

**CITY OF DUNDAS PLANNING COMMISSION  
PUBLIC HEARING AND REGULAR MEETING AGENDA  
THURSDAY, JANUARY 19, 2023  
7:00 P.M. - DUNDAS CITY HALL**

1. CALL TO ORDER
  - a. Roll Call
2. PUBLIC FORUM/PRESENTATIONS (non-agenda items)
3. ORGANIZATIONAL MEETING
  - a. Election of Chair  
**Motion by \_\_\_\_\_, second by \_\_\_\_\_**
  - b. Election of Vice Chair  
**Motion by \_\_\_\_\_, second by \_\_\_\_\_**
4. APPROVAL OF AGENDA  
**Motion by \_\_\_\_\_, second by \_\_\_\_\_ to approve agenda**
5. APPROVAL OF MINUTES
  - a. Public Hearing and Regular Minutes of November 17, 2022\*  
**Motion by \_\_\_\_\_, second by \_\_\_\_\_ to approve minutes**
6. PUBLIC HEARING
  - a. Conditional Use Permit Amendment Application submitted by GM2 Properties LLC\*
    - i. Open Public Hearing at \_\_\_\_\_ p.m.
    - ii. Staff Presentation\*
    - iii. Applicant Presentation
    - iv. Public Comment
    - v. Closed Public Hearing \_\_\_\_ p.m.
7. OLD BUSINESS
8. NEW BUSINESS
  - a. Recommendation to the City Council on Conditional Use Permit Application  
**Motion by \_\_\_\_\_, second by \_\_\_\_\_ to recommend to Council**
  - b. Zoning Code Updates
9. ADJOURN  
**Motion by \_\_\_\_\_, second by \_\_\_\_\_ to adjourn at \_\_\_\_\_ p.m.**

**CITY OF DUNDAS PLANNING COMMISSION  
PUBLIC HEARING AND REGULAR MEETING MINUTES  
THURSDAY, NOVEMBER 17, 2022  
7:00 PM – DUNDAS CITY HALL**

**UNOFFICIAL MINUTES**

Present: Chair Grant Modory, Commissioners Larry Alderks, Francis Boehning, Bruce Morlan, Luke LaCroix, Luke Swartwood, Glenn Switzer

Staff: City Planner Nate Sparks, City Administrator Jenelle Teppen

**CALL TO ORDER**

Chair Modory called the Dundas Planning Commission Public Hearing and Meeting to order at 7:00 p.m. A quorum was present.

**APPROVAL OF AGENDA**

**Motion by Morlan, second by Alderks, to approve the Public Hearing and Meeting agenda. Motion Carried Unanimously (MCU)**

**APPROVAL OF MINUTES**

**Motion by Morlan, second by LaCroix, to approve the special meeting minutes of May 31, 2022. (MCU)**

**PUBLIC HEARING**

Variance request from Bridgewater Township for an Addition to Existing Building resulting in an encroachment into front yard setback at 500 Railway St S.

*Open Public Hearing:* Chair Modory opened the public hearing 7:03 p.m. for a Variance request submitted by Bridgewater Township.

*Staff Presentation:* City Planner Sparks stated that Bridgewater Township has made an application for a variance to allow an 8 by 36-foot addition to be placed on the north side of the Town Hall at 500 Railway Street South. He stated City Code requires a minimum of a 35-foot setback to all rights-of-way. and the setback is increased to 100-feet when residentially zoned property is across the street. He indicated the proposed addition will be about 30 feet from the DeMann Court right-of-way (required to be 35 feet) and about 88 feet from the Railway Street right of way (required to be 100 feet) with the existing building about 37 feet from the DeMann Court right-of-way and 88 feet from the Railway Street right-of-way. He further stated City Code requires a yard facing a residentially zoned district must contain a berm with trees and shrubs to provide a buffer between the industrial and residential use. He reported no landscaping plan was provided meeting this requirement.

*Applicant Presentation:* Kathleen Kopseng, Bridgewater Township Chair was present and indicated the building addition will provide more meeting space and improve energy efficiency.

*Public Comment:* John Zander, 108 DeMann Ct owner of property directly west of the Town Hall, encouraged the Planning Commission to approve the Variance request without requiring landscaping.

*Closed Public Hearing:* Chair Modory closed the public hearing at 7:12 p.m.

