



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

1. Call to Order
  - A. Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of June 4, 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. Ordinance Amendment – Accessory Materials, Height, Manufactured Homes
  - b. Variance Request – 10 2<sup>nd</sup> St SE
  - c. Preliminary & Final Plat, CUP, Variances and Site Plan Approval – Nordic Waste and C&C Lawns – Tacoma West Industrial Park 5<sup>th</sup> Addition, Outlot B, 4-acres
6. Business
  - a. Ordinance Amendment – Accessory Materials, Height, Manufactured Homes
  - b. Variance Request – 10 2<sup>nd</sup> St SE
  - c. Preliminary & Final Plat, CUP, Variances and Site Plan Approval – Nordic Waste and C&C Lawns – Tacoma West Industrial Park 5<sup>th</sup> Addition, Outlot B, 4-acres
7. Miscellaneous
  - A. Building Permit Report
8. Commissioner's Reports
9. Next Planning Commission Meeting – Tuesday, September 3, 2024, at 6 p.m.
10. Adjourn

**Jerry Barr**

**Timon Dammann**

**Mike Eggers**

**Bill Grundahl**

**Paul Hallquist**

**Craig Heher**

**Charlie Storms**

**UPCOMING MEETINGS**

August 13 <sup>th</sup>	Primary Elections	7:00 AM – 8:00 PM (City Hall-Council Chambers)
August 14 <sup>th</sup>	NYA Food Distribution	12:30-1:30 PM
August 14 <sup>th</sup>	EDC Meeting	6:00 PM
August 15 <sup>th</sup>	Sr. Advisory	9:00 AM
August 20 <sup>th</sup>	Park and Rec Commission Meeting	5:30 PM
August 22 <sup>nd</sup> -25 <sup>th</sup>	Stiftungsfest	Willkommen Park (See schedule for times)

August 26 <sup>th</sup>	Workshop/EDA/City Council Meeting	5:00 PM/6:00 PM
September 3 <sup>rd</sup>	Planning Commission Meeting	6:00 PM
September 11 <sup>th</sup>	EDC Meeting	6:00 PM
September 17 <sup>th</sup>	Park and Rec Commission Meeting	5:30 PM **Cancelled**
September 19 <sup>th</sup>	Sr. Advisory	9:00 AM
September 23 <sup>rd</sup>	Workshop/EDA/City Council Meeting	5:00 PM/6:00 PM

Norwood Young America  
Planning Commission Minutes  
June 4, 2024

Present: Commissioners Craig Heher, Charlie Storms, Jerry Barr, Mike Eggers, Paul Hallquist, Bill Grundahl, Timon Dammann

Absent: none

Staff: Karen Hallquist, Community & Economic Dev Director, City Planner Hannah Rybak (WSB)

Public: none

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/JB to approve agenda as written. Motion passed 7-0.*

3. Approve Minutes of May 7, 2024.

*Motion: CS/ME to approve the minutes as written. Motion passed 7-0.*

4. Introductions, Presentations, and Public Comment – none

5. Public Hearing

A. Ordinance Amendments for C-3 Downtown District and R-4 Multiple Family Residential

*Chair Heher opened the public hearing at 6:01 pm.*

Rybak presented two ordinance amendments.

1. Allow multiple-family dwellings as the sole use of the property in the C-3 Downtown District as a Conditional Use Permit, with all lot areas and setbacks for multiple-family dwellings conforming to the R-4 Multiple Family Residential District code and architectural standards.
2. Update the regulation of a minimum lot area of 2,420 sf, regardless of the number of bedrooms, to allow up to 18 units per acre.

The recommended changes will reduce potential barriers with restrictions for development. Rybak confirmed that all recommended changes are consistent with the Comprehensive Plan.

*Motion: CS/BG to close the public hearing at 6:14pm.*

*Motion: CS/ME to recommend the adoption of the draft ordinance. Motion passed 7-0.*

6. Business - none

7. Miscellaneous

A. Building Permit Report

8. Commissioner's Reports

CH reported on City Council:

- Wm Mueller & Sons were awarded the bid for Railroad Street

9. Next Planning Commission Meeting – Tuesday, July 2, 2024, at 6 p.m.

10. Adjourn

*Motion: CS/BG to adjourn. Motion passed 7-0.*

Respectfully Submitted,

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Karen Hallquist, Community & Economic Development Director



TO: NYA Planning Commission

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: July 31, 2024  
Planning Commission Meeting August 6, 2024

SUBJECT: Public Hearing – Zoning Ordinance Amendments

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### **Manufactured Homes**

It was recently discovered that the requirements for manufactured home parks within the Specific Conditional Use Permit provisions had somehow been accidentally deleted or omitted from the code (there should be numbered standards in the area highlighted in yellow).

**13. Kennels. The following applies to commercial kennels:**

- a. The use shall not be located within 500 feet of any residential district.
- b. Any outdoor exercise area shall be screened from view from abutting property with a landscaping buffer strip having a minimum width of eight (8) feet, consisting of coniferous and deciduous trees.

**14. Manufactured Home Park. Manufactured Home Parks shall conform to the following standards:**

**15. Multiple Family. Multiple family shall conform to the following standards:**

- a. Adequate off-street parking and off-street loading is provided.
- b. The development is adequately served by a collector or arterial street or shall be otherwise located so that access can be provided without generating significant traffic on local

City Staff reviewed versions of the code all the way back to the early 2000s and could not locate the standards that should be there. Staff recommends adopting standard provisions in this location of the code, which would apply if a new manufactured home park were proposed through the conditional use permit process.

**1210.06 Conditional Use Permits, Subd. 3 Standards for Granting a Conditional Use Permit**

**B. Specific Conditional Use Provisions**

**14. Manufactured Home Park. Manufactured Home Parks shall conform to the following standards:**

- a. Each manufactured home park shall be of sufficient size to contain at least 12 fully developed manufactured home sites and required accessory and support areas.

- b. Each manufactured home park shall have access to a private street which is deemed adequate to service a fire lane and the anticipated traffic generated by the park.
- c. Each manufactured home park shall provide public potable water and sewer facilities in accordance with standards determined by the city and the State Department of Health.
- d. All fuel systems shall be maintained from a common central source metered to each individual home site.
- e. At least 10% of the land area within each manufactured park shall be designed for development for recreational purposes. These spaces shall be developed and maintained by the owner of the manufactured home park. The development shall be approved by the Parks, Recreation and Community Education Advisory Board.
- f. Each manufactured home park shall have one or more central community buildings.
- g. No manufactured home site, off-street parking space, building or street shall be located within 30 feet of the boundary of any manufactured home park. This boundary area shall be landscaped, and screening may be required by the city.
- h. Identification signs for the park shall be limited to one sign not exceeding six square feet for each outside street frontage. These signs may be illuminated, but not flashing. The maximum height of these signs shall be 8 feet.
- i. Each manufactured home park shall have an office which is distinctly marked and illuminated. Provisions shall be made for an adult caretaker to be on duty and accessible at the park at all times. The manufactured home park office shall maintain a registry showing the names and addresses of each resident and the make, type and license of each manufactured home and automobile belonging to occupants of the home sites.
- j. Provisions shall be made in plans for every manufactured home park to provide for a street fronting on each manufactured home site. The streets may be either public or private as agreed upon between the manufactured home park developer and the city.
- k. Each manufactured home park shall have a storm shelter of adequate size for all its residents on site. Reference state statutes.
- l. All manufactured home park streets shall be constructed of either asphalt or concrete, shall meet the standards specified by the City Engineer and shall have concrete curb and gutter.
- m. The minimum street width shall be 36 feet (measured between backs of curbs).
- n. Streets interior to a manufactured home park shall be privately owned.
- o. No cul-de-sac street may be more than 250 feet in length.
- p. Accessory structures shall be limited to one 12 feet by 16 feet (or smaller) utility building, the siding and color of which matches the manufactured home. The shed will be permitted without a cement slab; however, sheds placed on skids must be skirted to control rodents and pests. Responsibility for policing this requirement rests with the park manager.
- q. Each manufactured home site shall have at least one tree and one exterior light.
- r. Portions of each site not occupied by buildings or parking spaces shall be landscaped.
- s. Parking shall be located within the park's boundaries.

