



**CITY OF MONTROSE  
200 CENTER AVENUE SOUTH  
MONTROSE, MINNESOTA 55363  
PLANNING & ZONING COMMISSION  
MINUTES  
May 21, 2008**

Pursuant to call and notice, the Montrose Planning and Zoning Commission met in regular session on Wednesday, May 21, 2008.

Those present were Commissioners, Cory DeWitte, Roy Henry, Nina Stanley-Woidyla, Tim Hackenmiller and Chuck Smallwood.

Jeff Petersen, acting liaison, Kris Richter, administrative assistant and Bob Kirmis, city planner were also present.

Absent: Alfred Mohring  
Keith Roseen

Cory DeWitte read the Commissions Mission Statement:

**MISSION STATEMENT**

*The Planning Commission, serving a key leadership role as an advisory body to the City Council, reviews and evaluates land use issues utilizing zoning and subdivision regulations to ensure conformity to the Comprehensive Plan and community values, to manage the future growth of Montrose.*

**Agenda**

Motion by Smallwood, seconded by Hackenmiller, to approve the agenda with the follow addition: Engineer comments for the Tretter CUP application.

Carried 5-0.

**Approval of Minutes**

Motion by Stanley, seconded by Henry, to approve the April 16, 2008 minutes as presented. Carried 5-0.

**Oath of Office**

Chuck Smallwood took his Oath of Office

Where quality of life is our mission.

## **Public Hearing – 411 Nelson Blvd.**

### **Conditional Use Permit Amendment**

Bob Kirmis, city planner, reviewed the planners report dated May 8, 2008 and the engineers comments dated May 20, 2008.

(See attached)

DeWitte closed the regular meeting and opened the public hearing at 7:11 PM.

Public Comments were heard by the following:

### **Catherine Neiberger – 125 Hill Street**

Neiberger addressed the following concerns:

- Highway 12 future redevelopment

Neiberger explained that she is a member of the Highway 12 redevelopment committee and would like to see this CUP tabled until the committee establishes future standards for the Highway 12 corridor.

### **Sue Tretter – 411 Nelson Blvd.**

Tretter addressed the following concerns regarding the recommended approval conditions that were listed in the planners report.

- To table this CUP amendment would have a negative impact on the business, both owner and renter.
- Vehicle licensing requirements, number 8 under recommendation section in the planners report. Tretter stated that licensing is not a requirement by the state for used car sales.
- Monetary concerns regarding number 4 under the recommendation section in the planners report. Tretter stated that requiring pavement through out the lot would not benefit the property. Values and property taxes were discussed relating to the monetary concerns.
- Other CUP and garages in the city limits.
- Available parking spaces and restrictions.

Richter, administrative assistant, provided the planning commission with the information regarding past and present conditional use permits that were approved at 411 Nelson Blvd.

The public hearing was closed at 7:28 PM.

### **Keith Roseen arrived at 7:30PM**

The planning commission held a discussion regarding the CUP amendment application. The following items were discussed.

- Paving
- License requirements
- Service Bays
- Parking availability, restrictions and requirements
- Fire Hazards
- The City of Montrose Comprehensive Plan, City Code and compliance with the CUP application for 411 Nelson Blvd.

The commission addressed Tretter's concerns with an explanation of the Commissions duties and responsibilities. An explanation regarding legal non-conforming properties were also discussed. The commission explained the change in use warrants an amendment to existing conditional use permits.

The commission discussed changes to the wording under number 2, 6 and 8 in the recommendation section of the planners report.

- # 2 should be changed to identify only nine parking spaces intended to be used for vehicle display and 5 other designated for customer parking .
- # 6 should be changed stating that the six parking stalls located south of the buildings service bays be eliminated and a new site plan shall be modified to illustrate a maximum of nine automobile displays stalls and five customer parking stalls.
- #8 should be changed to state that all vehicles stored outside the building shall be in full working order if the state does not have a licensing requirement. Staff will investigate the state requirements.

Motion by Hackenmiller, seconded by Smallwood, to recommend approval to the council of the conditional use permit amendment subject to the conditions listed by all city staff, planner and engineer. Also, the planners report should include the changes discussed as listed above to number 2, 6 and 8. Carried 6-0.

