

AGENDA

ROGERS PLANNING COMMISSION

November 20, 2018 - 7:00 PM

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
- 2. OPEN FORUM**
- 3. APPROVE AGENDA**
- 4. CONSENT AGENDA**
 - 4.1 Approval of the October 16, 2018 Planning Commission Meeting Minutes
- 5. PUBLIC HEARINGS**
 - 5.1 Public Hearing to Consider the Request for a Varaince and Conditional Use Permit for Outdoor Storage, Display and Tanks for the Property at 14490 Northdale Boulevard
- 6. NEW BUSINESS**
 - 6.1 Planning Commissioner Interviews
- 7. OTHER BUSINESS**
- 8. ADJOURN**



**REQUEST FOR ACTION
ROGERS PLANNING
COMMISSION**

Meeting Date: November 20, 2018

Agenda Item: No. 4.1

Subject: Approval of the October 16, 2018 Planning Commission Meeting Minutes

Prepared By: Amy Patnode, Associate Planner

Recommended Planning Commission Action

Motion to approve the October 16, 2018 Planning Commission Meeting Minutes.

ATTACHMENTS:

Description

Minutes from October 16, 2018

MINUTES
ROGERS PLANNING COMMISSION
October 16, 2018

CALL TO ORDER

The meeting of the Rogers Planning Commission was held on October 16, 2018 at 7:00 p.m. and was called to order with Commissioners Nei, Binkley, Bryan, Kraemer and Silverstein present.

Member(s) excused: Neis, Jullie, Terhaar

Also present were City Planner/Community Dev. Coordinator Ziemer, and Associate Planner Patnode.

SET AGENDA

The Agenda was set as corrected; 5.4 moved to 5.1.

Commissioner Nei moved, Commissioner Binkley seconded the motion to approve the agenda as corrected.

On the vote, all members voted AYE. Motion carried.

CONSENT AGENDA

4.1 Approval of the August 21, 2018 Planning Commission Meeting Minutes

Commissioner Nei moved, Commissioner Kraemer seconded a motion to approve the August 21, 2018 Planning Commission Minutes.

On the vote, members voted 4-0-1; Silverstein abstained due to absence from August meeting. Motion carried.

PUBLIC HEARINGS

5.1 Public Hearing to Consider a Request by Shred-n-Go for an Amendment to a Conditional Use Permit for Outdoor Storage of Trucks and Materials, Located at 22851 Industrial Boulevard.

Associate Planner Patnode provided background information and commented on the following:

- Property is zoned L-I and guided Industrial in the 2030 Comprehensive Plan.
- A CUP was approved in 2012 for storage of roofing equipment. No limit of materials was listed. Today code restricts outdoor storage of materials to 20% of building area.
- Applicant would like outdoor storage for trucks and trailers, staff would like to amend existing CUP to include trucks and trailers and amend language on outdoor storage of materials.

Vice Chair Silverstein opened the meeting for public comment.

There were no comments registered.

Commissioner Nei moved, Commissioner Binkley seconded a motion to close the public hearing.

On the vote, all members voted AYE. Motion carried.

There was a brief discussion by the Planning Commission.

Commissioner Nei moved, Commissioner Kraemer seconded a motion to recommend approval to amend conditional use permit dated July 10, 2012 to allow the property at 22851 Industrial Boulevard, to store trucks, trailers and materials outdoors, subject to the following conditions;

1. Outdoor storage of materials shall not exceed 20% of building area.
2. Outdoor storage of any sort, shall be located in the rear yard.
3. The Fire Department shall be granted access to the gated area.
4. Subject Property must maintain effective storm drainage management facilities.
5. Storage of hazardous materials outdoors are prohibited unless otherwise approved by the City.

5.2 Public Hearing to Consider a Request from Primrose Schools Franchising Company for Preliminary Plat, Site Plan and Variance Approval.

City Planner Ziemer provided background information and commented on the following:

- The subject parcel is currently Outlot A in the Walter Dehn Commerce Center 6th Addition; to be replatted to Lot 1, Block 1, Walter Dehn Commerce Center 7th Addition.
- Building proposed to be 11,450 square feet on 2.3 acres of land with access from 135th Avenue North.
- Plan shows more parking stalls than required by code, this is to help facilitate any future expansion on the site.
- The finished design of the building meets city code architectural design standards.
- Two variances are needed for the setback standards for the Highway Corridor Overlay District.

Vice Chair Silverstein opened the meeting for public comment.

There were no comments registered.

Commissioner Silverstein moved, Commissioner Nei seconded a motion to close the public hearing.

On the vote, all members voted AYE. Motion carried.

There was a brief discussion by the Planning Commission.

Commissioner Binkley moved, Commissioner Bryan seconded a motion to recommend approval of the Preliminary Plat, Site Plan and Variance requests with the following conditions:

1. The Applicant shall submit and obtain approval for the storm water and erosion control plans, and receive the required permit(s), from Elm Creek Watershed Management Commission.

2. The Applicant shall review options to connect the internal sidewalk from the parking lot south to the trail along South Diamond Lake Road.
3. External lighting for the monument sign shall be revised to be downward facing to satisfy City Code.
4. Address Fire Department concerns regarding site access and fire truck navigation, and revise plans as necessary to satisfy Fire Department requirements.

On the vote, all members voted AYE. Motion carried

5.3 Public Hearing to Consider a Request from Interstate of Rogers, LLC for a Preliminary Plat and Rezoning.

City Planner Ziemer provided background information and commented on the following:

- Rezone property from Special Industrial (S-I) to Limited Industry (L-I). The 2030 Comp plan guides the subject property as L-I.
- In June 2018, 10 acres was divided administratively. Those 10 acres will be re-platted to become Lot 1, Block 1, Interstate of Rogers Addition.
- Access to the property will be shared with the remaining undeveloped 9.7 acres to the east. A cross access agreement will be written and recorded through the private property owners.

Vice Chair Silverstein opened the meeting for public comment.

There were no comments registered.

Commissioner Nei moved, Commissioner Bryan seconded a motion to close the public hearing.

On the vote, all members voted AYE. Motion carried.

There was a brief discussion by the Planning Commission.

Commissioner Nei moved, Commissioner Kraemer seconded a motion to recommend approval of the request from Interstate of Rogers, LLC, for Rezoning of the Subject Property from Special Industrial (S-I) to Limited Industrial (L-I) and approval of the Preliminary Plat as presented.

On the vote, all members voted AYE. Motion carried.

5.4 Public Hearing to Consider a Request from Graco, Inc. for a Preliminary Plat, Site Plan, Conditional Use Permit and Variance.

City Planner Ziemer provided background information and commented on the following:

- Plat will combine two (2) lots to become Lot 1, Block 1, Graco Addition.
- The Graco building will be a total of 795,960 finished square feet: 479,766 square feet is the size of the addition.
- The south building elevation does not show architectural variation every 100 linear feet. Applicant must provide revisions to conform to city code.
- Applicant is requesting a storage tank on the property. Storage tanks require approval through a Conditional Use Permit.

