CITY OF ANNANDALE COUNCIL SPECIAL MEETING AGENDA City Council Chamber, 30 Cedar Street East

Meeting #14 Special Meeting August 25, 2022 6:30 PM

Mayor: Shelly Jonas Councilmember's: Matthew Wuollet Corey Czycalla JT Grundy Tina Honsey

1. CALL TO ORDER/ROLL CALL/ADOPT AGENDA

2. NEW BUSINESS

- A. <u>Request by Little Jim's</u>
- B. <u>Request by Hillhiker</u>
- C. City Hall Improvement Project
- D. Update on Short Term Rentals
- E. Moratorium on Permitting THC Products

3. ADJOURNMENT

To Join the Meeting Virtually:

Online: <u>https://us02web.zoom.us/j/84961865068?pwd=NENRbk0xci9UQXAyYVlvRElkQUozZz09</u> By Phone: 312-626-6799

Webinar ID: 849 6186 5068 Passcode: 111930

CITY OF ANNANDALE

REQUEST FOR COUNCIL ACTION

Originating Department: Administration		Meeting Date: August 25, 2022	Agenda No. 2A.		
Agenda Section: New Business		Item: Consideration of a Request for Minor Subdivision, Site and Building Plan Review, and Variances to Section 150.49 Commercial/Industrial Performance Standards: Exterior Finishes for the construction of a retail store in the C-3 (Highway Commercial) District. Applicant: Liman Post & Beam (Dusty Trimble)			
SITE INFORMATION & BACKGROUND PID: 102-500-294306 Address: 920 Elm Street East Legal Description: Unplatted Zoning District: C-3 (Highway Commercial District) Comprehensive Plan: Industrial Surrounding Site Use: North: C-3 East: C-3 South: State Highway 55/Township					
Planning Case Number:	West: C-3 2022-19				
Deadline for Decision:	September 25, 2022 (60-day deadline) November 23, 2022 (120-day deadline)				

Project Description:

Liman Post & Beam has submitted an application to rebuild Little Jim's store at 920 Elm Street. The existing structure suffered a fire. The new building is proposed to be larger than the existing. The application consists of a minor subdivision, site and building plan review, and variances.

ANALYSIS

Minor Subdivision

The applicant is seeking a "minor subdivision" to divide the property into two separate lots. This would separate the house and the business and place each on its own parcel. This will be lessening an existing non-conformity. The lot line should be adjusted to ensure the entirety of the patio is on the same lot as the house.

Section 151.10 Subd. 3B states that properties may be divided into two lots, as long as both lots meet all zoning requirements, without platting. This is referred to as a minor subdivision and is a permitted metes and bounds division.

The City Council must make a decision based on the following findings for the minor subdivision:

- 1. The proposed subdivision is generally consistent with the Zoning Ordinance.
- 2. There is adequate storm water management to support the proposed division and use.
- 3. There are adequate roads to serve the site.
- 4. There is adequate sewer and water service for the proposed division and use.
- 5. The proposed division and use are consistent with the Comprehensive Plan.

Site Plan/Variance Review

Prior to the issuance of a building permit for the new construction or expansion of any principal or accessory structure, a site plan must be submitted for review. Site plans for commercial principal structures are required to be reviewed by the Planning Commission and City Council. The Planning Commission's recommendations will be summarized to the City Council.

The applicant proposes to develop the site with a 9,260 square foot building. The existing building on site is about 3,200 square feet in area, according to county records.

Setbacks & Performance Standards –

For commercial uses, the code allows for one principal building to be located on a lot. The proposal is for a single structure. No plans for additional structures have been provided.

The lot area occupied by structures may not exceed 40% of the total lot area. The proposed structures are about 26% of the lot area.

Buildings are permitted to be 40 feet in height. The proposed structure is less than 25 feet in height.

In the C-3 District, the required setbacks from property lines are 20 feet to the front, 20 feet to the rear, 20 feet to the side corner, and ½ the building height to the interior side. The proposed structure generally meets these standards, as it is 80 feet from the front lot line, 20 feet to the rear, 20 feet to the corner side, and 12 feet to the interior side.

Building Elevations –

Section 150.49 of the Zoning Ordinance requires that "the primary exterior building wall finishes shall consist of materials comparable in grade and quality to the following: brick; stone, natural and textured cast stone; concrete masonry with integral color and texture (such as split rock faced concrete block) or with exterior surfaces that have been treated with a decorative applied, surface texture, and color other than paint; cast in place concrete or pre-cast concrete panels; wood, provided the surfaces are finished for exterior use or wood of proven exterior durability is used, such as cedar, redwood, or cypress; concrete composite board or fiber cement board; glass; stucco; or Exterior Insulated Finishing Systems (EIFS) where the EIFS system is manufactured to replicate the look of approved building materials."

The applicant is proposing a metal building. The street facing façade is proposed to contain lap siding steel wood grain and a stone veneer accent. About 21% of the front façade appears to be stone. No percentages of building materials were provided. The sides and the rear have a stripe of metal in a contrasting color about the same height of the stone veneer.

The roof is proposed to be metal, as well. Concealed/hidden fasteners must be used for roofing.

Lighting -

Section 150.49 states that any artificial lighting used to illuminate an off-street parking area, sign, or other structure, shall be arranged so as to deflect light away from any adjoining property or from public streets. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right of way. Any light or combination of lights which cast light on a public street shall not exceed 1 foot candle (meter reading) as measured from the centerline of said street. Any light or combination of lights which cast light on adjoining property shall not exceed 0.4 candles (meter reading) as measured from said property.

No details on exterior lighting were provided.

Signage –

There is an existing free standing sign. An address sign, at minimum, is required. The applicant is proposing to place letters on the front of the building spelling out the business name. This signage must meet the sign code requirement (less than 15% of the façade) and must demonstrate compliance. A sign permit is required.

Access and Parking -

Section 150.50 of the Zoning Ordinance states the City's parking requirements. Off-street parking areas and driveways must provide for proper drainage of surface water and shall be improved to provide a durable and dust-free hard surface. Required off-street parking is not permitted to be utilized for open storage of goods or for the storage of vehicles which are inoperable or for sale or rent. Also, parking shall not be allowed in areas that are not designated for off-street parking, including open space.

All off-street parking areas of more than 6 spaces shall have permanent curbing not less than 5 feet from the property line and grass or plantings shall occupy the space between the property line and curb. The parking area already in in place from the former building and no expansion is proposed.

Parking stalls are provided for at 9' x 20'. There is also one required handicapped stall provided. Proper signage will be required.

Parking for this use is required at 1 stall per 200 square feet of building for the retail component and 1 per 1,000 square feet for the storage component. The retail portion of the store is about 7,200 square feet, which would require 36 stalls. The storage component is 2,060 square feet, which requires 3 stalls. This would result in a requirement of 39 parking stalls. The applicant is proposing 10 stalls. The applicant should depict additional striping of parking stalls to meet the minimum requirements.

The applicant is also proposing a loading dock on the front of the building. This conflicts with required parking spaces and would place a loading area in the front of the building

Access and Circulation –

The applicant is not proposing to change the access to the site.

Landscaping -

A landscaping plan is required. The landscaping requirements are found in the performance standards of City Code – Section 150.49.

Exterior Storage / Screening / Accessory Buildings -

No exterior storage is allowed other than as shown on a site plan approved by the City.

The ordinance requires that all refuse/recycling containers must be in the rear yard and screened. No details on trash enclosures were provided.

The building has an overhang. The use of this overhang area would be "exterior storage" and should be defined.

Grading, Drainage, and Utilities -

The City Engineer has provided comments on the site plan in regards to grading, drainage, and utilities.

Review

The applicant is proposing a variance to the City's Zoning Ordinance to allow for a metal building that doesn't meet the exterior materials standards for a commercial building. Additionally, the property is not meeting the impervious surface requirements. City Officials have to base findings on the following criteria:

- 1. The proposed variance is consistent with the Comprehensive Plan.
- 2. The proposed variance is in harmony with the general purpose and intent of this Ordinance.
- 3. The applicant for the variance established that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means:
 - a. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
 - b. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - c. The variance, if granted, will not alter the essential character of the locality.
 - d. Economic considerations alone do not constitute practical difficulties.
- 4. A variance shall not be granted for a use not allowed under the zoning ordinance for property in the zone where the affected person's land is located.
- 5. The City may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

Possible reasons to find for this variance include that the existing building had similar materials. Otherwise, the applicant would need to provide different materials on the building frame to meet code requirements.

The proposed minor subdivision is lessening a non-conformity to allow for the building expansion. Since this is removing a non-conforming condition, Staff feels that it would be an appropriate action to waive the platting requirements (allowable by City Code). The lot line should be adjusted to have the patio on the same lot as the house in its entirety.

PLANNING COMMISSION REVIEW AND RECOMMENDATION

The Planning Commission reviewed the requests and held a Public Hearing on August 25, 2022. Due to the timing of the City Council Meeting, a summary of the public comments and the Commission recommendation will be provided at the meeting.

STAFF RECOMMENDED ACTION

If the applicant were to be constructing a new building that is substantially similar to the existing, there would be no need for any variances or subdivisions.

Since the applicant is seeking to expand the building from around 3,000 square feet to around 9,000 square feet in area, the project is subject to the requirements of the Zoning Ordinance. The site had a building with similar materials on it but by redeveloping and expanding the structure, it is required to meet the non-metal building standards. While it is understood that there are tragic conditions that led us to this point, it does appear that code requirements could have been met with some minor revisions to the plan.

If City Officials choose to make findings of approval, Staff would recommend it be done so with the conditions identified in Exhibit Z.

ALTERNATIVE ACTIONS

Decision 1:

Minor Subdivision:

- 1. Motion to adopt Resolution for minor subdivision with the following conditions:
 - The minor subdivision shall be recorded as demonstrated on the survey dated July 12, 2022 except as may be modified herein.
 - All comments from the City Engineer shall be addressed.
 - The north property line of Parcel A shall be adjusted to ensure that all improvements are on Parcel A.
 - The Applicant shall record the subdivision within 60 days of this approval.
- 2. Motion to deny minor subdivision with a statement as to why the request was denied.
- 3. Motion to table action including a statement as to why the request is tabled with direction to staff and/or the applicant.

Decision 2:

Building and Site Plan Review and Variance:

- 1. Motion to adopt Resolution to approve a building and site plan and variance to allow a metal commercial building with the follow conditions:
 - The minor subdivision in Resolution No. _____ shall be recorded.
 - Comments from the City Engineer, City Staff, Planning Commission, and City Council shall be addressed.

- Details on the overhang location must be submitted to City Staff for review. No additional exterior storage is allowed on the property.
- The applicant must revise the lot line to ensure the entirety of the patio is on the same lot as the house.
- Concealed/hidden fasteners must be used for roofing.
- The parking lot shall be striped to include 39 parking stalls.
- The applicant shall provide code compliant landscaping, lighting, and trash enclosure plans.
- A signage plan and permit depicting the size of the proposed sign shall be submitted. The sign may not exceed 15% of the front façade.
- Variance proceedings and minor subdivision must be recorded at the Wright County Recorder's Office.
- A building permit must be obtained prior to construction.
- 2. Motion to deny building and site plan review and variance with a statement as to why the request was denied.
- 3. Motion to table action including a statement as to why the request is tabled with direction to staff and/or the applicant.

Attachments:

- A. Draft Resolution Approving a Minor Subdivision at 920 Elm Street
- B. Draft Resolution Approving a Site Plan with Variance at 920 Elm Street to Allow for a Metal Commercial Building
- C. Aerial Image
- D. Applicant Narrative
- E. Certificate of Survey
- F. Elevations and Floorplans
- G. City Engineer's Letter, Dated August 10, 2022
- H. Civil Plans (applicant to provide)

CITY OF ANNANDALE RESOLUTION 2022-XX

RESOLUTION APPROVING A MINOR SUBDIVISION AT 920 ELM STREET

WHEREAS, KSKS Investments LLC ("the Applicant") has made an application for a minor subdivision to allow for the subdivision of property within the City of Annandale ("the City") at 920 Elm Street; and

WHEREAS, the subject site ("the Property") is legally described as:

A tract of land in Section 29, Township 121, Range 27, described as follows: Begin at a point on the North line of Trunk Highway Number 55, 1 rod East of the West line of the Southwest Quarter of Southeast Quarter of said Section 29; run thence North 1 rod East of the West line of said Southwest Quarter of Southeast Quarter and parallel to said West line of said Southwest Quarter of Southeast Quarter, Section 29, a distance of 400 feet to a point, same being 1717.9 feet South of 1 rod East of the center of said Section; thence East at a right angles 200 feet; thence South parallel with the west line of said Southwest Quarter of Southeast Quarter to the North line of said Highway Number 55, a distance of 498.6 feet; thence Northwesterly along the North line Highway Number 55 to the point of beginning, a distance of 223 feet according to plat of record; Except the north 210 feet thereof.

WHEREAS, the Property currently consists of a commercial building and a house; and

WHEREAS, the Applicant is seeking a minor subdivision of the Property to divide the house from the commercial building and then to replace the commercial building with a larger structure; and

WHEREAS, the minor subdivision will eliminate the non-conforming condition of both uses being on one parcel; and

WHEREAS, the Planning Commission reviewed the request at the August 25, 2022 meeting; and

WHEREAS, the City Council reviewed the request and the Planning Commission recommendation on August 25, 2022; and

WHEREAS, the City Council found that the minor subdivision was generally consistent with City requirements; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Annandale hereby approves the minor subdivision with the following conditions:

- 1. The minor subdivision shall be recorded as demonstrated on the survey dated July 12, 2022 except as may be modified herein.
- 2. All comments from the City Engineer shall be addressed.

- 3. The north property line of Parcel A shall be adjusted to ensure that all improvements are on Parcel A.
- 4. The Applicant shall record the subdivision within 60 days of this approval.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ANNANDALE THIS 25th DAY OF AUGUST, 2022.

APPROVED

Shelly Jonas, Mayor

Attest:

Kelly Hinnenkamp, City Administrator/Clerk

Attached: Minor Subdivision Exhibit

CITY OF ANNANDALE RESOLUTION 2022-XX

RESOLUTION APPROVING A SITE PLAN WITH VARIANCE AT 920 ELM STREET TO ALLOW FOR A METAL COMMERCIAL BUILDING

WHEREAS, KSKS Investments LLC ("the Applicant") has made an application for a variance to allow for a metal building within the C-3, Highway Commercial District within the City of Annandale ("the City") at 7592 Nevens Avenue; and

WHEREAS, the subject site ("the Property") is legally described as:

A tract of land in Section 29, Township 121, Range 27, described as follows: Begin at a point on the North line of Trunk Highway Number 55, 1 rod East of the West line of the Southwest Quarter of Southeast Quarter of said Section 29; run thence North 1 rod East of the West line of said Southwest Quarter of Southeast Quarter and parallel to said West line of said Southwest Quarter of Southeast Quarter, Section 29, a distance of 400 feet to a point, same being 1717.9 feet South of 1 rod East of the center of said Section; thence East at a right angles 200 feet; thence South parallel with the west line of said Southwest Quarter of Southeast Quarter to the North line of said Highway Number 55, a distance of 498.6 feet; thence Northwesterly along the North line Highway Number 55 to the point of beginning, a distance of 223 feet according to plat of record; Except the north 210 feet thereof.

WHEREAS, the Property currently consists of a commercial building and a house and is proposed to be split via Resolution No. _____; and

WHEREAS, the Applicant is seeking to replace a damaged 3,200 square foot retail building with a new 9,260 square foot structure; and

WHEREAS, the existing structure on the Property has a metal exterior finish; and

WHEREAS, the Applicant proposes a building with 21% of the front façade being stone and all other materials being metal; and

WHEREAS, Section 150.49 of the Zoning Ordinance requires commercial buildings to have a finish other than metal; and

WHEREAS, the Planning Commission reviewed the request at the August 25, 2022 meeting at recommended approval of the request; and

WHEREAS, the City Council reviewed the request and the Planning Commission recommendation on August 25, 2022; and

WHEREAS, upon reviewing the Planning Commission's recommendation, the City Council made the following findings of fact:

- 1. The proposed variance is consistent with the Comprehensive Plan.
- 2. The proposed variance is in harmony with the general purpose and intent of this Ordinance.
- 3. The Applicant for the variance established that there are practical difficulties in complying with the zoning ordinance.
- 4. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.
- 5. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
- 6. The variance will not alter the essential character of the locality.
- 7. Economic considerations alone do not constitute practical difficulties.
- 8. The variance is not granted for a use not allowed under the zoning ordinance for property in the zone where the affected person's land is located.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Annandale hereby approves the variance with the following conditions:

- 2. Comments from the City Engineer, City Staff, Planning Commission, and City Council shall be addressed.
- 3. Details on the overhang location must be submitted to City Staff for review. No additional exterior storage is allowed on the property.
- 4. The applicant must revise the lot line to ensure the entirety of the patio is on the same lot as the house.
- 5. Concealed/hidden fasteners must be used for roofing.
- 6. The parking lot shall be striped to include 39 parking stalls.
- 7. The applicant shall provide code compliant landscaping, lighting, and trash enclosure plans.
- 8. A signage plan and permit depicting the size of the proposed sign shall be submitted. The sign may not exceed 15% of the front façade.
- 9. Variance proceedings and minor subdivision must be recorded at the Wright County Recorder's Office.
- 10. A building permit must be obtained prior to construction.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ANNANDALE THIS 25th DAY OF AUGUST, 2022.

APPROVED

Shelly Jonas, Mayor

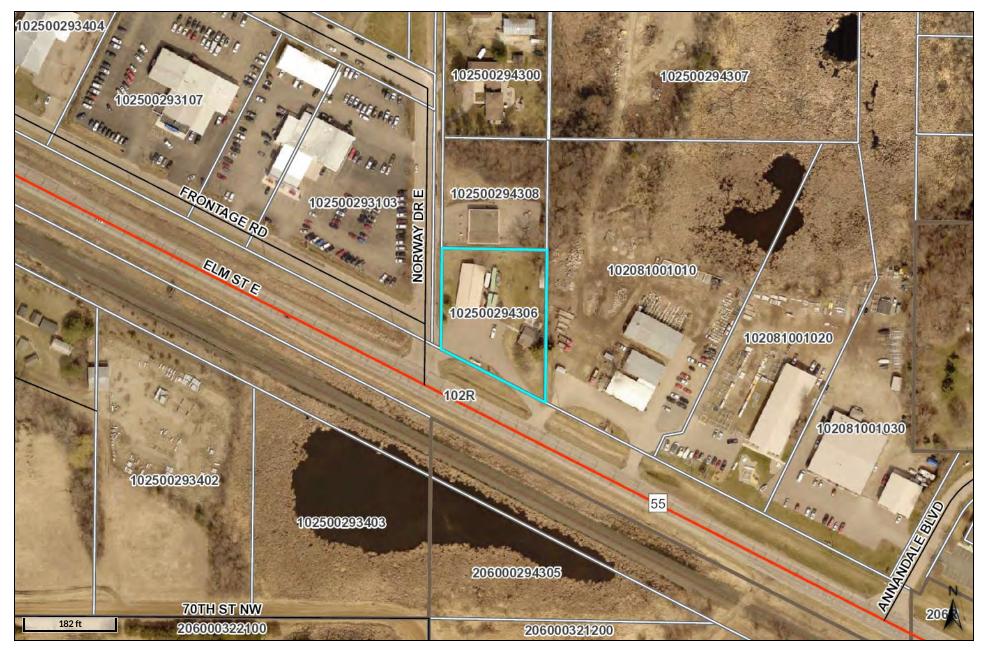
Attest:

Kelly Hinnenkamp, City Administrator/Clerk

Attached: Applicant's Plan Set

Applicant: Liman Post & Beam | Request for Minor Subdivision, Bldg & Site Plan Review, & Variance 920 Elm Street East | PID: 102-500-294306

Created by: City of Annandale



<u>LIMAN POST & BEAM</u>

P.O. BOX 208 ANNANDALE, MN 55302 PHONE-320-274-8223 FAX-320-274-2691

TO: CITY OF ANNANDALE

July 27, 2022

RE: LITTLE JIM'S NEW BUILDING

WE ARE PROPOSING THE FOLLOWING

A NEW 80'X112'X14' POST FRAME BUILDING.

