



CITY OF OAK PARK HEIGHTS PLANNING COMMISSION MEETING MINUTES

Thursday, July 14, 2016 – Oak Park Heights City Hall

- I. Call to Order: Chair Kremer called the meeting to order and welcomed new Commissioner Greg Quale.

Present: Commissioners Kremer, Nelson, Quale & Thurmes; City Administrator Johnson, City Planner Richards, and Commission Liaison Runk. Absent: Commissioner Anthony.

- II. Approval of Agenda:

Commissioner Thurmes, seconded by Commissioner Nelson, moved to approve the Agenda as presented. Carried 4 – 0.

- III. Approval of June 9, 2016 Meeting Minutes: Chair Kremer noted an amendment to the Minutes, clarifying Commissioner Thurmes absence from MSP Commercial public hearing. Commissioner Nelson, seconded by Commissioner Thurmes, moved to approve the Minutes as amended. Carried 4 - 0.

- IV. Department/Commission Liaison / Other Reports: None.

- V. Visitors/Public Comment: None.

- VI. Public Hearings:

- A. Sunview 4 – 14820 57th St., N. – Consider a request for a Conditional Use Permit related to the placement of an accessory building, located at 14820 57th St. N.

City Planner Richards reviewed and discussed the July 6, 2016 Planning Report to the request related to placement of a detached accessory structure to the front yard area for storage of maintenance equipment. Richards noted the request was being made for front yard placement due to the limited side and rear yard area at the property.

Chair Kremer opened the hearing and invited public comment.

Chris Fena – 14820 57th St. N. #A2 introduced himself as one of the condo owners at the properties and noted that he takes care of the property and wants a storage shed to store the lawn mower and maintenance equipment. Mr. Fena expressed concern about the condition regarding the trash enclosure in relation to how to accommodate it and accessibility during winter and for elderly condo owners in the building.

Discussion ensued as to the trash handling practices at the condo building, ordinance requirements for fully screened trash enclosures and complaints received regarding the lack of trash screening.

Doug O'Brien – 14820 57th St. N. #A4 stated that a 3-sided enclosure had been in place at the building and supported Mr. Fena's concerns.

Commission discussion continued as to ordinance requirements for enclosure in relation to individual carts versus a dumpster. It was clarified that carts for each unit are placed in the existing 3-sided enclosure and pulled out to the curb on collection day. Consideration of grand-father status for the enclosure, requirement of a new enclosure and if so at what point in time were discussed. Consensus was to allow the 3-side enclosure to remain and require a code compliant trash enclosure be placed at such point in time that the parking area was redone.

There being no other visitors to the public hearing, Chair Kremer closed the public hearing.

Commissioner Nelson, seconded by Commissioner Thurmes, moved to recommend that the City Council approve the request, subject to the amended conditions of the July 6, 2016 Planning Report; specifically, as follows:

1. The accessory structure shall be compliance with all Building Code requirements subject to review and approval of the Building Official.
2. The Planning Commission was favorable to the metal building material and the color of the proposed shed shall match the existing building as close as reasonably possible.
3. The Applicant shall add screening gates to the front of the trash enclosure at such time as the driveway and parking lot are resurfaced.
4. Drainage plans for the property with the new accessory structure shall be approved by the City Engineer

Carried 4 - 0.

- B. Xcel Energy – Baytown Substation. – Consider a request for Conditional Use Permit Amendment to allow expansion of Xcel Energy Electric Substation, known as Baytown Substation, at Nova Scotia Ave. N.

City Planner Richards reviewed and discussed the June 6, 2016 Planning Report related to the request of Xcel Energy to expand the existing Xcel Energy Substation, located at Nova Scotia Ave. N., upgrading and placement of new equipment, along with an expanded fence area.

City Administrator Johnson commented on the condition related to lighting at the Bayport Substation with respect to working having been done and ongoing, adding that he was okay with the Commission removing the condition from any recommended approval.

Chair Kremer expressed discomfort with placing conditions on a site approval that is not at the site being given consideration at public hearing and feels that if there is a nuisance at another location, it should be facilitated through other means.

City Administrator Johnson stated that the applicants have been asked to address the painting and lighting issues at the Bayport Substation and they have opted to not address them and clarified that the applicant was made aware that they would be required to address the issues as a condition of approval for the Baytown Substation request, which is why the conditions related to those issues are included.

Chair Kremer opened the hearing and invited the applicant to comment.

Jake Sedlacek of Xcel Energy Community Relations introduced himself and discussed the Bayport Substation, noting that the goal of the substation is to keep it screened as well as possible with a fence in place and to work with the City as needed to do so. He noted that he understood the conditions regarding the Bayport Substation and was okay with them.

There being no other visitors to the public hearing, Chair Kremer closed the public hearing.

Commissioner Nelson, seconded by Commissioner Thurmes, moved to recommend that the City Council approve the request, subject to the amended conditions of the June 6, 2016 Planning Report; specifically, as follows:

1. Any non-security lighting, if installed, shall be full cut off and comply with Zoning Ordinance requirements.
2. The tree removal and landscape plan is subject to review and approval of the City Arborist.
3. The expanded area shall be enclosed with the same solid wall wood privacy fence used currently at the substation.
4. The City will not require conformance with the Design Guidelines for the project.
5. Any grading and drainage issues shall be addressed subject to review and approval of the City Engineer and the Middle St. Croix Watershed Management Organization.

Carried 4 – 0.

VII. New Business: None.

VIII. Old Business:

A. Transient Lodging:

Chair Kremer noted that the subject of transient lodging was being revisited following discussion at the June Planning Commission meeting and a subsequent workshop held between the Planning Commission, Planning Commission Liaison Runk, City Staff and interested parties who are currently operating such lodging.

City Planner Richards reviewed his July 6, 2016 Memorandum, discussing outcomes of the June meeting and July workshop and reviewed the amended proposed regulations designed to define and allow for transient lodging within the Home Occupations section of the Zoning Ordinance, placing reasonable limitations upon them so that neighbors are not adversely inconvenienced by the lodging activities.

Discussion ensued as to the requirement of a 500-foot distance between transient lodging facilities and how it applies in effect to criteria established for creating a residential district. It was noted that the 500-foot distance separation is currently in place and required for Bed and Breakfast facilities. Whether or not requiring the City Engineer to approval parking area improvements was reasonable was discussed. This requirement is currently in place and required for parking pads in the Zoning Ordinance.

Commissioner Thurmes, seconded by Commissioner Quale, moved to recommend City Council approve the Ordinance amendment as recommended within the July 6, 2016 Planning Memorandum.

Carried 4 – 0.

Chair Kremer thanked all involved for their participation in the discussion and noted that the meeting with those involved to reach a consensus in the situation worked out well.

IX. Informational:

A. Upcoming Meetings:

- Tuesday, July 26, 2016 City Council 7:00 p.m./City Hall
- Thursday, August 11, 2016 Planning Commission 7:00 p.m./City Hall
- Tuesday, August 23, 2016 City Council 7:00 p.m./City Hall
- Thursday, September 8, 2016 Planning Commission 7:00 p.m./City Hall

B. Council Representative

- Tuesday, July 26, 2016 – Commissioner Thurmes
- Tuesday, August 23, 2016 – Commissioner Anthony

- X. Adjourn. Commissioner Nelson, seconded by Commissioner Thurmes, moved to adjourn at 7:38 p.m. Carried 4 – 0.

Respectfully submitted,

Julie Hultman
Planning & Code Enforcement

Approved by the Planning Commission: 09-01-2016 / 3-0