



*Sherburne County
Planning Advisory Commission Meeting Minutes
July 16, 2020
6:00pm*

The Sherburne County Planning Advisory Committee met in the Board Room at the Sherburne County Government Center in Elk River, Minnesota on July 16, 2020 to hold a public hearing for all unincorporated areas of Sherburne County in which the County has zoning and land use authority, along with the Township of Big Lake, the Township of Baldwin and the Township of Livonia, to consider the evening's agenda and other planning and zoning related topics.

Chairperson Bryan Lawrence called the meeting to order and roll was taken.

The following members were present:

Roger Nelson, Blue Hill Township; Lila Spencer, Livonia Township; Steve Demeules, Palmer Township; Chairman, Bryan Lawrence, Baldwin Township; Vice-Chair, Bruce Aubol, Big Lake Township; Bryan Adams, Orrock Township; Jeff Schlingmann, Haven Township; Terrance Vandereyk, Clear Lake Township, David Jehoich, Santiago Township.

The following staff members were present:

Nancy Riddle; Zoning Administrator, Lynn Waytashek; Assistant Zoning Administrator, Marc Schneider;

Senior Planner

Lawrence stated that the meeting was being recorded and announced that the Planning Commission is a recommending body. Items recommended for approval by the Planning Commission will be heard by the County Board of Commissioners on August 4th, 2020 at 9:00am.

Schlingmann made a motion to approve the minutes from the June 18th, 2020 Public Hearing. Demeules seconded. Motion carried and the minutes were approved for the June 18th, 2020 Public Hearing.

Lawrence asked if there were any additions to the agenda. Schneider replied that Sherburne County has just received a housing study, put together for the Economic Development Authority (EDA) and Schneider had been asked by Commissioner Schmiesing and Assistant County Administrator, Dan Weber if he would present to this group. Therefore, a third agenda item, "Housing Presentation Study" has been added to the agenda. Aubol made a motion to approve the Public Hearing agenda for July 16th, 2020 with the addition of the Housing Study item. Spencer seconded. Motion carried and the Public Hearing agenda for July 16th, 2020 was approved.

Schneider then noted that the applicant for Big Rig Companies is on the way, but not in attendance for the start of the meeting, so the agenda order was adjusted as follows.

Agenda:

1. **Amend the Sherburne County Zoning Ordinance** related to School Bus Service by amending Section 7 Agricultural District, Subdivision 3 Conditional Uses, 8 General Rural District, Subdivision 3 Conditional Uses and 11 Industrial District, Subdivision 2 Permitted Use
2. **Big Rig Companies LLC** (Owner Bullinger Enterprise) Request for an Interim Use Permit for Highway Planned Unit Development for Commercial Truck and Trailer Sales
3. **Housing Study Presentation**

Agenda Item #1 -6:03pm

Amend the Sherburne County Zoning Ordinance related to School Bus Service by amending Section 7 Agricultural District, Subdivision 3 Conditional Uses, Section 8 General Rural District, Subdivision 3 Conditional Uses and Section 11 Industrial District, Subdivision 2 Permitted Uses

Marc Schneider, Senior Planner, presented the request to the Planning Commission including the board packet, attachments and comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

A. Draft Ordinance Amendments

PLANNING & ZONING STAFF COMMENTS:

Zoning Staff is proposing to amend the Sherburne County Zoning Ordinance to address the areas within Sherburne County that School Bus Service businesses are allowed. Currently the Zoning Ordinance does not list School Bus Services as a permitted, Conditional or Interim Use in the Industrial Zoning District. Staff believes this is an oversight and would like to see School Bus Service as a permitted use in the Industrial and Heavy Industrial Districts. The reasoning behind this amendment is to ensure heavy uses like School Bus Services are permitted to operate in the Industrial and Heavy Industrial districts. Much of the lands zoned Industrial within Sherburne County are well separated from residential uses and are located on high tonnage roads that are in close proximity to Federal and State and County roads.

Zoning Staff is also requesting to amend the Zoning Ordinance to remove School Bus Services as a Conditional Use allowed in the Agricultural and General Rural Districts. The reasoning for this is Zoning Staff feels School Bus Services is more of an Industrial use that could create conflict between the predominate uses already allowed within these districts which includes single family housing, and agricultural. School Bus Services establishes a high volume of vehicle traffic during early morning and late afternoon, with the potential nuisance of starting and running vehicles in the early morning.