REPLACING A 40'X80' BUILDING THAT BURNED DOWN DUE TO FIRE. ALSO REPLACING 3 STORAGE CONTAINERS THAT WERE ON SITE. THE BUILDING WOULD SIT ON SITE WHERE THE OLD BUILDING AND CONTAINERS WERE. THE PARKING LOT, HOUSE AND ALL GREEN SPACE WOULD REMAIN THE SAME.

WE BEILIVE NOT ALL THE CITY CODES FOR A NEW STRUCTURE SHOULD APPLY TO THIS PROJECT AS IT IS EXISTING IN SOME WAYS AND NOT JUST A NEW BUILDING SITE ON VACANT LAND.

LITTLE JIM'S GOT COMPENSATION FOR THE BUILDING BUT NOT REDOING THE ENTIRE LOT TO WHAT ARE THE NEW CITY CODES. LITTLE JIM'S ALSO WANTS TO USE 29 GA CRINCKLE STEEL ON THE 3 EXTERIOR WALLS NOT FACING HWY 55 INSTEAD OF DOING WHAT THE CITY HAS LISTED FOR MATERIALS THAT CAN BE USED.

THE CRINCKLE STEEL IS A ROUGH FACE/NO SHINE STEEL THAT HAS A VERY NICE LOOK AND WE THINK SHOULD BE ACCEPTABLE TO CITY STANDARDS.

MAIN REASON FOR THIS IS A COST FACTOR THAT WOULD PUT THIS PROJECT AT A MUCH HIGHER COST TO DO AND NOT LOOK LIKE THEY WANT IT TO IN THE END.

THERE ARE NO BUILDINGS AROUND THEM THAT HAVE THE NEW CITY MATERIALS CODES SO WOULD BE FITTING IN WITH SAME /SIMILAR BUILDING LOOK.

I HAVE SUPPLIED COLORED DRAWINGS EXPLAINING WHAT IS USED WHERE AND ACTUAL SAMPLES OF EACH PRODUCT. ANY QUESTIONS YOU CAN LET ME KNOW.

THANKS, DUSTY TRIMBLE 320 274 8223

LEGAL DESCRIPTION OF PROPERTY SURVEYED

A tract of land in Section 29, Township 121, Range 27, described as follows: Begin at a point on the North line of Trunk Highway Number 55, 1 rod East of the West line of the Southwest Quarter of Southeast Quarter of said Section 29; run thence North 1 rod East of the West line of said Southwest Quarter of Southeast Quarter and parallel to said West line of said Southwest Quarter of Southeast Quarter, Section 29, a distance of 400 feet to a point, same being 1717.8 feet South of 1 rod East of the center of said Section; thence East at a right angles 200 feet; thence South parallel with the west line of said Southwest Quarter of Southeast Quarter to the North line of said Highway Number 55, a distance of 498.6 feet; thence Northwesterly along the North line Highway Number 55 to the point of beginning, a distance of 223 feet according to plat of record;

EXCEPT:

The North 210 feet thereof.

NOTES:

1) This survey was performed without the benefit of a title commitment. There may or may not be easements encumbering or benefitting the subject property. The legal description as shown hereon was obtained from Document No. A1281728

2) Benchmark:

Railroad spike in power pole as shown hereon. Elevation= 1073.94 feet (NGVD 1929 datum)

3) Area: 46198 SqFt 1.1 Acres

West line of the SW 1/4 of ----the SE 1/4 of Sec. 29

- 4) Please note that the legal description of the subject property is ambigious. The description does not clearly define the boundary lines and is subject to interpretation. The north line coud have two possible locations. We have shown this boundary line based on the distance from the northwest corner of the Southwest Quarter of the Southeast Quarter and we have written a revised description to reflect this interpretation. We suggest consulting a real estate attorney to remedy this title issue.
 5) Location of utilities existing on or serving the surveyed property as determined by observed evidence and markings by utility companies and other appropriate
- by observed evidence and markings by utility companies and other appropriate sources (are shown hereon), subject to the following restrictions:
- A. Utility operations do not consistently respond to locate requests through the Gopher State One Call service for boundary purposes such as this.
 B. EXTREME CAUTION MUST BE EXERCISED BEFORE AN EXCAVATION
- TAKES PLACE ON OR NEAR THIS SITE. BEFORE DIGGING, YOU ARE REQUIRED BY LAW TO NOTIFY GOPHER STATE ONE CALL AT LEAST 48 HOURS IN ADVANCE AT (651) 454-0002.
- C. The exact location of underground featurescannot be accurately depicted without excavation or "potholing".
- D. Per Gopher State One-Call Ticket No. 221605008, the following utilities and municipalities were notified:

CITY OF ANNANDALE	(736) 238-6463
CENTURYLINK	(855) 742-6062
MEDIACOM	(800) 778-9140
CENTER POINT ENERGY	(608) 223-2014
WRIGHT HENNEPIN COOP	(800) 778-9140
XCEL ENERGY	(800) 848-7558

6) Please note that two iron monuments were found laying on the side

CERTIFICATE OF SURVEY

N 89°22'01" W 200.00

PID NO: 102500294308

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--- Line described in Book 162 of Deeds, page 93

I --- North line of SW 1/4 of the SE 1/4 of Sec 29

90°

-- NW corner of the SW 1/4 of the SE 1/4 of Sec. 29

~ -

80

7

90°

-Ò-

FIP 40062

16.50

PROPOSED REVISED LEGAL DESCRIPTION:

That part of the Southwest Quarter of the Southeast Quarter of Section 29, Township 121 North, Range 27 West, Wright County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter of the Southeast Quarter; thence easterly along the north line of said Southwest Quarter of the Southeast Quarter to the intersection with a line drawn 16.50 feet easterly of and parallel with the west line of said Southwest Quarter of the Southeast Quarter; thence southerly parallel with said west line, a distance of 1927.80 feet to the point of beginning of the land to be described; thence easterly deflecting to the left 90 degrees 00 minutes 00 seconds, a distance of 200.00 feet; thence southerly, parallel with said west line, to the northeasterly right of way line of Minnesota State Highway Number 55; thence northwesterly, along said northeasterly right of way line to the intersection with a line drawn southerly from the point of beginning and parallel with said west line; thence northerly, along the last described parallel line, to the point of beginning.

PROPOSED LEGAL DESCRIPTION OF PARCEL B:

FIP CAP 👝

Line parallel with the west ---.

line of the SW1/4 of the

SE1/4 of Sec. 29

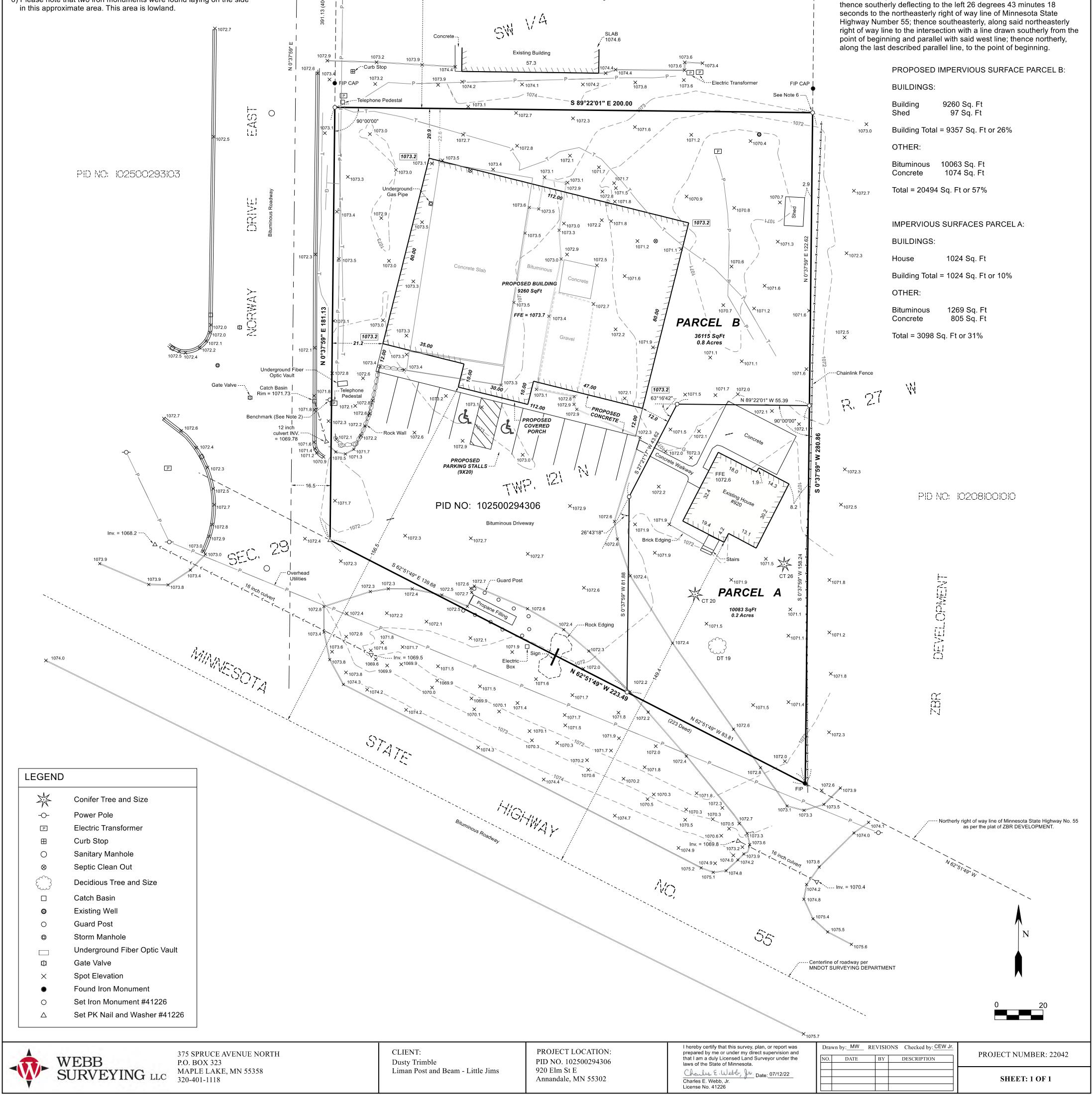
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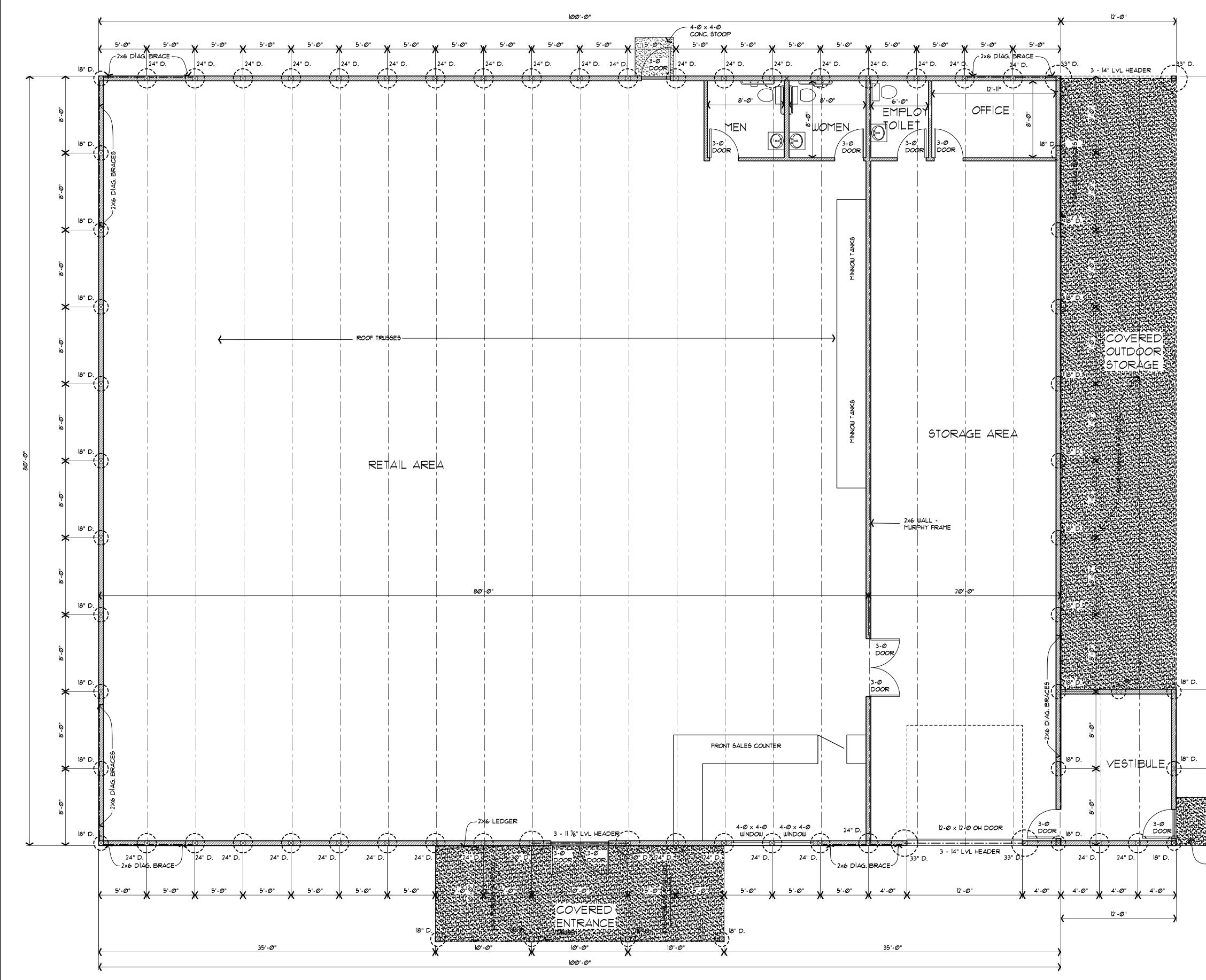
That part of the Southwest Quarter of the Southeast Quarter of Section 29, Township 121 North, Range 27 West, Wright County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter of the Southeast Quarter; thence easterly along the north line of said Southwest Quarter of the Southeast Quarter to the intersection with a line drawn 16.50 feet easterly of and parallel with the west line of said Southwest Quarter of the Southeast Quarter; thence southerly, parallel with said west line, a distance of 1927.80 feet to the point of beginning of the land to be described; thence easterly deflecting to the left 90 degrees 00 minutes 00 seconds, a distance of 200.00 feet; thence southerly, parallel with said west line, a distance of 122.62 feet; thence westerly deflecting to the right 90 degrees 00 minutes 00 seconds, a distance of 55.39 feet; thence southwesterly deflecting to the left 63 degrees 16 minutes 42 seconds, a distance of 43.62 feet; thence southerly deflecting to the left 26 degrees 43 minutes 18 seconds to the northeasterly right of way line of Minnesota State Highway Number 55; thence northwesterly, along said northeasterly right of way line to the intersection with a line drawn southerly from the point of beginning and parallel with said west line; thence northerly, along the last described parallel line, to the point of beginning. PROPOSED LEGAL DESCRIPTION OF PARCELA:

That part of the Southwest Quarter of the Southeast Quarter of Section 29, Township 121 North, Range 27 West, Wright County, Minnesota, described as follows:

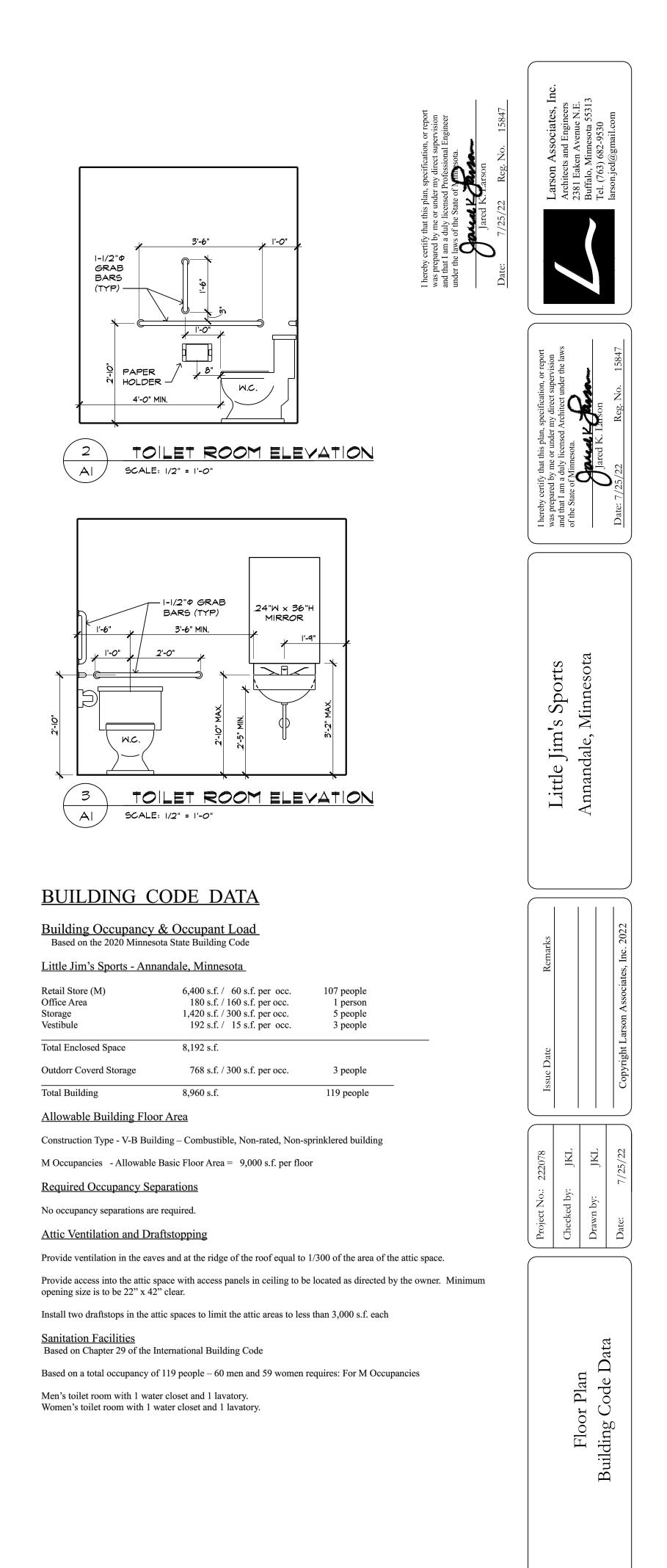
Commencing at the northwest corner of said Southwest Quarter of the Southeast Quarter; thence easterly along the north line of said Southwest Quarter of the Southeast Quarter to the intersection with a line 16.50 feet easterly of and parallel with the west line of said Southwest Quarter of the Southeast Quarter; thence southerly, parallel with said west line, a distance of 1927.80 feet; thence easterly deflecting to the left 90 degrees 00 minutes 00 seconds, a distance of 200.00 feet; thence southerly, parallel with said west line, a distance of 122.62 feet to the point of beginning of the land to be described; thence westerly deflecting to the right 90 degrees 00 minutes 00 seconds, a distance of 55.39 feet; thence southwesterly deflecting to the left 63 degrees 16 minutes 42 seconds, a distance of 43.62 feet;





Little Jim's Sports Annandale, Minnesota

FLOOR PLAN SCALE: 3/16" = 1'-0"

