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# CITY OF GLENWOOD

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## PLANNING COMMISSION

May 3, 2021



CITY OF GLENWOOD  
AGENDA  
PLANNING COMMISSION  
May 3, 2021  
4:30 PM

1. Call to Order / Roll Call
2. Additions or Deletions to the Agenda
3. Approve Previous Meeting Minutes
  - a. April 12, 2021
4. New Business
  - a. Requests related to the addition of up to four fuel (diesel and gasoline) storage tanks at an existing bulk fuel storage site. Approvals required include a Conditional use permit for a bulk fuel wholesale business in an I-1 Industrial district.
    - i. Property Owner: McMahon Oil, Inc.
    - ii. Property address: 1690 10TH AVE NE
    - iii. Sec/Twp/Range: 6-125-37
    - iv. Parcel number(s): 21-1055-000
  - b. Requests related to allowing for a single-family home. Approvals required include a Rezoning of the property to R-2 (Urban Residential) or a conditional use permit to allow for a single-family home in an R-3 (Multiple Residential) zoning district.
    - i. Applicant: Lori Olson
    - ii. Property Owner: City of Glenwood
    - iii. Property address: None (immediately east of 116 3<sup>rd</sup> Ave NE)
    - iv. Sec/Twp/Range: 12-125-38
    - v. Parcel number(s): 21-0037-000
  - c. Requests related to allowing for a change in use for a building previously used for retail sales. Approvals required include a Conditional Use Permit to allow for a wholesale business with outdoor storage in a B-1 zoning district.
    - i. Property Owner: FAST Global Solutions
    - ii. Property address: 710 County Road 21 S.
    - iii. Sec/Twp/Range: 18-125-37
    - iv. Parcel number(s): 21-1201-000
5. Old Business
6. Adjournment

This agenda is not exclusive. Other business may be discussed as deemed necessary.

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Due to the COVID-19 health pandemic and associated state of emergency, this meeting shall be conducted telephonically and/or electronically pursuant to MN Statute 13D.021.

***To attend this meeting via web or phone conference see the reverse side of this page.***

**To attend this meeting via web or phone conference:**

<https://meetings.ringcentral.com/join>

Meeting ID: 144 750 2953

Password: 289951

**Phone:** Call (773) 231-9226 (not toll free) and enter the Meeting ID and Password above. You will only be able to talk and listen.

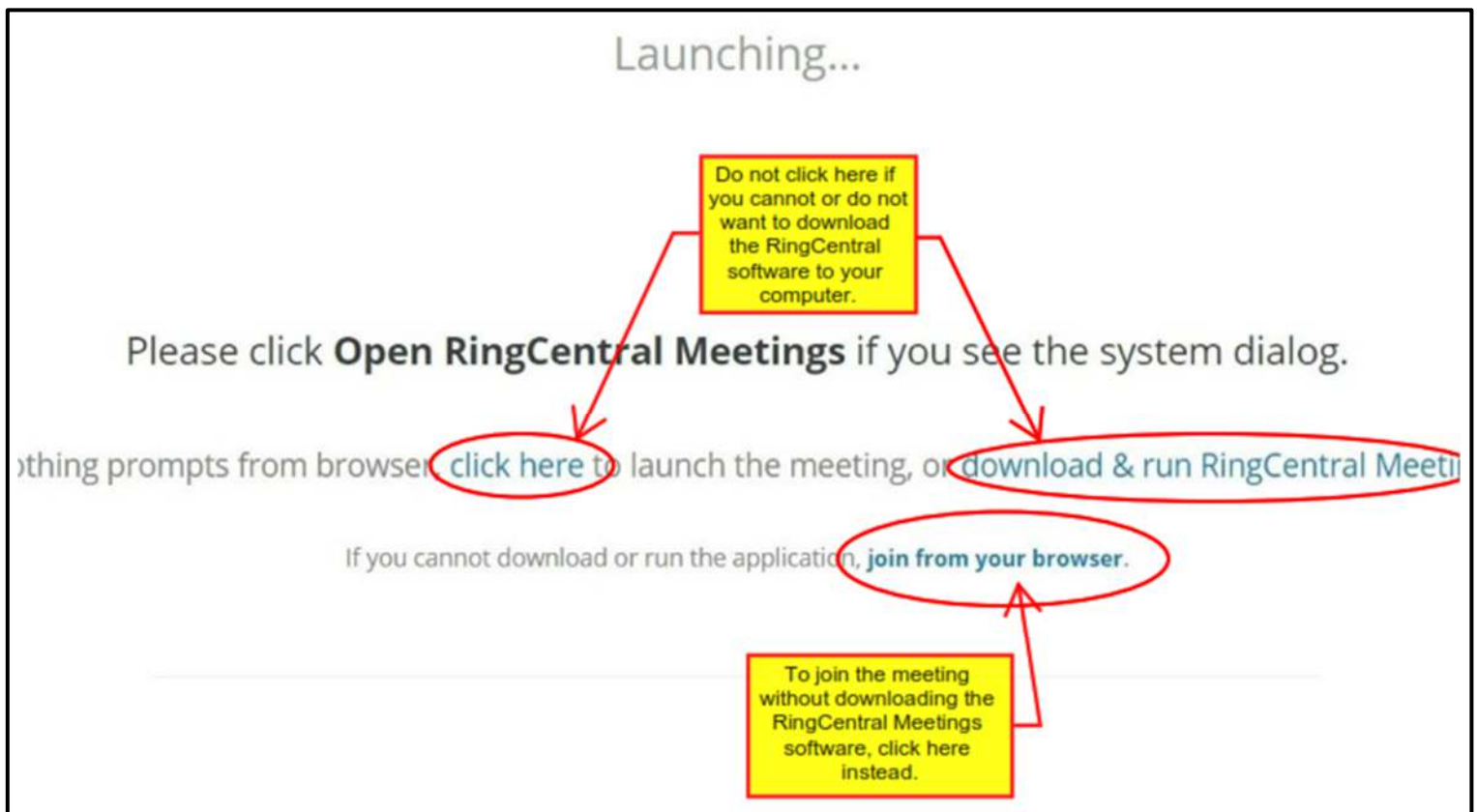
**Web:** Go to <https://meetings.ringcentral.com/join> and enter the Meeting ID and Password above. You will be able to talk, listen and view documents on your screen that are shared by the meeting host.

If your computer does not have a microphone, you will need to use the phone method above for your audio, but can use your computer to view shared documents.

If you have a web camera on your computer, you will be able to turn it on so that other participants in the meeting can see you, but you can turn that camera off and on during the meeting as you wish.

**NOTE:** If you join via web conference, you may be prompted to download RingCentral Meetings software. Doing so will allow you to join more easily at any future meeting you may attend and give you more functionality during the meeting.

However, if you cannot, or prefer not to do this, simply cancel any automatic download prompts and click on the “join from your browser” link as depicted below and you should be able to fully participate in the meeting.



GLENWOOD PLANNING COMMISSION MEETING  
APRIL 12, 2021

The April Planning Commission meeting was called to order by Commissioner Colin Cihlar at 4:30 PM. The meeting was held electronically and telephonically due to the COVID-19 health pandemic and pursuant to MN Statute 13D.021.

Attending the meeting were Commissioners Cihlar, Bosek, Schutt, and Winter. Also present were Ben Oleson and Brenda Sargent.

Motion by Commissioner Winter, seconded by Commissioner Schutt to approve the minutes of the March 1, 2021 meeting. All were in favor.