- Variance is requesting reduction in parking stalls to a total of 578; 702 less than required.

Vice Chair Silverstein opened the meeting for public comment.

Matt Lily with RSP responded to concerns in regards to the proposed lack of parking on the site, and the possibility of a change of occupant in the future. Matt expressed it is highly unlikely for the property to change use, as this site was carefully selected with a long term vision and the amount of investment made on behalf of Graco. Graco created an equation for the 578 parking stalls from maximum amount of employees on a shift, and added additional stalls. They feel this number is adequate in providing for the site. In addition, increasing modes of transportation call for less parking.

Commissioner Kraemer moved, Commissioner Nei seconded a motion to close the public hearing.

On the vote, all members voted AYE. Motion carried.

There was a brief discussion by the Planning Commission.

Commissioner Nei moved, Commissioner Kraemer seconded a motion to recommend approval of the Preliminary Plat and Site Plan with the following conditions:

1. The Applicant revises the north and south wall building elevations to address architectural design standards to increase the number of design interruptions as required by City Code.
2. The Applicant provides full sign detail plans for all signage to be located on the property and building as shown on plans.
3. Approve CUP and Variance requests as indicated in the packet.

On the vote, all members voted AYE. Motion carried.

NEW BUSINESS

6.1 Adjacent Community Comprehensive Plan Reviews

Local Government Unit review for Corcoran and Maple Grove Comprehensive Plans.

ADJOURN

Commissioner Kraemer moved, Commissioner Nei seconded a motion to adjourn the meeting at 8:24 p.m.

On the vote, all members voted AYE. Motion carried.



REQUEST FOR ACTION ROGERS PLANNING COMMISSION

Meeting Date: November 20, 2018

Agenda Item: No. 5.1

Subject: Public Hearing to Consider the Request for a Varaince and Conditional Use Permit for Outdoor Storage, Display and Tanks for the Property at 14490 Northdale Boulevard

Prepared By: Amy Patnode, Associate Planner

Overview / Background

Dustin Breiwick (Applicant) is the owner of two companies that will be relocating into Rogers: Top Notch Equipment, Inc., and Breiwick Companies. Dustin has submitted a Land Use Application requesting approval of a Conditional Use Permit (CUP) and allowing outdoor storage, the storage of storage tanks, and outdoor display of equipment. Applicant is also requesting approval of a Variance to increase the outdoor storage area. The property is located at 14490 Northdale Boulevard (Subject Property).

Essentially, this property will have one (1) owner with two (2) different businesses operating at this location. The first being Top Notch Equipment which will have equipment on display for sale and rent. The second will be Breiwick Companies, a landscaping company. The landscaping company is requesting outside storage of trailers and materials for their operations.

The Subject Property has two buildings; one is used as an office and shop (5,000 sq.ft.) and the other is used as storage (7,500 sq.ft.). The combined area of the buildings on the property is 12,500 square feet and the property is 4.37 acres. The Subject Property is part of the Hassan Industrial Park development which was platted in 1981. The Subject Property has frontages on Highway 101 and Northdale Boulevard, and has two access points off Northdale Boulevard.

The application for the conditional use permit was received on October 11, 2018. The applicant received an incomplete letter on October 17th, 2018 as the application needed details necessary to complete the formal review. The 60-day statutory review formally ends on December 16th, 2018.

Primary Issues to Consider

1. Land Use and Zoning
2. Performance Standards
3. Site Plan
4. Site Details
5. Consideration

Analysis of Primary Issues

1. Land Use and Zoning

The property is guided Business Campus (2030 Comprehensive Plan); the corresponding zoning is Highway Business (B-3). Outdoor storage of trailers, materials, outdoor display and storage tanks is allowed by Conditional Use Permit in the B-3 zoning district [§125-202].

2. Performance Standards

The Applicant is seeking approval for a variety of requests. Below are the standards that the property must conform to regarding outdoor storage, outdoor tanks, and outdoor display.

The Applicant is applying for outdoor storage. The following are standards for outdoor storage in the B-3 zoning district [125-202 (e)(13)]: Outside storage. All service, repair, or processing shall be conducted wholly within an enclosed building. All outside storage requires a conditional use permit. Storage must be accessory and related to principal use.

- a. Storage is limited to up to 20 percent of building area. *We are seeking a variance to expand the outdoor storage.*
- b. Storage areas shall be fenced and screened. *The majority of the property is fenced. HWY 101 and the north property line do not have fencing.*
- c. Storage and screening shall not exceed eight feet in height. *Storage shall not exceed eight feet in height.*
- d. The use does not take up parking spaces as required for conformity to this ordinance. *Storage shall not take up parking spaces.*
- e. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring properties. *No additional lighting is proposed, all lighting shall be directed away from neighboring properties.*
- f. All exterior storage areas must be paved and include storm drainage management facilities as required by the city. *All storage areas must be paved.*

The following are standards for display of merchandise for sale or lease on the property [§125-202 (e) (12)]:

(12) Display. The display of merchandise for sale or lease on the same lot as the principal structure requires a CUP, provided it meets the following standards, as well as those additional standards imposed as a part of the conditional use permit as approved by the city council:

- a. Outdoor display may occupy the front yard, but must be set back from all property lines at least ten feet. *Display will be at least 10 feet from the property line.*
- b. Outdoor display may occupy no more than 50 percent of any individual parcel. *The site plan shows the display occupying a fraction of the property.*
- c. Outdoor display shall be an accessory use only, and must consist only of products offered for sale or rent by the principal use of the property. Such display areas shall not be utilized for the storage of equipment or materials that are utilized in the normal course of business. *This is expressed to the property's business owner.*
- d. Outdoor display areas shall be paved with materials which control dust and drainage, such as masonry pavers, concrete or asphalt surfacing. *The display area is asphalt surface.*
- e. Outdoor display areas shall be maintained to prohibit the growth of weeds, accumulation of trash or other debris, or other unsightly conditions. *Area shall be maintained properly.*
- f. When outdoor display areas are no longer utilized for such display, they may be converted to parking or landscaped space in accordance with the standards of this section, through an administrative site plan review. *Area must be changed if no longer used for display.*

Below is City Code addressing storage tanks [§125-202(e)(21)].

(21) Storage tanks. All storage tanks and containers for flammable and combustible liquids and liquefied

gases shall require a conditional use permit, be constructed and located in accordance with regulations of the Minnesota Uniform Building Code, Minnesota Uniform Fire Code, and the National Fire Protection Association Codes including NFPA-30 for flammable and combustible liquids and NFPA-58 liquefied gases.

3. Site Plan

Fencing: A majority of the Subject Property's perimeter is fenced with the exception of the north and east property line. The Applicant proposes to add a fence inside the north property line at a later date. A fence permit must be pulled prior to installation and at that time, it shall be noted that the new fence shall match the existing 6ft chain-link fence, and any barbed wire shall be facing inward.

Asphalt: As shown on the site plan provided, the site has bituminous driveways and parking areas. There is an existing gravel area that must be paved after eight (8) months of occupancy. Any outdoor storage and display must be on a paved surface.

