

CITY OF WELLS, MINNESOTA
CITY COUNCIL RESOLUTION NO. 2016-15
A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO
EXTEND/EXPAND/ALTER A PRE-EXISTING NON-CONFORMING USE AT 355 3RD
STREET SE (PETERSON REFUSE & DEMO) BY ADDING A RECYCLING DROP
SITE.

WHEREAS, Milton & Gwendolyn Peterson Life Estate Etal, owner of Peterson Refuse & Demo, 355 3rd Street SE, also described as ORIGINAL PLAT OF WELLS Block-035 7, 8, 9 & 10 & VAC ST & ORIGINAL PLAT OF WELLS Block-036 1 & 2 & VAC ST (Parcel ID Number(s): 302007370 & 302007410 respectively) requested a conditional use permit to extend/expand/alter a pre-existing non-conforming use at said property in the General Industrial District (I-1) under Wells Municipal Code Sections 152.097 and 152.162-152.163; and

WHEREAS, the Planning & Zoning Commission, at a duly noticed public hearing on March 24, 2016, heard from the petitioner and heard no comments from interested parties invited to the hearing; and

WHEREAS, the Planning & Zoning Commission reviewed the request and found that: (a) the use is compatible with the uses in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity; (b) that the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area; (c) that adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided; (d) that adequate measures have been taken or will be taken to provide sufficient off-street parking and loading space to serve the proposed use; (e) that adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance and to control lighted signs and other lights in a manner that no disturbance to neighboring property will result; and

WHEREAS, the Planning & Zoning Commission recommended approval with the following conditions:

1. Hours to be limited to Monday – Friday 8 am – 6 pm & Saturday 8 am – 12 pm.
2. Repair and maintain existing fence in good order so site is properly screened.
3. Structure framework from 2006/2007 denied building permit/variance along south wall must be removed within six (6) months of approval.
4. Access to the drop site and clear turnaround areas must be provided. All customer and employee parking must be either on-street (if permitted) or on-site. The boulevard area must remain clear of parked vehicles and business-related items. Nothing is to be stored in the boulevard area.
5. Proposed additional use (recycling drop site) is to be kept within the confines of the existing site; and

WHEREAS, the City Council reviewed the request and the Planning & Zoning Commission's recommendation at a duly noticed regular meeting on March 28, 2016 and found that the request will not be detrimental to the health, safety, and general welfare of the city of Wells and its residents and meets the requirements of Wells Municipal Code Sections 152.097 and 152.162-152.163 if subject to the following conditions:

1. Hours to be limited to Monday – Friday 8 am – 6 pm & Saturday 8 am – 12 pm.
2. Repair and maintain existing fence in good order so site is properly screened.
3. Structure framework from 2006/2007 denied building permit/variance along south wall must be removed within six (6) months of approval.
4. Access to the drop site and clear turnaround areas must be provided.
5. Nothing is to be permanently stored in the boulevard area. Boulevard area can be used for temporary employee and equipment parking.
6. Proposed additional use (recycling drop site) is to be kept within the confines of the existing site.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WELLS THAT:

1. The conditional use permit to extend/expand/alter a pre-existing non-conforming use at 355 3rd Street SE, Wells, MN by adding a recycling drop site is hereby approved subject to the following conditions:

1. Hours to be limited to Monday – Friday 8 am – 6 pm & Saturday 8 am – 12 pm.
2. Repair and maintain existing fence in good order so site is properly screened.
3. Structure framework from 2006/2007 denied building permit/variance along south wall must be removed within six (6) months of approval.
4. Access to the drop site and clear turnaround areas must be provided.
5. Nothing is to be permanently stored in the boulevard area. Boulevard area can be used for temporary employee and equipment parking.
6. Proposed additional use (recycling drop site) is to be kept within the confines of the existing site.

MOTION: Herman
 SECOND: Braun

VOTE: Y Braun Y Burns A Gaines A Harig Y Herman

PASSED and ADOPTED by the City Council of the City of Wells, Minnesota on March 28, 2016.

By: 
 Ronald Gaines, Mayor

Attest: 
 Robin Leslie, City Administrator