

**RESOLUTION NO. 2021-09**

**Motion By:** Schultz  
**Seconded By:** Nichols

**APPROVAL OF SITE PLAN AND CONDITIONAL USE PERMIT AMENDMENT FOR  
NELSON INTERNATIONAL (PID 01-119-23-41-0001) (CITY FILE NO. 20-022)**

**WHEREAS**, Ryan Nelson on behalf of Nelson International is requesting approval of a site plan and conditional use permit amendment for property legally described as follows:

*Lot 1, Block 5, Bellwether 2<sup>nd</sup> Addition*

**WHEREAS**, the City Council granted approval of a site plan, conditional use permit and variance on September 24, 2020 and;

**WHEREAS**, the building construction has not yet begun, and;

**WHEREAS**, the applicant is requesting approval of the site plan amendment to modify the approved site plan;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORCORAN, MINNESOTA**, that it should and hereby does approve the request for a site plan and conditional use permit amendment, subject to the following findings and conditions:

1. A site plan amendment and conditional use permit amendment are approved to allow for the construction of a building as shown on application and plans received by the City on December 22, 2020, and additional information received January 25, 2021 and January 18, 2021, except as amended by this resolution.
2. The curb cut variance approved as part of Resolution 2020-75 shall remain. However, all site plan and conditional use permit conditions of approval shall be as outlined in this resolution.
3. Approval of the modification is contingent upon Council approval of the easement vacation and dedication of the new drainage and utility easements.
4. The applicant must comply with the Engineer's Memo dated January 19, 2021
5. No approvals are granted for the future expansion shown on the plans. A new application for a site plan/conditional use permit amendment would be required when the expansion is proposed.
6. A conditional use permit is approved to allow for motor vehicle, boat or equipment repair and sales subject to the following findings:
  - a. Motor vehicle repair and sales are a conditional use in the Industrial zoning district. The use is a conditional use as it requires specific conditions to be met. The applicant will be in compliance with the operations requirements.

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- b. The proposed use will comply with the standards for Motor Vehicle Repair in Section 1040.125, Subd. 4 (C) of the Zoning Ordinance. Specifically:
  - i. All servicing of vehicles and equipment shall occur entirely within the principal structure.
  - ii. To the extent required by State law and regulations, painting shall be conducted in an approved paint booth, which thoroughly controls the emission of fumes, dust, or other particulated matter.
  - iii. Storage and use of all flammable materials, including liquid and rags, shall conform with applicable provisions of the Minnesota Uniform Fire Code.
  - iv. Parking, driveway, and circulation standards and requirements shall be subject to the review and approval of the City and shall be based upon the specific needs of the operation and shall accommodate large vehicle equipment and semi-trailer/tractor trucks.
  - v. The storage of damaged vehicles and vehicle parts and accessory equipment must be completely inside a principal or accessory building.
  - vi. The sale of products other than those specifically mentioned in this Section shall be subject to a separate conditional use permit.
  
- c. The proposed use will comply with the standards for Motor Vehicle Repair in Section 1040.125, Subd. 4 (D) of the Zoning Ordinance. Specifically:
  - i. All sales shall occur on one lot.
  - ii. Parking areas for the outside storage and sale of vehicles, boats and trailers, shall be on impervious surface, either bituminous, concrete, or approved equivalent.
  - iii. Interior concrete or asphalt curbs shall be constructed within the property to separate driving and parking areas from landscaped areas.
  - iv. All areas of the property not devoted to buildings or parking areas shall be landscaped in accordance with this Ordinance.
  - v. Off-street parking shall be provided for customers and employees in accordance with this Ordinance.
  - vi. Parking for a motor vehicle, boat, or trailer sales shall not be less than 9 feet wide by 18.5 feet in length..
  
- d. Applicable criteria as outlined in Section 1070.020 (Conditional Use Permits) of the Corcoran Zoning Ordinance.
  - i. The proposed building complies with the goals of the Comprehensive Plan. The project establishes the industrial corridor that is guided.
  - ii. The establishment of the conditional use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals or comfort of the community. The use is allowed within the I-1 district.
  - iii. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The subject property is separated from the other uses; however, additional screening is required in the southwest corner of the site to buffer overhead doors and parking from adjacent residential.

