Application: **Conditional Use Permit to Increase Parking Area for Used Motor Vehicle Lot, and add Maintenance and Repair of Customer Owned Vehicles, Provide Towing Services, Tire Sales and Onsite Sales and Display of Sawmills and Related Products (continuation)**

Applicant: **Nathan Walberg**

Agenda Item: **4 (a)**

Background Information: During the Public Hearing November 15, 2018, the Planning Commission requested the following to be provided for the January 17, 2019 continuation of the Public Hearing:

1. A Design for a floor drain/oil, water or sediment trap from a licensed SSTS Designer or a licensed Plumber to discharge to a holding tank;
2. A scalable Site Plan for the entire Commercial area indicating existing structures, dimensions of each display area with the number of vehicles or

units in each area, setbacks, and the specific location for the fence, the length, height and type of fence construction; and

3. A Landscape Plan indicating location of all existing trees and their types, and the location and type of additional trees to be planted to provide the 50% screening along Patriot Avenue and 100% screening to the south.

Mr. Walberg has provided the following:

1. A Design for a floor drain to a holding tank by a licensed SSTS Designer;
2. A scalable Site Plan for the Commercial area indicating existing structures and customer parking;
3. Mr. Walberg provided 4 photographs to indicate screening along Patriot Avenue, rather than a Screening Plan. The submitted photos appear to be within the right-of-way of Patriot Avenue.
4. A narrative explaining his plan to erect a fence to provide screening along the south lot line spanning the length of the buildings approximately 120 feet in length. 100% screening is provided along the north lot line by a forest of pine trees. Screening to the east is provided in the right-of-way by approximately 50 trees.
5. Mr. Walberg requested a copy of the CUP for Crow Wing Auto Body from 1993 and Dave Watt, Watt Auto, from 2002 be included in the packet.

Mr. Walberg is proposing to be allowed 150 units on the Commercial area split between sawmills and vehicles of his choice. The Site Plan does not indicate designated areas for parking of units.

The following information was provided in the November 15 Staff Report and included here as background information.

The applicant is requesting a Conditional Use Permit to increase the parking area for the used motor vehicle lot from 16,000 square feet to approximately 40,752 square feet. The subject property is approximately 217 feet wide along Patriot Avenue and approximately 1,800 feet deep, extending to Sibley Lake. The subject property is zoned Commercial through an area extending 600 feet from the eastern property boundary with Patriot Avenue, with the western remainder of the property zoned Shoreline Residential. The 600 foot commercial area is indicated on the map above with the red line.

The parcel is approximately 9.67 acres in size and is located at 29349 Patriot Avenue. The parcel contains an existing dwelling on the west side of the parcel near Sibley Lake in the Shoreline Residential zone, as well as an office, pole building and a log building within the Commercial zone. The applicant does not propose expansion of the existing structures.

The applicant has provided a site plan indicating areas for parking of vehicles and sawmills. Applicant has labeled them "A" through "I". The site plan also includes calculations that include green space or unused space between potential parking spaces for used motor vehicle sales. Area "I" on the site plan has no access.

The maximum impervious coverage limit is 25% in the Commercial zone, or 32,550 square feet for the proposed used vehicle lot. The site plan indicates approximately 30,598 square feet of "unused" space.

The applicant proposes to perform general mechanic maintenance and repair of customer owned vehicles, as well as tire sales.

Applicant also proposes to offer onsite sales and display of sawmills and related products. The display will be outside on the areas with the used motor vehicle sales lots.

Applicant also proposes to offer towing services and does not anticipate the necessity for a secure fenced area.

The adjacent property to the north is zoned Shoreline Residential and Commercial. The parcel to the south is owned by the DNR and is zoned Recreation.

The applicant has indicated the location contains adequate customer parking space. The site plan indicates 8 customer parking spaces.

The subject property is served by two Subsurface Sewage Treatment Systems (SSTS). The SSTS for existing dwelling was installed in 2008. The SSTS for the existing office building is compliant. A deep well was proposed for the existing dwelling and the existing office building is served by a deep well.

As outlined below in Section 17-5.10, fifty percent screening from the road is required. Applicant plans to utilize the existing trees for screening.

Applicant has not indicated how waste products from the mechanic maintenance and repair of customer owned vehicles will be disposed of.

The applicant has indicated he plans to apply for a sign. Signage will need to meet Section 17-7.1 and be applied for under a separate Land Use Permit.

Applicable Regulations:

Section 17-5.16 LAND USE MATRIX

A- allowed w/o a permit, P - permitted, C- conditional use, I - interim use, AC - accessory use, E - excluded

USE	C
Auto Repair	P
Commercial Use, Other (Not Classified)	C

Section 17-5.10 COMMERCIAL (C)

1. Purpose and Intent: To provide a zoning classification for commercial uses oriented around the automobile. Parcels are larger than in the Downtown Mixed-Use zone in order to provide on-site parking, on-site stormwater facilities as well as on-site water supply and sewage treatment where municipal utilities are not immediately available.

2. Compatibility: The Commercial zone should be established as a transition zone between the Downtown Mixed-Use zone or the Light Industrial Zone and the surrounding residential zones. The zone may not be established in an area where it is completely surrounded by residential zones.

3. Lot, Use and Density Requirements.

Lot width– feet, minimum	50
Buildable lot area (sewered) – square feet, minimum	10,000
Buildable lot area (unsewered) – square feet, minimum	20,000
Setback, right of way, City road- feet, minimum	30
Setback, right of way, County or State road, feet, minimum	30
Setback, between buildings – feet, minimum	10
Setback, side next to residential district – feet, minimum	30
Setback, side yard – feet, minimum	10
Setback, rear – feet, minimum	10
Setback, parking from lot line – feet, minimum	10
Setback, sign – feet, minimum	1
Setback, wetland – feet, minimum	50
Setback, unplatted cemetery or archeological site	50
Impervious surface – percent, maximum	25%
Building height – feet, maximum	25
Building above highest groundwater level – feet, minimum	3

4.

Performance Standards. The following performance standards apply to all development in this zone:

A. Impervious Coverage. Impervious coverage may be increased by up to 25%, not to exceed 50% of the property, through a conditional use permit if the following is provided and approved by the City:

(1) A storm water retention plan showing containment of the 10-year, 24-hour storm event on the parcel.

(2) Direct runoff of stormwater to adjacent properties and wetlands shall be eliminated through the use of berms,

infiltration ponds, swales, filtration strips or other permanent means.

B. Compatibility of Use. Use shall be compatible with the surrounding neighborhood. Uses shall not present noise, odor, light nuisances or any other nuisances.

