



NORTH BRANCH

—Minnesota—

Steve Cich
Chair

Nathan Ehalt
Commissioner

Ross Otto
Commissioner

Gary Shaefer
Commissioner

Open
Commissioner

PLANNING COMMISSION REGULAR AGENDA

WEDNESDAY, SEPTEMBER 17, 2025 @ 6:30 PM
CITY HALL, 6408 ELM STREET, NORTH
BRANCH, MN 55056

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC COMMENT

Provides an opportunity for the public to address the Council on items that are not on the Agenda. Please raise your hand to be recognized. Please state your name and address for the record. This section is for the express purpose of addressing concerns of City services and operations. It shall not be used to clarify individual's views for political purposes.

5. AGENDA APPROVAL

a. Approve Agenda

ACTION

6. PUBLIC HEARINGS

a. Variance from City Code Section 66-943 Design Standards for permitted building materials and a Zoning Text Amendment and Conditional Use Permit for outdoor storage at 39777 Flink Ave

ACTION

7. NEXT MEETING - OCTOBER 7, 2025

8. ADJOURNMENT



Planning Commission Action

Motion to recommend/deny approval to the City Council, for Beach Transport requests for:

- Variance from design standards
- Text Amendment to City Code to include Outdoor Storage, Equipment & Materials as a Conditional Use in the B-Business Zoning District
- Conditional Use Permit for Outdoor Storage, Equipment & Materials at 39777 Flink Ave.

Overview / Background

Loren Beach (Applicant) has requested approval for a Variance from Design Standards for building materials, Text Amendment to City Code to include outdoor storage, equipment & materials as a Conditional Use in the B-Business Zoning District and Conditional Use Permit for outdoor storage, equipment & materials at 39777 Flink Ave. These requests are for a proposed building and garage for Beach Transport Inc. This business provides aggregate material transportation for public and private road construction.

The previous use of the parcel was a single-family residence which has since been demolished by the applicant. The 4.98 acre parcel is zoned B-Business and is entirely surrounded by properties zoned similarly. The subject site has frontage on I-35 and is visible from this freeway. The subject site is only accessible from Flink Ave by an easement provided on the parcel to the west.

The overall site goals are to provide commercial office space for business (trucking) operations with an attached garage for servicing semi fleet. An office building and heavy truck, repair, sales and service are permitted uses within the B-Business Zoning District. Trucking is not currently listed as a use within any of the zoning districts; however Terminal, Trucking & Freight Transfer are list as a conditional use in the Industrial districts. Development plans are subject to Site Plan review, which is handled administratively.

Issue(s) to Consider

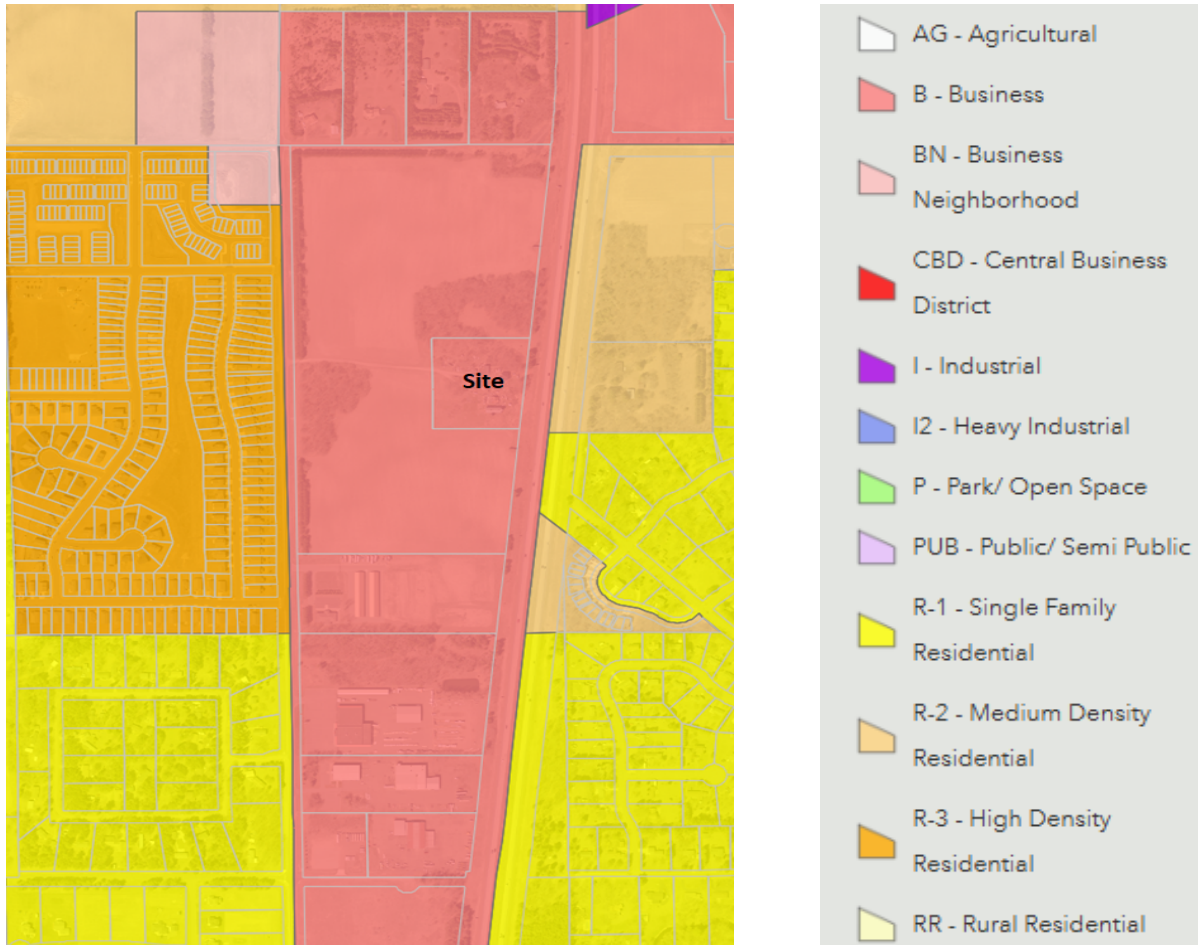
1. Land Use/Zoning and Surrounding Uses
2. Variance from Design Standards
3. Text Amendment to City Code
4. Conditional Use Permit – Outdoor Storage, Equipment & Materials

