



Mayer Community Center – Council Chambers - 413 Bluejay Avenue, Mayer, MN 55360

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**PLANNING COMMISSION  
REGULAR MEETING**

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**Wednesday  
November 6, 2019  
6:30 PM**

- 1. Call the meeting to order.**
- 2. Approval of the agenda.**
- 3. Approval of the minutes from the July 2, 2019 Planning Commission meeting.**
- 4. Site plan review for a new commercial building and off-street parking to be located at 185 7th Street NE in the C-1 General Commerce District.**
- 5. PUBLIC HEARING - Variance to reduce the required number of off-street parking stalls for a new commercial building to be located at 185 7th Street NE.**
- 6. Site plan review for a new industrial building, outside storage area and off-street parking to be located at 856 Shimmcor Street in the C/I Commercial/Industrial District.**
- 7. PUBLIC HEARING - Variance to reduce the required number of off-street parking stalls for a new industrial building to be located at 856 Shimmcor Street.**
- 8. Next Meeting - Tuesday, December 3, 2019**
- 9. Commissioners Report**
- 10. Adjournment.**



**City of Mayer**  
**Planning Commission**  
Meeting Minutes  
Tuesday, July 2, 2019

**Commission Members Present:** Vice Chairperson Patty Lanting, Council Liaison Tice Stieve-McPadden, Commissioners Les Hahn, Michael Sommerfeld, Don Wachholz and Barney Johnson.

**Commission Members Absent:** Chairperson Tom Stifter.

**Others Present:** None.

**Staff Present:** John Anderson of Municipal Development Group, LLC

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**CALL MEETING TO ORDER.**

Meeting called to order at 6:32 PM by Vice-Chairperson Patty Lanting.

**ADOPT AGENDA.**

A motion to approve the agenda was made by Commissioner Johnson and seconded by Commissioner Hahn. Motion carried 6/0.

**APPROVAL OF MINUTES.**

A motion to approve the June 4, 2019 Planning Commission minutes was made by Commissioner Johnson and seconded by Commissioner Sommerfeld. Motion carried 6/0.

**REVIEW OF DRAFT LANGUAGE REGARDING STORM SHELTER REQUIREMENTS FOR RESIDENTIAL STRUCTURES.**

At 6:33 PM, Planning Consultant Anderson, presented the information and draft ordinance language for the storm shelter requirements and stated the language could be added to the zoning ordinance.

Commissioner Hahn stated that he wants minimum standards and that this language was proposed to protect people in slab on grade homes.

Planning Consultant Anderson stated that one item that may be discussed is the added costs for a house when requiring specific storm shelter requirement. He stated that housing costs have been a hot button topic with the Builders Association as late and that the City should be aware of this.

Commissioner Hahn stated that the draft text should not specifically require the storm shelter to be located in certain rooms of the house but rather the builder or homeowner should have options in order to keep the additional costs to a minimum.

Planning Consultant Anderson stated that whatever ordinance the City wants to adopt does need to have specifics when addressing minimum standards. He also stated that if you are going to reference FEMA guidelines or the International Building Code, that the City Building Inspector will need to be consulted with to make sure the adoption of any language that references these codes or guidelines are not in direct conflict with the Minnesota State Building Code, which the City follows. He also stated that City Building Inspector will need to be consulted as to what the Minnesota State Building Code actually requires in relation to storm shelters, if anything, and what language makes sense.

**NEXT MEETING.**

Next scheduled meeting is Tuesday, August 6, 2019. Vice-Chairperson Lanting noted that August 6, 2019 was National Night Out and that she would not be there.

**COMMISSIONERS REPORT.**

Commissioner Hahn asked about the proposed parking lot location for West Ridge Park.

Council Liaison Tice Stieve-McPadden stated that she is aware of the plans and explained where the parking lot for West Ridge Park would be located.

**ADJOURNMENT.**

A motion was made by Commissioner Wachholz and seconded by Commissioner Johnson to adjourn the meeting at 7:26 PM. Motion carried 6/0.



Site Plan Review for New Building 185 7th Street NE & Parking Variance

**APPLICATION DATA**

**Meeting Date:** November 6, 2019

**Applicant/Owner:** Jeremy Scheuble of Minnwest Rentals, LLC

**Address & PID Number:** 185 7th Street NE - 50.03101.00

**Legal Description:** That part of the Southwest Quarter of Section 31, Township 117, Range 25, Carver County, Minnesota, described as beginning on the south line of said Southwest Quarter 398.4 feet East of the northwest corner of Section 6, Township 116, Range 25; thence North 200.00 feet parallel with the West line thereof; thence West 217.8 feet parallel to the South line thereof; thence South 200.00 feet parallel with the West line thereof to the South line; thence East along said South line 217.80 feet to the point of beginning.

**ACTION REQUESTED**

To recommend to the City Council to approve or deny a site plan review for a new commercial building and parking lot for Excel Mechanical at 185 7th Street NE and to recommend to approve or deny a variance request to reduce the off-street parking requirement for the new building.

**BACKGROUND DATA**

**Future Land Use**

**Classification:** The property is designated Commercial on the current future land use map and Commercial on the proposed 2040 Future Land Use Map. The proposed use of a office and accessory storage is consistent with this designation.

**Zoning**

**Classification:** The property is zoned C-1 General Commerce District and offices and accessory storage are permitted in that district.

**Comments**

**Received:** No comments from the public have been received as of the date of the this memo.

**Background:**

The applicant has submitted a application for site plan review for a new commercial building and a application for a variance request to reduce the required number of off-street parking stalls.

The property is approximately 0.83 acres in size and is zoned C-1. Properties adjacent to the site consist of the following.

North: Agricultural property located in Watertown Township and is guided for commercial on the current 2030 Future Land Use Map and proposed 2040 Future Land Use Map.

West: A city owned parcel that consists of wetland and a stormwater holding pond. This property is zoned P/I Public Institutional and is guided for commercial on the current

2030 Future Land Use Map and open space on the proposed 2040 Future Land Use Map.

East: An existing commercial business that is zoned C-1 General Commerce and guided for commercial on the current 2030 Future Land Use Map and proposed 2040 Future Land Use Map.

South: Across 7th Street NE to the south are two existing single family detached dwelling units that are zoned C-1 General Commerce and are considered legal non-conforming uses. Both of these properties are guided for commercial on the current 2030 Future Land Use Map and proposed 2040 Future Land Use Map.

The site plan review requirements are listed under Section 152.031 of the zoning ordinance. Site plan review requires the following submittal requirements.

- (1) *Boundary survey of parcel including identification of all monuments.*
- (2) *Scaled location of all buildings, structures, driveways, sidewalks, trails, parking stalls, and curbing.*
- (3) *Scaled identification of all setback dimensions from property lines.*
- (4) *Scaled locations of all existing and proposed utilities and easements.*
- (5) *Scaled depictions of floor plans for each story.*
- (6) *Scaled depictions of each building elevation and descriptions of exterior building materials and color schemes.*
- (7) *Scaled site grading plans, including erosion and sedimentation control mechanisms and procedures.*
- (8) *Scaled delineations of any shoreland, floodplain, or wetland areas on the site.*
- (9) *Identification of any floodplain or wetland encroachments and detailed mitigation plans.*
- (10) *Detailed landscape plans, illustrating size, types, and locations of all materials, a description of site seeding or sodding, a description of the timetable for site landscaping, and the identification of any irrigation systems.*
- (11) *Detailed descriptions of any site fencing, including type, location and height.*
- (12) *All plans shall be dated and shall bear the name(s) of the preparer(s), including professional registrations or certifications when appropriate or required.*

As part of this application a site plan, grading plan, and building plans were submitted for review. The building itself is 4,960 square feet in size and approximately 960 square feet will be office space with the remaining 4,000 square feet consisting of accessory storage for the business, a customary accessory use incidental to the principal use.

Access to the site will come from 7th Street NE, which is a city street and all accessing spacing and width requirements are met. Off-street parking is also shown but the number of proposed off-street parking stalls is less than the required number for a building of this size so a variance to reduce the number of required off-street parking stalls is requested. The following criteria are typically considered when reviewing a variance request.

- A. *Granting a variance will not adversely affect the public health, welfare and safety and will not be detrimental and injurious to property or improvements in the neighborhood.*
- B. *Strict interpretation or enforcement of the provisions of this Ordinance would result in a practical difficulty or unnecessary hardship that is not self-created, nor inconsistent with the intent of this Ordinance and the Comprehensive Plan.*
- C. *There are exceptional or extraordinary circumstances or conditions applicable to the property, use, or facilities that do not apply generally to other properties in the same district.*
- D. *Strict or literal interpretation of this Ordinance would deprive the applicant of the use and enjoyment of his or her property in a manner similar to others in the same district.*
- E. *Granting of the variance will not allow a use which is otherwise not a permitted use in the zoning district in question.*

**Off-Street  
Parking:**

The applicant has submitted a site plan that shows seven off-street parking stalls (one handicapped) to be constructed and spaces for twelve future off-street parking stalls. The off-street parking requirement for office space is five spaces for every 1,000 square feet of gross floor area and three spaces for every 1,000 square feet of gross floor area for other industry/business. The building is 4,960 square feet in size and the office space consists of 960 square feet so five off-street parking spaces would be required for that use and the other industry/business is 4,000 square feet so twelve off-street parking spaces would be required for that use for a total of seventeen required off-street parking spaces.

The applicant has proposed seven off-street parking spaces meaning they are ten spaces short and therefore have applied for the variance. The applicant has demonstrated on the site plan that the additional required off-street parking spaces can be accommodated on the lot if needed in the future. At this time the applicant does not need these additional spaces for the proposed use and therefore the variance request.

The parking stalls size, drive lanes and turnaround areas are sufficient and meet city requirements and parking lot is proposed to paved with surmountable curb being used on the edge of the parking area. On the west side of the building, where the parking area could be expanded to the north, no curb is proposed on the north side of the pavement where the drive lane is, since this is proposed to be potentially expanded to the north at some point in time in the future. This area and areas around the rear of the building are proposed to be gravel surfaces.

**Building  
Materials:**

The purpose of establishing building design standards is to encourage development of aesthetically pleasing structures, to create minimum standards for non-residential design, and to protect the investments of non-residential building owners. Buildings located in the C-1, district shall include combinations of exterior building materials that achieve a higher standard of design and aesthetic appearance. Architectural controls, including but not limited to steep-pitch roofs, window and door treatments, awnings, wainscoting, and color bands, are encouraged in all buildings and may be considered in lieu of combinations of exterior materials.

The proposed building is to be a sided and roofed with steel siding and roofing material and a light gray in color. The roof and bottom band will be a darker gray in color. the front of the building facing 7th Street NE will have two larger over head garage doors with one service door in between them. The office portion of the building will be located on the west side of the building with the main access point to the building located on the west side of the building. It should be noted that the building plans show a six foot overhang to the posts on the front entrance but the sidewalk proposed here is only five feet. A condition should be to widen the sidewalk to the edge of the posts for the overhang.