**NEW BUSINESS**

Recommendation to City Council for a Variance to Allow an Addition onto the Existing Bridgewater Town Hall Building Resulting in an Encroachment into the Front Yard Setback by about Three (3) Feet at 500 Railway St S. PID 17.15.2.01.009

**Motion by Boehning, second by Switzer, to recommend approval of the variance request to the City Council with conditions as detailed by Planning and Engineering Staff. MCU**

**ADJOURN**

**Motion by Boehning, second by Swartwood, to adjourn the meeting at 8:00 p.m. MCU**

---

Chair Grant Modory



**NOTICE OF PUBLIC HEARING**  
**City of Dundas – Rice County**

NOTICE IS HEREBY GIVEN that the Dundas Planning Commission will conduct a Public Hearing on Thursday, January 19, 2023 at 7:00 p.m. or soon thereafter as possible at Dundas City Hall, 100 Railway St N, Dundas, MN, to consider an application from GM2 Properties LLC for a Conditional Use Permit to allow for outdoor storage in the Highway Commercial zoning district at 616 Hwy 3 South, Dundas, PID 17.11.3.00.005.

The Planning Commission will consider both oral and written comments. If you desire to be heard in reference to this matter you may attend the Public Hearing, submit a letter to the City Administrator/Clerk at City of Dundas, PO Box 70, Dundas, MN 55019-0070, or email [jteppen@dundas.us](mailto:jteppen@dundas.us). Letters and emails must be received by 4:30 PM, Thursday, January 19, 2023. A copy of the materials are available for inspection at Dundas City Hall during normal business hours.

Jenelle Teppen, Administrator/Clerk  
Published *Faribault Daily News*: January 7, 2023



## **NORTHWEST ASSOCIATED CONSULTANTS, INC.**

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422  
Telephone: 763.957.1100 Website: [www.nacplanning.com](http://www.nacplanning.com)

### **PLANNING MEMO**

TO: Dundas Planning Commission  
Jenelle Teppen, City Administrator

FROM: Nate Sparks

REPORT DATE: January 13, 2023

RE: Conditional Use Permit – Outdoor Storage – Johnson-Reiland Homes  
616 Highway 3

#### **Background**

Johnson-Reiland Homes has made a conditional use permit request to allow for outdoor storage of materials at their office located at 616 Highway 3.

#### **Zoning**

The property is located within the B-2 Highway Commercial District. Within the district “commercial and professional offices” are a permitted use. Johnson-Reiland Homes is a home builder and this site is the location of their office. The business started recently storing building materials on the site. They were informed that outdoor storage is not permitted within the B-2 District unless they are in receipt of a conditional use permit.

#### **Ordinance Standards**

The B-2 District is intended to “provide a district allowing for the development of highway oriented businesses and “big box” retail uses which require concentrations of auto traffic closely related to existing urban areas and/or major transportation routes. The district is also intended to accommodate those commercial uses which may be incompatible with predominantly retail uses permitted in the downtown business district and whose service is not confined to any one neighborhood or community.”

A sales office use is permitted within the B-2 District. The applicant is proposing an exterior storage area accessory to the office use to store materials used in the construction business. The B-2 District has a clause in it that states: “outside storage of materials, equipment, unused vehicles, truck trailers or products is not permitted unless authorized by conditional use permit.”

A “contractor’s office” is a use where a building contractor, plumber, electrician and other similar uses have their headquarters. This use is permitted within the LI, Limited Industrial District with a conditional use permit when not inclusive of outdoor storage. A contractor’s office with outdoor storage would require a conditional use permit within the GI, General Industrial District.

Typically, the exterior storage related to a B-2 type business would be materials being sold to customers like the lumber yard at Menard's. This appears to be general storage related to home building.

### *Setbacks*

Exterior storage areas are not permitted in the front yard where permitted. There were two site plans submitted. On the survey, the storage area is smaller (100' x 50') and located even with the principal building. On the landscaping plan, the storage area is somewhat irregularly shaped but is 400 feet wide at its widest and 220 feet deep at its greatest depth. It is located about 20 feet from the north property line. The entrance includes a cul-de-sac turnaround for trucks and trailers.

The B-2 District states that "accessory uses" cannot exceed 30% of the gross floor area of the principal structure. This exterior storage area appears to be larger than the principal structure.

The plan also shows a "relocated portable shed" that is 33' x 12' in size. Relocation of this structure would require a permit. It not clear what is meant by "portable shed" but if it is a temporary structure, it would only be permitted to be on site for 180 days.