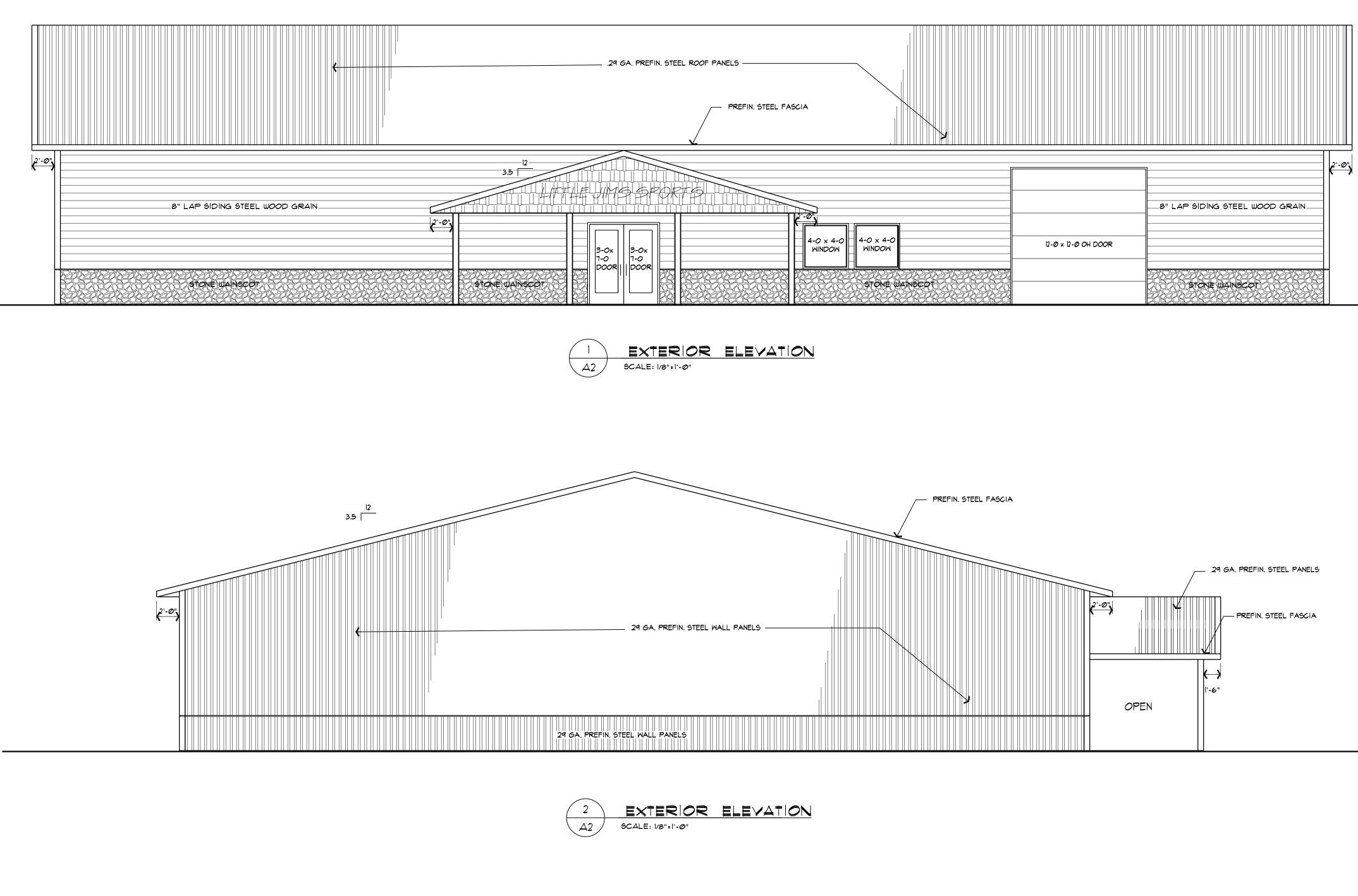


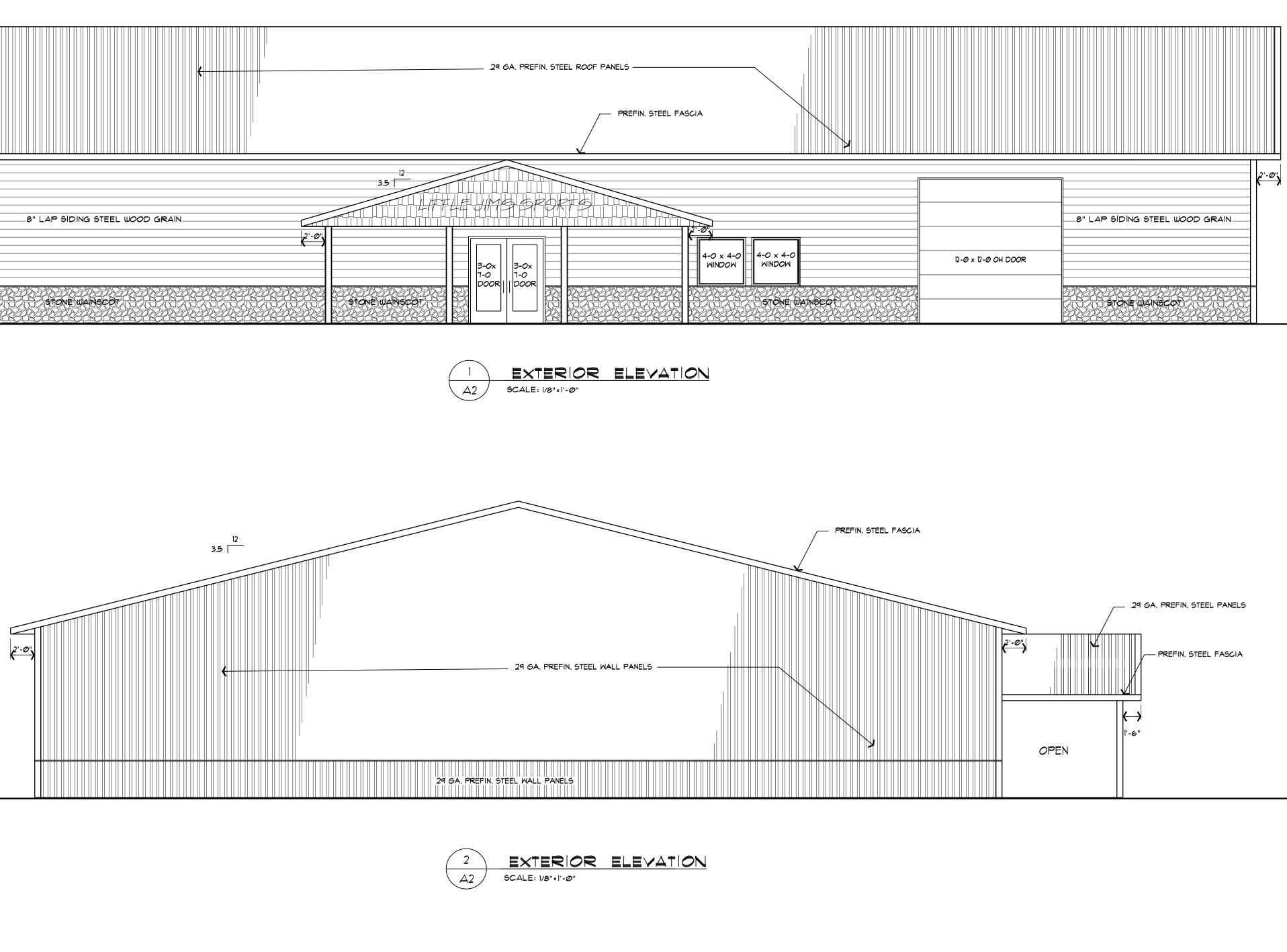
63'-9"

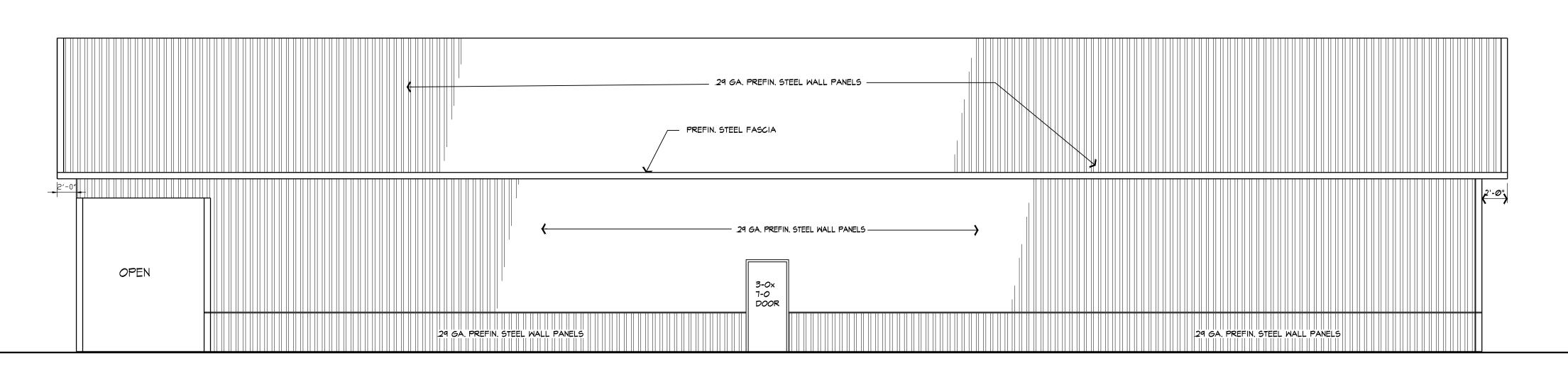


- 4-0 x 5-0 CONC, STOOP

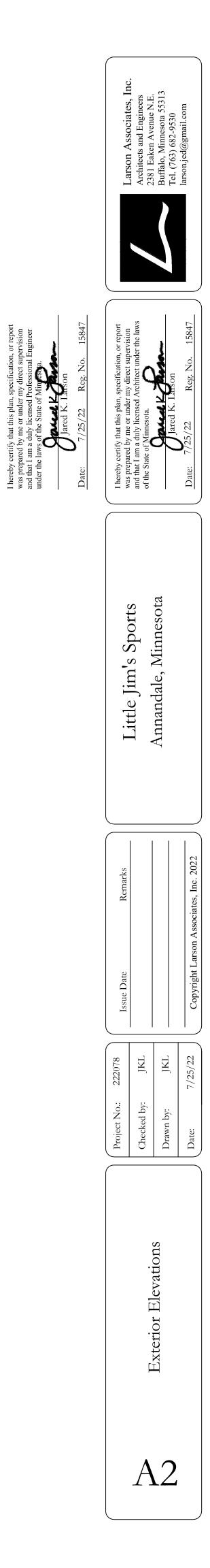
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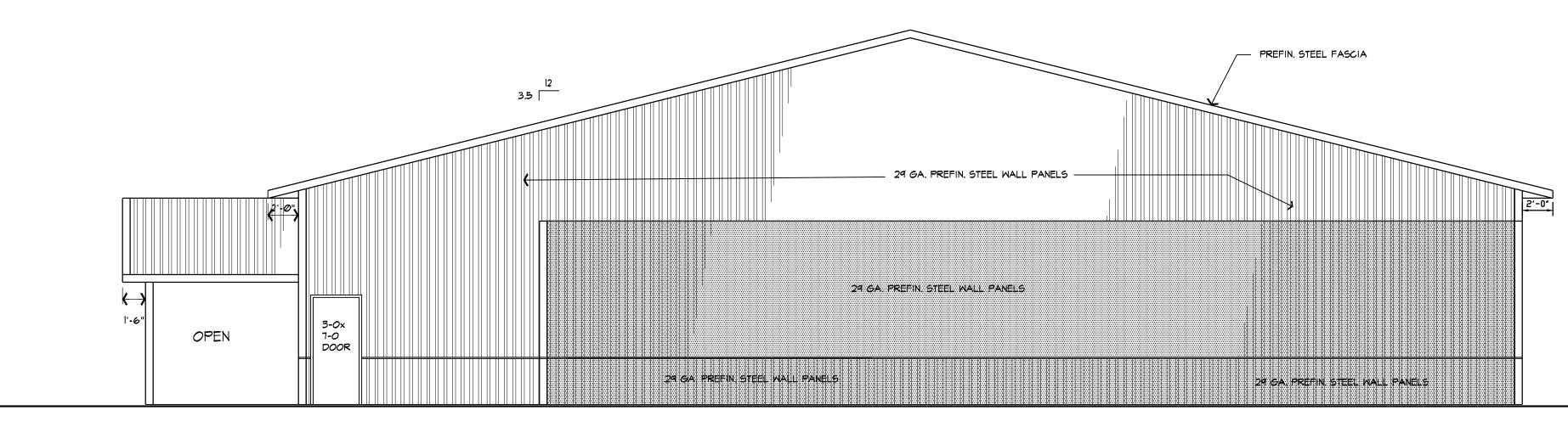


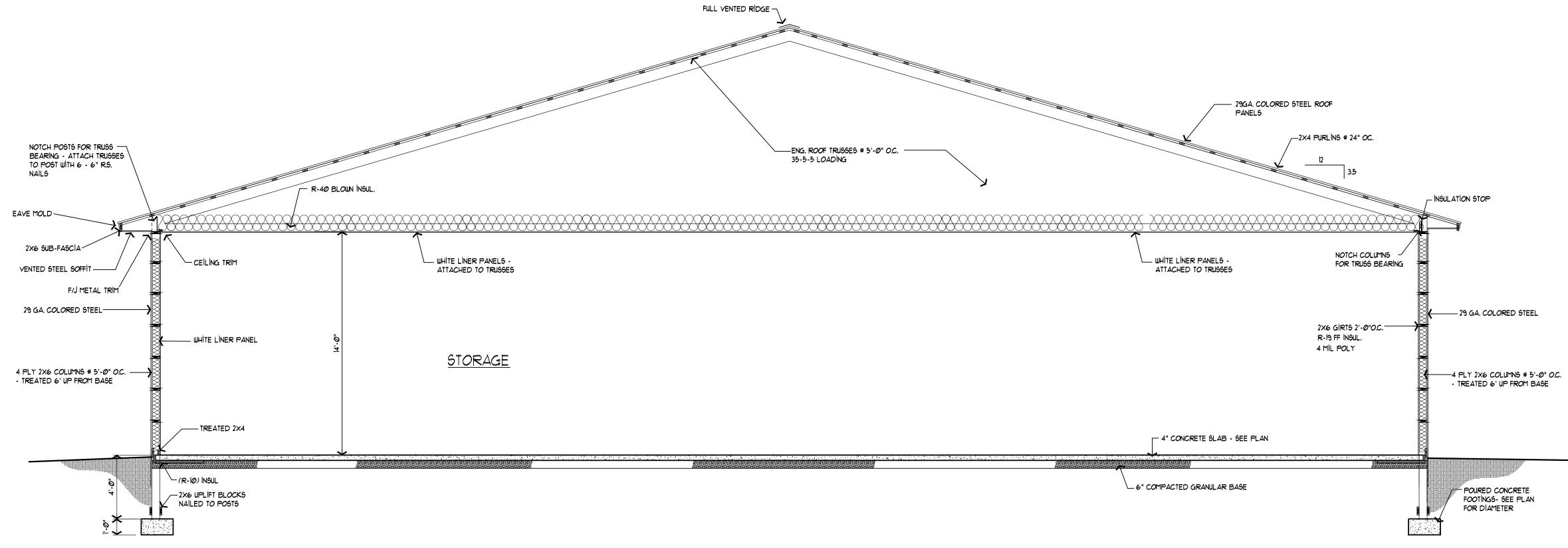










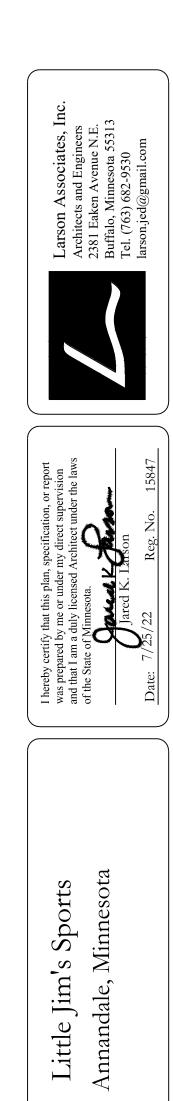


2

A3/



BUILDING SECTION SCALE: 1/4"=1'-0"



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A3

- The footings for the building are to bear natural soils or engineered capable of safely supporting a
- Notify the Architect/ Engineer immediately if any questionable conditions are encountered during excavation. Foundations are subject to change depending on the conditions encountered.
- Provide a minimum of 6" of compacted granular material below all slabs on grade.
- Roof truss, purlin and wall girt framing is shown as a general layout only. Consider the spacing shown on the plans to be the maximum.
- All prefabricated wood trusses shall be manufactured in accordance with designs prepared by a Registered Professional Engineer. Submit shop drawings for each type of truss showing bearing locations, truss lengths, member sizes and grade of lumber, member stresses, connecting plate sizes
- Concrete work shall comply with the current "Building Code Requirements for Reinforced Concrete" (ACI 318) as published by the American Concrete Institute. 6.

<u>Design Live Loads</u>

The Structural design is based on the following superimposed Live Loads:

Roof (Snow) - 35 PSF
Floors – Retail Area - 100 PSF
Storage – 125 PSF
Wind - 115 MPH

The Structural design is based on the building in the completed state. Contractors shall take the necessary precautions to insure that the building is braced during construction to resist all vertical and horizontal loads encountered.

Material Strengths

Concrete: 3000 psi for footings. 4000 psi for floor slabs. Lumber: Dimension lumber: No. 2 S.P.F. or as noted on plans Laminated poles: Fb = 1,700 psi Soil Bearing Value: 2,000 psf (assumed)

FOURED CONCRETE FOR DIAMETER

5.

