the minimum action required to eliminate the practical difficulties. *This is the minimum action necessary to eliminate the practical difficulty.*
- 9. Variances may not be approved for any use that is not allowed under this title for property in the zone where the affected person's land is located except that the temporary use of a one-family dwelling as a two-family dwelling may be authorized by variance. The subject property is zoned B-2 (Downtown Business) and public buildings are a permitted use. The property is currently being utilized as a public library. This will not change with the approval of the requested variance. Monument identification signs are allowed in the B-2 zoning district.

ACTION REQUESTED

Staff recommends approval of the requested variance to reduce the required setback for a monument identification sign at the property located at 508 Third Street, subject to the following contingency:

1. Submittal and approval of a sign permit application.

ATTACHMENTS:

	Туре	Description
D	Backup Material	Variance application
D	Backup Material	Site plan
D	Backup Material	Sign plan / elevation

JAN 18 2017



Planning division:

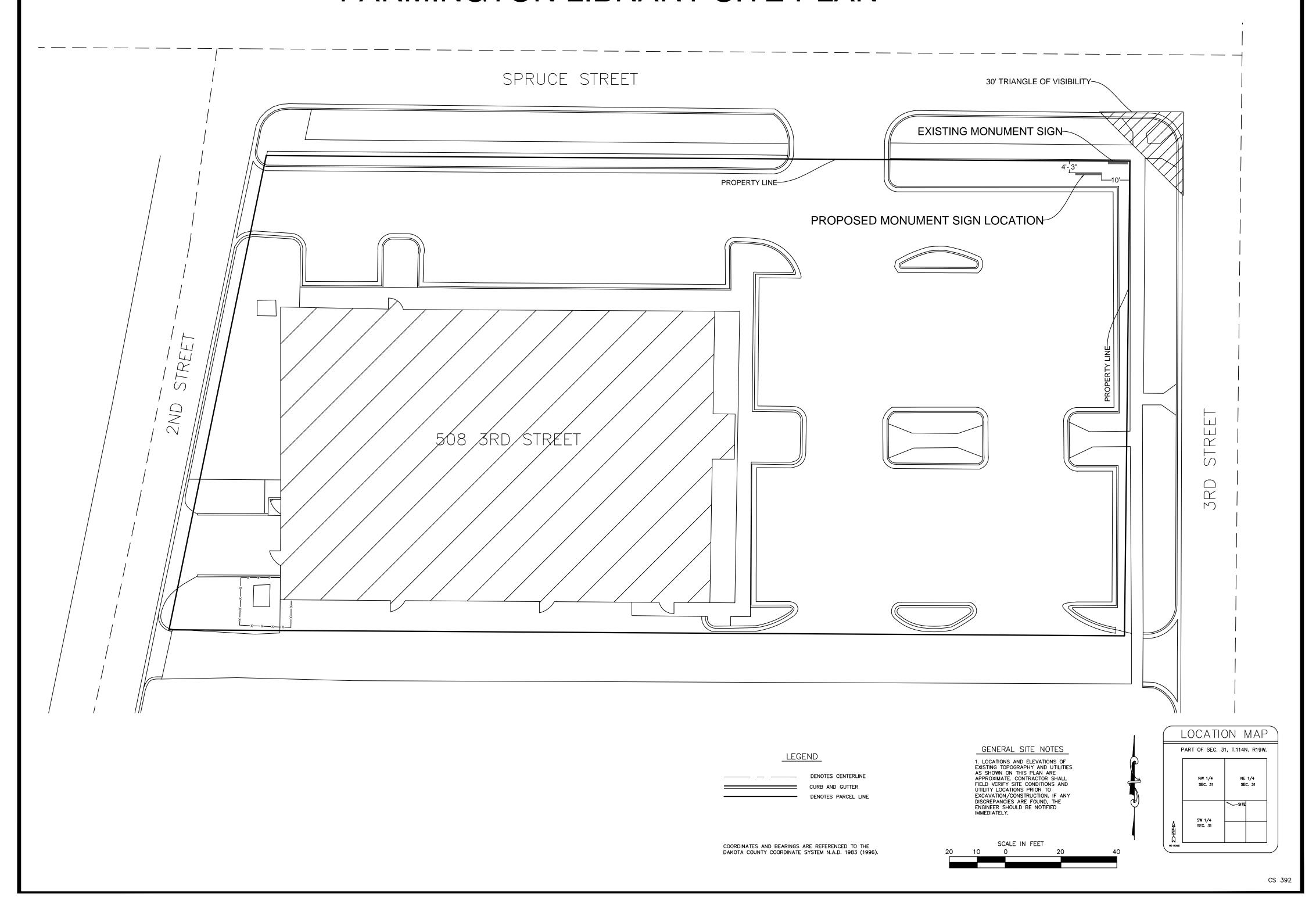
City of Farmington
430 Third Street
Farmington, Minnesota
651.280.6800 · Fax 651.280.6899
www.ci.farmington.ann.us

VARIANCE APPLICATION									
Applicant	Dennis Freiermuth [Dakota Co. Capital Projects Teleph	none: (651)	438-4672	Fax: (651)	438-8455			
Address:	1590 Hwy 55	Hastings		MN		55033			
	Street	City		State		Zip Code			
Owner: _	County of Dakota	Telepho	one: (<u>651</u>)_	438-4672	Fax: (<u>651</u>)_	438-8455			
Address: _	1590 Hwy 55	Hastings		MN		55033			
. –	Street	City		State		Zip Code			
Premises I	Involved: 508 T	Third St./ Lots 1 thru 8, Block 8, Tov	wn of Farmir	ngton, 31,114N	ı.19W				
E R Various	111 TOI TOU.	Legal Description (lot, block, plat n		• • •	•				
Current Zo	oning District	B-2 Current	t Land Use	Downtowr	n Business				
Specific Nature of Request / Claimed Practical Difficulties: Replacement of existing monument sign within required 10' setback / Boulevard configuration will not allow proposed new sign location to be outside required setback. Proposed new sign location will have a greater setback than the current monument sign. SUBMITTAL REQUIREMENTS						f i			
Sionature	onas Juna of Property Owner	nno CPM /-13-17 Date	Signature	of Applicant	M.				
Digitary	of Froperty C	~ ****	DIE MAN	or whhree					
	Submitted to the Plar earing Set for:	anning Commission on		lvertised in L	ocal Newspape	For office use onl	ly _		
Planning (Commission Action	n:Approved		_Denied	Fee Paid \$200 – C	d City of Farmington			
Comment	:s:					Pakota County Recorde	er 		
Condition	s Set:						- -		

Date: _

9/06

FARMINGTON LIBRARY SITE PLAN



Design A

