

## Denmark Township Memorandum

To: Denmark Township Planning Commission

Copies: Troy Gilchrist, Town Attorney  
 Cara Geheren, PE, Town Engineer, FOCUS Engineering, Inc.  
 Brian Laumeyer, JBL Properties, LLC

From: Eric Zweber, AICP, Town Planner

Date: April 14, 2021  
 Planning Commission Regular Meeting for April 19, 2021

WSB Project No. 017244-000

**Requests:** **Approval of a Conditional Use Permit for an existing building to be occupied by approximately 33,000 square feet for light manufacturing, approximately 5,000 square feet for office space use, and outdoor storage at the property located at 12181 Margo Avenue South (PIDs 06.026.20.22.0010; 06.026.20.23.0007; 06.026.20.23.0008)**

Applicant: JBL Properties, LLC / Brian Laumeyer

Owner: Northern Funding LP

Project Location: 12181 Margo Avenue South (Parcel 06.026.20.22.0010; 06.026.20.23.0007; 06.026.20.23.0008)

Existing Land Use / Zoning: Commercial/Industrial development / Zoned Commercial/Industrial – Rural, CI

Surrounding Land Use / Zoning: North: Commercial Industrial / Zoned Commercial/Industrial – Rural, CI  
 East: Undeveloped / Zoned Rural Residential, RR  
 South: Commercial Industrial / Zoned Commercial/Industrial – Rural, CI  
 West: Commercial Industrial / Zoned Commercial/Industrial – Rural, CI

Comprehensive Plan: The Denmark Township (2040) Comprehensive Plan guides this property for Rural Commercial/Industrial land use.

Deadline for Agency Action:

Application Date:	02-24-2021
Incomplete Letter Mailed:	03-01-2021
Revised Information Provided:	03-15-2021
60 Days:	05-14-2021
Extension Letter Mailed:	N/A
120 Days:	07-13-2021

## REQUESTED ACTION

The applicant, Brian Laumeyer, has submitted an application to utilize an existing 37,029 square foot building as a wood pallet manufacturing and recycling facility and update the general site plan to include additional outdoor storage for the property located at 12181 Margo Avenue South. The building will contain the following three uses:

Use	Approximate square footage
1) Manufacturing and recycling (wood pallets)	32,504
2) Office space	4,525

## CONDITIONAL USE PERMIT REVIEW

### Ordinance Authority

- Chapter One, Section 10: Conditional Uses, of the Denmark Township Development Code outlines the criteria for granting Conditional Use Permits within the Township.
- Chapter Two, Part Three, Section 1: Development Standards of the Denmark Township Development Code outlines the standards for development of property within the Township.
- Chapter Two, Part Three, Section Two: Standards for Uses, of the Denmark Township Development Code outlines the standards for specific uses within the Township.

### CUP Criteria

- A. The impact of the proposed use on the health, safety and general welfare of the occupants of the surrounding land.
- B. Existing and anticipated traffic conditions, including parking facilities on adjacent streets and lands.
- C. The effect of the proposed use on utility and school capacities.
- D. The effect of the proposed use on property values and scenic views in the surrounding area.
- E. The effect of the proposed use on the Comprehensive Plan.
- F. The ability of the proposed use to meet the standards of the Development Code.
- G. The effects of the proposed use on groundwater, surface water and air quality.
- H. That the proposed use is allowed with a Conditional Use Permit in the designated zoning district in which it is proposed.

## SITE PLAN REVIEW

### Existing Conditions

The subject property is 7 acres in size and is located on the north/east side of Margo Avenue. It consists of an existing 37,029, 2-story commercial/industrial building. Frontier Ag and Turf is located across Margo Avenue to the west, a self-storage facility is located to the north, and National Minerals Corporation is located to the south. The property to the east is currently undeveloped land that appears to be utilized for agriculture purposes.

Existing Zoning

The property is located within the Commercial/Industrial – Rural, CI district.

	Minimum Requirement	Existing/Proposed
<b>Minimum Lot Size</b>	2.5 acres	Met
<b>Minimum Buildable Area</b>	1 acre	Met
<b>Minimum Public Road Frontage</b>	160 feet	Met
<b>Maximum Lot Coverage</b>	65%	55.84%
<b>Minimum Building Setback: Front</b>	40 feet	Met
<b>Minimum Building Setback: Side</b>	20 feet	Met
<b>Minimum Building Setback: Rear</b>	30 feet	Met
<b>Maximum Building Height</b>	45 feet	29 feet 6 inches

Project Overview

The applicant is proposing to utilize an existing commercial/industrial building for a wood pallet manufacturing and recycling facility with outdoor storage areas. The existing building would consist of 26,453 ground floor square feet for the use of a wood pallet manufacturing and recycling facility and 10,576 square feet second floor space. The second floor space will be split between two uses which contains 4,525 office space and the remain area being used for a break room and bathrooms for the business. Light manufacturing and office uses are all conditional uses within the Commercial Industrial zoning district.