C. Parking. Off-street parking shall be provided as per Section 7.10. On-street parking is not allowed under any circumstances. To reduce the visual impacts and amount of surface parking, shared parking and surface parking shall be located behind or to the side of a building. Additionally, suitable trees and shrubs shall be planted between parking lots and all adjacent sidewalks, roads, lots and buildings.

D. Screening. All sites shall be heavily landscaped to provide 100% screening to adjacent residential parcels and over 50% screening from the road or any non-residential parcel. Percentages shall be determined by amount of structure that can be seen during leaf-on conditions. A landscaping and screening plan must be submitted and approved by the Planning Commission with each conditional use permit.

E. Lighting. Lighting shall be minimal. Lighting shall be downward directional and shall be compatible with the surrounding development. Lights approved with signs must be turned off at the close of business each day.

F. Fire Lanes. Fire lanes shall remain unobstructed at all times.

G. Fences. Fences not exceeding 84 inches in height may be constructed. Under no circumstances shall a fence be constructed closer than 10 feet from the surface of a public road and in all cases not within the public right-of-way. Materials shall consist of usual fencing materials with posts and fence of metal, wood, concrete, brick or smooth wire. Barbed or electrified wire is prohibited, except where specific approval has been given by the Planning Commission.

Section 17-11.6 CONDITIONAL USE PERMITS

1. Conditional Use Permits shall be issued to the property for structures or other specified uses after a public hearing and approval by the Planning Commission. All applications for a Conditional Use Permit shall be submitted to the Zoning Administrator **30** days ahead of the hearing date, accompanied by a

certificate of survey (unless waived by the Zoning Administrator) showing the details of the proposal and an accurate legal description, along with the appropriate fee. The fee or contract owner of the property shall sign the application. The Zoning Administrator shall notify all property owners within a minimum of 350 feet by regular mail and shall advertise the hearing once in the legal section of the official newspaper at least 10 days ahead of the public hearing. The Zoning Administrator shall send the same notice 10 days in advance of this hearing to the DNR if the proposed is in shoreland. At the applicant's option, the applicant may request a sketch plan review with no action by the Planning Commission and omit by giving 14 days notice thereof to the Zoning Administrator, meeting time permitted.

2. Submissions for Conditional Use Permit. The applicant shall complete the Conditional Use Permit application approved by the City Council. The application shall contain submittal requirements, criteria for approval, procedure for consideration and City contact information. The City shall not accept applications where the applicant has past due fees or charges due to the City until the account is made current.

3. In permitting a new Conditional Use or alteration of an existing Conditional Use, the Planning Commission may impose, in addition to the standards and requirements expressly specified by this Ordinance, additional conditions that the Planning Commission considers necessary to protect the best interest of the surrounding area or the City as a whole. These conditions may include, but are not limited to the following:

A. Increasing the required lot size or yard dimension.

B. Limiting the height, size or location of buildings.

C. Controlling the location and number of vehicle access points.

D. Increasing the street width.

E. Increasing or decreasing the number of required off-street parking spaces.

F. Limiting the number, size, location or lighting of signs.

G. Requiring berming, fencing screening, landscaping or other facilities to protect adjacent or nearby property.

H. Designating sites for open space.

I. Stormwater runoff management.

J. Reducing impervious surfaces.

K. Increasing setbacks.

L. Restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.

4. The Planning and Zoning Commission shall decide the issue with consideration to the following:

A. The following must be met:

(1) The use or development is an appropriate conditional use in the land use zone.

(2) The use or development, with conditions, conforms to the comprehensive land use plan.

(3) The use with conditions is compatible with the existing neighborhood.

(4) The use with conditions would not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the City.

(5) For Conventional Subdivisions, the property contains physical constraints which make it unable to be developed by the Conservation Subdivision method.

B. The following must be considered:

(1) The conditional use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted on that property, nor substantially diminish or impair values in the immediate vicinity.

(2) The conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

(3) The conditional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

(4) The conditional use will have vehicular approaches to the property which are so designed as not to create traffic

congestion or an indifference with traffic on surrounding public thoroughfares.

(5) Adequate measures have been taken to provide sufficient off-street parking and loading space to serve the proposed use.

(6) Adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so none of these will constitute a nuisance and to control lights and signs in such a manner, that no disturbance to neighboring properties will result.

(7) The conditional use will not result in the destruction, loss or damage of a natural, scenic or historical feature of major significance.

(8) The conditional use will promote the prevention and control of pollution of the ground and surface waters including sedimentation and control of nutrients.

5. When costs to the City involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to retain in reviewing permits.

6. Conditional Use Permits may be transferable where requested by an applicant and approved by the Planning Commission.

7. Violations of the conditions of a Conditional Use Permit shall automatically suspend the permit. A review of the violation shall be conducted by the Planning Commission. The Planning Commission shall determine conditions for reinstating the permit or revocation, if applicable.

8. Failure by the owner to act on a Conditional Use Permit within 12 months, or failure to complete the work under a Conditional Use Permit within 2 years, unless extended by the Planning Commission, shall void the permit. A second extension shall require a new public hearing. This provision shall apply to any Conditional Use Permit outstanding at the time of the Ordinance adoption.

