

MINUTES OF THE ZONING COMMITTEE
Thursday, September 12, 2019 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Baker, DeJoy, Grill, Lindeke, and Reveal
EXCUSED: Edgerton, Ochs, and Rangel Morales
STAFF: Kady Dadlez, Samantha Langer, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Baker.

Schumacher Rezone - 19-076-718 - Rezone from OS office service to RT1 two-family residential, 330 Prior Ave N, east side of Prior Ave. N, between Roblyn Ave. and Carroll Ave.

Kady Dadlez presented the staff report with a recommendation of approval for the rezoning. She stated District 13 made no recommendation, and there were no letters in support or opposition.

Upon questions from Commissioners, Ms. Dadlez explained that the wood working home occupation is an allowable use. She said that home occupations require a certificate from the Board of Zoning Appeals. The applicants are aware of the need for a signed affidavit to be on file with the Department of Safety and Inspections for the home occupation once the rezoning has been approved. She said that she believes the applicants' intentions are not to have a commercial use, rather the wood working home occupation is more of a hobby than a business, as described by the applicants.

The applicant, Joseph Schumacher, 330 Prior Avenue N, Saint Paul, MN, provided some history on the property. He purchased the property in 1989. He had a purification center in the basement, but due to health issues he has had to close that business and has remodeled it to be living space.

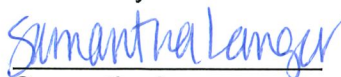
No one spoke in support or opposition. The public hearing was closed.

Commissioner Elizabeth Reveal moved approval of the rezoning. Commissioner Kristine Grill seconded the motion.

The motion passed by a vote of 5-0-0.

Adopted Yeas - 5 Nays - 0 Abstained - 0

Drafted by:



Samantha Langer
Recording Secretary

Submitted by:



Kady Dadlez
City Planner

Approved by:



Dan Edgerton
Chair

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The meeting was chaired by Commissioner Baker.

Arlington Auto Repair LLC - 19-078-373 - Reestablishment of nonconforming use for auto repair, 1431 Rice Street, SW corner at Arlington Avenue

Kady Dadlez presented the staff report with a recommendation of approval with conditions for the reestablishment of nonconforming use permit. She stated District 6 submitted a letter recommending approval with conditions, and there were no other letters of support or opposition.

Upon questions from Commissioners, Ms. Dadlez said the license that will be issued by the Department of Safety and Inspection will specifically address the issues of past complaints from the previous owner regarding inoperable vehicles. Ms. Dadlez said that the conditions in the staff report and the conditions proposed in the District Council letter are similar except that the District Council requested that the applicant repaint the building and install new signage. She said she would defer to the Committee if they wished to add these additional conditions. She believes that the applicant agrees with the conditions in the staff report. Ms. Dadlez said that the applicant is responsible for making the improvements to the property because recommended conditions relate to improvements on private property. To ensure the public welfare is served, the Zoning Code gives the Planning Commission the authority to attach conditions to nonconforming use permits, including conditions concerning appearance and off-street parking.

Daniel Gelb, 9617 Oak Ridge Trail, Minnetonka, MN, said he hopes they won't be handicapped because the previous owner was bad. He agrees with the staff recommendation. He said that there were tanks that were removed from the site and he believes there is a no further action letter. The physical structure of the building is in great condition. The only problem was with the previous owner who let cars sit out and didn't take care of the property. They will improve the property and it will fit right in with the neighborhood.

Upon questions from Commissioners, Mr. Gelb said that Osman Musani works for one of his companies and will not be a tenant. They plan to owner-occupy Northern Auto Repair. He will not purchase the building if he doesn't have the ability to run an auto repair facility. Mr. Gelb said that he is comfortable with the conditions in the staff report. He said that they will install new signage, but he doesn't want to paint the brick building. They will make any improvements needed to the property.

Osman Musani, 14537 Lockslie Trail, Savage, MN, was available for questions.

No one spoke in support or opposition. The public hearing was closed.


Commissioner Kristine Grill moved approval with conditions of the reestablishment of nonconforming use permit. Commissioner Elizabeth Reveal seconded the motion.

The motion passed by a vote of 5-0-0.

Adopted Yeas - 5 Nays - 0 Abstained - 0

Drafted by:


Samantha Langer
Recording Secretary

Submitted by:


Kady Dadlez
City Planner

Approved by:


Dan Edgerton
Chair