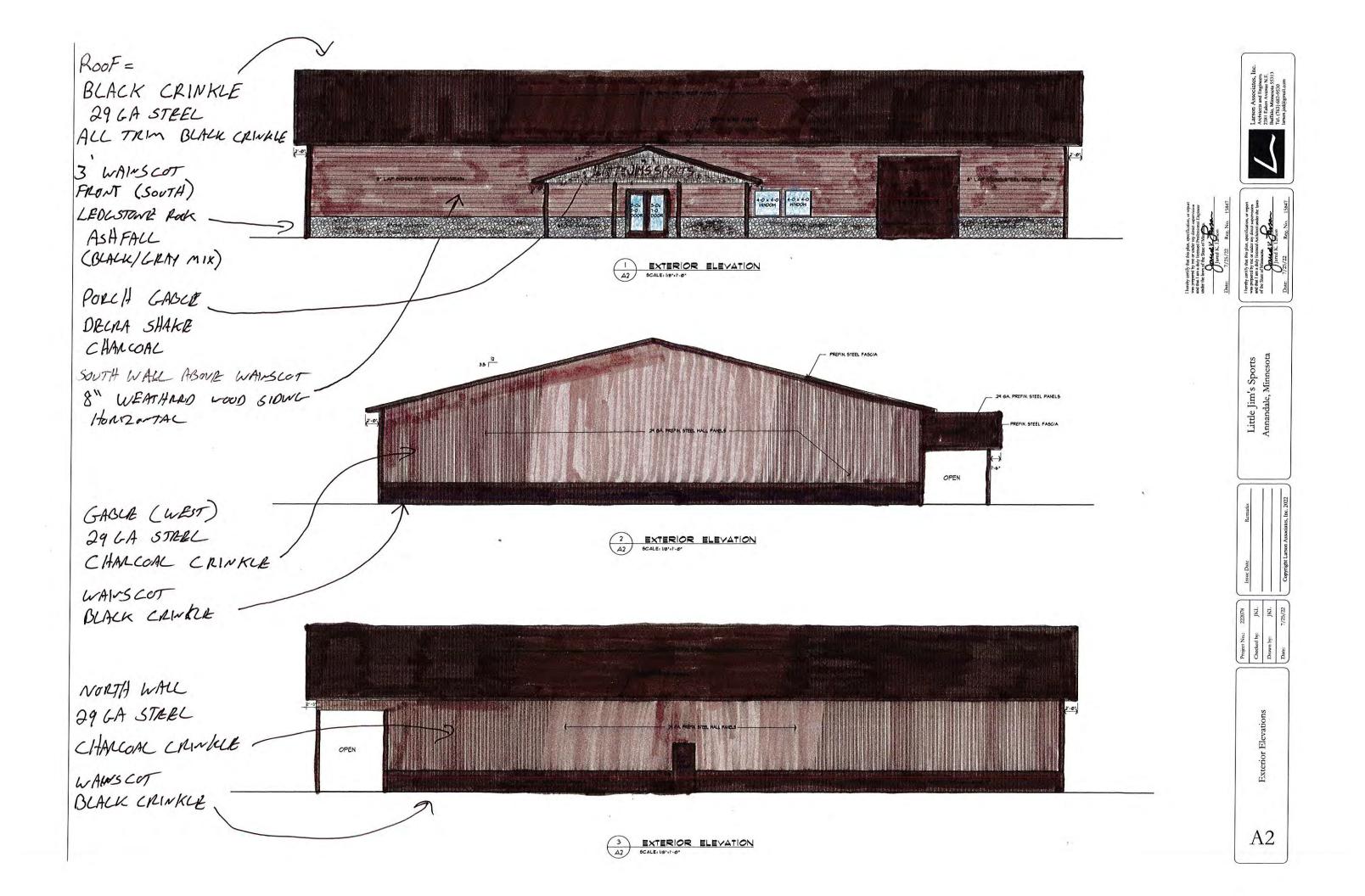
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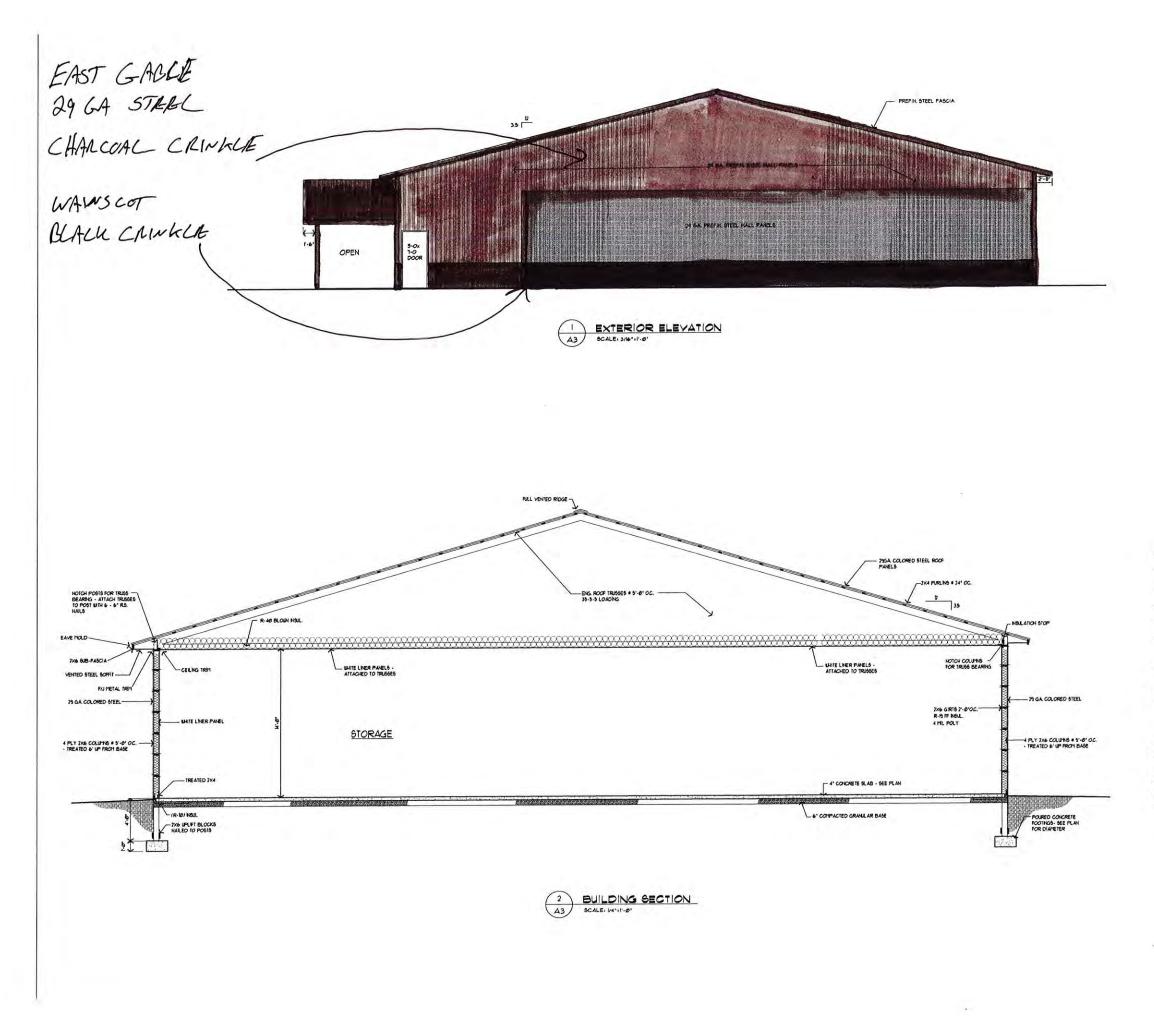
- and material, and bridging locations.

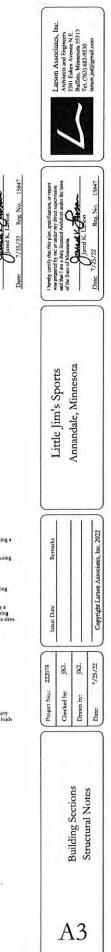
1. 2 3.

Structural Notes

uniform load of at least 2000 pounds per square foot, without harmful settlement.







Structural Notes

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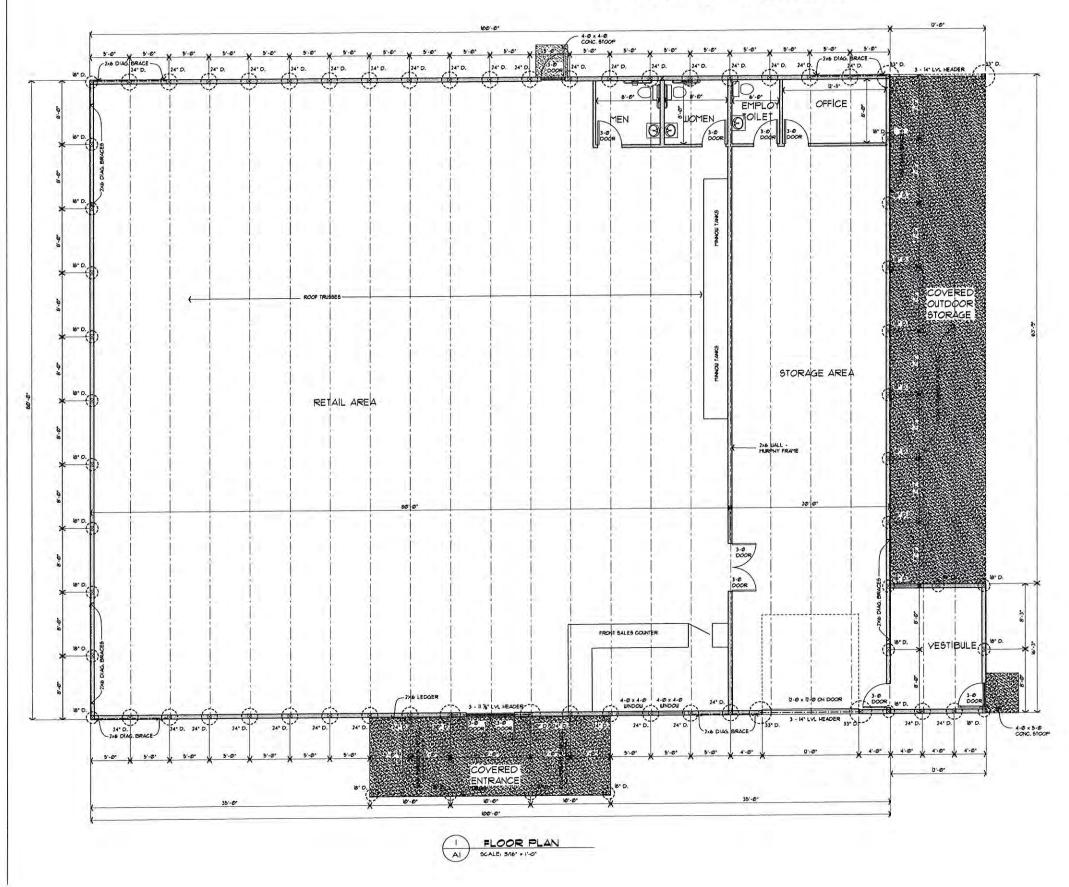
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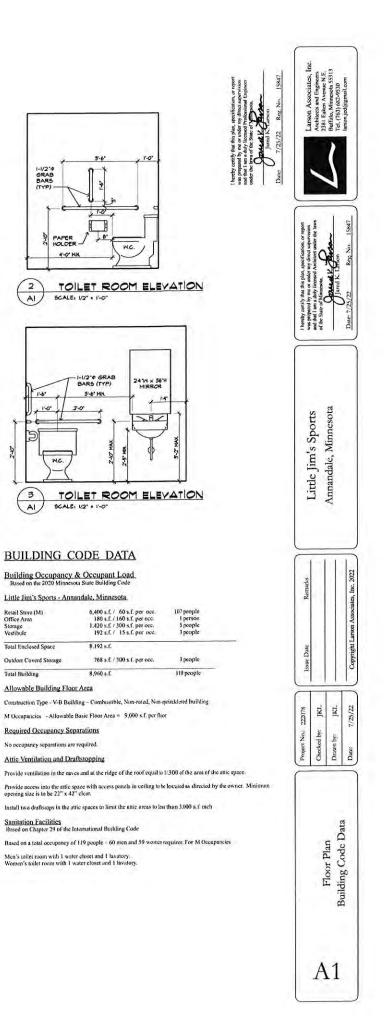
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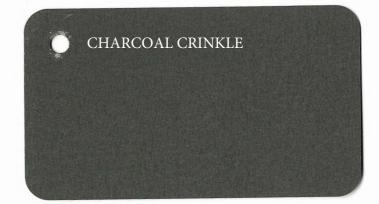
Little Jim's Sports

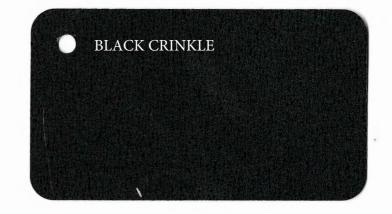
Annandale, Minnesota

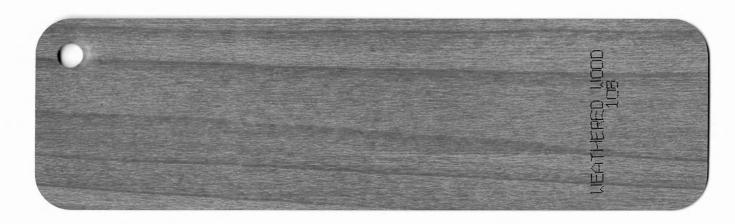


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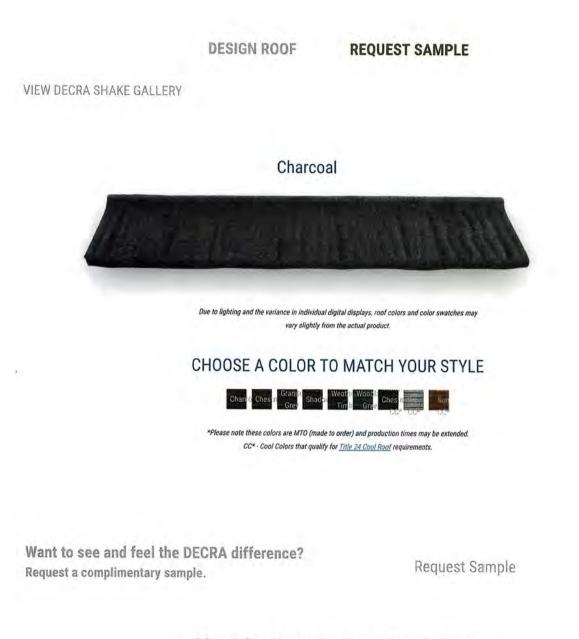




DECRA SHAKE

While cedar shake roofs provide distinct shadows and rich colors, the rustic beauty of cedar quickly fades to gray after exposure to the elements.

The DECRA Shake line of metal roofing products provides the classic elegance of rich cedar shake with the endurance and longevity that only stone-coated steel can provide.



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Cultured Stone® Country Ledgestone, Ashfall, Handipak, Flat, 11.25 SF per Box COUNTRY ASHFALL HPK FLAT

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<u>Z00M</u>

Branch: Appleton, Brainerd, Duluth, Eagan, Elk River, Green Bay, Mankato, Rochester, St. Cloud, Wausau
Brand: Cultured Stone®
Color: Ashfall
Shape: Flat
Size: Handipak

Type: The Vista Collection



Real People. Real Solutions.

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August 10, 2022

Jacob Thunander, Community Development Director via e-mail: jthunander@annandale.mn.us

RE: Little Jim's City of Annandale, Minnesota Project No.: 0W1.126383

Dear Jacob,

We have reviewed the Land Use Application materials submitted for the above referenced project and have the following comments:

- 1. All MnDOT comments shall be satisfied.
- 2. The northern boundary of Parcel A shall be expanded to encompass the existing concrete located north of the existing house.
- 3. The applicant shall submit a grading plan for the review of the City of Annandale.
- 4. The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) for the review of the City of Annandale.
- 5. The applicant shall submit a Storm Water Management Plan for the review of the City of Annandale.
- 6. The applicant shall submit a utility plan for the review of the City of Annandale.
- 7. The applicant shall submit construction details for the review of the City of Annandale.
- 8. The applicant shall submit a striping plan for the review of the City of Annandale.
- 9. The applicant shall submit a landscaping plan for review of the City of Annandale.

We recommend that the above requested information be provided prior to approval of a building permit for the property.

If you have any questions on the above, please call.

Sincerely,

Bolton & Menk, Inc.

Jared Voge, P.E. City Engineer

CITY OF ANNANDALE

REQUEST FOR COUNCIL ACTION

Originating Department: Administration		Meeting Date: August 25, 2022	Agenda No. 2B.			
Agenda Section: New Business		Item: Building and Site Plan Review for Hill Hiker 820 Norway Drive PID: 102-034-00170 Legal: Lot 6 and 7, Block 1 Lundeen's Addition Applicant: MacLand Co., LLC (Bill & Laurel MacLachlan)				
SITE INFORMATION & BACKGROUND						
PID:	102-034-001070					
Address:	820 Norway Drive East					
Legal Description:	Lots 6 and 7, Block 1 of Lundeens Addition					
Zoning:	I-1 (Industrial District)					
Comprehensive Plan:	Industrial					
Surrounding Site Use:	North: I-1 East: I-1					
	South	South: C-3				
	West: I-1					
Planning Case Number:	2022-16					
Deadline for Decision:	October 1, 2022 (60-day deadline) November 30, 2022 (120-deadline)					

Project Description:

MacLand Co., LLC has submitted a land use application to build a 9,023 square foot addition onto the existing Hill Hiker structure at 820 Norway Drive East. The existing building is 8,962 square feet.

ANALYSIS

Site & Building Plan Review

Prior to the issuance of a building permit for the new construction or expansion of any principal or accessory structure, a site plan must be submitted for review. Site plans for industrial principal structures, are required to be reviewed by the Planning Commission and City Council. The Planning Commission reviewed the request and their recommendation will be provided to the City Council.

The applicant proposes to add a 9,023 square foot addition onto an 8,962 square foot building. The addition would be to the south and east of the existing structure.

Setbacks & Performance Standards -

The I-1 District allows for buildings to be set back 30 feet from the front, 15 feet to the side, 25 feet to the street side, and 20 feet to the rear. The addition is 36 feet to the front, 20 feet to the

side, over 100 feet to the street side, and about 90 feet to the rear.

The land to building ratio is proposed to be about 25%. The total impervious surfaces are 62%.

Buildings are permitted to be 40 feet in height. The proposed structure is about 24 feet in height.

Building Elevations –

Section 150.49 of the Zoning Ordinance requires that "In industrial districts, curtain wall panels of steel, fiberglass and aluminum (nonstructural, nonload bearing), provided such panels are factory fabricated and finished with a durable nonfade surface and their fasteners are of a corrosion resistant design, and architectural metal panel systems may also be used as an exterior building finish."

Additionally, it states: "in industrial districts, the street facing front façade of all buildings shall not be more than 70% metal exterior finishes. A minimum of 30% shall consist of brick; stone, natural and textured cast stone; concrete masonry with integral color and texture (such as split rock faced concrete block) or with exterior surfaces that have been treated with a decorative applied, surface texture, and color other than paint; or cast in place concrete or pre-cast concrete panels."

The applicant is proposing a metal building with a 42" brick veneer facing the south. The applicant must provide calculations to determine if this meets the 30% requirement.

Additionally, the western elevation is facing a public right-of-way. The Council should determine if this must meet the required street facing accent materials.

The roof is proposed to be metal, as well. Concealed/hidden fasteners must be used for roofing.

Lighting –

Section 150.49 states that any artificial lighting used to illuminate an off-street parking area, sign, or other structure, shall be arranged so as to deflect light away from any adjoining property or from public streets. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right of way. Any light or combination of lights which cast light on a public street shall not exceed 1 foot candle (meter reading) as measured from the centerline of said street. Any light or combination of lights which cast light on adjoining property shall not exceed 0.4 candles (meter reading) as measured from said property.

A photometric plan depicting conformance should be provided.

Signage –

Any signage provided must meet the requirements of the City's Sign Ordinance.

Access and Parking –

Section 150.50 of the Zoning Ordinance states the City's parking requirements. Off-street parking areas and driveways must provide for proper drainage of surface water and shall be improved to

provide a durable and dust-free hard surface. Required off-street parking is not permitted to be utilized for open storage of goods or for the storage of vehicles which are inoperable or for sale or rent. Also, parking shall not be allowed in areas that are not designated for off-street parking, including open space.

All off-street parking areas of more than 6 spaces shall have permanent curbing not less than 5 feet from the property line and grass or plantings shall occupy the space between the property line and curb. The parking area already is in place from the former building and no expansion is proposed.

Parking stalls are provided for at 9' x 20'. There is also one required handicapped stall provided. Proper signage will be required.

Parking for this use is required at 1 stall per 1,000 square feet of building. This would result in a requirement of 18 parking stalls. The applicant is not proposing any additional parking and is intended to restripe the existing parking lot. This would result in the required 18 stalls. The pavement is in poor condition in the parking lot and may need to be resurfaced.

The applicant is also proposing a loading dock on the building that is facing the street. Loading and parking areas are intended to be the focus of landscaping plans.

Access and Circulation –

The applicant is not proposing to change the access to the site.

Exterior Storage – City code prohibits exterior storage other than as shown on a site plan approved by the City Council. All approved exterior storage shall be located in the rear yard and screened. Screening may consist of a fence, trees, shrubs and berms, but shall not extend within 15 feet of any street for driveway. The screening shall be placed along property lines or in case of screening along a street, 20 feet from the street right-of-way with landscaping between the screening and pavement. Planting of a type approved by the City Council may also be required in addition to or in lieu of fencing.

The applicant's site plan indicates an outside gravel storage area in the northwest corner of the site. As a condition of approval, the applicant must provide further details of this storage area and provide a screening plan compliant with City Code or remove the exterior storage from the site plan. Aerial imagery indicates the area has been used for exterior storage for the past 15+ years.

Landscaping -

A landscaping plan is required. The applicant provided a drawing depicting nine trees being planted on the north end of the site.

The ordinance requires 1 tree per 1,000 square feet of building. Therefore, 10 trees would be required if the addition is over 9,000 square feet in area, as depicted on the plans.

Some trees should be provided along Norway Drive in front of the building to block the loading areas. The applicant will need to provide a planting schedule and a security related to the

plantings.

Grading, Drainage, and Utilities -

The City Engineer has provided comments on the site plan in regard to grading, drainage, and utilities.

PLANNING COMMISSION REVIEW AND RECOMMENDATION

The Planning Commission reviewed the request on August 25, 2022. No public hearing was required as the applicant is generally trying to meet all City Code requirements. Due to the timing of the City Council meeting, a verbal update of the Commission's recommendation will be provided at the meeting.

STAFF ANALYSIS & RECOMMENDED ACTION

The applicant is proposing a building addition that generally meets code requirements related to setbacks. The landscaping plan requires some minor adjustment.

The condition of the parking lot and the building materials facing the west should be considered by the City Council.

Staff recommends approval of the request with the conditions noted in Exhibit Z.

ALTERNATIVE ACTIONS

Building & Site Plan Review:

- 1. Motion to adopt Resolution approving the building & site plan with Exhibit Z conditions.
- 2. Motion to deny building & site plan with a statement as to why the request was denied.
- 3. Motion to table action including a statement as to why the request is tabled with direction to staff and/or the applicant.