### *Landscaping*

Exterior storage areas are required to be screened from view. The applicant is proposing a white vinyl fence. Specifications on the fence type are required. They are proposing a landscaping plan that includes adding six maple trees and five evergreen trees between County Road 1 and the storage area.

No information was given on the surfacing of the exterior storage area. In districts where permitted, exterior storage areas are required to have surfacing that controls dust.

### **Planning Commission Discussion**

In making its determination on a proposed conditional use, the City may consider the nature of the adjoining land or buildings, whether or not a similar use is already in existence and located on the same premises or on other lands in close proximity, the effect upon traffic into and from the premises, and any other factor(s) the City deems necessary in its consideration for determining the effect of the use on the general welfare, public health and safety.

If the Planning Commission finds that the clause in the ordinance stating that "outside storage of materials, equipment, unused vehicles, truck trailers or products is not permitted unless authorized by conditional use permit" means that any business may have outdoor storage related to their business then it could make findings in favor of the request.

The size of the storage area, surfacing, and landscaping are all concerns. The Commission should discuss these matters as well.

### **Recommended Action**

The Planning Commission should hold a public hearing and formulate a recommendation to the City Council regarding the request.

Staff would note that a large storage area of this nature is typically only permitted within the General Industrial District. This is intended to be a commercial district. Outdoor storage is not permitted even in the Limited Industrial District. Exterior storage of goods for sale accessory to a commercial use would fit the intent of the code better.

The size of the area for storage is far greater than the size of the building. The code states that accessory uses should not exceed 30% of the footprint of the principal structure. If this is viewed as an accessory use, it would need to be resized. Accessory building or use is defined as: “a subordinate building or use which is located on the same lot on which the main building or use is situated and is reasonably necessary and incidental to the conduct of the primary or principal use of the building or main use.”

Landscaping to County Road 1 would need to be more robust to provide screening.

Any recommendation of approval should include the following conditions:

1. A landscaping plan and planting schedule meeting code requirements and providing full screening to adjacent rights-of-way is required.
2. Surfacing of the storage area shall be identified and be of a “dustless” nature.
3. A grading plan shall be provided for review and approval by the City Engineer.
4. Fencing specifications shall be provided.
5. The storage area shall be reduced in size to be no larger than approximately 30% of the area of the principal structure.
6. All conditions required by the City Engineer, City Attorney, and Planning Commission shall be addressed.

# City of Dundas

100 Railway Street N.  
P.O. Box 70  
Dundas, MN 55019-0070

## DEVELOPMENT APPLICATION

FOR OFFICE  
USE  
ONLY

Date Filed:	11.8.2022
Date Complete:	
Received By:	JT
Base Fee:	\$500
Escrow:	\$1,000

**Instructions:** Please read carefully and answer all questions thoroughly. Only complete applications will be accepted after validation by the Zoning Administrator, and prior to acceptance of required processing fees and escrows.

### PROPERTY INFORMATION

Property Identification Number (PID): 17.11.3.00.005  
Street Address: 616 Hwy 3, Dundas, MN 55019  
Legal Description: \_\_\_\_\_  
Other information: \_\_\_\_\_

### APPLICATION INFORMATION

Name: \_\_\_\_\_ Business Name: Johnson Reiland Builders & Remodelers  
Address: 616 Hwy 3 S  
City: Dundas State: MN Zip Code 55019  
Telephone 507-366-1288 Fax N/A e-mail ashley@johnsonreilandhomes.com

### PROPERTY OWNER INFORMATION (if other than applicant)

Name: \_\_\_\_\_ Business Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_ e-mail \_\_\_\_\_

### REQUEST

Annexation Request	_____	Ordinance Amendment (text or map)	_____
Appeals	_____	Preliminary Plat/PUD	_____
Conditional Use Permit Amendment	<u>X</u>	Simple Land Division/Consolidation	_____
Comprehensive Plan Amendment	_____	PUD (concept plan/development)	_____
Final Plat/PUD	_____	Vacation / Easement	_____
Interim Use Permit Amendment	_____	Variance	_____

### DESCRIPTION of REQUEST (attach additional sheets as necessary)

Existing Property Zoning Classification/Existing Use of Property: Will remain the same

Nature of Proposed Use: Adding a fenced in area for outside storage of materials used for the business.

**DESCRIPTION of REQUEST (attach additional sheets as necessary)**

Reason(s) to Approve Request: To help clean up the area around the business and keep the property  
looking nice. As well as abide by city rules.

Will be adding a solid white pvc fencing.