- t. Each manufactured home park shall have exterior security street lighting designed and installed to engineering standards and as approved at the recommendation of the Chief of Police.

Staff notes that there are no manufactured home parks proposed or in the works in any way, but since it has been discovered that the code is missing requirements that should be there, it is recommended that we proactively adopt adequate provisions.

Because the above provisions would apply to new manufactured home parks processed through the CUP process, staff also recommends adopting regulations that would apply to the current manufactured home park, for existing or replaced manufactured homes. The following is recommended to be added to 1230.07 R4 Multiple Family Residential District:

Subd. 6 Manufactured Homes. Manufactured homes in the R-4 District shall be subject to the following standards:

1. Homes shall comply with all applicable requirements of the Minnesota State Building Code.
2. Setbacks shall conform to the established setbacks for the manufactured home park, or prevailing conditions within the park. Under no circumstances shall manufactured homes be placed less than 10 feet apart.
3. Each manufactured home shall have two hard surfaced, off-street parking spaces.
4. Fences between manufactured homes are prohibited.
5. Accessory structures shall be limited to one 12 feet by 16 feet (or smaller) utility building, the siding and color of which matches the manufactured home. The shed will be permitted without a cement slab; however, sheds placed on skids must be skirted to control rodents and pests.

These requirements provide direction to applicants for improvements within the existing manufactured home park, as well as standards under which staff can evaluate any associated permits.

#### **Accessory Structure Materials**

Staff is requesting that the Planning Commission and City Council add language that specifically prohibits plastic/canvas accessory structures, as well as Quonset-type accessory structures. The interpretation of current code is that these structures are currently NOT allowed, as they would not meet the standard that accessory structures be similar to principal structures relative to materials and form. Principal structures in all districts are required to meet minimum architectural standards.

However, given some recent discussions relating to acceptable materials and construction styles in TWIP2, staff would recommend adopting language that clearly states that accessory buildings of non-permanent materials, as well as the Quonset-style of construction, are prohibited.

Recommended Language:

1245.04, Subd. 2:

- E. Prohibited Roof Types. Rolled roofs, ~~and~~ mono-sloped roofs, and Quonset-style roofs are prohibited.
- F. Prohibited Exterior Materials. Galvanized and unpainted metal, plastic, canvas, and fabric are prohibited as exterior building materials.

### Accessory Structure Height

It has come to our attention that the maximum allowable accessory structure height is overly restrictive and unfairly penalizes single-story homes. The current code requirement allows an accessory structure to be the lesser of 25 feet or two-thirds of the height of the principal structure.

For a two-story home, this code requirement is easy to meet. However for a single-story home, an accessory structure would not be permitted to be a full single story. This does not allow the structure to be of reasonable height for standard use, nor is it compliant with the building code. In the interest of fairness to all property owners and ease of interpretation and evaluation for staff, the following amendment is offered:

#### 1245.04 Accessory Structures, Subd. 2 General Provisions

M. Maximum Height. ~~Standards pertaining to accessory structure height contained in individual zoning districts shall apply.~~ No accessory building shall have more than one (1) level, nor shall it exceed the height of the principal building in all zones. The City Council may allow accessory structures with more than one level and/or which exceed the height of the principal structure pursuant to Section 1210.06: Conditional Use Permit procedures of this Ordinance.

This amendment will allow all properties to have a single-story accessory structure that fits the existing development on the site. It also provides a mechanism (conditional use permit), for property owners to request a taller or two-story accessory structure in unique situations where one might be warranted.

Currently, the allowable accessory structure height is listed out in each district. The proposed amendment would remove that from each section, as the height requirement is stated in 1245.04 Accessory Structures.

Example:

Subd. 5 Lot Requirements and Setbacks. The following requirements and setbacks are established as the minimum amount allowed in the R-1 District, with the exception of "Lot Coverage" and "Building Height" which shall be the maximum amount allowed:

- A. Lot Area: 10,000 square feet
- B. Lot Width: 80 feet
- C. Lot Coverage: 30%
- D. Building Height: 35 feet (principal structure)  
~~The lesser of 25 feet or two-thirds of the height of the principal structure (accessory structure) (Amended Ord. 344, 04/11/2022)~~

### Action

- Planning Commission should review the draft ordinance ahead of the meeting
- Hold the required public hearing at the Planning Commission meeting on August 6<sup>th</sup>
- Discuss and make a recommendation regarding adoption of the draft ordinance to the City Council for their consideration

### Recommended Motion Language

Motion to recommend that the City Council adopt the draft ordinance.

**Attachments**

Draft Ordinance



**CITY OF NORWOOD YOUNG  
AMERICA ORDINANCE NO. 374**

**AN ORDINANCE AMENDING SECTIONS 1210.06, 1230.04, 1230.05, 1230.06, 1230.07, 1230.08, 1230.09, 1230.10 1230.12 AND 1245.04, OF THE CITY CODE RELATING TO MANUFACTURED HOMES AND ACCESSORY STRUCTURE MATERIALS AND HEIGHT. THE ~~STRUCK OUT~~ TEXT SHOWS THE DELETED WORDING AND THE UNDERLINED TEXT SHOWS LANGUAGE ADDED TO THE CODE.**

**I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1210.06, SUBD. 3, B. RELATING TO MANUFACTURED HOME PARKS, SHALL BE AMENDED AS FOLLOWS:**

14. Manufactured Home Park. Manufactured Home Parks shall conform to the following standards:

- a. Each manufactured home park shall be of sufficient size to contain at least 12 fully developed manufactured home sites and required accessory and support areas.
- b. Each manufactured home park shall have access to a private street which is deemed adequate to service a fire lane and the anticipated traffic generated by the park.
- c. Each manufactured home park shall provide public potable water and sewer facilities in accordance with standards determined by the city and the State Department of Health.
- d. All fuel systems shall be maintained from a common central source metered to each individual home site.
- e. At least 10% of the land area within each manufactured park shall be designed for development for recreational purposes. These spaces shall be developed and maintained by the owner of the manufactured home park. The development shall be approved by the Parks, Recreation and Community Education Advisory Board.
- f. Each manufactured home park shall have one or more central community buildings.
- g. No manufactured home site, off-street parking space, building or street shall be located within 30 feet of the boundary of any manufactured home park. This boundary area shall be landscaped and screening may be required by the city.
- h. Identification signs for the park shall be limited to one sign not exceeding six square feet for each outside street frontage. These signs may be illuminated, but not flashing. The maximum height of these signs shall be 8 feet.
- i. Each manufactured home park shall have an office which is distinctly marked and illuminated. Provisions shall be made for an adult caretaker to be on duty and accessible at the park at all times. The manufactured home park office shall maintain a registry showing the names and addresses of each resident and the make, type and license of each manufactured home and automobile belonging to occupants of the home sites.
- j. Provisions shall be made in plans for every manufactured home park to provide for a street fronting on each manufactured home site. The streets may be either public or private as agreed upon between the manufactured home park developer and the city.
- k. Each manufactured home park shall have a storm shelter of adequate size for all its residents on site. Reference state statutes.

- l. All manufactured home park streets shall be constructed of either asphalt or concrete, shall meet the standards specified by the City Engineer and shall have concrete curb and gutter.
- m. The minimum street width shall be 36 feet (measured between backs of curbs).
- n. Streets interior to a manufactured home park shall be privately owned.
- o. No cul-de-sac street may be more than 250 feet in length.
- p. Accessory structures shall be limited to one 12 feet by 16 feet (or smaller) utility building, the siding and color of which matches the manufactured home. The shed will be permitted without a cement slab; however, sheds placed on skids must be skirted to control rodents and pests. Responsibility for policing this requirement rests with the park manager.
- q. Each manufactured home site shall have at least one tree and one exterior light.
- r. Portions of each site not occupied by buildings or parking spaces shall be landscaped.
- s. Parking shall be located within the park's boundaries.
- t. Each manufactured home park shall have exterior security street lighting designed and installed to engineering standards and as approved at the recommendation of the Chief of Police.