A picture showing a illustration of the how the building will look is included below.



**Landscaping:** In the C-1 district, one over-story tree is required for every 30 feet of street frontage. This lot has 217.9 feet of street frontage on 7th Street NE so eight overstory trees are required. Minimum requirements for deciduous trees are 2.5 inch caliper trees for planting size. Any foundation plantings need to be a minimum five-gallon size per planting. All required landscape material shall be warranted for growth for a minimum of two years after planting.

This lot already contains multiple trees that meet the requirements for the eight trees that are required. These trees are primarily along the east, north and west property lines. It is expected a tree or two may be removed during construction but enough trees exist on the site so the requirement would still be satisfied. At this time no trees exist along the front property line adjacent to 7th Street NE. It should be determined if any additional trees should be required to be planted in the front yard between the parking area the front property line. This would be at the discretion of the Planning Commission and City Council if this will be required.

**Outdoor Storage:** All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user, except those items exempt under section 152.090 of the zoning ordinance, shall be stored within a completely enclosed building or within the confines of a 100% opaque wall or fence not less than six feet or more than eight feet in height. Such a screen wall or fence shall be designed and constructed as to be architecturally harmonious with the principal structure and located so as to not extend within twenty-five feet of any street. Landscaping (trees, shrubs, grass and other plantings) shall be on the right-of-way side of any screening or fencing. A screen planting may be substituted for a screen wall or fence at the discretion of the City Council, provided that any such screen planting shall fulfill the foregoing height and opacity requirements throughout each season of the year within 24 months after date of planting, and that no such screen planting shall be located across any existing easements.

The applicant has stated he will not have a dumpster on site but if in the future a dumpster is used, a trash enclosure of some kind will be needed. It will have to be discussed where this trash enclosure will be located and how it will be accessed.

**Surface Water**

**Management:** Stormwater management for the site will be reviewed by the City Engineer. If required the City Engineer will comment on any surface water management items.

**City Engineer**

**Review:** Any comments or conditions from the City Engineer will need to be satisfied by the applicant as part of this site plan review. The City Engineer has provided a comment letter dated October 30, 2019, which is attached to this memo.

**Signage:** No signage is being proposed at this time. If signage is proposed it would have to meet the requirements of the sections of the zoning ordinance related to signs, which are sections 152.120 through 152.133.

**Miscellaneous**

**Provisions:** All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel. Noise and vibration generated from any use shall be in compliance with MPCA rules.

**CONDITIONS**

Site Plan Review

The following conditions are recommended to be included if the Planning Commission recommends approval of the site plan review for a new commercial building to be located in the C-1 General Commerce District at 185 7th Street NE. These conditions may be subject to modification depending upon the outcome at the Planning Commission meeting.

1. Signage. That any proposed signage meet the standards set forth in Sections 152.120 through 152.133 of Title XV: Land Usage, Chapter 152 Zoning of the City of Mayer Municipal code and that all required sign permits are issued prior to installation of any signage.
2. Lighting. All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel.
3. Noise and Vibration. Noise and vibration generated from any use shall be in compliance with and regulated by the MPCA rules.
4. Outdoor Storage. Any outdoor storage shall meet the requirements of section 152.090 Outdoor Storage and section 152.091 Screening the Zoning Ordinance.
5. Off-street Parking. That a variance is approved to reduce the required number of off-street parking stalls from seventeen to seven.
6. Trash Enclosure. A trash enclosure or screening will be required to be located on the property if a dumpster is planned on being used for trash pickup. A location will need to be proposed and access to the location will need to be reviewed.
7. City Engineer Review. Any comments or conditions from the City Engineer in a letter dated October 30, 2019 will need to be satisfied by the applicant as part of this site plan review.
8. Stormwater Management. If any stormwater management is required, stormwater shall be managed in accordance with the National Urban Runoff Program (NURP) standards for the design of new

stormwater ponds. The provisions of the Minnesota Pollution Control Agency's urban "best management practices," titled "Protecting Water Quality in Urban Areas," shall be used to review any proposed development in order to reduce non-point source pollutant loadings in stormwater runoff.

9. Building Permit. All building permits that are required, shall be approved, paid for and issued prior to construction of the building.

#### Variance Request

The following conditions are recommended to be included if the Planning Commission recommends approval of the variance request to reduce the required number of off-street parking spaces required for a new commercial building in the C-1 General Commerce District from seventeen off-street parking spaces to seven off-street parking spaces. These conditions may be subject to modification depending upon the outcome at the Planning Commission meeting.

1. Variance Expiration. The variance shall become void one year after the approval date if the applicant has not commenced construction on the improvement, unless an extension is granted by the City Council.
2. Future Off-street Parking. If it is determined that the additional ten off-street parking spaces are needed in the future, the applicant/owner shall be required to improve those additional off-street parking spaces as shown on the site plan dated October 16, 2019 at that time.

#### **PLANNING COMMISSION ACTION REQUIRED**

After the public hearing is closed and review and discussion by the members of the Planning Commission, a motion is in order to recommend approval, denial or to table the site plan review request and a motion is in order to recommend approval, denial or to table the variance request reducing the number of required off-street parking spaces.

#### Possible action items - Site Plan Review

1. Recommend approval of the site plan review subject to conditions.
2. Table the site plan review to a date specific, and provide the applicant with direction on the issues that have been discussed.
3. Recommend denial of the site plan review.

#### Possible action items - Variance

1. Recommend approval of the variance request subject to conditions.
2. Table the variance request to a date specific, and provide the applicant with direction on the issues that have been discussed.
3. Recommend denial of the variance request.
4. Other specific action as directed by the Planning Commission such as continuing the public hearing for the variance to the next meeting.

If you have any questions relating to the site plan review and variance reducing the number of required off-street parking space for the new commercial building to be located at 185 7th Street NE prior to the Planning Commission meeting, please feel free to contact me at: [jandersonmdg@gmail.com](mailto:jandersonmdg@gmail.com) or call direct at 952-855-4596.

Sincerely,

MUNICIPAL DEVELOPMENT GROUP, LLC

*John Anderson*

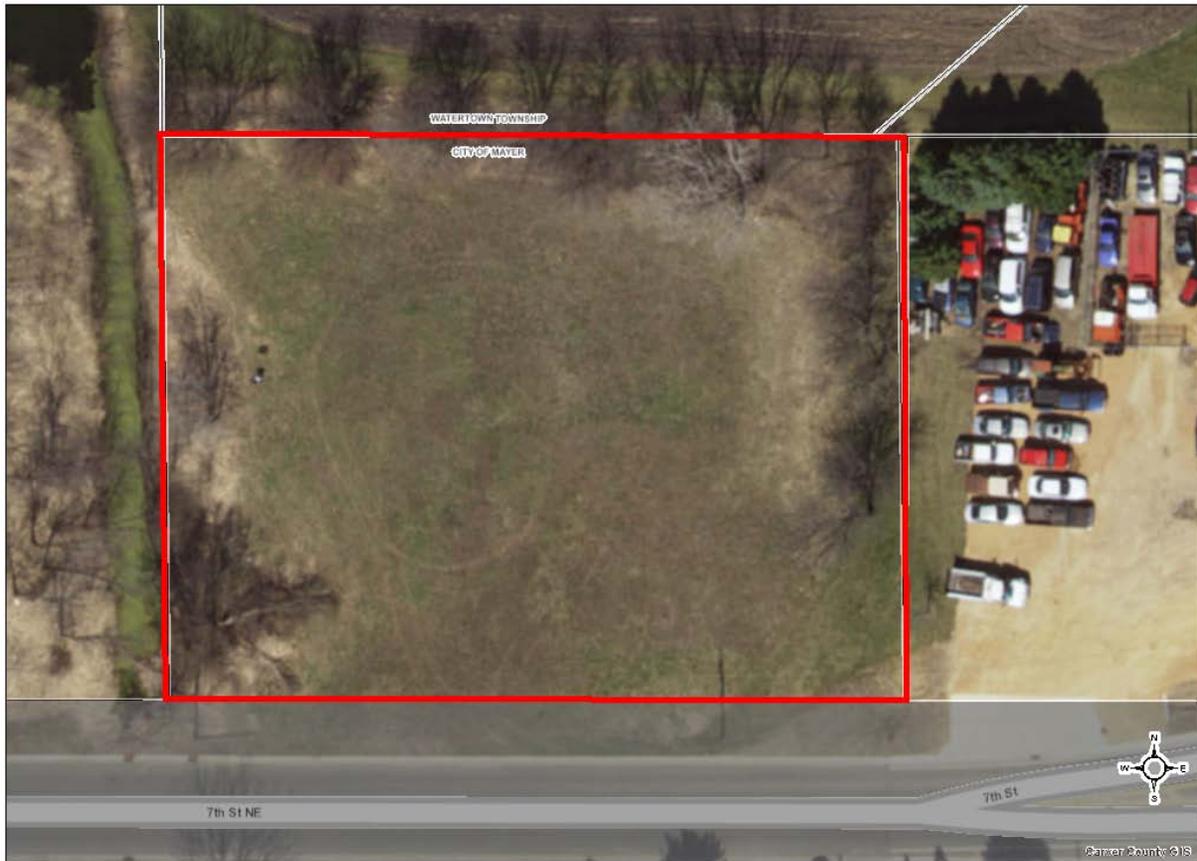
John Anderson, Associate

Consulting Planner, City of Mayer

## LIST OF ATTACHMENTS

Exhibit A - Aerial Location Map  
Exhibit B - Site Plan dated October 16, 2019  
Exhibit C - Grading Plan October 16, 2019  
Exhibit D - Engineering Comments dated October 30, 2019  
Exhibit E - Building Plans