Please describe any previous applications pertaining to the subject site:

None.

Project Name: Johnson Reiland CUP Date of Application: 10/26/22

Nature of Request:  
CUP for outside storage.

**APPLICATION FEES AND EXPENSES** The undersigned agree that all fees and expenses incurred by the City of Dundas for the processing of this application, including, without limitation, costs for professional services, are the responsibility of the applicant and property owner to be paid immediately upon receipt or the City may approve a special assessment for which the property owner specifically agrees to be assessed for 100 percent per annum and waives any and all appeals under Minnesota Statutes 429.81. All fees and expenses are due whether the application is approved or denied.

I, the undersigned, hereby apply for the considerations described above and declare that the information and materials submitted in support of this application are in compliance with adopted City policy and ordinance requirements and are complete to the best of my knowledge.

I understand that this application will be processed in accordance with established City review procedures and Minnesota Statutes Section §15.99, as amended, supplemented or replaced from time to time, at such time as it is determined to be complete. Pursuant to Minnesota Statutes Section §15.99, as amended, supplemented or replaced from time to time, the City will notify the applicant within (15) business days from the filing date of any incomplete or other information necessary to complete the application. Failure on my part to supply all necessary information as requested by the City may be cause for denying this application.

Applicant: Ashley Malecha Date: 11/7/22

Property Owner: Matthew Reiland Date: 11/7/22

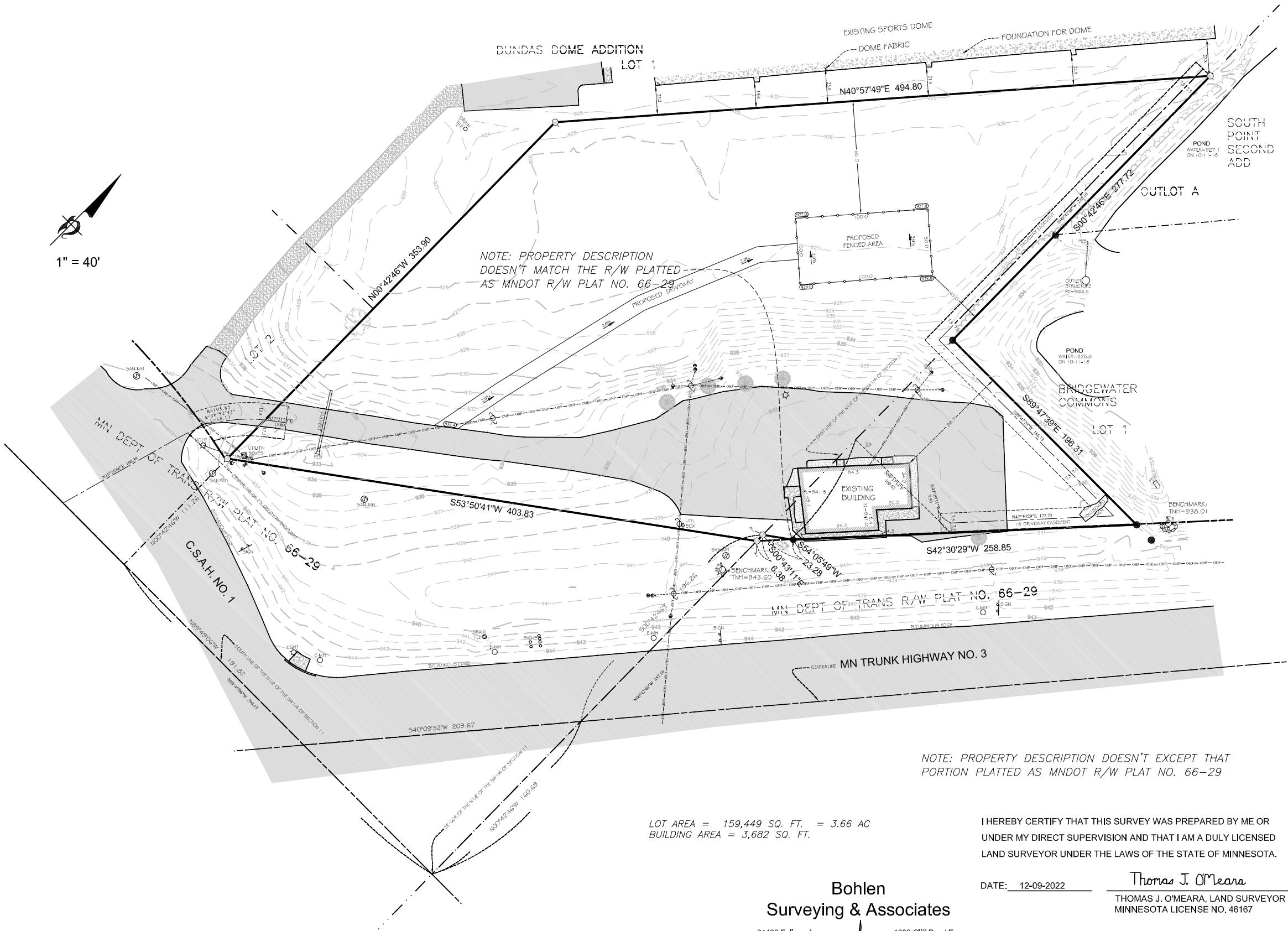
Please contact the City of Dundas with any questions:  
507-645-2852  
cityhall@dundas.us