**II. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.04, SUBD. 5 RELATING TO ACCESSORY STRUCTURE HEIGHT IN THE R-1 DISTRICT, SHALL BE AMENDED AS FOLLOWS:**

D. Building Height: 35 feet (principal structure)  
~~The lesser of 25 feet or two-thirds of the height of the principal structure (accessory structure) (Amended Ord. 344, 04/11/2022)~~

**III. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.05, SUBD. 5 RELATING TO ACCESSORY STRUCTURE HEIGHT IN THE R-2 DISTRICT, SHALL BE AMENDED AS FOLLOWS:**

D. Building Height: 35 feet (principal structure)  
~~The lesser of 25 feet or two-thirds of the height of the principal structure (accessory structure) (Amended Ord. 344, 04/11/2022)~~

**IV. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.06, SUBD. 5 RELATING TO ACCESSORY STRUCTURE HEIGHT, SHALL BE AMENDED AS FOLLOWS:**

D. Building Height: 35 feet (principal structure)

~~The lesser of 25 feet or two-thirds of the height of the principal structure (accessory structure) (Amended Ord. 344, 04/11/2022)~~

**V. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.07, SUBD. 5 RELATING TO ACCESSORY STRUCTURE HEIGHT IN THE R-3 DISTRICT, SHALL BE AMENDED AS FOLLOWS:**

D. Building Height: 35 feet (principal structure)

~~The lesser of 25 feet or two-thirds of the height of the principal structure (accessory structure) (Amended Ord. 344, 04/11/2022)~~

**VI. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.07, SUBD. 6 RELATING TO MANUFACTURED HOMES IN THE R-4 DISTRICT, SHALL BE CREATED AS FOLLOWS:**

Subd. 6 Manufactured Homes. Manufactured homes in the R-4 District shall be subject to the following standards:

1. Homes shall comply with all applicable requirements of the Minnesota State Building Code.
2. Setbacks shall conform to the established setbacks for the manufactured home park, or prevailing conditions within the park. Under no circumstances shall manufactured homes be placed less than 10 feet apart.
3. Each manufactured home shall have two hard surfaced, off-street parking spaces.
4. Fences between manufactured homes are prohibited.
5. Accessory structures shall be limited to one 12 feet by 16 feet (or smaller) utility building, the siding and color of which matches the manufactured home. The shed will be permitted without a cement slab; however, sheds placed on skids must be skirted to control rodents and pests.

**VII. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.08, SUBD. 5 RELATING TO ACCESSORY STRUCTURE HEIGHT IN THE RC-1 DISTRICT, SHALL BE AMENDED AS FOLLOWS:**

D. Building Height: 35 feet (principal structure)

~~The lesser of 25 feet or two-thirds of the height of the principal structure (accessory structure) (Amended Ord. 344, 04/11/2022)~~

**VIII. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.09, SUBD. 5 RELATING TO ACCESSORY STRUCTURE HEIGHT IN THE C-2 DISTRICT, SHALL BE AMENDED AS FOLLOWS:**

D. Building Height: 35 feet (principal structure)  
~~The lesser of 25 feet or two-thirds of the height of the principal structure (accessory structure) (Amended Ord. 344, 04/11/2022)~~

**IX. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.10, SUBD. 5 RELATING TO ACCESSORY STRUCTURE HEIGHT IN THE C-3 DISTRICT, SHALL BE AMENDED AS FOLLOWS:**

D. Building Height: 35 feet (principal structure)  
~~The lesser of 25 feet or two-thirds of the height of the principal structure (accessory structure) (Amended Ord. 344, 04/11/2022)~~

**X. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1230.12, SUBD. 5 RELATING TO ACCESSORY STRUCTURE HEIGHT IN THE I-1 DISTRICT, SHALL BE AMENDED AS FOLLOWS:**

D. Building Height: 40 feet (principal structure)  
~~two-thirds of the height of the principal structure (accessory structure) (Amended Ord. 344, 04/11/2022)~~

**XI. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 1245.04, SUBD. 2 RELATING TO ACCESSORY STRUCTURES, SHALL BE AMENDED AS FOLLOWS:**

- E. Prohibited Roof Types. Rolled roofs, and mono-sloped roofs, and Quonset-style roofs are prohibited.
- F. Prohibited Exterior Materials. Galvanized and unpainted metal, plastic, canvas, and fabric are prohibited as exterior building materials.
- M. Maximum Height. ~~Standards pertaining to accessory structure height contained in~~

individual zoning districts shall apply. No accessory building shall have more than one (1) level, nor shall it exceed the height of the principal building in all zones. The City Council may allow accessory structures with more than one level and/or which exceed the height of the principal structure pursuant to Section 1210.06: Conditional Use Permit procedures of this Ordinance.

**XII. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.**

Adopted by the City of Norwood Young America on the 26<sup>th</sup> day of August 2024.

Attest:

\_\_\_\_\_  
Carol Lagergren, Mayor

\_\_\_\_\_  
Mitchell Thiesfeld, City Clerk

Adopted:

Published:



TO: NYA Planning Commission

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: July 31, 2024  
Planning Commission Regular Meeting August 6, 2024

REQUEST: Four variances to facilitate the construction of an accessory structure at 10 2<sup>nd</sup> St. SE.

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### **GENERAL INFORMATION**

Applicant/Owner: David Orr

Location: 10 2<sup>nd</sup> St. SE

Existing Land Use / Zoning: Single-family residential / zoned: R-3 Medium Density Mixed Residential

Surrounding Land Use / Zoning: North: Single-family residential / zoned: R-3  
East: Single-family residential / zoned: R-3  
South: Single-family residential / zoned: R-3  
West: Single-family residential / zoned: R-3

Comprehensive Plan: The 2040 Comprehensive Plan guides this property for Low Density Residential use.

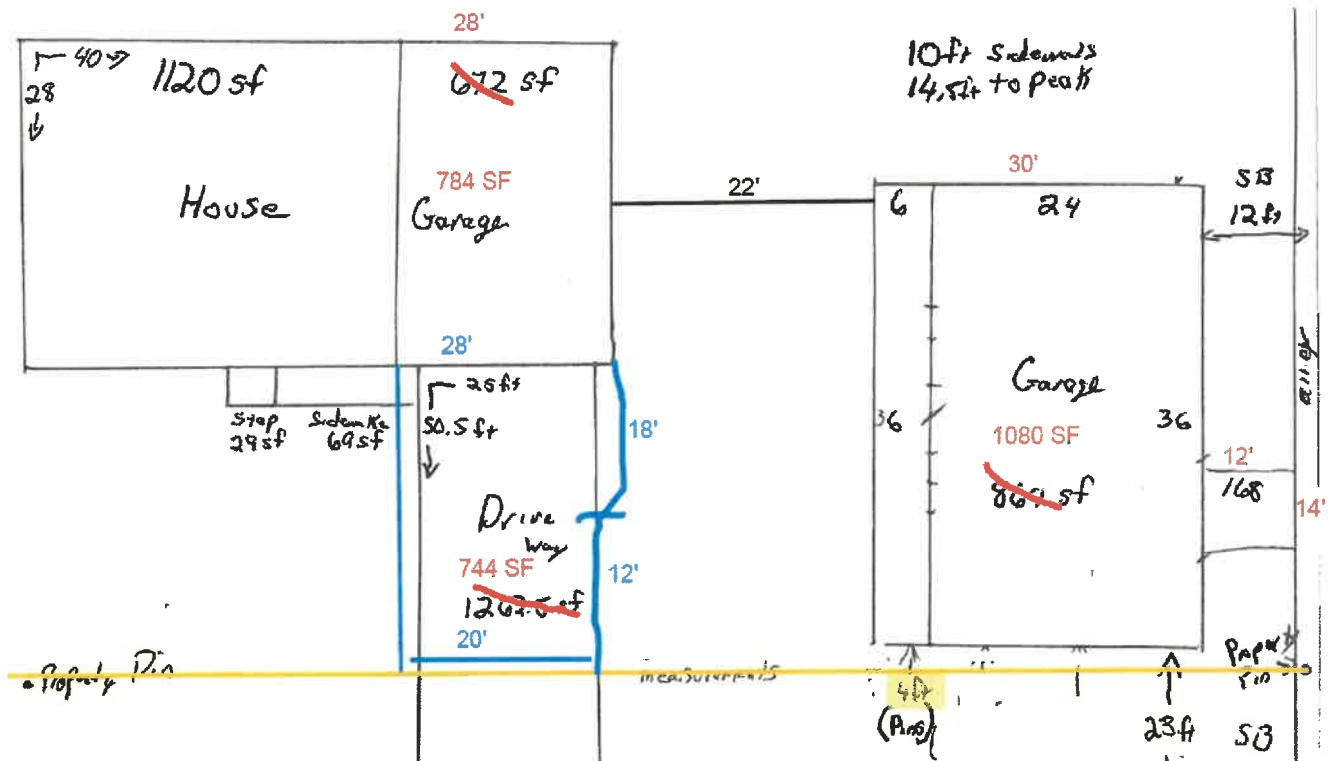
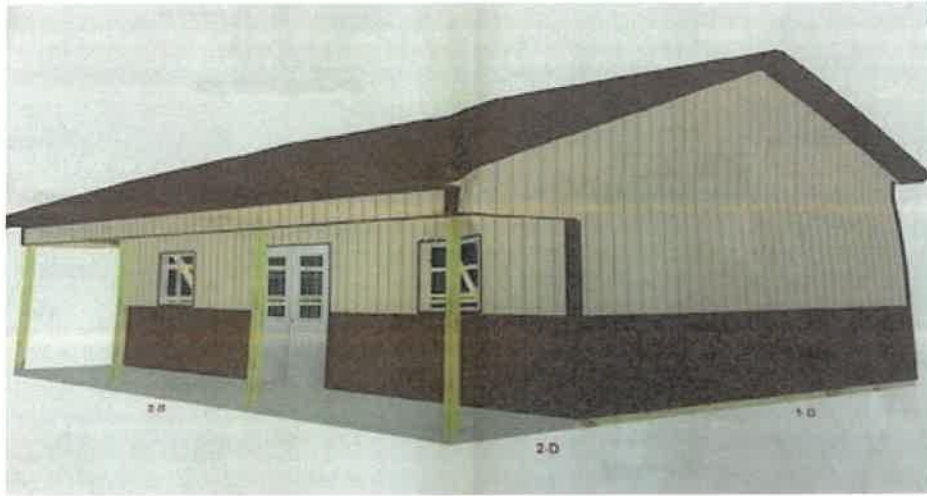
Deadline for Agency Action: Application Date: 07-17-24  
60 Days: 09-15-24  
Extension Letter Mailed: N/A  
120 Days: 11-14-24