Ben Oleson, of Hometown Planning, explained the conditional use permit request submitted by Patrick and Jayme Baker to operate a tiny shop village in Glenwood next to the GrandStay Hotel. The plan consists of a 1000 square foot main building with 10 smaller buildings ranging in size from 120-288 square feet. The main building will have two ADA compliant bathrooms and a kitchen. The property will be surrounded by a 114' x 160' privacy fence set back 75' from West Minnesota Avenue.

Commissioner Schutt asked if the operation would be open year around. Mr. Baker said that is the plan, but hours may be reduced during the winter months.

Commissioner Bosek asked about the tentative parking lot addition. Mr. Baker said that land is very swampy and may not be ideal for parking. The applicant has indicated they will provide 19 off-street parking spaces, the number required by ordinance. They have an agreement with the owners of the GrandStay Hotel to utilize their excess parking spaces for overflow parking. Ms. Baker said they intend to also utilize on street parking.

Commissioner Bosek asked about food offerings in the main building. Mr. Baker said they may not offer food services initially but may consider the use of food trucks.

Mr. Oleson questioned the height of the proposed privacy fence, to which Mr. Baker answered six feet. Oleson asked whether the storm water pond as shown on the plan is final, Mr. Baker said it was unless a change was required.

Mr. Oleson conveyed City staff's concern that the area is well lit. Mr. Baker said the plan is to have lights on the building, on the fence, and in the parking lot. Other concerns brought up by staff include 1) access for emergency services and 2) agreement with the GrandStay Hotel to use their driveway and parking spaces.

Motion by Commissioner Bosek, seconded by Commissioner Winter to recommend approval, contingent upon meeting all the following requirements:

1. The applicant must work with emergency service providers to meet any of their requirements to ensure adequate access to the interior of the retail village or other locations necessary for emergency responses.
2. That the applicant provides a copy of any agreements with the hotel property regarding the use of its driveway and/or parking areas.

3. That the applicant shall maintain a minimum of 19 parking spaces, meeting the requirements of the City's ordinances.
4. That the applicant shall meet all requirements of the City relating to connection to City sewer and water.
5. That the applicant provides a storm water management plan.

The next request is a conditional use permit request from Steven and Melissa Haeckel for their property located at 255 State Highway 55 N. The request is to demolish the existing motel property, maintain the two existing single-family dwellings, and install six recreational vehicle (RV) camping sites. The RV sites would be in the location of the existing hotel and would be rented out on a seasonal basis. The sites would have access to water but would not be connected to either City water or sewer. The two existing dwellings would continue to make use of private well and sewer systems. The RV sites would have sewage pumped from their internal tanks at least once a week by a septic pumping company. The campground would be required to meet all Minnesota Department of Health regulations for campgrounds.

Commissioner Winter asked if they would be required to have a storm shelter in place. Ms. Haeckel indicated that was not a requirement of the MN Department of Health.

Mr. Oleson asked if any of the property would be utilized for recreational purposes. Ms. Haeckel said no it would not, but picnic tables and fire rings will be provided for each campsite.

Commissioner Cihlar suggested weekly pumping, or on an as needed basis, be listed as a condition if approval is granted. Mr. Oleson said the Commission could state that the City may require additional sewage pumping facilities later.

Discussion followed on whether the common dumpster would be fenced in. Ms. Haeckel said they may install a fence on three sides for aesthetic purposes.

Commissioner Bosek if the applicants had any long-term plans to connect to City water and sewer. Ms. Haeckel said not at this time for the six planned sites, but if the demand increases, they may consider asking for permission to expand and would consider connection to City water and sewer at that time.

Ms. Haeckel asked if campers could use a hose to fill the water tanks on their units. Mr. Oleson said if it was not a permanent connection.

Motion by Commissioner Cihlar, seconded by Commissioner Winter to recommend approval with the following conditions:

1. The applicant submits pumping records to the City monthly for the first two seasons of use and on a quarterly basis thereafter. The City may require installation of sewage dumping facilities if it is determined the existing process is inadequate.
2. The applicant must provide evidence of Minnesota Department of Health approval of the site.
3. The RV sites may only be rented on a seasonal basis, as opposed to by the night or week.
4. No direct permanent or semi-permanent connection to City water without City approval.
5. Any expansion beyond the approved six sites would require City approval and a connection to City utilities.

Planning Commission training will be delayed until there are fewer agenda items or until meetings can be conducted in person.

With no further business to come before the Commission, Commissioner Schutt moved to adjourn the meeting. Motion seconded by Commissioner Winter. All were in favor. Meeting adjourned at 5:17 PM.

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Planning Commission Chair

## STAFF REPORT

<b>Application:</b>	Requests related to the addition of up to four fuel (diesel and gasoline) storage tanks at an existing bulk fuel storage site. Approvals required include a Conditional use permit for a bulk fuel wholesale business in an I-1 Industrial district.
<b>Property Owner:</b>	McMahon Oil, Inc.
<b>Agenda Item:</b>	4(a)

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### Background Information:

- **Proposal:** The applicants are proposing to construct a new containment dike with clay, a rubber liner and pea rock to allow for the installation of up to four new steel diesel and gasoline fuel storage tanks. Two of the tanks would be installed now (12,000 gallons each) and two would be installed next year (tanks not to exceed 20,000 gallons). This would be an expansion of the existing use of the site - not a change in how the property is being used. In addition, an existing 3,000 gallon tank would be removed and replaced with a 4,000 gallon tank that currently sits outside of any diked area.
- **Location:**
  - Property address: 1690 10TH AVE NE
  - Sec/Twp/Range: 6-125-37
  - Parcel number(s): 21-1055-000
- **Zoning:** I-1 Light Industrial
- **Lot size:** Approx. 3.51 acres according to County GIS estimate.
- **Septic System Status:** N/A
- **Natural Features:**
  - Floodplain: The existing and proposed structures are not within an identified floodplain.
  - Bluff/Steep Slopes: The lot does not contain a bluff.
  - Wetlands: There are not wetlands that are likely to be impacted by the proposed improvement(s) to the property.
  - Current Shoreline Conditions: N/A

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**Planning Commission Action:** The Planning Commission may approve the request, deny the request(s), or table the request(s) if the Commission should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

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### Staff Comments:

1. The site received a conditional use in 2013 to add an 18,000 gallon propane tank and in 2014 to add an additional 30,000 gallon propane tank. There are currently six fuel tanks ranging from 12,000 gallons to 20,000 gallons within an existing diked area.



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**Staff Recommendation:** Based on the findings of fact and discussion listed below, Staff recommends approval of the proposed Conditional Use.

If the application or some version of the application is approved, Staff would recommend consideration for the following conditions of approval (or tabling of the application to allow for review of revised plans consistent with the following):

1. That the applicant must meet all local, state and federal requirements related to the storage and distribution of fuels.

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**Applicable Statutes/Ordinances:** See Appendix A.

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**Findings of Fact:** The following findings of fact are presented by Staff for consideration by the Planning Commission:

- 1) The proposed use conforms to the district and conditional use provisions and all general regulations of this chapter.**

Findings Supporting Approval

A wholesale business is a conditional use within the I-1 zoning district and the proposed structures would meet all required setbacks.

Findings Supporting Denial

None

- 2) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.**

Findings Supporting Approval

There are no special conditions related to bulk fuel storage besides the requirement for a conditional use.

Findings Supporting Denial

None

- 3) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other person or property, and shall comply with the performance standards set forth herein.**

Findings Supporting Approval

The storage of fuel obviously presents the potential for fuel spills and or fires. The diked area is constructed to provide for containment in the event of a spill and other precautions are taken to prevent damage to persons or property from any fires. The site already contains several fuel storage tanks and is located in an industrial area.

