



**Norwood Young America Planning Commission**  
**6:00 p.m., Tuesday, April 2, 2024**  
**Norwood Young America City Council Chambers, 310 Elm St. W.**

**AGENDA**

1. Call to Order  
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of February 6, 2024
4. Introductions, Presentations, and Public Comment  
(Citizens may address the Planning Commission about any non-agenda item of concern. Speakers must state their name, address, and limit their remarks to three minutes. The Planning Commission will take no official action on these items but may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting.)
5. Public Hearing
  - A. Variance for 110 Main Street E
  - B. CUP for 250 Industrial Blvd
  - C. Comprehensive Plan Amendment – Future Land Use Map
  - D. Rezoning of all of B-1 Business Industrial to I-1 Light Industrial, and Rezoning of PIDs 586520890, 580760120, and 586530440 from R-1 Low-Density Single Family Residential to P-1 Parks/Open Space
6. Business
7. Miscellaneous
  - A. Building Permit Report
8. Commissioner’s Reports
9. Next Planning Commission Meeting – Tuesday, May 7, 2024, at 6 p.m.
10. Adjourn

**Jerry Barr**  
**Timon Dammann**  
**Mike Eggers**  
**Bill Grundahl**  
**Paul Hallquist**  
**Craig Heher**  
**Charlie Storms**

**UPCOMING MEETINGS**

April 8 <sup>th</sup>	City Council Meeting	6:00 PM
April 10 <sup>th</sup>	Economic Dev. Commission Meeting	6:00 PM
April 16 <sup>th</sup>	Park and Rec Commission Meeting	5:30 PM
April 18 <sup>th</sup>	Sr. Advisory	9:00 AM
April 22 <sup>nd</sup>	Workshop/EDA/City Council Meeting	5:00 PM/6:00 PM
May 7 <sup>th</sup>	Planning Commission	6:00 PM

Norwood Young America  
Planning Commission Minutes  
February 6, 2024

Present: Commissioners Craig Heher, Charlie Storms, Jerry Barr, Mike Eggers, Paul Hallquist, Timon Dammann  
Absent: Bill Grundahl  
Staff: Karen Hallquist, Community & Economic Dev Director, City Planner Hannah Rybak (WSB)  
Public: Mike Yeager, Josh Eckstein (Bolton & Menk)

1. Call to Order.

The meeting was called to order by Chair Heher at 6:00 pm. All those present stood for the Pledge of Allegiance.

2. Adoption of Agenda.

*Motion: CS/ME to approve agenda with the addition of 6.A. Medium Density. Motion passed 6-0.*

3. Approve Minutes of January 2, 2024.

*Motion: ME/JB to approve the minutes as written. Motion passed 6-0.*

4. Introductions, Presentations, and Public Comment – none

5. Public Hearing

A. Preliminary and Final Plat for Tacoma West Industrial Park 5<sup>th</sup> Addition

- Heher opened the public hearing at 6:02pm
- Rybak reviewed the request for seeking prelim and final plat approval for TWIP 5<sup>th</sup> Addition – 5<sup>th</sup> Addition refers to the plat, TWIP Phase 2 refers to the development.
- Plat includes the creation of Tacoma Trail, Tacoma Court, and Outlots A and B for future lots.
- Standard drainage and utility easements will be dedicated as each lot is platted.
- Park dedication land/fees will be waived as this is an economic development project where public funding and subsidies are utilized.
- ROW standards were identified.
- All criteria for prelim and final plats were met according to the Comp Plan, City Code, design standards, land surveyor and application.
- Eckstein reviewed the public utilities – The SAC/WAC will be extended from the current TWIP southeast corner.
- There will be one regional stormwater facility rather than each individual, and wetland delineation was completed with the result of no wetlands.
- There is ag drainage through the property that will be rerouted to hook up to existing private lift station.
- Grading will be drained to the basins with flow into Bevens Creek.
- Staff noted one NYA citizen stopped in city hall for clarification on the plat. No other comments for or against the project were made.

*Motion: CS/ME to close the public hearing at 6:20pm.*

*Motion: JB/CS to recommend that the City Council approve the requested preliminary and final plat for Tacom West Industrial Park 5<sup>th</sup> Addition. Motion passed 6-0.*

6. Business

A. Medium Density

- Rybak shared the NYA Future Land Use Map and suggested land to be re-guided for Medium Density to satisfy Met Council requirements. A public hearing will be held at a future meeting.

7. Miscellaneous

A. Building Permit Report - none

8. Commissioner's Reports - none

9. Next Planning Commission Meeting – Tuesday, March 5, 2024, at 6 p.m.

A. Change in March Meeting Date – due to PNP Elections

*Motion: ME/CS to change the March meeting date to Wednesday, March 6<sup>th</sup> at 6pm. Motion passed 6-0.*

10. Adjourn

*Motion: CS/ME to adjourn. Motion passed 6-0.*

Respectfully Submitted,

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Karen Hallquist, Community & Economic Development Director



TO: NYA Planning Commission

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: March 27, 2024  
Planning Commission Regular Meeting April 2, 2024

REQUEST: Request for a variance to create a lot without frontage on a public street at 110 Main St. E.

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**SUBJECT PROPERTY:** 110 Main St. E

**ZONING:** The property is zoned C-3 Downtown District.

**LAND USE:** The current use of the property is commercial and single-family residential. The Future Land Use Map within the 2040 Comprehensive Plan guides this property for Downtown Mixed-Use.

### **OVERVIEW OF THE REQUEST**

The applicant, Patrick Kohls, has applied for a variance on behalf of his parents Lowell and Charlene Kohls. The property owners have owned the property for over 50 years. The lot is unique in that it contains two principal structures; a single-family home (Lowel and Charlene's family home) and a commercial building (Tanglez Salon). The use of the property (two principal structures, one being a single-family residence) is considered legal non-conforming, as it was developed in 1948 and predates the City's Zoning Ordinance.

The Kohls are currently looking to sell their property. To sell the property as it exists today (with two principal structures on one lot), a potential buyer would require a commercial loan to purchase the property. Neither of the current renters of the buildings are interested in purchasing the two buildings as a pair. Due to this challenge, the Applicant would like to split the current lot into two smaller lots - each containing one building.

The Applicant did not provide a site plan showing the proposed lot split, but indicated that ideally the proposed property line would be placed in the middle of the two structures. The new lot line would run east-west and be approximately five feet from the edge of each structure.

