

**OATH OF OFFICE**

Deputy Clerk Etzel administered the Oath of Office to commissioner: Nick Morter. Commissioner Morter's term will be for three years and will expire on December 31, 2021.

**CALL TO ORDER**

Commissioner Sand called the regular meeting of the City of Rockford Planning and Zoning Commission to order on at 7:14 p.m. The meeting was held in the Council Chambers of City Hall, 6031 Main Street, Rockford, MN.

**ROLL CALL**

Roll call was taken and the following members were present: Sand, Cihlar and Morter. The following members were absent: Petersen-Biorn and Werman. Also in attendance was Planner Dan Licht and Deputy Clerk Etzel.

**ELECTION OF OFFICERS FOR 2019**

**MOTION** was made by Cihlar, seconded by Morter to elect Mike Werman as Chairperson of the Planning and Zoning Commission for 2019.

**MOTION CARRIED** – VOTING IN FAVOR – SAND, CIHLAR, and MORTER.

**MOTION** was made by Cihlar, seconded by Morter to elect Wendy Peterson-Biorn as Vice Chairperson of the Planning and Zoning Commission for 2019.

**MOTION CARRIED** – VOTING IN FAVOR – SAND, CIHLAR, and MORTER.

**PUBLIC HEARING – Amend Conditional Use Permit -6700 Bleck Drive for Retail Sales**

Planner Licht Shark Industries LTD is an automotive supplier manufacture for aftermarket parts located at 6700 Bleck Drive within the Millennium Industrial Park. The business is proposing to add import and retails sales of mopeds to their existing business. The sales component would involve distribution to customers purchasing via mail order or to sales locations in other states. The City Council approved a conditional use permit allowing the retail sales on 26 June 2019 with the following condition

1. *The retail sales use shall not include an on-site showroom or involve customers arriving at the property to purchase or receive delivery of the moped.*

The business was informed by the Minnesota Department of Public Safety Driver and Vehicle Services Division that an automobile dealer license required for the use cannot be approved with the condition included with the approval. The business has applied for an amendment to the conditional use permit to remove the condition. A public hearing has been noticed for 14 February 2019 to consider the request.

The subject site is zoned I-1 District. Section 1001.20, Subd. 5.E of the Zoning Ordinance allows retails sales within the I-1 District subject to approval of a conditional use permit. The

proposed use effectively is a sales office within the businesses existing operations and warehousing of the imported mopeds. There is to be no on-site show room.

The business is not proposing any modifications to their existing operations or alterations of the site or building to accommodate the proposed sales and distribution of mopeds. The subject site will continue to be in compliance with respect to setbacks, off-street parking, landscaping/screening, signs, exterior lighting, and trash storage. Even with wholesale buyers coming to the site to pick up the product, the use is appropriate for the subject site. The parameters of the proposed use comply with the provisions of the Zoning Ordinance for approval of a conditional use permit.

Planner Licht recommends amendment of the conditional use permit allowing retail sales and distribution for Shark Industries in the form presented on the draft resolution (without conditions).

Commissioner Sand opened the public hearing at 7:17 p.m.

No one from the public spoke.

Commissioner Sand closed the public hearing at 7:18 p.m.

The Planning Commission discussed and agreed with the Planner's recommendation.

**MOTION** was made by Cihlar, seconded by Sand to recommend approval of the proposed amendment to remove the one condition as discussed.

**MOTION CARRIED** – VOTING IN FAVOR – SAND, CIHLAR, and MORTER.

The recommendation from the Planning Commission will be submitted to the City Council at their upcoming February 26, 2019 regular meeting for final approval or denial.

#### **SET AGENDA AND APPROVE CONSENT AGENDA ITEMS**

**MOTION** was made by Cihlar, seconded by Morter to set the agenda and accept the November 8, 2018 Special Planning and Zoning Commission Minutes.

**MOTION CARRIED** – VOTING IN FAVOR – SAND, CIHLAR, and MORTER.

#### **OPEN FORUM**

Commissioner Sand called for open forum, no one from the public spoke.

#### **NEW BUSINESS**

##### **Staff Reports**

Deputy Clerk Etzel's report included: March 14<sup>th</sup> meeting will be held if an application is received by February 20<sup>th</sup>, Residential New Construction was 16 homes for 2018 and 2 for 2019 as of 2/11/2019, Commissioner Morter was sworn in for a three year term., the Council approved the Planned Unit Development for Kwik Trip at their November 13<sup>th</sup> meeting, City

Hall will be closed February 18<sup>th</sup> for Presidents Day, Rockford Fire Auxiliary Spaghetti Dinner February 23<sup>rd</sup> and Rockford community Expo March 16<sup>th</sup>.

**ADJOURNMENT**

**MOTION TO ADJOURN** was made by Sand, seconded by Morter.

**MOTION CARRIED** – VOTING IN FAVOR – SAND, CIHLAR, and MORTER.

Commissioner Sand adjourned the meeting at 7:21 p.m.

*Submitted by Audra Etzel, Deputy Clerk*