Findings Supporting Denial

The site is located adjacent to a property that contains a residential dwelling and the addition of more fuel storage tanks would increase the potential for fuel spills or fires in close proximity to this dwelling.

- 4) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.**

Findings Supporting Approval

The proposed location for the new tanks and diked area is immediately adjacent to the existing tanks on the property and is well-coordinated with the rest of the site.

Findings Supporting Denial

None

- 5) **The proposed use shall be compatible with the surrounding area and produce a total visual impression and environment which is consistent with the environment of the neighborhood.**

Findings Supporting Approval

The new tanks will look very similar to the existing tanks on the site and not significantly alter the visual impression of the site as viewed from other properties in the area.

Findings Supporting Denial

None

- 6) **The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.**

Findings Supporting Approval

Vehicular traffic flow will not be impacted by the addition of the new tanks.

Findings Supporting Denial

None

- 7) **The proposed use shall preserve the objectives of this chapter and shall be consistent with the Land Use Plan.**

Findings Supporting Approval

The use of the property for industrial uses is not inconsistent with the City's 1979 Comprehensive Plan.

Findings Supporting Denial

None

- 8) **Additional requirements with respect to conditional uses in the Conservation District have been met.**

Findings Supporting Approval

The property is not located within the Conservation District.

Findings Supporting Denial

None

- 9) **Performance Standards All conditional uses shall comply with required performance standards:**  
**Noise.** Noise which is determined to be objectionable because of volume, frequency or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes which shall be exempt from this requirement.  
**Vibrations.** Vibrations detectable without instruments on neighboring property in any district shall be prohibited.  
**Odors.** No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.

**Air pollution.** Air pollution shall be subject to the standards established by the State Pollution Control Agency.

**Glare.** Lighting devices which produce directly reflected glare on adjoining properties or thoroughfares shall not be permitted.

**Erosion.** No offensive erosion by wind or water shall be permitted onto adjacent properties.

**Water pollution.** Water pollution shall be subject to the standards established by the State Pollution Control Agency.

Findings Supporting Approval

The construction of the dike is for the purpose of containing any fuel spills and fires that may occur. Other impacts on nearby properties would be most likely from the noise and traffic associated with deliveries to and from the site, but would not be expected to change significantly from what has historically occurred on this property.

Findings Supporting Denial

## Appendix A

### Applicable Statutes and Ordinances

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#### City of Glenwood Regulations

##### **153.006 CONDITIONAL USES.**

(A) *General.* Conditional uses as specified herein may be allowed or denied by the City Commission after recommendation by the Planning Commission in accordance with the criteria and provisions listed herein.

(D) *Criteria for approval.* A conditional use shall be approved if and only if it is found to meet the following criteria.

- (1) The proposed use conforms to the district and conditional use provisions and all general regulations of this chapter.
- (2) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
- (3) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other person or property, and shall comply with the performance standards set forth herein.
- (4) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
- (5) The proposed use shall be compatible with the surrounding area and produce a total visual impression and environment which is consistent with the environment of the neighborhood.
- (6) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
- (7) The proposed use shall preserve the objectives of this chapter and shall be consistent with the Land Use Plan.
- (8) Additional requirements with respect to conditional uses in the Conservation District include the following.
  - (a) Development shall be permitted in such a manner that the maximum number of trees shall be preserved. Where trees are cut, at least 50% of the overstory shall remain.
  - (b) Development shall be permitted in such a manner that on-site soil erosion shall be at a minimum both during construction and when construction activity is completed.
  - (c) The quality of water run-off and water infiltration to the water table or aquifer shall remain undisturbed by the development of the site.
  - (d) The type and density of land use proposed shall be suited to the site and bedrock conditions shall not present a threat to the maintenance of groundwater quality, and shall not fail to correct problems due to soil limitations including bearing strength, shrink-swell potential and slope stability.

(E) *Performance standards.* All conditional uses shall comply with the requirements of this division (E). In order to determine whether a proposed use will conform to the requirements of this chapter, the City Commission may obtain a qualified consultant to testify, whose cost for services shall be borne by the applicant.

- (1) *Fire protection.* Fire prevention and fire fighting equipment required by the Building Code as adopted by the City Commission shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.
- (2) *Electrical disturbance.* No activity shall cause electrical disturbance adversely affecting radio or other equipment in the vicinity.
- (3) *Noise.* Noise which is determined to be objectionable because of volume, frequency or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes which shall be exempt from this requirement.
- (4) *Vibrations.* Vibrations detectable without instruments on neighboring property in any district shall be prohibited.
- (5) *Odors.* No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.
- (6) *Air pollution.* Air pollution shall be subject to the standards established by the State Pollution Control Agency.
- (7) *Glare.* Lighting devices which produce directly reflected glare on adjoining properties or thoroughfares shall not be permitted.
- (8) *Erosion.* No offensive erosion by wind or water shall be permitted onto adjacent properties.
- (9) *Water pollution.* Water pollution shall be subject to the standards established by the State Pollution Control Agency.

Date Received \_\_\_\_\_

Application for Planning Request  
City of Glenwood

Street address of property: 1690 10th Ave NE Zoning Dist. Commercial  
Legal Description: Twp 125, Range 37, Section 6, PT SE 1/4 SE 1/4 as rec on Doc #220309  
PID# 21-1055-000

Property Owner

Name: McMahon Oil, Inc John McMahon Phone: (320) 634-5290  
Address: 1690 10th Ave NE, PO Box 247 City: Glenwood State: MN Zip: 56334

Type of Request:

( ) Variance ( ) Rezoning (X) Conditional Use Permit ( ) Plan Review ( ) Preliminary Plat ( ) Final Plat  
( ) Other

Description of request

Request to expand fuel (diesel & gasoline) storage at existing bulk plant site by constructing a new clay, with rubber liner & pea rock, containment dike and install additional steel storage tanks. The proposed dike will be built for 4 additional tanks, 2 to be installed now and 2 to be installed in 2022 per the attached drawings. The expansion will not change the existing use of the site.

If this request is for the construction of a structure, a building permit and drawing must also be submitted.

Existing use The property currently has office space, shop/truck storage space and propane and fuel  
(diesel & gasoline) storage.

Is this a permitted use under the current zoning ordinance X Yes    No

Has a variance, conditional use permit, or rezoning been applied for previously X Yes    No When Past tank improvement projects  
If Yes, attach a copy of the conditional use permit, variance, or other document permitting use, or attach an explanation of why the use is permitted.

If and/or when the City is subject to get outside review such as legal, engineering, etc., or there are direct costs for processing the application such as publishing required notices, the costs are billed to the applicant and the applicant, by signing this request agrees to pay such fees.

The undersigned further agrees the City of Glenwood and its administrative staff relied on the accurateness of this application, plans, and specifications relative to this project and holds the City of Glenwood and its employees harmless from all liability arising from the granting of this permit.