A variance would be necessary prior to any lot split due to NYA's Code of Ordinances Section 1130.09 Subd. 2, which states that "all lots shall front upon a publicly dedicated street." Currently, the parcel has frontage on 110 Main St. E. A lot split would result in the residence parcel not having any frontage along a publicly dedicated street. The house currently fronts and accesses from the alley to the west of the property, but the alley is not considered a publicly dedicated street.

If a variance is granted to account for the lack of frontage for the proposed residence parcel, the lot split would be eligible for an administrative lot split. The Applicant would need to work with a surveyor to prepare the necessary documents to submit for the lot split for staff's approval. If the variance is

denied, the Applicant would not need to proceed with preparing those plans, because a lot split cannot be approved without accounting for the residence parcel's lack of frontage.



**GENERAL ZONING REVIEW**

The current use of two primary structures on one lot is classified as a legal non-conforming use. Additionally the use as a single-family residence is also classified as legal, non-conforming in the C-3 Downtown District, as single-family homes are not currently permitted in the zoning district. The potential separation of the buildings on to individual parcels would not impact the existing legal non-conforming status.

*1230.10 Subd. 5 Lot Requirements and Setbacks.* The following requirements and setbacks are the minimum amount allowed in the C-3 District, with the exception of "Lot Coverage" and building height, which shall be the maximum amount allowed:

Requirement	Minimum/Maximum
Lot Area	No min. established
Lot Width	Non min. established
Lot Coverage	No max. established
Building Height	35 ft (principal structure)
<i>Principal Structures</i>	
Front Yard Setback	0 ft

Side Yard Setback	0 ft
Side Yard Setback	5 ft if adjacent to residential district
Street Side Yard	0 ft
Rear Yard	10 ft if adjacent to a residential district or alley

The requested variance and future subdivision of the lot will not cause the properties to violate any of the relevant zoning standards.

**ENGINEERING CONSIDERATIONS**

- Currently there is only one sewer and water service to the property.
- The Applicant would need to install a sewer and water service, with meter, to the residence. It looks like utility services can be installed under the alley from Main Street.
- They will also need to remove the existing utility lines between the buildings.
- Access from a public street is always preferable, but in this case the residential property has always functioned with access from the alley. There is no issue with this continuing.

**VARIANCE REVIEW**

The City Council may grant variances from the literal provisions of this Ordinance where their strict enforcement would cause practical difficulties because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in harmony with the general purpose and intent of this Ordinance, and consistent with the comprehensive plan.

**Criteria for Approval of Variances**

The Planning Commission is required to examine the request under a series of general standards as set forth under Section 1210.04 Variance, Subd. 1:

A. *Practical Difficulties. Practical difficulties as used in connection with the granting of a variance means that:*

1. *The property owner proposed to use the property in a reasonable manner not permitted by the zoning ordinance.*

The Applicant’s proposal will keep the existing uses of each existing structure the same. A variance eliminating the frontage requirement for the home would not fully isolate the home. An alley provides access to two public roads for the house. The request is reasonable given the existing conditions on site. **Criterion met.**

2. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The circumstances on the property (two principal uses) were constructed long before the current Zoning Ordinance was adopted and the current owners taking possession of the lot. **Criterion met.**

3. *The variance, if granted, will not alter the essential character of the locality.*

The requested variance will have no impact on the use or function of the property. **Criterion met.**

B. *Economic Considerations. Economic considerations alone shall not constitute a practical difficulty.*

While the trigger for the variance request is related to the sale of the property, the variance will also allow the issue of two principal uses on one property to be resolved, as the result of the variance request would be a lot split that would allow each use to be sited on its own parcel. **Criterion met.**

C. *The variance is in harmony with the purpose and intent of the Ordinance.*

The intent of the requirement that all parcels have frontage on a public street is to ensure adequate access to each parcel. The residence is currently accessed using the alley. That would remain the case following variance approval. **Criterion met.**

D. *The variance is consistent with the comprehensive plan.*

The variance is consistent with the 2040 Comprehensive Plan to retain the area as Downtown Mixed-Use. **Criterion met.**

### **RECOMMENDED ACTION**

Based on the information in the submitted application and findings in this report, staff recommends that the Planning Commission **recommend approval** of the requested variance, subject to the following conditions:

1. The Applicant shall install a sewer and water service, with meter, to the residence prior to the recording of the future lot split.
2. The Applicant shall remove the utility lines between the buildings following the new sewer and water connections to the residence.

### **Attachments:**

- Application and Plans



# Planning and Zoning Application

City of Norwood Young America  
 310 Elm St. W, PO Box 59  
 Norwood Young America, MN 55368  
 Phone: (952) 467-1800 Fax: (952) 467-1818