9. Appeals from the action of the City shall be filed with District Court within 30 days after City Council action.

10. The Conditional Use Permit shall be filed with the County Recorder within 45 days of approval.

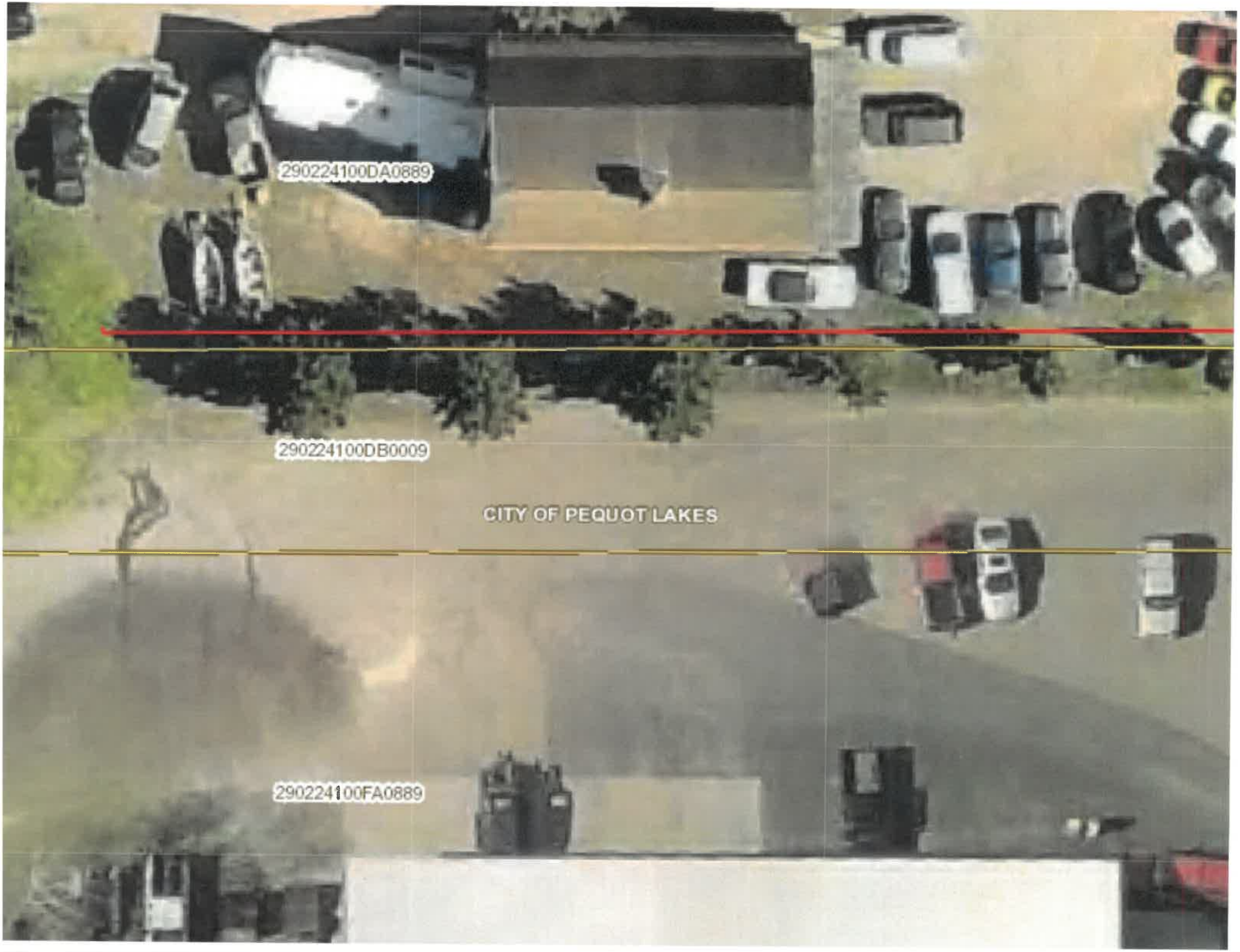
Staff Findings: Staff provides the following Findings of Fact for consideration by the Planning Commission:

1. The conditional use permit request is to amend the existing conditional use permit to allow expansion of the parking area for the used motor vehicle lot, add maintenance and repair of customer owned vehicles, provide towing services, tire sales and onsite sales and display of sawmills in the Commercial zone.
2. The subject property is located at 29349 Patriot Avenue and is zoned Commercial and Shoreline Residential.
3. The subject property is conforming. The parcel contains a dwelling, an office, a pole building, and a log building.
4. The subject property is served by private water wells and 2 private sewer systems.
5. The proposed "use" is considered "Commercial Use (Other, Not Classified)" and requires a conditional use permit.
6. The proposed use, with conditions, conforms to the comprehensive plan.
7. The adjacent property is zoned "Shoreline Residential", "Commercial", and "Recreation".
8. The proposed use is compatible with the existing neighborhood.
9. Signage will be applied for under separate Land Use Permit meeting Section 17-7.1 of the City Code.
10. The proposed use, with conditions, will not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the City.
11. The conditional use, with conditions, will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject property.
12. The subject properties are accessed via Patriot Avenue. There will not be a significant increase in traffic on either street due to the proposed use. The public cost for facilities and services for the proposed development will not be detrimental to the economic welfare of the community.
13. The proposed use will not generate any offensive odor, fumes, dust, noise or vibrations that will be a nuisance to neighboring properties.
14. The proposed use will not destroy any natural or scenic features. There are no known historical features of major significance on the subject property.
15. The proposed use, with conditions, will promote the prevention and control of ground and surface waters.

Planning Commission Direction: The Planning Commission can approve the Conditional Use Permit, deny the application, or table the request if additional information is needed. If the motion is for approval or denial, Findings of Fact should be cited.

Staff Recommendation: The subject property is suited well for the proposed use. We recommend the application be approved with the following conditions:

1. No tire sales, exterior display saw mills, or repair/maintenance work on customer owned vehicles may be allowed on the subject property until the conditions of this permit are fulfilled.
2. There shall be no exterior storage of tires.
3. Fifty percent screening shall be maintained along Patriot Avenue.
4. A floor drain/sediment trap shall be installed in the auto repair area in accordance with MDH's best management practices. The floor drain shall be connected to a holding tank and pumped regularly. The holding tank system shall be designed by a licensed SSTS designer. A copy of a maintenance/pumping contract shall be submitted to the city.
5. All garbage, used oil and related waste shall be disposed of in accordance with MPCA standards.
6. No more than four customer-owned inoperable vehicles shall be kept outside for more than 48 hours.
7. All work on vehicles shall be conducted within an enclosed structure.
8. Signage shall be permitted by separate application.
9. There shall be no more than a total of "x" used vehicles for sale and sawmills allowed on the subject property. The maximum number allowed is a combination of used vehicles and sawmills. OR Used motor vehicles for sale and sawmills shall only be allowed in areas "A" through "H", as indicated on the site plan.
10. Parking areas shall be set back a distance of 10' or greater from all property lines in areas that are not screened by a fence.
11. A 6'-7' high wooden privacy fence shall be constructed along the south property line. The fence shall commence 3'+ north of the southeast property corner and run a distance of 200 ft west, parallel with the south property line.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S-19-02

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By

Holding Tank Design

Property Owner: Nathan Walberg Date: 12-19-18
Mailing Address: 29349 Patriot Ave
City: Pequot Lakes State: Minnesota Zip: 56472
Home Phone Number: ___-___-___ Cell: 218-857-1101
Site Address: SAME
City: State: ___ Zip: ___
Driving directions if no address issued: ___

Legal Description: ___
Sec: 22 Twp: 136 Range: 29 Township Name: Sibley
Parcel Number: 290-224-100-DA0-889
Lake/ River: Sibley Lake/River Classification: GD

Reason for Holding Tank commercial site
Unsuitable Site: ___
Limited Use (<150 gpd): ___ Floor Drain
Failing System: ___
Commercial Facility: ___

Tank Information
Number of Tanks: 1
Tank Sizes: 1000
Alarm Type: Electric

Designer Name: Bob Bartel License Number: 2088
Address: P.O. Box 62
City: Brainerd State: Minnesota Zip: 56401
Home Phone Number: ___-___-___ Cell: 218-831-6430
E-Mail Address: BTservices56401@Gmail.com
Designer Signature: Bob Bartel Date: 12-19-18

****A SITE PLAN IS REQUIRED WITH THIS DESIGN****

Monitoring and Disposal Contract

See Attached 4 Pages from MPCA

Licensed Maintainer Business: ___

The maintainer agrees to provide pumping services for the holding tank system described above. The homeowner is responsible for ensuring the removal of the tank contents before overflow or any discharge.