Outdoor display: The outdoor display of equipment for sale or rent will be located in the front yard facing Highway 101. The display must not occupy more than 50% of the property. The site plan shows the display area to be under 3,500 square feet, far under the 50% requirement. The outdoor display must comply to Section 125-202 (e)(12).

Outdoor tanks: Outdoor storage of tanks refer to combustible liquids, usually in the form of an oil tank, fuel tank or propane tank. The Fire Department permits the placement, size, type and material of storage tanks only after a CUP has been issued. The Site Plan does not show the placement of a storage tank(s), this will be addressed at time of Fire Department approval.

Parking: The parking requirement for this site is 38 stalls. The property will be striping the parking lot area to identify where designated parking will be. Outdoor storage and outdoor display shall not take up designated parking stalls for storage purposes.

Outdoor storage: As previously mentioned, this property has two (2) street frontages that run parallel with each other. The rear yard of the property, shall be considered the back half of the front yard (from both frontages). The front yard shall be considered the area from the front property line, extended into the property 162 feet. This leaves 324 linear feet in the center of the property to store outdoor storage of trucks, trailers and materials; all outdoor storage shall be located in that area.

The proposed outside storage is landscaping materials and truck and trailer parking. The proposed landscaping materials are typical materials such as mulch, rock or dirt and will be contained by concrete barriers or bins. The provided plans do not show the landscaping material bins inside the rear yard boundary. The location of the materials will need to be moved into the rear yard boundary area before approval by Council. Because the property has a perimeter fence, we will not require the storage of materials to be fenced. However, if the perimeter fence is ever taken down, a fence will need to be installed to contain the outdoor storage of materials.

The Applicant is requesting a variance to exceed the outdoor storage area. The numbers used to calculate the percentage of storage area are taken from the approximate area of each truck and trailer; not a fenced in area in where they would park. This is due to the layout of the site, proposed parking of the trucks, and the existing fence around the property. City Code states that outdoor storage in the B-3

zoning district shall be 20% of building area, this would allow 2,500 square feet of outdoor storage area on this property.

The Subject Property exceeds the allowable outdoor storage area by 1,260 square feet. The landscaping materials on the site plan are shown to be approximately 960 square feet in size (40' x 24'). To conform to code, any remaining outdoor storage could only occupy 1,540 square feet after the landscaping materials. However, the eight (8) trucks on the site plan and exceed the remaining square footage by 1,260.

Allowable outdoor storage area:	2,500 square feet
Area available for outdoor storage after landscaping material bins:	1,540 square feet
Area of trucks and trailers (8):	2,800 square feet
Approximate area of 4 long trucks (10*45=450):	1,800 square feet
Approximate area of 4 short trucks (10*25=250):	1,000 square feet
Exceeding area of outdoor storage:	1,260 square feet
Total area requested for outdoor storage:	3,750 square feet

The Applicant is requesting the outdoor storage area for the Subject Property to be increased to an area of 3,750 square feet (30% of the building area). The landscaping materials that are proposing to be enclosed in the concrete bins occupy just under 1,000 square feet (8% of the building area). Instead of assigning a percentage or area for the outside storage on the property, staff proposes to allow a number of trucks and trailers allowed to be stored outdoors in addition to the maximum amount of landscaping materials outdoors.

4. Other Site Details

The property was granted a CUP for outdoor storage in 1998 for sales and servicing of factory construction homes, which prohibits outside storage other than model homes. Thus, the change in use requires a new CUP that allows for trucks and trailers, materials, display and storage tanks.

In 2005, Hassan Township installed utilities up Northdale Boulevard and repaved the road, at that time assessments were applied toward affected property owners. The Subject Property has paid the assessments but is not hooked up to City water and sewer. There is no agreement in place that requires the Subject Property to hook up to the water and sewer services due to sale of the property, development of the property, or after a set amount of time. Therefore, the Applicant plans to keep the existing septic system in use. The City will allow the continued use of the septic system but needs proof that the system is in compliance with current code and is designed for the amount of people that will be working in that building. Thus, a Hennepin County Compliance form is required before issuing the CUP.

There is currently a heated storage trailer to the south of the office/shop building. The trailer was never permitted to be built or placed at that location, and said trailer is in the side yard building setback of 20 feet. A condition of approval will require the building to be removed from the property.

5. Consideration

The Planning Commission shall make findings of fact that the proposed variance are pursuant, but not limited to the following considerations [§125-58(a)]:

(1) Variances shall only be permitted when they are in harmony with the general purpose and intent of city code and consistent with the comprehensive plan. *The request is in harmony with city code, but does not conform to the 2030 comprehensive plan.*

(2) Variances may only be permitted when the applicant establishes that there are non-economic practical difficulties in complying with the zoning ordinance, meaning the property owner proposes to use the lot or parcel in a reasonable manner not permitted by the zoning code. *The request is reasonable, as the parcel was constructed to have small buildings with large outdoor area.*

(3) The plight of the property owner must be due to circumstances that are unique to the lot or parcel and is not created by the property owner. *The property is unique and not created from the property owner.*

(4) The variances must not alter the essential character of the locality including all zoning district and overlay district provisions. *The variance will not alter the essential character of the locality.*

(b) *Criteria for granting conditional use permits.* In granting a conditional use permit, the city council shall consider the advice and recommendations of the planning commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants of surrounding lands. Among other things, the city council shall make the following findings where applicable:

(1) The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. *There will be no excessive burden created for surrounding uses.*

(2) The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land. *The property is separated from residential and Ag uses.*

(3) The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties. *No adverse effects are created from the adjacent properties.*

(4) The use, in the opinion of the city council, is reasonably related to the overall needs of the city and to the existing land use. *This is a reasonable request.*

(5) The use is consistent with the purposes of the zoning code and the purposes of the zoning district in which the applicant intends to locate the proposed use. *Consistent with zoning code.*

(6) The use is not in conflict with the policies plan of the city. *City code allows for such uses.*

(7) The use will not cause traffic hazard or congestion. *Property will not create traffic hazards.*

(8) Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare or general unsightliness. *Existing business will not be affected negatively.*

Staff Recommendation

Staff recommends approval of the Conditional Use Permit allowing the property located at 14490 Northdale Boulevard, to allow outdoor storage, to allow outdoor display of equipment and to allow outdoor storage tanks with the following conditions:

1. The existing heated storage trailer must be removed from the property within eight (8) months of occupancy.
2. The existing gravel surface as shown on the site plan, must be paved within eight (8) months of occupancy.
3. City must get copy of Septic System verification from Hennepin County and confirmation of

occupancy hold for the system.

4. Outdoor storage of landscaping materials shall not exceed 8% of building areas.
5. Any construction of a fence on the property must apply for fence permit and must be located as indicated on the provided site plan and completed within one (1) year of occupancy or shall become void.
6. The quantity and type of materials stored in storage tanks is subject to Minnesota Fire Code and Rogers Fire Department approval.
7. Eight (8) trucks and trailers are allowed in the rear yard for outdoor storage.
8. Parking of trucks, trailers and materials must be located in the designated rear yard on a paved surface.