Applicant's Name <i>Patrick R Kohls</i>	Telephone <i>612-708-4111</i>																														
Address (Street, City, State, ZIP)																															
Property Owner's Name (If different from above) <i>Lowell + Charlene Kohls</i>	Telephone <i>612-839-9548</i>																														
Location of Project <i>110 + 110 1/2 East Main St. NYA 55397</i>																															
Legal Description																															
Description of Request (Attach separate sheet, if necessary) <i>We would like to separate the properties so they are each on their own lot. It is close to impossible to sell the properties together with one being commercial and one residential. Most lenders will not look at financing them in the current situation.</i>																															
<p style="text-align: center;"><b>Proposed Action(s): Check all that apply</b></p> <table style="width:100%; border: none;"> <tr> <td style="width:33%;"><input type="checkbox"/> Annexation \$300.00</td> <td style="width:33%;"><input checked="" type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow</td> <td style="width:33%;"><input type="checkbox"/> Storm Water Plan \$250.00</td> </tr> <tr> <td><input type="checkbox"/> Application for Appeal \$150.00</td> <td><input type="checkbox"/> Sketch Plat \$200.00 + Escrow</td> <td><input type="checkbox"/> Rezoning \$400.00</td> </tr> <tr> <td><input type="checkbox"/> City Code Amendment \$250.00</td> <td><input type="checkbox"/> Site Plan \$300.00 + Escrow</td> <td><input type="checkbox"/> Street/Alley Vacation \$300.00</td> </tr> <tr> <td><input type="checkbox"/> Parking Reduction \$100.00</td> <td><input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow</td> <td><input checked="" type="checkbox"/> Recording Fee \$46.00</td> </tr> <tr> <td><input type="checkbox"/> CUP/IUP \$300.00 (Residential)</td> <td><input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow</td> <td><input type="checkbox"/> Boundary Line Adjustment \$100.00</td> </tr> <tr> <td><input type="checkbox"/> CUP/IUP \$300.00 (Non-Residential)</td> <td><input type="checkbox"/> PUD Final Plan \$300.00 + Escrow</td> <td><input type="checkbox"/> Other _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Variance \$300.00 (Residential)</td> <td><input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Variance \$300.00 (Non-Residential)</td> <td><input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Lot Split \$200.00</td> <td><input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Public Hearing Notice \$75.00</td> <td><input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow</td> <td></td> </tr> </table>		<input type="checkbox"/> Annexation \$300.00	<input checked="" type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow	<input type="checkbox"/> Storm Water Plan \$250.00	<input type="checkbox"/> Application for Appeal \$150.00	<input type="checkbox"/> Sketch Plat \$200.00 + Escrow	<input type="checkbox"/> Rezoning \$400.00	<input type="checkbox"/> City Code Amendment \$250.00	<input type="checkbox"/> Site Plan \$300.00 + Escrow	<input type="checkbox"/> Street/Alley Vacation \$300.00	<input type="checkbox"/> Parking Reduction \$100.00	<input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow	<input checked="" type="checkbox"/> Recording Fee \$46.00	<input type="checkbox"/> CUP/IUP \$300.00 (Residential)	<input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow	<input type="checkbox"/> Boundary Line Adjustment \$100.00	<input type="checkbox"/> CUP/IUP \$300.00 (Non-Residential)	<input type="checkbox"/> PUD Final Plan \$300.00 + Escrow	<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Variance \$300.00 (Residential)	<input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow		<input type="checkbox"/> Variance \$300.00 (Non-Residential)	<input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow		<input type="checkbox"/> Lot Split \$200.00	<input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow		<input checked="" type="checkbox"/> Public Hearing Notice \$75.00	<input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow	
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<p>ALL ESCROW MUST BE PAID BY CERTIFIED CHECK          Escrow Deposit \$2,000.00          Escrow Deposit - Site Plan Review: \$15,000 (Tacoma West Industrial Park), \$5,000.00 (All other site plan reviews)          Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00</p> <p style="text-align: center;">ALL PLANNING &amp; ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.</p> <p style="text-align: center;">*APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*</p>																															
The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of Chapter 11 and Chapter 12 of the City Code and other applicable ordinances.																															
Applicant's Signature: <i>Patrick Kohls</i>	Date <i>3/7/24</i>																														
Fee Owner's Signature: <i>Lowell H. Kohls</i>	Date <i>3/7/24</i>																														
<b>For Office Use Only</b>																															
Accepted By: <i>[Signature]</i>	Amount <i>421-</i>																														
<i>219325</i>	Date <i>3/7/24</i>																														



3/07/2024

# NYA PLANNING COMMISSION & CITY COUNCIL

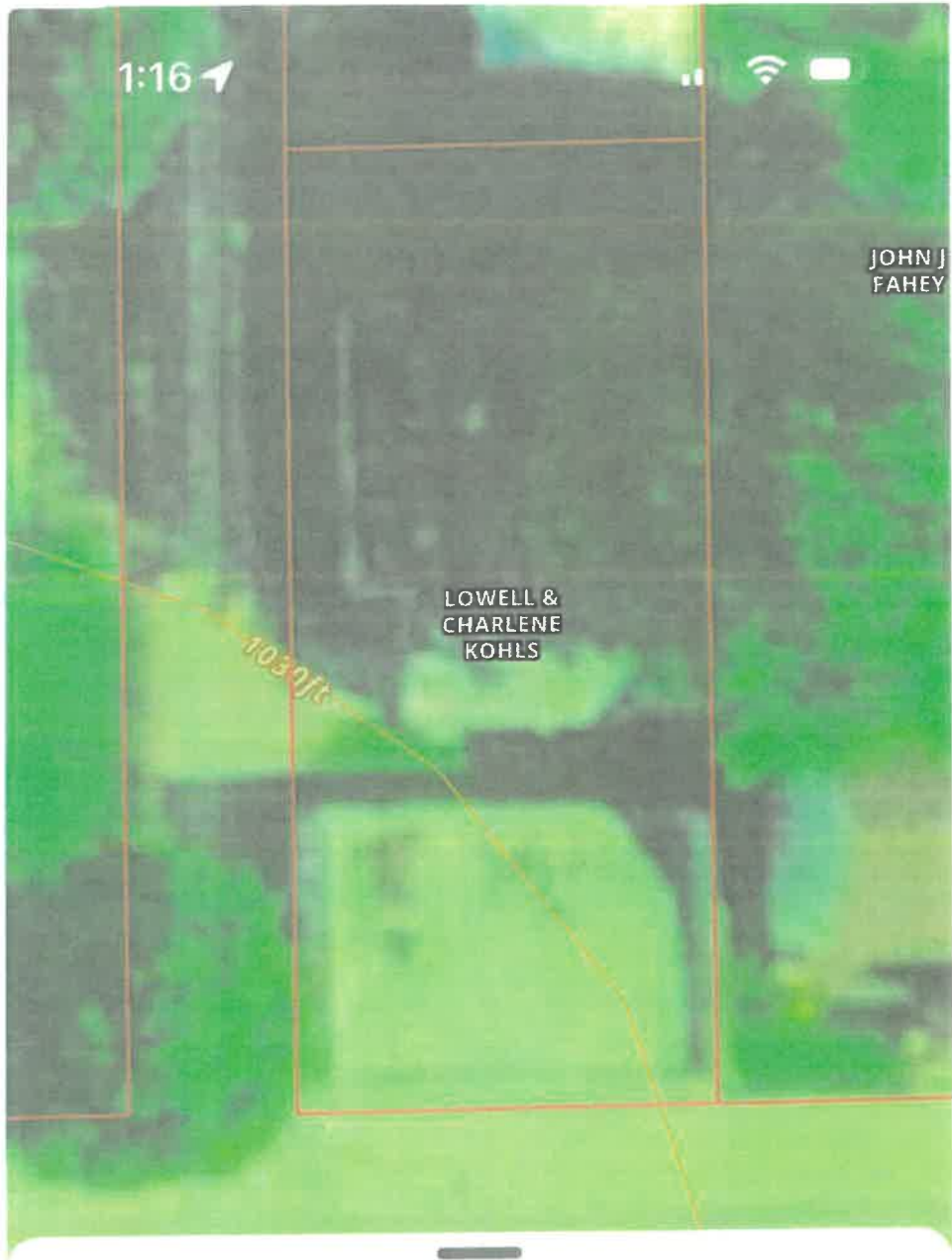
110 EAST MAIN STREET, NYA

Planning commission & City Council,

I'm writing on behalf of my parents Lowell and Charlene Kohls. They've owned the property at 110 & 110 ½ east main street, NYA for over 50 years. The property is unique by having a commercial building and a residential building on the same lot. My parents are now looking to sell the property. We have found out that it would be extremely difficult to sell the property in its current state. The purchaser would need a commercial loan to buy the property if a cash payment was not available. Our realtor told us it would be much cleaner to split the buildings so that they would each have their own lot. That way the buyer of the commercial property can get a commercial loan and the residential buyer could get a conventional mortgage. Please consider granting us this variance to do that.