### **OVERVIEW OF THE REQUEST**

Applicant, David Orr, has requested four variances to facilitate the construction of an accessory structure at the subject property. Work on the structure, without a permit, was discovered by the City, and a stop-work order was issued. When the Applicant approached the City to obtain a building permit, it was discovered that several components of the project do not conform to zoning requirements, thus variances have been requested.

The proposed structure is 30' x 36', totaling 1,080 SF. The structure is sited at the southeast corner of the lot, and would be accessed by vehicle from the alley running along the east side of the property by a gravel driveway. The building is proposed to be post-frame construction, with metal siding and roofing. The colors of the accessory structure were selected to match the home. The sidewalls are 10 feet in height, and the peak of the roof is 14 feet in height. The Applicant has stated that the use of the structure would be for vehicle parking, storage of personal property, and hobby woodworking.

The property currently contains a single-story rambler style home. There is an attached two-car garage. The principal structure is tan brick, with red accents, and standard asphalt shingles. The height of the home is 16.5 feet.



The following variances have been requested:

1. Variance to allow 38% lot coverage, where 35% is the maximum in the R-3 District
2. Accessory structure exceeding 2/3 the height of the principal structure
3. Setback of 4 feet from the south property line, where 20 feet is required
4. Building materials and construction style are not consistent with the home, as required for accessory structures

**GENERAL ZONING REVIEW**

1245.04 Accessory Structures provides requirements for accessory structures in all districts.

Requirement	R-3 Requirement	Proposed
Max. accessory structure size	1,200 SF	1,080 SF
Number of accessory structures	2 max.	1
Lot Coverage	35% / 3,705 SF	38% / 3,994
North Side Yard Setback	5 feet	26 feet
South Side Yard Setback	20 feet	4 feet
Rear Yard Setback	10 feet	12 feet

Variances have been requested to account for the lot coverage and setbacks shown in red above.

*Subd. 2 General Provisions*

*C. Design characteristics. Detached accessory structures shall be constructed of material similar to the principal structure, and in character with the surrounding built environment. Design characteristics shall include, but not be limited to, the following:*

1. *Roof type (e.g. gabled, hipped, mansard), roof orientation, and roof pitch.*  
The existing principal structure has a hipped roof, and the proposed accessory structure has a gabled roof. **Criterion not met.**
2. *Eave, overhang depth, and fascia/soffit type and appearance.*  
None of these items are consistent between the proposed structures. **Criterion not met.**
3. *Exterior building material.*  
The existing principal structure is brick with asphalt shingles. The proposed accessory structure has metal roofing and siding. **Criterion not met.**
4. *Exterior color.*  
The color scheme of tan with deep red accents is consistent between the two structures. **Criterion met.**

A variance has been requested for the lack of conformance with design characteristics above.

1230.06 R-3 Medium Density Residential District provides requirements for accessory structures located within the zoning district.

*Subd. 5 Lot Requirements and Setbacks*

*D. Building Height: (accessory structures) the lesser of 25 feet or two-thirds the height of the principal structure.*

The height of the proposed structure is 14.5 feet, and the height of the principal structure is 16.5 feet.

A variance has been requested to account for the lack of conformance with the maximum allowable accessory structure height.

**ENGINEERING CONSIDERATIONS**

The City Engineer has reviewed the request and offers the following comments:

- From an impervious surface standpoint, gravel surfacing is considered impervious and would count against their allowable coverage. Impervious surface coverage directly affects the amount and intensity of stormwater runoff that is discharged from the property. All stormwater runoff must then be handled by the public drainage system downstream.



- Access from the alley is reasonable will work as intended.

### **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 proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*
  2. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*
  3. *The variance, if granted, will not alter the essential character of the locality.*
- B. *Economic Considerations. Economic considerations alone shall not constitute a practical difficulty.*
- C. *The variance is in harmony with the purpose and intent of the Ordinance.*
- D. *The variance is consistent with the comprehensive plan.*

**Height Request:** The proposed height of the accessory structure is reasonable, and the practical difficulty is created by the Ordinance. The maximum allowable accessory structure height is overly restrictive for properties that contain a single-story home. It is not possible to construct a functional garage at two-thirds the height of a single-story dwelling.

**Lot Coverage Request:** There are no unique circumstances associated with this request. The property contains a larger home footprint, due to the rambler style home and existing two-car garage. Granting this variance would not be consistent with the purpose and intent of the lot coverage ordinance, which exists to ensure that adequate pervious surfaces are maintained on each property. This variance could be avoided by reducing the size of the proposed garage, or other impervious surface coverage on site, by approximately 300 SF.

**Setback Request:** There are no practical difficulties associated with the setback variance request. There is adequate area in the northeast corner of the lot to place the proposed garage and meet all of the required setbacks. The lot is not unique in shape and size and has no other compelling characteristics to warrant a setback variance. Staff notes that there are similarly situated garages on some of the neighboring properties, but these structures were all built well before current zoning ordinance requirements were adopted.

**Design Characteristics Request:** The request to utilize metal exteriors appears to be made out of financial considerations. There are no circumstances unique to the property or practical difficulties related to the land that would have any impact on this request. The intent of the design characteristic requirements is to maintain aesthetically pleasing neighborhoods and ensure that new development is in character with existing development in the area. All other accessory structures in the immediate vicinity match the principal structure located on the same lot. The construction style and materials for the proposed accessory structure are vastly different from the existing principal structure.

**Conclusions:** Three of the four variance requests (excluding the height request) could have been avoided had the Applicant reviewed the Zoning Code or approached the City to discuss his plans prior to commencing construction. Fairly minor alterations to the proposed size and location of the structure could meet ordinance

requirements. Doing this is much more difficult now, as the structure has been partially framed, but this is not a valid reason to grant variance requests. Solutions related to the design characteristics request could also have been discussed ahead of construction. Staff understands that an entire brick accessory structure, to match the house exactly, would be overly burdensome. However the proposed materials for a residential accessory structure should be higher-quality, traditional residential materials; a metal building does not meet that intent.