FormDA2022



ADDRESS: 616 HIGHWAY 3 SOUTH

CERTIFICATE OF SURVEY FOR JOHNSON REILAND BUILDERS & REMODELERS, INC.



- Ⓜ DENOTES MAILBOX
- DENOTES IRON PIPE MONUMENT SET
- DENOTES FOUND IRON PIPE MONUMENT
- DENOTES PROPOSED DRAINAGE DIRECTION
- ⊕ DENOTES SERVICE LOCATION
- DENOTES WOOD HUB
- 000.0 DENOTES EXISTING ELEVATION
- 000.0 DENOTES PROPOSED ELEVATION
- DENOTES EXISTING CONTOUR
- DENOTES PROPOSED CONTOUR
- DENOTES DECIDUOUS TREE
- DENOTES EVERGREEN TREE
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES TREE LINE
- OHP — OHP — DENOTES OVERHEAD POWER LINE

PROPERTY DESCRIPTION

Part of the N1/2 of the SE1/4 and part of the N1/2 of the SW1/4 of Section 11, Township 111 North, Range 20 West of the Fifth Principle Meridian, in the City of Dundas and in the City of Northfield, Rice County, Minnesota, described as follows: Beginning at a point in the East line of said N1/2 of the SW1/4, North 0 degrees 42 minutes 46 seconds West, assumed bearing, 160.69 feet from the Southeast corner of said N1/2 of the SW1/4, said point being in the centerline of Minnesota Trunk Highway 3; thence South 40 degrees 09 minutes 32 seconds West, along said highway centerline, 209.67 feet to a point in the South line of said N1/2 of the SW1/4; thence North 89 degrees 49 minutes 06 seconds West along said South line 191.82 feet; thence North 0 degrees 42 minutes 46 seconds West 465.16 feet; thence North 40 degrees 57 minutes 49 seconds East 494.80 feet to a point in said East line of N1/2 of SW1/4; thence South 0 degrees 42 minutes 46 seconds East along said East line 277.72 feet; thence South 89 degrees 47 minutes 39 seconds East 196.31 feet to a point in the Northwestly right of way line of Minnesota Trunk Highway 3; thence South 42 degrees 30 minutes 29 seconds West along said Northwestly right of way line 258.85 feet; thence continue along said right of way line South 54 degrees 05 minutes 49 seconds West 23.28 feet to a point in said East line of the N1/2 of the SW1/4; thence South 0 degrees 42 minutes 46 seconds East along said East line 196.26 feet to said point of beginning.

Together with an easement for driveway purposes over and across a strip of land 25.00 feet in width, being 12.50 feet on both sides of the following described line: Beginning at a point in the South line of said N1/2 of the SW1/4, South 89 degrees 49 minutes 06 seconds West 394.13 feet from the Southeast corner of said N1/2 of the SW1/4, said point being within County State Aid Highway 1 right of way; thence North 15 degrees 07 minutes 00 seconds East 100.39 feet; thence Northeastly along a curve, concave Southeasterly (curve data: Radius = 105.82 feet; Delta Angle = -36 degrees 52 minutes 43 seconds; Chord bearing and distance = North 33 degrees 33 minutes 21 seconds East 66.94 feet) an arc distance of 68.11 feet; thence North 51 degrees 59 minutes 43 seconds East 15.00 feet and there terminating.

