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## MEMO

**Date:** September 9, 2014

**Re:** Planning Commission/Board of Adjustment Report

Dear Mayor and City Council,

The Planning Commission/Board of Adjustment held its regular meeting on September 8, 2014. There were two public hearings – both for which the Commission is giving you their recommendation.

### PUBLIC HEARING #1

**Application:** Request to consider the vacation of a utility easement

**Applicant:** City of Little Falls

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#### Background Information:

- Proposal:** The city has a utility easement that runs east and west just to the north of the previously existing Country Inn and Suites building located at 209 16<sup>th</sup> Street NE. With the recent expansion of that hotel facility, there is a need to move this easement to so as to not be under the building addition. The proposal is to vacate part of the old utility easement and direct it instead around the north end of the expanded hotel.

When a public easement is vacated, it must have a public hearing. The Planning Commission has held that public hearing and no comments were received either before or at the public hearing.

A copy of the area showing the old easement and the new proposed easement is attached. This action relates only to the vacating of the old easement. Establishing a new easement does not require a public hearing.

A copy of a proposed resolution to vacate the easement is included in your packet as Resolution #53.

- Location (of property over which easement runs):**
  - o Property address: 209 16<sup>th</sup> Street NE
  - o Parcel number(s): 48.2351.000
- Property Owner (of property owner over which easement runs):** GG & O Enterprises LLC

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#### Public Input:

1. No comments received before or after public hearing.

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**Planning Commission/Board of Adjustment Action:** The Planning Commission has recommended approval of the request with the following conditions:

1. That a new easement be obtained to allow for the storm sewer to run through another portion of the property.

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

## **PUBLIC HEARING #2**

**Application:** Request to rezone property at from Heavy Industrial (I-2) to General Business (B-2).

**Applicant:** Brian Anderson (Anderson Custom Processing, Inc.)

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### **Background Information:**

- Proposal:** Anderson Custom Processing has recently purchased the property at 200 Lindbergh Drive SW and is seeking to construct an office building at that location. While an office building would be an allowed use as that property is currently zoned (Heavy Industrial – I2), the required property line setbacks of 40 ft from the front and side corner lot line would take up the entire lot and leave no room for building. As such, the applicants are requesting that the property be rezoned from I-2 to General Business – B2). This will reduce the required setbacks to zero (0) feet for both the front and side lot lines (except that on corner lots, nothing may be placed in the triangle formed by extending 25 feet back from the intersection of the street to preserve traffic sight lines). Offices are a permitted use within the B-2 zoning district.

The City's 2007 Comprehensive Plan identifies the subject property, and properties immediately to the west and north, for future "Business Park" use, which are associated with the I-1 and I-2 zoning districts. The area immediately to the north is identified for "Downtown Business" and is currently zoned B-2 (same as is being proposed for the subject property). The area to the east is identified for "Mixed Use" (commercial and residential).

- Location:**
  - o Property address: 200 Lindbergh Drive South
  - o Brief Legal Description: Lot 008 Block 065 of THAYER'S ADDN Plat No. 49001
  - o Parcel number(s): 490295000
- Property Owner:** Anderson Custom Processing, Inc.

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**Public Input:** No written comments were received by the City prior to the hearing or at the hearing itself.

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**Planning Commission/Board of Adjustment Action:** The Planning Commission has recommended approval of the requested rezoning from I-2 to B-2. Its findings were that the request is not inconsistent with the Comprehensive Plan of the City and will result in the lot being buildable without variances from setback requirements.

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

**Other Items:**

- The Planning Commission continued discussions relating to amending the ordinances that regulate fences. After discussing, the Commission directed Staff to rewrite portions and bring it back at the October meeting for further discussion. No recommendation has been made to the Council regarding the proposed ordinance amendments at this time.

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](mailto:oleson@hometownplanning.com).

Sincerely,



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