Exhibit A - Aerial Location Map

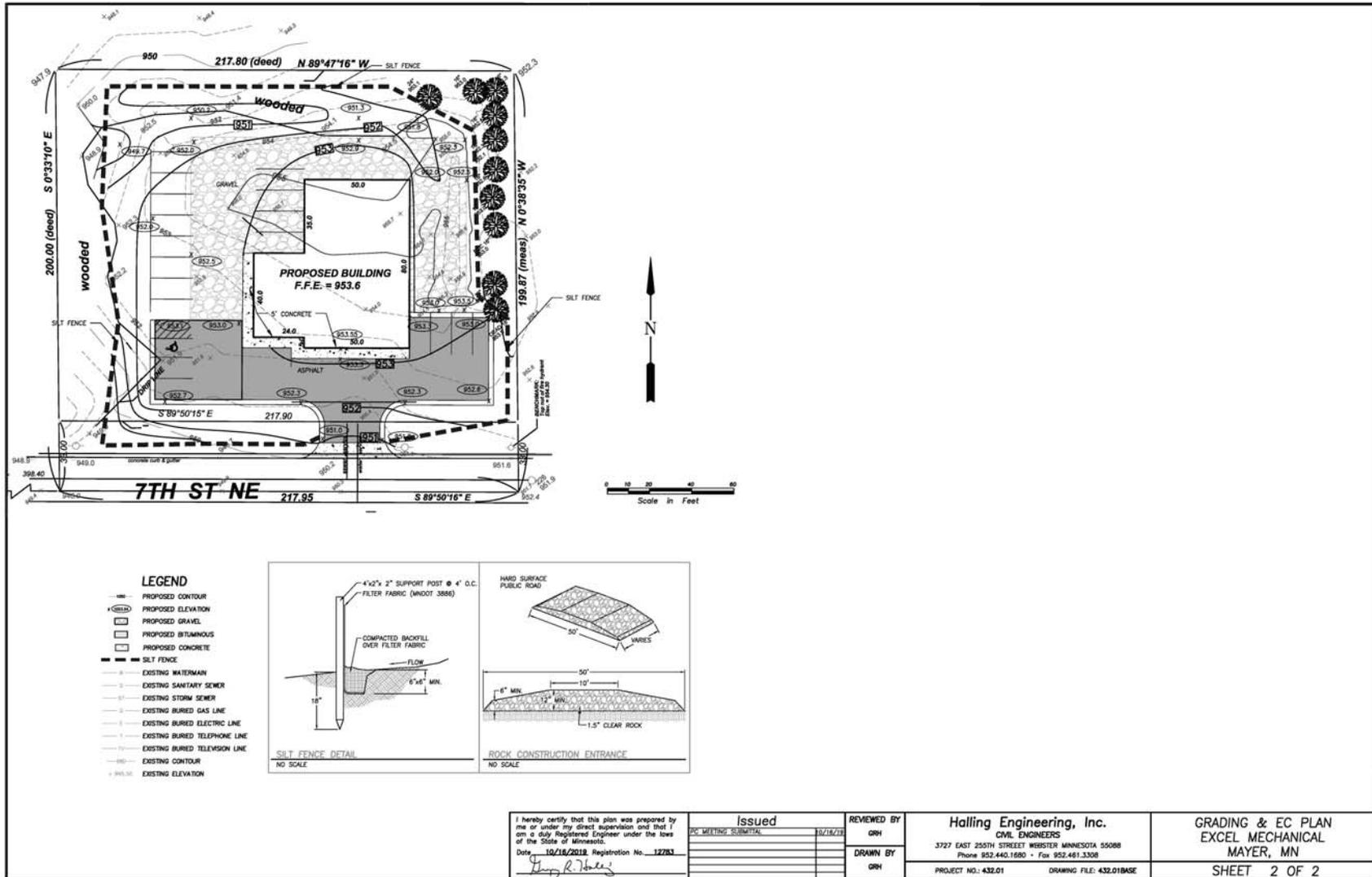


This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 9/11/2019



Exhibit C - Grading Plan dated October 16, 2019





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Chaska, MN 55318-1172

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Fax: (952) 448-8805  
Bolton-Menk.com

October 30, 2019

City of Mayer  
Attn: Margaret McCallum  
413 Bluejay Avenue  
Mayer, MN 55360

RE: Site Plan Application  
Excel Mechanical  
Engineering Review #1

Dear Ms. McCallum:

As requested, I have completed an engineering review of the documents submitted for the above referenced project (plans dated 10-16-19). I offer the following observations, comments, and recommendations for your consideration:

1. The applicant will be required to obtain Carver County Watershed Management Organization (CCWMO) approval and permitting. A copy of any approvals or permits required should be submitted prior to Final Site Plan approval.
2. Work within public right-of-way or connection to public utilities must be coordinated with the Public Works Department. Contractor must provide a minimum 48-hour notice prior to any work being performed. Notes should be revised accordingly.
3. A Landscape Plan should be submitted for review and approval to ensure adequate restoration after construction is complete. The plan should include the following:
  - a. Areas to be seeded with corresponding seed mix, including seeding rate, mulching, and fertilizer.
  - b. Areas to be sodded.
  - c. Trees to be removed vs saved. Protection fencing should be provided around trees to be preserved.
  - d. Additional trees to be installed after improvements are completed.
  - e. Sod or seed with blanket should be indicated for disturbed areas within the right-of-way.
  - f. Blanket and/or biologs should be installed in swales after grading is completed.
4. A Traffic Control Plan must be provided prior to any construction. Clear drive lanes must be maintained on 7<sup>th</sup> Street NE at all times.
5. The existing curb and gutter should be preserved and protected. The existing condition should be documented with pictures, and the Contractor should be responsible for any repairs deemed necessary by the City and due to damage caused during construction.
6. Connections to the sanitary and water services should be depicted on the plans, and notes should be included as necessary to detail connections (i.e. invert elevations, pipe material and diameter, and slope).
7. Perimeter erosion control measures should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide a minimum 24-hour notice prior to inspection.

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Site Plan Application  
Excel Mechanical  
Page 2

8. Silt fence location on the northwest side of the site should be adjusted as necessary to be down gradient from all proposed work and minimize impact to trees.
9. The rock construction entrance location should be indicated on the plans, and traffic should be directed through it during construction.
10. It appears the tree on the northeast corner of the front parking lot will be impacted by proposed improvements. This tree should be indicated for removal on the Landscape Plan.
11. Slopes should be included on the Grading Plan as necessary to define slopes. A minimum slope of 2% and maximum of 10% are recommended for parking lots.
12. Additional detail should be provided for the proposed grading on the east side of the building. Spot elevations and contours should be included as necessary to adequately define proposed grades in this area.
13. The proposed spot elevations in the gravel area do not match proposed curb elevations for the front parking lot on the east side of the building. Since surmountable curb is proposed, the gravel area at the back of curb should be approximately 0.33' higher than the flow line elevations indicated.
14. A slope of 4:1 is indicated near the northeast corner of the building in the gravel lot, which could create difficulties traversing with vehicles. The applicant should consider revising proposed grades on the east and northeast side of the building in the gravel parking lot area to maintain slopes between recommended minimums and maximums. Also, the applicant should consider moving the swale in this area to the east edge of the lot to minimize slopes.
15. Record drawings must be submitted upon completion of the project. Two hard copies and an electronic copy should be provided.

If you have any questions or comments, please contact me to discuss.