#### **RECOMMENDED ACTION**

Based on the information in the submitted application and findings in this report, staff recommends that the Planning Commission **recommend denial** of the requested variances, based on the proposed structure not satisfying all required variance criteria.

#### **Findings of Fact:**

1. There are no unique circumstances or practical difficulties associated with the variance requests related to lot coverage, setbacks, and design characteristics.
2. Economic considerations alone are the basis for the variance request related to design characteristics.
3. The requested variances are not in harmony with the purposes and intent of the Zoning Ordinance.

#### **MOTION LANGUAGE**

Motion to recommend that the City Council deny the requested variances at 10 2<sup>nd</sup> St. SE, based on the findings of fact outlined above.

#### **Attachments:**

- Application and Plans



more than a place. it's home.

# 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 Orr</i>	Telephone <i>612-916-2997</i>																														
Address (Street, City, State, ZIP) <i>10 2nd St. SE NYA MN 55397</i>																															
Property Owner's Name (If different from above)	Telephone																														
Location of Project <i>S.A.A.</i>																															
Legal Description <i>See Attached</i>																															
Description of Request (Attach separate sheet, if necessary) <i>See Attached</i>																															
<p><b>Proposed Action(s): Check all that apply</b></p> <table style="width:100%; border:none;"> <tr> <td><input type="checkbox"/> Annexation \$300.00</td> <td><input type="checkbox"/> Comp Plan Amendment \$500.00 + Escrow</td> <td><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 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>ALL PLANNING &amp; ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.</p> <p><b>*APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*</b></p>																															
<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.</p>																															
Applicant's Signature: <i>David Orr</i>	Date <i>7-12-24</i>																														
Fee Owner's Signature:	Date																														
<b>For Office Use Only</b>																															
Accepted By: <i>Allegra</i>	Amount <i>\$375<sup>00</sup></i>	Date <i>7/15/2024</i>	#5191 #5090																												

*\$46<sup>00</sup> recording (holding)*

To: NYA Planning and Zoning

From: Dave Orr

Ref: Variance for detached garage

Building this garage is part of Candace and I making this our forever home into our retirement years. Our current garage is smaller than you may notice due to interior brick wall from original construction. Our rambler/ranch style home is two tone maintenance free brick, this garage would be two tone tin maintenance free also. I am asking for a variance for the the 24 x 36 garage and I am also asking for a variance for the two tone tin.

If you have ever seen our property it has been known to "look like a park", always decorated for holidays and often talked about or commented on. This garage will add to this organization, appeal, and taxable property value. This placement of the garage allows for truck off street indoor parking, ample indoor storage of residential belongings, and a wood working shop (my inheritance) as hobby space. The 10ft sidewalls and 14 foot peak allow for additional storage and 8ft garage door to fit modern day size trucks. The 6x36 covered porch with wood decking, landscaping, and décor, adds to the ranch style property.

All construction, inside concrete, electrical, insulation, and interior finishing is already scheduled to be done by local licensed contractors.

Watershed will not be routed into city streets or system but into gutter and barrel system for use, with any overflow only draining onto property. This garage driveway access would see minimal not everyday use and be made permeable.

I was told I needed a variance for the garage size. Our property SF is 8442sf per our title, current hard surface totals 3,155.5 sf a total of 37%. New hard surface will be 864 sf, an additional 10%. 37% + 10% is 47%. We are asking for a variance for the additional 12% above the "allowed" 35%.

I am willing to address and pay for any additional required variances, if there will be more than the ones stated above. I apologize for the application process misunderstanding. If you have any questions or concerns, please feel free to call me at 612-916-2947. Thank you for your consideration.

Sincerely,



Dave Orr

To my neighbors:

I am wanting to build a 24 x 36 shed in my yard. This shed would be constructed up to code and well maintained, like the rest of my current property. I am reaching out to get signatures from neighbors to bring to the city of NYA. Showing that you are in agreement with this being built in the neighborhood.

Thank you for your time.