The Amendments are presented in the Board Packet Attachment A.

Planning Commission Discussion Followed:

Demeules asked if there will be an influx of applications in the Agricultural and Rural Districts if this change is made.

Schneider stated there are not currently School Bus Services in the Agricultural District. There is one along Highway 10, in Haven's Zoning District, which is Industrial. Another is located in the City of Big Lake; Vision Bus Company. So, if you think about where these are currently landing, it's our Industrial areas that are generally close to State Highways 169 and Highway 10.

Lawrence stated that he can't think of a reason why this would have to be in an Agricultural or General Rural area and if the need arose it could be rezoned. If it happened to be Agricultural and was on a major roadway, and it made sense, you could ask to rezone.

Demeules asked if there is a count for how many school buses create a school bus service.

Schneider replied that the Ordinance does not get that specific.

Demeules then added, that single buses are seen all over.

Schneider stated that bus service has a broad explanation and the expectation is that it's an area that provides space for multiple buses to be stored for use.

Adams asked if this would pertain to a Commercial Bus Service as well or if it is just a School Bus Service.

Schneider stated that the Ordinance refers to School Bus Service. There is a Commercial Bus Company in the County now, and it is within city limits, located on Jackson Street in Elk River.

Adams asked how it would be handled if a private Bus Company wanted to come in.

Schneider replied that he would look at the Ordinance and wouldn't have a real clear use that it would fit under.

Lawrence suggested that it be amended to Bus Service rather than School Bus Service.

Riddle agreed that the amendment could be changed to remove "School" to cover all Bus Services.

Aubol brought up the point about someone in Big Lake Township who does bus service/maintenance and asked if this would fall under this Ordinance.

Schneider stated that it would fall under auto repair service station.

Lawrence opened the Public Hearing. No one from the Public spoke. No comments were received from the Public.

Schlingmann motioned to close the Public Hearing. Demeules seconded. The motion carried and the Public Hearing was closed.

Adams made a motion to approve the amendment with the removal of "school" to just "bus service." Schlingmann seconded. The motion carried and the Amendment is recommended to County Board.

Agenda Item #2-6:12pm

Big Rig Companies LLC (Owner Bullinger Enterprise) Request for an Interim Use Permit for Highway Planned Unit Development for Commercial Truck and Trailer Sales

PID 25-429-0105, Address 3660 32nd Street SE St. Cloud, Section 16, Lot 1, Block 1 Teders Addition, Haven Township, 2.72 Acres, in the Industrial Zoning District.

Marc Schneider, Senior Planner, presented the request to the Planning Commission including the board packet, attachments and comments.

PLANNING COMMISSION PACKET ATTACHMENTS:

- A. Aerial Photo
- B. Applicant's Description of Operations (2 pages)
- C. Building Floor Plan
- D. Site Plan with Parking Layout, and well and septic (2 pages)
- E. Site Photos

HAVEN TOWNSHIP COMMENTS (06/16/2020): Positive comment with the extinguishing all old CUPs on the property.

DEPARTMENT/AGENCY COMMENTS: None to date

PLANNING & ZONING STAFF COMMENTS:

1. Big Rig Companies has requested an Interim Use Permit (IUP) application for a Highway Planned Unit Development at 3660 32nd Street St. Cloud. Their business will have an inventory of 60 commercial trucks and or trailers for sale and up to 5 customer vehicles for repair and majority of the sales will be trucks.
2. Annually the applicant estimates up to 250 sales of trucks and trailers and average 18 visitors a day (36 entrance and exit a day) this includes employees, customers and contractors. Will use the existing access on County State Aid Highway 3. The business may include 6-10 employees, will operate Monday – Friday, 8:00 am to 5:30 pm, and by appointments on Saturdays.
3. Existing signage will be updated, and no additional lighting is proposed.
4. No painting of trucks or trailers is proposed.
5. This property has been granted three Conditional Use Permits (CUP) in the past (6/1/2004 CUP Permit Number 32623 and Document Number 554432, 11/4/2008 CUP Permit Number 41984 and Document Number 683255, 12/8/2008 CUP Permit Number 42222 and Document Number 685448. These existing CUPs should be revoked as a condition of approval.
6. A Highway PUD allows a land use (i.e. vehicle sales) not otherwise permitted within the underlying zoning district (i.e. Industrial), and in return the County may require certain standards or amenities beyond what is normally required by the ordinance (i.e. landscaping, ROW dedication, building appearance, etc.). This property has served as a location for trailer sales in the past and Staff is not making any recommendations for additional improvements or amenities.
7. The applicant is only proposing some minor changes to the interior of the building as highlighted in packet Attachment C.