Jed McMahon 04/12/2021  
Applicant Signature Date

**FOR OFFICE USE ONLY.**

Permit Fee Schedule:

Permit Fee: \$ \_\_\_\_\_  
Variance Fee: \$ \_\_\_\_\_  
Penalty \$ \_\_\_\_\_  
Other \$ \_\_\_\_\_

Date Paid: \_\_\_\_\_

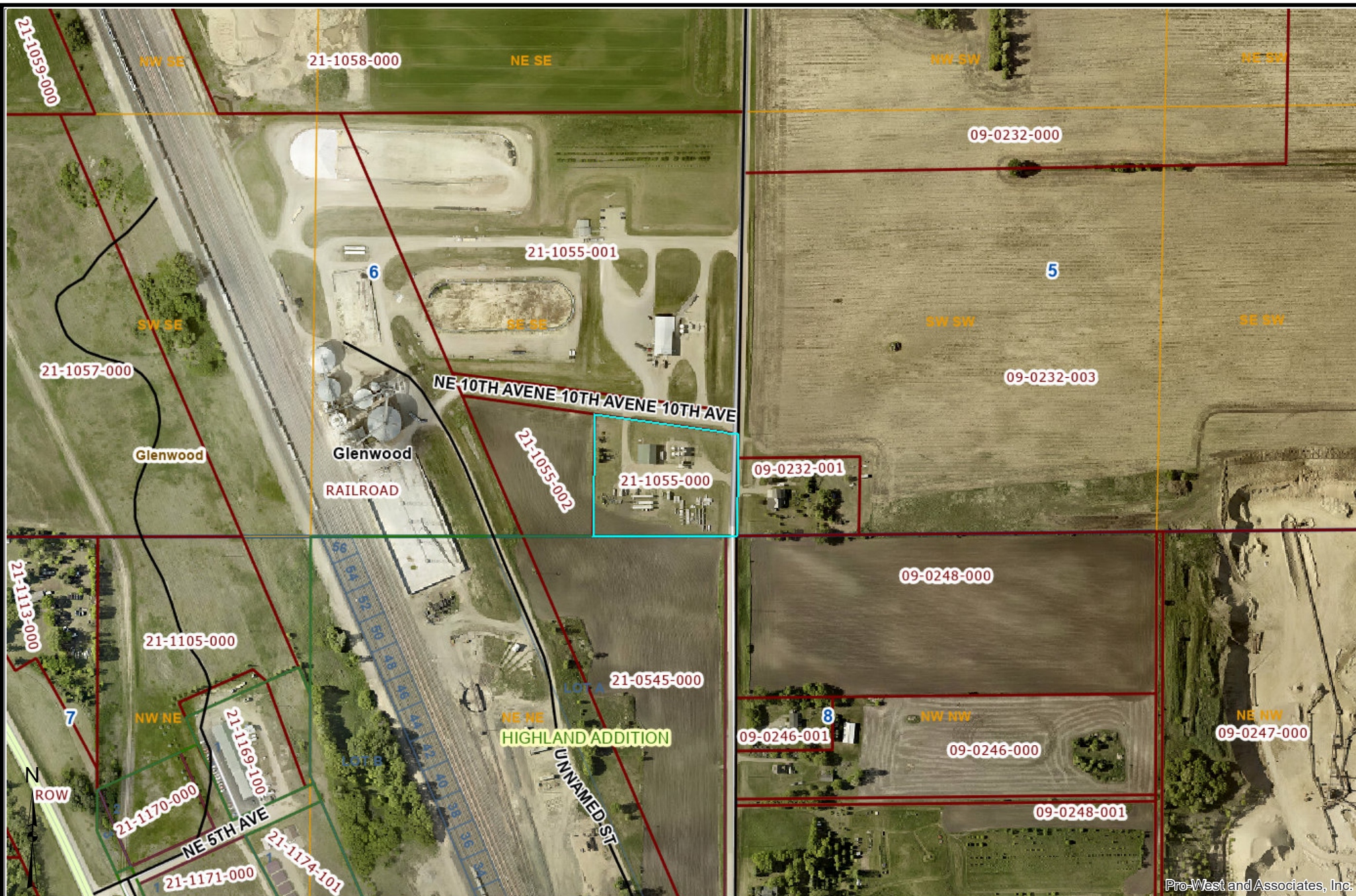
Request:  
   Approved Date: \_\_\_\_\_  
   Denied

Total Permit Fee: \$ \_\_\_\_\_ Authorized By: \_\_\_\_\_

Planning Commission City Commission  
Action \_\_\_\_\_ Action \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_





Pro-West and Associates, Inc.

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1:6,760

Date: 4/30/2021

**Pope County**  
**Minnesota**

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.





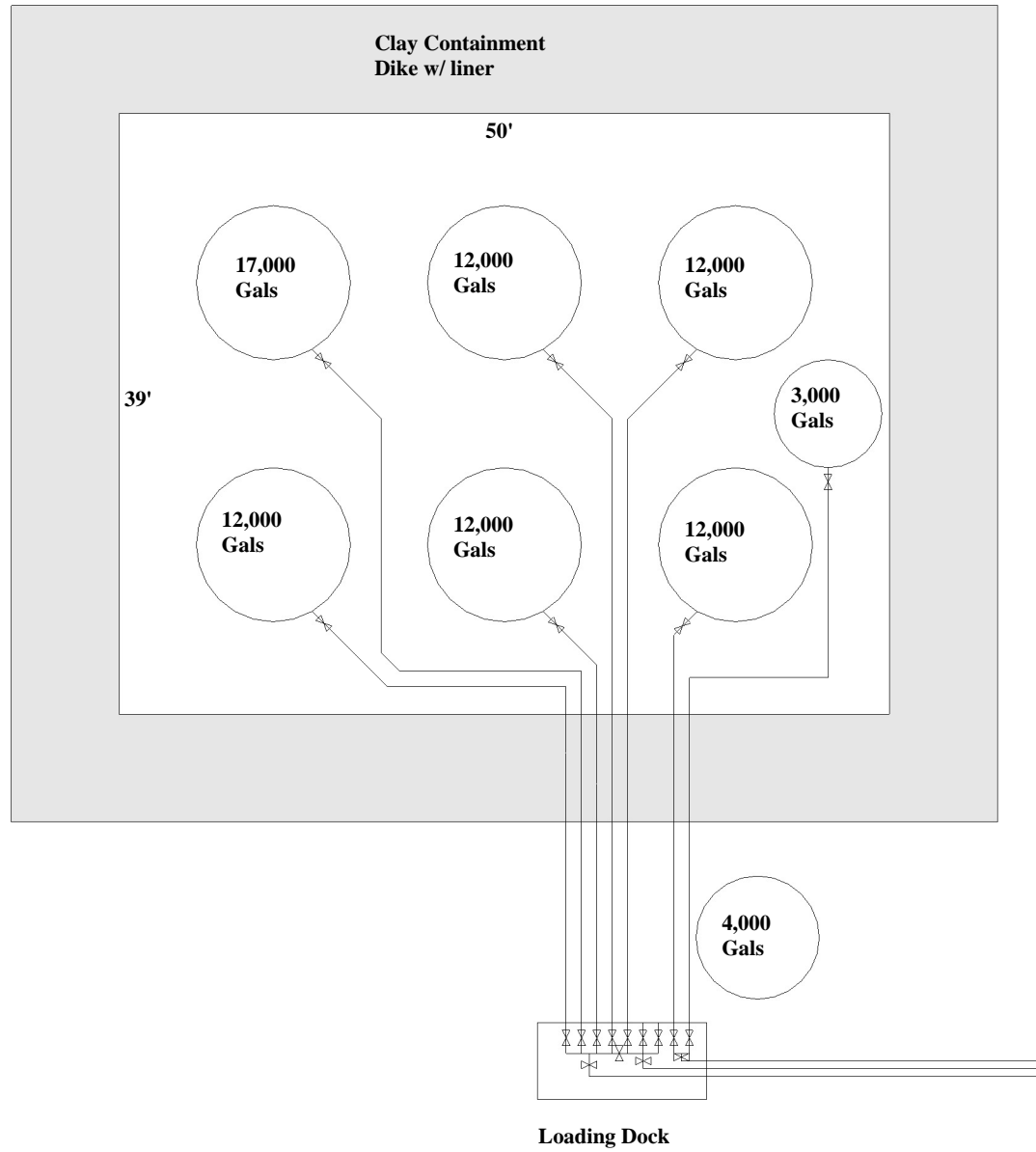
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