The applicant proposes to remove the existing access drive to the south of the building and the loading area to the east of the building. Demolition and/or removal of existing features includes removal of some existing bituminous and concrete pavement, removal of 10 existing trees, removal of some existing curbing, removal of an existing loading dock retaining wall, removal of some existing fencing, and demolition of the existing pergola. The overall site plan shows these areas being replaced by heavy duty bituminous for outdoor storage and a 30 by 30 concrete pad.

The proposed changes to the exterior of the existing building are limiting to install to drive in doors on the south side of the building and the addition of four new truck dock doors on the east side of the building. The new doors on the south side of the building will be shield from view by the eight-foot screening fence for the outdoor storage. The western most of the new drive-in doors will lead to the repair bay within the building and the eastern drive-in door will lead to the 30 foot by 30-foot outdoor concrete pad at the new truck loading area which has a retaining wall to the support the grade change necessary to load semi-trailers.

The exterior storage areas would be accessed via 3 entry points with secure gates, with an option to provide an automatic sliding gate. Exterior storage is allowed within the Rural CI district as approved in conjunction with the principal CUP use(s). An eight-foot-tall fence with vinyl slates as screening will be installed on the south and between the south fence and the building to screen

the area south of the building. The eastern, northern and area between the building and the northern fence will be a six-foot security fence without any screening. The landscape plan depicts trees, shrubs, perennial plantings, and a lawn.

The application states that operation of the wood pallet facility will generate approximately 56 full-time employees on a Monday through Friday, 7:00 AM to 5:30 PM schedule with the occasional Saturday during the holiday season.

#### Vehicular Access

The site is currently served by two access points from Margo Avenue South. The site plan indicates a gate located at the northern access, with the southern access remaining unchanged, providing entry into the parking lot. Note that for the north access, there should not be any loading, unloading, or vehicle maneuvering (i.e. backing up) onto Margo Avenue which is a public roadway.

#### Parking

Use	Requirement	Required	Total Proposed
Industrial, Warehouse, Storage, Handling of Bulk Goods	One (1) space for each two (2) employees on maximum shift or one (1) for each two thousand (2,000) square feet of gross floor area, whichever is the larger.	17	61
Offices	One (1) space for each two hundred (200) square feet of gross floor space.	23	

A total of 77 parking stalls are proposed to be removed, 58 in the front and 19 in the rear. The parking space in the front is proposed to be converted to outdoor storage. The parking spaces proposed for removal in the rear will make space for loading docks and truck access. The parking demand for the light manufacturing and office uses is a total of 40 stalls. A total of 61 parking spaces are proposed to remain in the front of the building, including 3 ADA accessible spaces.

#### Lighting

The site has existing lighting and the plans indicate that two of the existing light poles are proposed to be relocated within the general vicinity of their original location.

#### Landscaping/Screening

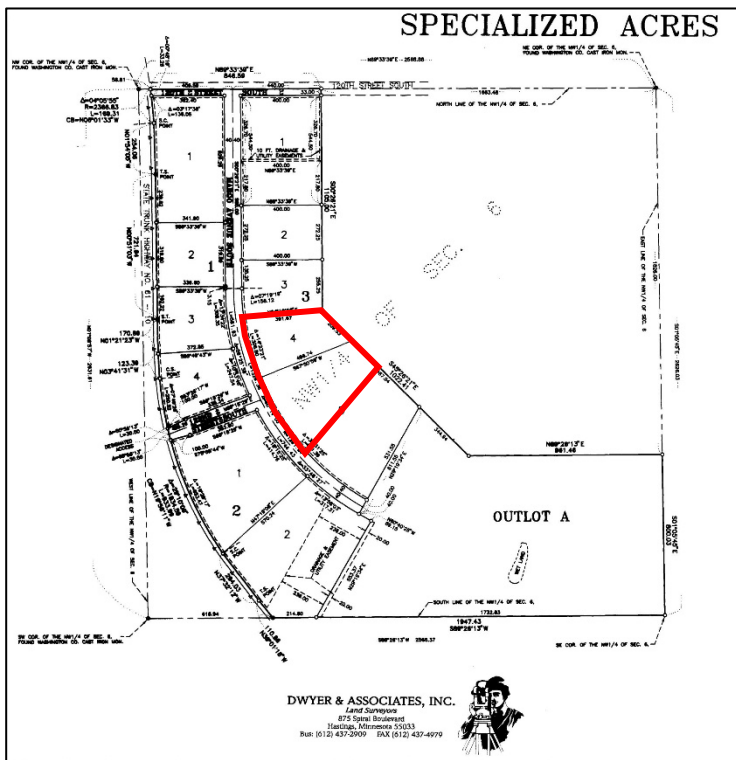
There are several existing trees on site, including approximately 26 spruce trees along Margo Avenue that already provide some screening to the site. The demolition plan indicates that 10 trees will be removed, and the landscape plan indicates that 19 trees will be planted, including 4 overstory trees and 15 evergreen trees. 16 of those trees will be planted between the stormwater pond in the southwestern part of the site and the fence, which will further screen the outdoor storage area from Margo Avenue. The remaining 3 trees are proposed to be planted near the eastern part of the site, between the fence and the rear lot line(s), adjacent to the loading dock area.