## **New Business**

### **Healthy Communities Partnership**

Richter, administrative assistant, explained the process of the Healthy Communities grant and the upcoming community visioning session. Richter stated that facilitators are needed for the June 20, 2008 dinner. Stanley and DeWitte volunteered.

Neiberger also gave a brief over view and stressed the importance of the visioning session for the community.

**Miscellaneous**

**2008 Goals update**

This item was included in the packet for informational purposes.

DeWitte thanked Tretter and Neiberger for attending the meeting.

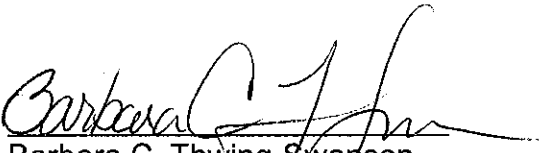
**Adjournment**

Motion by Stanley, seconded by Hackenmiller to adjourn at 8:27 pm

Carried 6-0.

Author: Kristine M. Richter

City of Montrose



Barbara C. Thwing-Swanson  
Administrator/Clerk/Treasurer

Attachments: Planners Report, May 8, 2008

(Tretter Conditional Use Permit Amendment)

Engineers Report, May 20, 2008

(Tretter Conditional Use Permit Amendment)



## **NORTHWEST ASSOCIATED CONSULTANTS, INC.**

4800 Olson Memorial Highway, Suite 202, Golden Valley, MN 55422  
Telephone: 763.231.2555 Facsimile: 763.231.2561 planners@nacplanning.com

### **PLANNING REPORT**

TO: Barb Swanson  
FROM: Bob Kirmis  
DATE: May 8, 2008  
RE: Montrose - Tretter Conditional Use Permit Amendment  
FILE NO: 273.03 - 08.03

Date Application Determined Complete:	April 25, 2008
Planning Commission Meeting Date:	May 21, 2008
City Council Meeting Date:	June 9, 2008
60-day Review Deadline:	June 24, 2008

### **BACKGROUND**

In the summer of 2004, the City approved a conditional use permit application of Dale and Susan Tretter to allow the establishment of an automobile detailing business upon property located north of U.S. Highway 12 and east of Emerson Avenue (411 Nelson Boulevard). The approved business operation included automobile detailing, small mechanical repair and oil/lubricant changes.

At this time, the applicant has requested an amendment to the previously approved conditional use permit to allow an expansion of automobile detailing business to include used car sales upon the property.

The subject property is zoned B-2, Highway Business which lists "automobile service and repair shops" and "outdoor sales lots" as conditional uses.

Attached for reference:

- Exhibit A - Site Location
- Exhibit B - Applicant Narrative
- Exhibit C - Site Plan

## ISSUES ANALYSIS

**Conditional Use Permit History.** In the summer of 2002, the City approved a conditional use permit for the subject property to allow a "used car sales and service business" upon the site. Such CUP was subsequently recorded with the property.

In the summer of 2004, the City approved a new conditional use permit to allow the site to be converted to an "automobile detailing" use. Such CUP superseded the previous 2002 CUP approval (allowing used car sales upon the property) rendering it null and void.

As previously indicated, the applicant now wishes to amend the previously approved 2004 CUP to allow used car sales upon the property (in conjunction with the automobile detailing business).

**CUP Evaluation Criteria.** As previously indicated, the applicant has requested a conditional use permit to allow the previously approved automobile detailing operation to be expanded to include used car sales. According to Chapter 1005 of the Zoning Ordinance, the Planning Commission must consider possible effects of the proposed conditional use. Their judgment must be based upon, but not limited to, the following factors:

- A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Official City Comprehensive Plan.
- B. The proposed use is or will be compatible with present and future land uses of the area.
- C. The proposed use conforms with all performance standards contained in this Code.
- D. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

- E. Traffic generation by the proposed use is within capabilities of streets serving the property.

**Comprehensive Plan.** The City's Comprehensive Plan suggests commercial use of the subject property. The property's existing B-2, Highway Commercial zoning designation appropriately reflects such land use designation.