Attachments:

- A. Draft Resolution Approving a site plan for a building expansion at 820 Norway Drive East
- B. Aerial Image
- C. Applicant Narrative
- D. Certificate of Survey
- E. Civil Plans
- F. Elevations and Floorplans
- G. City Engineer's Letter, Dated August 10, 2022
- Z. Conditions of Approval

EXHIBIT Z Building and Site Plan Review for Hill Hiker Applicant: MacLand Co., LLC 820 Norway Drive East | PID: 102-034-001070

- 1. All comments from the City Engineer, City Staff, Planning Commission and City Council should be addressed.
- 2. The applicant shall provide a revised landscaping plan with 10 trees, a planting schedule, and trees along the west property line subject to review and approval of City Staff.
- 3. A detailed plan for the exterior storage and associated screening must be submitted for review or the external storage should be removed from the site plan.
- 4. A lighting photometric plan shall be provided for review and approval of City Staff.
- 5. The applicant must obtain a building permit.

CITY OF ANNANDALE RESOLUTION 2022-XX

RESOLUTION APPROVING A SITE PLAN FOR A BUILDING EXPANSION AT 820 NORWAY DRIVE EAST

WHEREAS, Macland Company LLC ("the Applicant") has made an application for a site plan review to allow for a building addition within the I-1 Industrial District within the City of Annandale ("the City") at 820 Norway Drive East; and

WHEREAS, the subject site ("the Property") is legally described as:

Lots 6 and 7, Block 1 of Lundeens Addition, Wright County, Minnesota; and

WHEREAS, the Applicant proposes a 9,023 square foot addition onto an existing 8,962 square foot building; and

WHEREAS, the Planning Commission reviewed the request at the August 25, 2022 meeting and recommended approval of the request upon finding that the plan generally meets the requirements of the Zoning Ordinance; and

WHEREAS, the City Council reviewed the request and the Planning Commission recommendation on August 25, 2022; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Annandale hereby approves the variance with the following conditions:

- 1. All comments from the City Engineer, City Staff, Planning Commission and City Council should be addressed.
- 2. The applicant shall provide a revised landscaping plan with 10 trees, a planting schedule, and trees along the west property line subject to review and approval of City Staff.
- 3. The outdoor storage area shall be defined on the site plan and screened or removed from the plan.
- 4. A lighting photometric plan shall be provided for review and approval of City Staff.
- 5. The applicant must obtain a building permit.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF ANNANDALE THIS 25th DAY OF AUGUST, 2022.

APPROVED

Shelly Jonas, Mayor

Attest:

Kelly Hinnenkamp, City Administrator/Clerk

Attached: Applicant's Plan Set

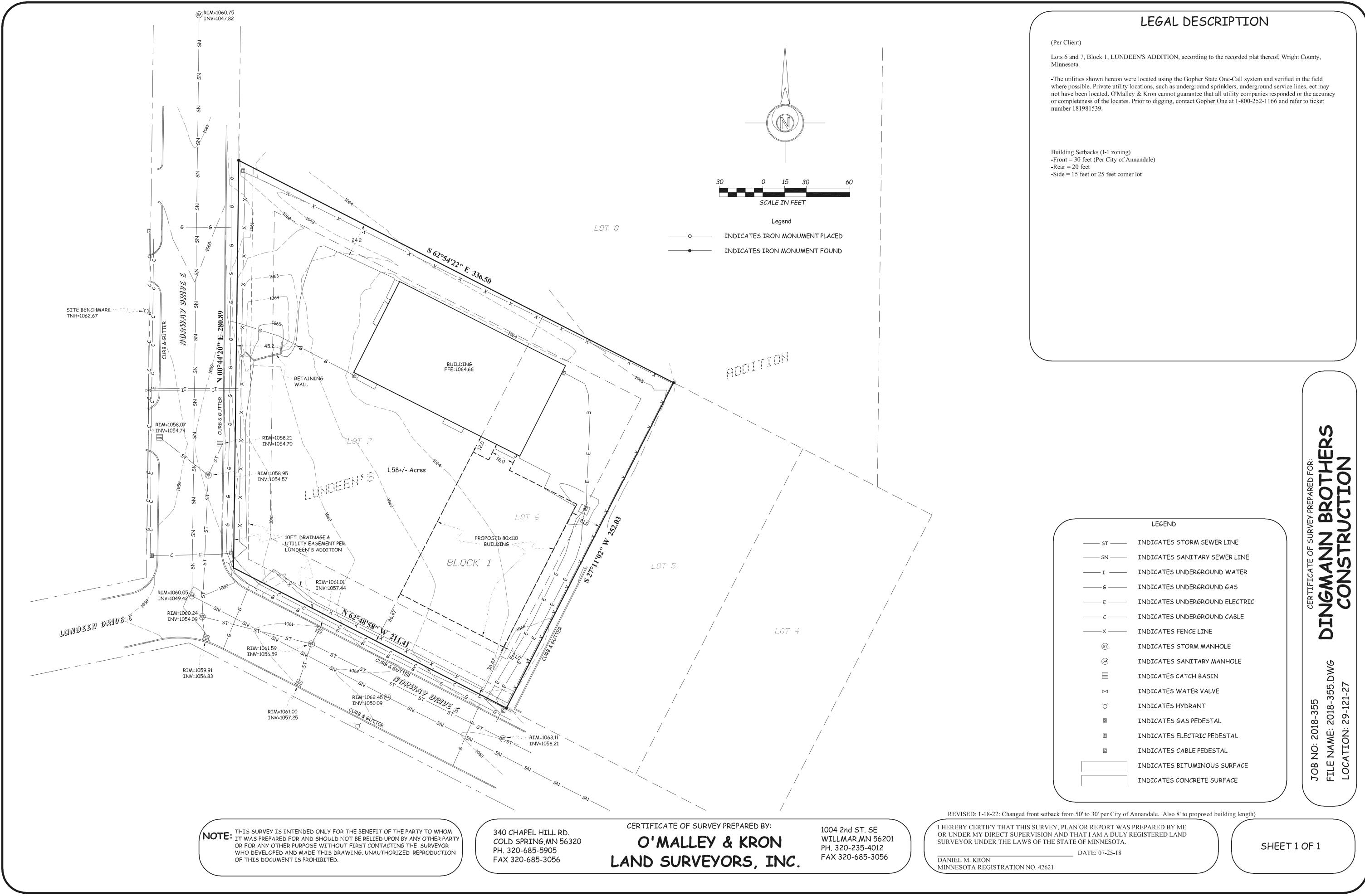
Applicant: MacLand Co., LLC | Request for Building and Site Plan Review

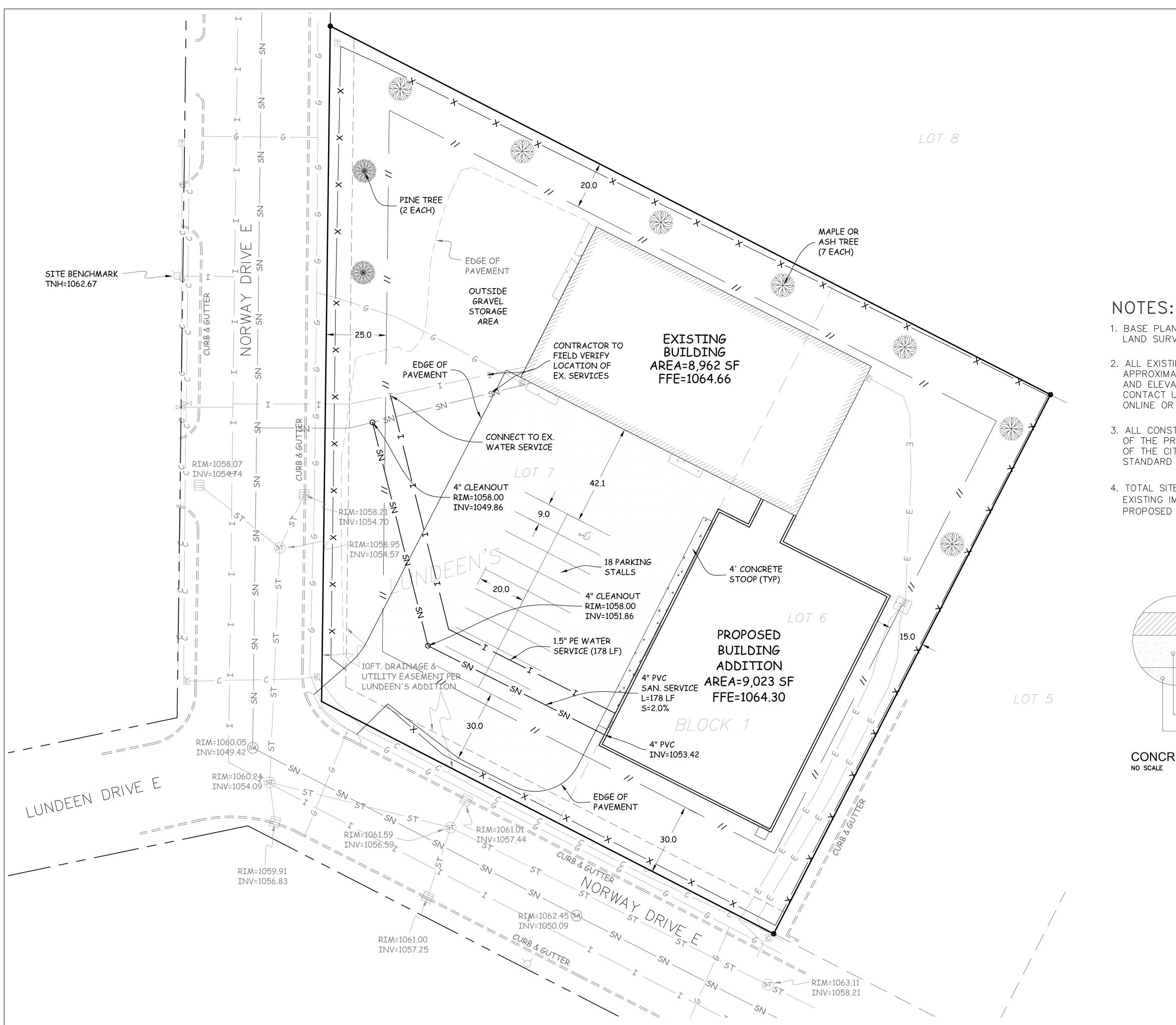
820 Norway Drive E | Legal: Lot 6 and 7, Block 1 Lundeen's Addition | PID: 102-034-001070

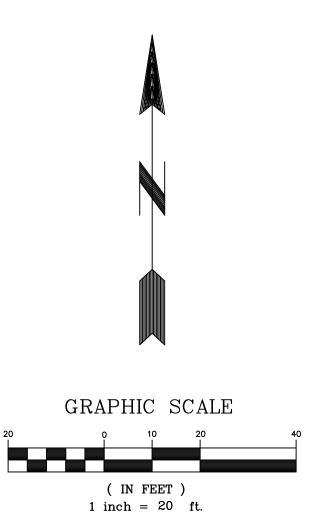


Description of Request

Machand Co., LLC is requesting a Building Permit to construct a new addition on our property located at 820 Norway Drive East, Annandale. The new addition proposed will facilitate the expansion of our manufacturing business, Hill Hiker, Inc. The style of the new addition will match the existing building structure located on the property.





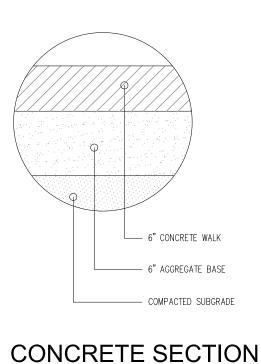


1. BASE PLAN USED IS A SURVEY PREPARED BY O'MALLEY & KRON LAND SURVEYORS, INC.

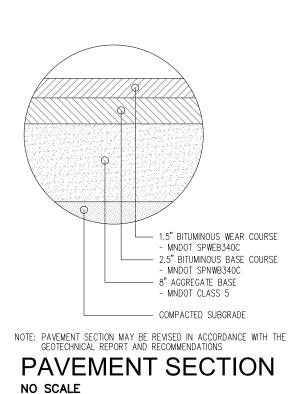
2. ALL EXISTING UTILITY LOCATIONS AND ELEVATIONS SHOWN ARE APPROXIMATE ONLY. CONTRACTOR SHALL CONFIRM ALL LOCATIONS AND ELEVATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL CONTACT UTILITY COMPANIES VIA GOPHER STATE ONE-CALL ONLINE OR BY CALLING 811 OR 1-800-252-1166.

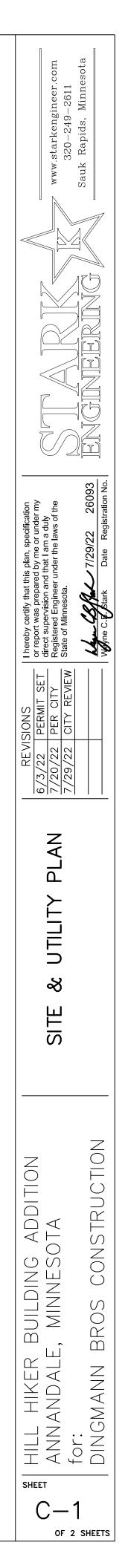
3. ALL CONSTRUCTION SHALL CONFORM TO THE MOST RESTRICTIVE OF THE PROJECT SPECIFICATIONS, THE STANDARD SPECIFICATIONS OF THE CITY OF ANNANDALE AND THE LATEST EDITION OF MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.

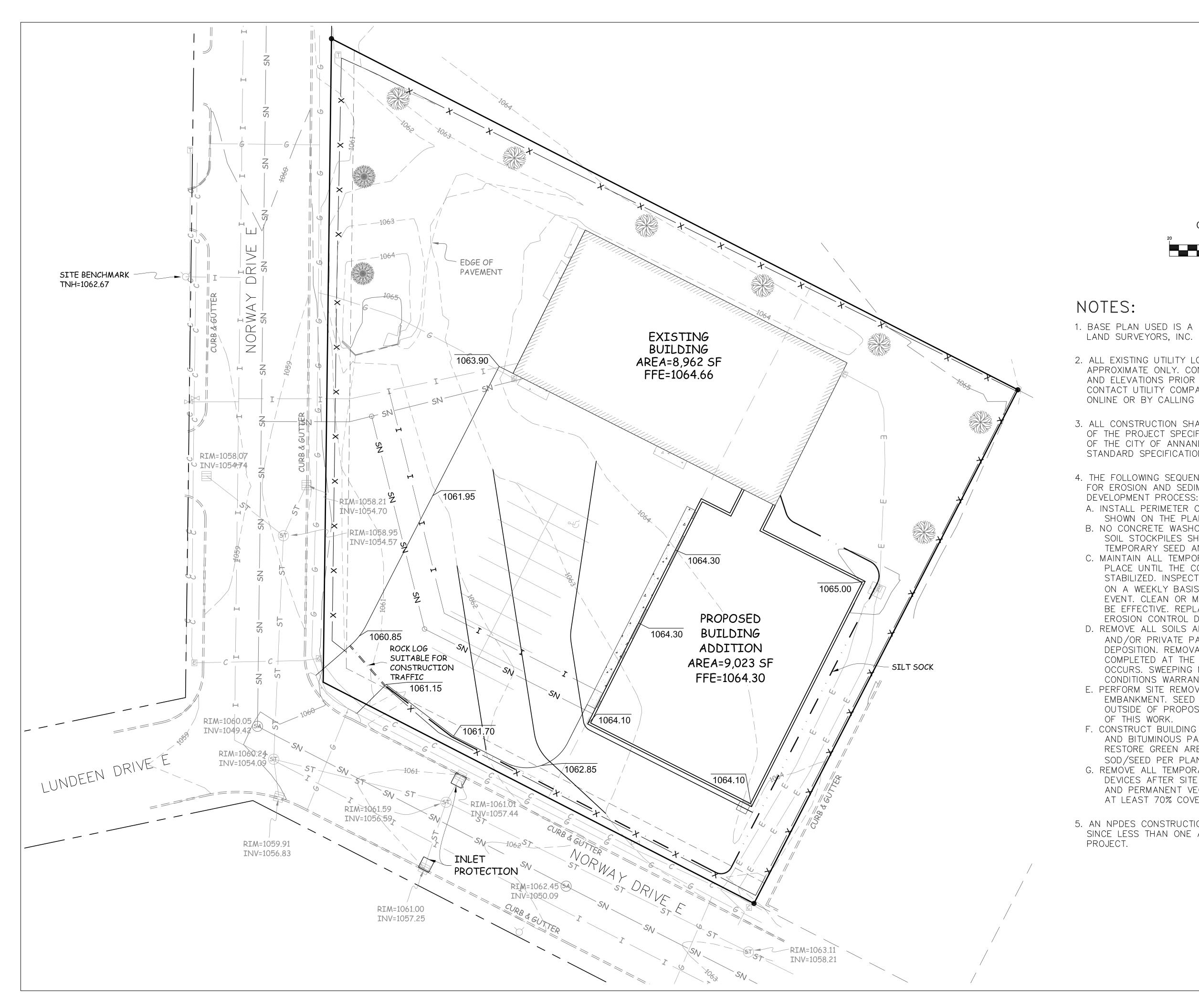
4. TOTAL SITE AREA = 68,988 SF (1.58 AC) EXISTING IMPERVIOUS AREA = 45,917 SF (66.6%) PROPOSED IMPERVIOUS AREA = 42,935 SF (62.2%)

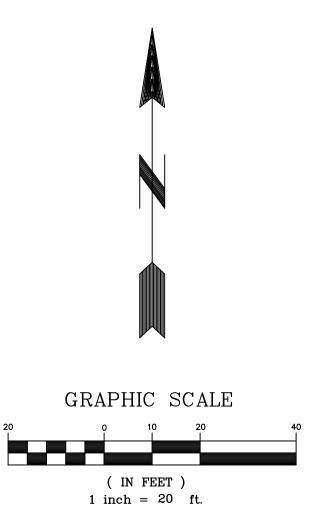


NO SCALE









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4. THE FOLLOWING SEQUENCE AND PROTOCOLS SHALL BE FOLLOWED FOR EROSION AND SEDIMENT CONTROL DURING THE SITE DEVELOPMENT PROCESS:

A. INSTALL PERIMETER CONTROLS (SILT SOCK & ROCK LOG) AS SHOWN ON THE PLANS PRIOR TO START OF WORK.
B. NO CONCRETE WASHOUTS ARE ALLOWED ON THE PROJECT SITE. SOIL STOCKPILES SHALL HAVE PERIMETER CONTROL AND HAVE TEMPORARY SEED AND MULCH.

C. MAINTAIN ALL TEMPORARY EROSION CONTROL DEVICES IN PLACE UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN STABILIZED. INSPECT TEMPORARY EROSION CONTROL DEVICES ON A WEEKLY BASIS AND AFTER EACH 1/2" OR MORE RAIN EVENT. CLEAN OR MAINTAIN THESE DEVICES AS NEEDED TO BE EFFECTIVE. REPLACE DETERIORATED, DAMAGED OR ROTTED EROSION CONTROL DEVICES IMMEDIATELY.

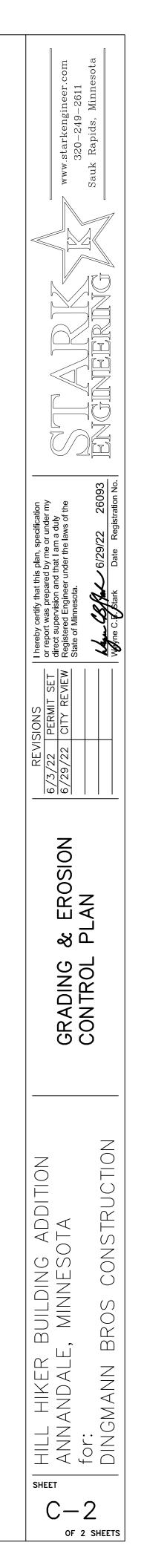
D. REMOVE ALL SOILS AND SEDIMENTS DEPOSITED ONTO PUBLIC AND/OR PRIVATE PAVEMENT AREAS WITHIN 24 HOURS OF DEPOSITION. REMOVAL OF TRACKING MATERIALS SHALL BE COMPLETED AT THE END OF EACH WORK DAY WHEN IT OCCURS. SWEEPING MAY BE ORDERED AT ANY TIME IF CONDITIONS WARRANT.

E. PERFORM SITE REMOVALS, GRADING, EXCAVATION AND EMBANKMENT. SEED AND MULCH ALL DISTURBED AREAS OUTSIDE OF PROPOSED PAVEMENT AREAS WITHIN 72 HOURS OF THIS WORK.