Sincerely,

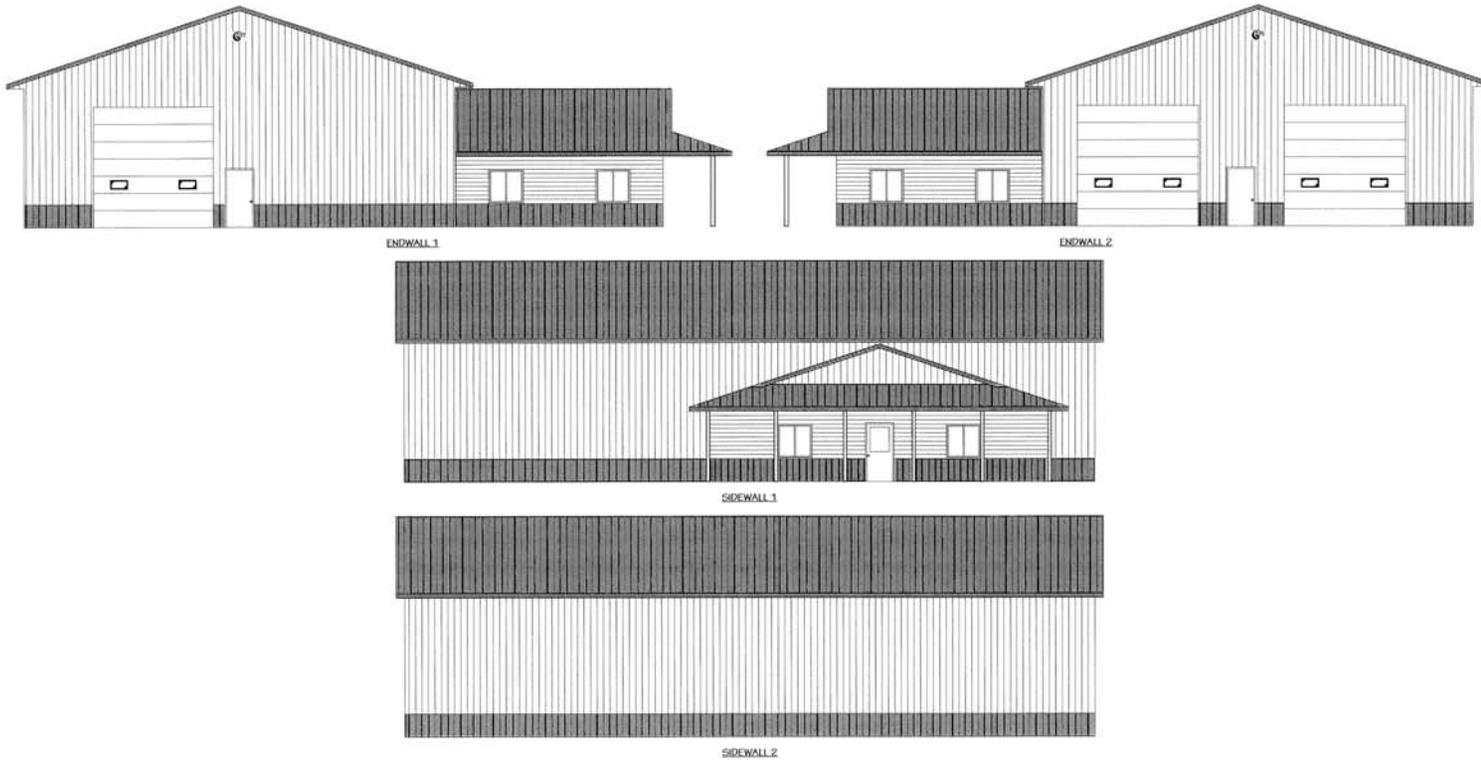
**Bolton & Menk, Inc.**



**Robert E. Bean, Jr., P.E.**  
Water Resources Engineer

CC: John Anderson, Municipal Development Group  
David Martini, Bolton & Menk

Exhibit E - Building Plans Page 1

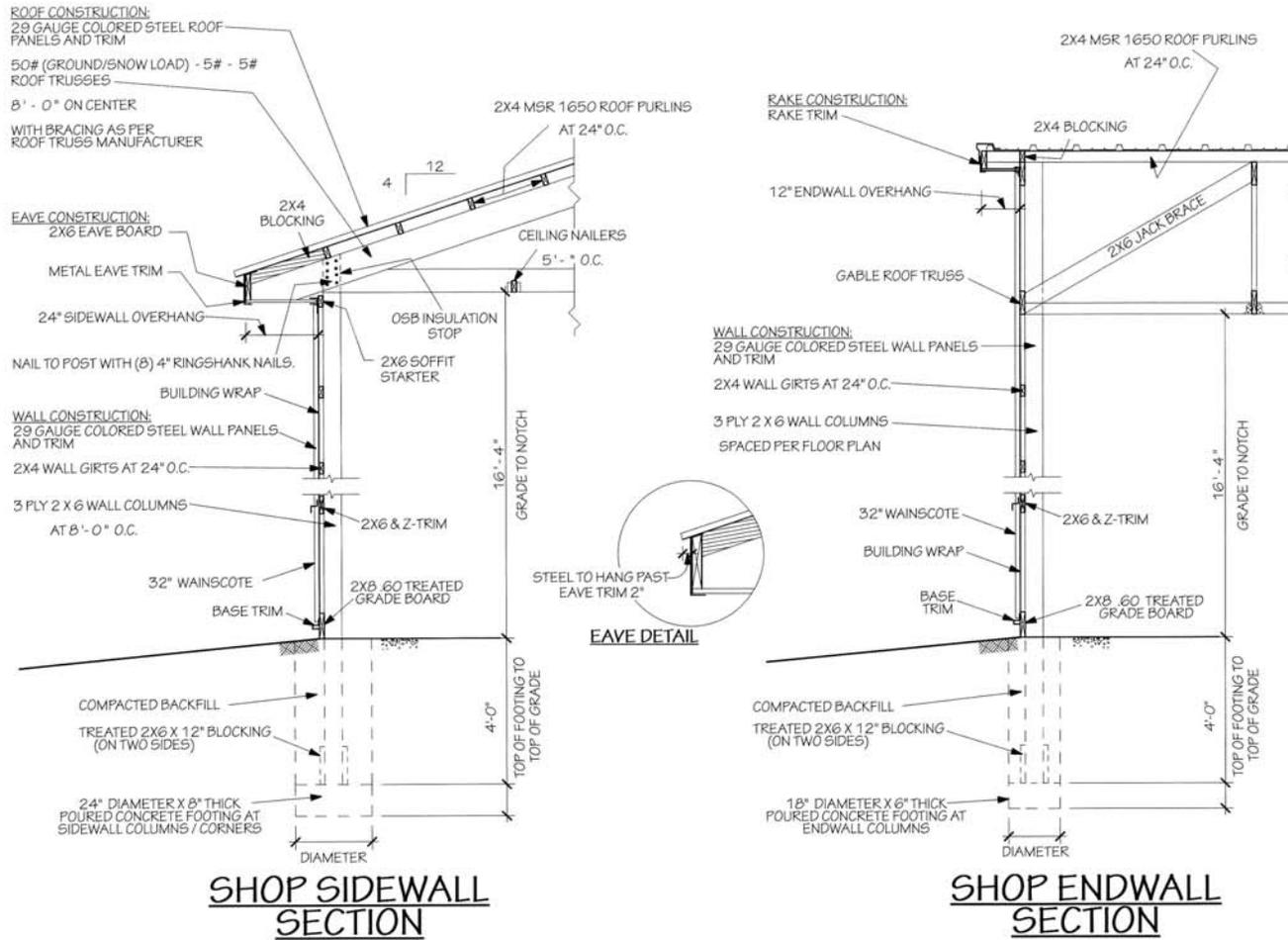


<p>599 Industrial Drive P.O. Box 860 Winnet, Minnesota 55395 308-482-2644 800-710-4726 www.rambuildings.com Contractor License Number 20171976</p> 	<p>PROJECT NAME: <b>EXCEL MECHANICAL (JEREMY SCHEUBLE)</b></p> <p>PROJECT NUMBER: (19-605)</p> <p>BUILDING DESCRIPTION: <b>50'-0" X 80'-0" X 16'-0" SHOP W/ 40' X 24' X 8' OFFICE</b></p> <p>DESIGN NUMBER: P19296</p>	<p>DRAWN BY: JEREMY S. DATE: 10/7/2019 SHEET 1 OF 6</p>
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Exhibit E - Building Plans Page 3



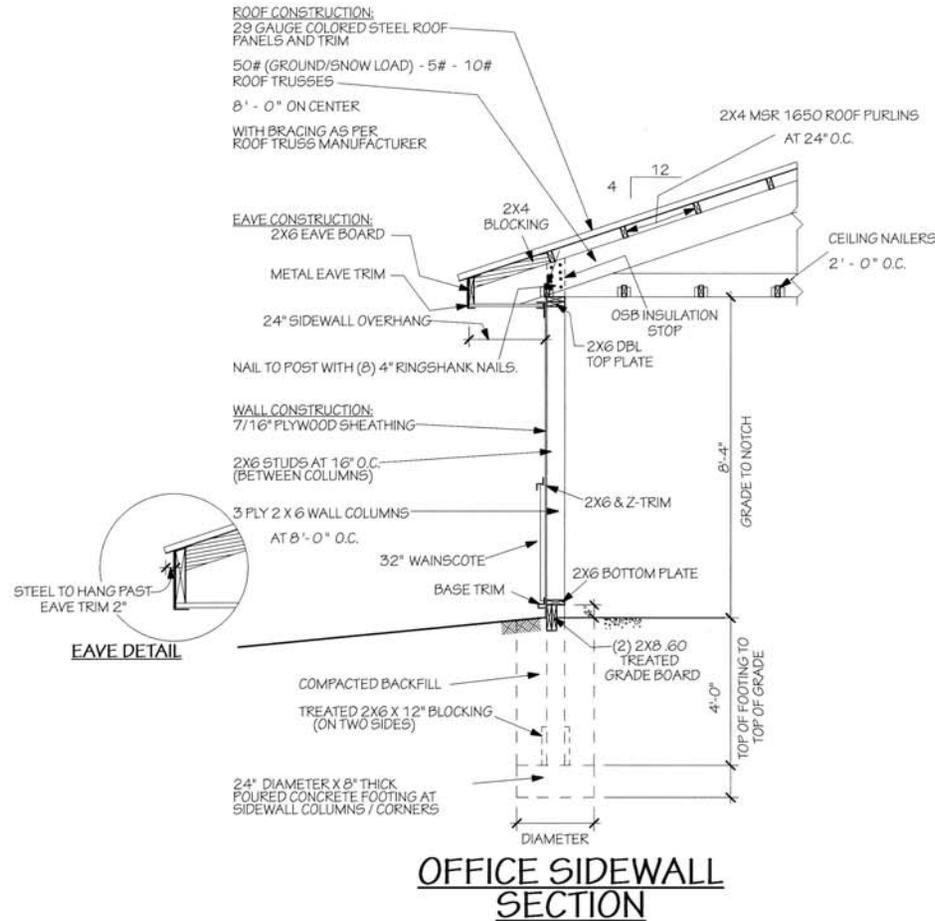
DRAWN BY: JEREMY S.  
 DATE: 10/7/2019  
 SHEET: 3 OF 6

**EXCEL MECHANICAL**  
**(JEREMY SCHEUBLE)**  
 PROJECT NAME:  
 PROJECT NUMBER: (19-605)  
 BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP  
 W/ 40' X 24' X 8' OFFICE  
 DESIGN NUMBER: P19296

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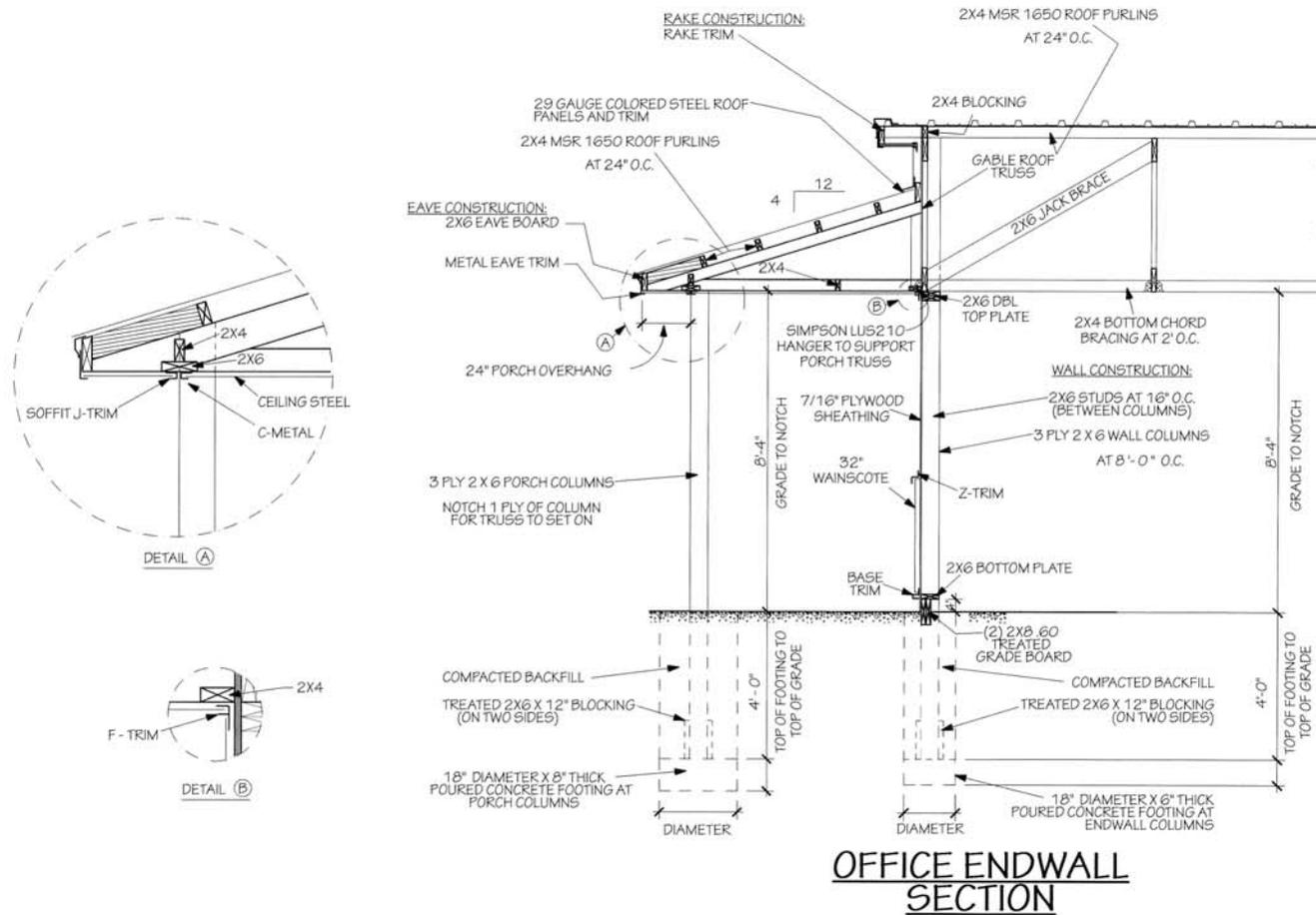
Exhibit E - Building Plans Page 4



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DRAWN BY: JEREMY S. DATE: 10/7/2019 SHEET: 4 OF 6	PROJECT NAME: <b>EXCEL MECHANICAL                  (JEREMY SCHEUBLE)</b>
	PROJECT NUMBER: (19-605) BUILDING DESCRIPTION: <b>50'-0" X 80'-0" X 16'-0" SHOP                  W/ 40' X 24' X 8' OFFICE</b>
DESIGN NUMBER: P19296	
589 Industrial Drive P.O. Box 400 Winnetka, Minnesota 55395 305-482-2641 800-710-4726 www.rambuildings.com Contractor License Number 20171176	

