



## CITY OF OAK PARK HEIGHTS PLANNING COMMISSION MEETING MINUTES

Thursday, October 16, 2014 – Oak Park Heights City Hall

I. Call to Order: Chair Kremer called the meeting to order at 7:00 p.m.

Present: Commissioners Anthony, Bye, Kremer, and Thurmes; City Planner Richards and Commission Liaison Liljegren. Commissioner Nelson arrived @ 7:05 p.m. Absent: City Administrator Johnson.

II. Approval of Agenda:

Chair Kremer proposed moving New Business ahead of Public Hearings. Commissioner Anthony, seconded by Commissioner Thurmes, moved to approve the Agenda as amended. Carried 4 - 0.

III. Approval of September 11, 2014 Meeting Minutes:

Chair Kremer noted a couple of typographical corrections had been made to the Minutes as shown on the handout provided to the Commission at their seats. Commissioner Thurmes, seconded by Commissioner Bye, moved to approve the minutes with the amendments provided. Carried 4 - 0.

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

V. Visitors/Public Comment: None.

VI. New Business:

- A. Establishment of TIF District 1-2 to facilitate recovery of costs invested into certain lands, improvements and clean-up necessary to foster commercial redevelopment of the area within portions of Osgood Ave. N., Oren Ave. N. and 60<sup>th</sup> St. N. to be consistent with the City's current Comprehensive Plan.

City Planner Richards discussed activities taken by the City Council as to establishment of a Tax Increment Financing District to facilitate the recovery of costs invested, improvements and clean-up costs for redevelopment of the area where Fury Motors is located at 60<sup>th</sup> St. and going north on Osgood up to and including 6180 Osgood Ave. N.

Richards reviewed the findings and report, prepared by City Administrator Eric Johnson, wherein it is noted that the proposed area was specifically addressed in the City's 2008 Comprehensive Plan, which is the most recent, with a commercial land use designation. The proposal generally meets the 2008 Comprehensive Plan land use goals and polices for the area, addresses Osgood Ave. roadway issues as outlined in transportation implementation section for the area, and does respond to the conversion from residential to commercial as outlined for the area within the neighborhood planning district section.

Richards stated that the Commission is asked to review the resolution in the packet and make a recommendation to the City Council of their finding to the proposals consistency to the Comprehensive Plan.

Commissioner Thurmes asked what other TIF Districts are in the City.

Andy Pratt from the City Attorney's office of Eckberg and Lammers introduced himself noting that he worked on the documents the Commission had in their materials. He addressed Commissioner Thurmes question, noting that the Oakgreen Sr. Development has a TIF District. City Planner Richards noted that there was a TIF District in the former St. Croix Mall area. Pratt drew the Commission's attention to the Resolution and the Development Program for Development District No. 1 and explained that it creates an area and allows the City or the Economic Development Authority to do projects and create districts within the redevelopment area.

Chair Kremer stated that he has read the Comprehensive Plan and the material before the Commission and expressed that he felt that there is virtually nothing that the City could do that couldn't be fit into the Comprehensive Plan and that the language of vague. Discussion ensued as to the language composition of the Comprehensive Plan, lack of guarantee that TIF will be sufficient to cover needs, rational to consider TIF in that high quality of development of the area would not likely occur without it, City involvement in developing an area versus that of a developer doing so, and the roadway component of the proposal.

Commissioner Thurmes stated that he wasn't against the road and noted that in a typical situation if a developer was making a request to develop the corner, they would more than likely be footing the costs for the road. He stated that the proposal would be a great deal for the developers and the existing landowners, but doesn't see that it is a great deal for the City.

Chair Kremer noted that an interested developer could seek TIF on their own if they wanted to and expressed that he doesn't see the City as a developer and doesn't like seeing the City favoring one business over the other for TIF and isn't sure if the proposal meets the Comprehensive Plan goal of high level sales and business attractions.

There being no further discussion, Chair Kremer asked if anyone would like to make a motion.

Commissioner Thurmes, seconded by Commissioner Bye moved to recommend City Council approval of TIF District (1-2) as presented.

Carried 3 – 2, Kremer and Nelson opposed.

VII. Public Hearings:

- A. Fury Motors – 12969 60<sup>th</sup> St. N.: Consider requests of Phillips Architects on behalf of Fury Motors for a Conditional Use Permit to allow automotive sales and service and a Variance for signage and lighting at the former Denny Hecker automotive site.

City Planner Richards reviewed the October 8, 2014 Planning Report,

Richards noted that not a lot of changes were being proposed and provided an issue analysis of the request and discussed the same.

Chair Kremer opened the hearing for public comment and invited the applicant to address the Commission.

