

**CITY OF NORTH ST. PAUL
PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY, NOVEMBER 5, 2020
6:15 P.M.**

I. CALL TO ORDER

Chair Barton called the meeting to order at 6:15 p.m. The meeting was conducted via Zoom.

II. ROLL CALL

COMMISSION

Elaine Barton, Commission Chair

Patrick Blees, Commissioner

Rick Gelbmann, Commissioner

John Monge, Commission Vice Chair

Tom Sonnek, Commission City Council Liaison

Michael Stahlmann, Commissioner

Allan Worm, Commissioner – in Zoom meeting, but did not respond

STAFF

Erin Perdu, City Planner

Olivia Boerschinger, Planning Secretary

III. ADOPT AGENDA

Motion to adopt agenda by Commissioner Stahlmann, and seconded by Commissioner Gelbmann, with all present voting aye (5-0; Commissioner Worm did not respond). Motion carried to adopt the November 5, 2020 Agenda.

IV. APPROVAL OF MINUTES

Motion to approve Minutes by Commissioner Gelbmann, and seconded by Commissioner Monge, with all present voting aye (5-0; Commissioner Worm did not respond). Motion carried to approve the October 1, 2020 regular meeting minutes as submitted.

V. MEETING OPEN TO THE PUBLIC

There were no comments.

Chair Barton requested that City Staff amend the Planning Commission Meeting Agenda template to reflect that the Zoom meeting will be muted at all times with the exception of both the Public Forum and Public Hearing Agenda Items. Planning Secretary Olivia Boerschinger agreed.

VI. PUBLIC HEARING

A. Conditional Use Permit for 2275 Anchor Drive, Kwik Trip

City Planner Erin Perdu reviewed site plan and conditional use permit for construction of a Kwik Trip car wash, store and fueling station on a City-owned parcel in the Anchor Commons subdivision. Site plan approval is required, and the use is consistent with conditional uses in the MU-3 Zoning district. All site infrastructure, including stormwater retention areas, were completed by the City as part of the Anchor Block development.

Ms. Perdu stated the proposal includes a convenience store with attached 1-bay car wash, 5 fueling islands and 2 diesel pumps. Access to the property will be from two points on Anchor Drive. The proposed use is consistent with the Comprehensive Plan and all lot and building requirements are met, including structural requirements, building setbacks and height restrictions. Minimum landscaping requirements for the total site and parking areas are met.

Commissioner Worm joined the video at 6:25 p.m.

Ms. Perdu showed depictions of the proposed architecture and building façade and wooden dumpster enclosure which is appropriate and meets Ordinance requirements. Rooftop equipment is screened from view as it is essentially sunken below roof level. In terms of parking requirements, 17 parking spaces are required, and the applicant plans to provide 18 spaces. Parking requirements are based on retail and storage areas, with additional parking at gas pumps.

Ms. Perdu stated there are three areas around the perimeter of the site where lighting exceeds the City's candle threshold for lighting at the property line. She added this aspect of the proposal will need to be adjusted to meet City standards.

Ms. Perdu stated City Staff recommends that the Planning Commission recommends City Council approval of the CUP and conditional approval of site plan, including engineering comments, and conditions related to the drainage and utility easement; height of landscaping close to driveways; signage ordinance requirements; and exterior lighting requirements.

Commissioner Blees asked whether Kwik Trip will be doing automobile service. He added the Ordinance is written to include automobile service. Ms. Perdu stated there will not be automobile service. She added the Resolution can be amended to ensure that approval is granted for gas station, convenience store and car wash only. Commissioner Blees stated this error comes up in a few places, including pages 19 and 23. He suggested City Staff review the document and make the necessary corrections. Ms. Perdu agreed.

Commissioner Gelbmann stated page 18 of 90, and also under "Health and Safety", this action is referred to as a "variance". Ms. Perdu stated that is an error and should read Conditional Use Permit rather than variance. She agreed to make those corrections.

Chair Barton stated the engineering comments on page 27 of 90 refer to provision of a sidewalk connection from Anchor Drive to the seating area near the east driveway. She asked whether that should be added as a condition. Ms. Perdu stated she would need to check with the engineers.

The applicant stated their site plans usually include 2 outdoor tables if there is space available.

Chair Barton asked whether there is an existing sidewalk along that section of Anchor Drive, near the seating area. Ms. Perdu stated the applicant's site plan shows a sidewalk.