Maintainer Signature: ___ Date: ___

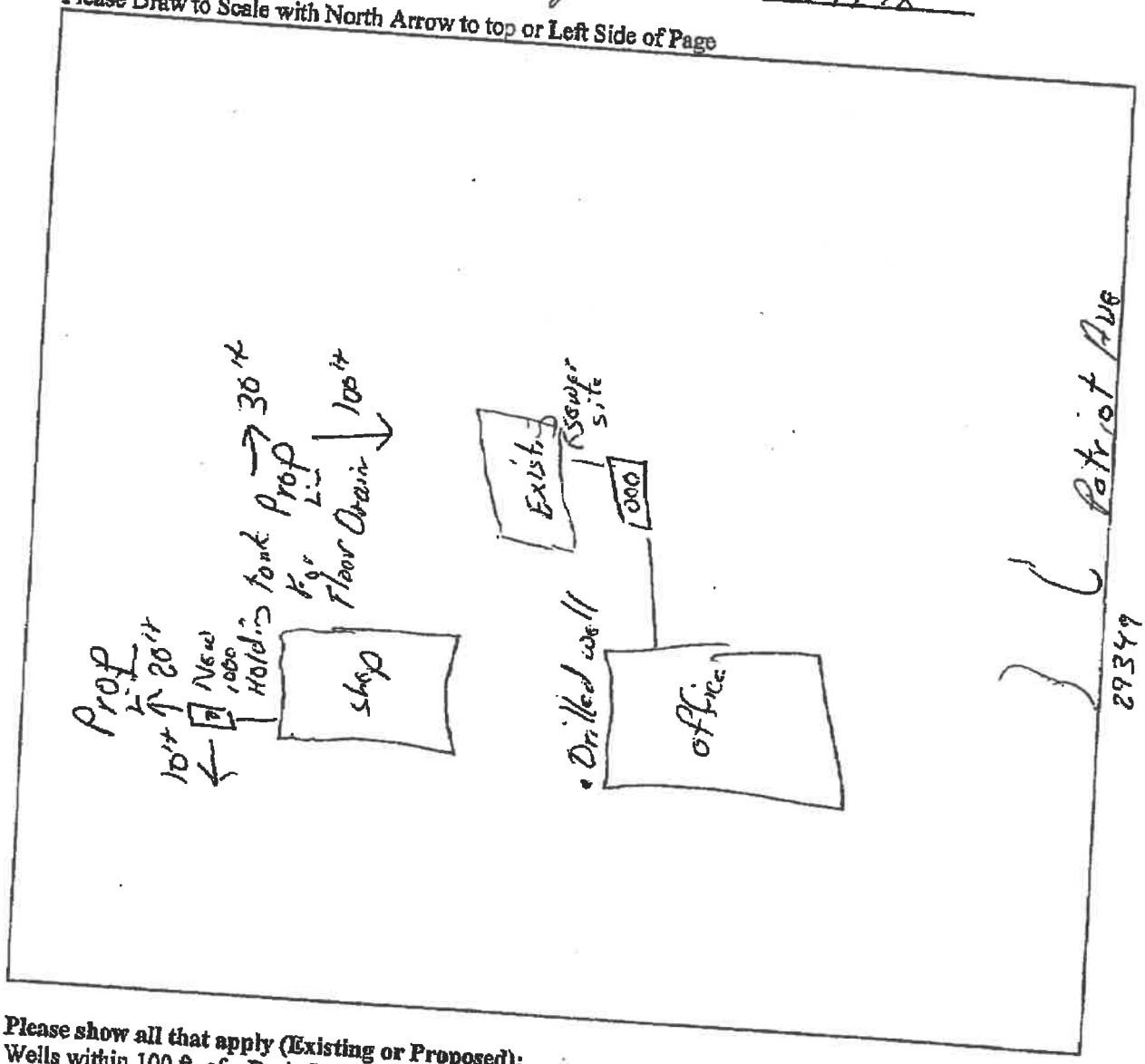
Property Owner Signature: ___ Date: ___

290-224-160-DAO-889

Holding Tank Design

Property Owner: Nathan Walberg Date: 12-19-18

Please Draw to Scale with North Arrow to top or Left Side of Page



Please show all that apply (Existing or Proposed):

Wells within 100 ft. of a Drainfield
Water lines within 10 ft. of a Drainfield
Disturbed/Compacted Areas
Drainfield Areas
Boring Locations
Component Location
OHW
Lot Easements
Access Route for Tank Maintenance
Property Lines
Structures
Setbacks

Elevations:

_____ Benchmark Elevation
_____ Elevation of Sewer Line at House
_____ Tank Inlet Elevation
_____ Drainfield Elevation
To Be set after floor is installed
_____ Pump Elevation
_____ Pump Discharge Elevation
_____ Restricting Layer Elevation