F. CONSTRUCT BUILDING ADDITION, INSTALL CONCRETE FLATWORK AND BITUMINOUS PAVEMENT SECTION. FINE GRADE SITE AND RESTORE GREEN AREAS WITH PERMANENT VEGETATION OF SOD/SEED PER PLANS.

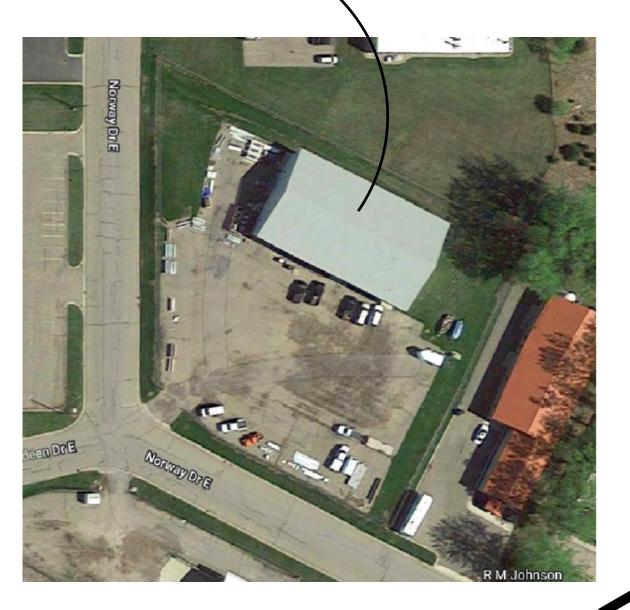
G. REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES AFTER SITE HAS UNDERGONE FINAL STABILIZATION AND PERMANENT VEGETATION HAS BEEN ESTABLISHED WITH AT LEAST 70% COVERAGE.

5. AN NPDES CONSTRUCTION STORMWATER PERMIT IS NOT REQUIRED SINCE LESS THAN ONE ACRE WILL BE DISTURBED WITH THIS



DRAFTING SYMBOLS				
SYMBOL	DESCRIPTION			
NORTH				
	NORTH ARROW			
MANAGERS OFFICE	- ROOM NAME			
120	- ROOM NUMBER			
	SECTION REFERENCE			
	ELEVATION REFERENCE			
	DETAIL REFERENCE BUBBLE			
•	ELEVATION REFERENCE			
Ф <u>-</u>	EXIST. ELEVATION REFERENCE			
\diamond -	PARTITION TYPE REFERENCE			
-	KEYNOTE REFERENCE			
$\langle A \rangle$	WINDOW TYPE REFERENCE			
\bigtriangleup	REVISION REFERENCE			

SITE LOCATION



SHEET NO.	ARCHITECTUR
ARCHITE	CTURAL
A0	PROJECT INDEX, TITLE SHEET, A
A1.0	FIRST FLOOR AND NOTES
A2.0	EXTERIOR ELEVATIONS AND DO
A3.0	BUILDING SECTION AND WALL S
A4.0	WALL SECTIONS AND DETAILS
CODE	ANALYSIS:
APPLI	CABLE CODE: 2020 MSBC 2020 MN ACCESSIBILITY CO 2020 MN PLUMBING CODE 2018 MN ENERGY CODE, IEC 2020 MN MECHANICAL AND 2020 MN FIRE CODE 2020 MN ELECTRICAL CODI
BUILDI	NG LOCATION: 820 Norway Drive E. Annandale, MN 5530
_	ING BUILDING AREA: 8640 SF. ADDITION: WAREHOUSE = 8,994 SF.
	PANCY CLASSIFICATION: ROUP: S-1
	OF CONSTRUCTION: TYPE V-B (PE V-B, NON-SPRINKLERED
A ALLO	WABLE HEIGHT : 1 STORIES, 40'-0" CTUAL BUILDING HEIGHT: 31'-4" WABLE FLOOR AREA PER STORY TA ROUP B, 9,000 SF. ACTUAL 8,994 SI
508.3 1	NONSEPARATED OCCUPANCY BETW
СНАРТ	ER 6: CONSTRUCTION TYPE/REQUIR
BEA	RING WALLS - EXTERIOR

BEARING WALLS - INTERIOR NON-BEARING WALL - EXTERIOR STRUCTURAL FRAME PARTITIONS FLOORS & FLOOR/CEILINGS **ROOFS & ROOF/CEILINGS**

DESIGN OCCUPANT LOAD:

WAREHOUSE 8,994 SF./500 EGRESS REQUIREMENTS:

BASE ON 2020 MBC TABLE 1006.2.1 18 Occ. < 49 Occ.

ONE EXIT REQUIRED/ 2 EXITS PROVIDED, 36" WIDTH EACH

TRAVEL DISTANCE: 200' MAX., 60' PROVIDED, TABLE 1017.2

PLUMBING FIXTURE REQUIREMENTS: **EXISTING TOILETS IN THE MAIN BUILDING**

AERIAL MAP NOT TO SCALE

RAL

AERIAL MAP, TOILET ELEV.

OOR SCHEDULES SECTIONS

2022 NEW ADDITION TO HILL HIKER INC.

820 Norway Drive E. Annandale, MN 55302

ODE CC D FUEL GAS CODE

302

ABLE 503: F

VEEN UNITS

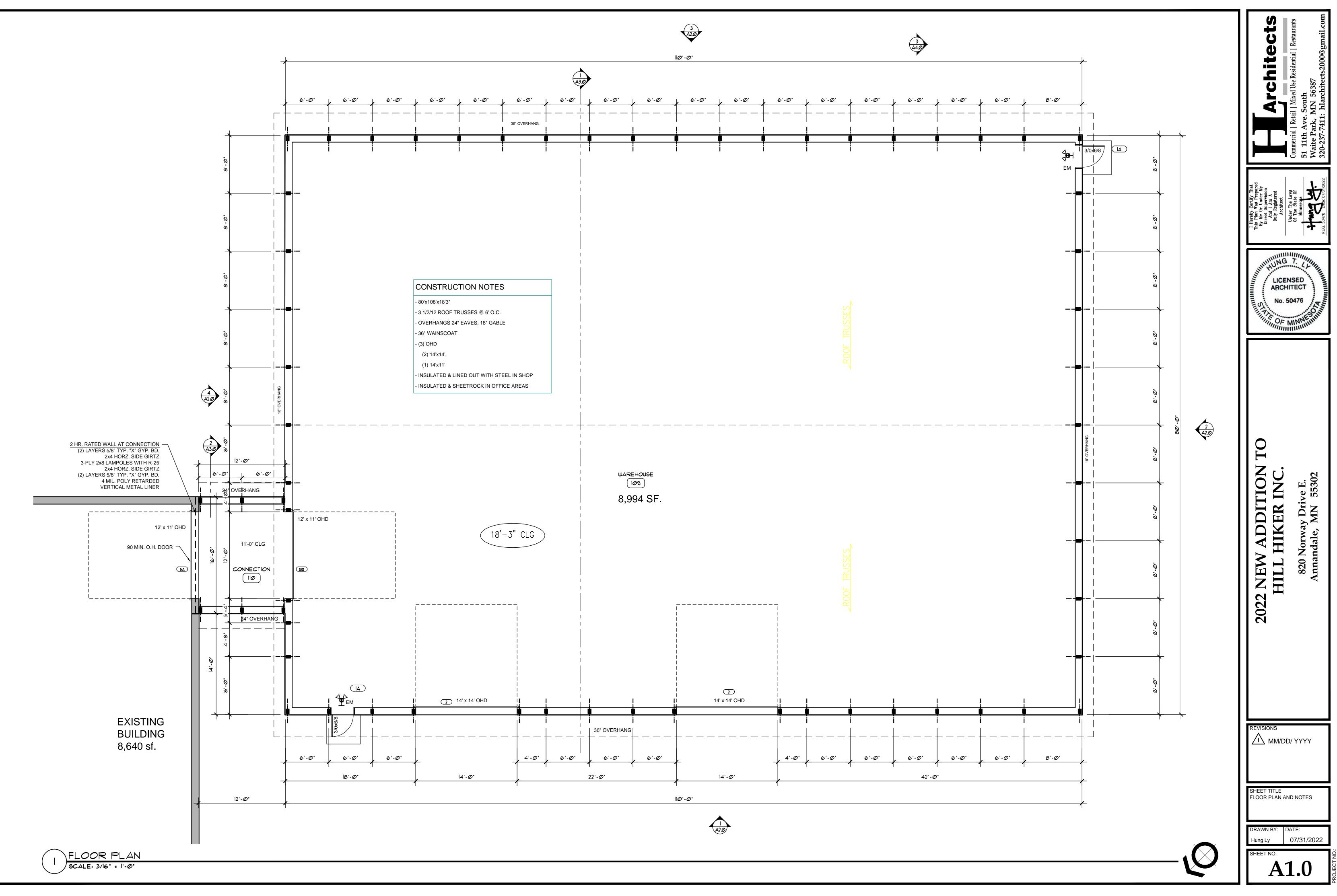
REMENTS

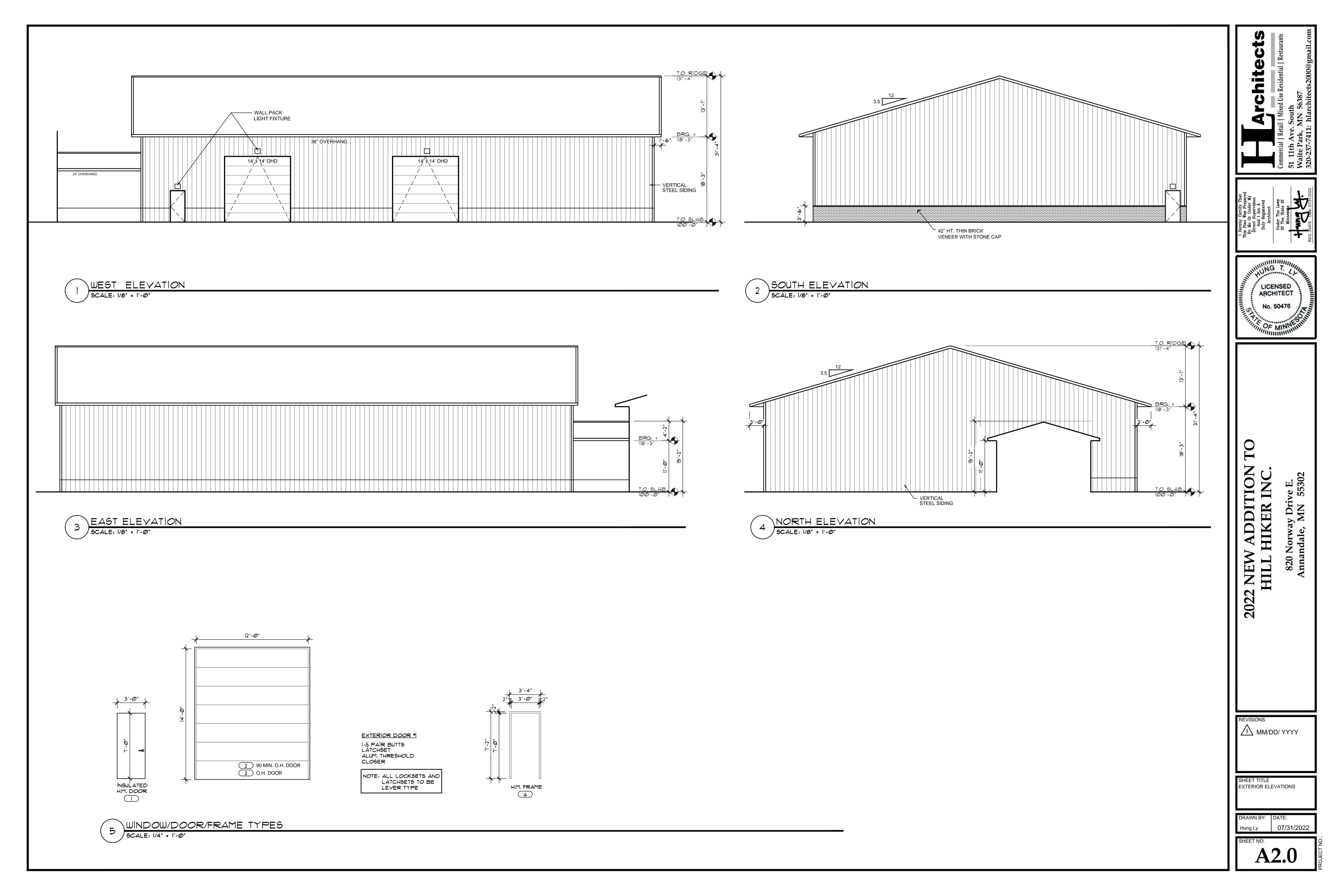
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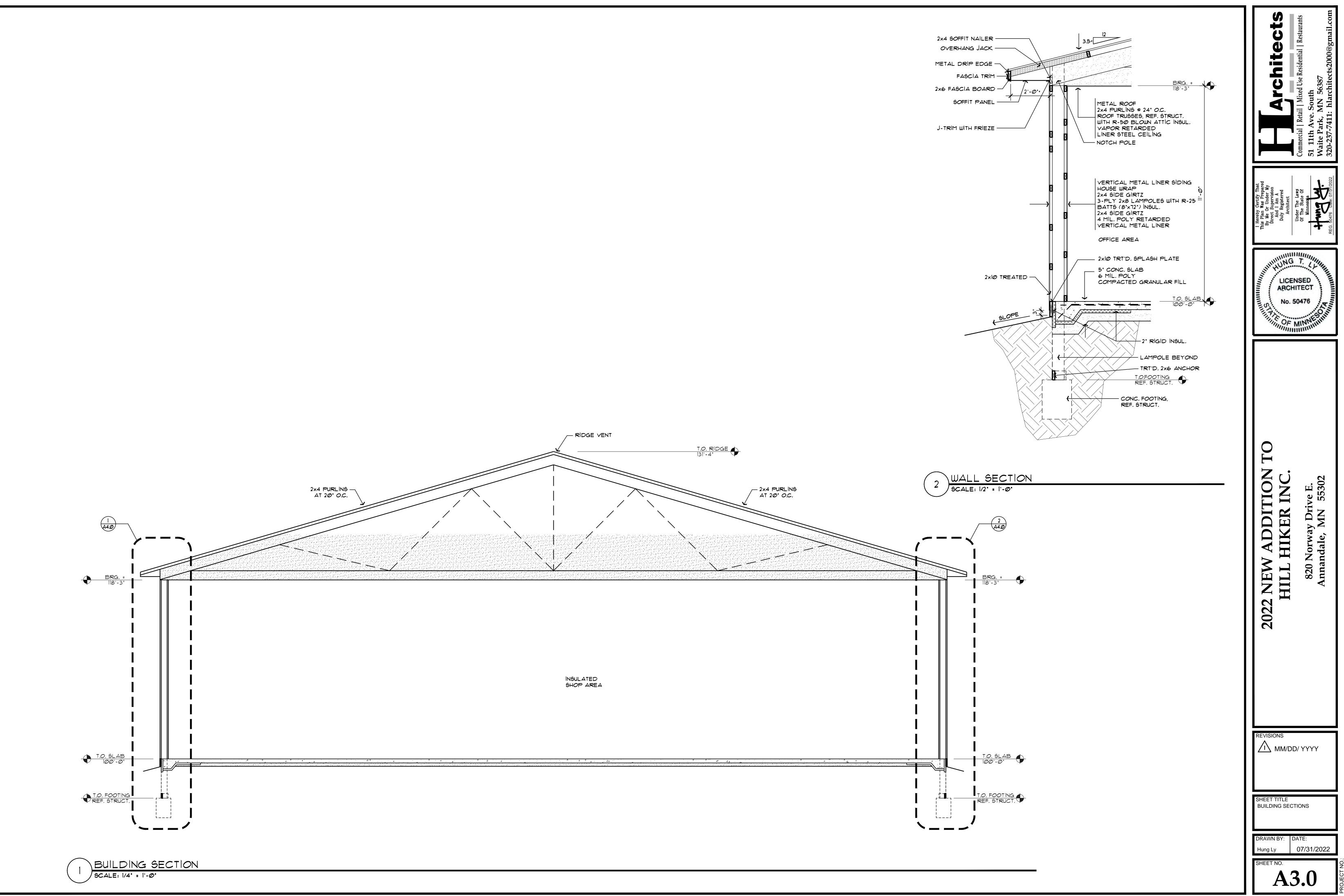
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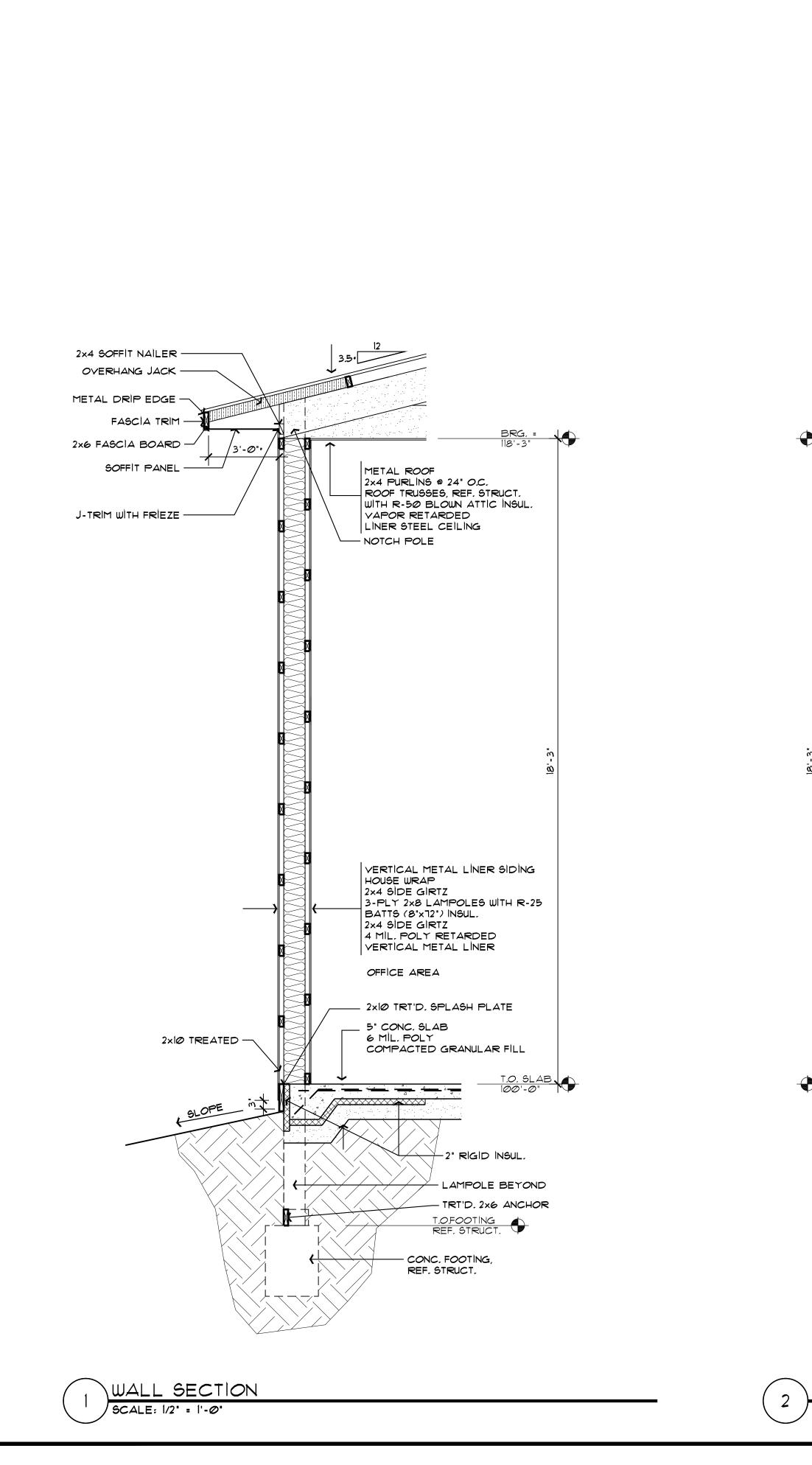
18 Occ.

