

City of Becker  
Planning  
Commission

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Becker City Hall, Council  
Chambers

12060 Sherburne Avenue

Monday, June 27, 2022

**6:00  
PM**

**Agenda**

- 6:00 pm**
1. Call Meeting to Order
  2. Agenda Review and Adoption
  3. Approval of Minutes of May 23, 2022 Meeting
  4. Community Development Director Update
  5. 10 Acre Parcel - Proposed Sale Comprehensive Plan Conformance
    - a. PC RES 22-11
  6. Call for Public Hearing - C-HWY Maximum Lot Coverage
  7. Other
    - a. Solar Overlay Update
    - b. Sherco Master Planning
    - c. AUAR Update
    - d. JT2 Properties Update
  8. Adjourn

**City of Becker  
Planning Commission  
Minutes of May 23, 2022**

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The Becker Planning Commission met at 6:00 p.m. on May 23, 2022, in Becker City Council Chambers at Becker City Hall located at 12060 Sherburne Avenue, Becker, Minnesota.

**MEMBERS PRESENT:** MaryJo Cobb, Rick Hendrickson, Mike Doering, Justin Robinson, Amy Stanger

**ABSENT:**

**OTHERS PRESENT:** Mary Roe – City Planner, Caryn Dunderi – Administrative Support Specialist, Jessica Treptau – CUP Applicant, Rick Schreier – Owner of Becker Collision & Glass, Dean and Julie Wall – Owners of Becker Screen Print and Embroidery, Barb Marsh – Becker Resident, Cory Osgood – Becker Resident, Howard Osgood – Becker Resident

**Cobb called the meeting to order at 6:00 p.m.**

**A motion was made by Doering/Hendrickson to adopt the agenda.**

**AYE: Cobb, Hendrickson, Doering, Robinson, Stanger**

**NAY:**

**Motion Carried.**

**A motion was made by Hendrickson/Doering to approve the minutes from April 25, 2022**

**AYE: Hendrickson, Doering, Stanger**

**NAY:**

**ABSTAIN: Cobb, Robinson**

**Motion carried.**

**PUBLIC HEARING – CONDITIONAL USE PERMIT FOR A SHOPPING CENTER FOR JT2 PROPERTIES**

**Cobb opened the public hearing at 6:01 p.m.**

Mary Roe presented a CUP, submitted by Jessica Treptau owner of JT2 Properties, for a shopping center located on Lot 1, Block 1, Bank Street Addition. Roe stated the applicant submitted a narrative and preliminary site plan that contains a twenty-five-foot drainage and utility easement. Roe explained that Treptau is seeking an easement reduction in a separate permit process to accommodate a drive through. Roe said that staff is recommending approval of the proposed CUP. Mike Doering asked why a CUP was needed for this project to which Roe responded that a CUP is needed for a shopping center in a C-Com zone, especially since it is a dense development, and the building will have several uses. Roe said that Treptau is looking to reduce the twenty-five-foot easement down to ten feet, to which City Staff and engineering are in support of. Roe went on to say that Treptau is working directly with Xcel Energy to come to agreement on the size of the easement since it does contain Xcel's utilities. Roe explained that if Treptau could not get the reduction she hoped for, she would eliminate the drive through, and staff would still have review and control over the design through conditions placed on the conditional use permit and the building permit process.

**Cobb asked for any further discussion.**

**Hearing no further discussion, a motion was made by Doering/Hendrickson to close the public hearing at 6:15 p.m.**

**AYE: Cobb, Hendrickson, Doering, Robinson, Stanger**

**NAY:**

**Motion Carried**

**A motion was made by Doering/Hendrickson to approve PC Resolution 22-10 recommending approval of the Conditional Use Permit for a shopping center subject to the conditions stated in the resolution text.**

**AYE: Cobb, Hendrickson, Doering, Robinson, Stanger**

**NAY:**

**Motion carried.**

#### **UPDATES**

Roe reminded the PC that the Community Development Director job position had closed the application submission process and HR was looking to set up interviews soon.

Roe informed the PC that staff had been speaking to a developer who was interested in ten acres of City owned land that abuts the Local 9 portion of Pebble Creek. She explained that the RFP had been sent out last year, but there were no formal proposals received at that time. Staff will be bringing this potential development to City Council for discussion.