Sincerely,

David Orr

Victor D. Menning  
113 1st AVE SE

Ruth L B

108 CENTRAL Ave S WPA  
Aaron Dodge

109 1st Ave SE  
Scott Rulitzke  
113 central ave S. NYA, MN

Jordan Hoese  
113 central ave S. NYA, MN

Rita Maiser  
117 Central Ave

Jeff Cook  
202 Central Ave S. NYA, MN

Shawn Volkmann  
110 Central ave. S. NYA, MN



NYA City GIS

Find Address, PID, or Street



24 x 36

40ft



Sheet #2 updated 7-17-24

N

Not to Scale

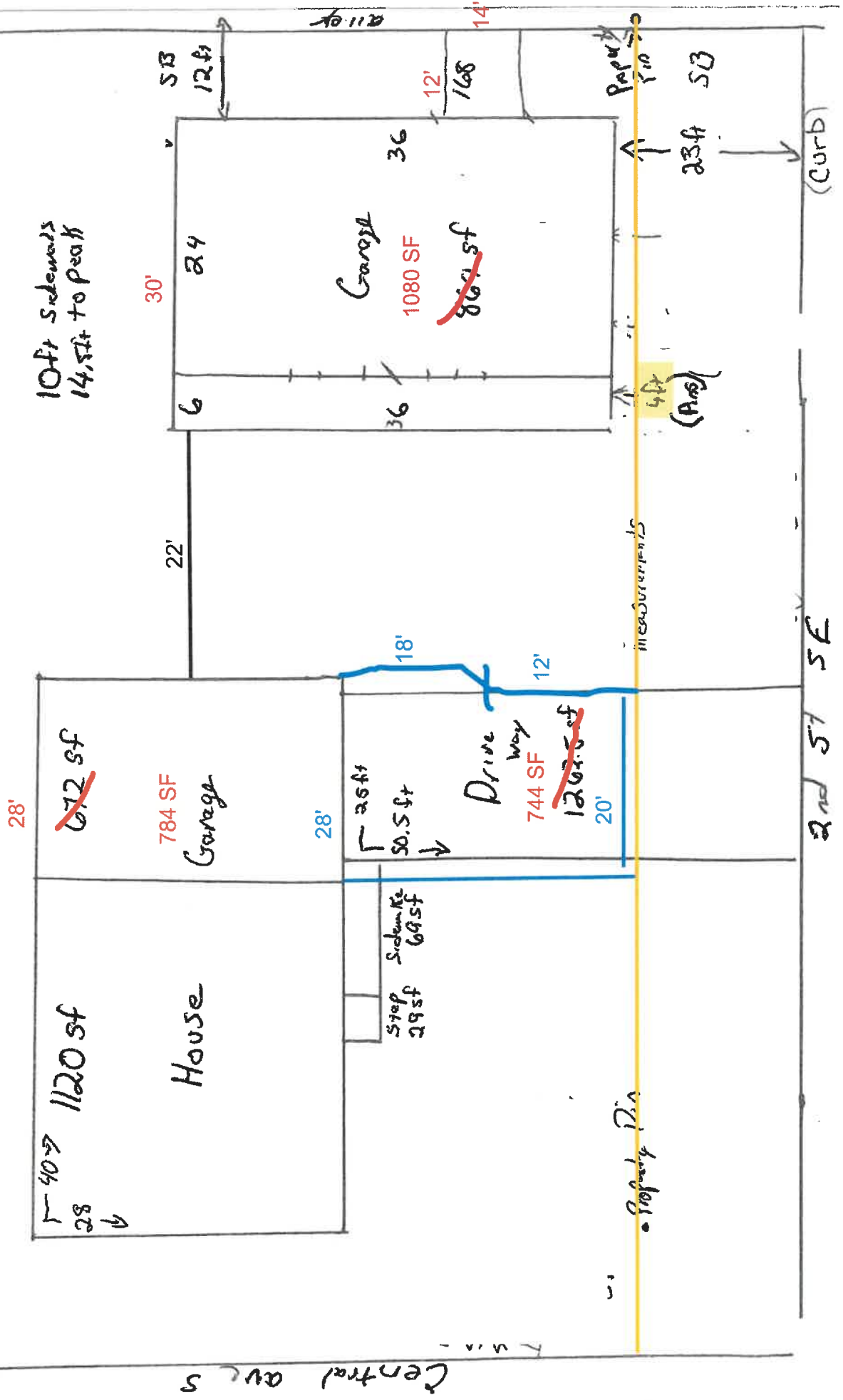
SB = Set Back

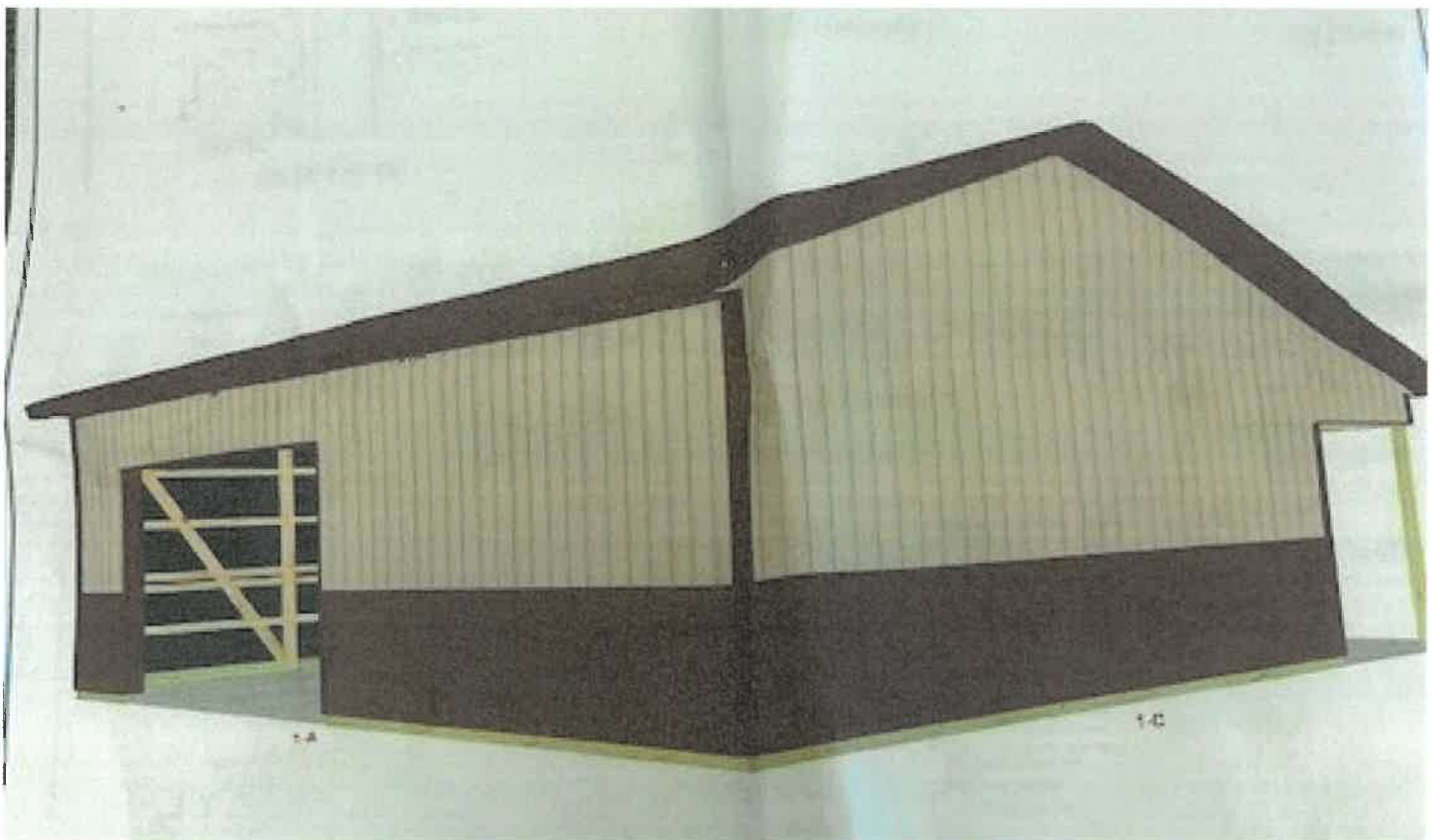
10ft Sidewalk  
14.5ft to Peak

76.5 →

Property ~~10019 sf~~  
10,588 SF

U6 ↓









TO: NYA Planning Commission

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: July 31, 2024  
Planning Commission Regular Meeting August 6, 2024

REQUEST: Preliminary & final plat, conditional use permit, variances and site plan approval to facilitate the development of a new facility for Nordic Waste and C&C Lawns in TWIP2.

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#### **GENERAL INFORMATION**

Owner: City of NYA

Applicant: Chris Pass, Norwood East LLC

Location: TWIP2  
4 acres in the center portion of Outlot B, Tacoma West Industrial Park 5<sup>th</sup> Addition

Existing Land Use / Zoning: Undeveloped; zoned I-1 Light Industrial District

Surrounding Land Use / Zoning: North: Undeveloped / zoned: I-1 Light Industrial District  
East: Agricultural / Young America Township  
South: Agricultural / zoned: T/A Transition/Agricultural District  
West: Undeveloped / zoned: I-1 Light Industrial District

Comprehensive Plan: The 2040 Comprehensive Plan guides this property for Industrial land use.

Deadline for Agency Action: Application Date: 07-12-24  
60 Days: 09-10-24  
Extension Letter Mailed: N/A  
120 Days: 11-09-24

#### **OVERVIEW OF THE REQUEST**

The Applicant has submitted plans for the development of a new facility for Nordic Waste and C&C Lawns. Nordic Waste is a dumpster rental and site work business. C&C Lawns is a landscaping company, with a focus on snow removal. The proposed site will be their new office headquarters and repair and storage facility.

The first component of this application is preliminary and final plat approval to create the lot from a portion of Outlot B in the Tacoma West Industrial Park 5<sup>th</sup> Addition. If you recall the TWIP2 was platted into two outlots,

to allow future business owners to create custom lots designed to the specifications they need. The proposed lot is 4 acres in size.

The next component of the application is Site Plan Review for the proposed development. The site will include a building containing offices and shop space, paved parking in front of the building, and a large outdoor storage and vehicle yard, surfaced in gravel. There is an 84-foot drainage and utility easement running along , the rear property line that will be green space.

The final component of the application includes conditional use permit requests. Outdoor storage in the I-1 District is a conditional use. The Applicant must be granted conditional use permit approval for the outdoor storage area. This area will also store vehicles in excess of 3/4-ton. There are two variances requested; one for the outdoor storage area to be located in the front yard, and a second for gravel surfacing, also in the front yard. The Applicant has requested these variances due to the large drainage and utility easement in the rear yard, rendering that area of the lot unusable.

**PRELIMINARY & FINAL PLAT REVIEW**

*SUBDIVISION DESIGN*

All proposed lots within the within the I-1 Light Industrial District must adhere to the following dimensional standards:

**Minimum Lot and Building Requirements**

<b>Standards</b>	<b>I-1 District Requirements</b>	<b>Proposed</b>
Lot Area	87,120 square feet (2 acres)	147,402 square feet (4.004 acres)
Lot Width	200 feet	425 feet
Lot Depth	No minimum	410.35 feet

*EASEMENTS*

Standard drainage and utility easements shall be provided along all lot lines. For property lines abutting right-of-way, easements shall be 10-feet in width. For interior property lines, easements shall be five feet in width.

Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, a storm water easement or drainage right-of-way shall be provided which conforms substantially with the lines of such watercourse or right-of-way.

The proposed lot will have an 84-foot drainage and utility easement running along the rear lot line. In addition to the rear easement, the lot will have a 10-foot drainage and utility easement along the front and both side property lines. The proposed easements conform to the requirements of the Subdivision Ordinance.

*PARKLAND DEDICATION*

Section 1140.01 Subd. 3, A – When applied for, the Calculation of Dedication states that for non-residential subdivisions, such as commercial or industrial plats, the city requires a minimum cash park dedication as specified in the Fee Schedule.

