



**CITY OF OAK PARK HEIGHTS
PLANNING COMMISSION MEETING MINUTES
Thursday, February 13, 2020 – Oak Park Heights City Hall**

I. Call to Order/Pledge of Allegiance:

Chair Freeman called the meeting to order @ 6:02 p.m. Present: Commissioners Giovinazzo, Kremer, VanDyke and White; City Administrator Johnson, City Planner Richards, and City Councilmember Liaison Representative Liljegren.

II. Approval of Agenda:

Commissioner Kremer, seconded by Commissioner Giovinazzo, moved to approve the Agenda as presented. Carried. 5-0.

III. Approval of September 11, 2019 Meeting Minutes:

Commissioner Giovinazzo, seconded by Commissioner VanDyke, moved to approve the Minutes with amendment to Commission Liaison Report for clarity. Carried 5- 0.

IV. Department/Commission Liaison / Other Reports: Commission Liaison Liljegren reported that the next meeting of the City Council would be February 25th.

V. Visitors/Public Comment: None.

VI. Public Hearings:

A. Fury Motors Interim Use Permit: Review and consider a request from Leonard Investment LLC for an Interim Use Permit to allow automotive sales and outdoor storage at 14702 60th St. N.

City Planner Richards reviewed the February 6, 2020 Planning Report to the interim use permit request for outdoor automotive storage, sales and service, noting that the intent is to seek such use for a period of two-years. Richards provided an issue analysis and discussed the same.

Brief Commission discussion ensued as to interim use period, wherein it was clarified that the two-year period was that which the applicant requested, and conflicting language within the planning report recommended approval conditions.

Chair Freeman invited comment from the applicant.

David Phillips of Phillips Architects introduced himself and responded with regard to set hours within the proposed conditions, that they would prefer to not have them. Mr. Phillips provided a brief history of the site, discussed questions with regard to the frontage road and right-of-way, the condition of the building, and the proposed condition requiring repair.

Chair Freeman opened the public hearing at 6:30 p.m.

There being no visitors to the public hearing, Commissioner Kremer, seconded by Commissioner Giovinazzo, moved to close the public hearing. Carried 5-0.

Commission discussion ensued as to the conditions within the planning report, hours of operation, condition of vehicles placed at site and site lighting.

Commissioner Kremer, seconded by Commissioner Giovinazzo, moved to recommend City Council approval of the request, subject to the amended conditions of the February 6, 2020 Planning Report, as amended; specifically, that:

1. The Interim Use of the site by Fury Motors shall be limited to two years from the date of City Council approval. the applicant may request an extension of the Interim Use Permit from the City Council prior to its expiration.
2. The building changes are not anticipated to be subject to Design Guidelines review, but the Applicant shall paint the building, make necessary repairs and provide transparency through the front windows. All paint and repairs shall be completed by June 1, 2020 and are subject to the review and approval of the Building Official.
3. The vehicles parked in the lot will be required to be secured and operable. No wrecked vehicles, body or vehicle parts shall be allowed to be stored outside of the building. Any other vehicles such as buses, campers, and box trucks will be allowed on site but must be parked in the northern one-third of parcel 33.030.20.43.0038. No boats, pontoons, semi-trucks and trailers, other equipment or storage of materials other than the items specifically listed herein shall be permitted in any exterior elevation.
4. The light fixtures existing on the building shall be replaced with full cut off fixtures with shields. Any new lighting of the site will need to be in compliance with the Zoning Ordinance and is subject to review and approval of City staff.
5. The outdoor lighting shall be turned off one hour after closing, except for approved security lighting which shall be full cut off.
6. Changes to the landscape or new plantings are subject to the review and approval of the City Arborist. The monument rocks at the southwest corner of the site shall be removed no later than June 1, 2020.
7. Jersey barriers stored on the site shall be removed no later than June 1, 2020.
8. Any changes to the grading, drainage or utilities shall be subject to the review and approval of the City Engineer.