Staff recommends approval of the Variance allowing the property located at 14490 Northdale Boulevard, to exceed to allowable outdoor storage, with the following conditions:

1. The outdoor storage of landscaping materials shall not exceed 8% of building areas.
2. Eight (8) trucks and trailers are permitted to be located on the property as it contributes to outdoor storage.
3. All outdoor storage of trucks, trailers and materials must be located in the designated rear yard on a paved surface.
4. All outdoor storage shall be organized in a clean matter, in the designated area as shown on the site plan.

ATTACHMENTS:

Description

Narrative

Site Plan

Aerial Photo

Location

Survey



October 8th, 2018

City of Rogers
22350 South Diamond Lake Road
Rogers, MN 55374

Re: Conditional Use Permit (CUP)
Address: 14490 Northdale Blvd, Rogers MN 55374

To Whom It May Concern,

In September of 2018, I signed a Purchase Agreement to purchase the above referenced property, which I understand requires Conditional Use Permits (CUP). The name of my two companies are Breiwick Companies, Inc and A Top Notch Equipment, Inc., which I own 100% of both. Breiwick Companies is a lawn, snow removal, and landscape company that services the NW metro. TNE is a sales, rental, and repair company for lawn, landscape, and construction equipment. We are currently located at 5505 N Hwy 169, Plymouth Mn 55442. You can learn more about us on our website, which is www.breiwick.com and www.topnotchequipment.com

I am purchasing this property for location and size of lot. We currently operate out of a facility that is 4 times less in size. This Rogers location gives us more than enough space to run efficiently and offers a lot of room to grow. I currently employ 24 people between BCI and TNE. The attached drawing shows how we would like to utilize the space. We would like to request the 4 following CUP's

1. Outside storage of materials: The materials would be screened dirt and plant material debris. We would construct concrete block holding bins. The bins would hold up to 20 yds of material each. Size 4Hx12Wx16L each. Please see map for areas.
2. Outside Storage for trucks and trailers: We would like the ability to park our business trucks and trailers not for sale or rent on the property. Please view map.
3. Outdoor Display: We would like to have an outdoor display for equipment for sale and rent. Please see map for display areas.
4. Storage tanks: We would like the ability to have 2 fuel tanks for filling equipment. One tank would be a UL2080 and the Other be a UL2085

Our plan for the main 5000sqft building is to remove several of the offices and create an indoor showroom. We also plan to update and remodel the interior and exterior of the building. Our plan for the 7500sqft cold storage building is to create 2000sqft of heated warehouse. Finally, we would like to add landscaping around the buildings and property entrance to enhance the overall curb appeal of the property.

As a Rogers resident and a Rogers youth hockey coach I am extremely excited to also become a part of the Rogers business community. Please feel free to contact me with any questions.

Regards,

Dustin Breiwick
President
Breiwick Companies Inc
www.breiwick.com
763-767-9230
Cell:612-242-7074

Top Notch Equipment
President
www.topnotchequipment.com
763-398-0079

ARCHITECTURE
INTERIOR DESIGN



INSIDE OUTSIDE
ARCHITECTURE, INC.

Lea E. Kangas
14165 James Rd, Suite 200A
Rogers, MN 55374
763-428-5870

CONSULTANTS

PROJECT

A Topnotch
Equipment, Inc.
Breiwick
Companies, Inc.

Rogers, MN

CONTENTS

ARCHITECTURAL
SITE PLAN
PARKING &
OUTDOOR DISPLAY

CERTIFICATION

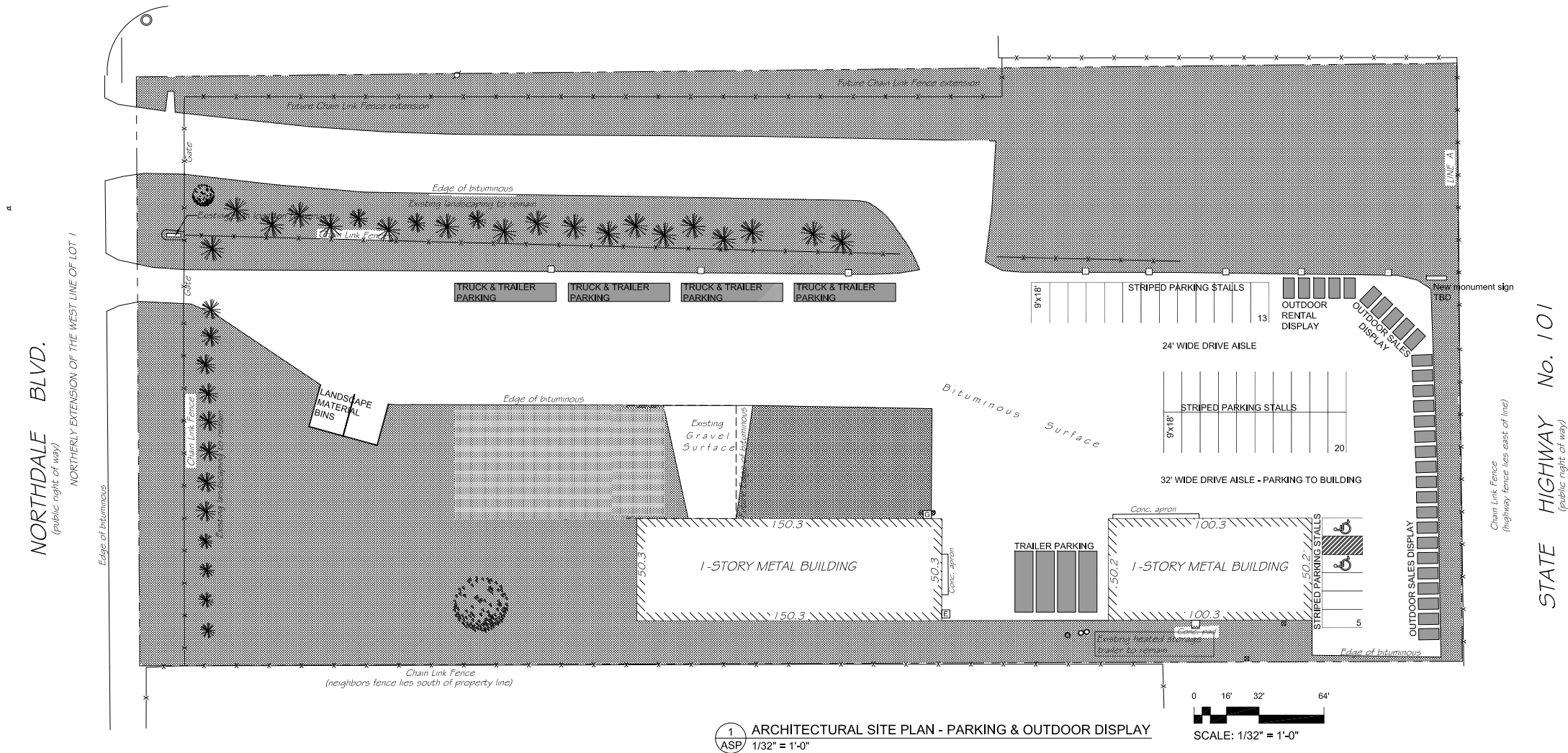
CUP SUBMITTAL
DOCUMENT

Not for construction purposes

State Registration # 26203
Date 11-12-2018

ASP

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only for the building shown and
is not to be copied or reproduced without written
permission from Inside Outside Architecture, Inc.