Analysis of Issue(s)

1. Land Use/Zoning and Surrounding Uses

The Subject Property is zoned **B - Business** and guided **LUB - Land Use Business**, per the Comprehensive Plan. The subject site is completely surrounded by PID 11.000364.00, a vacant parcel currently used for farming and agriculture. This surrounding parcel is zoned similarly as B-Business, as this area has visibility from I-35. There are several businesses to the south of the subject site including Gopher State Storage, Frerich's Construction Outdoor Storage, Lakes & Pines commercial building, Lamperts Lumber, and Schwing Bioset. These businesses are all currently zoned B-Business; however the zoning designation for some of these parcels in the past has been Industrial. All businesses within this corridor have followed the appropriate zoning regulations at the time of construction.

Zoning Map:



2. Variance from Design Standards

The applicant has applied for a variance for building materials used on the garage portion of the building. The variance is from City Code Section 66-943 Design Standards. According to the Design Standards Zone Map, The parcel is located in Zone 1 which requires the building to meet 65% of Class 1 building materials and 35% Class 2 building materials. The garage portion of the building is proposed to have primarily metal panels for the siding material, and will also have three garage doors with windows. Classes of building materials are described below:

1. Class I consisting of:

- i. Brick,
- ii. Natural stone (or similar appearing, high quality manufactured stone),
- iii. Glass curtain wall,
- iv. Copper,
- v. Other comparable or superior materials, or
- vi. New materials that meet the intent of the preamble above.

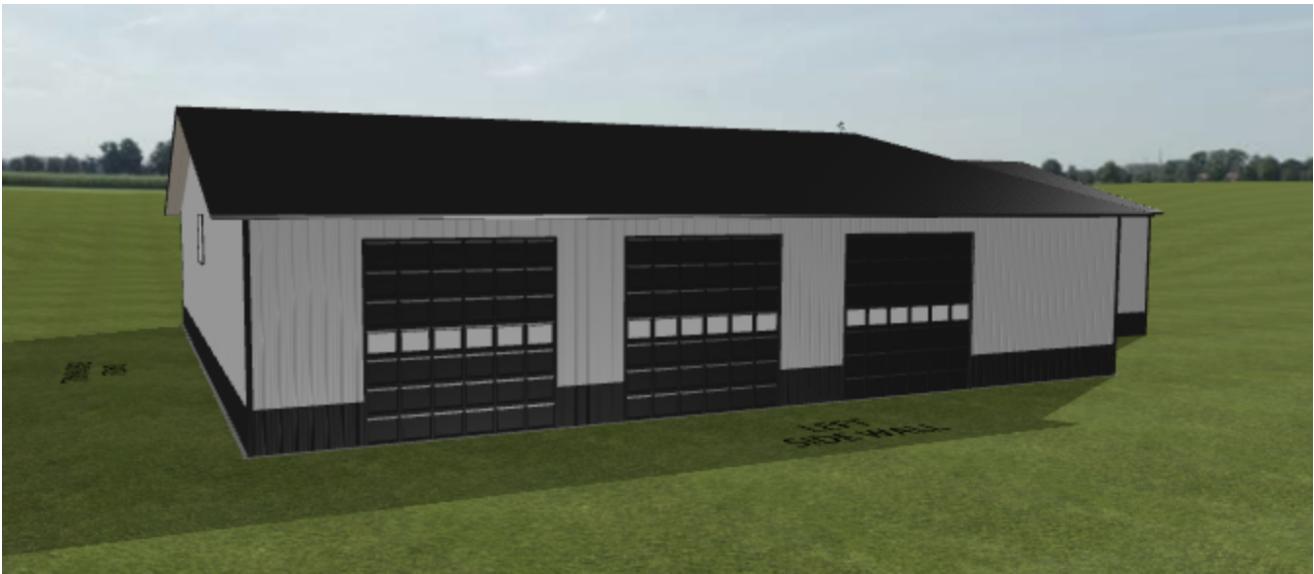
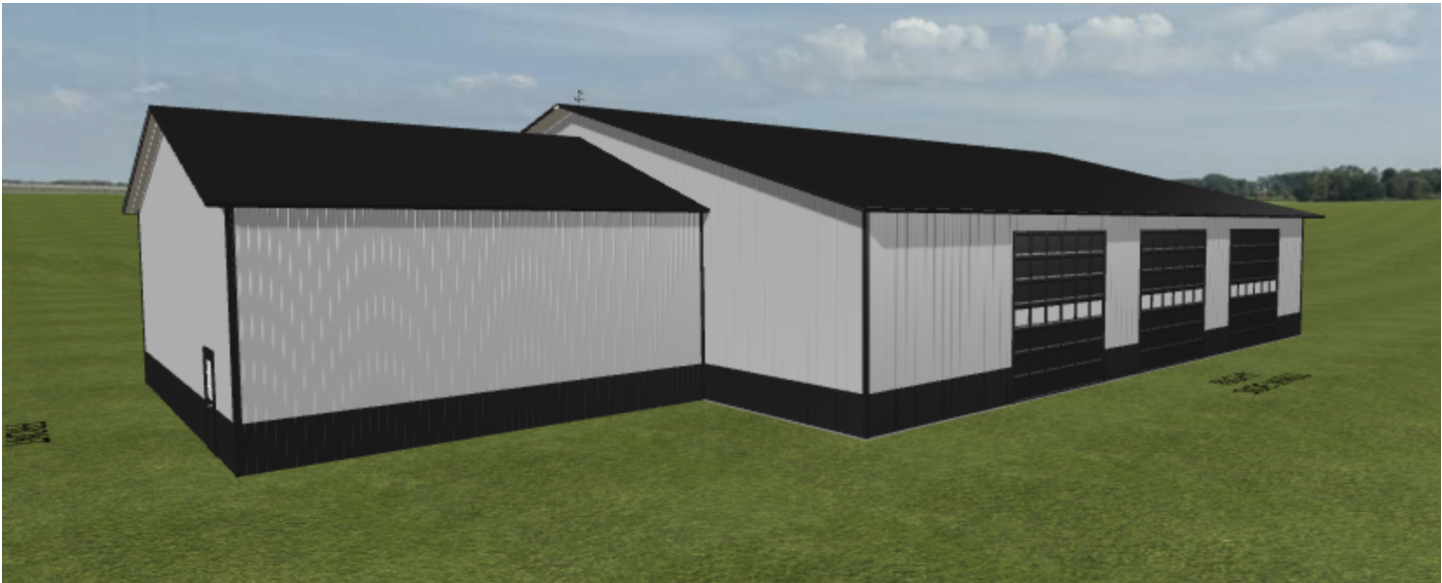
2. Class II consisting of:

- i. Specialty concrete block such as burnished, textured or rock face,
- ii. Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish,
- iii. Masonry stucco,
- iv. Fiber-cement exterior siding,
- v. Other comparable or superior materials,
- vi. New materials that meet the intent of the preamble above.
- vii. Exterior finish installation system (EFIS),
- viii. Opaque panels,
- ix. Ornamental metal,
- x. Smooth concrete block,
- xi. Scored concrete block,
- xii. Smooth concrete tilt-up panels,
- xiii. Glazed block,
- xiv. Glass block,
- xv. Ceramic,
- xvi. Other comparable or superior materials, or
- xvii. New materials that meet the intent of the preamble above.

Concept plans for the building were provided by the applicant and are shown below:



Office Building Concept



The metal panels proposed on the garage portion of the building are currently prohibited in Zone 1 and only allowed in Zone 3. City Code Section 66-943 Design Standards describes the allowable percentages and is shown below:

(2) Exterior building materials shall be subject to Zoning Administrator approval and the following:

- (a) Zone 1: Structures must provide a cohesive architectural appearance reflecting its functional purpose and must be composed of at least sixty-five percent (65%) Class I materials; not more than thirty-five percent (35%) percent Class II materials.

Variances must follow certain criteria listed in City Code Chapter 66 Division 2 Variances, Appeals, Amendments, and Conditional Use Permits. These Sections are described below, with responses by City Staff provided in **Bold**:

Sec 66-64 Findings Of Fact

In considering all requests for variances, appeals, amendments or conditional use permits, the planning agency and the city council shall make a finding of fact. Its judgment shall be based upon, but not limited to, the following factors:

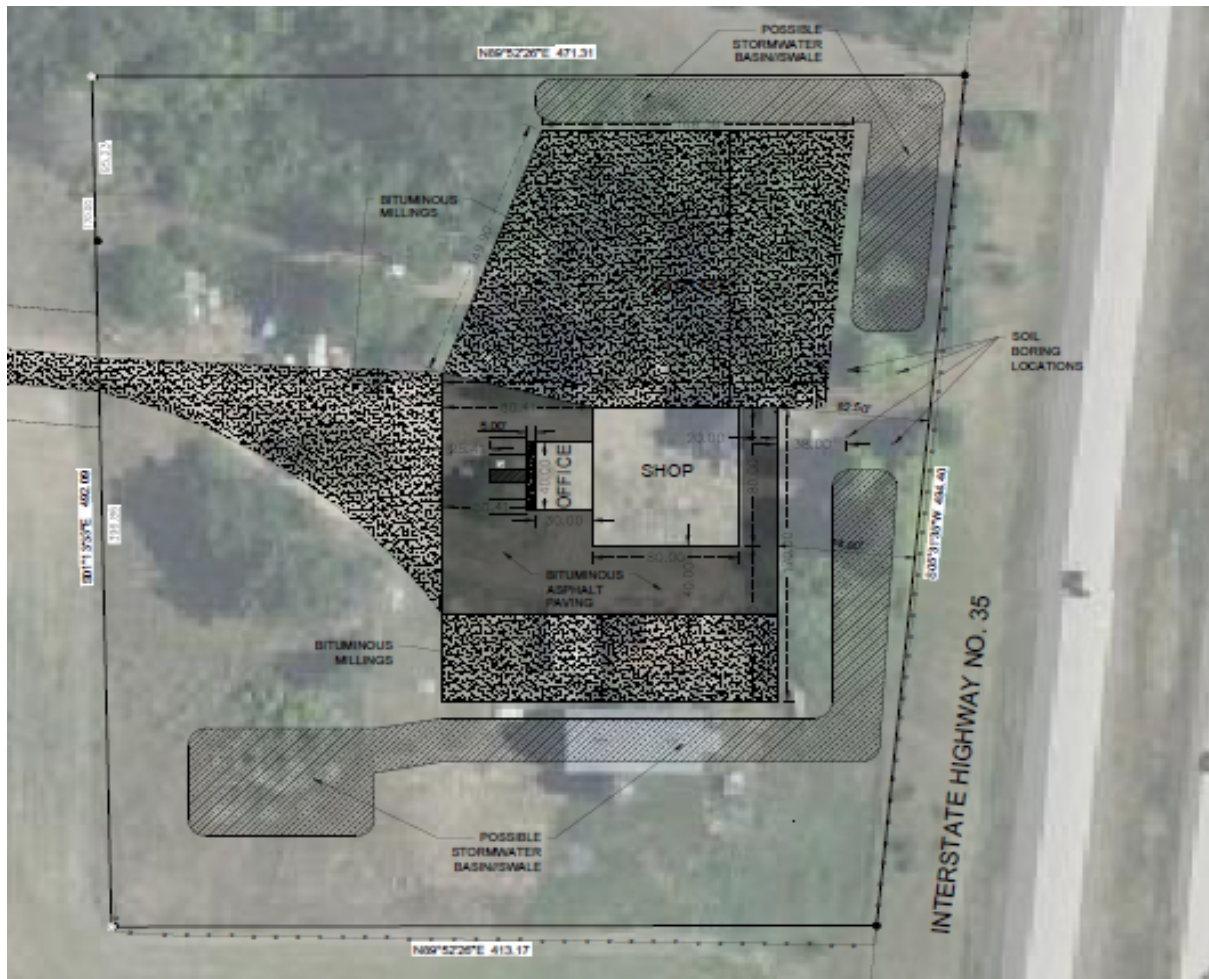
1. Relationship to the city's comprehensive plan;

The variance request for permitted building materials and percentages mostly applies to the City's zoning ordinances and city code. The General Business Designation within Section 3 "Land Use and Growth" within the Comprehensive Plan addresses the need for higher design standards for locations adjacent to I-35 due to the proximity and visibility from this highly traveled roadway. Specific language from the Comprehensive Plan is found below:

General Business

"Locations adjacent to the Central Business District, TH95 and I35 may be subject to stricter design standards so as to achieve an attractive, inviting and high quality retail shopping and commercial services in areas of high visibility and sensitivity to surrounding uses."

The proposed office building orientation will be facing west towards Flink Ave. The rear garage/shop area will be visible from I-35, where the variance from the building materials is proposed. The submittal did not provide elevations with directional clarification (example: East Building Elevations, North Building Elevations etc.) however it appears that the side of the building facing I-35 will not have garage doors and only has varying colors of the same metal panel siding material. The site plan is provided to distinguish the orientation of the building with certain elevations facing roadways.



Site Plan Concept

2. The geographical area involved;

The geographical area would not be impacted by the use of metal panel siding on the building. There are no notable geographical features in the immediate area of the site, and the materials proposed will not negatively impact the surrounding land features.

3. The character of the surrounding area;

The subject site is surrounded by commercial and industrial uses with residential homes found to the north and west of the site. Homes are not immediately adjacent to the subject site. The property is surrounded entirely by vacant land that is currently used for agricultural purposes. The proposed building materials are similar to materials found on buildings to the south of the site, previously approved by the Planning Commission and City Council. However, since the construction of these surrounding industrial use buildings, the I-35 corridor was reclassified to Zone 1 for building materials and all parcels were rezoned to B-Business. The surrounding office building for Lakes & Pines is constructed entirely out of brick. From the applicant's submittal for the concept plan of exterior building elevations, the office building appears to meet the minimum 65% requirement for Class 1 materials including stone and windows. A breakdown of materials and percentages of the building has not been provided, and would be reviewed at the site plan review stage for compliance.

4. The availability and design capacities of existing or proposed utilities;

The variance from design standards for the proposed siding material will not impact existing or proposed utilities. The existing site is served by private well and septic and will continue to be served by the private services until utilities are available to the site and will be required to connect at that time.

5. Whether such a request will tend to or actually depreciate the surrounding area;

The building materials proposed for the garage/shop portion do not meet the requirements for parcels within the Design Standards Zone 1 classification. Zone 1 is the strictest designation for building material requirements and the purpose is due to high visibility areas. Depreciation of surrounding properties due to the proposed metal siding is difficult to quantify, however it is expected that by using higher quality materials found in the class 1 materials list would lessen the depreciation.