Subject to an easement for driveway purposes over and across a strip of land 15.00 feet in width, being 7.50 feet on both sides of the following described line: beginning at said Southeast corner of the N1/2 of SW1/4 of Section 11; thence North 0 degrees 42 minutes 46 seconds West, along the east line of said N1/2 of the SW1/4, 457.19 feet; thence North 89 degrees 17 minutes 14 seconds East, 100.62 feet to the true point of beginning of the easement to be herein described, said point being in the northwesterly right of way line of Minnesota Trunk Highway 3; thence North 47 degrees 29 minutes 31 seconds West, 7.50 feet; thence North 42 degrees 30 minutes 29 seconds East, 122.73 feet; thence North 89 degrees 47 minutes 29 seconds West, 186.73 feet; thence North 0 degrees 42 minutes 46 seconds West, 285.10 feet and there terminating.

LOT AREA = 159,449 SQ. FT. = 3.66 AC  
BUILDING AREA = 3,682 SQ. FT.

NOTE: PROPERTY DESCRIPTION DOESN'T EXCEPT THAT PORTION PLATTED AS MNDOT R/W PLAT NO. 66-29

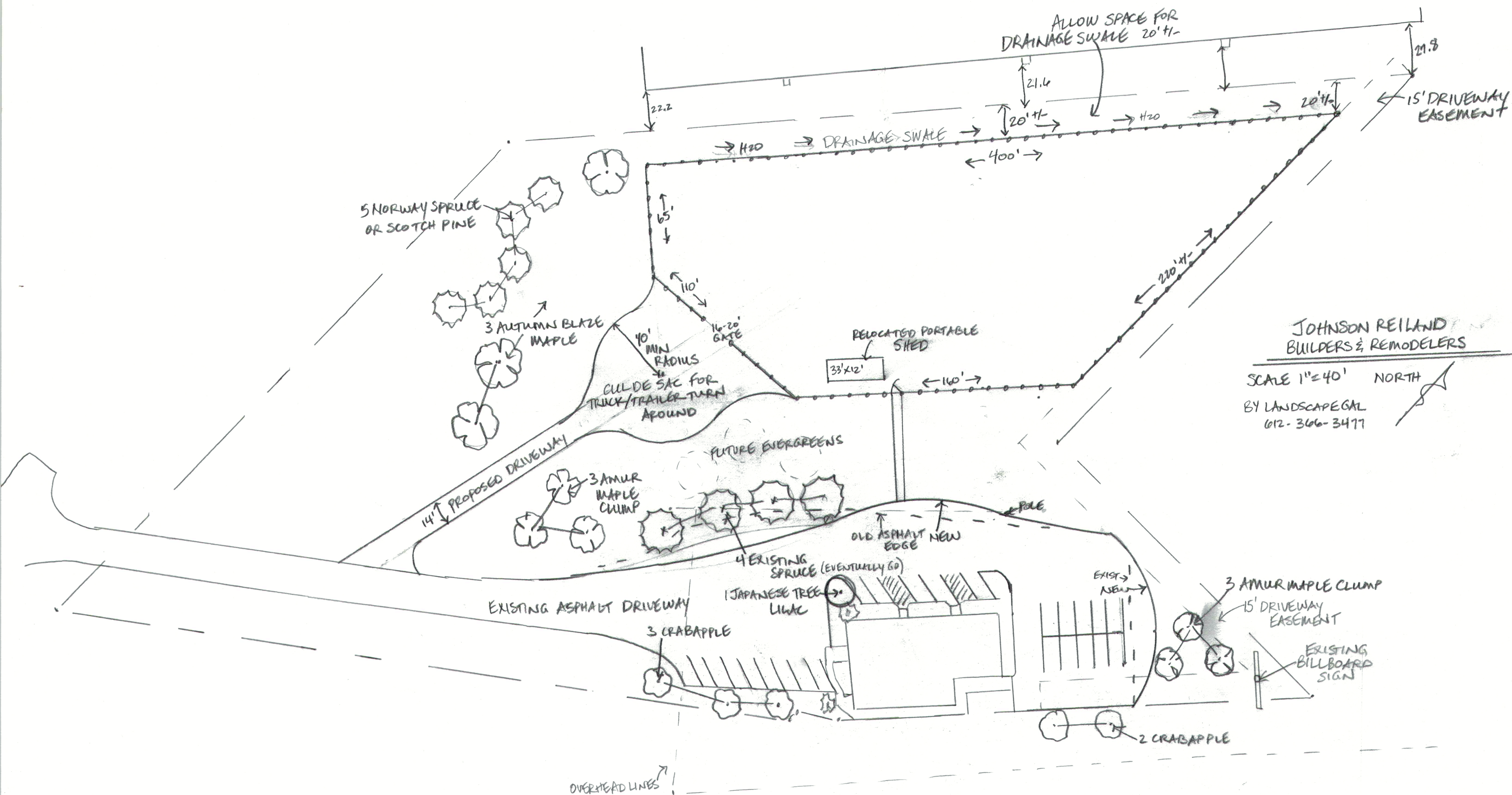
I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 12-09-2022