SINCERELY,

PAT KOHLS



Private Lands

# Norwood Young America, Minnesota, United States

Overview Hunt... Weather

📍 44.77357, -93.92164

Copy

## Hunt Unit

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Add Waypoint

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TO: NYA Planning Commission

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: March 27, 2024  
Planning Commission Regular Meeting April 2, 2024

SUBJECT: Expert Construction – 250 Industrial Blvd.

REQUEST: Conditional use permit amendment – site modifications

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**ZONING:** The property is in process of being zoned I-1 Light Industrial

**LAND USE:** The current use of the property is industrial. The Future Land Use Map within the 2040 Comprehensive Plan guides this property for Mixed Commercial/Industrial use.

### **OVERVIEW OF THE REQUEST**

In 2002 the co-applicants Matt McIntosh of Expert Construction and David Franck of Franck Sanitation applied for and received approval for a site plan and a conditional use permit in to allow for an industrial use with outdoor storage on the parcel. The CUP was amended in February of 2002 to accommodate changes in the approved landscape plan.

In March 2003, the same co-applicants (Matt McIntosh and David Franck) applied for and received an amendment to the existing CUP. The amendment allowed for the expansion of outdoor storage and the outdoor storage of vehicles exceeding ¾ ton capacity. The outdoor storage expansion and vehicle storage was proposed to the west of the principal structure. For the benefit of adjacent property owners, the landowners erected concrete fence (i.e. wall) on the northern and southern sides of the outdoor storage area. Trees were placed on the exterior sides of the concrete fencing to shield the fence from the public view. A berm was installed to the eastern border of the lot, with additional vegetative screening installed surrounding. The City Council approved the site plan and CUP amendment after it was demonstrated through landscape and drainage plans that the fencing and berm would not affect stormwater drainage.

Today the site is owned by David Newman, who is the current owner and president of Expert Construction, Inc. Franck's Sanitation is no longer located on site. The site is still industrial in nature, with an outdoor use to the rear of the property for vehicle and equipment storage.

The business has grown and consequently needs to expand the existing outdoor storage space. The Applicant has requested to expand the footprint of the outdoor storage area by removing the existing berm. The area of the removed berm would be graveled and a new 8-foot screening fence would be constructed on the eastern property line.

### Current Conditions

The subject property is 108,996 SF. The footprint of the building is 9,060 SF. There is an outdoor storage area to the east of the building, comprised of 32,391 SF of gravel surfacing. An employee/visitor lot immediately surrounds the building on the north, west, and south – measuring 17,931 SF. The subject parcel fronts on Industrial Boulevard.

The adjacent properties to the north, west, and south are all commercial/industrial uses. The parcel abuts a single-family residential use, zoned R-1 Low Density Single Family Residential, on the east side.

There is a public drainage and utility easement, which houses a watermain, along most of the rear (west) property line.

### Proposed Conditions

The Applicant has requested to remove the existing berm at the eastern end of the property. The berm and existing trees on the berm, currently shield adjacent properties from viewing the outdoor storage area. The Applicant has proposed to place gravel over the area where the berm currently sits, to enlarge the outdoor storage area. Gravel is an acceptable surface material for parking and storage areas within the I-1 Light Industrial zoning district. Grass would be planted on the eastern edge of the property where the water main easement is located. The expanded gravel outdoor storage area will allow Expert Construction, Inc additional area for outdoor storage, vehicle parking and maneuvering. The Applicant has also requested a modification to the CUP to store up to 10 vehicles in excess of ¾ ton capacity. This is an increase from the 2003 CUP allowance of up to 4 vehicles in excess of ¾ ton capacity.

The removal of the berm and added gravel area will cause the removal of 21 existing trees. The current function of the trees is to serve as screening. If the CUP is approved, the proposed fence will replace the trees as screening along the east property line. Per the recently updated landscaping requirements, one tree is required per 3,000 SF of suitable site area. In this case, there is approximately 13,500 SF of suitable site area, at the front of the property. This would result in the need for 4.5 trees. There are currently four trees located in the landscaped area of the front yard. Staff recommends that one additional tree be planted as a condition of approval, to satisfy the minimum requirement within the Ordinance.

A section of the berm footprint would be used as designated snow storage for the site. Currently, the berm acts as a roadblock for vehicles during the winter months due to snow buildup. Snow piles up in the outdoor lot and vehicles have nowhere to effectively move the snow, much less maneuver for ordinary tasks. The Applicant also stated that the berm also dams up snow and rain run-off, preventing adequate drainage.

To serve the purpose of the berm, the Applicant has proposed an 8-foot-high fence to shield the gravel storage area from the public view. The fence is proposed generally along the rear property line, but will follow the easement, so as not to interfere with it, on the southern three-fourths of the lot. The Applicant has proposed fencing to consist of either a chain link fence with privacy slats (similar to Hydro Engineering, 301 Industrial Boulevard) or a continuation of the concrete fencing material that is currently used along the side property lines at the site. Regardless of the material, the proposed fencing will extend westward and connect with the existing concrete fencing present on the north and southern sides of the outdoor lot. Finally, gates will be installed to connect the edge of the building to the concrete fencing along the side property lines, to fully screen the outdoor storage area, as required

by the Zoning Ordinance. The gates will consist of chain link fencing with screening slats, to allow access to the outdoor storage area while also providing screening.

The proposed gravel addition to the outdoor storage lot will increase the existing 65,814 SF (60.4%) hardcover surface to 86,627 SF (79.5%). The hardcover addition falls within the 80% maximum limit deemed by the NYA Code of Ordinances Section 1230.12 I-1, Subd. 5.

### **ENGINEERING CONSIDERATIONS**

Please see the attached memo from City Engineer, Josh Eckstein.