Designer Signature: Bob Bartel
License Number: 2088

Date: 12-19-18
Page 2 of 2

MINNESOTA POLLUTION CONTROL AGENCY

www.pca.state.mn.us

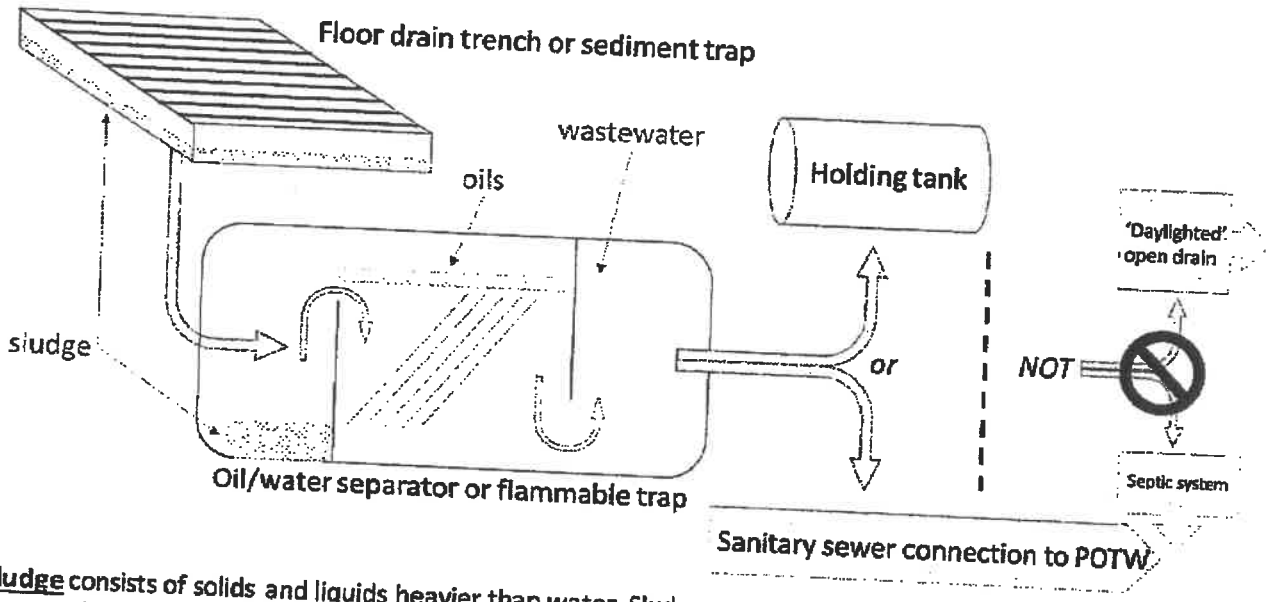
Floor Drains, Separators and Traps, and Holding Tanks

Many businesses that store, fuel, repair, or wash vehicles indoors have floor drains to catch snowmelt and wash water from the vehicles. Floor drains may also be used to collect releases from industrial and manufacturing equipment. The wastes held by floor drains and associated plumbing can present risks to human health and the environment if improperly managed. This fact sheet will discuss the waste management requirements for these wastes administered by the Minnesota Pollution Control Agency (MPCA) and the Metropolitan Counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington (Metro Counties).

What types of waste are generated by floor drains?

Floor drains can mix many sources of waste, including wash water, used oil, chemicals, and sediments into a single difficult-to-manage semi-liquid stream. Many floor drain systems include trenches, also known as a sediment trap, and use an oil/water separator, also known as a flammable trap, to segregate these wastes.

Diagram 1: Common parts of floor drain systems



Sludge consists of solids and liquids heavier than water. Sludge may appear to be mainly sand or grit, however it may not be assumed to be clean dirt; it is a solid waste.

Oils consist of the floating liquids that are lighter than water.

Wastewater includes all liquids in your floor drain system after sludges and oils have been removed. Wastewater may appear clear, however it may not be assumed to be clean water; it is a regulated wastewater.

How must floor drain wastes be managed?

Sludge

If you have documented that your site follows the Floor Drain Best Management Practices (BMPs) on page 4, you may assume that your sludge is non-hazardous. You may manage non-hazardous sludge by:

- Dewatering it into your floor drain system and then disposing of the solids as an industrial solid waste. Do not dewater sludge on the ground. Do not use sludge as fill on your site or spread it on the ground. If managing it as a solid waste, place it into your solid waste collection container.

- Sending it off-site as a used oil-contaminated waste. You may mix sludge with other solid used oil-contaminated wastes, such as used floor dry and sorbents. See MPCA fact sheet #w-hw4-30, Used Oil and Related Wastes, at https://www.pca.state.mn.us/sites/default/files/w-hw4-30.pdf.
- Land applying it at your site or another site. You must follow the requirements in MPCA fact sheet #w-sw4-18, Land Application of Business Traps and Holding Tanks, at https://www.pca.state.mn.us/sites/default/files/w-sw4-18.pdf.

If your site has not followed the Floor Drain Best Management Practices on page 4, you must assume that your sludge is a hazardous waste. See MPCA fact sheet #w-hw1-06, Treat or Dispose of Hazardous Waste, at https://www.pca.state.mn.us/sites/default/files/w-hw1-06.pdf to determine how to manage it.

Oils

You may manage floating oils as used oil. See MPCA fact sheet #w-hw4-30, Used Oil and Related Wastes, at https://www.pca.state.mn.us/sites/default/files/w-hw4-30.pdf.

If you do not manage the floating oils as used oil, you must evaluate them to determine if they are a hazardous waste. See MPCA fact sheet #w-hw1-01, Evaluate Waste, at https://www.pca.state.mn.us/sites/default/files/w-hw1-01.pdf.

Wastewater

If you follow the Floor Drain Best Management Practices on page 4, you may assume that your wastewater is non-hazardous. You may manage non-hazardous wastewater by:

- Discharging it through a sanitary sewer to a municipal sewage treatment plant, also known as a publicly owned treatment works (POTW). Notify the receiving POTW and comply with any reporting or testing conditions they require.
- Accumulating it in an on-site holding tank before transporting it via truck to a POTW that has agreed to accept the wastewater.
- Land applying it at your site or another site. You must follow the requirements in MPCA fact sheet #w-sw4-18, Land Application of Trap and Holding Tank Wastes, at https://www.pca.state.mn.us/sites/default/files/w-hw4-30.pdf, unless the wastewater is from a vehicle wash or storage site.

  *If your wastewater is only from a vehicle wash or a vehicle storage site where no vehicle maintenance, including oil changes, is performed, you may instead follow the less stringent requirements in MPCA fact sheet #w-lndapp2-08, Land Application of Vehicle Wash and Vehicle Storage Wastewater, at https://www.pca.state.mn.us/sites/default/files/w-lndapp2-08.pdf.

If your site has not followed the Floor Drain Best Management Practices on page 4, you must assume that your wastewater is a hazardous waste. See MPCA fact sheet #w-hw1-06, Treat or Dispose of Hazardous Waste, at https://www.pca.state.mn.us/sites/default/files/w-hw1-06.pdf to determine how to manage it.

How may floor drain wastes not be managed?

'Daylighted' open drain

The practice of discharging floor drains directly to the ground outside a building, commonly known as 'daylighting', is prohibited in Minnesota for commercial sites and for residential garages used for commercial activities, such as home-based auto repair businesses.