Thomas J. O'Meara  
THOMAS J. O'MEARA, LAND SURVEYOR  
MINNESOTA LICENSE NO. 46167

Bohlen  
Surveying & Associates  
31432 Foliage Avenue  
Northfield, MN 55057  
Phone: (507) 645-7768  
tomeara@bohlersurveying.com  
1682 Cliff Road E.  
Burnsville, MN 55337  
Phone: (952) 895-9212  
Fax: (952) 895-9259





JOHNSON REILAND  
BUILDERS & REMODELERS  
SCALE 1"=40' NORTH  
BY LANDSCAPE GAL  
612-346-3477





# **NORTHWEST ASSOCIATED CONSULTANTS, INC.**

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422  
Telephone: 763.957.1100 Website: [www.nacplanning.com](http://www.nacplanning.com)

## **PLANNING MEMO**

TO: Dundas Planning Commission  
Jenelle Teppen, City Administrator

FROM: Nate Sparks

REPORT DATE: January 13, 2023

RE: Zoning Updates – Comprehensive Plan

### **Background**

The City recently updated the comprehensive plan and the zoning map will need to be updated to match the plan.

### **Land Use Changes**

In the new Comprehensive Plan, the City identified areas for development of different types and densities. Some of the concepts reflected in the plan do not correspond with the Zoning Ordinance.

The zoning structure currently has R-1 as single family. This is proposed to be split by the Comprehensive Plan into two categories. One category is for the old plat of the City, the Traditional Residential. The other is for the more contemporary suburban development style with larger lots. Therefore, it would make sense to have R-1, Low Density Residential and R-2, Traditional Single Family Residential. R-2 would have smaller lots allowed but both would be single family residential districts.

The current R-2 District currently allows single family, duplexes, and townhomes. This would be more targeted towards the medium density development going forward with allowing townhomes and duplexes. Some small lot single family could be discussed (detached townhomes).

The current R-3 District would need to be revised to fit a more apartment style of development.

The Downtown Commercial district needs to be split into two subdistricts. One that requires commercial uses on the ground floor and one that could entertain ground level residential.

The City has, in the past, only zoned properties for the Hester Street District upon redevelopment. This approach will need to be re-evaluated. This could be accommodated by allowing non-conforming single family uses to expand. Building materials standards will be necessary.