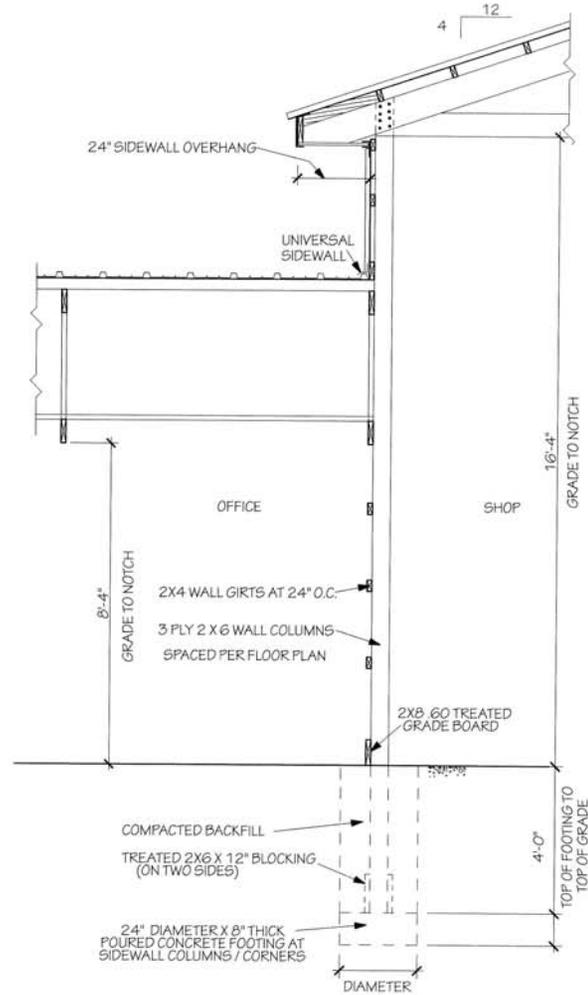
Exhibit E - Building Plans Page 5



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DRAWN BY: JEREMY B. DATE: 10/7/2019 SHEET 5 OF 8	PROJECT NAME: <b>EXCEL MECHANICAL (JEREMY SCHEUBLE)</b>
	PROJECT NUMBER: (19-605) BUILDING DESCRIPTION: 50'-0" X 80'-0" X 16'-0" SHOP DESIGN NUMBER: P19286
599 Industrial Circle P.O. Box 600 Winnetka, Minnesota 55395 308-485-2624 Fax: 308-70-4728 www.rambuildings.com Contractor License Number: 20171978	

Exhibit E - Building Plans Page 6



**COMMON WALL SECTION**

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 <p>553 Lakeland Drive                  P.O. Box 460                  Winnetka, Minnesota 55395                  320-485-2544 • 800-710-4728                  www.rambuildings.com                  Contractor License Number 20111976</p>	PROJECT NAME: <b>EXCEL MECHANICAL                  (JEREMY SCHEUBLE)</b>	DRAWN BY: JEREMY B.
	PROJECT NUMBER: (19-605)	DATE: 10/7/2019
BUILDING DESCRIPTION: <b>50'-0" X 80'-0" X 16'-0" SHOP                  W/ 40' X 24' X 8' OFFICE</b>	DESIGN NUMBER: P19296	SHEET: 6 OF 6



**APPLICATION DATA**

**Meeting Date:** November 6, 2019  
**Applicant:** 4 Square Builders, Inc.  
**Owner:** Waconia Roll-off (Randy Peitz)  
**Address & PID Number:** 856 Shimmcor Street - 50.70100.40  
**Legal Description:** Lot 4, Block 1, Sell Commercial Industrial Park 2nd Addition

**ACTION REQUESTED**

To recommend to the City Council to approve or deny a site plan review for a new industrial building and parking lot for Waconia Roll-off at 856 Shimmcor Street and to recommend to the City Council to approve or deny a variance request to reduce the off-street parking requirement for the new building.

**BACKGROUND DATA**

**Future Land Use**

**Classification:** The property is designated Existing MUSA Infill/Redevelopment on the current future land use map and Commercial/Industrial on the proposed 2040 Future Land Use Map. The proposed use of a office and warehousing facilities are consistent with this designation.

**Zoning**

**Classification:** The property is zoned C/I Commercial/Industrial District and offices and warehousing facilities are a permitted use in that district.

**Comments**

**Received:** Comments were received from Brad Quaas who owns 571 Shimmcor Street and are attached to this memo.

**Background:**

The applicant has submitted a application for site plan review for a new industrial building and a application for a variance request to reduce the required number of off-street parking stalls.

The property is approximately 1.116 acres or 48,596 square feet in size and is zoned C/I. Properties adjacent to the site consist of the following.

North: Vacant commercial/industrial lots and other industrial uses further to the north and the property is guided for Existing MUSA Infill/Redevelopment on the current 2030 Future Land Use Map and Commercial/Industrial on the proposed 2040 Future Land Use Map.

West: A city owned parcel that consists of a stormwater holding pond and a vacant commercial/industrial lot. This property is zoned C/I Commercial/Industrial and is guided for Existing MUSA Infill/Redevelopment on the current 2030 Future Land Use

Map and Open Space (stormwater pond lot) and Commercial/Industrial (vacant lot) on the proposed 2040 Future Land Use Map.

East: Existing commercial/industrial business (storage facility) that is zoned C/ Commercial/Industrial District and is guided for Existing MUSA Infill/Redevelopment on the current 2030 Future Land Use Map and Commercial/Industrial on the proposed 2040 Future Land Use Map.

South: Across County Road 30 to the south is open space with a single family detached dwelling and agricultural land beyond that. This land is located in Camden Township and is not guided anything on the current 2030 Future Land Use Map and proposed 2040 Future Land Use Map but is considered a potential property for early annexation prior to 2040 for future commercial of industrial development.

The site plan review requirements are listed under Section 152.031 of the zoning ordinance. Site plan review requires the following submittal requirements.

- (1) *Boundary survey of parcel including identification of all monuments.*
- (2) *Scaled location of all buildings, structures, driveways, sidewalks, trails, parking stalls, and curbing.*
- (3) *Scaled identification of all setback dimensions from property lines.*
- (4) *Scaled locations of all existing and proposed utilities and easements.*
- (5) *Scaled depictions of floor plans for each story.*
- (6) *Scaled depictions of each building elevation and descriptions of exterior building materials and color schemes.*
- (7) *Scaled site grading plans, including erosion and sedimentation control mechanisms and procedures.*
- (8) *Scaled delineations of any shoreland, floodplain, or wetland areas on the site.*
- (9) *Identification of any floodplain or wetland encroachments and detailed mitigation plans.*
- (10) *Detailed landscape plans, illustrating size, types, and locations of all materials, a description of site seeding or sodding, a description of the timetable for site landscaping, and the identification of any irrigation systems.*
- (11) *Detailed descriptions of any site fencing, including type, location and height.*
- (12) *All plans shall be dated and shall bear the name(s) of the preparer(s), including professional registrations or certifications when appropriate or required.*

As part of this application a construction plans, including a landscaping plan, and building plans were submitted for review. The building itself is 4,500 square feet in size. There will be a 160 square foot office area with a 36 square foot restroom. The remainder of the building will be storage space. Two overhead doors will be located on the west side of the building and one overhead door on the south side of the building.

Access to the site will come from Shimmcor Street, which is a city street and all accessing spacing and width requirements are met. Off-street parking is also shown but the number of proposed off-street parking stalls is less than the required number for a building of this size so a variance to reduce the number of required off-street parking stalls is requested. The following criteria are typically considered when reviewing a variance request.

- A. *Granting a variance will not adversely affect the public health, welfare and safety and will not be detrimental and injurious to property or improvements in the neighborhood.*
- B. *Strict interpretation or enforcement of the provisions of this Ordinance would result in a practical difficulty or unnecessary hardship that is not self-created, nor inconsistent with the intent of this Ordinance and the Comprehensive Plan.*
- C. *There are exceptional or extraordinary circumstances or conditions applicable to the property, use, or facilities that do not apply generally to other properties in the same district.*

- D. *Strict or literal interpretation of this Ordinance would deprive the applicant of the use and enjoyment of his or her property in a manner similar to others in the same district.*
- E. *Granting of the variance will not allow a use which is otherwise not a permitted use in the zoning district in question.*

**Off-Street  
Parking:**

The applicant has submitted a site plan that shows four off-street parking stalls (one handicapped) to be constructed and spaces for ten future off-street parking stalls. The off-street parking requirement for office space is five spaces for every 1,000 square feet of gross floor area and three spaces for every 1,000 square feet of gross floor area for other industry/business. The building is 4,500 square feet in size and the office space consists of 160 square feet so one off-street parking spaces would be required for that use and the other industry/business is 4,340 square feet so thirteen off-street parking spaces would be required for that use for a total of fourteen required off-street parking spaces.

The applicant has proposed four off-street parking spaces meaning they are ten spaces short and therefore have applied for the variance. The applicant has demonstrated on the site plan that the additional off-street parking spaces can be accommodated on the lot if needed in the future. At this time the applicant does not need these additional spaces for the proposed use.

The parking stalls size, drive lanes and turnaround areas are sufficient and meet city requirements and parking lot is proposed to paved with surmountable curb being used on the edge of the parking area. On the south and west side of the building, where the parking area could be expanded, no curb is proposed at this time and the area is to be a gravel surface for outside storage.

**Building  
Materials:**

The purpose of establishing building design standards is to encourage development of aesthetically pleasing structures, to create minimum standards for non-residential design, and to protect the investments of non-residential building owners. Buildings located in the C/I, district must include design treatments to all metal exterior structures. Such treatments include but are not limited to steep-pitch roofs, awnings, wainscoting, color bands, shutters, extra windows, and combinations of other building materials. Structural systems of all buildings shall be in compliance with the Uniform Building Code as adopted and in effect in the City of Mayer at the time of application for a building permit. The lower thirty percent of the exterior front of all buildings, as measured from ground elevation, facing the main access street shall consist of materials comparable in grade and quality to the following:

- (a) *Brick;*
- (b) *Natural stone;*
- (c) *Pre-cast concrete units and concrete block, provided that surfaces are molded, serrated or treated with a textured material in order to give the wall surface a three-dimensional character;*
- (d) *Wood, provided surfaces are finished for exterior use and only woods of proven exterior durability such as cedar, redwood and cypress.*

The thirty percent requirement listed above may be varied as determined appropriate to accommodate taller buildings or new buildings constructed next to or in the immediate vicinity of other buildings in order to provide a uniform and consistent effect for the area. If material other than those listed above or a variance for the 30% requirement is proposed, it shall be subject to review and approval by the Planning Commission.