David Phillips of Phillips Architects introduced himself as the Fury Motors Architect and Civil Contractor. He noted that they have met with City staff, the Watershed and have commenced replacing the asphalt surface. They would like to commence immediately upon an approval. Mr. Phillips noted that they agreed with the requirement that the service bay overhead doors remain closed except when moving vehicle in or out and noted that they would be utilizing recirculated air in the service area. Phillips discussed the plans for the site and lighting changes and discussed the rationale for their request for 28-foot pole heights.

Chair Kremer asked if anyone had any questions. Discussion ensued as to when the building was originally constructed and how watershed criteria applied to the site. Mr. Phillips responded to City Planner Richards that they had no issue with the conditions or requirements proposed within the Planning Report. Mr. Phillips noted that the Osgood Fury operation and the Lake Elmo Fury car sales operation will be moving into the 60<sup>th</sup> St. facility. The Lake Elmo site will remain a commercial, truck facility and the Osgood site, which is owned by Fury Motors along with the gas station at the corner, will be looked at for dealership redevelopment.

Kirk Schultz - 5660 Newgate Circle stated that he thought it was great that the site was being redeveloped and reopened. He noted his experience of significant light was to his yard from the former Denny Hecker site, primarily due to the site elevation and expressed his concern of raising the light poles with the brighter LED lighting. He suggested solutions such as cut off time and/or dimming requirements. He cited Menard's as being a great neighbor, who has been cutting their lights off and turning them on at specific times to reduce light was to the adjacent neighborhood.

Mr. Phillips discussed how the light wash of would work at the site and the cut off of regular lighting and then how the security lighting would work at the site. Mr. Phillips discussed the capabilities of the lighting system to be adjusted so that if there is a problem, it could certainly be addressed.

There being no additional comment, Chair Kremer closed the public hearing.

Commissioner Anthony, seconded by Commissioner Bye, moved to recommend City Council approval of the request, subject to the conditions within the October 8, 2014 Planning Report, as amended, specifically that:

1. All grading, drainage, erosion control, and utility plans are subject to review and approval of the City Engineer.
2. All new lighting fixtures shall be full cut off and installed in compliance with the lighting standards of the Zoning Ordinance. All visible interior lighting shall also be full cut off.
3. The outdoor lighting shall be turned off one hour after closing, except for approved security lighting.
4. Changes to the landscape or new plantings are subject to review and approval of the City Arborist.
5. Any new mechanical equipment that is located on the roof or ground level and visible from street level or from neighborhood properties shall be screened with materials that blend harmoniously with the building façade materials.
6. The sign specifications and methods of illumination shall be subject to review and approval of the City Planner at the time of permitting.
7. The Planning Commission was favorable to the building design and building materials.
8. Plans shall be provided for the trash enclosure gates subject to review and approval of City staff.
9. The applicant shall provide a snow removal plan or indicate if snow will be hauled off site.
10. The Planning Commission was favorable to the Variances required for the size, height and number of freestanding signs, for the number of wall signs, and for the total square footage of requested signage.
11. Building entrance plantings shall be required. The Applicant shall revise the landscape plan or provide seasonal planters at the main entrance to the building.
12. A bike rack should be identified on the site plan and placed on site.
13. Sound levels generated from the site shall be in compliance with Section 401.15.B.11 of the City Zoning Ordinance.

14. The use of an exterior announcement system shall not be allowed.
15. All storage of materials, parts and supplies shall be interior to the building.
16. All auto repair activities shall be conducted indoors and the overhead doors to the service bays shall be kept closed at all times, except when moving vehicles in and out.
17. Automotive sales and service shall not be conducted between the hours of 10:00 p.m. and 6:00 a.m. unless otherwise allowed by formal action of the City Council.
18. The Applicant shall receive and retain, if required, a Hazardous Waste Generators license for batteries, oil and tires from Washington County.

Chair Kremer noted that Commissioner Nelson has to leave the meeting; however she left a note indicating that she supported approval with the variances to signs and heights and expressed that she felt it to be a good plan for the building

Carried 4 – 0. Nelson absent.

VIII. Old Business: None

IX. Informational:

A. Upcoming Meetings:

- Tuesday, September 28, 2014                      City Council                      7:00 p.m./City Hall
- Thursday, November 13, 2014                      Planning Commission                      7:00 p.m./City Hall
- Tuesday, November 18, 2014                      City Council                      7:00 p.m./City Hall

B. Council Representative

- Tuesday, October 28 , 2014 – Commissioner Anthony
- Tuesday, November 18, 2014 – Commissioner Bye

X. Adjourn: Commissioner Thurmes, seconded by Commissioner Anthony, moved to adjourn the meeting at 7:58 p.m. Carried 4– 0.

Respectfully submitted,

Julie Hultman  
Planning & Code Enforcement