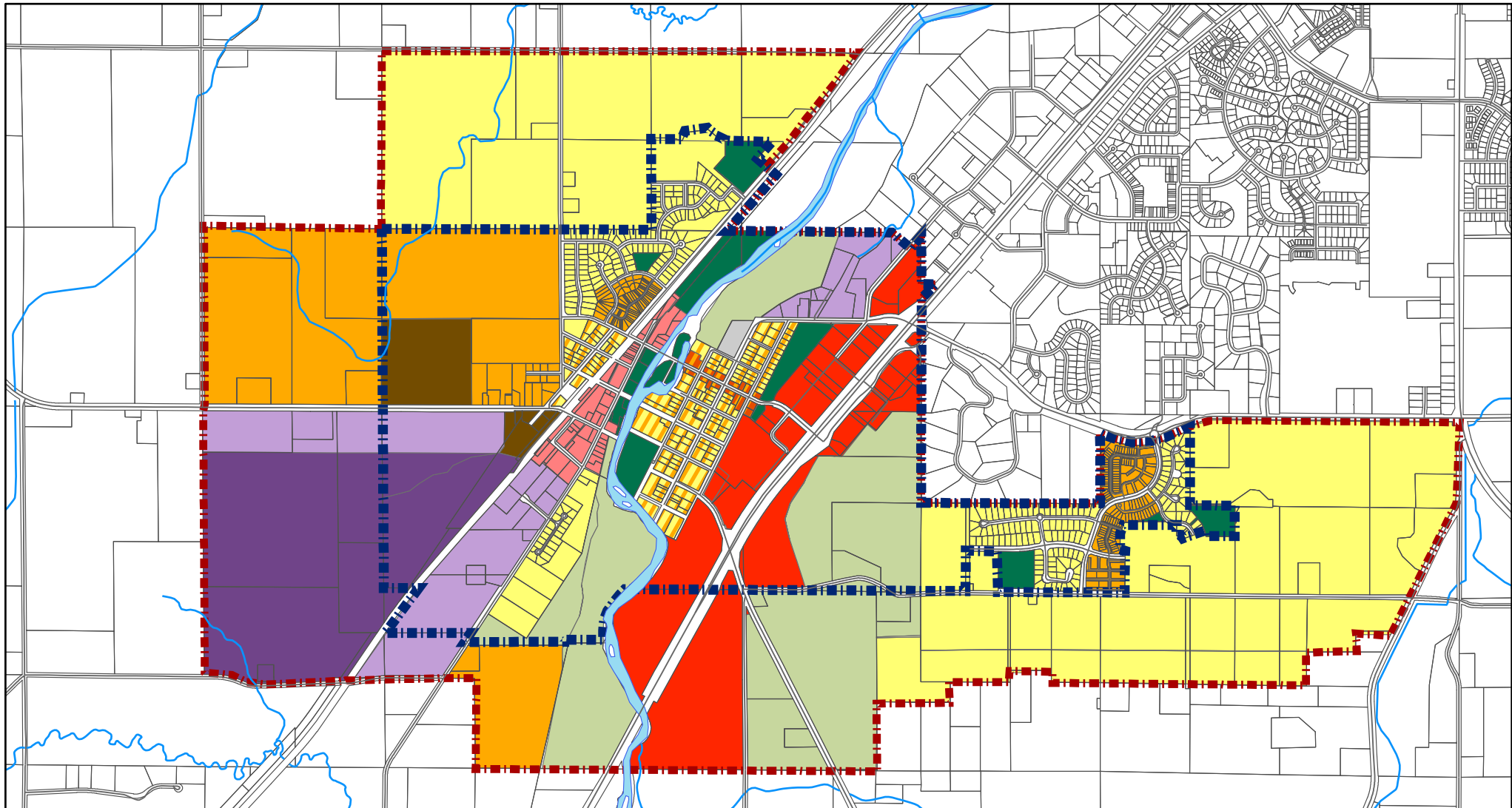
The Highway Commercial district apparently allows more industrial type uses than the industrial districts, this is inconsistent with the Comprehensive Plan. The use types in this district will need to be re-evaluated.

The industrial areas on the zoning map don't match the industrial areas on the land use plan.

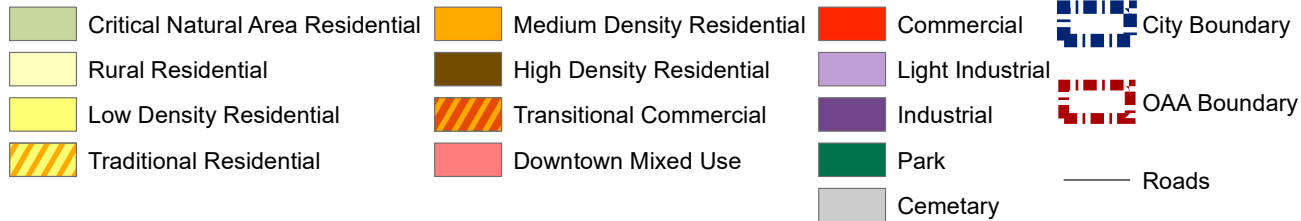
**Planning Commission Discussion**

Staff will walk through some proposed conceptual changes to the Zoning Ordinance and then prepare draft text for review and a public hearing at an upcoming meeting.

# Future Land Use Plan



## Land Use



0 0.175 0.35 0.7 Miles



Source: Rice County, MNDOT,  
Northwest Associated Consultants

Map Updated: 07/18/20



# Zoning Map

## City of Dundas

### Zoning

- P-OS Park-Open Space
- NRSF Natural Resource  
SF Residential
- R-1 Single Family  
Residential
- R-2 Two Family and  
Townhouse Residential
- R-3 Multifamily  
Residential
- HSD Hester Street  
District
- B-1 Downtown Business  
District
- B-2 Highway Commercial  
District
- L-I Limited Industrial
- G-I General Industrial
- PUD
- Rural Service District
- Future Hester Street  
District

### Cannon Recreational River District

- General Development
- Natural Environment

### Bluff Protection District

- Bluff Protection District