6. Whether the request will place an undue financial burden on the city;

The request for the building material variance will not place an undue financial burden on the city. The allowance of metal panels would result in a lower taxable value and revenue generated to the city.

7. Whether the request will impair an adequate supply of light and air to adjacent property;

It is not anticipated that a variance from building materials would impact the adequate supply of light and air on adjacent properties.

8. Whether the request will unreasonably increase the congestion in the public right-of-way;

The request for the building material variance will not impact congestion in the public right-of-way. The property is only accessible from an easement with the property to the west from Flink Ave.

9. Whether the request will increase the danger of fire or endanger the public safety;

The proposed metal siding is engineered to be fire-resistant and non-combustible. Other materials in contrast are combustible such as vinyl and wood. The building material proposed will not increase the danger of fire or endanger public safety. Fire safety for the building as a whole will be analyzed during the building plan review stage of the development.

10. Whether the request is consistent with the spirit and intent of this division.

The request of a variance for allowable building materials has been analyzed above referencing Sec 66-64 Findings of Fact of City Code.

Additional to the Findings of Fact section, the variance request will also have to meet Sec 66-65 Conditions on Approval. This section has been analyzed below, with City Staff comments being provided in **Bold**.

Sec 66-65 Conditions On Approval

1. The planning commission and the city council may not permit as a variance any use that is not permitted under the division for property in the zone where the affected person's land is located. A variance is a modification or variation of the provisions of this zoning code as applied to a specific piece of property. Variances shall only be permitted:

1. When they are in harmony with the general purposes and intent of the ordinance; and

The applicant describes that the intent for the variance request for design standards is based on the proposed building keeping a consistent look with other surrounding buildings. Whether the request meets the general purpose and intent of the ordinance is determined by responses in following questions.

2. When the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

“Practical difficulties,” as used in connection with the granting of a variance, means that:

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;

The use of the property as an office space and a heavy truck repair shop are permitted within the B-Business zoning district, trucking operations are not listed as a permitted. The use of the building remains the same whether this variance is approved or denied. The variance from design standards is primarily an aesthetic preference but can also be considered a difference in building quality when comparing the proposed metal panels to high durability Class 1 materials.

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and

The subject site is within zone 1 for design standards and is the most stringent area for allowable building materials. This is due to adjacent visibility from I-35. This is not unique to this individual property as there are several other sites in the immediate area that would have to follow the design standards for Zone 1. This circumstance for meeting zone 1 design standards was not necessarily created by the landowner, but a barrier for construction costs and feasibility for the business as a whole.

3. The variance, if granted, will not alter the essential character of the locality.

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Design standards for building materials has the ability to be met by the applicant and no unique or natural features of the site would prevent them from being met other than economic consideration. The character of future buildings is important in this area due to visibility from I-35 and the future interchange just north of the subject site at 400th St. The future interchange will provide more connectivity to the area and will be more visible to vehicles traveling along this corridor.

3. The board of adjustment and appeals, the city council acting as the board of adjustment and appeals, may impose conditions in granting the variance to insure compliance and to protect adjacent properties.

The Planning Commission and City Council have the ability to put conditions of approval on the variance request in order to protect adjacent properties. Conditions of approval are restrictions placed on properties to minimize potential negative impacts. Examples of negative impact include blight, decreased safety, inconsistent compatibility of neighborhood character, and straining public facilities.