The proposed building will be a post frame building with concrete footings and floor and is to be a sided and roofed with steel siding and roofing material. the front of the

building facing Shimmcor Street will have a Versetta Stone four feet high across the front of the building. The height of the building to the peak will be twenty-three feet and one half inch high. The office portion of the building will be located on the east side of the building. Primary colors consist of Burnished Slate for the roof, Lite Stone for the sidewalls, Clay for the wainscoting and trim and Plum Creek for the front accent stone.

**Outdoor Storage:**

All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user, except those items exempt under section 152.090 of the zoning ordinance, shall be stored within a completely enclosed building or within the confines of a 100% opaque wall or fence not less than six feet or more than eight feet in height. Such a screen wall or fence shall be designed and constructed as to be architecturally harmonious with the principal structure and located so as to not extend within twenty-five feet of any street. Landscaping (trees, shrubs, grass and other plantings) shall be on the right-of-way side of any screening or fencing. A screen planting may be substituted for a screen wall or fence at the discretion of the City Council, provided that any such screen planting shall fulfill the foregoing height and opacity requirements throughout each season of the year within 24 months after date of planting, and that no such screen planting shall be located across any existing easements.

The applicant has proposed to store roll-off dumpsters on the site on the gravel area. These will need to be screened according to the requirements listed above. Under section 152.060 (F) it states the following:

*Storage and screening. All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user, except those items exempt in § 152.090, shall be stored within a completely enclosed building or within the confines of a 100% opaque wall or fence eight feet in height. Merchandise that is offered for sale as described heretofore may be displayed beyond the confines of a building, but the area occupied by such outdoor display shall not constitute a greater number of square feet than 10% of the ground floor area of the building housing the principal use, unless such merchandise is of a type customarily displayed outdoors, such as garden supplies.*

This means any outdoor storage on this property will have to be screened within the confines of a 100% opaque wall, fence, berm, plantings or combination of those items. The applicant has proposed a four foot minimum high chain link fence around the gravel area. This fence would have two inch mesh fabric installed on the interior side for screening purposes. The fence would extend west from the northwest corner of the building then turn south and then southeast, eventually running east along the CSAH 30 right of way and finally turning north and ending at the paved drive lane entrance off of Shimmcor Street. This fence will need to be six feet high and 100% opaque to meet the screening requirements.

One item that needs to be addressed is if a trash enclosure will be needed or is proposed. The site plan does not show a trash enclosure on the property, but if the applicant is going to have a dumpster on site it will need to be screened from the public right of way. It will have to be discussed if a trash enclosure will be located on the property and how it will be accessed. If one is to be proposed on the gravel area somewhere, it would be screened, along with the rest of the outdoor storage by the proposed fence.

**Landscaping:**

In the C/I district, one over-story tree is required for every 30 feet of street frontage. This lot has 334.95 feet of street frontage on Shimmcor Street and CSAH 30 so twelve overstory trees are required. Minimum requirements for deciduous trees are 2.5 inch caliper trees for planting size. Any foundation plantings need to be a minimum five-

gallon size per planting. All required landscape material shall be warranted for growth for a minimum of two years after planting.

The applicant has proposed twelve over-story trees along the north, west and south property lines. Five Pacific Sunset Maples and seven Sentry Linden's are proposed and these trees will meet the landscaping requirements for this lot.

**Surface Water Management:**

Stormwater management for the site will be reviewed by the City Engineer. If required the City Engineer will comment on any surface water management items.

**City Engineer Review:**

Any comments or conditions from the City Engineer will need to be satisfied by the applicant as part of this site plan review. The City Engineer has provided a comment letter dated October 30, 2019, which is attached to this memo.

**Carver County Review:**

So the plans were sent to Carver County for review since the property abuts CSAH 30 on the south property line. Any comments or concerns of the County will have to be satisfied as part of the approval.

**Signage:**

No signage is being proposed at this time. If signage is proposed it would have to meet the requirements of the sections of the zoning ordinance related to signs, which are sections 152.120 through 152.133.

**Miscellaneous Provisions:**

All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel. Noise and vibration generated from any use shall be in compliance with and regulated by the MPCA rules.

**CONDITIONS**

Site Plan Review

The following conditions are recommended to be included if the Planning Commission recommends approval of the site plan review for a new industrial building to be located in the C/I Commercial/Industrial District at 856 Shimmcor Street. These conditions may be subject to modification depending upon the outcome at the Planning Commission meeting.

1. Signage. That any proposed signage meet the standards set forth in Sections 152.120 through 152.133 of Title XV: Land Usage, Chapter 152 Zoning of the City of Mayer Municipal code and that all required sign permits are issued prior to installation of any signage.
2. Lighting. All general lighting employed on site must be directed away from adjoining properties. Direct or reflected glare from flood lights and spot lights, as differentiated from general illumination on the site, shall not be visible beyond the subject parcel.
3. Noise and Vibration. Noise and vibration generated from any use shall be in compliance with and regulated by the MPCA rules.
4. Outdoor Storage. Any outdoor storage shall meet the requirements of section 152.090 Outdoor Storage and section 152.091 Screening the Zoning Ordinance.
5. Fence. The proposed fence shall be six feet in height and 100% opaque to meet the screening requirements for outdoor storage.

6. Off-street Parking. That a variance is approved to reduce the required number of off-street parking stalls from fourteen to four.
7. Trash Enclosure. A trash enclosure or screening will be required to be located on the property if a dumpster is planned on being used for trash pickup. A location will need to be proposed and access to the location will need to be reviewed.
8. City Engineer Review. Any comments or conditions from the City Engineer listed in a letter dated October 30, 2019 will need to be satisfied by the applicant as part of this site plan review.
9. Carver County Review. Any comments or conditions from the Carver County will need to be satisfied by the applicant as part of this site plan review.
10. Stormwater Management. If any stormwater management is required, stormwater shall be managed in accordance with the National Urban Runoff Program (NURP) standards for the design of new stormwater ponds. The provisions of the Minnesota Pollution Control Agency's urban "best management practices," titled "Protecting Water Quality in Urban Areas," shall be used to review any proposed development in order to reduce non-point source pollutant loadings in stormwater runoff.
11. Building Permit. All building permits that are required, shall be approved, paid for and issued prior to construction of the building.

#### Variance Request

The following conditions are recommended to be included if the Planning Commission recommends approval of the variance request to reduce the required number of off-street parking spaces required for a new industrial building in the C/I Commercial/Industrial District. These conditions may be subject to modification depending upon the outcome at the Planning Commission meeting.

1. Variance Expiration. The variance shall become void one year after the approval date if the applicant has not commenced construction on the improvement, unless an extension is granted by the City Council.
2. Future Off-street Parking. If it is determined that the additional ten off-street parking spaces are needed in the future, the applicant/owner shall be required to improve those additional off-street parking spaces as shown on the site plan dated October 25, 2019 at that time.

#### **PLANNING COMMISSION ACTION REQUIRED**

After the public hearing is closed and review and discussion by the members of the Planning Commission, a motion is in order to recommend approval, denial or to table the site plan review request and a motion is in order to recommend approval, denial or to table the variance request reducing the number of required off-street parking spaces.

#### Possible action items - Site Plan Review

1. Recommend approval of the site plan review subject to conditions.
2. Table the site plan review to a date specific, and provide the applicant with direction on the issues that have been discussed.
3. Recommend denial of the site plan review.

#### Possible action items - Variance

1. Recommend approval of the variance request subject to conditions.
2. Table the variance request to a date specific, and provide the applicant with direction on the issues that have been discussed.
3. Recommend denial of the variance request.
4. Other specific action as directed by the Planning Commission such as continuing the public hearing for the variance to the next meeting.

If you have any questions relating to the site plan review and variance reducing the number of required off-street parking space for the new industrial building to be located at 856 Shimmcor Street prior to the Planning Commission meeting, please feel free to contact me at: [jandersonmdg@gmail.com](mailto:jandersonmdg@gmail.com) or call direct at 952-855-4596.

Sincerely,

MUNICIPAL DEVELOPMENT GROUP, LLC

*John Anderson*

John Anderson, Associate  
Consulting Planner, City of Mayer

#### LIST OF ATTACHMENTS

- Exhibit A - Aerial Location Map
- Exhibit B - Certificate of Survey dated October 22, 2019
- Exhibit C - Construction Plans dated October 25, 2019
- Exhibit D - Engineering Comments dated October 30, 2019
- Exhibit E - Building Plans
- Exhibit F - Public Comments