Septic system

Septic systems that receive any commercial or industrial wastes beyond sink, toilet, and cooking wastes are considered Class V injection wells that are closely regulated by the U.S. Environmental Protection Agency (EPA). They are also discharges to the unsaturated zone regulated by the MPCA. Septic systems are also known as subsurface treatment systems (SSTS) or individual sewage treatment systems (ISTS).

EPA Class V injection well regulation

Most Class V injection wells that receive wastewater from floor drains where any motor vehicle servicing or repair is performed, including home-based auto repair businesses, are prohibited, even if the BMPs in this fact sheet have been followed.

Some Class V injection wells that receive wastewater from floor drains where any motor vehicle servicing or repair is performed, but that have been in operation since before 2000 and are not in a wellhead protection area, are allowed, but only if their operators submit well inventories to the EPA, test their discharges, and document that their discharges meet drinking water standards. These standards are extremely difficult for most floor drain wastewater to meet.

Other Class V injection wells that receive any other commercial wastes, including from floor drains at factories, coating operations, and warehouses, are allowed only if their operators submit well inventories to the EPA, test their discharges, and document that their discharges meet drinking water standards. These standards are extremely difficult for most floor drain wastewater to meet.

For more information regarding Class V injection well requirements, visit the EPA at http://www.epa.gov.

MPCA regulation

The MPCA regulates all discharges of business wastes to the ground, other than sink, toilet, and cooking wastes, as discharges of potential pollutants to the unsaturated zone. Discharge of any potential pollutant to a septic system is prohibited if it does not meet drinking water standards. These standards are extremely difficult for most floor drain wastewater to meet.

More information

Guidance and requirements in this fact sheet were compiled from Minnesota Rules, Chapters 7035, 7045, 7050, 7060, and 7080 and incorporate regulatory interpretation decisions made by the MPCA in December 1993, and on March 23, 2018. Visit the Office of the Revisor of Statutes at https://www.revisor.mn.gov/pubs to review applicable Minnesota Statutes and Rules.

For more information, contact your Metro County hazardous waste office or the MPCA. The MPCA's Small Business Environmental Assistance Program can provide free, confidential compliance assistance for many businesses. The Minnesota Technical Assistance Program can assist you with waste minimization and pollution prevention. Report all spills of hazardous waste or other pollutants immediately to the Minnesota Duty Officer.

Metro County Hazardous Waste Offices

Anoka 763-324-4260
..... https://www.anokacounty.us/
Carver 952-361-1800
..... http://www.co.carver.mn.us/
Dakota 952-891-7557
..... https://www.co.dakota.mn.us/
Hennepin 612-348-3777
..... http://www.hennepin.us/
Ramsey 651-266-1199
..... https://www.ramseycounty.us/
Scott 952-496-8177
..... http://www.scottcountymn.gov/
Washington 651-430-6655
..... https://www.co.washington.mn.us/

Minnesota Pollution Control Agency

Toll free (all offices) 1-800-657-3864
All offices 651-296-6300
..... https://www.pca.state.mn.us/

Minnesota Duty Officer

Toll free 1-800-422-0798
Metro 651-649-5451

Small Business Environmental Assistance Program

Toll free 1-800-657-3938
Metro 651-282-6143
..... https://www.pca.state.mn.us/sbeap/