McMahon Oil, Inc	
1:1,128	Date: 4/12/2021
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	

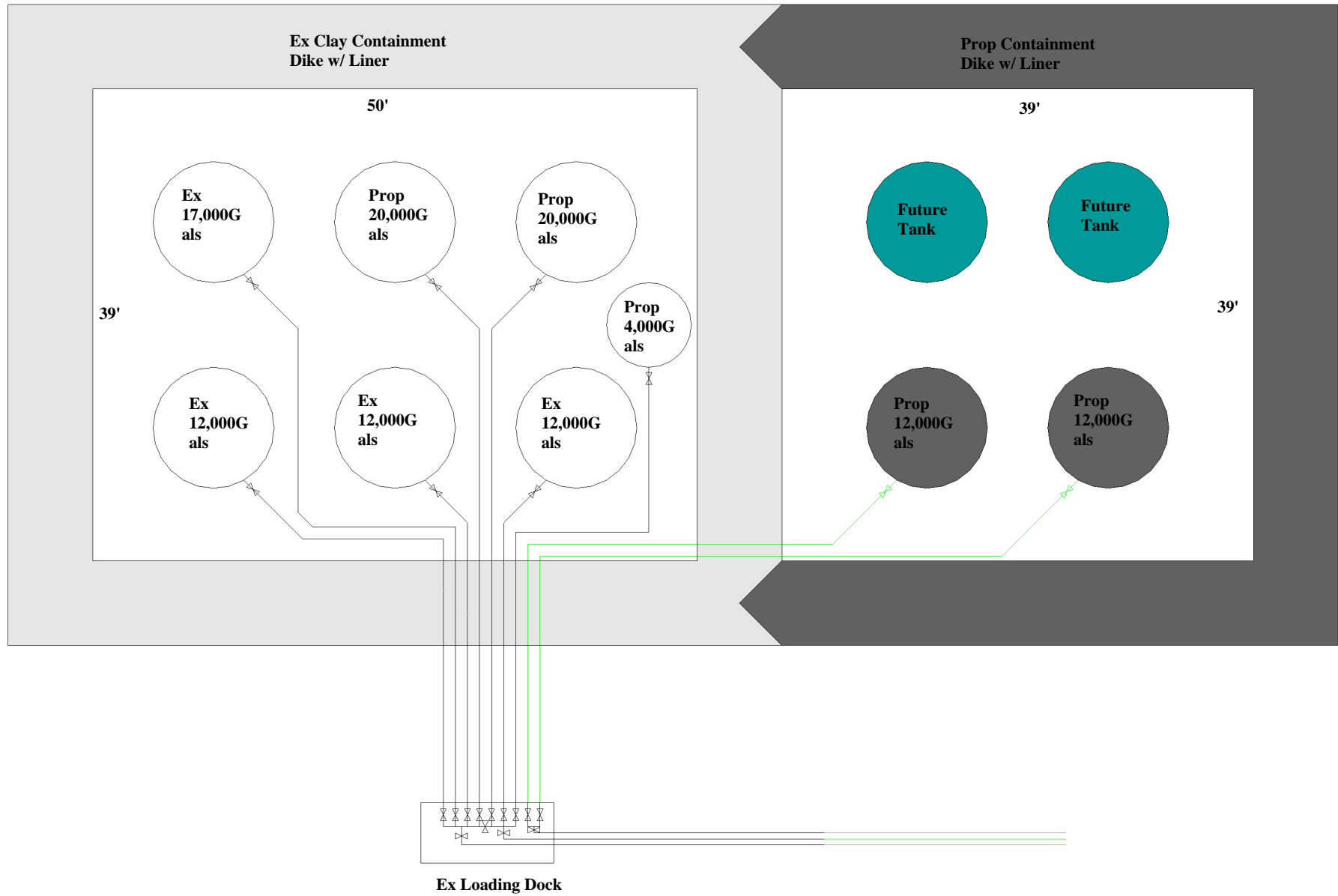
Pro-West and Associates, Inc.  
**Pope County**  
**Minnesota**



# McMahon Oil Fuel Plant Existing Layout



# McMahon Oil Fuel Plant Proposed Layout



Date Received 4-12-21

Application for Planning Request

City of Glenwood

Street address of property: xxx 2<sup>nd</sup> St. NE Zoning Dist. R2, R3

Legal Description: lots 9, 10 Block 5 South 11 feet  
of vacated 3<sup>rd</sup> Ave NE / Doc # PID# 21-0037-000

Property Owner - Contingent 202894  
Name: Lori Olson Phone: 956-458-2405

Address: 2305 Zinnia St City: Mississin State: TX Zip: 78574

Type of Request:

( ) Variance ( ☒ ) Rezoning ( ☒ ) Conditional Use Permit ( ) Plan Review ( ) Preliminary Plat ( ) Final Plat ( ) Other

Description of request If my request is granted, I would buy the  
lots and construct a single-family residence for myself.  
Proposal from Alexandria Homes attached.

If this request is for the construction of a structure, a building permit and drawing must also be submitted.

Existing use Vacant lot

Is this a permitted use under the current zoning ordinance Yes ☒ No

If No, attach a copy of the conditional use permit, variance, or other document permitting use, or attach an explanation of why the use is permitted.

Has a variance, conditional use permit, or rezoning been applied for previously Yes No When \_\_\_\_\_

If and/or when the City is subject to get outside review such as legal, engineering, etc., or there are direct costs for processing the application such as publishing required notices, the costs are billed to the applicant, by signing this request agrees to pay such fees.

[Signature]  
Applicant Signature

4-4-2021  
Date

FOR OFFICE USE ONLY.

Permit Fee Schedule:

Permit Fee: \$ \_\_\_\_\_  
Variance Fee: \$ \_\_\_\_\_  
Penalty: \$ \_\_\_\_\_  
Other: \$ \_\_\_\_\_

Total Permit Fee: \$ 300.00

Date Paid: 4-12-21

Permit:  
\_\_\_\_ Approved Date: \_\_\_\_\_  
\_\_\_\_ Denied  
Authorized By: \_\_\_\_\_

Planning Commission  
Action \_\_\_\_\_

City Commission  
Action \_\_\_\_\_

Signature

Date

Signature

Date

Lori J Olson  
2305 Zinnia St.  
Mission, TX 78574

April 2, 2021

Glenwood City Council  
Glenwood, MN 56334

Dear Glenwood City Council Members,

I am Lori Olson and I am interested in the lots for sale in Glenwood at the corner of 2<sup>nd</sup> Street NE and 3<sup>rd</sup> Avenue NE (#21-0037-000). I contacted Dan Swartz at Swartz Brothers and he informed me that this property is presently not zoned for a single-family residence. I understand that this is currently zoned for multi-family structures, and I am asking that the Glenwood City Council consider granting a Conditional Use Permit or Rezone, whichever option makes more sense in this situation, so that I may purchase this section and get started on the construction of my new residence. I have already contacted Alexandria Homes – Jeremy Friedrichs – and have a proposal for the modular home that I would be constructing on this land. I have also contacted Jerome Duevel at Glenwood State Bank and have a mortgage application and the mortgage process in progress. All I need is the go ahead from the City of Glenwood/City Council concerning the Conditional Use Permit or Rezoning, so that I can make the purchase of the land and get things moving forward on the modular home construction. I would be building a single-family residence on these lots for myself. I know that in the past, there has been a residence on the lots that I am interested in purchasing.