The City Council may waive the park dedication fee under special circumstances, such as economic development projects, where public funding and subsidies are utilized for project feasibility.

*The City Council will waive the park dedication fee for all plats in TWIP2.*

**PRELIMINARY PLAT CRITERIA**

- a. *The proposed subdivision conforms to the policies and standards of the Comprehensive Plan.*

The 2040 Comprehensive Plan guides this property for Industrial use.

**Criterion met**

- b. *The application is complete, and all information contained within section 1120.05, Subd. 2 is included within the Preliminary and Final Plats.*

**Criterion met.**

- c. *The design standards outlined in Section 1130 have been met with the materials provided within the application or are not applicable to the plat specifications and therefore have been omitted.*

**Criterion met.**

**FINAL PLAT CRITERIA**

- a. *The final plat is prepared by a land surveyor who is registered in the State of Minnesota and conforms to Minnesota Statutes Section 505.02 and the requirements of this Ordinance.*

**Criterion met.**

- b. *The application is complete, and all information contained within section 1120.05, Subd. 3 (A), (B), and (C) is included within the application*

**Criterion met.**

**SITE PLAN REVIEW**

**SITE DESIGN AND OVERALL LAYOUT**

The Applicant has proposed a 7,200 SF building situated in the northeastern corner of the lot. The building will consist of offices, a breakroom, and shop/warehouse space. The building is 80 feet wide and 90 feet deep. Offices and meeting rooms will be located at the northern third of the building, while the remaining two-thirds of the building will consist of warehouse/shop area.

A paved off-street parking lot for visitors will be located in front of the building. The lot will consist of seven standard parking stalls and 2 ADA-accessible parking stalls. The property's access from Tacoma Trail is located on the west side of the parking lot, and will continue through to provide access, through a gate, to the proposed gravel outdoor storage/parking area. The paved area of the site totals 7,538 SF.

The majority of the remaining buildable area of the lot will consist of gravel area used for truck parking, employee vehicle parking, equipment/materials storage, and dumpster storage. The gravel area will cover 105,345 SF and will be surrounded on all sides by a six-foot black chain link fence with screening slats. The employee vehicle and truck parking area will be located directly west of the driveway/throughway. However, the City's Ordinance prohibits gravel parking areas in the front yards of lots. The gravel employee/truck parking space is located within the area of the front building line (extended from side lot line to side lot line), thus is technically located in the front yard. The Applicant is requesting a variance to allow gravel on the western two-thirds of the front yard. Similarly, the City prohibits outdoor storage in a front yard. The Applicant's ability to move the parking/storage area outside of the front yard is constrained by the 84-foot drainage and utility easement at the rear of the property. To account for this area not meeting the Ordinance requirement, the Applicant has also requested a variance to allow for outdoor storage in the front yard of the lot.

**ARCHITECTURAL STANDARDS AND GUIDELINES IN THE I-1 DISTRICT**

Subd. 6 Architectural Standards and Guidelines for the I-1 District.

Exterior Wall Finish.

1. Required Materials. All exterior wall finishes on any building structure shall be constructed of the materials listed in Subd. 6 A.

The proposed materials are gray prefinished steel panels, placed vertically on the building.

**Criterion met.**

2. Accent Materials. When required based on subsection (1) above, accent material must occupy up to 25 percent of a building’s street-facing façade(s). These materials include those listed in Subd. 6 A.

The proposed accent materials include glass windows and front door, dark gray Versetta stone wainscotting, and a black steel canopy over the front door. These materials comprise 26% of the front building façade. **Criterion met.**

3. Prohibited Materials. The materials listed in Subd. 6 A may not be used in any visible exterior application except when specifically permitted by the City in areas with limited public view or accent areas

No prohibited materials have been proposed. **Criterion met.**

Color. Colors shall be harmonious and consist of muted colors with low reflectance. Recommended colors include browns, grays, tans, beiges and dark or muted greens, blues and reds. Bright or brilliant colors and sharply contrasting colors may be used only for accent purposes. **Criterion met.**

Entries. The main entrance should always face the primary street and shall be placed at grade. Main entries must be designed with one or more of the following elements detailed in Subd. 6 C.

The canopy over the front entry satisfies the Ordinance requirement. **Criterion met.**

**BUILDING REQUIREMENTS EVALUATION**

	<b>I-1 Requirement</b>	<b>Proposed</b>
Building Height	40 feet	26 feet
Front Yard Setback	30 feet	65 feet
East Side Yard Setback	10 feet	37 feet
West Side Yard Setback	10 feet	308 feet
Rear Yard Setback	30 feet	255 feet
Maximum Impervious Surface Coverage	80%	68.6%

**PARKING REQUIREMENTS**

Storage, wholesale, or warehouse establishments are required to have for each 2,000 feet of space – One (1) space, or one space for every employee on the shift utilizing the most employees, whichever is greater, and One (1) space for each company vehicle operating from the premises.

Utilizing the building area requirement, 3.6 parking spaces would be required. The Applicant has stated that the companies currently have eight employees on max shift, and would expect that to increase to 10 within the first year. The business also has eight large commercial vehicles (in excess of ¾-ton), and five passenger vehicles. Between the nine paved spaces in front of the building, and the large area designated for employee and company vehicle parking within the outdoor storage yard, there is adequate space for all vehicles.

### LANDSCAPING

The Ordinance requires tree planting of a minimum of eight trees or one tree per 3,000 SF of suitable site area, whichever is greater. The 54,786 SF of green space (suitable site area) on the site requires 18 trees. The landscape plan shows 20 trees to be planted. The trees are primarily located along the front property line, as required.

Foundation plantings are required at a rate of one shrub per ten feet of building frontage and parking lot perimeter. Plantings may be grouped rather than dispersed at ten-foot intervals (permitted gravel parking areas are exempt from this requirement). The landscape plan shows that 16 shrubs will be planted along the front of the building, satisfying this requirement.

### SIGNAGE

A signage plan was not submitted with this application. Any future signs must meet the standards of Section 1260, Subd. 4, and are subject to sign permit approval.

### LIGHTING

A detailed lighting plan has not yet been provided. The building plans show LED wall mounted light fixtures at various locations on the building. A full photometric plan will be required at the time of a building permit application, and conformance with all requirements of Section 1245.08 must be demonstrated.

### VARIANCE REVIEW

Two variances have been requested:

1. Variance to allow gravel surfacing in the front yard
2. Variance to allow outdoor storage area in the front yard

### 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 proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The proposed gravel and outdoor storage area in the front yard is reasonable. The Applicant has shifted the building over to the east side of the property, so even though this area is technically in the front yard, it is not located in front of the principal structure. **Criterion met.**

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

The 84-foot rear property line easement is not typical. The rear easement takes up 35,700 square feet of space – forcing the Applicant to shift the gravel area and outdoor storage towards and into the front yard. If the Applicant were not able to utilize this area for their outdoor operations, they would need to purchase additional land, which would not be fair since they already have a large amount of unusable space due to the easement. **Criterion met.**

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

The proposed outdoor storage area is in keeping with the Industrial zoning of the property, and will be encompassed by a screening fence. **Criterion met.**

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

The proposed variances will allow the business reasonable function and utilization of the property. This is not a solely financial request. **Criterion met.**

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

The variances will allow reasonable use of a lot that is constrained through no fault of the Applicant. **Criterion met.**

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

The variances will have no impact on the light industrial use of the property. **Criterion met.**

### **CONDITIONAL USE PERMIT REVIEW**

A conditional use permit has been requested to allow for outdoor storage, and outdoor storage of vehicles in excess of 3/4 ton.