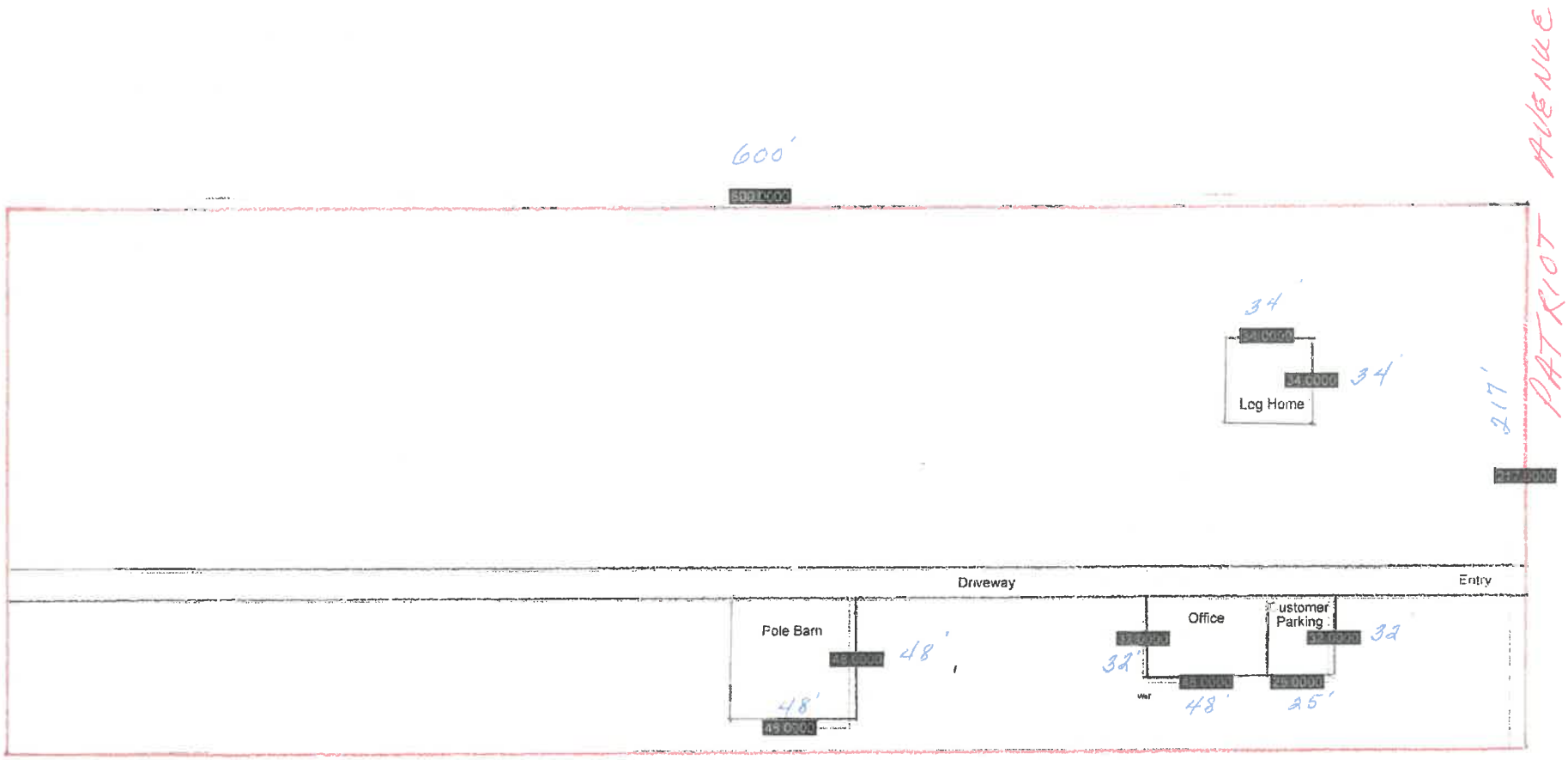
Minnesota Technical Assistance Program

Toll free 1-800-247-0015
Metro 612-624-1300
..... http://www.mntap.umn.edu

Floor Drain Best Management Practices

If you...	Then...
Are connected to a city sanitary sewer (POTW)	Notify the city's sewage treatment plant (POTW) operator about your floor drain wastes. Comply with any conditions required by the POTW.
Have a septic system at your site	Collect all floor drain waste in a holding tank. Ensure that no floor drain waste is discharged to the septic system or a 'daylighted' open drain.
Use aerosol-dispensed solvents or degreasers	Clean parts over a drip pan, not the floor. Transfer the drip-off from the pan immediately after use to a closed waste container. Manage the waste container as instructed in MPCA fact sheet #w-hw1-05, Accumulate Hazardous Waste, at https://www.pca.state.mn.us/sites/default/files/w-hw1-05.pdf. You may also consider cleaning parts in a parts washer instead of using aerosol-dispensed solvents and degreasers whenever possible.
Change vehicle fluids (motor oil, brake fluid, etc)	Use drip pans under vehicles to collect fluids. Manage motor oil, brake fluid, and transmission fluid as used oil as instructed in MPCA fact sheet #w-hw4-30, Used Oil and Related Wastes, at https://www.pca.state.mn.us/sites/default/files/w-hw4-30.pdf.
Clean shop floors	Use dry sweeping compounds if needed instead of hosing floors down. Manage used sweeping compounds and other absorbents contaminated with fuels or used oil, such as floor dry, as used oil-related wastes as instructed in MPCA fact sheet #w-hw4-30, Used Oil and Related Wastes, at https://www.pca.state.mn.us/sites/default/files/w-hw4-30.pdf.
Spill products or wastes	Clean up all spills immediately, even small ones. Maintain appropriate spill control equipment and perform required emergency planning for your hazardous waste generator size. See MPCA emergency planning fact sheets for: • Very Small Quantity Generators #w-hw1-08a https://www.pca.state.mn.us/sites/default/files/w-hw1-08a.pdf • Small Quantity Generators #w-hw1-08b https://www.pca.state.mn.us/sites/default/files/w-hw1-08b.pdf • Large Quantity Generators #w-hw1-08c https://www.pca.state.mn.us/sites/default/files/w-hw1-08c.pdf If you are unsure of your hazardous waste generator size, see MPCA fact sheet #w-hw1-02, Determine Generator Size, at https://www.pca.state.mn.us/sites/default/files/w-hw1-02.pdf.
Store liquid chemicals, fuels, or oils	Keep containers closed. Ensure all product containers are labeled with their contents. Store flammable chemicals in a fire-resistant cabinet with integral containment.
Store liquid wastes	Keep containers closed. Ensure that no possible leaks could reach your floor drain. Inspect waste containers weekly. Follow all other waste accumulation requirements in MPCA fact sheet #w-hw1-05, Accumulate Hazardous Waste, at https://www.pca.state.mn.us/sites/default/files/w-hw1-05.pdf
Wash vehicles	Post signs prohibiting engine washing by employees and customers. Immediately stop any employee or customer washing engines.

SITE PLAN



600'
PATRIOT AVENUE
34'
34'
Log Home
217'
Driveway
Entry
Pole Barn
48'
48'
Office
Customer Parking
32'
32'
48'
25'

MUST

RECEIVED
DEC 21 2018
By

Screening plan

The only major change to the screening will be to the south a fence spanning the length of the buildings approximately 120 feet in length will be installed. The height will be maximum allowed. It will be constructed of wood. We will install the fence.

To the North we have 100 percent screening as we have a forest of pine trees to that side of the property.

To the East we have approximately 50 percent screening as the right of way has numerous pine trees a birch and an ash tree in front of the property. It appears to be approximately 50 trees. The area the trees are located is approximately 65x50 feet. I will be providing pictures to illustrate.

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DEC 21 2018
By

Proposed conditional use terms

The property is approximately 600x217 or approximately 130200 sq feet

130200/4=32550 sq footage of useable space under current rules.

Average vehicle is 14.965 feet long

Average vehicle is 6.67 feet wide

Average square footage a vehicle uses is 99.82 sq feet

I'm proposing that I be allowed 150 units total on the property split between sawmills and vehicles of my choosing. I will also be choosing where those vehicles go. The vehicles that are ready for sale will be up front. Ones that are not ready will remain behind the proposed fence that will run the length of the office. Vehicles take up more room than sawmills so we will go off the average square footage of a vehicle of 99.82 sq feet.

At maximum that would put us using 14972 sq feet well below the 32550 based on ¼ of the property usage.

If you factor in the square footage of all buildings of 5302 sq feet we are still only at 20274 sq feet

CROW WING COUNTY ZONING PERMIT

COURTHOUSE BLDG
NERD, MN 56401
(3) 828-3964

PER/APP/RCPT #: 9308799
DATE: 01/21/93
released 3/2/93

NAME/ADDRESS: SEILS, GREG D/B/A CROW WING AU P O BOX 519
PEQUOT LAKES MN 56472

R E CODE: 910224100F00009 LEGAL DESC: S. 250 FT OF NE1/4 OF SE1/4 AND THE S. 250 FT OF GOV. LOT 3

SEC TWP RGE TWP NAME:
22 136 29 SIBLEY

LAKE: SIBLEY

APPLT NAME: GREG SEILS CONTR NAME: CLASS: GD

CURR ZON CLASS: C2 MISS HDWTRS AREA: N S/S INST: SITE PLN: X

NAME/NUMBER OF PUBLIC ROAD: HWY 371 N EST. ELEV ABOVE G.W.T.: 0.0FT

FLOOD PLAIN AREA: CERTIFIED FINISH FLOOR ELEVATION: 0.0

PURPOSE OF PERMIT: CONSTRUCTION/INSTALLATION OF:
COMM BLDG/ADDN; CONDITIONAL USE. MEETING DATE: 02-10-93.