I am a native of Glenwood; Glenwood High School Class of 1980. I moved to Mission, Texas, for a teaching position, as I could not find a position in Minnesota, at the time. I spent 1985-2018 teaching at Mission Jr. High School in the mathematics department and retired at the end of the 2017-2018 school year. I am now looking to return to Glenwood at the end of June 2021 to be back with my family, and these lots would really go a long way toward me being able to make this return home. Please let me know if you need any further information from me on this matter.

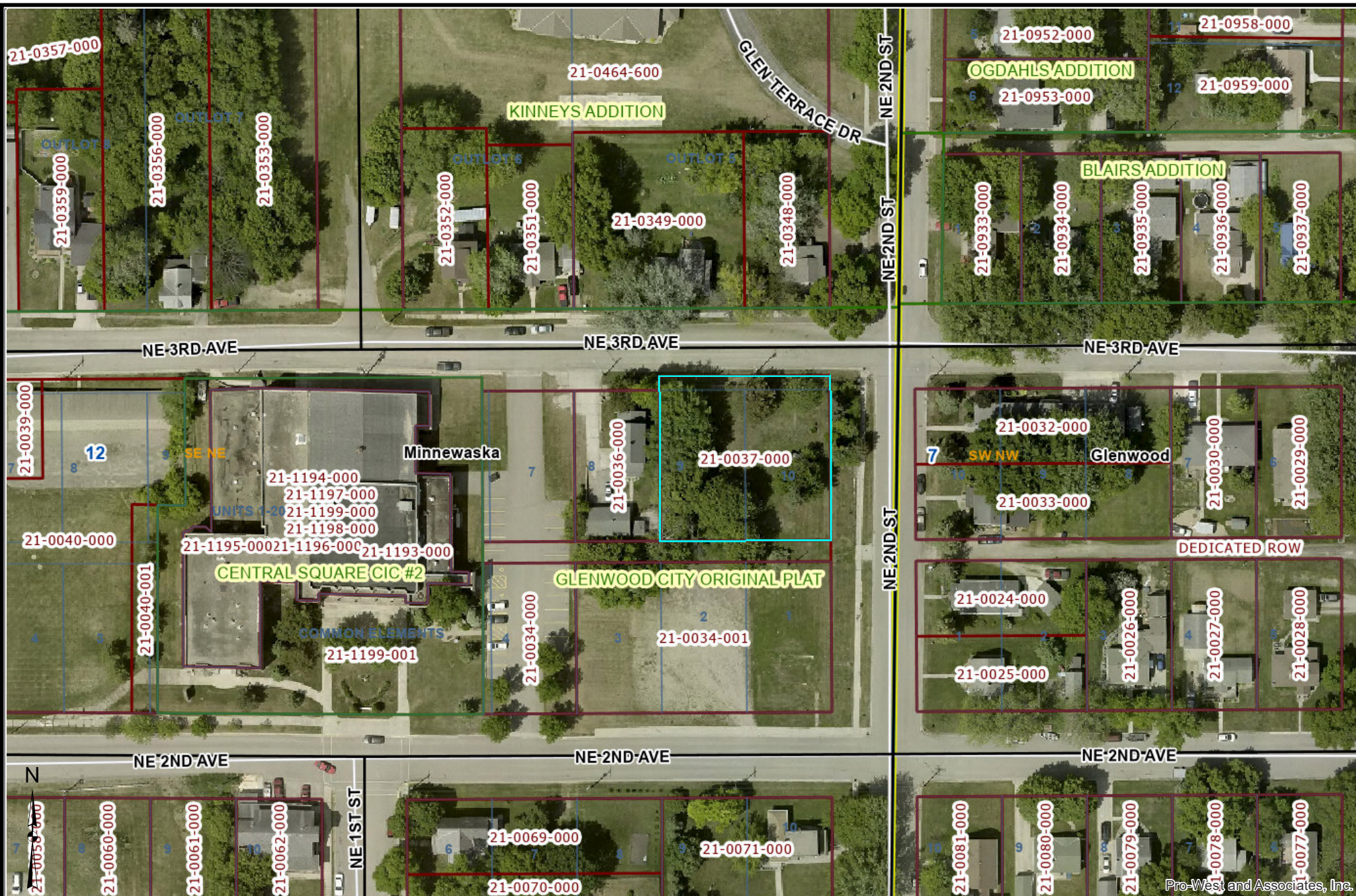
Thank you for your time and consideration in this matter. I look forward to hearing your decision on this request.

Sincerely,



Lori J Olson





Pro-West and Associates, Inc.

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1:1,690

Date: 4/30/2021

**Pope County**  
**Minnesota**

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.





1:6,760

**Pope County**  
**Minnesota**

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WIDSETH  
SMITH  
NOLTING

JOB Innovative - FAST

Shopto

JOB NO. \_\_\_\_\_

CALCULATED BY KAR

DATE 8-14-21

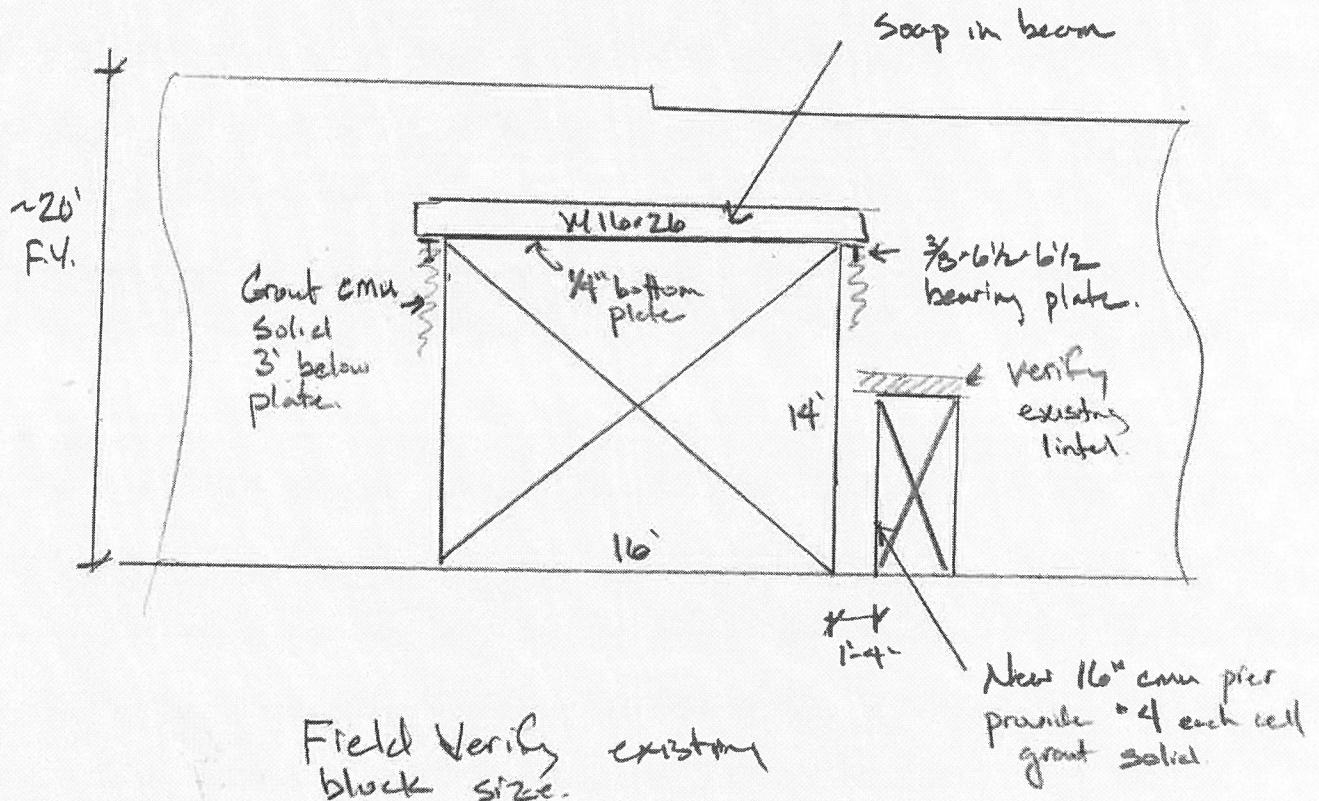
CHECKED BY \_\_\_\_\_

DATE \_\_\_\_\_

Modifications to Shopto Building.