### **CONDITIONAL USE PERMIT REVIEW**

#### **General Criteria for Approval of Conditional Use Permits**

The Planning Commission is required to examine the request for a CUP amendment under the series of general standards for a CUP as set for under Section 1210.06 Conditional Use Permits, Subd. 3(A).

1. *The use is consistent with goals, policies, and objectives of the Comprehensive Plan.*  
The 2040 NYA Comprehensive Plans guides the subject area future land use to Mixed-Use Commercial/Industrial. **Criterion met.**
2. *The use is consistent with the intent of this Ordinance.*  
Outdoor storage is permissible as an accessory use in the I-1 Light Industrial District, with conditional use permit approval. The proposal does not cause the property to exceed allowable coverage, and full screening has been proposed. **Criterion met.**
3. *The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements.*  
The proposed CUP will have no impact on the above. The functions on site will be the same as they are today, just operating on a slightly larger area. The Applicant is keeping the fencing outside of the easement, so that it does not interfere with access should it be necessary. **Criterion met.**
4. *The use does not have an undue adverse impact on the public health, safety, or welfare.*  
The proposed CUP will have no impact on the above. The outdoor storage area will be fully screened. **Criterion met.**
5. *The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.*  
The Applicant has proposed proper screening of the expanded outdoor storage area. Proposed fencing will provide ample privacy while shielding the adjacent single-family home from view of the site. The sites north, west, and south of the site are already used for commercial and light industrial uses. The expanded area will not provide an intensification of the existing use of the site. **Criterion met.**
6. *The use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*  
The amended conditional use permit will have no impact on the development and improvement of neighboring properties. **Criterion met.**
7. *Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.*

The CUP amendment will have no impact on the above. The proposed fencing will be located outside of the city's watermain easement. **Criterion met.**

8. *Adequate measures have been or will be taken to provide for vehicular and pedestrian safety and convenience to, from and within the site.*

The increased access of the lot will improve maneuverability within the lot. Only authorized personnel will be able to access the expanded outdoor storage area. Public access will remain unchanged. **Criterion met.**

9. *The use meets all the performance criteria requirements as established in Section 1245.01 of this chapter.*

Outdoor Storage. Outdoor storage shall conform to the following standards:

a. All outdoor storage yards shall be completely screened from roads or developed areas with a solid fence or wall 6 feet or more in height, maintained in good condition, and screened with suitable planting. A chain link fence with plastic or vinyl screening slats shall be considered a solid fence. **Criterion met.**

b. Outdoor storage shall not be located in front of the principal structure or within the front yard as required by the applicable zoning district, whichever is more restrictive. **Criterion met.**

10. *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

The plans provided with the application show conformance will all relevant requirements of the Zoning Code. **Criterion met.**

### **RECOMMENDED ACTION**

Based on the information in the submitted application and findings in this report, staff recommends that the Planning Commission recommend approval of the requested variance, subject to the following conditions:

1. Existing trees shall be shown on the "Certificate of Survey & Topographic Survey" for location reference.
2. The Applicant shall obtain any necessary permits, including but not limited to: Carver County Watershed Management Organization and or MPCA construction stormwater permit.
3. The final grading and drainage plan shall be subject to review and approval by the City Engineer.
4. One additional tree shall be planted within the landscaped area at the front of the property.
5. Site alterations shall adhere to the plans submitted with this application.
6. Downstream conditions should be monitored for deterioration due to additional runoff from the gravel surface.
7. Vehicles exceeding 3/4-ton capacity shall be parked within the screened outdoor storage area. No more than ten (10) vehicles exceeding 3/4-ton capacity associated with the primary use of the property shall be permitted to park on the property, unless parked within an enclosed building.
8. The CUP shall be subject to annual review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by the City for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or

operators are encouraged to contact the City as early on as possible in the timeline for any change in ownership, operator or operations.

**POTENTIAL ACTION**

1. Approval (with or without conditions) of the Requests. In the event of a decision for approval (with or without conditions), the Planning Commission may make a motion to recommend approval of the CUP amendment request to the City Council.
2. Denial of the Requests. In the event the Planning Commission chooses denial of the requested variance, the Planning Commission should make a motion to recommend denial of the CUP request to the City Council, clearly state its reasons for the denial and direct staff to prepare a resolution of denial.
3. Request Additional Information and Continue the Meeting. The Applicant appears to have provided enough information for the Planning Commission to make a recommendation to approve or deny the request. Should the Planning Commission request additional information from the Applicant, the Planning Commission should continue the meeting until a later time.

**Attachments:**

- Aerial View
- City Engineer's Memo
- Application and Plans



Aerial View of 250 Industrial Boulevard





# Planning and Zoning Application

City of Norwood Young America  
 310 Elm St. W, PO Box 59  
 Norwood Young America, MN 55368  
 Phone: (952) 467-1800 Fax: (952) 467-1818