1.B



Quilram Dr

101



Main St

101

147th Ave N

James Rd

144

144

141st Ave

Northdale
Blvd

101

ALTA/NSPS LAND TITLE SURVEY FOR:

DUSTIN BREIWK

5505 U. S. Highway No. 169
Plymouth, MN 55442

Legal Description

Parcel 1:
Lot 1, Block 1, Hassan Industrial Park, Hennepin County, Minnesota.

Parcel 2:
That part of the south 30.00 feet of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY PLAT No. 27-61 as is the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota which lies east of the northerly extension of the west line of Lot 1, Block 1, Hassan Industrial Park according to the recorded plat thereof situate in Hennepin County, Minnesota and which lies west of Line 1 described below.

Line 1:
Beginning at the Boundary corner B11 as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY PLAT No. 27-60 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, thence northerly to Boundary Corner B4 as shown on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY PLAT No. 27-61 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, and there terminating.

All being part of the Southeast Quarter of the Northwest Quarter of Section 11, Township 120, Range 23, Hennepin County Minnesota.

Parcel 3:
That part of the East Half of the Southwest Quarter of Section 11, Township 120, Range 23, Hennepin County, Minnesota which lines East of the northerly extension of the west line of Lot 1, Block 1, Hassan Industrial Park, according to the recorded plat thereof, Hennepin County, Minnesota and which lies west of Line 1 described below and which lies north of Line 2 described below:

Line 1: Beginning at the point of termination of said Line 2; thence northerly on an azimuth of 00 degrees 23 minutes 50 seconds for 300.00 feet to Right Of Way Boundary Corner B4 as shown Minnesota Department of Transportation Right Of Way Plat Numbered 27-61 as the same is on file and of record in the Office of the County Recorder in and for Hennepin County, Minnesota and there terminating.

Line 2: Beginning at Right of Way Boundary Corner B6014 as shown on Minnesota Department of Transportation Right of Way Plat Numbered 27-60 as the same is on file and of record in the Office of the County Recorder in and for Hennepin County, Minnesota; thence southerly on an azimuth of 180 degrees 19 minutes 38 seconds along the boundary of said plat for 35.04 feet to Right of Way Boundary Corner B13; thence on an azimuth of 90 degrees 19 minutes 38 seconds along the boundary of said plat for 774.94 feet to Right of Way Boundary Corner B12; thence on an azimuth of 135 degrees 21 minutes 44 seconds along the boundary of said plat for 141.33 feet to Right of Way Boundary Corner B11 and there terminating.

Note Corresponding to Schedule B, Part II

- 1 Item 1 - Is not a survey issue.
- 2 Item 2 - Is not a survey issue.
- 3 Item 3 - Not to our knowledge.
- 4 Item 4 - Encroachments as shown hereon AND gap between Parcel 1 and Parcel 3.
- 5 to 12 Items 5 thru 12 - Are not a survey issues.
- 13 Item 13 - Access rights to State of Minnesota affect property per doc. no. 3795418 as shown hereon.
- 14 Item 14 - Location of MNDOT Right-of-Way Plat No. 27-61 as shown hereon.
- 15 Item 15 - Easements per plat of Hassan Industrial Park affect property as shown hereon.
- 16 Item 16 - Resolution vacating 145th Ave. N. per doc. no. A9504921 have vacated all that part of Town Road encompassing those portions of subject property and thus does not encumber property.
- 17 Item 17 - Right of way easement per doc. no. 6472752 does not encumber property.
- 18 Item 18 - Is not a survey issue.
- 19 Item 19 - Is not a survey issue.
- 20 Item 20 - Is not a survey issue.
- 21 Item 21 - Is not a survey issue.
- 22 Item 22 - Fence locations as shown hereon.
- 23 Item 23 - Easements, if any, for overhead utility lines not provided.
- 24 Item 24 - Is not a survey issue.
- 25 Item 25 - Is not a survey issue.

ALTA/NSPS Land Title Survey Certification

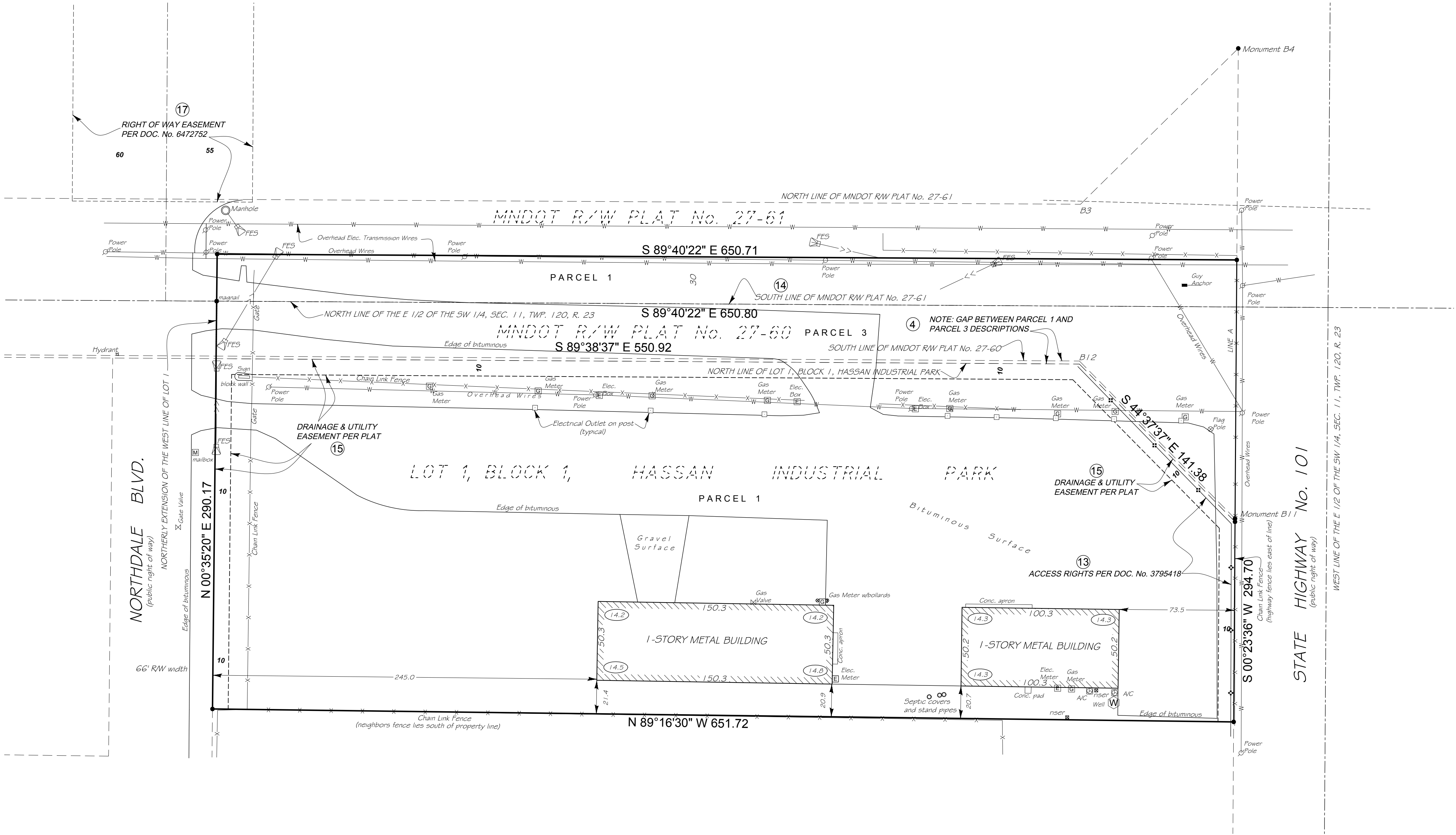
To Dustin Breiwick, 21st Century Bank, its successors and/or assigns as their respective interests may appear, All American Commercial Title, Inc. as agent for Old Republic National Title Insurance Company as follows:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA, and NSPS, and includes Items 1, 2, 3, 4, 6(b), 7(a)(c), 8, 9 and 11 of Table A thereof.
The field work was completed on October 24, 2018.
Dated this 25th day of October, 2018.