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8. The applicant is proposing to remove the existing sign on the property and install a new sign. No other exterior modifications are proposed. The applicant will continue to use the existing access to 32nd Ave (CSAH 3).

RECOMMENDED CONDITIONS IF APPROVED:

1. This Interim Use Permit for a Highway Planned Unit is issued to Big Rig Companies LLC for the purpose of Commercial Truck and Trailer Sales and shall expire with a change in majority ownership of the business or sale of this property. The business will consist of sales of semi and trailers sales, and minor repairs, no painting, paint removal.
2. Inventory of 60 commercial trucks and or trailers for sale and up to 5 customer vehicles for repair and shall be consistent with the site plan as presented in Board Packet Attachment D.
3. Hours and days of operation are Monday – Friday, 8:00 am to 5:30 pm, and by appointments on Saturdays.
4. A building permit is required from the Planning and Zoning Department for any alteration to the existing building. All building plans must be prepared by an architect or engineer to certify the structure complies with MN Building Code and the American Disability Act requirements.
5. Any signage shall comply with the sign ordinance, a sign permit is required.
6. All lighting will be directed away from all public right of ways.
7. Road access will remain via 32nd Ave (CSAH 3) no other road access is approved with this IUP.
8. The applicant shall allow the County to inspect the property during normal business hours.

Planning Commission Discussion Followed:

Cole Bryan, 4915 Lansing Ave NE, St Michael, co-owner of Big Rig Companies came forward as the applicant. He has been the Operating Partner for 8 years. They are currently at the Hasty/Silver Creek exit off of I-94, doing sales and service. The company has been able to make it in the facility, which is about an acre that they are renting. They are expanding and out growing their current facility.

Lawrence asked if this will be a permanent home for the business or if they will be working out of both locations.

Applicant stated that the entire business will be moving, and this will be the only location.

Adams asked how detailing of the trucks is done if there will be no painting done on the trucks.

Applicant replied that the detailing is washing the trucks and cleaning the interior of the trucks.

Adams asked what kind of detailing is done on the rigs.

Applicant replied that an interior and exterior washing is done. If there was frame painting that needed to be done, the company would use L & S Body Shop which is just down the road.

Adams clarified that if someone wanted their name or numbers painted on the truck, if this would this be contracted out.

Applicant confirmed that this would be contracted out.

Lawrence asked the applicant if he has read and understands the Conditions.

Schlingmann pointed out that there are (8) Conditions. He also noted that some businesses in this area have old CUPs and this one is included in that category. He would like to add as a Condition of Approval that any existing CUPS are extinguished.

Lawrence stated that this is noted in the comments, but not as a Condition.

Schneider confirmed that staff comment #5 should be added as Condition #9.

Applicant asked if this is an action that he needs to take to remove the existing CUPs.

Schneider replied that the revocation will be included in the County Board action.

Lawrence asked if any of the existing CUPs on the property fit what the applicant is proposing to do.

Schneider replied that the existing CUPs do not fit what the applicant is proposing. This use is a Highway PUD.

Waytashek added that the prior CUPs were for enclosed trailer sales, another for siding and roofing sales and one for pallets.

Schlingmann added that this is a good example of why we like to extinguish the old CUPs on any property in the Industrial or Commercial District so that these old permitted uses are extinguished.

Lawrence asked if the current access on the property needs to be improved at all.

Applicant stated that it does not.

Lawrence reiterated that the County is stating that no accesses be added so we want to take that into consideration.

Lawrence asked the applicant again, he if understands all (9) Conditions.

Applicant stated his understanding.

Lawrence asked if the business can operate in the confines of these Conditions.

Applicant stated his agreement.

Lawrence opened the Public Hearing. No one from the Public spoke. No comments were received from the Public.

Nelson motioned to close the Public Hearing. Adams seconded. The motion carried and the Public Hearing was closed.

Schlingmann moved to recommend approval of the IUP with the (9) recommended Conditions. Spencer seconded.