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- iv. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
  - v. Through the private investment of the applicant, the public facilities and services can be reasonably provided.
  - vi. The conditional use conforms to the applicable regulations of the Light Industrial District. The applicant has stated painting will not be a service that is provided, parking, driveway and circulation have been designed to accommodate larger vehicles and all work done on the site and any damaged vehicles will be stored inside a principal or accessory building.
  - vii. Staff has analyzed the performance standards of this Chapter and finds that the building conforms to other standards specified in the Zoning Ordinance.
7. The applicant will install the public watermain, but water service will be provided by a private well until municipal water is available. The land owner will connect to municipal water when available.
  8. The applicant shall connect to municipal sanitary sewer.
  9. Final fence details for screening the equipment and trash or recycling must be submitted for review to show a similar material and color to the privacy fence along the west side of the parking lot and approval by staff.
  10. The applicant shall continue to work with city staff to coordinate landscaping to ensure no future conflict with the planned watermain along County Road 101.
  11. Trees, ponds and other private improvements shall be located outside of the public street easement.
  12. The applicant shall revise the landscaping plan to relocate trees and add trees as part of the restoration plan for the four trees that were approved as part of the tree preservation plan and erroneously removed as part of the demolition work:
    - a. Relocate the plantings to the east of the customer parking to the west and north side of the development as directed by staff.
    - b. Add three six-inch diameter at breast height deciduous trees, spaded with a 92-inch tree spade, east of the customer parking area. The trees must be of the following species:
      - i. Red Maple (*Acer rubrum*)
      - ii. Sugar Maple (*Acer saccharum*)
      - iii. Hackberry (*Celtis occidentalis*)
    - c. Add three 15- to 20-foot tall coniferous trees, spaded with a 92-inch tree spade, east of the customer parking area. The trees must be of the following species:
      - i. Blue Hills Spruce (*Picea pungens*)
    - d. Add a minimum of three understory plantings east of the customer parking area. The trees must be of the following species:

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- i. Witch Hazel (*Hamamelis virginiana*)
- ii. Chokeberry (*Aronia melanocarpa*)
- iii. Nannyberry *Viburnum* (*Viburnum lentago*)

13. A 76-foot parking setback will be required from the existing north lot line.
14. A building permit is required prior to beginning any work.
15. All signage must comply with ordinance standards. All signs require a permit in order to be constructed and will be reviewed at the time of permit submittal.
16. Sign lighting shall comply with Section 84.04, Subd. 8 of the City Code. The signage shall not be lit outside of business hours.
17. Service bay doors must be closed between 9:00 pm and 7:00 am to mitigate noise.
18. The applicant must provide all required drainage and utility easements in recordable form.
19. The applicant must provide a wetland buffer plant maintenance plan for review and approval by staff.
20. The applicant must enter into a stormwater maintenance agreement. The applicant must prepare the document in recordable for review and approval by the City.
21. The developer shall enter into a development contract after plans are revised to address the conditions above and submit a financial guarantee for the proposed work as outlined in Section 1070.050, Subd. 9 of the Zoning Ordinance.
22. The developer shall enter into a license agreement to allow for the use of a private drive on City land along the north lot line. The document must be provided to the City in recordable form for review and approval by the City Attorney.
23. FURTHER, that the following conditions be met prior to issuance of building permits:
  - a. The applicant shall submit any and all necessary permits to Hennepin County for septic system abandonment on site and provide proof of application to the City.
  - b. The applicant shall submit any and all necessary permits to the State of Minnesota for the construction of a well and provide proof of application to the City.
  - c. The applicant shall submit any and all necessary permits to the watershed and receive approval and shall provide proof of permits to the City.
  - d. Record the approving resolution, required easements, development contract and license agreement at Hennepin County and provide proof of recording to the City.
24. FURTHER, any request to inspect the required landscaping in order to reduce financial guarantees must be accompanied by recertification/verification of field inspection by the

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project landscape architect. A letter signed by the project landscape architect verifying plantings have been corrected and is in compliance with the plans and specifications will suffice.

25. Prior to release of the remaining escrow, the applicant must:

- a. Record the approving resolution at Hennepin County and provide proof of recording to the City.

26. Approval shall expire within one year of the date of approval unless the applicant commences the authorized use and completes the required improvements.

**VOTING AYE**

- McKee, Tom
- Bottema, Jon
- Thomas, Manoj
- Nichols, Jeremy
- Schultz, Alan

**VOTING NAY**

- McKee, Tom
- Bottema, Jon
- Thomas, Manoj
- Nichols, Jeremy
- Schultz, Alan

Whereupon, said Resolution is hereby declared adopted on this 28<sup>th</sup> day of January 2021.

  
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Tom McKee - Mayor

ATTEST:

  
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Jessica Belse – Administrative Services Director

City Seal