Prepared by:

DEMARC
LAND SURVEYING & ENGINEERING
7601 73rd Avenue North
Minneapolis, Minnesota 55428

Signed: *Gregory R. Prash*
Gregory R. Prash Registration No. 24992



Legend of Symbols and Abbreviations

- Denotes Found Iron Monument
- Denotes Iron Monument Set
- ⊗ Bollard
- ⊙ Light
- ⊙ Power Pole
- Manhole
- ⊗ Catch Basin
- ⊗ Flared End Section for Storm Sewer
- ⊗ Electrical Outlet on Wood Post
- 123 Height of building to adjacent ground

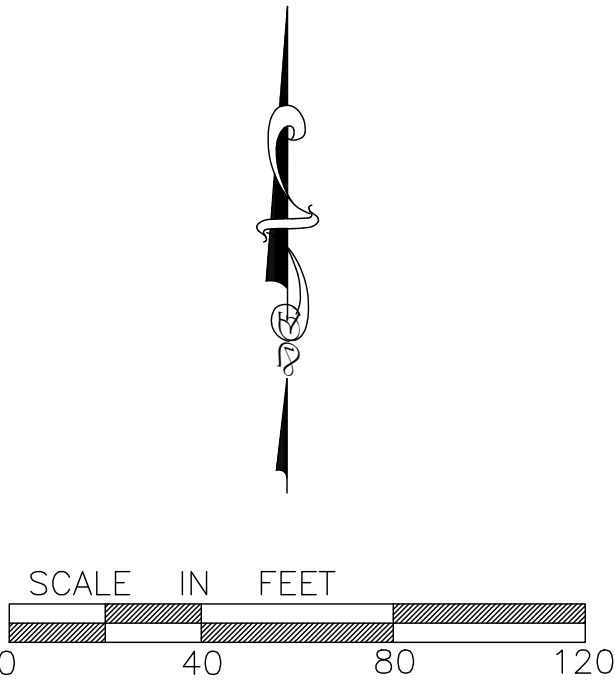
Current Zoning Information

Source of Information: Planning Dept, City of Rogers Web Site				
City Address: 22350 South Diamond Lake Road, Rogers, MN 55374				
City Phone: 763-428-2253				
Zoning District(s): B-3				
Zoning Definition: Highway Business				
Building Setback Requirements				
	Observed	Required	Notes	
Front Yard Setback	245.0 feet	50 Feet	N/A	
Side Yard Setback	see survey	20 Feet		
Rear Yard Setback	73.5 feet	20 Feet		
Parking Tabulation				
	Observed	Required	Notes	
Regular Spaces	not marked	see note	Dependent on use of property.	
Handicapped Spaces	not marked			
Total Parking Spaces	N/A	see note		
Height Restrictions				
	Observed	Max. Allowed	Notes	
Maximum Height	14.8 feet	35 Feet	N/A	
Bulk Restrictions				
	Observed	Required	Notes	
Lot Area	190440 sq.ft	not listed		
Coverage Ratio				
Other:	N/A	N/A		

NOTE: Because there may be a need for further interpretation of the applicable zoning codes, we refer you to the above referenced municipality and the applicable zoning codes.

Miscellaneous Notes

- MN 1 Legal description and easements, if any, per title commitment from All American Commercial Title, Inc. as agent for Old Republic National Title Insurance Company., File No. 104507, dated September 14, 2018.
- MN 2 Property Address: 14490 Northdale Boulevard, Rogers, MN 55374
- MN 3 Area of Parcel = 190440 sq.ft
- MN 4 Property is in Flood Zone "X" (area of minimal flooding) per FEMA panel map number 27053C00033F, dated November 4, 2016.
- MN 5 Per item 6 of certification: No zoning report or letter provided. Zoning information shown obtained thru City web site.
- MN 6 There is no observable evidence of cemeteries or burial grounds on subject property.
- MN 7 There are no ponds, lakes, springs or rivers boarding on or running through subject property.
- MN 8 Access is gained to the subject property via Northdale Blvd. which is a dedicated public right-of-way.
- MN 9 There is no observable evidence of earth moving work, building construction or building additions within recent months.
- MN 10 There are no changes in street right of way lines either completed or proposed as available from the controlling jurisdiction.
- MN 11 There is no observable evidence of recent street or sidewalk construction or repairs.
- MN 12 There is no observable evidence of site use as a solid waste dump, sump or sanitary landfill.





**REQUEST FOR ACTION
ROGERS PLANNING
COMMISSION**

Meeting Date: November 20, 2018

Agenda Item: No. 6.1

Subject: Planning Commissioner Interviews

Prepared By: Amy Patnode, Associate Planner

Recommended Planning Commission Action

The Planning Commission will have three (3) open seats on the board in January 2019 due to expiring terms. These seats are for 3 year terms. Staff has advertised the openings in recent issues of the Crow River News and the notice has also been placed on the City's website and social media pages. Interviews of prospective candidates will occur at tonight's meeting, with council appointments to be considered at the December 11, 2018 Council Meeting.

The following Commissioner's seats will be open: Nei, Neis and Johnson.

To date, staff has received six (6) applications from the following individuals: David Nei, Douglas Bley, Jeff Berman, Narine Bourgeois, Tom Bloom, and Zachary Plansky.

The applications are attached for your review. There will be a list of questions for you to ask during the interviews provided at the meeting.