9. Any new mechanical equipment that is located on the roof or ground level and are visible from street level or from neighborhood properties shall be screened with materials that blend harmoniously with the building façade materials.
10. The fencing for the trash/recycling enclosure shall be repaired. Repair of the enclosure fencing shall be subject to the review and approval of the Building Official.
11. A commercially produced sign shall be affixed to the face of the building that defines the site as operated by Fury Motors and such sign plan shall be provided to the City for review and approval of City staff. The sign shall be installed no later than June 1, 2020.
12. The use of an exterior announcement system shall not be allowed.
13. All storage of materials, parts and supplies shall be to the interior of the building.
14. All vehicle auctions and 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 vehicle in and out.
15. Automotive sales and service shall not be conducted between the hours of 8:00 p.m. and 7:00 a.m. unless otherwise allowed by formal action of the City Council.
16. No vehicles with on or off-site related advertising shall be allowed on the site at any time. This includes vehicles displaying painted advertisement or temporary banners.
17. The applicant shall receive and retain, if required, a Hazardous Waste Generators License for batteries, oil and tires from Washington County.

Carried 5-0.

VII. New Business:

- A. 2020 Planning Commission Meeting Dates & Commission Representative Schedule:
The proposed schedule was reviewed. Commissioner Kremer noted that he could not act as the representative for the September City Council meeting as he would be completing his term in May and would no longer be on the Planning Commission.

Chair Freeman shared his thoughts regarding having to lose the contribution and knowledge of a Commissioners due to a term limit and invited discussion on a proposal to amend the Bylaws with regard to term limits. Discussion ensued as to current term limits and possible changes to them, without any action taken to amend the Bylaws.

Chair Freeman stated that he would like to see an upcoming Agenda item with regard to generating ideas on addressing term limits. The schedule was accepted with amendment, removing Commissioner Kremer as the September City Council meeting representative.

B. Allen S. King Plan Decommissioning & Reuse Advisory Panel:

City Administrator Johnson reviewed the current status of an advisory panel being formed with regard to the decommissioning of the A.S. King Plant, noting that conceptually, the panel would be charged with working through the decommissioning event and planning for the site in a broad sense. Johnson stated that the panel will be a diverse group, which will not include any Oak Park Heights elected officials, and will include a representative of the Planning Commission. Johnson did not ask for a commitment from the Commission, asking that they think about it and if they have interest in participating to let him know, and that the item would be placed on a future meeting agenda.

C. Advertise Commission Vacancy & Term Limits: City Administrator Johnson and Planning and Code Enforcement Officer Hultman discussed the current terms of the Commission, noting that Commissioner Kremer would be completing his one year special appointment to the Commission on May 31st and that per Planning Commission Bylaws could not seek reappointment and that staff would be advertising the vacancy. The Commission will hold its annual meeting in March, where Chair Freeman will be asked to declare his desire to seek reappointment or otherwise and where the Commissioners will elect a Chair and Vice Chair.

VIII. Old Business:

A. 2018 Comprehensive Plan – Final Draft Approval:

City Planner Richards reviewed his February 6, 2020 Memorandum, noting that the City received Metropolitan Council notification, dated December 18, 2019, that its 2018 Comprehensive Plan had been reviewed and found to meet all of the requirements of the Metropolitan Land Planning Act.

Discussion ensued as to efforts put forth into preparing the plan, Commission desire to keep its elements fresh for the Commission through review and modification discussion during the course of the plan's life versus at the end of it, manner by which such conversation could be accomplished, and the need for a plan to put something in place so that staff could place it on the Commission Agenda for periodic review and/or conversation.

Commissioner Kremer, seconded by Commissioner White, moved to forward to City Council with a recommendation to approve and adopt the 2018 Comprehensive Plan as approved by Metropolitan Council.

Carried 5 – 0.

IX. Informational:

A. Upcoming Meetings:

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| • Tuesday, February 25, 2020 | City Council | 6:00 p.m./City Hall |
| • Thursday, March 12, 2020 | Planning Commission | 6:00 p.m./City Hall |
| • Tuesday, March 24, 2020 | City Council | 6:00 p.m./City Hall |
| • Thursday, April 9, 2020 | Planning Commission | 6:00 p.m./City Hall |
| • Tuesday, April 28, 2020 | City Council | 6:00 p.m./City Hall |

B. Council Representative

- Tuesday, February 25, 2020 – Commissioner White
- Tuesday, March 24, 2020 – Commissioner Freeman
- Tuesday, April 28, 2020 – Commissioner Kremer

X. Adjourn:

Commissioner Kremer, seconded by Commissioner Giovinazzo, moved to adjourn at 7:16 p.m. Carried 5 – 0.

Respectfully submitted,

Julie Hultman
Planning & Code Enforcement

Approved by the Planning Commission: March 12, 2020 / 5-0