#### **OTHER**

Ms. Roe explained that when staff had made driveway code edits, the focus had been on residential driveways and parking surfacing requirements calling for a certain percent of impervious surfaces with a corresponding percent of green space. Roe went on to say that staff will need to revisit surfacing material code to address commercial lots, especially on the 1<sup>st</sup> Street corridor. Rick Schreier, owner of Becker Collision and Glass located on 1<sup>st</sup> Street, explained that while reapplying for his dealership license, he was informed that he was not in compliance with City Code since more than seventy-five percent of his lot is considered impervious surface; City staff was not able to sign off on his dealership license because his property was not in compliance with City Code. Schreier went on to say that he has never had any issues with water run-off and added that if he was to add grass to the property, there would be no room for parking. Roe stated that staff was looking into code language that could potentially allow for an increased percentage of impervious surface for commercial properties and other solutions, so this historical corridor could remain aesthetically pleasing without negatively affecting anyone's business. Roe explained that staff conditionally approved Mr. Schreier's dealership license as to not interrupt his business and collaborate with him to achieve full compliance. Dean Wall, owner of Becker Screen Print & Embroidery located next to Becker Collision and Glass, stated that if grass was not required, large trucks would be able to get to both Schreier and Wall's businesses easily. Roe explained that Mr. Wall was in the process of looking to expand his building and reconfigure his site. Roe went on to say that the language previously adopted in the code pertaining to the amount of impervious surfaces allowed on a site was not meant to affect these properties. Roe said that staff was looking to bring code language change next month to Planning Commission for review.

**Motion to adjourn by Doering/Hendrickson**

**Meeting adjourned at 6:37**

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Submitted by: Caryn Dunderi



June 27<sup>th</sup>, 2022

**Memorandum**

TO: Planning Commission

FROM: Jacob Sanders – Community Development Director

SUBJECT: **10 Acre Parcel - Proposed Sale**

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**Background**

Over the past few weeks, staff has been in discussions with Jeremy Schommer of Avalon Homes and the City Council about the purchase of the City-owned 10 acre parcel north of the Becker Community Center for an above market-rate, Planned Unit Development. The City has been marketing this property for exactly this use for some time. The development is made up of 22 townhomes with 2 apartments buildings made up of 17-19 units per floor (51-57 units per building). City Council reached consensus at the June 21<sup>st</sup> meeting regarding the conditions of the proposed sale of the property to Mr. Schommer for purposes of his development and are anticipated to take formal action at the July 5<sup>th</sup> meeting

Since the City of Becker has an adopted comprehensive plan, MN Statute 462.356 states that “...no publicly owned interest in real property within the municipality shall be acquired or disposed of, nor shall any capital improvement be authorized by the municipality or special district or agency thereof or any other political subdivision having jurisdiction within the municipality until after the planning agency has reviewed the proposed acquisition, disposal, or capital improvement and reported in writing to the governing body or other special district or agency or political subdivision concerned, its findings as to compliance of the proposed acquisition, disposal or improvement with the comprehensive municipal plan.” The sale of this property to Mr. Schommer for his proposed development is in compliance with the City of Becker’s currently adopted comprehensive plan. The 10 acre parcel is currently zoned Public (PUB) but the comprehensive plan’s future land use map designates it the property as High Density Residential. Additionally, the proposed PUD for the property meets many of the goals stated within the comprehensive plan including land use, housing, and economic development.

**Staff Recommendations/Requests:**

-Motion and a second recommending approval of Resolution PC 22-11, A Resolution Finding that the Proposed Sale of the 10 Acre City Owned Property is in Compliance with the Currently Adopted City of Becker Comprehensive Plan

**RESOLUTION PC 22-11**

**A RESOLUTION FINDING THAT THE PROPOSED SALE OF THE 10 ACRE CITY OWNED PROPERTY IS IN COMPLIANCE WITH THE CURRENTLY ADOPTED CITY OF BECKER COMPREHENSIVE PLAN**

**WHEREAS**, the owner of Avalon Homes, Jeremy Schommer (Developer), is desirous to purchase a City-owned, 10 acre parcel (PID# 60-419-0246); and,

**WHEREAS**, the Becker City Council discussed and came to consensus during the June 21<sup>st</sup>, 2022 executive session in regards to the conditions of the proposed sale of the aforementioned property to the Developer for the purposes of a Planned Unit Development; and,

**WHEREAS**, the property is legally described as:

Lot 23, Block 2, Pebble Creek West, according to the plat thereof on file and of record in the office of the Registrar of Titles, Sherburne County, Minnesota.