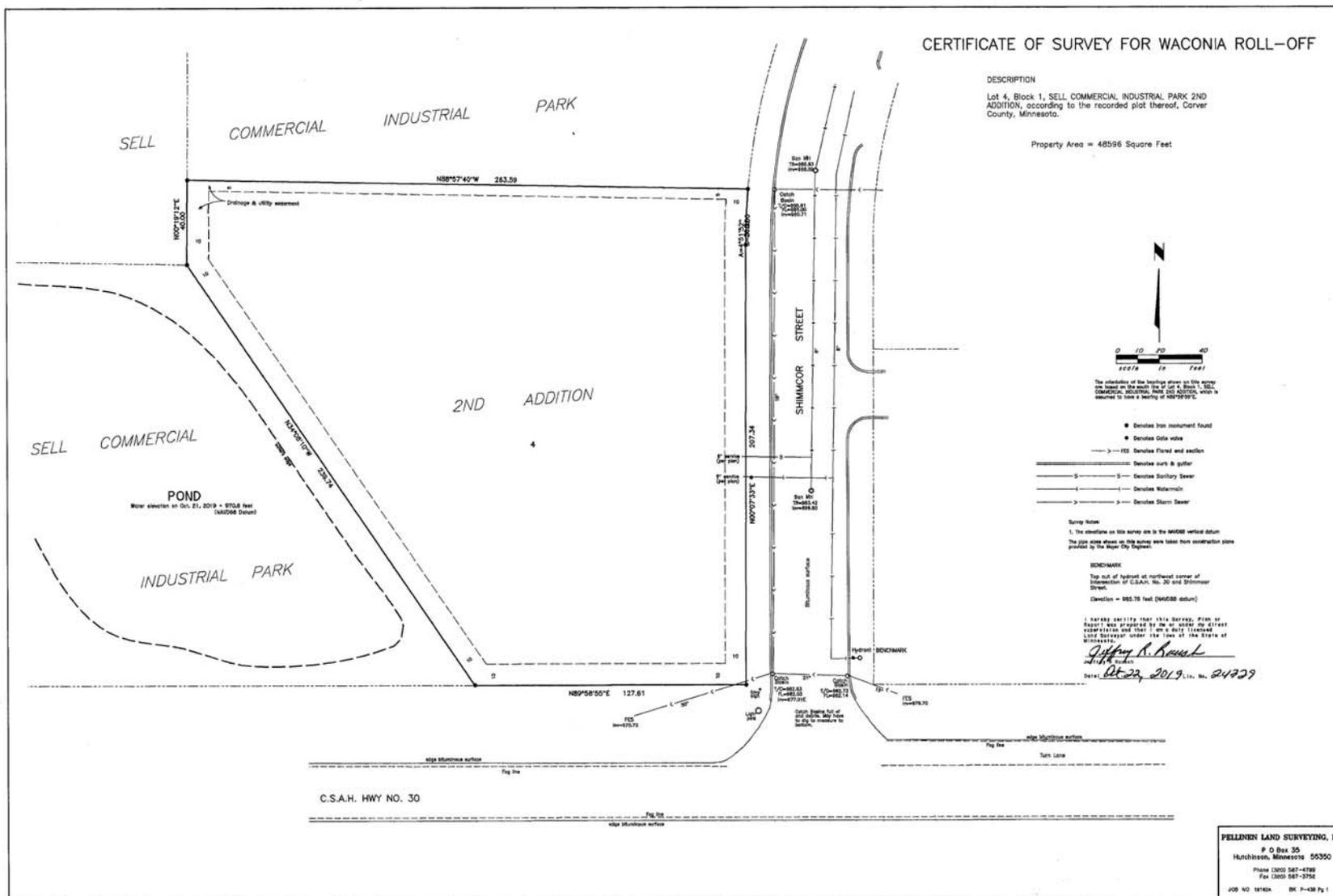
Exhibit A - Aerial Location Map



This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 10/15/2019

Exhibit B - Certificate of Survey dated October 22, 2019







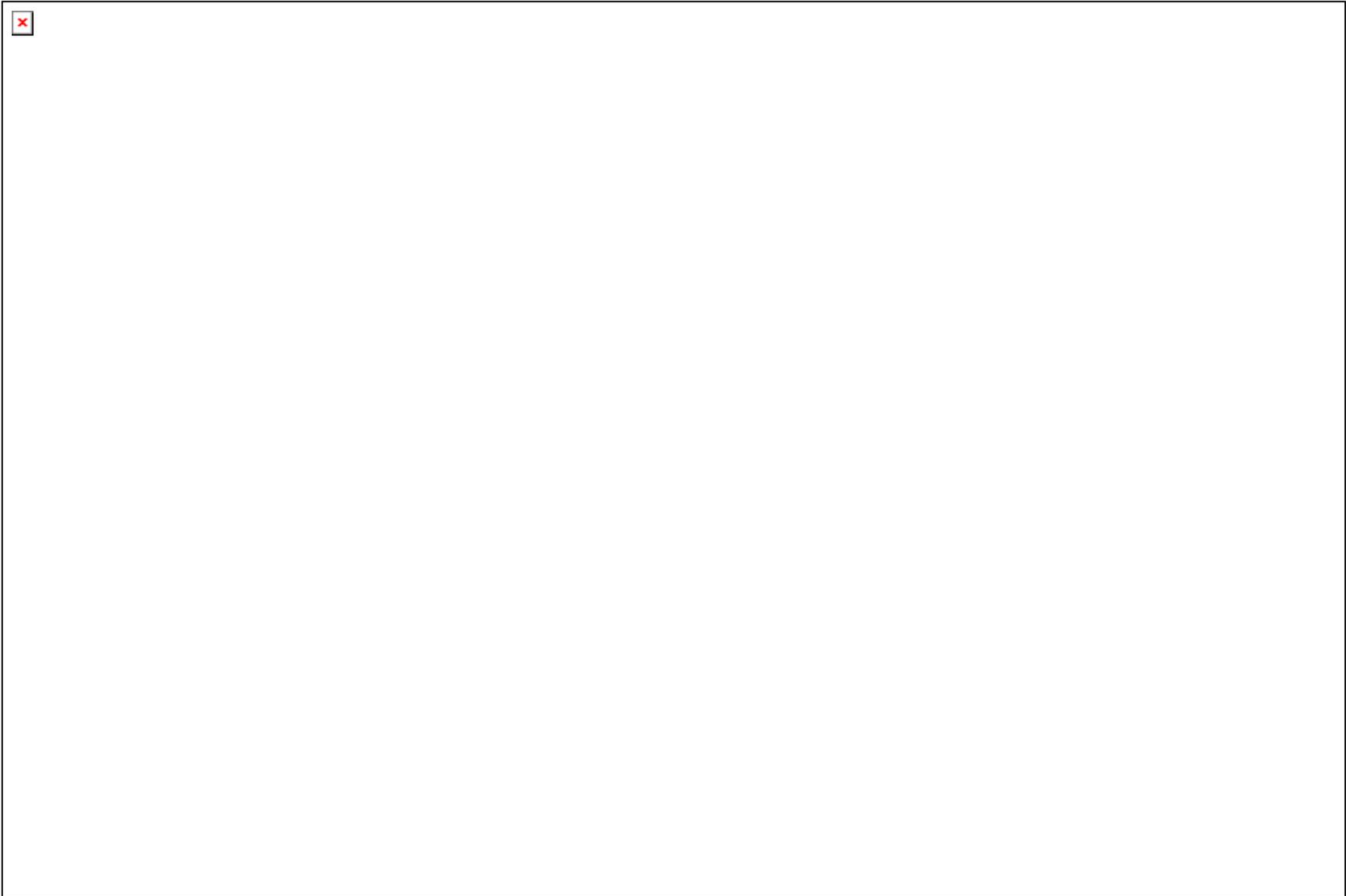
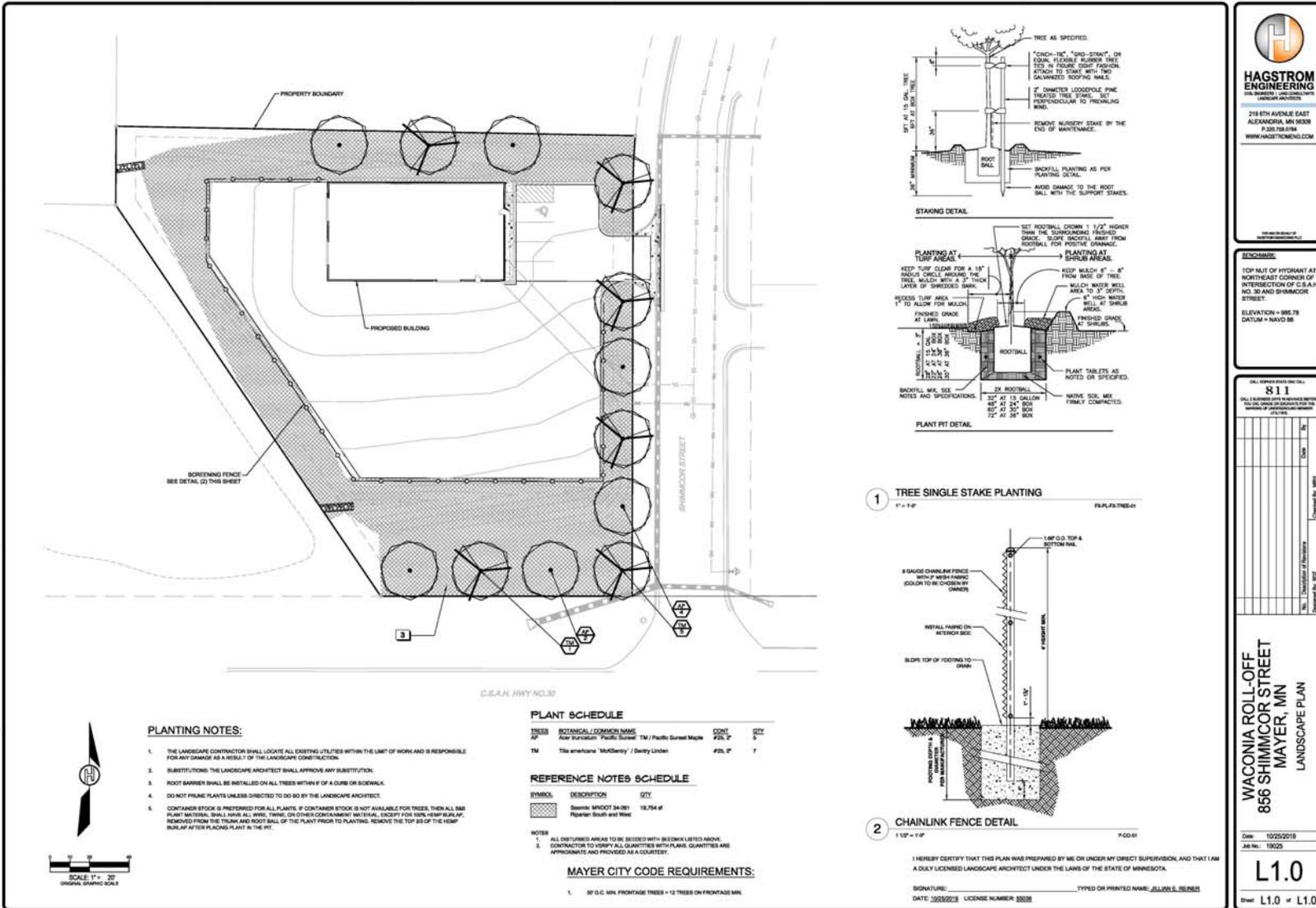






Exhibit C - Construction Plans dated October 25, 2019 page 6



25562 Willow Lane • New Prague, MN 56071 • (952) 758-7399 • Fax: (952) 758-3711

Email: [jandersonmdg@gmail.com](mailto:jandersonmdg@gmail.com) • [www.municipaldevelopmentgroup.com](http://www.municipaldevelopmentgroup.com)



Real People. Real Solutions.

2638 Shadow Lane  
Suite 200  
Chaska, MN 55318-1172

Ph: (952) 448-8838  
Fax: (952) 448-8805  
Bolton-Menk.com

October 30, 2019

City of Mayer  
Attn: Margaret McCallum  
413 Bluejay Avenue  
Mayer, MN 55360

RE: Site Plan Application  
Waconia Roll-off  
Engineering Review #1

Dear Ms. McCallum:

As requested, I have completed an engineering review of the documents submitted for the above referenced project (plans dated 10-25-19). I offer the following observations, comments, and recommendations for your consideration:

1. The applicant will be required to obtain Carver County Watershed Management Organization (CCWMO) approval and permitting. A copy of any approvals or permits required should be submitted prior to Final Site Plan approval.
2. Work within public right-of-way or connection to public utilities must be coordinated with the Public Works Department. Contractor must provide a minimum 48-hour notice prior to any work being performed. Notes should be revised accordingly.
3. Limits of removals at connection to the street should be coordinated with the City prior to any work. Notes should be revised accordingly.
4. A Traffic Control Plan must be provided prior to any construction. Clear drive lanes must be maintained on Shimmcor Street at all times.
5. Perimeter erosion control measures should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide a minimum 24-hour notice prior to inspection.
6. Record drawings must be submitted upon completion of the project. Two hard copies and an electronic copy should be provided.

If you have any questions or comments, please contact me to discuss.

Sincerely,

**Bolton & Menk, Inc.**

A handwritten signature in black ink that reads 'Robert E. Bean, Jr.'.