#### *CRITERIA FOR APPROVAL OF A CONDITONAL USE PERMIT*

The Planning Commission is required to examine the request for a CUP amendment under the standards provided in 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 Light 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 designated easements will be protected and made available should access be required. **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 outdoor storage area. Proposed fencing will provide ample privacy while shielding the public from view of the site. The properties in the immediate vicinity are also guided for industrial use, and anticipated to be developed for similar uses. **Criterion met.**

6. *The use will not Impede the normal and orderly development and Improvement of surrounding property for uses permitted in the district.*

**Criterion met.**

7. *Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.*

**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.*

**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 Ordinance. **Criterion met.**

### **ENGINEERING CONSIDERATIONS**

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

### **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 application, subject to the following conditions:

1. Site and building development must adhere to the plans submitted with this application.
2. All landscaping shall be planted as shown on the landscape plan.
3. 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.
4. 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.
5. Stormwater runoff management to meet governmental requirements (CCWMO and NPDES) is provided by the development's overall storm system. The condition of the adjacent swale and bioretention basin should be documented prior to any work with pictures or video. Any sediment deposited in the swale or basin after work starts shall be deemed to be caused by the Contractor, and the Owner's responsibility to remove and restore.
6. The SWPPP should be updated to meet NPDES requirements. The following should be included in the SWPPP:
  - a. Map of Surface Waters

- b. Training documentation
7. A large impervious surface is proposed for most of the site that drains directly to the development's stormwater runoff management system. Sediment migrating from the gravel to the adjacent swale and basin would prematurely shorten the life of the system. Therefore, pretreatment of runoff should be provided prior to discharge to the development system. A 20' vegetated strip should be provided prior to the swale and basin. The strip should contain a minimum 6" depression to provide for snow storage.
  8. Per the development's Stormwater Management Plan, a maximum of 80% impervious surface is allowed per the buildable area available. If the pre-treatment vegetated strip is provided, the site would be at the allowable impervious surface coverage.
  9. The applicant will be required to obtain Carver County Watershed Management Organization (CCWMO) approval and permitting for erosion control and stormwater management. A copy of any permits/approvals should be submitted conditional to Final Site Plan approval.
  10. The applicant will be required to obtain a General Construction Permit for Stormwater associated with Construction Activity (NPDES). A copy of the permit should be submitted conditional to Final Site Plan approval.
  11. The condition of Tacoma Trail must be reviewed by the City and Contractor prior to any work and verified with video or pictures. Any damage to the street after work commences shall be deemed to be caused by the Contractor and the Owner's responsibility to repair.
  12. All work within public right-of-way and connections to utilities must be coordinated with the City. Contractor must provide a minimum 48-hour prior notice.
  13. Tracer wire must be installed with all non-metallic water main or water service.
  14. A driveway apron should be installed at the connection to Tacoma Trail and extend a minimum of 5' from back of curb. Details should be included accordingly.
  15. The final location of fire hydrants, valves, and fire connections must be reviewed by the Fire Chief.

#### **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 proposed application to the City Council.
2. Denial of the Requests. In the event the Planning Commission chooses denial of the proposed application, the Planning Commission should make a motion to recommend denial of the requests 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:**

- Application and Plans
- City Engineer's Memo





# 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 <b>Chris Pass</b>	Telephone 952-270-6380				
Address (Street, City, State, ZIP) 1201 6th st s., Hopkins, MN 55343					
Property Owner's Name (If different from above) <b>Norwood East LLC</b>	Telephone				
Location of Project <b>Tacoma West Industrial Park</b>					
Legal Description <b>Lot 1 Block 1</b>					
Description of Request (Attach separate sheet, if necessary) <b>Development and building of approx. 4 acres of land within the Tacoma West Industrial Park. Request for approval of CUP for outdoor storage and Variance allowing use of gravel as an impervious surface inside fence forward of the building to be used for parking.</b>					
<b>Proposed Action(s): Check all that apply</b>					
<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 checked="" 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 checked="" type="checkbox"/> Site Plan <del>\$200.00</del> + 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 _____					
ALL ESCROW MUST BE PAID BY CERTIFIED CHECK Escrow Deposit \$2,000.00 Escrow Deposit - Site Plan Review: <u>\$15,000 (Tacoma West Industrial Park)</u> , \$5,000.00 (All other site plan reviews) Escrow Deposit - Development Review (paid at Sketch Plan): \$10,000.00					
ALL PLANNING & ZONING APPLICATION FEES ARE IN ADDITION TO LEGAL, ENGINEERING AND ASSOCIATED COSTS.  *APPLICATIONS WILL BE PROCESSED ONLY IF ALL REQUIRED ITEMS ARE SUBMITTED*					
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>Chris Pass</i>	Date 7/11/24				
Fee Owner's Signature: <i>Chris Pass</i>	Date 7/11/24				
<b>For Office Use Only</b>					
Accepted By: <i>Halley</i>	<table style="width:100%; border: none;"> <tr> <td style="width:33%;">Amount</td> <td style="width:33%;">Date</td> </tr> <tr> <td>#15,721.00</td> <td>7/12/2024</td> </tr> </table>	Amount	Date	#15,721.00	7/12/2024
Amount	Date				
#15,721.00	7/12/2024				

ck 501385

## **Building and Project details**

To whom it may concern,

I am writing you today to give you a quick summary of the business that we would like to move to the Tacoma West Industrial Park, how it functions and an explanation for the CUP and Variance request.

The purpose of this property will be the primary location for Nordic Waste Management Inc. & C&C Lawns Inc. DBA Nordic Snow Management.

Nordic Waste Management Inc.'s primary business is dumpster rental, trucking and demolition/site work. C&C Lawns' primary focus is commercial snow removal. Both businesses are held under the same ownership (Myself and Joe Uran). We have been based out of Hopkins, MN since 2013 but have unfortunately outgrown the space we currently are in. We think Norwood Young America will be a good fit for us as we continue to grow. In an ideal world all our dumpsters are out for rent, and we don't need any storage for them, but reality is there are times we do need storage. We also use several landfills and transfer stations to accomplish this. Our snow removal equipment is stored at sites during the winter months but would need to be stored for the summer. Some of this equipment overlaps between the seasons.

Between both businesses we currently have 8 employees on max shift but would expect to see that increase to about 10 or so in the next year. We also currently have 8 vehicles that are over 15k lbs and 5 pickup truck sized vehicles. I would expect these vehicles to be parked outside most of the time depending on the available inside shop space. During a normal workday most of our trucks and equipment leave in the morning and come back in the afternoon.

The building were planning on will serve as our main office in addition to a repair facility for our vehicles and equipment. Some vehicles may be stored inside at times.

The reason we are applying for a variance is to allow use of the area forward of the building, inside the fenced yard as parking for employees and our own vehicles when not in use. We understand that we could avoid the variance by covering this area with pavement but with our limited budget it would be helpful to keep this area gravel instead. We didn't think this would be very noticeable since it is behind a screened fence and landscaped boulevard. Another reason we are hoping you can grant this variance is that there is such a large area of green space on the north side of the lot for drainage, during initial planning we didn't realize this was going to be an unusable easement that has reduced the amount of usable

storage on the lot. Our building and site design had already been completed when we realized this and although we could have changed it to maximize the allowed gravel area, we feel it would have negatively impacted the design. This would have moved our building forward towards the street to the minimum allowed setback and our public/ general use parking lot to the side of the building.

The CUP for outdoor storage would be essential for our operations as a lot of our dumpsters, equipment and materials aren't able to be stored inside. You can reference the site layout that was submitted for an idea of how we intend to use the outdoor storage space. Without this CUP the amount of property we are purchasing wouldn't make sense either.

Hope all this helps you understand our request and we look forward to becoming a part of the community.

Best regards,

Chris Pass

Norwood East LLC.



**BOLTON  
& MENK**

Real People. Real Solutions.

2638 Shadow Lane  
Suite 200  
Chaska, MN 55318-1172

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

July 29, 2024

City of Norwood Young America  
Attn: Karen Hallquist  
310 Elm Street West  
Norwood Young America, MN 55368

RE: CUP Application  
Nordic Waste  
Engineering Review #1

Dear Karen:

As requested, I have completed an engineering review of the documents submitted for the above-referenced project. Following are my comments for City consideration:

1. Stormwater runoff management to meet governmental requirements (CCWMO and NPDES) is provided by the development's overall storm system. The condition of the adjacent swale and bioretention basin should be documented prior to any work with pictures or video. Any sediment deposited in the swale or basin after work starts shall be deemed to be caused by the Contractor, and the Owner's responsibility to remove and restore.
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  11. The final location of fire hydrants, valves, and fire connections must be reviewed by the Fire Chief.

If you have any questions or comments, please contact me to discuss.

Sincerely,

**Bolton & Menk, Inc.**



**Joshua Eckstein, P.E.**  
Principal Engineer