Applicant's Name <i>DAVID NEWMAN/EXPERT CONST. INC.</i>	Telephone <i>612-282-5883</i>			
Address (Street, City, State, ZIP) <i>1850 WAGON AVE, MAYOR MN 55360</i>				
Property Owner's Name (If different from above) <i>SAME</i>	Telephone <i>612-282-5883</i>			
Location of Project <i>250 INDUSTRIAL BLVD, YOUNG AMERICA 55397</i>				
Legal Description <i>ATTACHED</i>				
Description of Request (Attach separate sheet, if necessary) <i>ATTACHED DESCRIPTION</i>				
<p style="text-align: center;"><b>Proposed Action(s): Check all that apply</b></p> <table style="width:100%; border: none;"> <tr> <td style="width:33%; vertical-align: top;"> <input type="checkbox"/> Annexation \$300.00  <input type="checkbox"/> Application for Appeal \$150.00  <input type="checkbox"/> City Code Amendment \$250.00  <input type="checkbox"/> Parking Reduction \$100.00  <input type="checkbox"/> CUP/IUP \$300.00 (Residential)  <input checked="" type="checkbox"/> CUP/IUP \$300.00 (Non-Residential)  <input type="checkbox"/> Variance \$300.00 (Residential)  <input type="checkbox"/> Variance \$300.00 (Non-Residential)  <input type="checkbox"/> Lot Split \$200.00  <input checked="" type="checkbox"/> Public Hearing Notice \$75.00         </td> <td style="width:33%; vertical-align: top;"> <input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow  <input type="checkbox"/> Sketch Plat \$200.00 + Escrow  <input type="checkbox"/> Site Plan \$300.00 + Escrow  <input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow  <input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow  <input type="checkbox"/> PUD Final Plan \$300.00 + Escrow  <input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow  <input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow  <input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow  <input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow         </td> <td style="width:33%; vertical-align: top;"> <input type="checkbox"/> Storm Water Plan \$250.00  <input type="checkbox"/> Rezoning \$400.00  <input type="checkbox"/> Street/Alley Vacation \$300.00  <input checked="" type="checkbox"/> Recording Fee \$46.00  <input type="checkbox"/> Boundary Line Adjustment \$100.00  <input type="checkbox"/> Other _____         </td> </tr> </table> <p>ALL ESCROW MUST BE PAID BY CERTIFIED CHECK          Escrow Deposit \$2,000.00          Escrow Deposit - Site Plan Review: \$15,000 (Tacoma West Industrial Park), \$5,000.00 (All other site plan reviews)          Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00</p> <p style="text-align: center;">ALL PLANNING &amp; ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.</p> <p style="text-align: center;">*APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*</p>		<input type="checkbox"/> Annexation \$300.00 <input type="checkbox"/> Application for Appeal \$150.00 <input type="checkbox"/> City Code Amendment \$250.00 <input type="checkbox"/> Parking Reduction \$100.00 <input type="checkbox"/> CUP/IUP \$300.00 (Residential) <input checked="" type="checkbox"/> CUP/IUP \$300.00 (Non-Residential) <input type="checkbox"/> Variance \$300.00 (Residential) <input type="checkbox"/> Variance \$300.00 (Non-Residential) <input type="checkbox"/> Lot Split \$200.00 <input checked="" type="checkbox"/> Public Hearing Notice \$75.00	<input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow <input type="checkbox"/> Sketch Plat \$200.00 + Escrow <input type="checkbox"/> Site Plan \$300.00 + Escrow <input type="checkbox"/> PUD Sketch Plan \$200.00 + Escrow <input type="checkbox"/> PUD Plan Amendment \$300.00 + Escrow <input type="checkbox"/> PUD Final Plan \$300.00 + Escrow <input type="checkbox"/> PUD Gen. Concept Plan \$400.00 + Escrow <input type="checkbox"/> Prelim Plat \$350.00 + \$10.00/Lot + Escrow <input type="checkbox"/> Final Plat \$250.00 + \$10.00/Lot + Escrow <input type="checkbox"/> Wetland Mitigation Plan \$100.00 + Escrow	<input type="checkbox"/> Storm Water Plan \$250.00 <input type="checkbox"/> Rezoning \$400.00 <input type="checkbox"/> Street/Alley Vacation \$300.00 <input checked="" type="checkbox"/> Recording Fee \$46.00 <input type="checkbox"/> Boundary Line Adjustment \$100.00 <input type="checkbox"/> Other _____
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The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of Chapter 11 and Chapter 12 of the City Code and other applicable ordinances.				
Applicant's Signature: <i>David Newman</i>	Date <i>6-22-23</i>			
Fee Owner's Signature: <i>David Newman</i>	Date <i>6-22-23</i>			
<b>For Office Use Only</b>				
Accepted By: <i>Crinkel</i>	<table style="width:100%; border: none;"> <tr> <td style="width:50%;">Amount <i>\$421 @</i></td> <td style="width:50%;">Date <i>6-22-23</i></td> </tr> </table>	Amount <i>\$421 @</i>	Date <i>6-22-23</i>	
Amount <i>\$421 @</i>	Date <i>6-22-23</i>			

Application deemed complete on 3/11/2024 - HR

# **EXPERT**

## CONSTRUCTION, INC.

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250 Industrial Blvd., Norwood Young America, MN 55367  
(612) 282-5883

January 30, 2023

CUP: To Whom It May Concern.

My Name is David Newman with Expert Construction, Inc. I am the owner and President of Expert Construction, Inc. Expert Construction's business address is 250 Industrial Blvd, Young America, MN 55397. This letter is in regard to updating the existing conditional use permit (CUP) for the property stated above.

Expert Construction is requesting permission to remove an existing earthen berm and trees located on the berm within the property boundary on the east side of the property to allow better drainage, expand parking and provide more area for snow stockpile during winter conditions. We propose to gravel the site where the berm has been removed and install an 8' high fence located one foot west of the eastern property line, and to stay west, out of the City watermain easement. The fence will return to the west direction on both the north and south property lines and abut into the existing concrete fence. We propose to install either a chain link fence with privacy slats similar to what is installed across the road for Hydro Engineering located at 301 Industrial Blvd, Young America, or a concrete wall that is similar to what is currently used on site for fencing. A detailed site plan has been provided for city review.

Franks Sanitation is no longer located at our site due to Dave Franks retirement many years ago, thus no wording regarding his business will be included in this updated CUP.

We are requesting that we can maintain (10) vehicles in excess of  $\frac{3}{4}$  ton capacity parked on the property, outside of the existing building but within the fenced area to maintain our current operations.

Currently, no site work of any kind has been done nor any tree removal of the original trees planted on the existing berm, Ariel attached show current conditions.

*Poured Wall Specialists Since 1973*

# **EXPERT**

## CONSTRUCTION, INC.

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250 Industrial Blvd., Norwood Young America, MN 55367  
(612) 282-5883

Our business operations have not changed other than that we have grown and could use additional space for maneuvering equipment, and equipment storage on the east side of the building. Second, the berm creates such a roadblock for handling snow and rain runoff that is difficult at best to keep snow out of the way and still provide ample working room during winter conditions. Also, during the spring as the stockpile of snow melts, the berm dams up the water until the ground thaws enough to start taking runoff causing the site to become too soft and muddy.

We will continue to use the expanded area for parking and stockpiling of equipment and snow as we have since the original construction of the building.

Existing trees on site are located on the Topographic Survey (site plan).

No additional landscaping is proposed. The proposed placement of gravel will take up all space of where the berm was located. Grass will be planted in the area where the water main easement is located on the eastern property edge.

Fencing and gates will be installed between the building and the existing concrete fences to fully screen the parking/storage area.

I can be reached directly to answer any additional questions at 612-282-5883.