CONDITIONAL USE PERMIT APPROVED BY PC 2/10/93 FOR THE ESTABLISHMENT OF AN AUTO BODY REPAIR BUSINESS IN EXISTING STRUCTURE WITH A PROPOSED 24' X 45' ADDITION TO REAR AND UPGRADE SEWER SYSTEM IF NECESSARY WITH ATTACHED CONDITIONS:

1. Signage be in accordance with Crow Wing County Zoning Ordinance Standards, that being one square foot of sign for every lineal foot of highway frontage.
2. Vegetative screening be maintained and additional screening be planted if necessary.
3. Used oil, antifreeze, gasoline, paint, paint thinner, car batteries, etc. be disposed of and stored in a conforming manner.
4. Customer parking in or to the side of the building, storage of vehicles to the rear of the property.
5. A vegetative buffer be maintained between the business and the properties adjacent.
6. Area be kept neat and clean.
7. The sewage system be evaluated by Planning & Zoning staff and expanded if it is found to be undersized. The floor drain located in the new addition be connected to a holding tank placed outside the structure.

ACCORDANCE WITH THIS PERMIT IS IN VIOLATION OF COUNTY REQUIREMENTS AND SHALL BE SUBJECT TO LATE FEE CONSIDERATION AND/OR FULL CRIMINAL PROSECUTION PURSUANT TO THE ORDINANCE.

THIS PERMIT SHALL EXPIRE ONE (1) YEAR FROM THE DATE ISSUED UNLESS OTHERWISE CLEARLY STATED ON THE PERMIT. THIS PERMIT DOES NOT WAIVE THE RESPONSIBILITY OF THE PROPERTY OWNER/APPLICANT/CONTRACTOR FOR OBTAINING OTHER APPLICABLE PERMITS AS MAY BE REQUIRED BY OTHER AGENCIES, UNITS OF GOVERNMENT, ETC.

NOTE: ALL SEWAGE SYSTEMS INSTALLED, ALTERED OR MODIFIED REQUIRE INSPECTION BY THE ZONING OFFICER PRIOR TO BACKFILLING. ANY DIRT MOVING, SHORE LINE ALTERATIONS, OR CLEAR CUTTING OF VEGETATION ON WATERFRONT PROPERTY MAY REQUIRE A PERMIT AND/OR PUBLIC HEARING. PLEASE CONTACT THE ZONING OFFICE FOR A REVIEW OF YOUR PLANS PRIOR TO STARTING WORK.

APPLT SIGN: Charlene Seils STAFF SIGN: JR

FEE: 0.00 CHK AMT: 0.00 CHK #: CASH RCV: 0.00

Rcpt 9308895
$ 150.00

SIBLEY TOWNSHIP PLANNING AND ZONING HEARING
JANUARY 8, 2002
SIBLEY TOWNSHIP HALL

PRESENT: Craig Nagel, Karl Moon, Barb Sjoblad, Marty Nelson, Mark Hallen, Cheri Seils, Dennis Slayton,

David Watt
29279 State Hwy 371
Pequot Lakes, Minnesota 56472

Pupose of Hearing: Conditional use in order to use building as a Auto Repair Shop.

Cheri Seils stepped down from the Board on this hearing, due to a conflict of interest.

Signage was discussed- Mr. Watt stated he would be putting the sign for his establishment on the building and would follow the 64 sq. ft Sign Ordinance for signs on buildings.

Mr. Watt stated he would have 9 customer parking spaces. 4 to 5 of these spaces would be to the front of the building, the remainder on the side.

Mr. Watt was asked about his intentions in regard to the rental property (house) on the parcel. He stated the house would remain there until the backage roads would go through and then tear it down and use it as a commercial lot.

Mr. Watt was asked about outside storage on the property. He stated he may move in a storage container which is insulated and approximately the size of a ½ of boxcar.

Cheri Seils (neighboring business, Crow Wing Auto Body) stated she was in support of Mr. Watt's operation of a Auto Repair Shop next to their business and in close proximity to their home.

After discussion a motion was made by Karl Moon to make a recommendation to the Sibley Township Board to accept the application of David Watt for a conditional use to operate a Auto Repair Shop with the following conditions:

1. Screening plan submitted to Planning and Zoning showing existing vegetation, and when vegetation dies, replant with like species.
2. Alarm on Class V Injection Well Tank, pumping records submitted to Sibley Township
3. Not more then 30 vehicles parked excluding personal vehicle, no vehicle to remain on site for more than a 14-day period.
4. Pole Building not be used for habitation, or other than identified in CUP
5. Acquire MPCA and EPA permits for disposal of oils, antifreeze, solvents etc, toxic wastes.
6. No accumulation of debris and rubbish on property.
7. Site sign will be located on building with a maximum of 64 sq. ft. as per Ordinance.
8. CUP review in 5 years or change of ownership whichever occurs first.

Motion seconded by Marty Nelson, all ayes, motion carried.

Karl Moon made a motion to adjourn the meeting at 7:45 PM, motion seconded by Barb Sjoblad, all ayes, motion carried.

Respectfully submitted,

Cathy Malecha
Clerk Sibley Township

City of Pequot Lakes

4638 Main Street • Pequot Lakes, MN 56472 • (218) 568-5222 • Fax: (218) 568-5860 • www.pequotlakes-mn.gov

November 21, 2018

Nathan Walberg
29349 Patriot Avenue
Pequot Lakes, MN 56472

RE: Conditional Use Permit Application

Dear Mr. Walberg:

In reviewing the draft Minutes from the November 15, 2018 Planning Commission meeting, I offer the following points that need to be addressed and received no later than December 19, 2018 for the January 17, 2019 Planning Commission meeting:

1. A Design for a floor drain/oil, water or sediment trap from a licensed SSTS Designer or a licensed Plumber; this will need to discharge to a holding tank;
2. A scalable Site Plan for the entire Commercial area indicating existing structures, dimensions of each display area with the number of vehicles or units in each area, setbacks, and the specific location for the fence, the length, height and type of fence construction;
3. A Landscape Plan indicating location of all existing trees and their types, and the location and type of additional trees to be planted to provide the 50% screening along Patriot Avenue and 100% screening to the south.

If you have any questions, please feel free to contact me at 218-568-6699 or at dbittner@pequotlakes-mn.gov. Thank you.

Sincerely,

Dawn Bittner
Zoning Specialist

C: Planning Commission