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MEMO

Date: June 9, 2015

Re: Planning Commission/Board of Adjustment Report

Dear Mayor and City Council,

The Planning Commission/ Board of Adjustment held its regular meeting on June 8, 2015. There were two public hearings, for which the Commission is giving you their recommendations. The meeting was recessed until Monday, June 29 at 5:30pm to allow for a third public hearing to be properly noticed before any discussion takes place on that application.

PUBLIC HEARING #1

Application: Request for conditional use permit to allow for an existing business to add liquid storage tanks with flammable materials in an I-2 (Heavy Industrial) zoning district.

Applicant: CM Automation LLC. (Property Owners: CM Automation LLC and City of Little Falls)

Background Information:

- **Proposal:** CM Automation LLC is in the process of purchasing Lot 5 of the "North Bluff Addition" subdivision from the City of Little Falls. If finalized, they would like to make use of a portion of Lot 5, along with their existing Lot 3 and 4, for the purpose of storing liquid storage tanks containing flammable materials.

The existing and proposed location for this business is within an I-2 Heavy Industrial District. The nearest building is a daycare facility. The remainder of the lots in the immediate area are mostly vacant at the current time. Surrounding land on all sides is also zoned I-2 Heavy Industrial.

- **Location:**
 - Property address: 16444 11th Street NE
 - Brief Legal Description: Lots 3, 4 and 5 Block Three of NORTH BLUFF ADDITION
 - Parcel number(s): 48.2896.000 and 48.2898.000
- **Property Owner:** CM Automation LLC (Lots 3 and 4) and City of Little Falls (Lot 5).. CM Automation LLC is in the process of purchasing Lot 5 from the City.

Public Input:

1. No written comments were received prior to the public hearing.
2. One resident in attendance at the meeting asked 1) whether there would be any safety concerns, especially given that a daycare facility is located on the adjacent lot, and 2) whether there would be any odors or other nuisances created by the proposal.

Planning Commission/Board of Adjustment Action: The Planning Commission/Board of Adjustment has recommended approval of the request, on a 4-0 vote (Hanfler abstained).

City Council Direction: The City Council may approve the request, deny the request, or table the request if the Council should need additional information. If the application is tabled, the Council should provide specific direction as to what additional information is needed.

Findings of Fact: The following findings of fact are presented by Staff for consideration by the City Council, based on the discussion of the Planning Commission and statements from the public and the applicant:

- The proposed use will involve two large propane tanks similar to what would be used at other facilities (i.e. gas stations) that sell propane to fill smaller, residential sized tanks. A number of the smaller, residential sized tanks will also be on the site.
- The tanks will not produce unusual odors.
- The proposed tanks will be located at the far west end of Lot 5 and away from the daycare business on the adjoining lot.
- Any propane gas escaping from the tank will quickly dissipate in the air.
- The tanks and their location/maintenance will be subject to any state or federal requirements.
- **Current Zoning:**
 - Subject Property: Heavy Industrial District (I-2)
 - Surrounding Properties: Heavy Industrial District (I-2) on all sides
- **Current Land Use:**
 - Subject Property: Existing industrial building (Lot 3 and 4); Vacant (Lot 5)
 - Surrounding Properties: Occupied daycare business to the east. Vacant industrially-zoned land on all other sides.
- **Lot size:** Approx. 76,230 sq ft (Lots 3 and 4) plus approx. 65,776 sq ft (Lot 5). TOTAL = Approx. 142,206 sq ft (3.26 acres)
- **Sewer/Water:** The property is connected to City sewer/water.
- **Natural Features:**

Floodplain: The property is not within an identified floodplain.

Bluff/Steep Slopes: There are no steep slopes on the property.

Wetlands: There do not appear to be any wetlands on the property, although a large wetland lies immediately to the south. The Morrison County SWCD has received notification of this meeting.

PUBLIC HEARING #2

Application: Request to consider the vacation of a drainage and utility easement in the NORTH BLUFF ADDITION plat.

Applicant: CM Automation LLC. Owner(s): CM Automation LLC and City of Little Falls

Background Information:

- **Proposal:** As part of the original plat of North Bluff Addition, an easement was provided straddling the property lines between Lots 4 and 5 (and continuing on along to the south and east along the boundaries of other lots in the subdivision). CM Automation currently owns Lot 4 and has a pending agreement with the City of Little Falls to purchase Lot 5.

If the land sale is approved by the City Council, CM Automation is proposing to vacate the utility easement that runs between Lots 4 and 5 so that they make more full use of the property for their business. An alternate location for drainage and utilities on the east boundary of Lot 5 has already been discussed and approved by the City Council.

Public Input:

1. No written comments were received prior to the public hearing.
2. One resident in attendance at the meeting asked 1) what the reason was for the vacation request, and 2) whether the City would take possession of the new easement.

Planning Commission/Board of Adjustment Action: The Planning Commission/Board of Adjustment has recommended that existing utility easement be vacated as requested, on a 4-0 vote (Hanfler abstained). The recommendation comes with one condition:

1. That the applicant (CM Automation LLC) constructs a ditch on the east side of Lot 5 within the new easement.

City Council Direction: The City Council may approve the request, deny the request, or table the request if the Council should need additional information. If the application is tabled, the Council should provide specific direction as to what additional information is needed.

OTHER BUSINESS

- The Commission continued discussions regarding potential ordinance amendments to regulate storage containers located within the City. They directed Staff to prepare a draft ordinance to be reviewed by the Commission at their regular July 2015 meeting. A public hearing would eventually be necessary before any changes could be adopted.

If you have any questions, please feel free to contact me. I can be reached by phone at (888) 439-9793 or by email at oleson@hometownplanning.com.

Sincerely,



Ben Oleson, AICP
Hometown Planning
City of Little Falls Zoning Administrator