Chair Barton stated one of the engineering conditions relates to a pedestrian connection between the seating area and the sidewalk.

The applicant stated rock edging is planned at the seating area, and a pedestrian connection will be added. Ms. Perdu stated that can be included in the engineering conditions.

Chair Barton requested the following amendment: page 20 of 90, last paragraph, should read: "The proposed use will generate minimal demand". She added it is to be expected that commercial uses will generate some demand.

Commissioner Gelbmann stated, on page 27, first paragraph, 4th line, should be amended to reflect lumens rather than wattage, for purposes of clarity.

The applicant thanked Ms. Perdu for her presentation. He thanked the City of North St. Paul for welcoming Kwik Trip to their community. He stated the proposal is for a traditional Kwik Trip fueling station that can accommodate 20 vehicles at one time. He added Kwik Trip is a family-held chain of fueling stations based out of La Crosse, Wisconsin, delivering fresh food daily to every store, with plans for additional hot food options in 2021.

Commissioner Gelbmann stated alcohol is listed in the application as one of the products that will be sold. The applicant stated that is part of the standard application in the State of Wisconsin, but in this case no alcohol will be sold to his knowledge. He added the plan is to begin construction in May or June 2021 with store opening scheduled for next summer.

Chair Barton opened the public hearing at 6:45 p.m.

There were no comments.

Chair Barton closed the public hearing at 6:45 p.m.

Chair Barton requested the following amendment to the staff report: on page 18, under "Health, Safety and General Welfare", the third sentence does not reference anything. Ms. Perdu agreed to fix it.

The applicant stated the lighting plan will be reviewed and amended and submitted to Ms. Perdu.

Motion by Commissioner Monge, and seconded by Commissioner Stahlmann, with all present voting aye (6-0). Motion carried to recommend City Council approval of Conditional Use Permit for 2275 Anchor Drive, Kwik Trip.

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. CUP and Site Plan for 2275 Anchor Drive, Kwik Trip

Motion by Commissioner Monge, and seconded by Commissioner Stahlmann, with all present voting aye (6-0). Motion carried to recommend City Council approval of Site Plan Review subject to 5 conditions including sidewalk connection under Engineer's Comments.

VIII. OLD BUSINESS

A. 2020 Zoning Updates Discussion

Ms. Perdu stated the 2020 Zoning Code Update was discussed at the Planning Commission's last meeting, and some questions were raised. She added she would review the issues that City Staff have addressed. She noted, on the first page, the existing definition of "drive or driveway" has been added and includes the definition for "parking space". She noted the Planning Commission had discussed a clarification point that the driveway can be considered part of the front yard parking space. She requested feedback and comment from the Commissioners regarding whether this addresses the issue of "driveway" vs. "parking space".

Chair Barton stated she supports a requirement that the driveway may serve as part of the front yard parking space, but not all of it. She added the purpose is to clarify that the entire front yard surface cannot be used for parking.

Ms. Perdu stated this could be changed to read "the driveway may serve as part of front yard parking space". She added she included a definition of "passenger vehicle" from State statute, including different types of passenger vehicles. She added larger vehicles, moving vans and pick-ups could also be included as passenger vehicles.

Commissioner Gelbmann stated a definition is provided for what motorcycles, motor scooters and buses are not, but there is no definition of what they are, and how they are regulated.

Ms. Perdu stated motor scooters and motorcycles could be removed from vehicles that are not passenger vehicles. Chair Barton agreed.

Chair Barton stated buses, school buses and commuter vans can be considered passenger vehicles, for personal use. Ms. Perdu agreed. She added the City's Zoning Ordinance does not define "motor vehicle".

Chair Barton stated, with regard to weight classifications, weighted trailers are defined as over 3,000 pounds gross vehicle weight. She added this section refers to small utility trailers that weigh 3,000 pounds or less. She requested clarification regarding this type of trailer. Ms. Perdu agreed to check on that definition.

Commissioner Stahlmann requested that grammar in that sentence should be reviewed.

Ms. Perdu stated the next step will be to go through definitions as part of the comprehensive review. She added changing that section now could have a significant impact. Chair Barton agreed, adding it should be reviewed.

Ms. Perdu requested feedback and comment regarding #9 which addresses types of vehicles and related terms.

Commissioner Gelbmann requested the following amendment: in Item F, Non-Residential Areas, remove “except” before “in the R-1 District”. He added they are in conflict with each other. Ms. Perdu agreed to review that section.