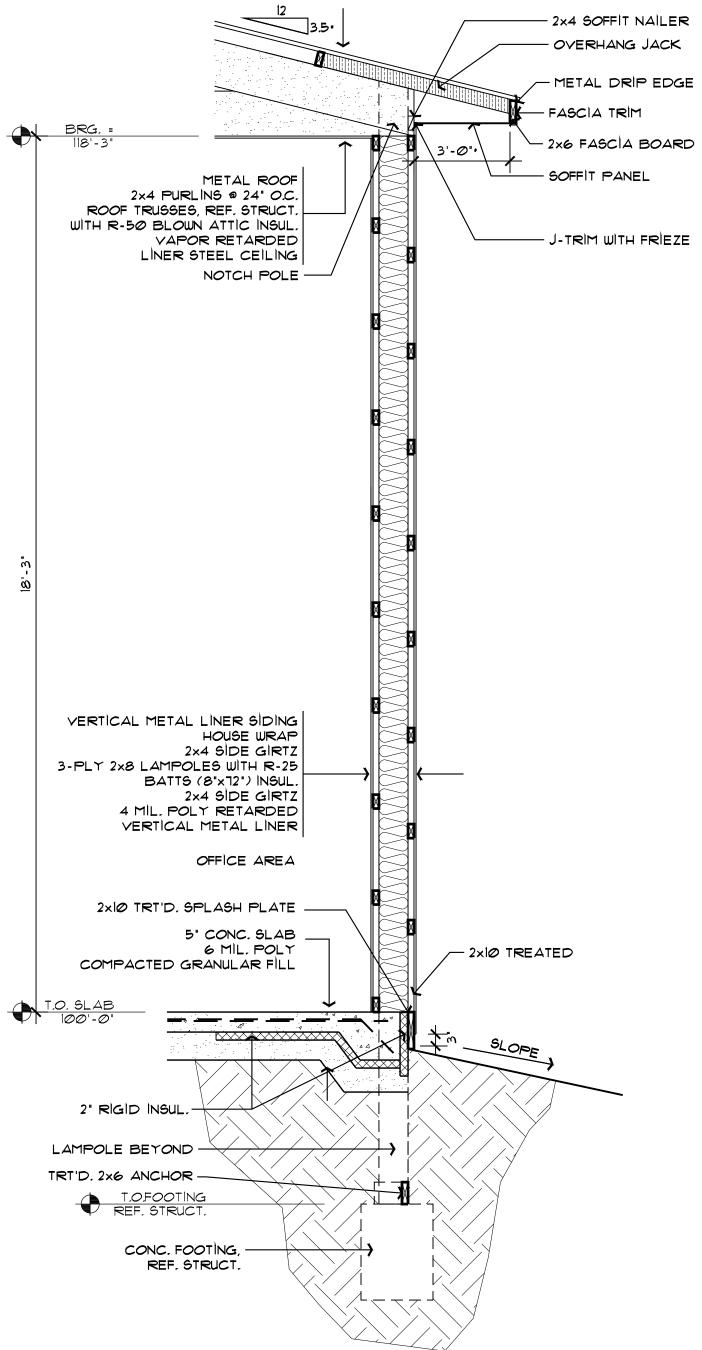
CommercialRetailS111th Ave. SouthWaite Park, MN56387320-237-7411: hlarchitects2000@gmail.com	
I Hereby Certify That This Plan Was Prepared By Me Or Under My Direct Supervision And I Am A Duly Registered Architect Minnesoa Minnesoa REG. 50476 Date: 07/31/2022	
LICENSED ARCHITECT No. 50476	
2022 NEW ADDITION TO HILL HIKER INC. 820 Norway Drive E. Annandale, MN 55302	
SHEET TITLE CODE ANALYSIS, AERIAL MAP, DRAFTING SYMBOLS, SHEET INDEX, AND INTERIOR TOILET ELEVATIONS	
DRAWN BY: DATE: Hung Ly 07/31/2022 SHEET NO.	











WALL SECTION SCALE: 1/2" = 1'-@"

Architects	51 11th Ave. South Waite Park, MN 56387 320-237-7411: hlarchitects2000@gmail.com
I Hereby Certify That This Plan Was Prepared By Me Or Under My Direct Supervision And I Am A Duly Registered Architect Under The Laws	REG.
LICENS ARCHIT No. 50	ECT
2022 NEW ADDITION TO HILL HIKER INC.	820 Norway Drive E. Annandale, MN 55302
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SHEET TITLE WALL SECTIONS	TE:
Hung Ly 0 SHEET NO.	• 0



Real People. Real Solutions.

2040 Highway 12 East Willmar, MN 56201-5818

> Ph: (320) 231-3956 Fax: (320) 231-9710 Bolton-Menk.com

August 10, 2022

Jacob Thunander, Community Development Director via e-mail: <u>jthunander@annandale.mn.us</u>

RE: Hill Hiker Building Addition City of Annandale, Minnesota Project No.: 0W1.126383

Dear Jacob,

We have reviewed the Land Use Application materials submitted for the above referenced project and have the following comments:

- 1. The proposed pavement limits shall be clearly defined on the construction documents. In addition, clarification shall be provided regarding the proposed surfacing material north and west of the existing building.
- 2. Tracer wire, 12 AWG shall be installed on the proposed sanitary sewer and water services.
- 3. Sanitary sewer clean-out spacing shall not exceed 75 feet.
- 4. A sanitary sewer clean-out shall be installed within 5 feet of the proposed building exterior.
- 5. Inlet protection shall be provided for the two catch basins on Norway Drive East which are adjacent to the property.
- 6. Silt sock shall be installed for approximately 120 feet north of the rock log identified in the plans.

We recommend that the above requested information be provided prior to approval of a building permit for the property.

If you have any questions on the above, please call.

Sincerely,

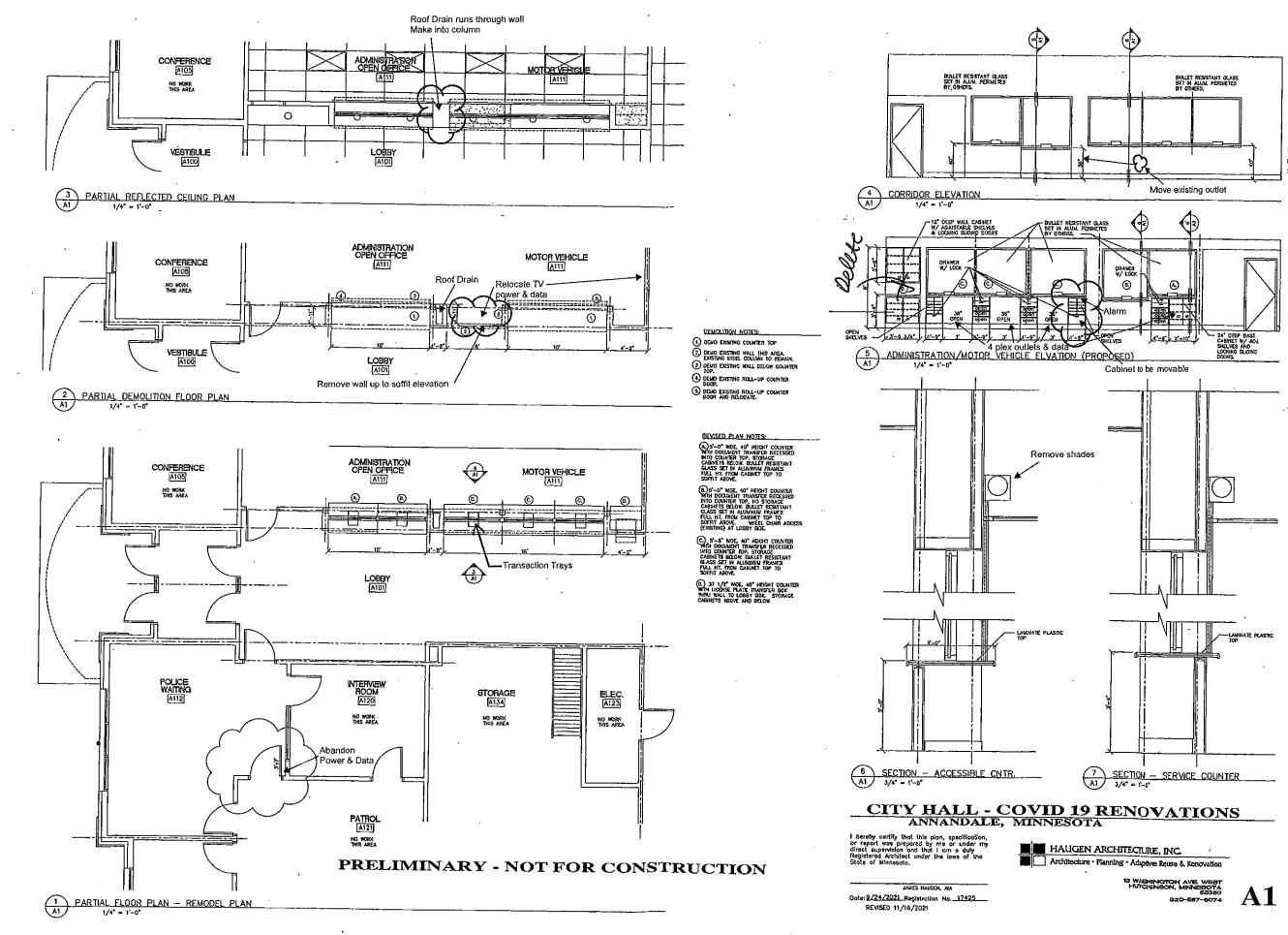
Bolton & Menk, Inc.

Jared Vogé, P.E. City Engineer

CITY OF ANNANDALE

REQUEST FOR COUNCIL ACTION

Originating Department: Administration	Meeting Date: August 25, 2022	Agenda No. 2C			
Agenda Section: New Business	Item: City Hall Improvement Project				
Background:	Background:				
Attached are quotes for the remodel of the counter and Police Department office at City Hall. This project will add a third counter station for the DMV, replace the existing aged counter for DMV and Admin departments and add additional storage under the counters to better maximize the office space. It will also make improvements to the Police Department by moving office access door located in the front area of the Police Department. This improvement will create a second workstation for future use and provide a more secure and safe work environment for staff.					
The City received two quotes for the w	The City received two quotes for the work-				
Ayers and Ayers- \$102,098 Shingobee Builders- \$44,852					
The City has funds available in the DMV (\$320k) and Building Capital Outlay fund (\$250k) that can be used to fund this improvement.					
Additional work that is not necessary with this improvement, but will be discussed at a future meeting include the following:					
New Workstations- \$12,000 estimated New Carpet- \$30,000 estimated Counter Glass Improvements- \$72,000					
If the contract is approved, the City will look at closing the City Admin and DMV offices for the work in November. The contractor is estimating the project to take no longer than two weeks. City Admin staff will work remotely, and the DMV will be temporarily set up in Council Chambers to continue providing service to customers.					
Council Action Requested: Will be discussed at the meeting.					



New tile under counter to match existing, otherwise sheet rock



May 12, 2022

Annandale City Hall 30 Cedar Ct. Annandale MN 55302

RE: Annandale City Hall Interior Remodel

BUDGET PROPOSAL

Thank you for the opportunity to provide a proposal for the tenant improvement project located at 30 Cedar Ct. Annandale MN 55302. Our proposal is based on preliminary drawings received from Haugen Architecture, INC.

Our budget pricing for the project, based on the conceptual drawings and scope defined below, is estimated to be Forty-Four Thousand Eight Hundred and Fifty-Two Dollars (\$44,852.00).

GENERAL CONDITIONS

- Superintendent, 2 visits per day.
- Project Management, as required, includes 2 trips per week.
- Daily cleaning as needed.

DEMOLITION

- Partial demolition of wall below the counter and soffit in the lobby
- Remove tile under service counter
- Partial demolition of wall in police station
- Remove security shades above service counter

CARPENTRY

- Furnish & install Cabinets and countertops
- Furnish & install door & hardware to match existing

FINISHES

- Framing and drywall under soffit
- Patch ACT ceilings
- Patch carpet at new door opening and at new service counter
- Painting

ELECTRICAL

- Relocate existing data and receptables
- Add 4-plex receptacles
- Abandon existing in police station

CLARIFICATIONS

- Add for solid surface countertop: \$7130.00
- Existing tile is not available, bid includes painting of drywall under service counter on lobby side.
- Owner to supply paint
- Bid does not include unforeseen conditions
- Cabinet lead time is approximately 10 weeks after approved shop drawings.

If you have any questions or comments regarding any part of this proposal, please feel free to call. If this proposal is acceptable, please sign and return a copy to Shingobee. We look forward to assisting you.



Construction | Project Management | Real Estate Development

Annandale City Hall 30 Cedar Ct. Annandale MN 55302

Sincerely, Shingobee Builders, Inc.

Marissa Raether Project Engineer 612.202.5275 MRaether@shingobee.com Proposal Accepted: Annandale City Hall

By: _____

Its:

Date: _____





Minnesota Nebraska

January 11, 2022 (revised 1.18.22)

City of Annandale Attn: Joe Haller 30 Cedar St. Annandale, MN 55302

RE: Front Counter Remodel

Dear Mr. Haller:

Ayars & Ayars, Inc. is pleased to provide our proposal for our construction services for the Front Counter Remodel based on walk through, e-mails received, and drawings dated 1/18/2022. Our scope of work is as listed below:

GENERAL CONDITIONS

- Ayars & Ayars, Inc. will supply the building permit pertaining to the proposed scope of work, an allowance of \$1,400 has been included.
- Project progress invoices will be submitted to the Owner on the 1st day of each month for the work performed and/or materials stored on the site during the prior month. Invoices are due and payable by the 10th day of the month.
- A 10 % down payment is required upon the acceptance of the proposal to cover the design, Contractor's site mobilization and set up costs. Provisions are not included for payment retainage or lien waiver submittals.
- Ayars & Ayars, Inc. will comply with OSHA standards and will be responsible for the enforcement of or compliance with these statutes, except as it pertains to representatives of the Owner.
- o Temporary utilities provided by others (Electricity, Water, Etc.)
- Ayars & Ayars, Inc. guarantees all work performed by itself and its subcontractors for a period of one year from the date of Substantial Completion. Manufacturer's warranties for Contractor provided equipment exceeding one year apply as applicable.
- Warranties for any Owner provided, or Owner supplied, Contractor installed equipment are not included.
- Any changes in the scope of the work to be performed by Ayars & Ayars, Inc., resulting in a "Change Order", will be bid to the Owner and written approval received before proceeding with the work.
- Sales tax is not included in this proposal for all material incorporated in this project.
- o Builders risk insurance is not included in this proposal.

ars & Ayars, Inc. Ayars & Ayars & Ayars,

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PROJECT DESIGN

Permit Set Drawings

DEMOLITION

- Remove and dispose of existing metal stud partition walls as shown on the drawing
- o Remove and dispose of two (2) existing roll-up fire doors
- Remove and dispose of existing countertops
- Remove and dispose of existing floor and wall tile at locations shown on the drawing
- o Remove and salvage existing TV for reinstallation

ROUGH CARPENTRY

- o Furnish and install new 3-5/8" steel stud partitions below the new countertops
- o Furnish and install gypsum board and sound insulation at new partition walls
- o Patch walls and soffit at demo locations and where new walls meet existing

CABINETS/COUNTERTOPS

- Furnish and install twenty-nine (29) lineal feet of plastic laminate countertop at the front counter space
- Furnish and install six (6) lineal feet of plastic laminate base cabinets with adjustable shelving and locking sliding doors
- Furnish and install three (3) lineal feet of plastic laminate upper cabinets with adjustable shelving and locking sliding doors
- Furnish and install four (4) plastic laminate paper forms cabinets as shown on the drawing

DOORS

- Furnish and install one (1) 3'-0" x 7'-0" solid core wood door with hollow metal frame at Police Waiting A112
- o New wood door will be prefinished and have remote electric strike

ROLL-UP DOORS

- Furnish and install one (1) 10'-0" power operated security roll-up shutter at the front counter location
- Furnish and install one (1) 16'-0" power operated security roll-up shutter at the front counter location

CERAMIC TILE

 Furnish and install new 12" x 12" ceramic wall tile at the front counter space to the approximate height of 3'-0, ceramic tile will be complimentary finish to existing

ACOUSTICAL TILE CEILING

 Patch/modify existing acoustical tile ceiling as necessary for new security roll-up shutters

FLOORING

- o Furnish and install carpet and vinyl base under the front counter space
- o Furnish and install carpet patching at the new door location to match existing

PAINT

- Furnish and install one (1) coat of latex primer and two (2) coats of latex paint at new gypsum board walls at the front counter space
- Furnish and install two (2) coats of semi-gloss enamel paint at new hollow metal door frame

SPECIALTIES

- Furnish and install one (1) thru-wall security transaction drawer, a material allowance of \$1,600 has been included
- Furnish and install five (5) under window stationary deal trays, a material allowance of \$120 has been included for each tray

HVAC

• Relocate one (1) existing thermostat at the front counter location

ELECTRICAL

- o Remove existing outlets and switches as necessary for demolition scope of work
- Furnish and install wiring for one (1) electric strike at new 3'-0" x 7'-0" door
- Furnish and install wiring for two (2) powered roll-up doors
- o Furnish and install Cat 5 cable wiring for five (5) workstations

Clarifications to Proposal:

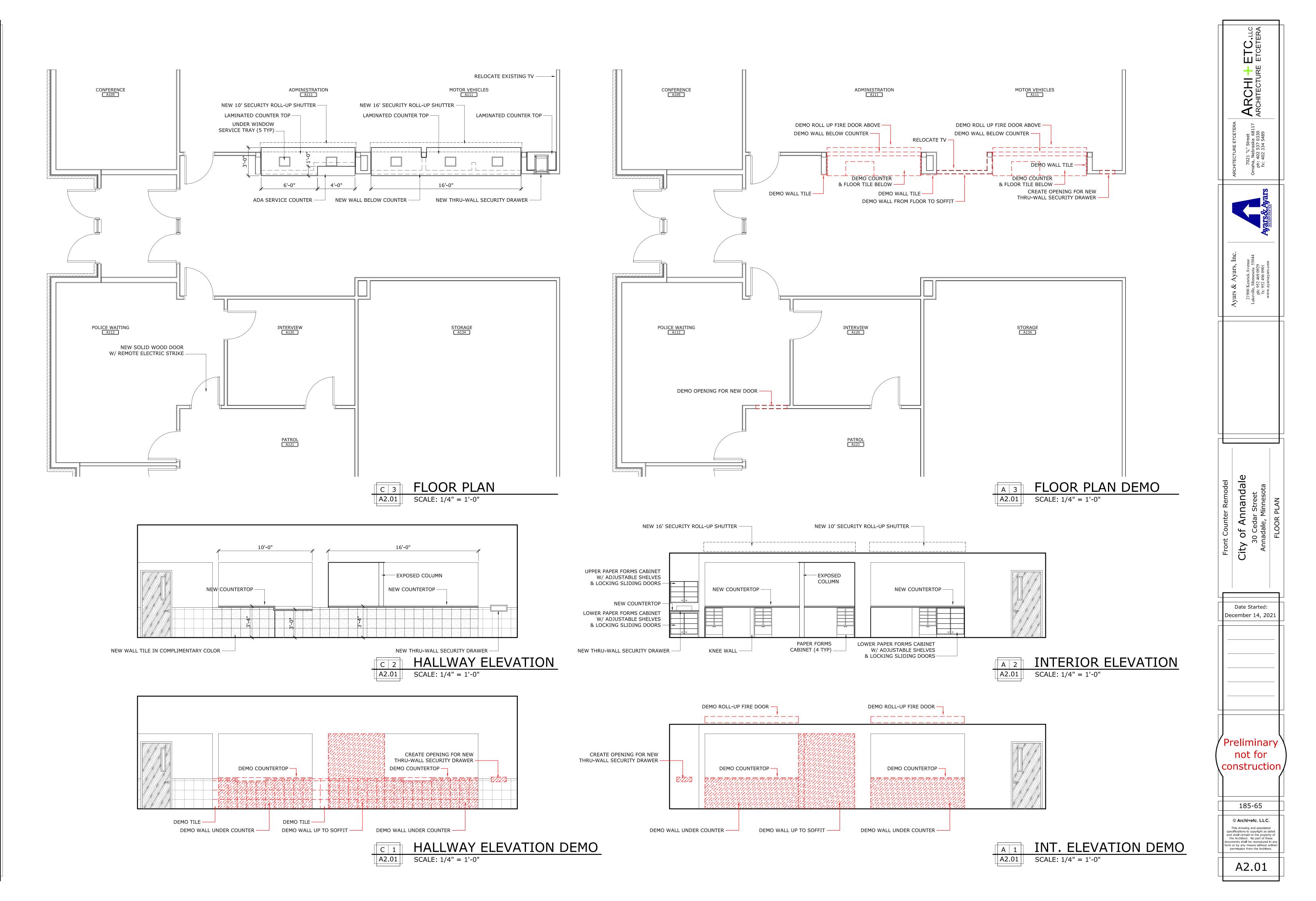
- Work schedule to be agreed upon prior to commencement.
- Proposal is based off working normal business hours.
- This agreement will be administered in accordance with Ayars & Ayars, Inc. General Terms and Conditions, a copy of which will be provided upon request.
- Proposal is based on drawings dated 1/18/2022. Any additional modifications outside of this drawing and proposal are not included.