**WHEREAS**, the City of Becker is the legal owner of said property; and,

**WHEREAS**, Minnesota Statute 462.356, Subd. 2. requires that the City of Becker's planning agency reviews and provides a written report of comprehensive plan compliance prior to the disposal of any City owned property; and,

**WHEREAS**, the City of Becker Planning Commission is the City's planning agency; and,

**WHEREAS**, this resolution serves as formal written report of compliance with said statute; and,

**WHEREAS**, the subject property is currently zoned Public (PUB); and,

**WHEREAS**, the currently adopted City of Becker Comprehensive Plan designates the future land use of said property as High Density Residential; and,

**WHEREAS**, the proposed Planned Unit Development includes the intent to rezone the property to Residential Multi Family (R-3); and,

**WHEREAS**, the proposed Planned Unit Development meets many goals from the City of Becker Comprehensive Plan including, but not limited to, land use, housing, and economic development; and,

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Becker Planning Commission, hereby finds that the proposed sale of said parcel to the Developer is in compliance with the City of Becker's currently adopted comprehensive plan.

Mary Jo Cobb \_\_\_\_\_

Amy Stanger \_\_\_\_\_

Rick Hendrickson \_\_\_\_\_

Mike Doering \_\_\_\_\_

Justin Robinson \_\_\_\_\_

Whereupon said resolution was declared duly adopted by the Becker Planning Commission on the 27th day of June, 2022.

Attest:

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Mary Jo Cobb, Chairperson

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Jacob Sanders, Community Development Director



June 27<sup>th</sup>, 2022

## Memorandum

TO: Planning Commission

FROM: Mary Roe – City Planner

SUBJECT: **Call for Public Hearing: Chapter 11 Code Amendment – C-HWY Maximum Lot Coverage**

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### Background

Over the past years, the City has worked to update the Zoning Chapter to more effectively address outdoor storage and parking. What started as a call to address parking RV and similar vehicles on residential lots, quickly transformed to an overall review of parking and surfacing standards City wide. As Planning Commission has experienced with large code updates, it takes many meetings and drafts to close in on language that will best serve the community as whole. While language was updated for impervious surface requirements throughout the zoning code, residential zoning districts and industrial zoning districts were the focus of previous discussions. The relationship between lot coverage and impervious surfaces was discussed at length for these zoning districts.

The Highway Service Commercial Zoning District (C-HWY) has been identified as a unique district in relation to lot size, long established businesses, and uses. This area also serves as the western “face” of Becker along Highway 10. Through meetings with local landowners, Staff has been researching lot coverage language to better fit those existing and future businesses in the Highway Service Commercial (C-HWY), while still meeting landscaping, drainage, corridor plans, and regulations as established. Lots in this zoning district that are less than 1 acre in size have been identified for consideration of an increased percent of lot coverage. This acreage determination has been made to maintain consistency with the Federal National Pollutant Discharge Elimination System (NPDES) limitations.

Staff has summarized three code language options for Planning Commission review and provide direction to bring back for public hearing review on July 25, 2022. Upon direction and in preparation for the public hearing staff will prepare a draft ordinance for the suggested changes.

**Option 1: Increase the lot coverage maximum from 75% to 85% for lots less than one (1) acre in size.**

**Option 2: Increase the lot coverage maximum from 75% to 85% for specific uses in the C-HWY zoning district.**



**Option 3: Allow an increase in the lot coverage maximum from 75% to 85% for lots less than <1 acre via a site plan review application with required grading, drainage, and landscaping plan to be approved by CDD, Engineer, and PW. General findings will be established for each**

**General Regulations to landscaping and screening since 1988:**

Section 11.20 General Regulations

Subd. 2. A. Screening shall consist of earth mounds, walls, fences, and plant materials. Such things as loading docks, parking areas, air conditioning units and outdoor storage shall be screened to a height and depth consistent with the size and extent of the exposure to residential areas and public streets.

Subd. 2. B. Parking areas that accommodate more than five (5) cars shall be landscaped, screened planted on the perimeter and throughout the lot to the extent of at least five (5%) percent of the actual surface area.

**Staff Recommendations/Requests:**

Motion and a second to call for a public hearing on July 25, 2022 for a zoning text amendment relating to maximum lot coverage in the Highway Service Commercial Zoning District.