Chair Barton asked whether General Standards apply to the R-2 or R-3 District. Ms. Perdu stated they apply to anything other than single-family residential use.

Chair Barton that would cover all residential areas. Ms. Perdu agreed to review that section. She stressed the importance of separate requirements for detached homes, as the term “single family” could apply to attached or detached housing.

Chair Barton stated, with regard to the Definitions, the length restriction is 22 feet. She added she thought it was 18 feet at one point.

Ms. Perdu stated requirements for Type 1 and Type 2 vehicles is taken from State statute, including 22 feet in length. She added the height of 8.5 feet “as measured to the top of any attachments” has been added.

Chair Barton stated the language should be amended to clarify whether combining vehicles for a total length can be used as a measurement, for example, a van with trailer attachment. Ms. Perdu agreed.

Ms. Perdu stated she added additional information to the Table related to screening of outdoor storage.

Commissioner Gelbmann requested clarification regarding screening height, which is referred to as 6 feet. He asked if that should be 6 feet or taller. Ms. Perdu confirmed that the height requirement is at least 6 feet.

Chair Barton stated, on page 90 under D, “off-street parking” could be added to the Table with a column for each requirement. She added the first sentence is a setback requirement from the property lines. Ms. Perdu agreed.

Ms. Perdu stated, at the last meeting, it was suggested that a waiver or exception could be given to people who need to bring a work vehicle home. She added she reviewed this issue with the City Attorney, who does not recommend building waivers into the Ordinance, but this issue is still under discussion at staff level.

Chair Barton stated an exception should be given for properties that do not meet the front yard setback, as it will be difficult for people to park their cars. Ms. Perdu stated that would be an exception from the setback. Chair Barton agreed.

Chair Barton requested that Item 5 on page 90, under F, be amended to remove the reference to streets, but keep sidewalks. She added the issue of alley screening has not been addressed.

Ms. Perdu stated alley screening is only required from abutting residential uses but not from the alley or homes on the other side of the alley. She added many residents use the alley to access rear parking areas, and it would be difficult to require screening. She agreed to add some clarification.

Chair Barton stated “street right of way” should be removed from Item 5. Ms. Perdu agreed.

Chair Barton requested that Item 6 related to corner lot setbacks should be moved to Item D so both setbacks are in the same place. Ms. Perdu agreed.

Commissioner Blees stated some driveways are so small that it would be difficult for residents to comply with the proposed requirements, unless they have a very small vehicle.

Chair Barton asked if vehicles must be parked on a paved surface due to leakage. Ms. Perdu confirmed this. She added it is also for aesthetic purposes. She added the parking area must be bituminous surface, concrete or similar material.

Chair Barton stated she does not think gravel is unreasonable rather than a permanent surface, if a vehicle is parked in the side yard or rear yard.

Commissioner Gelbmann stated the ground would be more permeable. He added the main concern is the parking area in the yard would become unsightly, but beyond that it does not seem to be much of an issue.

Commissioner Blees stated the intent of these adjustments is to target aesthetics and safety. Chair Barton agreed.

IX. REPORTS FROM STAFF

-None.

X. REPORTS FROM COMMISSIONERS

a. Update from City Council Liaison

City Council Liaison Sonnek stated he will have one more meeting as the Planning Commission Liaison. He added two new City Council Members have been elected and will be sworn in in January 2021.

City Council Liaison Sonnek stated City Manager Scott Duddeck was diagnosed with Covid-19 recently, as well as his father. He added they are both home and doing well, and Mr. Duddeck is back in the office.

City Council Liaison Sonnek stated construction is still going on in the downtown area, it will be great. He added the entire downtown street scape is changing and evolving, along with many different developments.

Commissioner Blees thanked City Council Liaison Sonnek for his service to the City.

Commissioner Stahlmann stated this will be his second to last meeting. He added he has served on the Planning Commission for 14 years.

Chair Barton asked Commissioner Worm whether the toy shelf is taking cash donations this year. Commissioner Worm confirmed this.

XI. ADJOURNMENT

There being no further business, motion to adjourn by Commissioner Worm, and seconded by Commissioner Monge, with all present voting aye (6-0). Motion carried to adjourn the meeting at 7:45 p.m.

The next regularly scheduled Planning Commission Meeting is Thursday, December 3, 2020 at 6:15 p.m.

Members, please notify any planned absences to: Olivia Boerschinger
Planning Commission Secretary
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Olivia.boerschinger@northstpaul.org