Remove Double door on west end of north wall  
to a single mandoor.

Add 16' W x 14' H overhead door next to mandoor



## STAFF REPORT

<b>Application:</b>	Requests related to allowing for a single-family home. Approvals required include a Rezoning of the property to R-2 (Urban Residential) or a conditional use permit to allow for a single-family home in an R-3 (Multiple Residential) zoning district.
<b>Applicant:</b>	Lori Olson
<b>Property Owner:</b>	City of Glenwood
<b>Agenda Item:</b>	4(b)

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### Background Information:

- **Proposal:** The applicants are proposing to purchase the subject property (an undeveloped lot owned by the City of Glenwood) and make use of it for the construction of a single-family home. The property is currently zoned R-3, which requires a conditional use to allow for a single family home. The applicant is also requesting rezoning to R-2, if that is the city's preference, which would then allow for a single family home as a permitted use.
- **Location:**
  - Property address: None (immediately east of 116 3<sup>rd</sup> Ave NE)
  - Sec/Twp/Range: 12-125-38
  - Parcel number(s): 21-0037-000
- **Zoning:** R-3 Multiple Residential
- **Lot size:** Approx. 16,250 sq ft (0.37 acres) according to County GIS estimate.
- **Septic System Status:** The property is served by city sewer.
- **Natural Features:**
  - Floodplain: The existing and proposed structures are not within an identified floodplain.
  - Bluff/Steep Slopes: The lot does not contain a bluff.
  - Wetlands: There are not wetlands that are likely to be impacted by the proposed improvement(s) to the property.
  - Current Shoreline Conditions: N/A

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**Planning Commission Action:** The Planning Commission may approve the request, deny the request(s), or table the request(s) if the Commission should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

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### Staff Comments:

1. Only one of the requested applications is required to allow for the single-family home - either rezoning to R2 or a conditional use to allow for a single-family home in R-3, but not both.



2. The findings of fact that follow are related to the granting of a conditional use. The City Code does not have any specific findings related to rezonings except that it be acceptable to the City and not inconsistent with the City's 1979 Comprehensive Plan.

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**Staff Recommendation:** Based on the findings of fact and discussion listed below, Staff recommends approval of the proposed Conditional Use, unless the City prefers to instead rezone the property to R-2.

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**Applicable Statutes/Ordinances:** See Appendix A.

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**Findings of Fact:** The following findings of fact are presented by Staff for consideration by the Planning Commission:

- 1) **The proposed use conforms to the district and conditional use provisions and all general regulations of this chapter.**

Findings Supporting Approval

The lot is adequately sized for a single-family home that can meet all requirements of the City Code.

Findings Supporting Denial

None

- 2) **The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.**

Findings Supporting Approval

There are no special standards identified for allowing a single-family home in an R-3 zoning district except the conditional use permit.

Findings Supporting Denial

None

- 3) **The proposed use shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other person or property, and shall comply with the performance standards set forth herein.**

Findings Supporting Approval

A single family home would not present any dangerous, injurious or noxious elements.

Findings Supporting Denial

None

- 4) **The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.**

Findings Supporting Approval

Provided the home is built in a typical manner, there should be no unusual concerns regarding its relationship to adjacent buildings and properties.

Findings Supporting Denial

None

- 5) **The proposed use shall be compatible with the surrounding area and produce a total visual impression and environment which is consistent with the environment of the neighborhood.**

Findings Supporting Approval

The site is located in an area with other single-family dwellings to the north, east and south. The Central Square building is located to the west.

Findings Supporting Denial

None

- 6) **The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.**

Findings Supporting Approval

A single family home that allows for off-street parking should not cause any unusual traffic congestion concerns.

Findings Supporting Denial

None

- 7) **The proposed use shall preserve the objectives of this chapter and shall be consistent with the Land Use Plan.**

Findings Supporting Approval

Residential use of the property is consistent with the City's Land Use Plan.

Findings Supporting Denial

None

- 8) **Additional requirements with respect to conditional uses in the Conservation District have been met.**

Findings Supporting Approval

The property is not located within the Conservation District.

Findings Supporting Denial

None

- 9) **Performance Standards All conditional uses shall comply with required performance standards:**  
**Noise.** Noise which is determined to be objectionable because of volume, frequency or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes which shall be exempt from this requirement.  
**Vibrations.** Vibrations detectable without instruments on neighboring property in any district shall be prohibited.  
**Odors.** No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.  
**Air pollution.** Air pollution shall be subject to the standards established by the State Pollution Control Agency.  
**Glare.** Lighting devices which produce directly reflected glare on adjoining properties or thoroughfares shall not be permitted.  
**Erosion.** No offensive erosion by wind or water shall be permitted onto adjacent properties.  
**Water pollution.** Water pollution shall be subject to the standards established by the State Pollution Control Agency.

Findings Supporting Approval

A single family dwelling would not be expected to create any unusual concerns regarding the issues listed above.

Findings Supporting Denial

None

## Appendix A

### Applicable Statutes and Ordinances

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#### City of Glenwood Regulations

##### **153.006 CONDITIONAL USES.**

(A) *General.* Conditional uses as specified herein may be allowed or denied by the City Commission after recommendation by the Planning Commission in accordance with the criteria and provisions listed herein.

(D) *Criteria for approval.* A conditional use shall be approved if and only if it is found to meet the following criteria.

- (1) The proposed use conforms to the district and conditional use provisions and all general regulations of this chapter.
- (2) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
- (3) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other person or property, and shall comply with the performance standards set forth herein.
- (4) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
- (5) The proposed use shall be compatible with the surrounding area and produce a total visual impression and environment which is consistent with the environment of the neighborhood.
- (6) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
- (7) The proposed use shall preserve the objectives of this chapter and shall be consistent with the Land Use Plan.
- (8) Additional requirements with respect to conditional uses in the Conservation District include the following.
  - (a) Development shall be permitted in such a manner that the maximum number of trees shall be preserved. Where trees are cut, at least 50% of the overstory shall remain.
  - (b) Development shall be permitted in such a manner that on-site soil erosion shall be at a minimum both during construction and when construction activity is completed.
  - (c) The quality of water run-off and water infiltration to the water table or aquifer shall remain undisturbed by the development of the site.
  - (d) The type and density of land use proposed shall be suited to the site and bedrock conditions shall not present a threat to the maintenance of groundwater quality, and shall not fail to correct problems due to soil limitations including bearing strength, shrink-swell potential and slope stability.