**Robert E. Bean, Jr., P.E.**  
Water Resources Engineer

CC: John Anderson, Municipal Development Group  
David Martini, Bolton & Menk

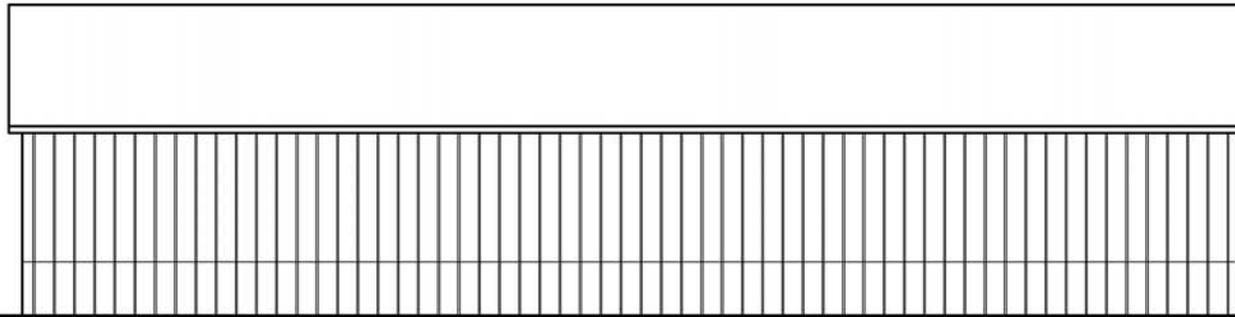
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Bolton & Menk is an equal opportunity employer.

Exhibit E - Building Plans Page 1

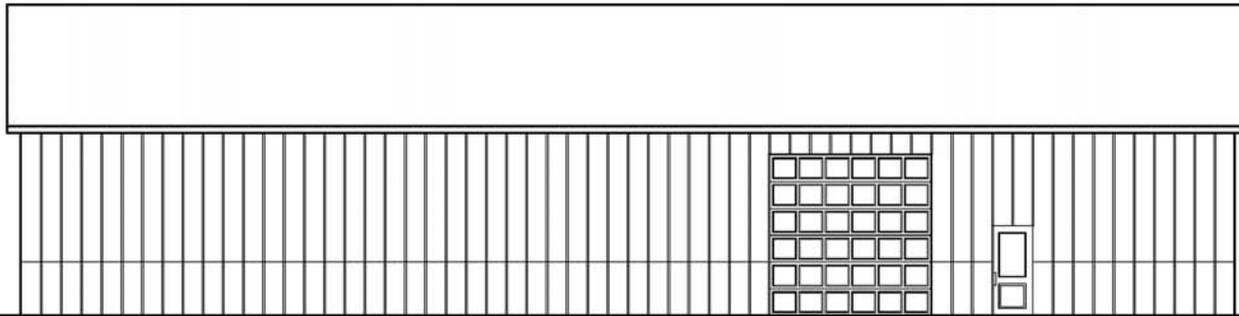


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320-224-7844



1 PROPOSED RIGHT SIDE

EXTERIOR MATERIAL KEY	
	F-FABRGA MATERIAL: STEEL, VERT V W SPEC.
	METAL EXTER. FINISH MATERIAL: POLY BURN STEEL, VERT V W SPEC.
	ASHORE STONE MATERIAL: CONCRETE FABRICATED, VERT V W SPEC.



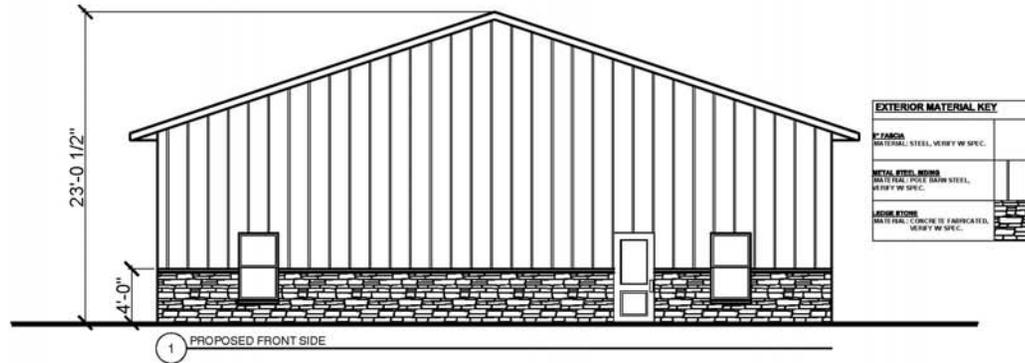
2 PROPOSED LEFT SIDE

EXTERIOR MATERIAL KEY	
	F-FABRGA MATERIAL: STEEL, VERT V W SPEC.
	METAL EXTER. FINISH MATERIAL: POLY BURN STEEL, VERT V W SPEC.
	ASHORE STONE MATERIAL: CONCRETE FABRICATED, VERT V W SPEC.

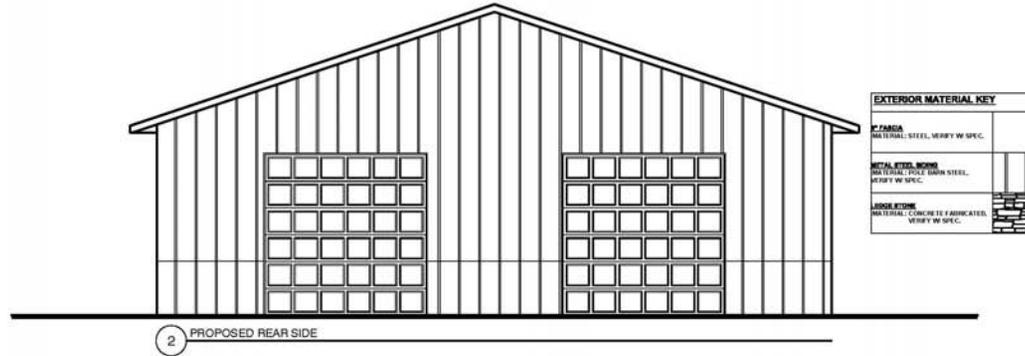
Exhibit E - Building Plans Page 2



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EXTERIOR MATERIAL KEY	
	FABRICA MATERIAL: STEEL, VERRY W SPEC.
	METAL STEEL SIDING MATERIAL: POLY BARN STEEL, VERRY W SPEC.
	STONE MATERIAL: CONCRETE FABRICATED, VERRY W SPEC.



EXTERIOR MATERIAL KEY	
	FABRICA MATERIAL: STEEL, VERRY W SPEC.
	METAL STEEL SIDING MATERIAL: POLY BARN STEEL, VERRY W SPEC.
	STONE MATERIAL: CONCRETE FABRICATED, VERRY W SPEC.

Exhibit E - Building Plans Page 3



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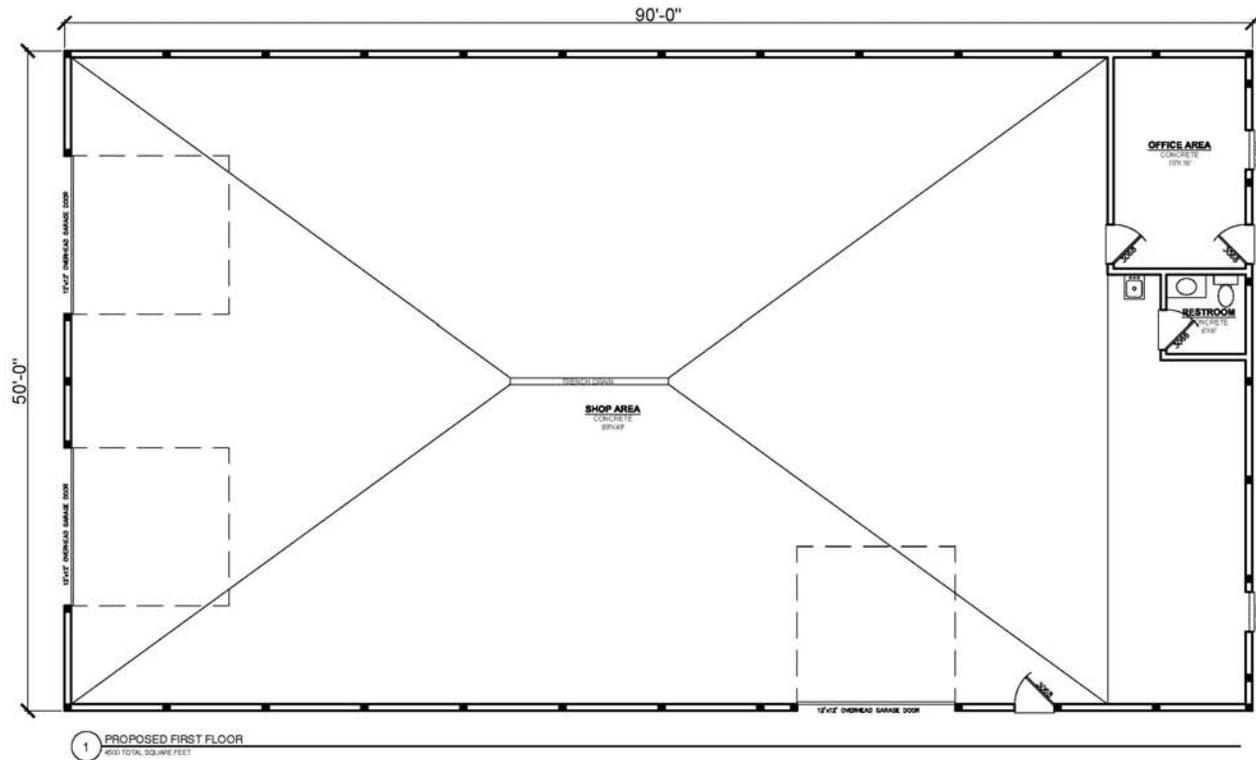


Exhibit F - Public Comments



CITY OF MAYER  
NOTICE OF PUBLIC HEARING

The Mayer Planning Commission will conduct a public hearing for a variance request at 856 Shimmcoor Street. The public hearing will be held on Wednesday, November 6, 2019 at 6:30 p.m. or as soon thereafter as persons may reasonably be heard, at Mayer City Hall, 413 Bluejay Avenue.

The purpose of the variance request is to reduce the number of required off-street parking spaces for a new industrial building that would require a total of fourteen off-street parking spaces. The property is located in the C/I Commercial/Industrial District and the applicant has requested to defer the construction of some of the required off-street parking spaces at this time.

A copy of the proposed variance request, in its entirety, is available at City Hall for review. Any person desiring to comment on this matter is invited to do so in writing prior to or at the hearing or orally at the time of the public hearing. Written comments may be mailed or delivered to: City of Mayer, 413 Bluejay Avenue, Mayer, MN 55360.

Dated this 18<sup>th</sup> day of October, 2019.

Margaret McCallum  
City Administrator

Post and Publish

Brad Quas / Bradleys Collision

PID- 567000110 - 871 Shimmcoor St.

I'm OK with the variance if your confident that any future use of the building will not require those parking spaces.

Would not like to see what we have going on down the street. fenced in stuff, mud & gravel on street every spring because no asphalt driveway and parking on the street year around.