

Planning and Zoning Commission
Minutes – January 25, 2022

The Canton Planning and Zoning Commission met at the Depot Viking Room on Tuesday, January 25, 2022 at 7:00pm with the following members present: Commissioners Dave Gillespie (by phone), Tanya Iverson, Ben Oien, Mike Pederson, and Chairman Jerry Chaon.

Absent: none

Also present: Office Assistant Karen Leffler and Assistant Finance Officer Tiffany VanDeKieft

Visitors: Jason Bryant, Tim Longstaff, and Terry Gerber

CONSENT CALENDAR

Commissioner Iverson moved and Commissioner Oien seconded to approve the consent calendar consisting of 1) Minutes from December 28th, 2021; and 2) agenda. All Ayes. Motion Carried.

OLD BUSINESS: DECISION ON CUP REQUEST – JASON BRYANT – 1125 EAST FIFTH STREET – CONDITIONAL USE PERMIT – STORAGE UNITS

Chairman Chaon advised the Board of the opinion from the City Attorney's office regarding the easement in question. The City Attorney's office believes that the plat of Dolan Addition and the Permanent Easement which were recorded with the Register of Deeds give a permanent unobstructed access easement 30 feet wide to Lot 6, which is currently owned by Jason Bryant. The easement is valid for the owner of the property and their guests and invitees to use to access Lot 6.

Chairman Chaon then opened discussion on the decision for the conditional use permit request. Jason Bryant provided updated copies of his proposed site plan, which now includes one 30'x30' unit and 33 units measuring 10'x30' each with the same total square footage discussed at the December 28th meeting. The Commissioners discussed each of the City Engineer's recommendation points and decided that 1, 2, 5, & 8 were the pertinent items to this request for storage units. Points 3, 4, 6, & 7 were not included in the conditions since they did not apply to this storage unit request.

Since the property in question is in a flood plain area according to the best available data, Point 1 relates to needing something showing the existing ground elevations and proposed grading work. The City should know how the site is going to be filled such that the City is aware of how the drainage will work after construction is complete. There is an existing culvert under the tracks generally just southwest of the new building. The questions of how the existing drainage patterns are going to be impacted, will the neighboring properties be impacted by drainage, and will water drain around the new building correctly and not onto neighboring properties should be answered. Point 2 is that the City requires an elevation certificate to make sure the finished floor elevation meets the floodplain development permit.

Point 3 is regarding if sewer and water are needed to the building and, if so, where those services are to be located as there cannot be a drain/sewer opening below the base flood elevation. If sewer/water is desired, the use would change from a storage unit to a contractor shop and parking requirements would change also in addition to a contractor shop only being a permitted use in Light & Heavy Industrial zones.

Point 4 is regarding off-street parking requirements. The City Engineer indicated that if there is no office, there likely is not any parking space requirements.

Point 5 is regarding drive aisles and loading/unloading areas in front of the units be hard surfaced with asphalt or concrete. Zoning Ordinance 11.04.A.5 requires hard surfacing (asphalt or concrete).

Point 6 is regarding if there will be signage on site and, if so, what it will look like. (Referring to 11.06 of Zoning Ordinance.)

Point 7 is regarding the need for fencing or screening and Myron does not believe it is needed.

Point 8 is regarding how the landscaping ordinance is being met, such as grass areas and how many trees are needed. Referring to 11.12 of zoning ordinance, at least 90% of the required front yard setback shall be landscaped and maintained with living ground cover except for the portion of the front yard necessary for hard surfaced driveways or sidewalks and one tree per 50 feet of lot width is required. The street side lot width is 571.33' therefore 12 trees would be required.

Commissioner Oien moved and Commissioner Gillespie seconded to approve the conditional use request with City Engineer recommendation points 1, 2, 5, & 8 being required as well as no outside storage being allowed. All ayes.

PUBLIC HEARING - ORDINANCE (RELATING TO CAR WASH) PUBLIC HEARING

This being the time and place for the hearing for the ordinance relating to amending car wash regulations, Chairman Chaon opened the hearing.

Chairman Chaon asked for proponents to the issue. Hearing none, Chairman Chaon asked for opponents to the issue. Hearing none, Chairman Chaon closed the hearing.

Commissioner Oien moved and Commissioner Iverson seconded to approve sending a recommendation of approval for the ordinance amendment to Planning & Zoning Chapters 7.02 – General Business Conditional Uses, 11.04 – Off-Street Parking, and 11.12 – Landscaping Standards to the City Commission. All ayes.

DISCUSSION ON PROPOSED ORDINANCE RELATING TO ARTIFICIAL TURF

Chairman Chaon advised the Board of the answer to the question from the last meeting to be asked of the City Attorney regarding boulevards and artificial turf. The City Attorney recommends that artificial turf is not allowed in the boulevard area however if it were to be allowed then he indicated that a written agreement between the property owner and the City should be signed where term and conditions are agreed upon including owner acknowledging responsibility for upkeep (even in the instance of a City plow getting in the boulevard while clearing snow) and that the City can sue if the artificial turf is not kept up.

In regards to the question to be asked of Seth Weiland regarding at what point condition-wise is the standard for replacing/repairing the turf, he replied back that he was currently at their annual convention and wouldn't be back until February 1st and could get the requested information to us for the February meeting.

Discussion ensued regarding establishing an upkeep standard and asking the City Attorney if an ordinance can refer to a set of standards rather than establishing the standards in the ordinance itself, considering it to be a variance instead of a conditional use, and as well as discussing the topic in general.

Commissioner Oien moved and Commissioner Pederson seconded to table this topic until next month's meeting and to contact Doug VanZee or Jim Elling for additional information if we don't receive information from Seth Weiland at the beginning of February. All ayes.

DIALOGUE:

Apex Towers has requested that their hearing tentatively be at the February meeting due to FAA determination information they received. The next meeting is scheduled Wednesday, February

23rd due to the Presidents' Day holiday and the City Commission meeting being on Tuesday, February 22nd.

ADJOURNMENT

Commissioner Oien moved and Commissioner Iverson seconded to adjourn. All Ayes. Motion carried.

Meeting Adjourned.

Tiffany VanDeKieft
Assistant Finance Officer