Staff Recommendation

After interviews, the Commission should make its recommendation to the City Council.

ATTACHMENTS:

Description

Applications

APPLICATION FOR APPOINTMENT TO THE

ROGERS PLANNING COMMISSION

Name: Dave Nei

Date: 09/10/2018

Address: 12853 Cascade Lane

Home Telephone: _____ Work Telephone: _____

I have been a resident of the City of Rogers for 11 years.

I understand that the Planning Commission has scheduled meetings on the 3rd Tuesday of each month, and acknowledge the importance of attendance and participation. I feel I have the time available to be an active participant.

Yes X

No _____

Please list your past or present civic or volunteer organization memberships, particularly those, which may be relevant to the appointment you are seeking.

* Focus Group member for MN DPS overseeing the Motorcycle Safety Foundation.

* Current Member of Rogers Planning Commission

* Current Member of Rogers Senior Center Advisory Board

* Past Park Board member for City of Maple Grove

Please, briefly, describe other qualifications, experience, education, or special interests, which you would like the City Council to consider for the appointment you are seeking.

* WSB Planning 101 training. * WSB Subdivision 101 training * Park Board member for City of Maple Grove * Planning Commissioner for the City of Maple Grove * Member/Chair Capital Long Range Improvement Commission for the City of Maple Grove * Advisory Board member of the Continuing Education program with the Osseo School District * Charter Commission member for the City of Brooklyn Park

Please list any particular planning/zoning issues, needs or problems that you feel strongly about:

*I believe we need to carefully develop our downtown are to preserve the Rural/Urban character we currently enjoy. *I want to make sure our city, avoids the pitfalls and untended consequences caused by growing too fast, (like traffic overload, pockets of affordable housing as opposed to integrated affordable housing options). *I want to see us encourage continued growth bringing new job opportunities. * Overall, I want to see us promote the Livable Communities ideas and practices that will help ease or erase the community identity impact of being divided by Hwy 94

Signature: 

First Name: Douglas

Last Name: Bley

Street Address: 10912 Whitetail Road

City: Rogers

Zip Code: 55374

Email address:

Phone Number: 6

How long have you been a resident in the City of Rogers?:

6 years

Application Questions

1. Please, briefly, describe other qualifications, experience, education, or special interests, which you would like the City Council to consider for the appointment you are seeking.

+30 years or corporate budgeting and planning experience. I have significant experience in a volunteer role and being the President fo the Board of Directors for a 501(c3)

2. Please list any particular planning/zoning issues, needs or problems that you feel strongly about:

I live in the area annexed from the town of Hassan. We are under respresented in the City plans while being burdened with a higher than previous tax rate. My jumping off point for this application is the \$16.5 million plan for recreation improvements versus a practical infrastructure plan to integrate us to being served as well as the core city residents are.

Resume

{Attachments:value}

First Name: jeff

Last Name: Berman

Street Address: 13443 red fox rd

City: rogers

Zip Code: 55374

Email address:

Phone Number:

How long have you been a resident in the City of Rogers?:

16 years

Application Questions

1. Please, briefly, describe other qualifications, experience, education, or special interests, which you would like the City Council to consider for the appointment you are seeking.

16 year resident of Rogers (two homes). Over 25 years in radio and television advertising (marketing). President & Founder of the Kate's Kids Foundation

2. Please list any particular planning/zoning issues, needs or problems that you feel strongly about:

right turns off freeway onto Hwy 101.

rental of homes in city

Resume

Below:

Jeffrey Alan Berman

13443 Red Fox Rd
Rogers, MN 55374

Profile – Over twenty years of National and Account Executive Media Sales experience. Excellent track record of creating successful media sales results.

Objective – To continue my career in media sales where my skills and knowledge can be effectively utilized to contribute to a station's success.

Professional Background –

Cumulus Radio, Minneapolis, MN November '12 to present
Account Executive for KQRS, KXXR, and WGVX Radio

Titan360, Minneapolis, MN December '11 to present
Account Executive

Props Marketing, St. Paul, MN April '11-December '11
Director of Sales

Snap Fitness, Minneapolis, MN September '07-March '11
Franchise Owner

Clear Channel Radio KFAN, Minneapolis, MN May '08-November '08
Account Executive

CBS Radio, Minneapolis, MN May '05-April'06
National Sales Manager - WCCO-AM, WLTE-FM, and 104.1 Jack-FM

ABC Radio, Minneapolis, MN Dec'99-Nov'04
National Sales Manager

- KQRS-FM, KXXR-FM, Drive 105-FM and Radio Disney
- Consistently held #1 ranking for KQRS
- National recipient of the 2002 ABC Radio Sales – “Can Do Award”

Clear Channel Radio, Milwaukee, WI
National Sales Manager April '97-Dec'99

- WMIL-FM, WKKV-FM, WZTR-FM and WOKY-AM
- First national sales manager in Milwaukee's Radio Market for Clear Channel

Clear Channel Radio, Milwaukee, WI
Account Executive Jan '97-April '97

- WMIL-FM

- Managed existing accounts and developed new business relationships
- Promoted to National Sales Manager with four months of position

KPHO-TV Phoenix, AZ Jan '94-Nov '06
National Sales Manager

Jeffrey Alan Berman
13443 Red Fox Rd
Rogers, Minnesota 55374

Professional Background (continued)

KTSP-TV Phoenix, AZ July '91-Dec '93
Account Executive

KMSP-TV Minneapolis, MN Aug '87-July '91
Account Executive

KITN-TV, Minneapolis MN Oct '85- July '87
Account Executive

WBCS Radio, Milwaukee, WI '83-'85
Account Executive

WGNW Radio, Milwaukee, WI '82-'83
On Air Account Executive

Education -

University of Wisconsin 1980-1981, 1982-1984
University of Minnesota 1981-1982

Other -

Founder and President of Kate's Kids (kateskids.org). Charity established to honor the memory of my wife.

References -

Available upon request

First Name: Narine

Last Name: Bourgeois

Street Address: 19563 Harmony Ave

City: Rogers

Zip Code: 55374

Email address:

Phone Number:

How long have you been a resident in the City of Rogers?:

1 year next month

Application Questions

1. Please, briefly, describe other qualifications, experience, education, or special interests, which you would like the City Council to consider for the appointment you are seeking.

I believe I would be a great candidate for Planning Commission position because of my qualifications, which are; the ability to weigh the pros and cons in the details of projects, very detail oriented, and understand the complexity and diversity in the desires of the public.

I worked for the State of California department of motor vehicles as a management coordinator, which has given me the skills to manage projects, outline tasks/deadlines and set a schedule to complete those projects.

2. Please list any particular planning/zoning issues, needs or problems that you feel strongly about:

I am a mother to twin 4 year old boys and our family is young. My goal in submission of this application is to ensure that the city grows to include the desirable assets that most growing young families look for, when looking to move or buy a house. It would be important to make the city appealing to new buyers and grow the value of homes in our area.