**Surrounding Uses.** The subject property is bordered on the north by a single family residence, on the south by the manufactured home park and on the east and west by commercial uses.

Provided the proposed uses are adequately screened from the adjacent residential uses, they are considered compatible with the area.

**Screening.** In consideration of the applicant's request, efforts should be made to minimize the impact of the proposed use on the neighboring residence to the north.

While the adjacency of a single family dwelling to an automobile sales/service lot does not present an ideal situation from a land use compatibility standpoint, it is believed the proposed auto-related uses can compatibly coexist with the adjacent home. Presently, the single family home is screened from view of the subject property by a detached accessory building, fencing and landscaping. As a result, additional screening of the proposed use from the adjacent residence is not considered necessary.

**Parking Supply.** The Zoning Ordinance does not provide a specific off street parking requirement for automobile detailing or repair facilities. Based upon an off-street parking guideline suggested in an American Planning Association document titled "Off-Street Parking Requirements", it was previously determined that three off-street parking spaces should be provided for the automobile detailing activities.

The Zoning Ordinance does include a standard for automobile sales activities. Specifically, the ordinance requires one space per 500 feet of showroom space and one space for each 3,000 square feet of outdoor sales area.

Utilizing these parking ratios, a total of 5 off-street parking stalls should be provided on site as calculated below:

Use	Ratio	Required Spaces
Automobile Repair (3 bays)	1 space for each service bay	3
Auto Sales	1 space for each 500 s.f. of showroom space plus 1 space for each 3,000 s.f. of outdoor sales area (5,200 square feet)	2
<b>Total</b>		<b>5</b>

The site plan illustrates a total of 20 off-street parking stalls/automobile display stalls. While the off-street parking supply requirements of the ordinance have been satisfied, it is recommended that the site plan be modified to identify the specific spaces intended to be used for vehicle display and those parking stalls intended to be reserved for customer parking.

Also as a condition of CUP approval, the site plan should be modified to illustrate one handicap parking stall (consistent with State ADA requirements).

All proposed off-street parking/display spaces have been found to meet the minimum dimensional requirements of the ordinance (20 feet in depth and 9 feet in width).

**Parking Area Surfacing.** Portions of site's parking/automobile display area are presently surfaced in asphalt while other portions are surfaced in gravel.

The issue of parking lot surfacing was considered by City Officials for the previously approved conditional use permit (to allow automobile detailing upon the property). Ultimately, the City required the lot to be hard surfaced but did not establish a specific timeline for such improvement. Rather, the applicant is/was allowed to hard surface the area at such time when deemed financially feasible. While significant progress has been made, some gravel surfaced areas remain on site.

Recognizing that the Comprehensive Plan directs the visual enhancement of the Highway 12 corridor, it is recommended that the site's entire off-street parking and automobile display areas be hard surfaced in bituminous.

The City Engineer should provide comment and recommendation in regard to the need for perimeter curbing.

**Service Bay Access.** As shown on the site plan, off-street parking stalls have been proposed along the north side of the building, blocking access to its service bays.

Ideally, parking would not be allowed in front of such service bays to ensure a functional circulation pattern upon the site. In this regard, the acceptability of the proposed parking configuration should be considered by City Officials.

**Exterior Storage.** To further enhance the appearance of the highway corridor, it is important that the proposed use be kept in an orderly, clean and safe manner. In this regard, it is recommended that there be no exterior storage of automobile parts, paint cans or related items on the site. All storage related to the use of the site should be internal to the building. Further, all vehicles stored outside the building should be licensed and in working order.

**Lighting.** No information has been provided in regard to site lighting. As a condition of CUP approval, all site lighting should be hooded and directed such that the source of the light is not visible from neighboring properties and rights-of-way.

**Building Code Issues.** As a condition of the current CUP approval (for the automobile detailing use) it was stipulated that the building's internal ventilation system should be subject to review by the Building Official. Additionally, it was also recommended that the Building Official provide comment and recommendation in regard to the storage and disposal of auto-related petroleum products. Because automobile detailing activities are proposed to continue on site, it is recommended that these conditions continue to apply to the amended CUP.