Specifically excluded from this proposal are:

- o Testing
- o Engineering
- Sales tax
- o Davis Bacon Wages/Prevailing Wages
- Modifications beyond those listed on architectural drawings
- Relocate owner's property/equipment
- Fire rating of overhead coiling doors
- Windows/glazing
- o Plumbing
- o Fire Sprinkler

ars & Ayars, Inc. Ayars & Ayars,

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ars & Ayars, Inc. Ayars & Ayars,

BASE PROPOSAL QUOTATION:

We herby propose to provide the scope of work outlined above including all materials and labor, for the **LUMP SUM** price of:

...\$ 102,098

Alternates:

1. Furnish and install solid surface countertops in lieu of plastic laminate for the **ADDED** lump sum amount of:

...\$ 6,901

Ayars & Ayars, Inc. will honor quotation pricing for 30 calendar days from date of proposal. Thank you for the opportunity to propose our services to you, we look forward to working with you on this project.

Sincerely,

Mark K. Muelle

Mark Mueller Ayars & Ayars, Inc.



Minnesota Nebraska

ACCEPTANCE OF PROPOSAL

PROJECT: City of Annandale Front Counter Remodel 30 Cedar St. Annandale, MN 55302 Proposal dated: January 11, 2022 (revised 1.18.22)

You are hereby authorized to furnish all material and labor required to complete the work outlined in the above proposal, for which the undersigned agrees to pay the amount mentioned in the said proposal, and according to the terms thereof.

Authorized Signature:	 	 	_	
Title:	 	 		
Date:				

ars & Ayars, Inc. Ayars & Ayars

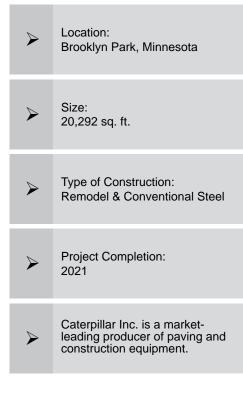
Building A Office Remodel

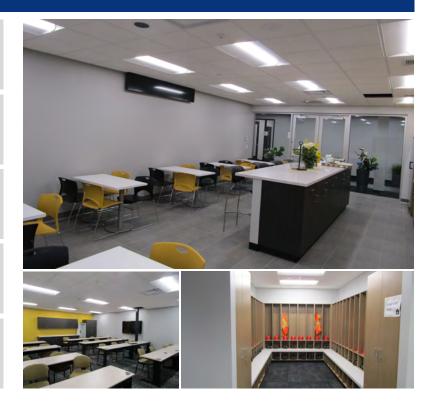


Relationships Build Success

Caterpillar was looking to remodel and expand their existing office space to account for an increase of employees. They also wanted to add a showroom to display the products they manufacture. The success of previous projects and a strong relationship with the company helped close this project for Ayars & Ayars, Inc.. Crews were able to remodel the existing office space and create a new addition for a showroom. Large curtain walls were used along with high quality finishes throughout. This new space now includes offices, restrooms, conference rooms, a break room, security space, a showroom, and a lobby.

Project Details







www.ayarsayars.com

Tenant Finish

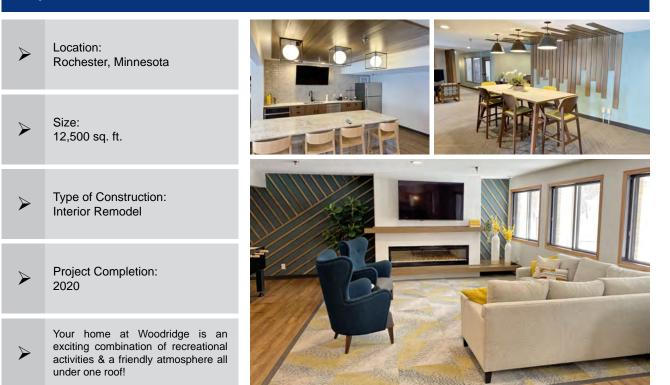
Woodridge Common Area Remodel



Fresh New Look

Ayars & Ayars, Inc. partnered with Woodridge Apartments in Rochester, MN to complete an interior remodel to their existing commons area. Our crews gave the space a modern, updated appearance by installing new carpet and vinyl base throughout the commons area. Wall covering was installed at the lobby entry, and a new brick veneer installed on the fireplace. Additionally, the common area kitchenette is furnished with a new stainless steel refrigerator, dishwasher, and microwave.

Project Details

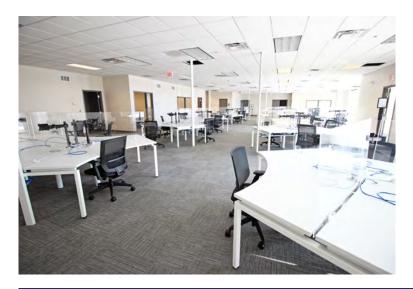




www.ayarsayars.com

Tenant Finish

Gatestone - Interior Build Out

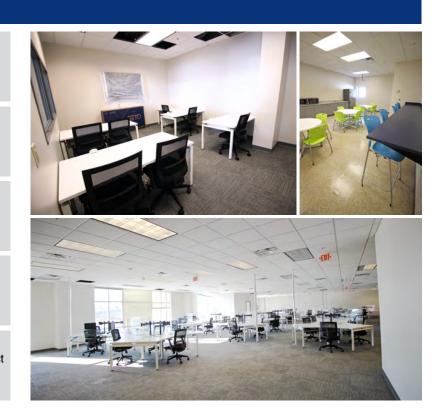


Wide Open Spaces

Gatestone was moving into a new space and they wanted to make it their own. They needed open offices / work spaces for their employees. We installed new doors and windows, as well as metal stud framing for a few additional walls within the space. The finishes for this project included painting the entire space, and adjustments to a few mechanical and electrical elements.

Project Details







www.ayarsayars.com

CITY OF ANNANDALE

REQUEST FOR COUNCIL ACTION

Originating Department: Administration	Meeting Date: August 25, 2022	Agenda No. 2D
Agenda Section: New Business	Item: Short Term Rental Ordinance Amendme	ent
Background:		
Background: At the August 8 th Council Meeting, the Council directed staff to work with the Planning Commission to consider an amendment to the Short Term Rental ordinance that would permit short term rentals through a permit process. Attached are emails/letters that have been submitted by residents that oppose the Council's consideration of amending the Short Term Rental Ordinance. Council Action Requested: Will be discussed at the meeting.		nort term rentals

Kelly Hinnenkamp

From: Jeff Harkman <jharkman@msn.com> Sunday, August 21, 2022 11:34 AM Sent: To: Kelly Hinnenkamp Jacob Thunander Cc: Subject: Short Term Rental Ordinance

Dear Kelly,

I am writing today to express my strong support of the <u>current</u> city ordinance restricting short-term rentals to a minimum of 30 days.

There are several concerns I have regarding the proposed revisions to the ordinance reported in the August 10th Annandale Advocate. They include:

- The current ordinance is less than one year old, with limited history. Why change it now? ٠
- What is driving the proposed ordinance changes? Have there been several constituent complaints or is ٠ this simply a case of the vocal few that do not like it? (ie: investors?)
- The proposed ordinance allowing short-term rentals of less than 30 days, creates an unfair playing • field for similar businesses located in commercial zones. The highway 55 hotel and Thayer pay significant business taxes whereas VRBO property owners located in residential areas do not. This is essentially discriminatory and unfair.
- Short-term rentals would naturally gravitate to Pleasant Lake. This would create the most opportunity • and income for property owners. The Lake is an attractive spot for short-term rentals. This could potentially negatively impact the Lake's family-friendly neighborhood environment.
- Annadale residents promote and support area business twelve months of the year. Short-term renters ٠ may or may not support area businesses.
- Short-term renters do not have a long-term investment in the community. They come and go, with • little regard or respect for their adjacent neighbors.
- The proposed ordinance also encourages large investment groups to come in and purchase several • homes for VRBOs. This risk is real on Pleasant Lake. This would essentially change the complexion of our neighborhoods and changes the overall dynamic of family and diversity of our small town.
- Other concerns:
 - Late-night noise and partying create significant discomfort for permanent residents.
 - o Parking: Lake Drive and Basswood Street cannot handle any additional parking.
 - Safety and security of our neighborhoods.
 - Existing VRBO on Lake Drive on Pleasant Lake is already creating significant neighbor concerns.

The current ordinance is reasonable and fair. It allows VRBOs and AIRBNBs to exist and operate in a fair manner. We need to let it work as intended!

Thank you for your time and review of my concerns.

Respectfully,

Jeff Harkman

272 Basswood Street N Annandale, MN 55302 612-804-6631 August 22, 2022

City of Annandale, Mayor Jonas, City Council, Planning Committee, Community Development Director, and City Administrator:

We are property owners and reside at 160 Lake Drive E Annandale, MN 55302. Our property is directly to the West of the currently illegal (under Annandale City Chapter 150.05 Section 13) short-term rental (VRBO.) We are in favor of retaining the current restrictions relating to short term rentals inside City limits, We are in direct opposition to amending the ordinance to allow for short term rentals. Without reciting the ordinance here, we believe that allowing short term rentals will have the effect of disrupting the residential character of neighborhoods, have a negative impact on the livability of residential neighborhoods, and reduce property values. Security in residential neighborhoods becomes a very large issue. We were at the November 8, 2021 council meeting, where the current zoning ordinance was approved by the entire council, without objections. Now approximately 9 months later, there is a proposed change in the zoning ordinance. Why the change? We believe that most if not all of the residents along the city side of Pleasant Lake oppose this change.

Mary Ann Humola Mary Ann Humola At E Meltin Steven F Miller

Kelly Hinnenkamp

Jim Kelso <jpkelso50@gmail.com></jpkelso50@gmail.com>
Tuesday, August 23, 2022 10:51 AM
S. Jonas; C. Czycalla; J. Grundy; M. Wuollet; T. Honsey; Kelly Hinnenkamp
City of Annandale Ordinances: Chapter 150.05, Section 13. Short Term Rentals Prohibited

Dear Mayor Jonas, Annandale City Council Members and City Administrator Hinnenkamp,

I'm writing to you to belatedly thank you for passing the City's ordinance Chapter 150.05 Section 13 which limits shortterm rentals in residential neighborhoods. I was delighted to receive a copy of the ordinance with a cover letter from the City dated December 7th, 2021.

- Your *Purpose* statement was spot-on: Short term rentals located in residential zoning districts
 - o "... <u>constitute commercial use</u> of residential property..."
 - o "...conflict with the character of residential zoning districts..."
 - o "...<u>disrupt the residential character</u> of neighborhoods..."
 - o "...and have a negative impact on the livability of residential neighborhoods."
- Nothing in that Purpose has changed since you promulgated the Ordinance just a few months ago.
- I know your Ordinance was not a "knee-jerk" reaction as I've communicated the need for good short-term rental regulations to Kelly multiple times dating back to early 2020.
- Making what looks like "knee jerk" changes just months after passing the ordinance would not present the appearance of good city governance.

My neighbor Jeff Harkman shared with me his August 21st letter written to you all. I hope you've each taken the time to read it. I strongly support the points he outlined and, as a courtesy to you, will not reiterate each one of them in this letter.

I will, however, ask you to consider the following:

- The City of Annandale property owners along Pleasant Lake comprise agenuine small town residential neighborhood. Here are just a few examples. We wave, smile & speak to each other frequently. We are courteous and respectful of our neighbors. We keep an eye on each others' property and contact them if anything seems out of the ordinary. We warmly embrace renters who are not short-term; for example, a great couple has rented a cabin located between Jeff's home and mine for 4-5 months for each of the past several years. They're fantastic folks who fit in perfectly.
- A memo the <u>Advocate</u> attributed to Matt and JT stated, "Rentals {presumaby short-term} have the potential to increase the number and value of future property sales." I'd say, in the wrong direction.
 - Jeff outlined the appeal of short-term rentals to investors. Investors who are not residents violate the Purpose statement of the current ordinance.
 - While, to my knowledge, the City cannot regulate who can buyproperty, the current Ordinance does a very effective job of making future sales most attractive to residential buyers!
 - I would argue that short-term rentals would not increase the number of residential sales in our residential neighborhood.
- NIMBY (Not In My Backyard) has application to a review of this ordinance.
 - If the addresses on the website are accurate, neither JT or Matt would be personally impacted in a negative way by allowing short-term rentals in City residential neighborhoods. I would suspect they would view the situation differently if they lived in our neighborhood.

- As City Council Members, they represent those who would be impacted by their proposed change. I would suggest that NIMBY should be projected to mean they would not support policies negative for others -- NIYBY - Not in **Your** Backyard." either.
- I'll be very direct. I do not want short-term rentals "in my backyard" a residential neighborhood and you folks have the ability to prevent that from occurring.

Thanks very much for your consideration.

Jim

James P. Kelso 248 Basswood St. N. Annandale, MN 55302

CITY OF ANNANDALE

REQUEST FOR COUNCIL ACTION

Originating Department: Administration	Meeting Date: August 25, 2022	Agenda No. 2E	
Agenda Section: New Business	Item: Ordinance Restricting THC Products		
Background:			
The Legislature enacted a new law at the end of the 2022 legislative session that allows certain edible and beverage products infused with tetrahydrocannabinol (THC) to be sold in Minnesota. Staff is recommending the Council consider approval of the attached Ordinance that would put a moratorium on the sale of THC products in City limits until additional research can be completed on the newly enacted law.			
Council Action Requested : Approval of the Ordinance and Approval of Resolution authorizing the publication of a Summary Ordinance.			

ORDINANCE NO. --AN EMERGENCY INTERIM ORDINANCE PROHIBITING THE ESTABLISHMENT OF NEW USES OR THE EXPANSION OF EXISTING USES RELATED TO SALES, TESTING, MANUFACTURING AND DISTRIBUTION OF THC PRODUCTS

THE CITY OF ANNANDALE DOES ORDAIN:

PREAMBLE: The following ordinance is necessary for the immediate preservation of the public peace, health, morals, safety, and welfare because of the inherent risk of injury to persons related to the recently legalized sale of edible cannabinoid products containing Tetrahydrocannabinol (THC). A prohibition on the establishment of new uses or the expansion of existing uses related to the sale of such products is necessary to ensure that the City has sufficient time to study potential regulations that will protect the health and safety of the residents of Annandale. There is insufficient time to complete the ordinary procedure for introduction and adoption of a city ordinance as required by City Charter and Code.

Section 1. Authority and Findings.

- A. The Minnesota Legislature recently amended Minnesota Statutes, section 151.72 relating to the sale of certain cannabinoid products. The new law permits the sale of edible cannabinoid products, provided that a product sold for human or animal consumption does not contain more than 0.3% of tetrahydrocannabinol and an edible cannabinoid product does not contain an amount of any tetrahydrocannabinol that exceeds more than five milligrams of any tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any tetrahydrocannabinol per package ("THC Products"). Sales of THC Products became legal on July 1, 2022.
- B. The new law allows sales and establishes some labeling and testing requirements, but it does not establish any licensing criteria or parameters for compliance by retailers. The new law does not prohibit local regulation.
- C. Minnesota Statutes, section 462.355, subd. 4 provides that if a municipality is conducting studies or has authorized a study to be conducted for the purpose of considering adoption or amendment to an official control, the City Council may adopt an interim ordinance for the purpose of protecting the planning process and the health, safety, and welfare of its citizens. An interim ordinance may regulate, restrict, or prohibit any use within the city for a period not to exceed one year from the effective date of the interim ordinance. Many cities have adopted interim ordinances to study the impacts of certain uses and determine whether regulations are appropriate for the purpose of protecting the public health, safety, and welfare of their citizens; and
- D. The City Council believes that authorizing a study regarding the types of uses that involve the sales, testing, manufacturing and distribution of THC Products is necessary to evaluate the regulatory options available to the City and is for the purpose of protecting the health and safety of Annandale's residents.

Section 2. Study. The City Council hereby authorizes and directs City staff to conduct a study of the issues relating to the sales, testing, manufacturing, and distribution of THC Products. Staff will then make a recommendation to the City Council about whether the City should amend its zoning, business-licensing, or other general Code provisions related to these types of uses to better protect the residents of Annandale.

Section 3. Moratorium. In accordance with the findings set forth herein, a moratorium is established as follows:

- A. No business, person or entity may establish a new use or expand an existing use that includes or involves the sale, testing, manufacturing, or distribution of THC Products, for a period of up to twelve (12) months from the effective date of this Ordinance or until the Council repeals this Ordinance, whichever occurs first.
- B. During the term of this Ordinance, the City staff will not issue any license or permit, nor will it accept or process any applications for uses related to the sale, testing, manufacturing, or distribution of THC Products.
- C. The moratorium established by this Ordinance does not apply to the sale, testing, manufacturing, or distribution of products that were lawful prior to enactment of the new law relating to THC Products.

Section 4. Enforcement. In addition to any criminal penalties allowed by law, the City may enforce this Interim Ordinance by injunction or any other appropriate civil remedy in any court of competent jurisdiction. A violation of this Ordinance is also subject to the City's general penalty in Section 115 of the Annandale City Code.

Section 5. Severability. Every section, subsection, provision, or part of this Ordinance is declared severable from every other section, subsection, provision, or part. If any section, subsection, provision, or part of this interim ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, subsection, provision, or part.

Section 6. Effective Date; Duration. Pursuant to sections 3.06 and 3.09 of the City Charter, this emergency ordinance shall become effective immediately upon its unanimous approval by all members of the Council; however no prosecution based on the provisions of this Ordinance shall occur until twenty-four hours after the Ordinance has been filed with the city clerk and posted in the three conspicuous places or until the ordinance has been published, unless the person charged with violation had actual notice of the passage of the Ordinance prior to the act or omission complained of. It shall be effective until the earlier of the following events: (a) one year from the effective date of this Ordinance or (b) the date upon which the City Council adopts an ordinance repealing this Ordinance.

Section 7. Summary. That the following summary clearly informs the public of the intent and effect of the Ordinance and is approved for publication: "The purpose of this Ordinance is to authorize a study related to the sales, testing, manufacturing, and distribution of recently legalized consumable cannabinoid products. Staff will then make a recommendation to the City Council about whether the City should amend its zoning, business-licensing, or other general Code provisions related to these types of products and associated uses to better protect the residents of Annandale. During the term of this

Ordinance, no business, person, or entity may establish a new use or expand an existing use that includes or involves the sale, testing, manufacturing, or distribution of consumable cannabinoid products that were legalized on July 1,2022, by the Minnesota Legislature's amendment of Minnesota Statutes, section 151.72."

Passed by the City Council this _____ day of _____, 2022.

Shelly Jonas, Mayor

ATTEST:

Kelly Hinnenkamp, City Administrator (SEAL)

RESOLUTION 22-

CITY OF ANNANDALE RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE ____

RECITALS:

WHEREAS, the City Council for the City of Annandale has adopted Ordinance which adopts an Emergency Interim Ordinance prohibiting the establishment of new uses or the expansion of existing uses related to sales, testing, manufacturing, and distribution of THC products within the City of Annandale; and

WHEREAS, the City of Annandale desires to publish the Ordinance by Summary Publication.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. The City Council has reviewed the proposed Summary Publication and finds that the summary of the Ordinance clearly informs the public of the intent and effect of the Ordinance.

The City Council directs the City Clerk/Administrator to publish the Ordinance 2. by Summary Publication.

Adopted this 25th day of August, 2022, by a vote of in favor and opposed.

CITY OF ANNANDALE

By______Shelly Jonas, Mayor

ATTEST:

By

Kelly Hinnenkamp, City Clerk/Administrator