Resume

{Attachments:value}

APPLICATION FOR APPOINTMENT TO THE
ROGERS PLANNING COMMISSION

Name: Tom Bloom Date: 11/7/17

Address: 12035 TILTON TRAIL NO.

Home Telephone: 54 Work Telephone:

I have been a resident of the City of Rogers for 20 years.

I understand that the Planning Commission has scheduled meetings on the 3rd Tuesday of each month, and acknowledge the importance of attendance and participation. I feel I have the time available to be an active participant.

Yes X No

Please list your past or present civic or volunteer organization memberships, particularly those, which may be relevant to the appointment you are seeking.

I AM A MEMBER OF THE MINNESOTA LAND SURVEYORS
ASSOCIATION. I AM A LICENSED LAND SURVEYOR IN THE
STATE OF MINNESOTA, LICENSED SINCE 2003

Please, briefly, describe other qualifications, experience, education, or special interests, which you would like the City Council to consider for the appointment you are seeking.

I AM A SMALL BUSINESS OWNER OF A LAND SURVEYING
COMPANY IN MINNETONKA.

Please list any particular planning/zoning issues, needs or problems that you feel strongly about:

I HAVE A STRONG UNDERSTANDING OF BOUNDARY LAW,
BOUNDARIES AND LAND PLANNING. ROGERS NEEDS TO ADDRESS
THE RURAL PORTION OF ITS CITY AND HOW FUTURE PLANNING
AFFECTS THESE CITIZENS. I'M NOT SO SURE THE CITY
ADDRESSES THESE ISSUES.

Signature: 

First Name: Zachary

Last Name: Plansky

Street Address: 22452 129th Ave N

City: Rogers

Zip Code: 55374

Email address:

Phone Number:

How long have you been a resident in the City of Rogers?:

6 years

Application Questions

1. Please, briefly, describe other qualifications, experience, education, or special interests, which you would like the City Council to consider for the appointment you are seeking.

I'm the founder and CEO of AT3 Tactical - a successful small business based on Hanover MN currently. Prior to operating AT3 Tactical, I've held various management positions in several companies. I believe my background as an entrepreneur and business owner could add value to the planning commission. Also, I'm interested in giving back the community and I think this could be a good way to start. My family has lived in Rogers since June of 2013 and we love it here.

2. Please list any particular planning/zoning issues, needs or problems that you feel strongly about:

I would like to see Rogers continue to grow and attract more businesses. I don't have any specific issues or problems at this point, but I would like the chance to help resolve any problems that exist.

Resume

{Attachments:value}

ZACHARY PLANSKY

22452 129th Ave, Rogers, MN 55374 || Cell: (

|| www.linkedin.com/in/zacplansky

SUMMARY

Broad business experience gained through experience in operations management and entrepreneurship. Able to develop a winning strategy and execute it. Strengths include product development, digital marketing, process development, and financial analysis.

WORK EXPERIENCE

Founder/CEO – AT3 Tactical – Hanover, MN (June 2013 – Present / Full-time as of July 2017)

Responsibilities

- Building a profitable firearms accessory brand from the ground up
- Driving sales through product development, digital marketing, and more
- Leading a team of 7 employees and contractors

Achievements

- Built business from a part-time endeavor to a thriving small business with multi-million-dollar annual revenues
- Developed a customer-focused culture that delivers products and content that customers love

Logistics Project Manager/Planning Manager – Polaris Industries – Medina, MN (Apr 2013 – Mar 2017)

Responsibilities

- Lead a team of 4 logistics analysts focused on logistics planning, network design, analytics, and process optimization
- Track and improve key metrics such as miles and cost per unit, cube utilization, cost reduction, inventory reduction, lead time, and departmental budget achievement
- Manage key strategic initiatives focused on cost savings, service improvement, and new product launch

Achievements

- Led project to improve truckload route optimization, resulting in >3% savings. Methodology was showcased as a best-practice at annual JDA Focus conference.
- Designed and implemented logistics network for a major 2014 product launch
- Led several successful network-design projects resulting in 7-figure savings
- Implemented intra-Mexico transportation redesign, resulting in increased capacity and savings over \$3 million to date

Logistics Analyst – Polaris Industries – Medina, MN (July 2011 – April 2013)

Responsibilities

- Produce various daily, weekly, and monthly reporting
- Develop ad-hoc reporting to support management decisions both internal and external to logistics group
- Assist in management of 3PL activities (inbound and outbound shipping, DC operations)
- Oversee freight payment activity, including development of auditing and coding rules, and serving as escalation point for logistics accounts payable issues
- Analyze freight spend and account for budget variances

Achievements

- Developed detailed activity-based budget methodology allowing for better understanding of cost drivers and more accurate forecasting
- Implemented Mexico customs broker change, resulting in \$500K annual savings
- Negotiated lower LTL rates and found LTL overcharges, resulting in \$470K annual savings
- Automated finished goods transfer planning process, reducing 12-hour weekly task to 2 hours
- Implemented changes in distribution center service areas, resulting in over \$1M annualized savings

WORK EXPERIENCE - CONTINUED

Production / Warehouse Manager – Primera Foods – Altura, MN (Oct 2009 – July 2011)

Responsibilities

- Managed production, shipping, receiving, and traffic operations in a food production facility
- Negotiated corporate domestic and international freight rates
- Sourced raw materials

Achievements

- Achieved 25% savings on ocean freight through direct steamship line contracts and heavyweight loading
- Introduced and implemented Lean and 5S principles
- Championed a company-wide project to improve information system

Materials Manager - Electrolux Home Products - Webster City, IA (May 2009 – Oct 2009)

Responsibilities

- Ensured accurate and on-time delivery of all purchased materials to all departments within a high-volume assembly plant
- Led a team of two salaried and 35 hourly individuals
- Monitored and controlled key metrics such as Raw Inventory Accuracy, Productivity, Scrap, and 5S performance
- Managed departmental budget

Achievements

- Achieved significant cost savings by identifying and eliminating handling waste and improving material flow
- Streamlined processes through structured problem-solving techniques
- Developed standardized work instructions for all departmental positions
- Reduced inventory levels through “pull” inventory systems

Production/Materials Supervisor - Electrolux Home Products - Webster City, IA (Oct 2006 - May 2009)

Responsibilities

- Led team of 100+ assembly operators in a durable-goods assembly line
- Delegated and organized work assignments
- Monitored and controlled productivity, quality, and waste
- Coached and audited safety

Achievements

- Led successful small-group workshops focused on teaching and implementing Lean fundamentals
- Championed projects focused on eliminating waste and improving operator productivity

SPECIAL SKILLS / QUALIFICATIONS

- Strong computer skills - Microsoft Office, VBA, AS400, various ERP Systems.
- Advanced skills in Microsoft Excel and Access
- Coding experience in VBA, HTML, CSS
- Applied knowledge of LEAN, 5S, Six Sigma, and other Continuous Improvement methodologies

EDUCATION

- Iowa State University – B.S. in Operations & Supply Chain Management (2006)
- Cumulative GPA: 3.01/4.00
- Villanova University - LEAN Six Sigma and Six Sigma Green Belt Certificates (2009)