**Trash.** According to the Ordinance, all refuse must be kept in an enclosed building or properly contained in a closed container designed for such purposes.

**Signage.** No details have been provided regarding site signage. As a condition of CUP approval, all site signage must meet the applicable requirements of the Sign Ordinance.

## **RECOMMENDATION**

Based on the preceding review, our office recommends approval of the requested conditional use permit amendment (to allow automobile detailing and automobile sales upon the property) subject to the following conditions:

1. This conditional use permit amendment shall supersede the previously approved conditional use permit for the property (allowing only automobile detailing) rendering it null and void.
2. The site plan be modified to identify the 15 parking spaces intended to be used for vehicle display and those intended to be reserved for customer parking.
3. The site plan be modified to illustrate one handicap parking stall (consistent with State ADA requirements).
4. The site's off-street parking and automobile sales areas be hard surfaced in bituminous or concrete.
5. The City Engineer provide comment and recommendation in regard to perimeter curbing.
6. City Officials determine the acceptability of locating off-street parking/automobile display stalls in front of the building's service bays (essentially blocking access).
7. There shall be no exterior storage of automobile parts, paint cans or related items on the site. All storage related to the use of the site shall be internal to the building.
8. All vehicles stored outside the building shall be licensed and in full working order.

9. All site lighting shall be hooded and directed such that the source of the light is not visible from neighboring properties and rights-of-way.
10. If automobile repair activities are to take place in the existing structure, the internal ventilation system shall be subject to review by the Building Official. Additionally,
11. The Building Official provide comment and recommendation in regard to the storage and disposal of auto-related petroleum products.
12. All refuse shall be kept in an enclosed building or properly contained in a closed container designed for such purposes.
13. All site signage meet the applicable requirements of the Sign Ordinance.
14. Comments of other City Staff.

pc. Brad DeWolf / Justin Kannas  
Andrew MacArthur / Kyle Hartnett  
Dale and Susan Tretter, Box 91 Montrose, MN 55363



# BOLTON & MENK, INC.

Consulting Engineers & Surveyors

2040 Highway 12 East • Willmar, MN 56201-5818  
Phone (320) 231-3956 • FAX (320) 231-9710

May 20, 2008

Honorable Mayor Nelson  
City Council Members  
City Planning and Zoning Commission  
City of Montrose  
P.O. Box 25  
Montrose, MN 55363

RE: Tretter Conditional Use Permit  
Montrose, Minnesota  
BMI Project No: W13.40042

Dear Mayor, Council and Planning/Zoning Commission:

We have reviewed the Site Plan and Conditional Use Permit submittal dated April 25, 2008 for the above referenced project and have the following comments:

- 1) As indicated in the City Planner's report, significant progress has been made on paving the existing parking lot. While some areas remain gravel, the majority of the parking lot has been paved. The Conditional Use Permit application does not involve the reconstruction or addition of the existing parking lot, but rather a change in use of the existing parking lot. Also, the existing parking lot is adequately graded for drainage. The existing steep grade on the south side of the parking lot is a natural barrier to prevent vehicles from parking too close to Trunk Highway 12, which would cause a sight distance issue. Based upon the above facts, we recommend that this site be grandfathered into the curb and gutter requirement at this time and that the applicant not be required to install curb and gutter around the parking lot at this time. If a future Conditional Use Permit application is made for this property, the curb and gutter requirement should be re-evaluated at that time.

We recommend approval of the Conditional Use Permit contingent upon the above comments and comments as submitted by other City staff. If you have any questions on the above, please call.

Sincerely,

BOLTON & MENK, INC.

Justin L. Kannas, P.E.  
Assistant City Engineer

JLK/lu

cc: Barbara Swanson, City Administrator, City of Montrose  
Wendy Manson, Assistant City Administrator, City of Montrose  
Sean Diercks, Public Works Director, City of Montrose  
Bob Kirmis, NAC, City Consultant Planner  
Bradley C. DeWolf, P.E., City Engineer, Bolton and Menk, Inc.

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