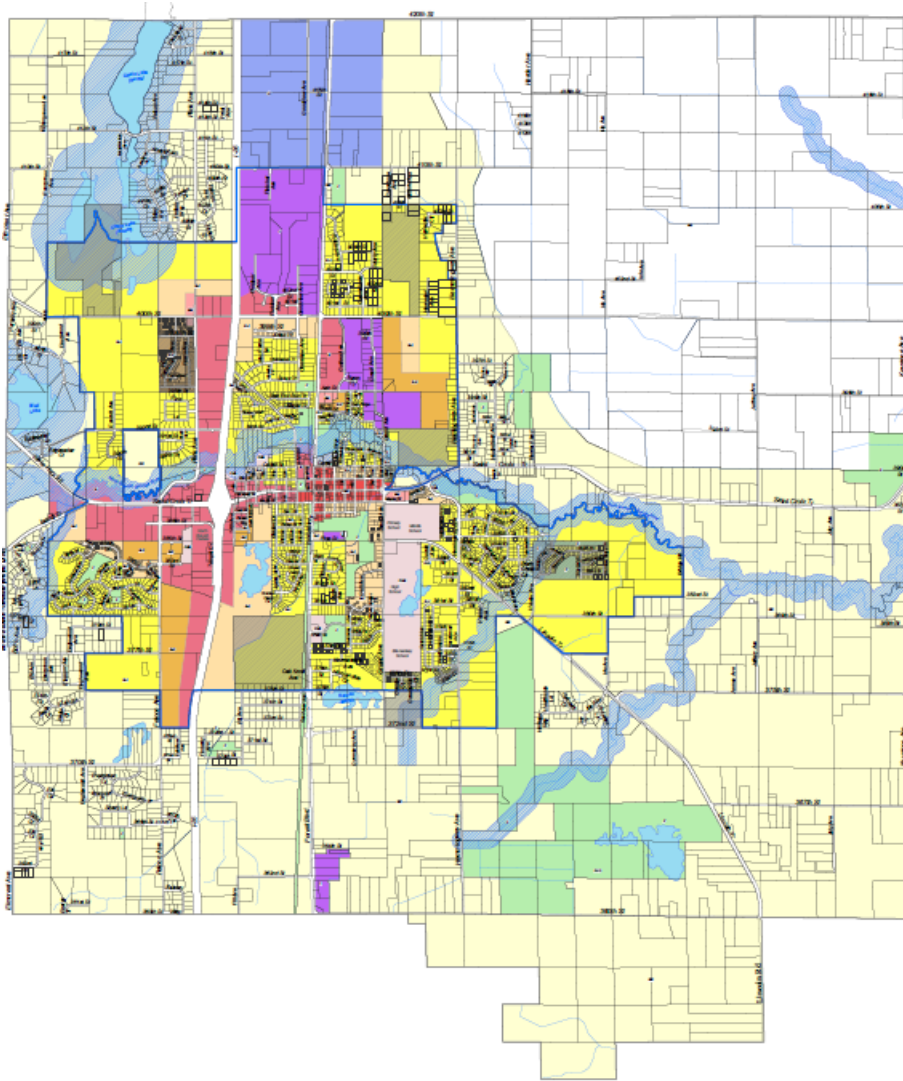
3. Text Amendment to City Code

Semi-trailers and operational business equipment/materials would be located outdoors on the site. Currently, outdoor storage of equipment & materials is not permitted within the B-Business Zoning District according to the zoning district use table below:

District Uses	Notes	Standards	R1	R2	R3	RR	AG	PUB	OSP	CBD	B	BN	I1	I2	SO
F. ACCESSORY USES															
Permitted Accessory Uses															
Accessory Structure, Agriculture Building			P	P	P	P	P								
Accessory Structure, Detached Residential Garage ¹⁴	See Footnotes		P	P	P	P	P				P				
Accessory Structure, Pool House ¹⁴	See Footnotes		P	P	P	P	P				P				
Accessory Structure w/Plumbing			P	P	P	P	P				P				
Boat House, Piers & Docks			P	P	P	P	P	P	P						
Fences, Screening & Landscaping			P	P	P	P	P	P	P	P	P	P	P	P	P
Swimming Pools (Residential)			P	P	P	P	P				P	P			
Tennis Courts (Residential)			P	P	P	P	P				P	P			
Special Approval Required															
Home Occupation	City License	\$66-942	I	I	I	I	I								
Home Occupation - Daycare, In-Home Child Care	State License	\$66-942	I	I	I	I	I								
Fuel Storage, Above Ground +400 Gallons (Liquid/Gas)	MPCA License						P	P			C		C	C	
Outdoor Storage, Display ¹⁵											C	C	C	C	C
Outdoor Storage, Equipment & Materials ¹⁵											C		C	C	
Solar, Community Energy & Private			P	P	P	P	P	P	P	P	P	P	P	P	P

At this time, Outdoor Storage, Equipment & Materials is only a conditional use in Industrial zoned properties. This would mean that if outdoor storage is needed on a site, there would be an approval process for the Conditional Use Permit and it would be reviewed by the Planning Commission and City Council. The proposed text amendment is requesting that Outdoor Storage, Equipment & Materials be added as a Conditional Use under the B-Business Zoning Designation. The letter "C" would be added to the zoning district use table. This would ensure that each site zoned B-Business requesting outdoor storage would have to meet the requirements of a Conditional Use Permit including procedures, findings of fact, and conditions on approval pursuant to Sec 66 Division 2 of City Code. Upon considering this request for the text amendment, the Planning Commission should consider whether adding outdoor storage, equipment & materials as a conditional use within this zoning district is beneficial not just for this particular request, but for **all** properties zoned B-Business.

Zoning Map:



This text amendment must be approved prior to reviewing/approving the Conditional Use Permit criteria for Outdoor Storage, Equipment & Materials for this particular request found below in the next section of the planning report.

4. Conditional Use Permit – Outdoor Storage, Equipment & Materials

Similar to the requirements of the Variance section of this report, the requested Conditional Use Permit for Outdoor Storage, Equipment & Materials will be analyzed for compliance, with City Staff Comments provided below in **Bold**. This request for outdoor storage is for the storing of semi-trailers and other business related equipment on site.

Sec 66-64 Findings Of Fact

In considering all requests for variances, appeals, amendments or conditional use permits, the planning agency and the city council shall make a finding of fact. Its judgment shall be based upon, but not limited to, the following factors:

- a. Relationship to the city's comprehensive plan;

Outdoor storage specifically is not part of the city's comprehensive plan or strategy, however, the comprehensive plan addresses the importance of retaining and supporting local business

and industry. Granting a conditional use permit for outdoor storage at this location would allow and support the operation of this business to store semi-trailers and equipment freely as this is part of the nature of the heavy trucking business. Vehicles would be allowed to be stored outdoors while awaiting service within the garage/shop area.

- b. The geographical area involved;

The geographical area would be altered by creating a gravel drive with parking and storage being available on the north side of the proposed building. There are no geographical areas or features to be aware of when considering this CUP request.