CONDITIONS:

1. This Interim Use Permit for a Highway Planned Unit is issued to Big Rig Companies LLC for the purpose of Commercial Truck and Trailer Sales and shall expire with a change in majority ownership of the business or sale of this property. The business will consist of sales of semi and trailers sales, and minor repairs, no painting, paint removal.
2. Inventory of 60 commercial trucks and or trailers for sale and up to 5 customer vehicles for repair and shall be consistent with the site plan as presented in Board Packet Attachment D.
3. Hours and days of operation are Monday – Friday, 8:00 am to 5:30 pm, and by appointments on Saturdays.
4. A building permit is required from the Planning and Zoning Department for any alteration to the existing building. All building plans must be prepared by an architect or engineer to certify the structure complies with MN Building Code and the American Disability Act requirements.
5. Any signage shall comply with the sign ordinance, a sign permit is required.
6. All lighting will be directed away from all public right of ways.
7. Road access will remain via 32nd Ave (CSAH 3) no other road access is approved with this IUP.
8. The applicant shall allow the County to inspect the property during normal business hours.
9. This property has been granted three Conditional Use Permits (CUP) in the past (6/1/2004 CUP Permit Number 32623 and Document Number 554432, 11/4/2008 CUP Permit Number 41984 and Document Number 683255, 12/8/2008 CUP Permit Number 42222 and Document Number 685448. These existing CUPs should be revoked as a condition of approval.

FINDINGS: *No Interim Use Permit shall be approved or recommended for approval by the County Planning Commission unless said Commission shall find:*

Schneider read the questions and Schlingmann provided the response as follows.

1. That the Interim Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity. **YES or NO WHY?**

Yes, it will not because it is located in a platted Industrial area and the property has been used for several uses in the past.

2. That the establishment of the Interim Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area. **YES or NO** WHY?

Yes, it will not. The area is an existing Industrial area and has a mix of commercial and industrial uses that exist.

3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. **YES or NO** WHY?

Yes, everything is in place right now to furnish access and utilities.

4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **YES or NO** WHY?

Yes, there is sufficient parking existing on the lot to handle the proposed business.

5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
YES or NO WHY?

Yes, as it is an Industrial area there is not any additional offensive odors, dust or noise anticipated outside the normal operations.

The motion carried, with all members voting in favor and is recommended by the Planning Advisory Commission to the County Board for approval.

Agenda Item #3-7:28pm

Housing Study Presentation

Marc Schneider presented the Housing Study for the region that was distributed at the EDA meeting today. This housing study briefing will be sent to the Planning Commission members for review and the link to the full report will also be sent.

Marc stated that this is a good evaluation of the housing conditions in the County and is important information for the Planning Commission members to know moving forward.

This study was conducted by Maxfield and the scope was to provide a custom, comprehensive housing study for the region, looking at the needs of the residents of Sherburne County and provides a framework to meet those housing needs. This includes short- and long-term needs, recommendations guiding future housing and development, as well as tools and policies to help implement the plan.

Some of the key take-aways from the study:

1. Slow growth in the last decade with steady growth in this decade
2. Housing is growing faster than the population
3. Fastest population growth is ages 65 and above with empty nesters or never-nesters holding a high population in Sherburne County
4. Strong household income which is 8% higher than the metro area
5. 78% of the workforce leaves the County for employment
6. Low rent vacancy
7. Senior housing is a place for strong growth
8. Single family homes increased by 85% since 2000
9. Demand for housing and new single-family construction is strong

Adams asked what the end result is of this study.

Schneider stated that at this point, the focus is getting the information out there to departments, cities and elected officials to start to determine if there are areas that need to be addressed and what the steps are for addressing those areas. This will also assist with the Sherburne County in updating our Comprehensive plan and Zoning Ordinances.

Schneider explained that the County is currently involved with a Regional Planning Group whose work includes land use planning, economic development and transportation for the region. Looking at where development is going and what type of development is happening, from there, what are the transportation needs, which will help us pursue funding for a Mississippi River bridge crossing.

Adams stated that he is surprised by the number of residents who leave the county for work.

Schneider stated that he is working on another study which shows that there are also a lot of people that come into the County for work from other neighboring Counties. This study shows that Sherburne County residents are going into the metro for work because of wages.

Demeules added that Sherburne County residents choose the quality of living that Sherburne County offers and then choose to commute.

Schneider agreed and stated that one of the biggest areas of growth that we have seen has been the commercial trades.

Closing:

Nelson made a motion to adjourn the meeting. Adams seconded. The motion carried and the meeting was adjourned at 6:38pm.

Submitted by Carrie Winter, Secretary