Signage

No signage submittals were provided and the submitted building elevations did not depict any signage. Any signage would require a sign permit in conformance with the Town Code requirements and is required to be approved by the Zoning Administrator.

Parcels/Lot Combination

The Twin City Pallet CUP is located on three parcels: 06.026.20.22.0010, 06.026.20.23.0007, and 06.026.20.23.0008. Parcel 06.026.20.22.0010 is Lot 4 Block 3 of the Specialized Acres plat and parcels 06.026.20.23.0007 and 06.026.20.23.0008 are both portions of Lot 5 Block 3 of Specialized Acres. Staff recommends the three parcel be combined into one parcel.



Well and Septic System

The existing septic area is depicted on the site plan and is located in the southeastern corner of the project area over both parcels 06.026.20.23.0007 and 06.026.20.23.0008. The applicant has stated that they have hired an engineer to evaluate that the existing septic drain field is sufficient in size to accommodate both the primary and secondary septic drain fields and that the report will be available during the week of April 19. A condition has been prepared stating the site plan may need to revised should that report require additional area.

Stormwater Management and Town Engineer's Memorandum

The Town Engineer's review memorandum is attached to this staff report. The memorandum address grading, drainage, and stormwater conditions; driveway access and parking area conditions; and well and septic system conditions.

Use Standards:

*Manufacturing, Light:* A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products. Such uses include, but are not limited to the following, lumber yard, machine shops, products assembly, sheet metal shops, plastics, electronics, motor vehicle repair, body work and painting, contractor shops and storage yards, food and nonalcoholic beverages, signs and displays, printing, clothing, textiles and used auto parts.

(1) Required Permits: Allowed in the Commercial Industrial District with a Conditional Use Permit. Criterion Met

(2) Other Requirements: Light manufacturing facilities must comply with all rules and regulations of Federal, State, County and local agencies. Criterion Met

(3) Exterior Storage: Exterior Storage is permitted pursuant to the terms of the Conditional Use Permit. Criterion Met

(4) Retail Sales Room: The light manufacturing facility may contain a retail sales room subject to the conditions set forth in the Conditional Use Permit. N/A

(5) Loading Areas: All loading and unloading areas to the facility shall be located on the side or rear of the building. These areas shall be screened as defined in the Conditional Use Permit. Criterion Met

**PLANNER RECOMMENDATION**

Based on the analysis above, the proposed plans comply with the requirements of the Denmark Township Development Code, and therefore conform to the Conditional Use criteria. Staff recommends the proposed Conditional Use Permit be approved with conditions.

**FINDINGS OF FACT**

Town Staff offers the following findings of fact for the Planning Commission's and Town Board's consideration:

1. The subject property is currently zoned Commercial/Industrial- Rural-CI;
2. The property satisfies the minimum lot size for the proposed use;
3. That the proposed use is allowed with a Conditional Use Permit in the designated zoning district in which it is proposed.
4. The proposed use will not pose a threat to the health, safety and general welfare of the occupants of the surrounding land.
5. The proposed use is not anticipated to cause issues related to traffic conditions, including parking facilities on adjacent streets and lands.

6. The proposed use will not have a negative effect of the proposed use on utility and school capacities.
7. The proposed use will not have a negative effect on property values and scenic views in the surrounding area.
8. The proposed use is in compliance with the Township's Comprehensive Plan.
9. The proposed use through compliance with applicable performance standards will meet the standards of the Development Code.
10. The proposed use will not have a negative effect on groundwater, surface water and air quality.