- c. The character of the surrounding area;

The applicant has submitted a narrative explaining the proposal for outdoor storage on their site is similar to the operations of surrounding businesses to the south of the subject site. Specifically, there is outdoor storage of business operation equipment at the Frerich's Construction storage site, Lamperts Lumber, Gopher State Storage, and Schwing Bioset. There is no outdoor storage at the Lakes and Pines Office Building.

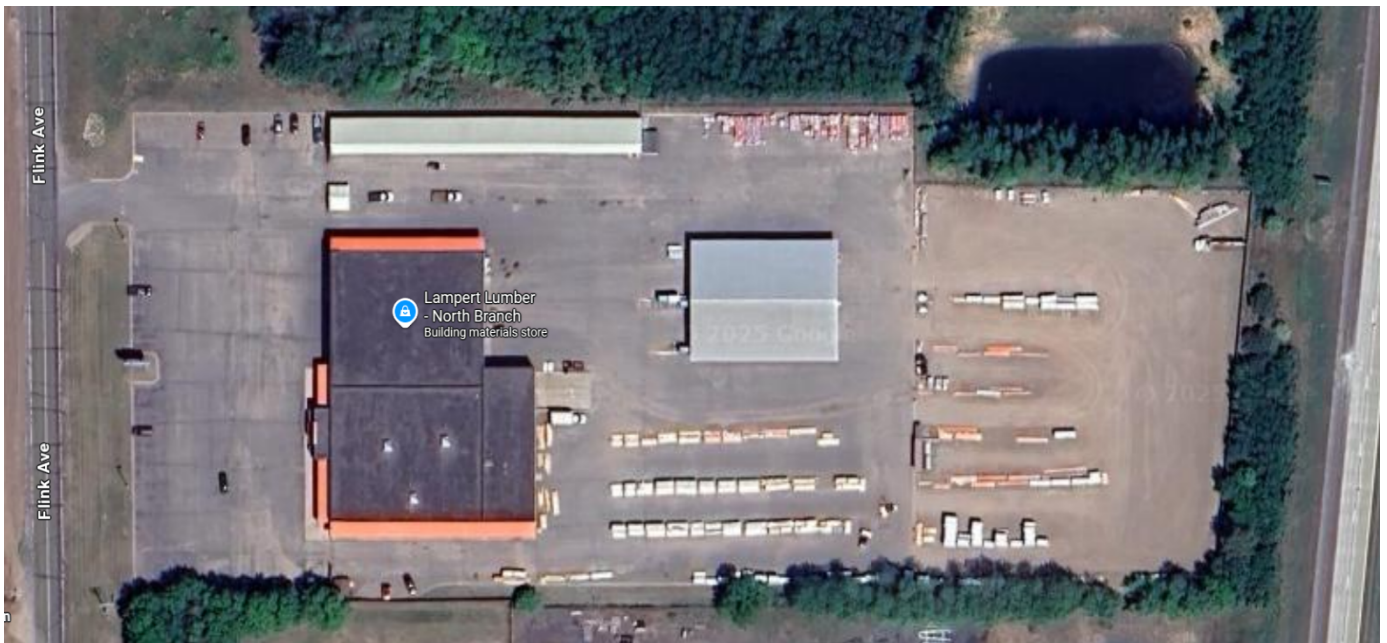
Frerich's Construction:

- Storage containers
- Jobsite trailers
- 100% gravel/sand surfacing



Lamperts Lumber:

- Outdoor lumberyard (pre-manufactured trusses and building material)
- Accessory to the use of the building/business
- Gravel used as a portion of the parking lot for storage on the east side nearest I-35



Gopher State Storage:

- Outdoor storage of campers, boats, trailers etc.
- Part of the business operation



Schwing Bioaset:

- **Parking lot used for outdoor storage of Industrial Equipment**
- **Gravel used as a portion for the parking lot storage**



- d. The availability and design capacities of existing or proposed utilities;

The outdoor storage proposal is not anticipated to put a strain on the existing or proposed utilities.

- e. Whether such a request will tend to or actually depreciate the surrounding area;

It is difficult to quantify the depreciation value of surrounding areas due to the proposed outdoor storage on site. The designated outdoor storage area north of the proposed building currently has natural buffers of large overstory trees from surrounding properties. However the site plan indicates an open gravel area where many of these trees are located. Presumably, some of these trees will need to be removed to provide a space for this gravel parking/storage area.

- f. Whether the request will place an undue financial burden on the city;

The request for outdoor storage is not anticipated to place a financial burden on the city. The request is not based on an economic consideration but rather part of the business operation plan.

- g. Whether the request will impair an adequate supply of light and air to adjacent property;

The outdoor storage on site will not substantially impact surrounding properties supply of light and air.

- h. Whether the request will unreasonably increase the congestion in the public right-of-way;

The subject site is only accessible from a driveway easement from the parcel to the west off of Flink Ave. It is not anticipated that by allowing outdoor storage within this parcel would impact congestion on surrounding Flink Ave.

- i. Whether the request will increase the danger of fire or endanger the public safety;

Outdoor storage of semi-trailers and equipment could potentially help prevent the risk of fire and improve public safety. This would provide the business with more operating space on the site as a whole, whereas semi parking and equipment would be safely separated from other potential harmful chemicals within the garage/shop space indoors. A strategic plan for the business would help ensure that certain materials and equipment is properly spaced showing locations of stored items and isn't a circulation obstacle for operators on the site.