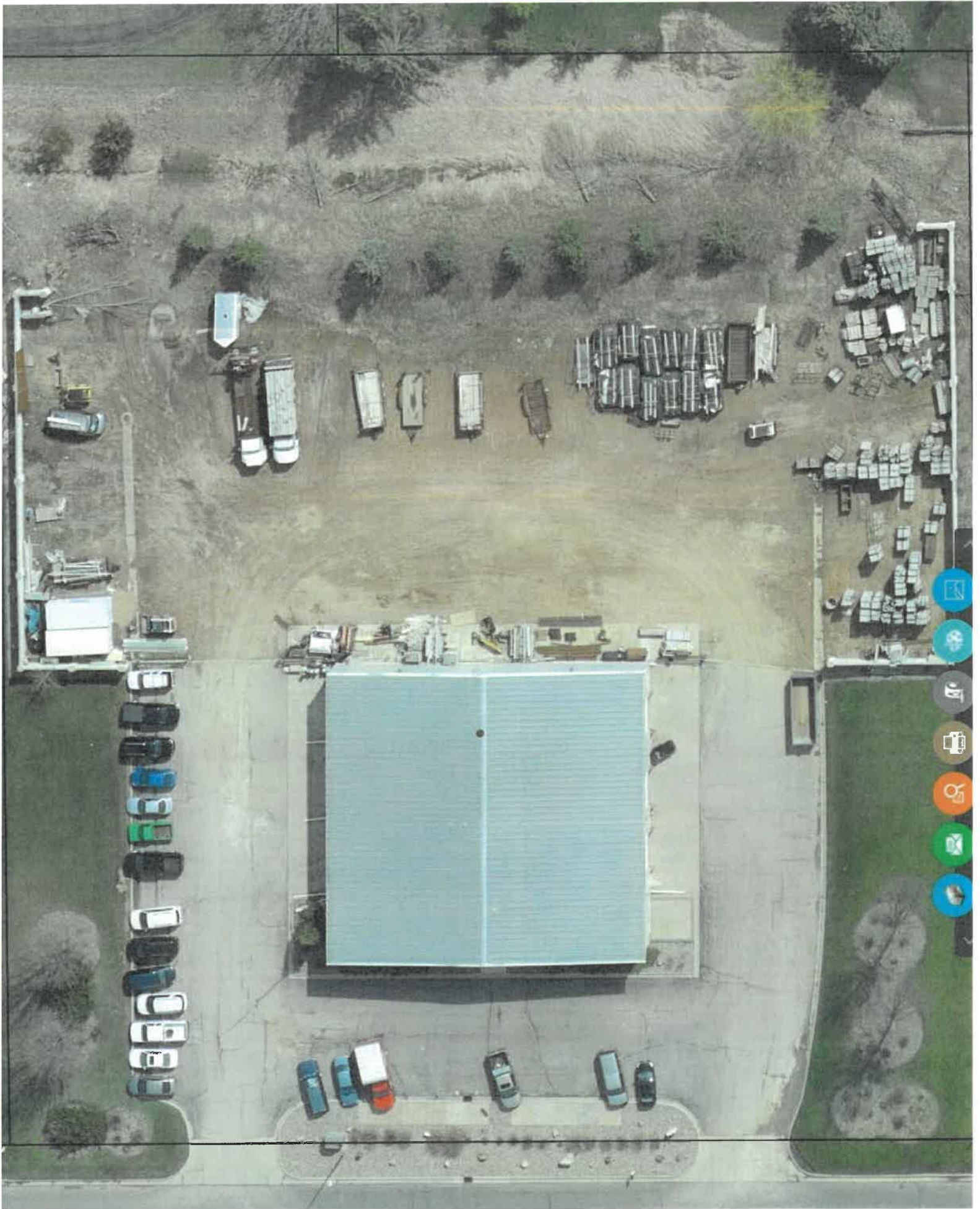
Thank you,

David Newman,

Expert Construction, Inc

612-282-5883

*Poured Wall Specialists Since 1973*





Real People. Real Solutions.

2638 Shadow Lane  
Suite 200  
Chaska, MN 55318-1172

Ph: (952) 448-8838  
Fax: (952) 448-8805  
Bolton-Menk.com

March 19, 2024

City of Norwood Young America  
Attn: Andrea Aukrust  
310 W. Elm St.  
P.O. Box 59  
Norwood Young America, MN 55368

**RE: 250 Industrial Boulevard  
CUP Plan Review**

Dear Ms. Aukrust:

We have completed a preliminary engineering review for the above referenced project. Our review is based upon the Certificate of Survey and plans prepared for Expert Construction, Inc., baring no general title, prepared by Otto Associates Engineers & Land Surveyors, Inc., with an "issued date" of 03/07/24. We offer the following comments and recommendations for your consideration:

- 1) The proposed improvements include grading, fence installation, and gravel parking lot expansion.
- 2) Several permits may be required for the project, including but not limited to Carver County Watershed Management Organization and or MPCA construction stormwater permit.
- 3) Existing trees should be shown on the topographic survey for location reference.
- 4) The proposed grading grades shown appear to indicate that runoff will flow overland to the north into an existing ditch along the east edge of the Statewide Gas Investments LLC property. This drainage design seems to be adequate, however downstream conditions should be monitored for deterioration due to additional runoff from the gravel surface.

The plans appear to be acceptable from an engineering perspective contingent upon the comments addressed herein. We are available to discuss this matter at your convenience.

Respectfully submitted,  
**BOLTON & MENK, INC.**

Joshua Eckstein, P.E.

Cc: Jake Saulsbury, Bolton & Menk



TO: NYA Planning Commission

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: March 27, 2024  
Planning Commission Regular Meeting April 2, 2024

SUBJECT: Comprehensive Plan Amendment – Future Land Use Map

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### **REQUEST**

The City has requested a Comprehensive Plan Amendment to the Future Land Use Map in the 2040 Comprehensive Plan. This request contains two components:

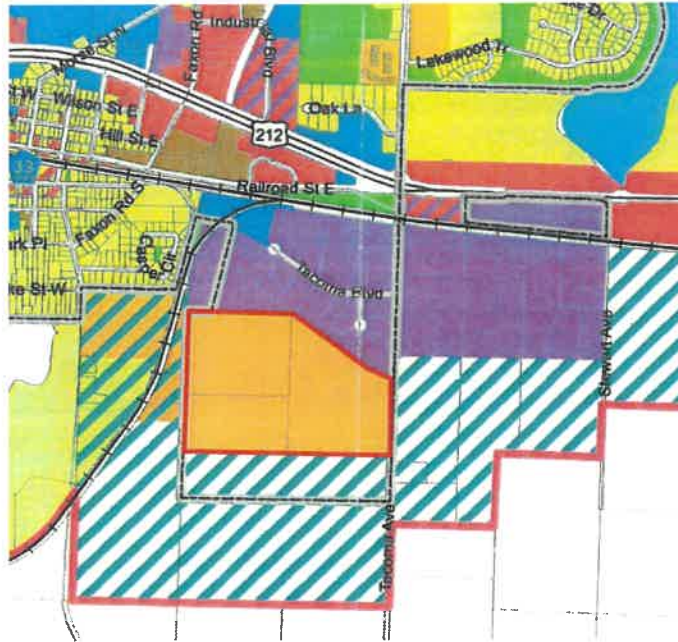
1. Regarding 92 acres of Low-Density Residential land to Medium Density Residential. This is a result of a 2023 Amendment that regulated the land for Tacoma West Industrial Park Phase Two from medium-density residential to Industrial.
2. Regarding four parcels (710 Faxon Rd., 28 Industrial Blvd. & 31 Industrial Blvd.) from Commercial to Mixed Use Commercial/Industrial.