## **PROPOSED CONDITIONS**

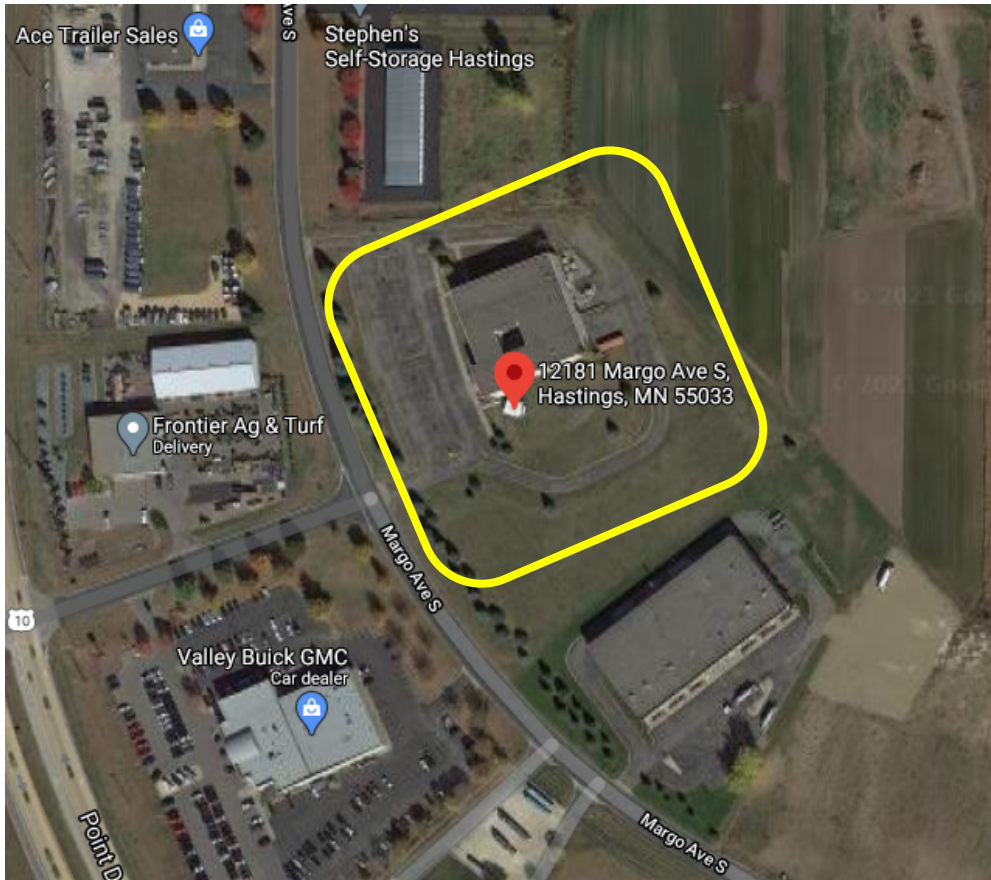
The following are conditions Town Staff is recommending be included, in addition to the Town's standard conditions, should Conditional Use Permit approval be approved by the Town Board:

1. The wood pallet manufacturing and recycling business shall comply with all rules and regulations of Federal, State, County and local agencies.
2. Development shall occur in accordance with the final plans approved by the Town Board.
3. Parcels 06.026.20.22.0010, 06.026.20.23.0007, and 06.026.20.23.0008 shall be combined.
4. A septic report shall be provided that confirms that the existing septic drain field show on sheet C-3.0 is sufficient to provide both primary and secondary drain field requirements. The site plan would need to be adjusted accordingly if the septic report requires additional area for the drain field.
5. The proposed outdoor storage shall be limited to the area south of the building that is bounded by the eight-foot screening fence to the southeast and the southwest.
6. Final construction plans and stormwater management plan shall be provided for review and final engineering approval.
7. Stormwater facilities shall be privately maintained. A Stormwater Maintenance Agreement that details operation and maintenance schedules and responsibilities must be provided for Township and SWWD review.
8. Any future signage will require a Sign Permit submitted in compliance with the Town Code and approved by the Zoning Administrator.
9. The conditions listed within the Town Engineer's Memorandum dated April 9, 2021.
10. All representations, written and oral, made by the Applicant and the Applicant's agents and representatives to the Town contained in and concerning the application must have been true, complete, and accurate at the time they were made.
11. The Applicant is in compliance and will remain in compliance at all times with all applicable laws, rules, and regulations concerning the property for which this approval is granted.
12. The Applicant shall pay all planning, engineering and legal fees and costs incurred by the Towns for processing this approval application. In the event any fees are outstanding they will be paid by the Applicant within fourteen (14) days of receiving a bill from the Town. In the

event the fees are not paid, this approval shall terminate automatically upon recording of a Notice of Nonpayment by the Town.

13. The Town, its officers, and consultants may enter the Property, after providing reasonable notice to the Applicant or Owners, at all reasonable times to conduct inspections for the purpose of ensuring compliance with this approval. Prior notice to inspect the Property is not required in the event of an emergency.

Aerial view of the site and neighboring properties



View of the Site from Margo Avenue South