- j. Whether the request is consistent with the spirit and intent of this division.

Outdoor storage of semi-trailers and equipment is important to the overall operation of this specific business and the application of the CUP is consistent with the intent of Sec 66-64 Findings of Fact of City Code.

Additional to the Findings of Fact section, the Conditional Use Permit request will also have to meet Sec 66-66 Conditions on Approval, when applicable. Responses from City Staff are provided below in **Bold**, where the request for Outdoor Storage is applicable.

Sec 66-66 Conditions on Approval

1. In approving requests for variances, appeals, amendments or conditional use permits, the planning agency and the city council may require certain conditions upon approval of the request. Such conditions for approval may include the following, when applicable:
 1. The land area and setback requirements of the property containing such a use or activity shall be the minimum established for the district;
 2. When abutting a residential use in a residential district, the property shall be screened and landscaped in compliance with section 66-970 et seq.;
 3. Where applicable, all city, state and federal laws, regulations and ordinances shall be complied with and all necessary permits secured;
 4. All signs shall be in compliance with section 66-821 et seq. and shall not adversely impact adjoining or surrounding residential uses;
 5. Adequate off-street parking and loading shall be provided in accordance with section 66-848 et seq. Such parking and loading shall be screened and landscaped from abutting residential uses in compliance with section 66-970 et seq.;
 6. The proposed water, sewer and other utilities shall be capable of accommodating the proposed use;
 7. The street serving the use or activity is of sufficient design to accommodate the proposed use or activity, and such use or activity shall not generate such additional traffic to create a nuisance or hazard to existing traffic or to surrounding land uses;
 8. All access roads, driveways, parking areas, and outside storage, service, or sales areas shall be surfaced or grassed to control dust and drainage;

The site plans show asphalt paving around the south, east and west sides of the proposed building. Proposed surfacing for the outdoor storage area is gravel. Dust and drainage could become an issue if the semi-trailers are constantly moving around the site. This could be added as a condition of approval to surface the storage area to the north of the building after consideration of similar operations on nearby sites.

9. All open and outdoor storage, sales and service areas shall be screened from view from the public streets and from abutting residential uses or districts;

There are no public streets immediately adjacent to the site and access is provided by a driveway from Flink Ave. There is currently natural screening of overstory trees from surrounding sites. The site is not directly surrounded by residentially zoned parcels. All surrounding parcels are zoned similarly to the subject site, B-Business.

10. All lighting shall be designed as to have no direct source of light visible from adjacent residential areas or from the public streets;
11. The use or activity shall be properly drained to control surface water runoff;

The applicant has submitted a grading/drainage plan to the city which will be reviewed by the City Engineer. Comments will be provided to the applicant and their engineers if grading plans need to be modified.

12. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence;

The outdoor storage component of the site is similar to surrounding uses and explained in the Findings of Fact Section of the CUP analysis.

13. Where structures combine residential and nonresidential uses, such uses shall be separated and provided with individual outside access, and the uses shall not conflict in any manner.

2. All conditions pertaining to a specific request are subject to change when the planning agency or city council, upon investigation, finds that the community safety, health, welfare and public betterment can be served as well or better by modifying the conditions.

Things to Consider:

The following bullet points are questions that the Planning Commission should take into consideration prior to approving the Variance, Text Amendment, and Conditional Use Permit:

Variance from Design Standards

- Is the proposed variance from design standards a practical difficulty or hardship?
- Is the hardship unique to the property?
- Is the visibility from I-35 considered?
- Potential Conditions of Approval:
 - Require stone or similar wainscoting surrounding garage/shop area of proposed building
 - Require a lessened percentage of Class 1 materials on garage/shop side of building and/or sides facing I-35
 - Rezoning?

Text Amendment – CUP to add Outdoor Storage, Equipment & Materials to B-Business Zoning

- The text amendment will make Outdoor Storage, Equipment & Materials a Conditional Use within the B-Business Zoning District
- The text amendment will be applied to all existing properties zoned B-Business
- Properties considering outdoor storage of equipment & materials within the B-Business zoning district will still need to go through the application and review process for Conditional Use Permits with Planning Commission and City Council Approval

Conditional Use Permit – Outdoor Storage, Equipment & Materials

- Consider existing surrounding uses of outdoor storage and how businesses in the immediate area use these storage areas as part of the overall operation of the business.
- Consider the impact of depreciation for surrounding properties
- Is the proposed gravel area sufficient for the specific use of outdoor storage on this site?
 - Semi-trailers will be moving in and out of the designated area
 - Dust will be circulating as storage equipment is moved around on site
- Potential Conditions of Approval:
 - Pave designated areas of outdoor storage to mitigate dust (north side of building)
 - Operation plan with certain areas of site used for storage of semi-trailers and other equipment or business related materials
 - Is the current buffering of trees sufficient for the site?

Recommended Planning Commission Action

1. Motion to recommend approval/denial to City Council, for a Variance from City Code Section 66-943 Design Standards for a proposed building at 39777 Flink Ave.
2. Motion to recommend approval/denial to City Council, to include Outdoor Storage, Equipment & Materials as a Conditional Use in the B-Business Zoning District.
3. Motion to recommend approval/denial to City Council, for a Conditional Use Permit for Outdoor Storage, Equipment & Materials at 39777 Flink Ave.