(E) *Performance standards.* All conditional uses shall comply with the requirements of this division (E). In order to determine whether a proposed use will conform to the requirements of this chapter, the City Commission may obtain a qualified consultant to testify, whose cost for services shall be borne by the applicant.

- (1) *Fire protection.* Fire prevention and fire fighting equipment required by the Building Code as adopted by the City Commission shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.
- (2) *Electrical disturbance.* No activity shall cause electrical disturbance adversely affecting radio or other equipment in the vicinity.
- (3) *Noise.* Noise which is determined to be objectionable because of volume, frequency or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes which shall be exempt from this requirement.
- (4) *Vibrations.* Vibrations detectable without instruments on neighboring property in any district shall be prohibited.
- (5) *Odors.* No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.
- (6) *Air pollution.* Air pollution shall be subject to the standards established by the State Pollution Control Agency.
- (7) *Glare.* Lighting devices which produce directly reflected glare on adjoining properties or thoroughfares shall not be permitted.
- (8) *Erosion.* No offensive erosion by wind or water shall be permitted onto adjacent properties.
- (9) *Water pollution.* Water pollution shall be subject to the standards established by the State Pollution Control Agency.

## STAFF REPORT

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<b>Application:</b>	Requests related to allowing for a change in use for a building previously used for retail sales. Approvals required include a Conditional Use Permit to allow for a wholesale business with outdoor storage in a B-1 zoning district.
<b>Property Owner:</b>	FAST Global Solutions
<b>Agenda Item:</b>	4(c)

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### Background Information:

- **Proposal:** The applicants are proposing to make use of the existing building (former Pamida/Shopko building) as part of their wholesale business. No manufacturing would take place at the site – only storage and distribution of product. No outdoor storage is proposed.
- **Location:**
  - Property address: 710 County Road 21 S.
  - Sec/Twp/Range: 18-125-37
  - Parcel number(s): 21-1201-000
- **Zoning:** B-1 Community Business
- **Lot size:** Approx. 5.9 acres according to County GIS estimate.
- **Sewer/Water Status:** The property is served by city sewer and water.
- **Natural Features:**
  - Floodplain: The existing and proposed structures are not within an identified floodplain.
  - Bluff/Steep Slopes: The lot does not contain a bluff.
  - Wetlands: There are not wetlands that are likely to be impacted by the proposed improvement(s) to the property.
  - Current Shoreline Conditions: N/A

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**Planning Commission Action:** The Planning Commission may approve the request, deny the request(s), or table the request(s) if the Commission should need additional information from the applicant. If the Commission should approve or deny the request, the Commission should state the findings which support either of these actions.

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### Staff Comments:

1. More information is being provided and will be presented/discussed at the Planning Commission meeting.

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**Staff Recommendation:** Based on the findings of fact and discussion listed below, Staff recommends approval of the proposed Conditional Use if the Commission finds that all potential nuisance characteristics to nearby properties are non-existent or can be adequately mitigated/managed.

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**Applicable Statutes/Ordinances:** See Appendix A.

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**Findings of Fact:** The following findings of fact are presented by Staff for consideration by the Planning Commission:

**1) The proposed use conforms to the district and conditional use provisions and all general regulations of this chapter.**

Findings Supporting Approval

The proposed use would make use of the existing building, which meets all requirements for setbacks and other in the B-1 zoning district. The use itself is storage related to the wholesale business and should not result in any customer traffic, outdoor display of items or truck traffic that is significantly different than what existed when the building was used as a retail store.

Findings Supporting Denial

None

**2) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.**

Findings Supporting Approval

There are no special standards identified for allowing a wholesale business in a B-1 zoning district except the conditional use permit.

Findings Supporting Denial

None

**3) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other person or property, and shall comply with the performance standards set forth herein.**

Findings Supporting Approval

The use of the building for storage of manufactured equipment would not present any dangerous, injurious or noxious elements.

Findings Supporting Denial

None

**4) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.**

Findings Supporting Approval

No significant changes are proposed to the landscape or parking area of the building.

Findings Supporting Denial

None

**5) The proposed use shall be compatible with the surrounding area and produce a total visual impression and environment which is consistent with the environment of the neighborhood.**

Findings Supporting Approval

The site is located in an area zoned for B-1 and near other businesses. There is a residential neighborhood to the west and north, but truck traffic related to the proposed use would come and go from State Highway 55 and County Road 21 with no traffic expected to need to travel by

the residential development. The site was previously used as a retail business that also had large truck deliveries and significant customer traffic.

Findings Supporting Denial

None

- 6) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.**

Findings Supporting Approval

The site contains existing loading bays and traffic circulation areas that is expected to be adequate for the proposed use.

Findings Supporting Denial

None

- 7) The proposed use shall preserve the objectives of this chapter and shall be consistent with the Land Use Plan.**

Findings Supporting Approval

Commercial/Wholesale business use of the property is not inconsistent with the City's 1979 Comprehensive Plan.

Findings Supporting Denial

None

- 8) Additional requirements with respect to conditional uses in the Conservation District have been met.**

Findings Supporting Approval

The property is not located within the Conservation District.

Findings Supporting Denial

None

- 9) Performance Standards All conditional uses shall comply with required performance standards:**  
**Noise.** Noise which is determined to be objectionable because of volume, frequency or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes which shall be exempt from this requirement.  
**Vibrations.** Vibrations detectable without instruments on neighboring property in any district shall be prohibited.  
**Odors.** No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.  
**Air pollution.** Air pollution shall be subject to the standards established by the State Pollution Control Agency.  
**Glare.** Lighting devices which produce directly reflected glare on adjoining properties or thoroughfares shall not be permitted.  
**Erosion.** No offensive erosion by wind or water shall be permitted onto adjacent properties.  
**Water pollution.** Water pollution shall be subject to the standards established by the State Pollution Control Agency.

Findings Supporting Approval

The proposed use for storage related to a wholesale business would not be expected to create any unusual concerns regarding the issues listed above.



### Findings Supporting Denial

The proposed use would introduce significant truck traffic, noise and vibrations associated with loading and unloading large equipment.

## Appendix A

### Applicable Statutes and Ordinances

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#### City of Glenwood Regulations

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- (2) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
- (3) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other person or property, and shall comply with the performance standards set forth herein.
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- (5) The proposed use shall be compatible with the surrounding area and produce a total visual impression and environment which is consistent with the environment of the neighborhood.
- (6) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
- (7) The proposed use shall preserve the objectives of this chapter and shall be consistent with the Land Use Plan.
- (8) Additional requirements with respect to conditional uses in the Conservation District include the following.
  - (a) Development shall be permitted in such a manner that the maximum number of trees shall be preserved. Where trees are cut, at least 50% of the overstory shall remain.
  - (b) Development shall be permitted in such a manner that on-site soil erosion shall be at a minimum both during construction and when construction activity is completed.
  - (c) The quality of water run-off and water infiltration to the water table or aquifer shall remain undisturbed by the development of the site.
  - (d) The type and density of land use proposed shall be suited to the site and bedrock conditions shall not present a threat to the maintenance of groundwater quality, and shall not fail to correct problems due to soil limitations including bearing strength, shrink-swell potential and slope stability.

(E) *Performance standards.* All conditional uses shall comply with the requirements of this division (E). In order to determine whether a proposed use will conform to the requirements of this chapter, the City Commission may obtain a qualified consultant to testify, whose cost for services shall be borne by the applicant.

- (1) *Fire protection.* Fire prevention and fire fighting equipment required by the Building Code as adopted by the City Commission shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.
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- (8) *Erosion.* No offensive erosion by wind or water shall be permitted onto adjacent properties.
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