### **BACKGROUND – FUTURE LAND USE MAP**

The Future Land Use Map, which is a part of the 2040 Comprehensive Plan, designates all land in city limits and the annexation area for anticipated future land uses. As the City develops there are instances where future land use designations for certain lands may be changed due to a change in goals, market demand, or City priorities. Designations can also be changed to address proposed developments where the City finds the need for a Comprehensive Plan Amendment appropriate in order to accommodate the new development.

### **PROPOSED CHANGE – MEDIUM DENSITY RESIDENTIAL**

In 2023, the Future Land Use map was amended to allow for the Tacoma West Industrial Park Phase Two expansion. That project required the 92 acres to be regulated from Medium Density Residential to Industrial.



*Orange area outlined in red indicated 92 acres of Medium Density Residential land previously redesignated to Industrial.*

The proposed amendment before you would reguide 92 acres of Low Density Residential land, at various sites throughout the City and the annexation area, to make up for the Medium Density Residential land lost through the previous amendment.

See Exhibit A (attached map) for the areas to be reguided. The proposed changes from Low Density Residential to Medium Density Residential have no impact on the current use of the properties.

**PROPOSED CHANGE - MIXED USE COMMERCIAL/INDUSTRIAL**

Last year, the B-1 Business Industrial and I-1 Light Industrial zoning districts were consolidated into a single zoning district. This change caused staff to investigate the parcels that were zoned B-1, and it was discovered that the future land use designation of Commercial was inconsistent with the B-1 Zoning, as well as the use of the properties. Staff recommends that these parcels be reguided from Commercial to Mixed Use Commercial/Industrial.

The properties at 710 Faxon Rd. and 28 Industrial Blvd. are used for manufacturing and mini storage, which are both industrial uses. The present uses are not consistent with the Comprehensive Plan designation as commercial, so staff recommends that the classification be changed to Mixed Use Commercial/Industrial.

The property at 31 Industrial Blvd. is currently undeveloped. In 2013, the property was rezoned from C-2 General Commercial to B-1 Business Industrial, as the property owner intended to construct a mini storage facility on the property. The City Council supported that development, at that time. The property owner still intends to construct a mini storage business at some point.

Given the past land use actions related to these properties, the proposed future land use change to Mixed Use Commercial/Industrial is more appropriate for the properties than the present designation of Commercial. Please keep in mind that the allowable uses of the B-1 and I-1



Districts were virtually identical, which is why the zoning districts were combined. The proposed designation change has no impact on allowable uses, as the zoning regulations remain unchanged.

## **REVIEW**

### **Planning Commission and City Council Review**

The Planning Commission should review the proposed changes to the Future Land Use map, hold the public hearing and make a recommendation to the City Council.

The City Council would then review and if approved, authorize the submittal to the Met Council.

### **Met Council**

The Met Council has final approval of any amendments to the Comprehensive Plan. Following approval by the City, the request will be submitted to the Met Council for action.

## **ACTION**

After holding the public hearing, staff recommends the Planning Commission make a motion to recommend the City Council approve the requested Comprehensive Plan Amendment to the Future Land Use Map, as shown on Exhibit A.

## **ATTACHMENTS**

Exhibit A – Proposed changes to the Future Land Use Map



TO: NYA Planning Commission

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: March 27, 2024  
Planning Commission Regular Meeting April 2, 2024

SUBJECT: Rezoning

---

### **REQUEST**

The City has requested that several properties within the City be rezoned to different zoning classifications:

1. **Rezoning of all B-1 Business Industrial parcels to I-1 Light Industrial – this is the final step to completing the consolidation of the B-1 and I-1 Districts.**
2. **Rezoning of PIDs 586520890, 580760120 and 586530440 from R-1 Low Density Single Family Residential to P-1 Parks/Open Space**

### **B-1 Rezoning**

In 2023, the City combined the B-1 Business Industrial and the I-1 Light Industrial Districts into a single zoning district – the I-1 Light Industrial District. The two zoning districts were overwhelmingly similar, with nearly identical allowable uses, and similar zoning standards. The consolidation was done to simplify the zoning ordinance and provide better clarity.

All of the properties within the B-1 Zoning District are proposed to be changed to I-1, as the B-1 District no longer exists.

The former B-1 properties are addressed as follows: 28, 31, 170, 180, 220, 250, 300 and 301 Industrial Blvd., and 710 Faxon Rd., and are the properties shown in blue on the map below.



Because the two zoning districts were virtually identical, this rezoning will have no impact on the present or future uses of the properties. 510 Faxon Rd., 28 Industrial Blvd. and 31 Industrial Blvd. are currently proposed to be re-guided to Mixed Use Commercial/Industrial in the 2040 Comprehensive Plan, and all of the other subject properties are currently guided for Mixed Use Commercial/Industrial. The proposed rezonings are consistent with that designation.

**P-1 Rezonings**

The properties indicated below are recommended for rezoning from R-1 Low Density Single Family Residential to P-1 Parks/Open Space.



The properties are located at PIDs 586520890, 580760120 and 586530440. They are publicly owned, by the City of NYA and the Minnesota DNR. As such, they will not be developed for single-family residential and should be zoned according to their use, as park and/or open space. The Comprehensive Plan guides these properties for Parks and Open Space as well.

#### **ACTION**

After holding the public hearing, staff recommends the Planning Commission make a motion to recommend the City Council approve the requested rezonings.

**Motion to recommend rezoning of all B-1 Business Industrial parcels to I-1 Light Industrial.**

**Motion to recommend rezoning PIDs 586520890, 580760120 and 586530440 from R-1 Low Density Single Family Residential to P-1 Parks/Open Space.**